

OFFICIAL TRANSCRIPT OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION
PRE-BID MEETING
FOR
KIRK BUS DIVISION FIRE PROTECTION UPGRADES
CONTRACT NO. T-1148-0640R

MAY 9, 2012

10:30 A.M.

Maryland Transit Administration
6 St. Paul Street, 7th Floor Conference
Baltimore, Maryland 21230

Agency:

Vanessa Ashe, Procurement
Harry Johnson, Engineering
Frank Meisel, Engineering
Frank Kernan, Quality Assurance Quality Control
Paula Cullings, Office of Fair Practice

Participants:

Chip Wedekind, Fallsway Construction Company
Walter Clubb, Ecoelectric
Greg Lucas, London Technologies, LLC

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 Procurement Officer on this project. Today is Wednesday,
3 May 9th, 2012. It's now 10:38 a.m. This is the pre-bid meeting
4 for T-1148-0640R, Kirk Bus Division Fire Protection Upgrades. A
5 site visit will be held immediately following the pre-bid.

6 I have with me, today, Harry Johnson, our Project
7 Manager.

8 MR. MEISEL: I'm Frank Meisel, another mechanic
9 working with Harry.

10 MS. ASHE: Okay. We, also, have Paula Cullings with
11 our Office of Fair Practices, and Frank Kernan who's with our
12 QA/QC Construction Division.

13 I will ask that if you have any questions, that you
14 would speak, clearly. You say your first name, your last name,
15 and your company name. Let's get started.

16 This Contract is for work for the installation of a
17 new addressable fire alarm system for the MTA Kirk Avenue Bus
18 Division Maintenance and Transportation Buildings.

19 This project has been estimated between \$900,000 to
20 \$1.2 million. The Contract duration is for 180 calendar days.
21 Fifteen percent (15%) of the work must be performed by the
22 Contractor's own forces.

23 Liquidated Damages will be assessed at \$1,235.00 per
24 calendar day.

25 A DBE subcontracting goal of thirty-two percent (32%)

1 has been established for this project.

2 This project is federally funded & Federal Wage Rates
3 apply. And, this project is, also, subject to Section 165, "Buy
4 America" requirements of the Surface Transportation Assistance
5 Act of 1982.

6 The **deadline for questions will be May 31, 2012.** All
7 questions must be directed to my attention at the Administration
8 Office or via internet address. And, my e-mail is
9 vashe@mtamaryland.gov. Faxed messages will not be accepted
10 unless they are accompanied by a phone call. Notify me that you
11 are faxing your information. My number is (410) 767-3353. My
12 fax number is (410) 333-4810. All this information can be found
13 in the specifications. Questions should be submitted on company
14 letterhead. Questions will not be accepted after the May 31st
15 deadline.

16 An addendum will be issued after the deadline for
17 questions has passed. The addendum will include responses to
18 contractor's questions, and any changes that may be made to the
19 specifications or the drawings. All plan holders will be
20 informed by e-mail when the addendum has been issued and ready
21 to download from MTA's website.

22 Bidders are required to acknowledge all addenda. You
23 must sign a copy of each addendum cover letter. And, this cover
24 letter should be included in your bid package.

25 Bids will be due on **June 15, 2012 at 2:00 p.m.** Bids

1 should be sealed and addressed to the "Maryland Transit
2 Administration, Procurement Division, 6 St. Paul Street,
3 Baltimore, MD 21202 and marked "Bids for Contract No. T-1148-
4 0640R."

5 Hand delivered bids should be deposited in the blue
6 Bid Box that will be located on the 7th Floor next to the
7 elevators, and the deadline, again, is at 2:00 p.m. At that
8 time, Bids will be, publicly, opened and read aloud.

9 Bid Prices are irrevocable for one hundred fifty (150)
10 days following Bid Opening.

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

18 There is a line item on the Unit Price Schedule of the
19 Bid Form called "Insurance Premium Contingency." Bidders must
20 include a lump sum amount that is taken from your "Insurance
21 Cost Worksheet," which is found in the Liability Insurance
22 section of the specifications.

23 This amount is not included in the basis of award; it
24 will only be added to the base bid in the event the bidder is
25 excluded from the wrap-up insurance or the program is terminated

1 mid-term. The Insurance Worksheet must, also, be attached to
2 your bid.

3 All bidders must submit with their bid, the following
4 documents fully executed, and this list of documents will be
5 found on page 3 of your Bid Form -- Bid Bond on a form furnished
6 by the Administration in the amount of five percent (5%) of your
7 Bid Price; the Contractor's Questionnaire, Bid Proposal
8 Affidavit; Buy America Certificate; Certification Regarding
9 Lobbying; MDOT DBE Form A and B; signed copy of your cover
10 letters for each Addenda issued, and a completed Insurance Cost
11 Worksheet. All this information, again, can be found in your
12 Contract Specifications under Notice to Contractors.

13 Are there any questions?

14 [There were no questions].

