



MARYLAND TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor
James T. Smith, Jr., Secretary • Robert L. Smith, Administrator

TO: All Planholders

FROM: Maryland Transit Administration

SUBJECT: **Addendum No. 2**
Contract No.: T-1223-0240R
Reisterstown Plaza Double Crossover Refurbishment 2

DATE: April 7, 2014

Enclosed and effective this date is Addendum No. 2 to the subject Contract. This change revises the Bid-Opening date to April 30, 2014, 2:00 p.m., 6 Saint Paul Street; 7th Floor, Baltimore, Maryland 21202. Also, this addendum answers all questions submitted by interested bidders.

The Bidder shall acknowledge receipt of this Addendum by completing and returning this form with the bid package.

All other terms and conditions remain unchanged.

Sincerely,

Joseph B Johnson

Joseph B Johnson, Procurement Officer
Professional Services/Construction/Installation Section
Procurement Division

Acknowledgement of receipt of ADDENDUM # 2 to Solicitation #T-1223-0240R

Vendor Name: _____

Authorized Representative's Signature

Date

ADDENDUM NO.: 2
DATE: 4/7/14
CONTRACT NO.: T-1223-0240R

The following additions, deletions, and modifications are hereby made a part of the Contract Documents of Reisterstown Plaza Double Crossover Refurbishment 2, Contract No.: T-1223-0240R.

Item No.	Page	Modification
II. Question & Answers		See Attachment – Answers provided to all questions per addendum No.2.
I. CONTRACT SPECIFICATIONS		
1	Notice to Contractor (NTC)	Bid Due Date – Bid Due Date revised to April 30, 2014

Reisterstown Plaza Double Crossover Refurbishment 2
CONTRACT NO. T-1223-0240R
7-Apr-14

#	QUESTIONS	RESPONSES
1	As Potential DBE Subcontractor and Material Supplier, J P and Concepts Co. respectfully requests a 3 week extension to the bid date in order to adequately prepare our proposal for the Prime bidders on the Reisterstown Plaza Double Crossover, Contract No. T-1223-0240	The Administration has looked into this request and the bid are now due April 30, 2014.
2	A three week time extension to the original due date of 4/8/2014 for the above referenced bid.	The Administration has looked into this request and the bid are now due April 30, 2014.
3	Are the existing code commands properly working through the Diamond Crossing location?	Yes
4	Are there any snowmelter control circuits in the diamond crossover limits?	Yes, The existing snow melter equipment that is to be replaced presently consists of two snow melter cases, one case at each end of the interlocking and each case controls heaters for two switches and each switch has two rail and two crib heaters. This interlocking does not have third rail heaters.
5	We have received requests from DBE subcontractors and suppliers and also two special trackwork suppliers to request and extension to the bid date on their behalf. The special trackwork engineers stated they need more time to evaluate the drawings and documents to adequately prepare pricing. Also, we would appreciate more time to prepare in order to receive DBE subcontractor pricing, DBE material pricing, special trackwork pricing and to formulate and submit a competitive Bid Proposal Railworks requests a 3 week extension to the current bid date of April 8th?	The Administration has looked into this request and the bid are now due April 30, 2014.
6	Section 03410, Monoblock Concrete Cross Ties paragraph 3.07 Acceptance of Design tests for Concrete Ties, will existing testing be accepted or will new testing be required?	Specs Section 03410: If the manufacturer has previously and successfully completed one or more of the same design qualification tests as specified in Article 3.07, the tie manufacturer may submit reports of those test results to the administration for acceptance, provided that the tested ties and components are of the same design as specified for Contract T-1223-0240R and the new ties to be furnished for contract T-1223-0240R will be manufactured at the same manufacturing plant using the same ingredients. Before the Administration will consider waiving these tests, the Contractor shall include in the submittal a report of complete records of the ties furnished for the previous contract, and

a complete copy of the tie procurement contract specifications that the previously tested ties were produced in accordance with. If any design features, materials specifications, or test procedures for the previously test ties are different than for Contract T-1223-0240R, than new Design tests shall be successfully completed for Contract T-1223-0240R.

7 Drawing T-07, No. 8 Double Crossover, sheet 2 of 2, some of the center frog ties have special plating and no plating. How will rail height be maintained along the center line of the concrete tie?

