

OFFICIAL TRANSCRIPT OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION
PRE-PROPOSAL CONFERENCE
FOR
MARC WEDGE STORAGE YARD
AT UNION STATION
CONTRACT NO. T-0208-0140

July 13, 2011

10:00 A.M.

Maryland Transit Administration
6 St. Paul Street, #731-732
Baltimore, Maryland 21230

Agency:

Vanessa Ashe, Procurement
Bill Naughten, MTA-MARC
Frank Kernan, Quality Assurance, Quality Control
Arthur Ives, Quality Assurance, Quality Control
Gail Allen, Office of Safety Quality Assurance and Risk Mgmt.
T. Byron Smith, OAG
Bill Parks, Engineering
Kamran Nader, AECOM, MTA Engineering
Rodney Miller, Gannett Fleming
Charles Murphy, Gannett Fleming
Paula Cullings, Office of Fair Practice

Bidders:

Ralph Golick, G.W. Peoples Contracting Co, Inc.
Richard Rhinehart, Jr. Rhinehart Railroad Construction, Inc.
Jonathan Bennett, Brayman Construction (Foundations)
Matt Klemchalk, RCC
Matt Lawson, RCC
Matt Fierro, Lane Construction
Joe Abidin, Clark Civil
Ken Swipes, M.C. Dean
Scott Sbrocco, J-Track, LLC
Kris Panchal, W.M. Schlosser
Christopher Tripp, Joseph B. Fay Company

Richard Feliciano, Corman Construction
Ralph Ifeagwu, Apex Petroleum
Joe Best, Mass Electric
Thomas Boyle, Kiewit Infrastructure South Co.
Bryan Heckman, Trumbull Corporation
Pete Remes, Facchina Construction Co.
Devan Conrick, Kiewit Infrastructure South Co.
Jeff Ford, Enviro Solutions, Inc.
Bill Goodworth, Vanalt Electrical Construction
Ryan Gauthier, AMTRAC Railroad Construction of Maryland
Bob Matthews, AMTRAC Railroad Construction of Maryland

Court Reporter:
Saundra Jackson
One Stop Legal
Hyattsville, MD 20784
(301) 379-6607

1 MS. ASHE: Good morning. My name is Vanessa Ashe.
2 I'm the Project Procurement Officer on this contract. Today is
3 Wednesday, July 13th, 2011. It's around 10:05. This is the pre-
4 bid meeting for Contract Number T-0208-0140, the MARC Wedge
5 Storage Yard at Union Station. A site visit will be held
6 immediately following the pre-bid meeting. I would like for
7 everyone at this table to introduce themselves. We have?

8 MS. CULLINGS: I'm Paula Cullings, the Director of the
9 Office of Fair Practices. I'll be talking to you about your DBE
10 participation.

11 MR. SMITH: Byron Smith, Assistant Attorney General
12 and Deputy Counsel to the Maryland Transit Administration.

13 MR. NAUGHTEN: I'm Bill Naughten. I'm with the MTA
14 MARC Train Company.

15 MR. MILLER: I'm Rodney Miller. I'm with Gannett
16 Fleming. We're the design consultant for MTA on this project.

17 MR. PARKS: Bill Parks, MTA Engineering.

18 MR. NADER: Kamran Nader, AECOM, representing MTA
19 Engineering.

20 MR. MURPHY: Charles Murphy, I'm with Gannett Fleming.

21 MS. ASHE: Thank you. There is a court reporter
22 present, so I ask that you state your name and your company,
23 clearly, if you have questions. I would like to start with the
24 description of the project.

25 This contract is for the construction of a MARC

1 layover facility in the Washington, D.C. area near Ivy City.
2 The proposed yard will be a three track stub-end configuration
3 with a capacity for three additional tracks for future expansion
4 and will function as a mid-day layover facility for MARC
5 electric and diesel haul trains.

6 This project has been estimated between \$18 to \$24
7 million. The Contract Duration is for 610 calendar days. Fifty
8 percent (50%) of the work must be performed by the contractor's
9 own forces. Liquidated damages will be assessed at \$2275 per
10 calendar day. A DBE subcontracting goal of eighteen percent
11 (18%) has been established for this project. This project is
12 federally funded and federal wage rates apply. And, this
13 project is subject to Section 165 Buy America requirements of
14 the Surface Transportation Assistant Act of 1982.

15 Deadline for questions will be July 27th, 2011. All
16 questions must be directed to my attention at the administration
17 office or via internet address at Vashe@MTA.maryland.gov. Faxed
18 messages will not be accepted unless accompanied by telephone
19 notification. My number is 410-767-3353. Our fax number is
20 410-333-4810. Questions should be submitted on company
21 letterhead. An addendum will be issued after the deadline to
22 respond to contractor's written questions and make any changes
23 which need to be made to the specifications and/or plans. All
24 plan holders will be informed by email when the addendum has
25 been issued and ready to download from MTA's website.