15 If there are no questions, I'll turn the meeting over
16 to Frank Kernan with our QA/QC.

17 MR. KERNAN: I'm Frank Kernan. I'm with MTA's QA and
18 QC Division.

19 The MTA, earnestly, pursues quality in all of its
20 construction projects, and to that end, Section 01450, Quality
21 Assurance and Quality Control, describes for some 13 pages, what
22 is required of the Contractor to achieve high quality. It's
23 very paper intensive and it demands your particular attention.
24 Read Section 01450, well.

25 It requires a Contract Quality Control Plan, and

1 within seven (7) days of NTP, it requires an interim CQC plan to
2 cover all the work to be done in the first 60 days. And then,
3 within 30 days of NTP, it requires a detailed CQC plan
4 addressing all the work to be done for the entire project. The
5 specifications for each of those plans is within that Section
6 1450.

7 The submittal of the CQC plan is considered incidental
8 to mobilization. If you don't submit it, you'll have part of
9 your mobilization held up. You must include the name of the
10 qualified person designated to be the CQC plan manager, and a
11 copy of the letter of direction to that individual with a
12 phoning to all CQC staff -- a copy of that letter. It doesn't
13 come to the MTA.

14 The CQC plan manager reports and answers to an
15 Executive Officer of the Contractor's company and is not
16 subordinate to the Project Superintendent. The Project Manager
17 or anyone else, directly, responsible for success of the
18 project. Other specifics of the CQC plan are defined, in
19 Section 1450, including in Part 4, Measurement and Payment,
20 which explains that, "the Contractor will be paid or not paid,
21 an allowance per day for QA and QC based on how the quality
22 requirements are prosecuted as assessed by the resident
23 engineer. Upon request from the Contractor, the successful
24 Contractor will provide an exemplar of a suitable CQC plan."

25 Any questions?

1 [There were no questions.]

2 MS. ASHE: If there are no questions, I'll turn the
3 meeting over to Paula Cullings with our Office of Fair
4 Practices.

5 MS. CULLINGS: Good morning, everyone. This is a
6 federally funded program or project with federal funds, so
7 therefore, the participation shall be DBE participation. If the
8 DBE is bidding as a prime, the DBE will not be required to do
9 the thirty-two percent (32%) as the goal.

10 MR. LUCAS: They will not be required?

11 MS. CULLINGS: They will not be required.

12 THE REPORTER: Excuse me, your name for the record?

13 MR. LUCAS: I'm sorry. Gregory Lucas, London
14 Technologies.

15 THE REPORTER: Thank you.

16 MR. LUCAS: Okay.

17 MS. CULLINGS: If you're a certified DBE and you're
18 bidding as a prime, you're first required to do fifteen percent
19 (15%) of the work, as stated. If you're doing any
20 subcontracting, it is advised that you would utilize DBE's,
21 nonetheless. But, there's not a requirement for that.

22 Okay. What I'd like to make sure that you're aware of
23 is that in Form A, which is the first form, you are agreeing to
24 the goals. There's a document that allows you to check the box
25 that you agree to the goals or you're asking for a waiver or

1 something different. That is a two-page form, the second page
2 must be signed and executed. Failure to sign that really throws
3 you out, so please pay good attention, and those who are doing
4 the forms, make sure they get these instructions.

5 Form B would be where you would identify -- and it's
6 fully instructive -- who will be your subcontractors, their
7 certification number. It's not important to have their race and
8 gender -- but, all of that's in the profile -- and, what amount
9 of business are you putting with this company whether its in
10 percentage or dollars.

11 There's a section that will, also, instruct you to
12 know, that if you're buying supplies, you have to use a sixty
13 percent (60%) rule. The sixty percent (60%) rule, is one in
14 which, if you're going to spend \$100,000 on something that's a
15 commodity or a product, you will spend the \$100,000, but you
16 would only get sixty percent (60%) of that towards your goal.
17 So, that math is shown on the document. Please be very careful
18 with that to make sure that your calculations are accurate.

19 When we did this evaluation, we determined that
20 thirty-two percent (32%) was a fair and adequate means to get
21 participation in some of the areas we looked at, but certainly,
22 the fire sprinkler, installation and demolition. So, there
23 could be any number of other areas. It's up to you to be as
24 creative as you like.

25 On Forms C and D, you will send them back, if you

1 care, at the time of bid, but it's mainly required for the
2 awardee. So, we'll accept it if you want to send it up front,
3 but certainly, you will be sending it at a later date if you're
4 one of the [indiscernible].

5 [Form] C tells us how did you do your outreach. Were
6 you able to advertise or did you just go into the directory?

7 And, that's fine.

8 And, [Form] D is where you would have your signature
9 of yourself and what you want that sub to do, and then, their
10 signature. You will make as many copies of that form as you
11 need per firm. You can fax it to the subs so that they can sign
12 it. We will accept it as a faxed document.