The manufacturer of the concrete switch ties shall modify the design mold, as required, for different rail support heights along the tie, for locations where plates or no plates are used. The tie manufacturer may, at their option, submit an alternate design that extends indicated plates to support two adjacent rails.

8 Section 05862, Ballasted Special Trackwork, paragraph 3.02, Shop Layout and Inspection. Is the contractor responsible for MTA Travel costs to the Special Trackwork Shop location or does the MTA bear the costs?

The Contractor will not be responsible for MTA travel costs for special trackwork inspections.

9 Section 05651, Rail Welding, paragraph 1.03, Qualification Tests. If our Weld crew is already certified by our QA staff is it necessary to perform the Qualification welds?

If the Contractor's rail welding crew has already been certified by the Administration for rail welding, they will not need to be recertified for Contract T-1223-0240R, provided that the welding crew will use the same rail welders as were previously certified, and the rail welding qualification tests will not need to be rerun. The Contractor shall submit copies of the previously submitted and approved rail welders, tests, and testing records, for Administration verification.

10 Does the MTA have a need for any or all of the excavated Ballast and or Subballast to fill in low spots on access roads on site or at other locations on the system relatively close to the job site?

MOW does not have need of any excavated ballast and /or subballast at this point. However, I suggest that the awarding contractor check with Metro again through RE if they require any.

11 Should Bid Item No. 43 be increased to 7 Ton to account for the 4 -39' rails being welded in west of the double crossover where the insulated joints are being removed?

No. The 4-39' rails to be furnished for installation west of the double crossover shall be included in the measurement and payment for the Double Crossover Unit, Bid Item 38.

12 Section 01570, Environmental Protection, paragraph 1.10, Special Hazard Materials, Subparagraph A., possible PCB's are addressed, Is it possible that the ballast may contain PCB's? Have initial samples been taken and tested?

The Administration is not aware of any PCB contamination in the existing ballast for this Contract. Should the Contractor handle and manage materials that contain PCB, the procedures specified in Section 01570 shall be followed. The Administration has not tested the existing ballast for PCB contamination.

13 Section 01110, Summary of Work, paragraph 1.10.A. Administration Furnished Products, it states for more information on the switch rollers refer to Section 05682. There is no further mention of this product in Section 05682. Can you please provide?

14 Does the MTA have a preferred Ballast supplier that meets the specifications? Can you please provide this contact information?

15 If the contractor is to take advantage of the storage area provided by the MTA, when is the earliest the contractor may start to receive materials?

16 Can the MTA provide us a CSX contact with phone number regarding use of their property?

17 It seems that the hours allotted for the piecing of diamond (1 AM – 4 AM) is not ample time to complete the work. Is the MTA open to review alternative work plans to complete this area of work? (i.e. Longer hours on a weekend for the diamond work and for adequate surfacing).

18 Please confirm that the rails in the adjoining DF track East of our work limits will not be disturbed except at the location of our field weld connections.

19 Section 03410, Monoblock Concrete Cross Ties paragraph 2.05, Contact Rail support plates subparagraph A. I did not see requirements for "Galvanizing" in the specifications or on the drawing (T-22). Is this because the steel is a weathering steel and galvanizing is not required? Please confirm.

20 We are encountering delays in obtaining subcontractor bids and other

The Switch Roller type/design is specified in Section 01110, Article 1.10. The Switches specified in Section 05682 shall be modified as required, to accommodate the specified Switch Rollers.

The Administration does not have a preferred ballast supplier. Any ballast meeting all the requirements of Specifications Section 02726 will be accepted.

After NTP when permitted by the MTA Resident Engineer.

CSX should be contacted directly regarding the use of their property.

The Contractor will not be required to complete all of the demolition/installation of the crossing diamond in one 3-hour non-revenue period (1am-4am). The Contractor may split this work up into more than one such nonrevenue period, as required, to complete the work. The Contractor shall submit the proposed procedure and schedule for this work to the Administration for approval prior to beginning work, as specified in Section 01110.

