



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
PO BOX 778
DOVER, DELAWARE 19903

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GOVERNOR

JENNIFER COHAN
SECRETARY

VIA WEBSITE POSTING

(302) 760-2030
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May 29, 2015

Contract No. T200612502.01
Lewes Park and Ride & Maintenance Facility
Sussex County

Ladies and Gentlemen:

Enclosed is Addendum No. 1 for the referenced contract consisting of the following:

1. Replace the Sub-Contractor Category List included in the original Bid Proposal with the attached revised Sub-Contractor Category List determined at the Mandatory Pre-Bid Meeting which was held on May 28, 2015.
2. The Mandatory Pre-Bid Meeting Sign-In Attendance Sheet has been posted and attached.
3. Replace page ii with the attached pages adding paragraph 16 to the PROSPECTIVE BIDDERS NOTES.

This modifies the requirement for the prime and subcontractors to perform at least 50% of the work with their own forces, to providing at least 10% of the work with their own forces. It also removes the percentage for the Work of Subcontractors identified in the List of Subcontractor Categories submitted with the Bid. These modifications are a result of the percentage of work for this project being almost equally split between civil and vertical construction.

4. Answers to Questions raised at the Pre-Bid Meeting are attached, and Posted under Questions and Answers on the project Website.

Please note the revisions listed above and submit your bid based upon this information.

Sincerely,

signature on file

James H. Hoagland
Contract Services Administrator

:jhh
Enclosure

LIST OF SUBCONTRACTORS

In accordance with 29 Del. C. S6962(d)10a and 10b., a Pre-Bid Meeting was held on May 28, 2015 to select the subcontractor categories to be included in the bids for performing the work required for this contract. This proposal is based on work to be performed by the Subcontractors listed below.

A bid submitted in the name of an individual should list the individual names followed by T/A and the name of the company.

EXAMPLE: John Doe, T/A Doe Contracting Company

In accordance with Title 29, Subsection 6962(d)(10)b of the Delaware Code, a penalty of \$2,000.00 will be withheld from the successful bidder for each occurrence for the failure to utilize any or all of the Subcontractors set forth below:

<u>CATEGORIES</u>	<u>SUBCONTRACTOR</u>	<u>ADDRESS</u> <u>CITY AND STATE</u>
Aluminum Store Front	_____	_____
Asphalt	_____	_____
Carpentry	_____	_____
Concrete	_____	_____
Concrete, Pervious	_____	_____
Demolition	_____	_____
Drywall	_____	_____
Electrical	_____	_____
Equipment Shop	_____	_____
Fire Suppression	_____	_____
Flooring, Carpet	_____	_____
Flooring, Resinous	_____	_____
Flooring, Tile	_____	_____
Flooring, VTC	_____	_____
Fuel System & Tanks	_____	_____
Glass/Glazing	_____	_____
Masonry	_____	_____

<u>CATEGORIES</u>	<u>SUBCONTRACTOR</u>	<u>ADDRESS</u> <u>CITY AND STATE</u>
Mechanical		
Mechanical, HVAC		
MOT		
Painting		
Paving		
Plumbing		
Roofing		
Site/Civil		
Steel		
Striping		
Vehicle Lifts		

Lewes Park and Ride & Maintenance Facility

May 28, 2015, 2:30 P.M.