1 Bids will be due on August 25th, 2011 at 2:00 p.m.
2 Bids should be sealed and addressed to the Maryland Transit
3 Administration Procurement Division, 6 St. Paul Street,
4 Baltimore, Maryland, 21202, and marked Bid for Contract Number
5 T-0208-0140 MARC Wedge Storage Yard at Union Station. Hand
6 delivered bids should be deposited in the bid box located on the
7 7th Floor before the 2:00 p.m. deadline. At that time bids will
8 be, publicly, opened and read aloud. All bid prices are
9 irrevocable for 150 days following bid opening per STP 2.08 bid
10 irrevocable.

11 Insurance Requirements. MTA will provide Worker's
12 Compensation, General Liability, Excess Liability, Builders'
13 Risk, Pollution Liability, and Railroad Protective Coverage on
14 behalf of the contractors and their subcontractors who will be
15 working on this project. This approach to project insurance is
16 commonly called a Wrap up or Owner Controlled Insurance Program
17 known as OCIP.

18 Page 25 of your bid form, line item 209, is Insurance
19 Premium. Bidders must include a lump sum amount that is taken
20 from the insurance cost sheet which is found in your Liability
21 Insurance section of the specifications. This amount is not
22 included in your basis of award. It will only be added to the
23 base bid in the event the bidder is excluded from the wrap up
24 insurance program or the program is terminated mid-term.

25 All bidders must submit with their bid the following

1 documents fully executed which can be found on page 3 of your
2 bid form -- a Bid Bond on a form furnished by the Administration
3 in the amount of five percent (5%) of the bid price or an
4 Individual Surety Bid Bond in the amount of five percent (5%) of
5 the bid price; Contractor's Questionnaire; a Bid Proposal
6 Affidavit; Buy America certificate; Certification regarding
7 lobbying; Attachment A which is a certified DBE Utilization and
8 Fair Solicitation Affidavit, and Attachment B, which is DBE
9 participation schedule; a signed copy of the cover letter for
10 each addendum issued by MTA; and a completed Insurance Cost
11 Worksheet. If there are no questions, I'll turn the meeting
12 over to Frank Kernan, who is with our Construction division,
13 QA/QC.

14 MR. KERNAN: The MTA, earnestly, vigorously, pursues
15 quality in all of its construction projects. And to that end,
16 Section 01450, Quality Assurance and Quality Control describes
17 in 13 pages what is required of the contractors to achieve high
18 quality. It is paper intensive and demands particular
19 attention. It requires a Contract Quality Control Plan. Within
20 seven days of NTP, it requires an interim CQC Plan to cover all
21 the work to be done in the first 60 days. And then within 30
22 days, it requires a detailed CQC Plan addressing all the work to
23 be done on the project. The specifications for each are
24 detailed within. The submittal of the CQC Plan is considered
25 incidental in mobilization. If you don't get it in in time,

1 part of your mobilization money doesn't come to you. It must
2 include the name of the qualified person designated the CQC Plan
3 Manager, and a copy of a letter directing that individual with
4 authority to all the CQC staff. The CQC Plan Manager reports
5 and answers to an executive officer of the contractor's company
6 and is not subordinate to the project superintendent, the
7 project manager or anyone else, directly, responsible for the
8 success of the project.

9 Other specifics of the CQC Plan are defined in Section
10 1450, including Part 4, Measurement and Payment, which explains
11 that the contractor will be paid or not paid an allowance per
12 day based on how the quality requirements are prosecuted as
13 assessed by the resident engineer. Upon request from the
14 successful bidder, the Contractor, will provide an exemplar of
15 the suitable CQC Plan. There's other information that may be of
16 value to you and there are handouts for any who want them.
17 They're stapled, you only need one each. Thank you.

18 MS. ASHE: Thank you, Frank. Are there any questions?
19 If there are no questions, we'll hear from Paula Cullings from
20 our Office of Fair Practices.

21 MS. CULLINGS: Okay. Good morning everyone. As you
22 heard earlier, the goals are eighteen percent (18%), and the
23 goals are to be utilized. You shall utilize DBE participation.
24 When you go to the directory of the MDOT, you will see
25 certifications for companies that are duly certified, and the

1 dual certification will say MBE/DBE. It may say DBE only. But,
2 you must make sure that the firm is, at least, certified as a
3 DBE.

4 MR. LUAVAR: Do we get credit either way?

5 MS. ASHE: I'm sorry --

6 MS. CULLINGS: No.

7 MS. ASHE: -- you need to state your name.

8 MR. LUAVAR: I'm sorry. Dave Luavar, Railroad
9 Constructors. We don't get credit if it's an MBE. Is that
10 correct?

11 MS. CULLINGS: That's correct.

12 MR. LUAVAR: Only a DBE.

13 MS. CULLINGS: DBE. However, a firm that is dually
14 certified as an MBE/DBE that is a firm you can use. So, you may
15 see some firms in the directory that are MBE only, that's who
16 you will not use. Okay. You have your forms and they should
17 look like this, MDOT DBE form Federal. And, therefore, Form A
18 and B shall come back with your bid. A is your commitment to
19 the eighteen percent (18%) or the fact that you're asking for a
20 waiver to do something different. You need to indicate. Page 2
21 of Form A, I'll ask for your signature, company name and
22 particulars. The third page is Form D's instructions. Do not
23 send that back, that's for you.