The limits of demolition and reconstruction for the track are clearly indicated on the Contract Drawings. The limits of removal and replacement for the running rails are approximately at the limits of ballasted track. The running rails outside the limits of reconstruction should not be disturbed unless approved in advance by the Engineer. If any rails outside the limits of reconstruction need to be disturbed, the Contractor shall submit to the Engineer the proposed limits of disturbance, reasons for extending the work, and proposed procedures for extending the work beyond the construction limits, as well as proposed procedures for distressing the rails.

The contact rail support plates shall be manufactured from steel plate conforming to ASTM A242 or A588, and do not need to be galvanized.

The Administration has looked into this request and the bid are now due

pricing on the above other pricing on the above referenced project and respectively request a three to four week time extension on the bid date.

April 30, 2014.

**STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION
NOTICE TO CONTRACTORS**

TITLE: REISTERSTOWN PLAZA DOUBLE CROSSOVER REFURBISHMENT 2

CONTRACT NO.: T-1223-0240R

DATE: February 25, 2014

1. DESCRIPTION OF WORK

A. This Contract is for the refurbishment of Reisterstown Plaza No. 8 double crossover in the Baltimore Metro System, located west of Reisterstown Road Plaza Station, and adjacent sections of standard ballasted track on each side of the double crossover.

B. Estimated value for this work is in the range of \$2,500,000 to \$5,000,000

2. PRE-BID MEETING & SITE VISIT

A Pre-Bid meeting for the purpose of explaining the Project will be held on **March 11, 2014** at 10:00 a.m., local time at the Administration Headquarters, 6 St. Paul Street, 7th Floor Conference Room(s) 731-733, Baltimore, Maryland 21202-1614.

A Site Visit will be held on **March 11, 2014** immediately after the pre-bid meeting. Project Manager will give specifics and the pre-bid meeting.

It is strongly suggested that the person(s) responsible for the preparation of bid documents for bidders attend the Pre-Bid Meeting and the site visit. **INSTRUCTIONS CRITICAL TO THE PREPARATION OF THE CONTRACT DOCUMENTS WILL BE PRESENTED AT THE PRE-BID MEETING.**

3. DEADLINE FOR QUESTIONS

Questions regarding the work should be directed in writing to **Mr. Joseph B Johnson** at the Administration Offices or via Internet address jjohnson14@mta.maryland.gov. Facsimile messages will not be accepted unless accompanied by telephone notification at **(410) 767-3363**. Our fax number is (410) 333-4810. Questions directed to this office must be received no later than **March 25, 2014** at the close of the business day. Questions should be submitted on company letterhead. No interpretations other than written shall be binding on the Administration.

4. BID DUE DATE & TIME

Sealed Bids addressed to the Maryland Transit Administration, Procurement Division, 6 St. Paul Street, Baltimore, Maryland 21202-1614, and marked "Bid for Contract No. T-1223-0240R", will be received at the above address until but not after 2:00 P.M. local time, April 30, 2014. At that time, the Bids will be publicly opened and read aloud at a location at the same address. Hand delivered bids should be deposited in the Bid Box located on the 7th Floor before the 2:00 P.M. deadline. Any bids received after the date and time specified shall not be considered.

5. ELECTRONIC VERSION OF BID DOCUMENTS

The bid documents will be available by electronic means. The Bidder acknowledges and accepts full responsibility to ensure that the Bidder has made no changes to the Administration's bid documents. In the event of a conflict between the versions of the bid documents in the bidder's possession and the version maintained by the Procurement Officer, the version maintained by the Procurement Officer shall govern.

6. AVAILABILITY OF DOCUMENTS

Specifications may be downloaded from the MTA web site located at www.mta.maryland.gov. Bidders will be required to register the first time specifications are downloaded and a login number will be assigned. This number should be used every time the bidder downloads the documents for this contract. Bidders must supply accurate information in order to receive notice of all subsequent addenda.

TO OBTAIN THE SPECIFICATIONS: Please visit MTA's website (www.mta.maryland.gov), follow the links for "Business" – "Procurement" - "Bids/Solicitations", and download the Specifications for this procurement.