Name	Company	Address	E-Mail Address	Phone #
Marc Gold	JJID Inc.	100 Julian Lane, Bear	mgold@jjid.com	302-584-2160
Dylan Norris	JJID Inc.	100 Julian Lane	DNorris@JJID.com	302-836-4414 Ext 11
Karen Bunialc	TTI Env.	1253 N. Church St ^{Moorestown} NJ	karenb@ttienv.com	856 840-8800/14
SEAN GAITNES	DIXIE CONST	GEORGETOWN DE	SEAN@DIXIECONST.COM	302 858 5007
Jason Kehler	Sposato Landscape	Hudston rd. Milton, DE	JKehler@SposatoLandscape.com	302 841 2817
Ryan Kimble	ZACKEX	2135 J. Dupont Blvd Smyrna DE	ryan.kimble@ZACKEX.com	302 225 6223
Nes Paxton	Allan Myers	440 Twin Oak Drive Dover, DE	Wesley.paxton@allanmyers.com	302-670-3680
DAVID STRAUSS	HARRIS CONTRACTING, INC.	31400 WINTERPLACE PKY SUITE 400 SALISBURY, MD	DSTRAUSS@HARRISCONTRACTING.COM	(410) 749-3300
Lee Beauchamp	Delmarva Veterans Builders	P.O. Box 621 Salisbury MD 21803	Lee@delmarvaveteranbuilders.com	443-880-7301
DONNA FAUBEL	MUMFORD & MILLER	1005 INDUSTRIAL DR. MIDDLETOWN, DE 19709	PERDONY@mumfordandmiller.com	302-378-7736
TONY VASSALOTTI	RICHARD Y. JOHNSON & SON	18409 JOHNSON RD. LINCOLN, DE 19960	tvassalotti@ryjson.com	302-422-3732
ROBERT KEMSKE II	A-DEL Construction	10 ADEL Dr. Newark, 19702	RKEMSKE@A-DEL.com	302-453-8286
Jeff Norman	George & Lynch	150 Lafferty Ln. Dover, DE	jnorman@geslyn.com	302-342-3126
Mike Davis	Diamond Materials LLC	242 N. James St. Newport	mdavis@diamondmaterials.com	658 6524
JERRY JALOSKY	DIST CONSTRUCTION CO	102 LONCH CIRCLE NEWPORT 03 1984	jjalosky@distconstruction.com	658-4417

SEE PAGE 2

May 28, 2015, 2:30 P.M.

[illegible]

7. **SPECIFICATIONS:** New Supplemental Specifications to the August 2001 Standard Specifications were issued November 24, 2014 and apply to this project. They can be [viewed here](#). The Department is currently updating the August 2001 Specifications for Road and Bridge Construction. Through this update, some Divisions were renumbered and some new ones were created and added. The *Specifications Note* document is for the use by the bidders to reference the new numbers to the past numbers used for bidding purposes on previous Department contracts.
8. **PLEASE NOTE** the requirements of special provision ‘Changes to Project Documents During Advertisement’ have moved to Supplemental Specifications, the special provision is no longer needed.
9. **PLEASE NOTE** federal requirements for the DBE program under [49CFR §26.53\(b\)\(3\)\(i\)\(B\)](#) have changed effective November 3, 2014. Submission of DBE participation information is now required from the lowest apparent bidder no later than seven (7) days after bid opening (*formerly 10 days*).
10. **BREAKOUT SHEETS** MUST be submitted either with your bid documents; or within seven (7) calendar days following the bid due date by the lowest apparent bidder. Refer to instructions adjacent to the Breakout Sheets in this document.
11. **PROPOSED TRAINEE PLANS** as required. Number of required programs is listed in the Training Special Provisions within Contract General Notices. The program(s) must be submitted within 10 Calendar Days of notification of apparent low bidder status. Contract Award will not take place until acceptable On-the-Job (OJT) program plans are received by the Civil Rights Group of the Department.

Failure of the apparent low bidder to present copies of an acceptable OJT Trainee Programs within ten (10) calendar days of notification of apparent low bidder status, shall create a rebuttable presumption that the bid is not responsive.
12. There are two (2) **Wage Rate Classifications** for this project, Highway Construction & Building Construction. The Highway Construction Prevailing Wages apply to contract Item Numbers; 0010-0020, 0040-0780, 0800-0810, 0870-0980. Building Construction Prevailing Wages apply to all other contract Item Numbers. This applies to both state and Davis-Bacon Prevailing Wages.
13. This project incorporates **Appendix A TECHNICAL SPECIFICATIONS**, which is a part of this contract. Appendix A contains additional specifications required for this project.
14. FTA Grant Numbers for this project; DE-04-0003, DE-18-X028, X029 and X030.
15. In accordance with 29 Del. C. §6962(d)(10)a, a **Mandatory Pre-Bid Meeting** will be held to select the subcontractor categories to be included in the bids for performing the work required for this contract. In accordance with Title 29 Del. C. §6962(d)(10)b of the Delaware Code, a penalty of \$2,000.00 will be withheld from the successful bidder for each occurrence for the failure to utilize any or all of the Subcontractors submitted with the bid.