24 The second page of Form B is a letter in which you
25 have a worksheet. We don't need that, that's just for you.

1 What you will begin to send back with Form B, however, is Part
2 2. Part 2 allows you to name the firm you're utilizing, their
3 MDOT certification number, their NAIC code, or what are you
4 having them to do. Column 4 allows you, 4.1, to indicate the
5 dollar amount for the work that's being done or the percentage
6 of work that you plan for them to have in the scheme of the
7 larger dollar value that you bid. [Column] 4.2 allows you to do
8 your calculations if you're utilizing a DBE firm that is
9 providing you with materials. So, if you're buying lumber, if
10 you're buying fuel, whatever you're buying that's a supply, you
11 only get sixty percent (60%) credit of the money you're spending
12 with that firm. [Column] 4.2 allows you to make that
13 calculation so that you're very clear in making that eighteen
14 percent (18%). Please tell those people that are doing the
15 forms, because many times you that are sitting here never do the
16 DBE document. And, if those calculations are not accurate, you
17 stand to lose out because you would not have achieved the
18 eighteen percent (18%) you committed to, and you would not have
19 asked for the waiver for the difference with a good explanation.
20 So, please make sure that if you're achieving eighteen percent
21 (18%) with the mixture of goods and services that you have done
22 your calculations, accordingly.

23 Now, any firm that is not certified today as a DBE
24 firm is not likely to get certified in time to respond to this
25 solicitation. Currently, the MDOT directory has, approximately,

1 4,200 firms certified all over the world, so this is not all
2 about Baltimore or Maryland or D.C. There are a number of firms
3 all over the world that have been certified, 4,200. We expect
4 that out of what is there and those items that we feel are
5 segmentable for this particular project, that you should be able
6 to achieve your eighteen percent (18%). Now, if there is a DBE
7 firm that is bidding as a prime, that DBE firm will not have to
8 subcontract to other DBE firms. The solicitation requires the
9 prime bidder to perform fifty percent (50%) of the work, and
10 that is far excessive than the goal. So, the DBE that bids as a
11 prime will not have to subcontract to other DBEs. It doesn't
12 say you -- if you'd like to, you're welcome to, but that's not a
13 requirement. Are there any questions? Yes. Your name?

14 MR. LUAVAR: Dave Luavar, Railroad Constructors, Inc.
15 Do you -- do you still recognize Washington Airport Authority
16 and Virginia DBEs, also?

17 MS. CULLINGS: When you say, "recognize" them,
18 certified by?

19 MR. LUAVAR: Those agencies.

20 MS. CULLINGS: No.

21 MR. LUAVAR: Do you have reciprocity with those
22 agencies?

23 MS. CULLINGS: No.

24 MR. LUAVAR: All right.

25 MS. CULLINGS: Any firm you're looking for shall come

1 from the MDOT directory only.

2 MR. LUAVAR: Okay.

3 MS. CULLINGS: Now, those entities or those firms

4 could be dually certified --

5 MR. LUAVAR: Right.

6 MS. CULLINGS: -- by us as well.

7 MR. LUAVAR: Many of them are.

8 MS. CULLINGS: All right. But, do not go to their
9 directory, get their certification numbers and enter them. Use
10 the directory online for MDOT. And, it is in your document, but
11 I'll give you the address, as well.

12 MR. LUAVAR: And, I have a follow-up question. You
13 had a job that was bid last -- in the spring out in Baltimore
14 County involving crossings. And I must have sent out inquiries
15 to about 60 MBE/DBEs and got no responses. Do you want to be
16 kept abreast of that?

17 MS. CULLINGS: Well, C and D of the form that I will
18 speak to next will tell you. Let me just move on to that when I
19 get there. But, be mindful, MDOT directory is where you'll
20 find your DBE participation.

21 Now, Form C and D is only for the person that wins the
22 contract or who will be so awarded. So, Form C will ask you,
23 what did you do to solicit your DBE firm. Some of you may say I
24 just went in the directory, I found who I found, or these are
25 firms that I've used before, I put an ad in the paper, here's my

1 letter that I sent out to 29 people, here's the list of the 29
2 people and so on. But, you must fill out Form C that tells us
3 what was your outreach efforts.