TO OBTAIN THE DRAWINGS: e-mail Joseph B Johnson at jjohnson14@mta.maryland.gov requesting the contract drawings and supplying the following information: the contact person, company name, mailing address, phone # and e-mail address. The drawings (CD) will be mailed to you at no cost. You also have the option of picking up the CD containing the drawings at: 6 Saint Paul Street, 7th floor, Baltimore, MD 21202.

7. ADDENDA

Bidders are required to acknowledge all addenda with their bid package. Although the MTA endeavors to send out all addenda to this solicitation in a timely manner, it is the responsibility of the contractors to make sure they received all appropriate documents prior to the bid due date.

8. EMARYLAND MARKETPLACE REGULATIONS

Use of “e-Maryland Marketplace”

“e-Maryland Marketplace” is an electronic commerce system administered by the Maryland Department of General Services.

Registration is free and will provide a means for your business to receive e-mail notifications of upcoming contracting opportunities in specified areas of interest and expertise. This means that all such information is immediately available to subscribers to e-Maryland Marketplace. Because of the instant access afforded by e-Maryland Marketplace, it is recommended that all Bidders interested in doing business with Maryland State agencies subscribe to e-Maryland Marketplace. For more eMM registration information, visit the website: <http://ebidmarketplace.com>.

9. BID BOND

Each bid exceeding \$100,000 must be accompanied by a Bid Bond in the amount of five percent (5%) of the Bid Price. Bid, payment, and performance security may be in the form of: (1) a bond executed by a surety company authorized to do business in the State; (2) a bond executed by an individual surety that meets certain criteria; (3) another form of security required by State or federal law; or (4) another form of security satisfactory to the unit awarding the contract. Sections 13-207, 13-216, 17-104 of the State Finance and Procurement Article, Annotated Code of Maryland.

10. PAYMENT AND PERFORMANCE BONDS

Payment and Performance Bonds in the amount of the Contract Price will be required by the awardee. Upon receiving notification of contract award, the Contractor shall deliver the bond to the MTA no later than the time the Contractor executes the contract. Bid, payment, and performance security may be in the form of: (1) a bond executed by a surety company authorized to do business in the State; (2) a bond executed by an individual surety that meets certain criteria; (3) another form of security required by State or federal law; or (4) another form of security satisfactory to the unit awarding the contract. Sections 13-207, 13-216, 17-104 of the State Finance and Procurement Article, Annotated Code of Maryland.

11. ELECTRONIC FUNDS TRANSFER

On every solicitation for a contract expected to exceed \$200,000, the bidder will be required to accept payments by electronic funds transfer (EFT) unless the State Comptroller’s Office grants an exemption.

12. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

- A. DISADVANTAGED BUSINESS ENTERPRISES ARE ENCOURAGED TO RESPOND TO THIS SOLICITATION NOTICE.**
- B. The Maryland Transit Administration hereby notifies all bidders that, in regard to any Contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit Bids in response to this Notice, and will not be subjected to discrimination on the basis of political or religious opinion or affiliation, race color, creed, sex, age or national origin in consideration for an award.
- C. It is the goal of the Administration that Disadvantaged Business Enterprises participate in all Contracts. Each Contract will contain goals for Disadvantaged Business Enterprise participation on a contract-to-contract basis. A subcontracting goal of **twenty-four point fourteen percent (24.14%)** has been established for this procurement. All bidders must submit with their bid a fully executed copy of the Certified DBE Utilization and Fair Solicitation Affidavit (MDOT DBE FORM A) and DBE Participation Schedule (MDOT DBE FORM B). If the bidder fails to submit these completed forms with the bid as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award. **ALL DBE FIRMS MUST BE CERTIFIED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION. NO OTHER CERTIFICATIONS WILL BE ACCEPTED.**
- D. **A contractor may count toward its DBE goal 60 percent of its expenditures for materials and supplies required under the contract and obtained from a DBE regular dealer, and 100 percent of such expenditures to a DBE manufacturer. The DBE credited supplies may not exceed 60 percent of the entire contract goal.**
- E. New versions of Sections 13-103, 13-104 and 14-303 of the State Finance and Procurement Article of the Maryland Code, relating to increased bid/proposal documentation of DBE commitments, are effective as of October 1, 2004. The Contract under this solicitation will be awarded in accordance with these new requirements. As a result, new bid submission requirements, including certain revised DBE documents, are in effect for this solicitation. These new requirements are set forth elsewhere in this solicitation.
- F. As a result of the revisions to Sections 13-103, 13-104 and 14-303, certain existing portions of the Code of Maryland Regulations (COMAR) relating to post bid/proposal submission of DBE subcontractors are inconsistent with the revised statute. To the extent the provisions of COMAR relating to post bid identification of DBE subcontractors are inconsistent with the requirements of this solicitation, the requirements of this solicitation shall control the