The Pre-Bid Meeting will be held Thursday May 28, 2015 at 2:30 p.m. in the DelDOT Administration Building, 800 Bay Road, Dover, Delaware, 19903.

All bidders must be represented at the Mandatory Pre-Bid Meeting for this contract. The bidder’s representative must sign-in and identify the name of the bidder they represent. Failure to sign-in with the bidder’s company name at the Mandatory Pre-Bid Meeting will result in the bidder being found non-responsible and non-responsive, and their bid will be rejected.
16. Section 108.01 of the Standard Specifications for Road and Bridge Construction August 2001, is hereby modified for this contract as shown below:

108.01 Subletting of the Contract. Perform Work with the Contractor’s own organization amounting to not less than 50 % **10%** of total original Contract Price, excluding any specialty Items designated by the Contract. Specialty Items may be performed by subcontract and the amount of any such specialty Items performed may be deducted from the total original Contract Price before computing the amount of Work required to be performed by the Contractor’s own organization. The Contract upon which the requirements are computed includes the cost of Material and manufactured products that are to be purchased or produced by the Contractor under the Contract provisions. Adjustments in quantities or additional Items of Work shall not require an Adjustment of the percentage computed as described above.

The term “perform Work with its own organization” refers to workers employed or leased by the prime Contractor, and Equipment owned or rented by the prime Contractor, with or without operators. Such term does not include employees or Equipment of a Subcontractor or lower tier Subcontractor, agents of the prime Contractor or any other assignees. The term may include payments for the costs of hiring leased

employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime Contractor meets all of the following conditions:

- (1) The prime Contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) The prime Contractor remains responsible for the quality of the Work of the leased employees;
- (3) The prime Contractor retains all power to accept or exclude individual employees from Work on the Project; and
- (4) The prime Contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other federal regulatory requirements.

“Specialty Items” are limited to Work that requires highly specialized knowledge, abilities, or Equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the Contract as a whole and in general are intended to be limited to minor components of the overall Contract. All Specialty Items will be expressly identified in the Contract.

Do not sublet, sell, transfer, assign or otherwise dispose of any portion of the Contract except with the written consent of the Engineer. Such consent, when given, does not relieve the Contractor of any responsibility for the fulfillment of the Contract. Do not purchase Work or Materials from an organization other than its own, or otherwise dispose of the Contract or Contracts or any portion thereof, or of its right, title or interest therein, without written consent from the Engineer. Written consent will only be given after the Engineer has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime Contract.

If the Contractor proposes to subcontract any part of Work, outline the scope and value of the Work to be performed by the Subcontractor. Outline the cost of Materials to be used by the Subcontractor. Include the cost of Materials to be used by the Subcontractor in the value of the subcontracted Work. A Subcontractor shall not subcontract further a portion of the Work without the express written permission of the Engineer. In granting such permission, the Engineer will ensure that the Subcontractor seeking to subcontract the Work to be performed by another shall nonetheless perform with its own organization Work amounting to not less than 50% **10%** of the total subcontracted bid price; **except, this requirement does not apply to the Work of Subcontractors identified in the List of Subcontractors submitted with the Bid.**

Perform all the traffic control Work and related Items either (1) entirely with labor, Equipment and Materials from the Contractor's own organization; or (2) entirely with labor, Equipment and Materials from a single Subcontractor. Maintenance of the Equipment will not be subject to this requirement.