4 Form D is the most important document. And by the way
5 you shall make as many copies of the forms you need per the
6 number of companies you plan to utilize. Form D looks like
7 this. It shall be filled out by you, the prime. You will fill
8 out the top, your name, etc., and you will use one sheet per
9 firm. So, you will indicate what that company will be doing for
10 you, you will indicate whatever the specifications are to their
11 tasks and so on. You will sign it, you will send it to the
12 subcontractor DBE for them to sign it. I will accept it as a
13 fax document if you fax it to them for signature. But, this
14 must come for each firm that is listed in your Form B. You've
15 listed so many firms to make up the eighteen percent (18%), then
16 you shall have that many DBE's signatures on Form D. And, this
17 is just for the prime that is awarded. However, you get the
18 whole packet, A through D. And, if you wish to send it all in
19 at one time, that's fine, we'll accept it.

20 MR. GOODWORTH: You said they don't have to be
21 submitted with your bid --

22 MS. ASHE: Your name sir and company.

23 MR. GOODWORTH: Oh, Bill Goodworth, Vanalt.

24 MS. CULLINGS: Right. You do not have to submit it at
25 the time of your bid. If you care to because you've gotten

1 everything done, it's okay. But, the one who is going to be the
2 awardee is the firm that would be sending in C and D within ten
3 days after you've been notified that you are the awardee. But,
4 there's no penalty if you care to take care all of the paperwork
5 up front and send it in. Question?

6 MR. IFEAGWE: Good morning, Ralph, Apex Petroleum. We
7 are of course DBE certified. Two questions. One, will the
8 attendance -- the Pre-bid attendance list and a Plan Holders
9 List be available to us for business of getting in contact with
10 possible, possible contractors? That's number 1. Number 2, you
11 said the 60 percent rule suppliers --

12 MS. CULLINGS: 60.

13 MR. IFEAGWE: But, it has been suggested to us that we
14 also provide a service, what we do, construction site fielding,
15 because we actually bring the field out to the site, and we do
16 whatever the customer asks us to do, put it into equipment, put
17 it into tanks, put it into fuel trucks. And, we've had
18 situations where we were doing anywhere from 50 to 70 pieces of
19 equipment over a period of anywhere from one to three hours.
20 Now, that seems to my mind to qualify as a service.

21 MS. CULLINGS: We're going to add that. We're going
22 to have that question, if you would submit that question in
23 writing, and we will try to answer it. But, the issue here is
24 really you are a distributor, nonetheless, and it would be the
25 same as someone from a lumber yard bringing in lumber and having

1 to drop it off 20 places, put it to the right, to the left, we
2 know that there's a service involved in getting the final
3 product where it belongs, but the real deal is the fact that you
4 don't manufacture the oil, you buy it and distribute it. A
5 lumber yard buys it and distributes it. So, that full value is
6 just not as weighted as a full service as construction or
7 janitorial service, even though they bring their own equipment
8 with them. However, if you just bought janitorial chemicals to
9 do what you want, again, that would be on the 60 percent
10 distribution rule. We will speak to MDOT to get some clarity
11 for that, but I'm pretty sure that the 60 percent rule is going
12 to remain applicable to even the delivery of fuel.

13 MS. ASHE: Excuse me, Vanessa Ashe, MTA. You had a
14 second part to your question. That was requesting the Plan
15 Holder's List -- the attendance sheet. If you will email me or
16 anyone interested in both the Plan Holders sheet and the
17 attendance sheet, you can email me and get that information.
18 Oh, and, also, would you please send that question into us?

19 MS. CULLINGS: Sir?

20 MR. FORD: I'm with Enviro Solutions, Jeff Ford, we
21 provide roll off containers for waste removal job sites. Would
22 that be considered a service or a, I guess a product supplier?

23 MS. CULLINGS: When you say --

24 MR. FORD: I mean we actually set cans out on site,
25 pick them up, and we also do recycling, provide lead

1 documentation for if the project gets the lead project. Where
2 would that fall in the way of service or a supplier?

3 MS. CULLINGS: Okay. You leave the truck there?

4 MR. FORD: We leave a can there --

5 MS. CULLINGS: The can.

6 MR. FORD: -- a roll off can.

7 MS. CULLINGS: All right.

8 MR. FORD: They put their waste in, we remove it and
9 take it to the recycling center or take it to a transfer station
10 or to a landfill or wherever, wherever what's in there needs to
11 go.

12 MS. CULLINGS: That would be considered a service.
13 That's just like dumping, a dump truck or a hauler; it's a
14 service. Anyone else?

15 [There were no further questions.]

16 Certainly, I wish you all much success in your
17 efforts. And, if my office can be of any assistance, certainly
18 all questions go through the Procurement Officer, but if you
19 have a question about a particular firm, something's that's just
20 isolated to your matter and not something that necessarily would
21 be shared with everyone, you can certainly reach us at 410-767-
22 3944. If you find out that a firm is not certified for what you
23 have in mind for them to do, please be mindful that you cannot
24 make that happen. If they have not updated their own profile,
25 people want work and they may tell you yes I'll bake a pie and

1 bring it to you. If that's not what they're certified for, you
2 cannot use them for that service. So, please, be very mindful
3 what they wrote in the profile that it meets and matches with
4 what you're going to have them to do, a commercial useful
5 function.