award of a Contract. Questions or concerns regarding the DBE requirements of this solicitation must be raised prior to the opening of bids or receipt of initial proposals

- G. Effective on October 1, 2009, Minority Business Enterprise (MBE) firms may elect to be dually certification as woman-owned businesses and as members of an ethnic or racial category. For purposes of achieving any gender or ethnic/racial MBE participation subgoals in a particular contract, an MBE firm that has dual certification may participate in the contract either as a woman-owned business or as a business owned by a member of a racial or ethnic minority group, **but not both**.

WARNING – PLEASE READ:

- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with the gender category in order to be used to meet the gender subgoal.**
- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with an ethnic/racial category in order to be used to meet the ethnic/racial subgoal.**
- ◆ **A firm must be listed in the MDOT MBE/DBE Directory with both the gender and ethnic/racial categories in order for a contractor to have the option of selecting which of those categories it will use for the firm on a State contract.**
- ◆ **Contractors should designate whether the MBE firm will be used as a woman-owned business or as a business owned by a member of a racial/ethnic group before calculating the percentage of MBE participation goals and subgoals they intend to meet.**

Maryland's MBE/DBE Directory will reflect the dual certification status beginning October 1, 2009. You can access the MBE/DBE Directory at <http://mbe.mdot.state.md.us>. Firms with dual certification will now be listed as follows:

Example:

ABC Corporation, Inc.
123 Corporate Circle
Hanover, MD 21076

Female/African American

00-000

13. AFFIRMATIVE ACTION REQUIREMENTS

Bidders on this Work will be required to comply with MTA Affirmative Action Requirements and all applicable Equal Employment Opportunity Laws and Regulations.

14. FEDERAL FUNDING

Any contract resulting from bids submitted is subject to a Financial Assistance Contract between the Administration and the U.S. Department of Transportation. Federal funds will be used to finance 80% of the cost of this contract.

15. SUSPENSION AND DEBARMENT CERTIFICATION

All bidders will be required to certify that they are not on the GSA List of Parties Excluded from Procurement and the List of Contractors Suspended or Debarred from Contracting with the State of Maryland. All bidders must also be in good standing with the State Assessment & Taxation Department.

16. CONTRACTOR'S QUESTIONNAIRE

All Bidders shall submit a fully executed copy the Contractor's Questionnaire Pre-Award Evaluation Data Form with the bid package.

17. INSURANCE REQUIREMENTS

The Administration has chosen to provide Workers' Compensation, General Liability, Excess Liability, Builders Risk, Pollution Liability and Railroad Protective coverage on behalf of Contractors and subcontractors working on this project. This approach to project insurance is commonly called a wrap-up or owner controlled insurance program (OCIP). Specific information regarding Liability Insurance Requirements is contained in the Contract Specifications.

Please note that an Insurance Cost Worksheet must be included with each bid package.

18. USE OF BIDDER'S OWN FORCES

The bidder with his own forces shall perform not less than fifty (50%) of the work at the project site.

19. BUY AMERICA REQUIREMENTS

This contract is subject to Section 165, "Buy America", of the Surface Transportation Assistant Act of 1982, U.S. Public Law 197-424, and regulations and/or guidance implementing this statutory provision issued by the Federal Transit Administration of the U.S. Department of Transportation. The contract is further subject to the Buy American Steel requirements of Chapter 02 of subtitle 11 of the Code of Maryland Regulations, Title 21, State Procurement Regulations.

20. CANCELLATION OR REJECTION OF BIDS

Notice to Contractors may be canceled in accordance with State Procurement Regulations.

The Administration reserves the right to reject any and all bids and/or waive technical defects if, in its judgment, the interests of the Administration so require.