When the Contractor has sublet a portion of the Contract or a Bid Item to a Subcontractor, the actual payment to the Subcontractor will be applied to fulfill Disadvantaged Business Enterprise (DBE) requirements of the Contract, where applicable. The cost of the portion of the Contract or Bid Item performed by a DBE will be included in the total amount of Work subcontracted by the Contractor in determining whether the Contractor is performing at least 50% **10%** of the total Contract Bid Price, as required by this Section. As a prerequisite to payment for any Work performed by a Subcontractor or on a Subcontractor's behalf and prior to any Work being performed on the Project by any Subcontractor, submit a certified copy of the Contractor-Subcontractor agreement and a copy of the Subcontractor's Delaware business license. Also include all other contracts with suppliers or any other person, firm, or organization for review and approval by the Engineer. Each subcontract shall be in writing and shall contain and state that all pertinent provisions and requirements of the prime Contract are incorporated into the subcontract. The Contractor is solely responsible to determine that all such provisions are included and such provisions will be implied where not specifically included.

The Contractor may also be required to submit additional information concerning the prospective Subcontractor or supplier, including any additional information required by the terms of this Contract, by the Department or by the FHWA, or other governmental agency, where necessary. Such information may include but may not necessarily be limited to:

- A. Evidence that the organization which performs the Work is particularly experienced and equipped for such Work.
- B. Assurance by the Contractor that the labor standards provisions set forth in this Contract shall apply to labor performed on all Work encompassed by the Contract.
- C. Assurance that all Civil Rights Provisions and DBE requirements have been satisfied.

Include provisions in all subcontracts that indemnify and save harmless the Department from the action of the Subcontractor or supplier; provisions that provide for the binding arbitration of all disputes between the parties to the subcontract agreement; and provisions that save harmless and indemnify the Department for omissions in the subcontract agreement.

Any review performed or permission or approval granted under these Specifications will not operate, nor be interpreted as approval of the Work to be performed by the Subcontractor or Material supplied by a supplier, nor operate to relieve the Contractor of the sole responsibility for satisfactory Completion of the Contract. No contracts, subcontracts, supplier agreements, sales, transfers, leases, assignments, or any other agreements applicable to this Contract will in any case release the Contractor of its sole responsibility and liability under the Contract and Bonds.

The Department, at its discretion, may refuse to pay for or accept all or part of the Work or Materials supplied by an unapproved Subcontractor or Materials supplier and may refuse to consider such Work performed or Materials supplied as part of the subcontracted Work.

Delaware Department of Transportation

QUESTIONS AND ANSWERS

T200612502.01

LEWES PARK AND RIDE & MAINTENANCE FACILITY, SUSSEX COUNTY

Friday, May 29, 2015

Q #	Question	Answer
10	Plan sheets 25 & 26 show 2' wide stone diaphragms underlain with geotextile. How is this work measured and paid?	<i>Response forthcoming...</i>
9	Please refer to plan sheet 24. How is the work shown on this plan measured and paid?	<i>Response forthcoming...</i>
8	Please refer to plan sheet 22. The BMP cells are shown to have Basin Seed Mix. How is this work measured and paid?	<i>Response forthcoming...</i>
7	Please refer to plan sheet 16. Note 2 for the Storm Drain Encasement Detail refers to item 208001. However, item 208001 does not exist on the bid form. Will this item be added?	<i>Response forthcoming...</i>
6	Please refer to plan sheet 5. There are some Pipe Bollards shown to be installed. How are these to be measured and paid?	<i>Response forthcoming...</i>
5	Does the contractor or subcontractor installing the pervious concrete pavement have to be an NRMCA Certified Pervious Concrete Installer?	<i>Response forthcoming...</i>
4	Please refer to plan sheet 5. Please revise this page to clearly differentiate 10" PCC pavement from sidewalk.	<i>Response forthcoming...</i>
3	Please refer to plan sheet 5. What is the little square with "UTIL"?	<i>Response forthcoming...</i>
2	Please refer to plan sheet 5. Are the trash and metal containers to be furnished as part of this contract? If so, please provide specifications.	<i>Response forthcoming...</i>
1	What is the required height of the sound barrier wall system?	<i>Response forthcoming...</i>
PB-B	What are the requirements regarding lower tier subcontractors?	Section 108.01 of the Standard Specifications has been modified in response to this question. This has been addressed in Addendum 1.
PB-A	What is the percentage of work the successful bidder must perform with its own forces?	The successful bidder must perform Work with their own organization amounting to not less than 10% of the total original Contract Price. This has been addressed in Addendum 1.

PB = Pre-Bid Meeting open questions.