6 MS. ASHE: Before we move any further, the gentleman
7 in the back that asked the last question, can you make sure you
8 send that question in?

9 MR. FORD: Send it in?

10 MS. ASHE: All questions -- I'd like to tell you --
11 all questions should be addressed to me as Procurement Officer.

12 UNIDENTIFIED MALE: Can you give us your e-mail
13 address?

14 MS. ASHE: Excuse me?

15 UNIDENTIFIED MALE: Can you give us your e-mail
16 address?

17 MS. ASHE: My email address is v as in Victor-a-s-h-e
18 --

19 UNIDENTIFIED MAIL: a?

20 MS. ASHE: -- a-s-h-e@mta.maryland -- Maryland is
21 spelled out, .gov.

22 MS. CULLINGS: I have one additional reminder. In
23 Form A when we talked about you agreeing to the eighteen percent
24 (18%) or the fact that you may need a waiver, I'm going to talk
25 to you now about how you go about preparing for a waiver. In

1 your request, you shall show evidence of all your efforts. So,
2 as the gentleman indicated earlier, all of his efforts would
3 come with his request in trying to reach firms. If there is
4 some other issues in your need for a waiver or if you do your
5 calculations and you just can't get to eighteen (18) [percent],
6 but the difference is five percent (5%), three percent (3%),
7 whatever it is, please ask for a waiver for that difference and
8 explain yourself. Maybe there's not another thing I can procure
9 to make this number, or whatever the case might be.

10 Now, in your efforts to locate firms and they don't
11 respond, we hope that you would have done some other things or
12 moved on to some other firms. So, it won't be acceptable to
13 send us a list of ten people that didn't call you right back.
14 Please try to engage these people as of today. You have the
15 document, you kind of know what you're going to do. The earlier
16 you engage your subcontractors that happen to be DBE, the more
17 likely you're going to get proper information. If you try to
18 reach them the night before, the day before, that's not going to
19 go in your favor. And, I must also tell you that if you ask for
20 a waiver and all the other bidders did not, MDOT will make the
21 final decision and they may not, likely, accept what you are
22 providing. So, please be very thoughtful, thought-minded in
23 what you're doing. And, if you need assistance, please call
24 MDOT, directly. If there's anything technical that you're
25 having difficulty with in trying to get information about a

1 particular firm, their number would be 410-865-1269.

2 If the prime is a DBE. How should they fill out the
3 forms if they're using themselves as a DBE? Okay. If a DBE is
4 bidding as a prime, and again, I said earlier, they're not
5 required to do the eighteen percent (18%) additional DBE
6 participation, that DBE needs to indicate that on the form, that
7 the 50 percent (50%) of work that they're doing themselves
8 qualifies for their participation. So, you would fill out Form
9 A, you would fill out Form B, you would put yourself in for Form
10 B. And obviously, the work that you say you can do is all a
11 part of the work -- the commercial useful function of the task
12 itself. Any other questions?

13 [There were no further questions.]

14 MS. CULLINGS: Good luck.

15 MR. LUAVAR: Ms. Ashe, Dave Luavar, Railroad
16 Constructors. Is the job tax exempt for purposes of purchasing
17 materials exempt from state tax -- sales tax?

18 MS. ASHE: I'm not sure. Can you send that question
19 in --

20 MR. LUAVAR: I'll do that.

21 MS. ASHE: -- and, we'll look into that.

22 MR. FELICIANO: Richard Feliciano from Corman. You
23 said the bid day was August 25th, but the [indiscernible] says
24 it's September 21st.

25 UNIDENTIFIED MALE: Yeah, there's two different --

1 MS. ASHE: Two different dates? Okay, I'll check that
2 for you. Thank you. Are there any other questions?

3 [There were no further questions].

4 MS. ASHE: If there are no other questions, we'll turn
5 the meeting over now to Kamran Nader, Project Manager.

6 MR. NADER: Kamran Nader, AECOM MTA Engineering.
7 There are four phases of construction in the Wedge Yard project.
8 In Phase 1 we are relocating Amtrak's 2.4 kilowatt electric
9 service and construct, electric signal which exists in the wedge
10 yard easement right now, and Amtrak has already started this
11 construction.

12 On Phase 2, we are relocating Amtrak 2 -- I'm sorry, I
13 have to say it, again. In Phase 1, we are -- Amtrak is
14 relocating their CNS facility which exists in wedge yard
15 easement. In Phase 2 we are relocating Amtrak 2.4 kilowatt
16 electric service and we are constructing aerial electric 13.2
17 kilowatt service for wedge yard construction.

18 Phase 3, these two phases that I mentioned here has to
19 be completed before wedge yard construction -- before giving NTP
20 to the contractor for Wedge Yard construction. Phase 3 is the
21 purpose of our pre-bid meeting and this solicitation number.
22 And, Phase 4 is whatever Amtrak is supposed to do per our
23 contract document, simultaneously, with the Phase 3 for
24 modification of the catenary structure and some other items. In
25 Phase 3 that is the purpose of this solicitation, I just have a

1 list of the things that we are supposed to do, but I'll pass it
2 later on to Rodney Miller for more explanation.

3 In Phase 3, we have three tracks; two of them are
4 going to be electric wired. In these three tracks we're going
5 to install nine coaches in each track and one locomotive, total
6 30 units is going to be placed in these three tracks. We have
7 [indiscernible] all around the wedge yard as you see in this
8 drawing. We have one full peak and one locomotive peak for
9 service. We have [indiscernible] inspection platform. We have
10 a lot of site preparation, utility connections, sanitary sewer
11 service, [indiscernible] drainage, water distribution. We're
12 going to have an office trailer for about 1500 square foot and a
13 storage building about 900 square foot. These are the main
14 items that we're going to build in the wedge yard construction.
15 But, for more detail I'll pass it to Rodney Miller, our design
16 consult.

17 MR. MILLER: Yes, I'm Rodney Miller with Gannett
18 Fleming. I just want to make everyone aware that the wedge yard
19 site -- the site -- the yard itself is an easement -- is an
20 easement that MTA has purchased from Amtrak, it's a long term
21 easement. So, the property is, actually, within an easement on
22 Amtrak's right of way within their existing Ivy City yard out
23 there. So, there's going to be a lot of interfacing with Amtrak
24 and CSX with this project. I can't stress that more that you
25 really pay attention to these interface requirements. For

1 example, all of -- all your, the contractor and subcontractors
2 that are awarded this contract will have to obtain a temporary
3 permit to enter, a TPT permit from Amtrak to access the site.
4 To come on to the site, you're going to be crossing about seven
5 sets of Amtrak's yard tracks, so every day coming on and off the
6 site, you're, constantly, crossing Amtrak's tracks. They will
7 have a flagger out there directing you across these tracks, but
8 there's going to be a lot of -- a lot of interfacing. There's a
9 lot of excavation as you can see in the unit price schedule,
10 there's about 36,000 cubic yards of excavation which if you take
11 that out by truck, it's going to have to cross these tracks
12 every day. So, I just wanted to make everyone aware of the
13 interface. Most of this work is inside of that MTA easement,
14 but there is work that will be outside of the easement. Some of
15 these utility connections are connecting to Amtrak facilities
16 that are going to be outside of their -- outside of MTA's
17 easement, on their right away. So, that's really what I wanted
18 to stress. I'll be going out to the site with who is ever going
19 out this afternoon, and we can talk a little further about the
20 site and the particulars out there.

21 MR. GOODWORTH: Bill Goodworth, Vanalt. Do you have
22 to be Amtrak certified for that?

23 COURT REPORTER: Excuse me, your name?

24 MR. GOODWORTH: Bill Goodworth. Do you have to have
25 Amtrak certification?

1 MR. MILLER: Yes. Everyone -- all workers that will
2 be working on the site will have to have Amtrak safety training.
3 Delivery personnel, things like that who are just delivering and
4 things, won't have to have that Amtrak safety training, but all
5 of your workers that are working on the site, will have to be
6 Amtrak safety trained.

7 MR. LUAVAR: Dave Luavar, Railroad Construction. Does
8 CSX qualify -- CSX training qualify for that?

9 MR. MILLER: No.

10 MR. LUAVAR: Okay, that's a separate Amtrak training
11 course we'll have to take?

12 MR. MILLER: That's a separate Amtrak training course
13 and --

14 MR. LUAVAR: And, that's all work personnel at the
15 site?

16 MR. MILLER: Yes, everyone at the site.

17 MR. LUAVAR: And will that be provided at the site or
18 at a different location?

19 MR. MILLER: That's going to be up to the contractor
20 to arrange his safety training with Amtrak.

21 MR. LUAVAR: And, you mentioned excavation. Has the
22 soil been tested?

23 MR. MILLER: Yes.

24 MR. LUAVAR: Okay, and we will have access, and the
25 contractor will have access to those test results for hauling

1 out purposes?

2 MR. MILLER: Yeah, I believe so, yes.

3 MR. NADER: Sir, we have a log-in sheet in the
4 document, you can have a look.

5 MR. LUAVAR: Thank you.

6 MR. MILLER: Okay.

7 MS. ASHE: Excuse me, before you get started, Vanessa
8 Ashe, MTA. It's very important that any questions that are
9 asked at this meeting that you still send your questions in and
10 get an official answer per an addendum.

11 MR. KLEMCHALK: One quick question.

12 MR. MILLER: Name and company.

13 MR. KLEMCHALK: Matt Klemchalk, Railroad Construction.
14 For work on Amtrak property, their normal rule is for the first
15 five feet of excavation you have to hand dig. Is that still
16 true throughout?

17 MR. MILLER: No. This won't be true on the wedge yard
18 easement itself. Right now, that's -- I mean that's, that's not
19 a requirement in this specification. If you want to take
20 precautions to do that, that's certainly up to you, but it's not
21 a requirement. This easement is not on an active Amtrak line,
22 you know, where tracks are and things like that. We're adjacent
23 to their yard, but this site has been vacant for quite some
24 time. Not saying that there's nothing out there, so use -
25 excavate with precaution. I'll put it that way.

1 MR. ABIDIN: Joe Abidin with Clark Construction. You
2 mentioned the permit for access from Amtrak. Is there a fee for
3 that?

4 MR. MILLER: There is a fee for that. I -- you know,
5 that's on a case by case basis and Amtrak determines that fee
6 based on what is going to be performed out there. I think if
7 you put that question in writing, we'll try to get Amtrak to
8 give us a range of what the fee could possibly be. And, that
9 temporary permit -- well the safety training is an annual thing.
10 You have to get this Amtrak safety training every year.

11 MR. ABIDIN: Joe Abidin with Clark. For the safety
12 training, is there a fee associated with that?

13 MR. MILLER: Yes. And, that's, generally, based on
14 the amount of people that will be in the class.

15 MR. BOYLE: Tom Boyle with Kiewit. The flagging
16 that's required for access in and out, is that handled under a
17 separate agreement between Amtrak and MTA?

18 MR. MILLER: Yes it is. MTA -- that's a separate
19 agreement between Amtrak and MTA. The contractor won't be
20 liable for -- I think there are -- there are some limit -- there
21 are some requirements on how many hours of training which is in
22 line with the contract terms that MTA will pay for. But,
23 generally, the flagging will be provided for you.

24 MR. LUAVAR: Dave Luavar, Railway Constructors. Are
25 you saying flagging for the entire project will be provided by

1 Amtrak at no cost to the contractor?

2 MR. MILLER: That's correct.

3 MR. LUAVAR: Thank you.

4 MS. ASHE: Are there any other questions?

5 [There were no other questions.]

6 MS. ASHE: Before we leave, I'd like to clarify the
7 question that was asked about the bid opening date. If you'll
8 notice in Addendum 1, we had bid opening dates that were
9 revised. I was requested to push those dates out per Addendum
10 1. Within a couple of days, the request came in to pull those
11 dates back in. That's why you'll see that the dates went from
12 September 21 for bid opening to August 25th. So, the official
13 bid opening date, as of now, is August 25th, 2011. Yes?

14 MS. ALLEN: Gail Allen, MTA, Office of Safety, Quality
15 Assurance and Risk Management. Regarding the Certificates of
16 Insurance, please put your contract numbers on them and the job.
17 A lot of Certificates of Insurance, in our office, we have over
18 sited the OCIP program. I don't maintain the contracts in our
19 office. They are maintained here in Procurement. It's hard to
20 discern what's OCIP and not. If you would put your contract
21 numbers and job description on the certificates, I'm sure that
22 would be helpful.

23 MR. LUAVAR: Dave Luavar, Railway Constructor. You
24 mean the project number -- the MTA number.

25 MS. ASHE: MTA number.

1 MS. ALLEN: Yes.

2 MS. ASHE: Are there any other questions? I would,
3 also, ask that anyone who's going out to the site visit - excuse
4 me. If you have questions, you still send those questions in
5 in writing.

6 MR. FIERRO: Matt --

7 MS. ASHE: Yes.

8 MR. FIERRO: -- Fierro, Lane Construction. Which
9 forms are required as a bid package? All the forms that were
10 sent?

11 MS. ASHE: The forms that are included in the
12 specification package that you downloaded from MTA's website.
13 We ask that you not use any other forms other than the ones that
14 are included in the package for that particular contract.

15 UNIDENTIFIED MALE: 2:00 p.m., right?

16 MS. ASHE: 2:00 p.m., yes.

17 MR. FIERRO: Another question, Matt Fierro, Lane
18 Construction.

19 MR. NADER: So, whoever is coming to the site --
20 Kamran Nader -- it's going to be 2:00 at McDonald's restaurant.

21 UNIDENTIFIED MALE: Oh, we're not going straight down
22 from here?

23 MS. ASHE: Excuse me. Before we get into that, the
24 gentleman here had a question.

25 MR. NADER: I'm sorry.

1 MR. FIERRO: Matt Fierro, Lane Construction. On the
2 insurance cost sheet, do we need one for each subcontractor or
3 just--

4 MS. ALLEN: Total as far as I know. It should be
5 total insurance cost.

6 COURT REPORTER: Your name -- your name please. Are
7 you Gail?

8 MS. ALLEN: Gail Allen --

9 COURT REPORTER: Thank you, Gail.

10 MS. ALLEN: -- Office of Safety Quality Assurance,
11 Risk Management, MTA.

12 COURT REPORTER: Thank you.

13 MR. BOYLE: They've got a break out in additional
14 insurance premium -- Tom Boyle with Kiewit -- in their quote,
15 right? They've got to separate that --

16 MS. ALLEN: On the bid --

17 MR. BOYLE: -- because we've got to add that to --

18 MS. ALLEN: -- on the sheets.

19 MR. BOYLE: It's a separate deal.

20 MS. ALLEN: Yes. We need to qualify -- we need to
21 qualify the savings.

22 MR. BOYLE: Yes. So, they've got to price it without
23 the insurance and then give us a price --

24 MS. ALLEN: Right.

25 MR. BOYLE: -- with.

1 MS. ASHE: Gentleman from Kiewit?

2 MR. BOYLE: Yes.

3 MS. ASHE: Would you please make sure that question is
4 sent in? Please submit that question in writing.

5 MR. BOYLE: I didn't ask a question.

6 MS. CULLINGS: He didn't ask a question. He was given
7 an answer to Gail.

8 MS. ASHE: Oh, I'm sorry. So, I guess it's this
9 gentleman here, did you ask the question? Yes, send that
10 question in.

11 If there are no other questions, Kamran did you have
12 some additional information that you wanted to give?

13 MR. NADER: We are planning to get there before 2:00
14 p.m., but our appointment time at that location is at 2:00 p.m.,
15 because some people -- some other contractors are planning to
16 come, directly, to the site and they have not attended this pre-
17 bid meeting, so our schedule is to see everyone at 2:00 p.m. on
18 the site. Just so you can have a lunch or can go slowly or --

19 UNIDENTIFIED MALE: What McDonalds do you mean?
20 McDonalds.

21 MR. NADER: McDonald's, right.

22 UNIDENTIFIED MALE: Do you know where that is?

23 UNIDENTIFIED MALE: The McDonalds is on New York
24 Avenue, is that the one?

25 MR. NADER: McDonalds is on 9th Street Bridge,

1 Brentwood.

2 UNIDENTIFIED MALE: Oh okay.

3 UNIDENTIFIED MALE: Once you cross the bridge, you'll
4 see McDonald's to your right.

5 UNIDENTIFIED MALE: Right beyond BET.

6 UNIDENTIFIED MALE: Right. Correct.

7 UNIDENTIFIED MALE: The address given here, is that
8 McDonalds?

9 MS. ASHE: Excuse me, before we go further --

10 MR. NADER: That's the, no --

11 MS. ASHE: -- Excuse me. Before we go further, are
12 there any other questions other than directions to the site
13 visit? Yes, sir?

14 MR. ABIDIN: Joe Abidin with Clark. Is attendance at
15 today's pre-bid mandatory for bidding?

16 MS. ASHE: It is not mandatory that you attend pre-bid
17 meetings. Are there any other questions that don't pertain to
18 instructions for the site visit?

19 [There were no further questions].

20 MS. ASHE: If there are no other questions, I'd like
21 to thank everyone for coming. We will now have Kamran discuss
22 anything about the site visit.

23 MR. NADER: So, we're going to meet at 2:00 p.m.
24 there, latest 2:00 p.m. And, I believe the address is here.

25 UNIDENTIFIED MALE: Do you have the address for the

1 McDonalds?

2 MR. NADER: McDonalds is the same address, actually.
3 I don't have -- this is the address of Wedge Yard in here, not
4 McDonalds, but McDonalds is --

5 UNIDENTIFIED MALE: But, it's on 9th Street.

6 MR. NADER: It's, again, at 9th Street.

7 UNIDENTIFIED MALE: How far from the --

8 MR. NADER: -- Okay, if I can show you here, this is
9 the 9th Street Bridge. There is a ramp here, then there -- this
10 is the 9th Street Bridge. There is a ramp here, you'll see a
11 McDonalds here, and before this McDonald, there's a road that is
12 going to come like around and we go -- we get to this parking
13 lot. And, this is before Amtrak, so everybody can get in to the
14 parking lot. But, if you want to go to the Amtrak site, you
15 have to have escort. So the parking lot or McDonalds, you can
16 be there.

17 UNIDENTIFIED MALE: Kamran, hold on a second.

18 MS. ASHE: For the record, this meeting, pre-bid
19 meeting is over at 10:50.

20 Thank you.

21 (Pre-Bid meeting was concluded).

22 (A site visit was held following the pre-bid meeting).
23
24
25

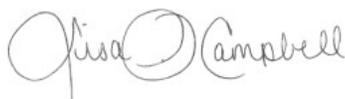
CERTIFICATE OF TRANSCRIBER

I hereby certify that the Maryland Department of Transportation, Maryland Transit Administration pre-bid meeting for Contract No. T-0208-0140 on 6 St. Paul Street in Baltimore, Maryland on July 13, 2011 was recorded by means of electronic sound recording.

I further certify that, to the best of my knowledge, that the foregoing pages represent a complete and accurate transcript of the duplicated electronic sound recording of the proceedings as transcribed by me.

I further certify that I am neither a relative to nor an employee of any attorney or party, herein, and that I have no interest in the outcome of this solicitation.

In witness whereof, I have affixed my signature this 25th day of July, 2011.

By: 

Lisa P. Campbell
Transcriber