13 Waivers. If you find in your calculation that you're
14 not making thirty-two percent (32%), and you need a waiver for
15 the difference, please indicate that, and that explained. We
16 will, certainly, look at all bidders, and certainly, weigh
17 whether or not this is valid. But, you must give sufficient
18 information to support it.

19 If there are any questions regarding the MDDBE
20 directory at MDOT, please contact them, directly. The numbers
21 are in your document that I'll pass them on to you, right now,
22 410-865-1269. Call them, directly, if you're concerned about
23 the profile of this contract that we're looking at. Some of the
24 profiles will have a letter "G" in front of the NAIC code. That
25 means they graduated from that portion. They're still certified

1 for all other things, but that particular NAIC code, they've
2 graduated from. You cannot use them on this work -- for that
3 work that they're graduated.

4 I think I've covered everything. If you have any
5 questions, I'll try to answer them, at this time.

6 [There were no questions.]

7 MS. CULLINGS: Well, good luck. Please check your
8 calculations, and make certain that they're saying what you want
9 them to say. Thank you.

10 MS. ASHE: Okay. Thanks, Paula. We'll now have our -
11 - hear from our Project Manager, Harry Johnson.

12 MR. JOHNSON: Okay, I'm Harry Johnson. I'm with the
13 Civil Engineering section of the MTA. I just wanted to point
14 out a few things.

15 The first thing, which I'm sure if you read the specs,
16 Scope of Work, it plainly, says that all of the sprinkler work
17 has to be done by a Maryland licensed sprinkler contractor. So,
18 that's why we lowered the amount to fifteen percent (15%). I
19 don't know if any of you guys are, actually, sprinkling
20 contractors, but you have to have a licensed sprinkler
21 contractor to do your fire protection work and your fire alarm
22 work, so.

23 The other big part of this job is utility work. We
24 were bringing in a new -- which is also shown on the C -- if you
25 look at the drawings, they're shown on the Civil section of the

1 drawings -- you have to bring in a new utility main to do that
2 work. Okay, that doesn't have to be done by the sprinkler guy.

3 So, those are the two major components, and then,
4 mostly, for other work, you just, you know, support work to help
5 out the fire protection guy.

6 The other thing I want to make clear, here, is that we
7 -- these shops are going to be in operation while you're trying
8 to put your sprinkler work in. We, pretty much, run a three
9 shift operation at Kirk Bus Division. You know, there may be
10 fewer people on the second and third shift. We, recently, did a
11 job at Eastern Bus Division where we did that same thing. Our
12 people are, pretty, flexible in moving out of your way, but you
13 can't come in thinking that you can just tell everybody shut
14 down, and you know, get out your way. You're going to have to
15 work around the people. Like I said, most of the time, and we
16 have like five bus lanes, I think it is at the maintenance shop
17 in Kirk, sometimes they'll give you a whole lane to work in.
18 Most of the time we found in the sprinkler piping, because of
19 the small diameter, you can, usually, work around the buses if
20 they're stationary in putting up most of your headers and stuff
21 like that. But, I just want you to know, when you're figuring
22 your price, that you're going to have to work around their
23 people, and if we're going to be in operation there, then you're
24 going to have to coordinate your work schedule, you know, around
25 their people, so it's going to take longer than if you

1 just were coming into a, you know, an empty building and you're
2 putting in a sprinkler system.

3 MR. LUCAS: London Technologies, Greg Lucas. We've
4 done some work at Eastern Bus -- some security work out there,
5 and we had to get escorts for different areas of the building in
6 the maintenance and also, in the other building. Do we have to
7 do that here, too?

8 MR. JOHNSON: Well, if you have a contract, you're
9 going to have a construction manager. The construction manager
10 is going to have inspectors on the job. So, you're going to
11 have people with you, pretty much -- or you should have somebody
12 with you most of the time, anyway.

13 MR. LUCAS: Okay.

14 MR. JOHNSON: If you're doing a project, you're going
15 to have people -- MTA people from our Construction department
16 working with you. And, you're going to have -- you're,
17 basically, going to do bi-weekly meetings where they're going to
18 meet about this. And, it's -- that's also spelled out in this
19 specs. You're going to meet with them every two weeks to go
20 over the jobs, the status, your problems and they're going to be
21 your liaison with the MTA. So, somebody's going to be there all
22 the time.

23 MR. LUCAS: Okay.

24 MR. JOHNSON: Somebody's going to work with you on the
25 schedule, and you'll go to our people when you need a certain

1 area to tell those people that you need that area and they're
2 going to let you know in advance. Usually, you have to come up
3 with the schedule. It says in the specs, about seven (7) days
4 in advance, telling us how you want -- how you're going to break
5 down this work. And, you know, our people are going to work to
6 get the people, you know, to tell you if they can give up the
7 space. Sometimes, you're going to have to expect some
8 adjustment. You may want to go into an area, and they may send
9 you someplace else --

10 MR. LUCAS: Right.

11 MR. JOHNSON: -- but, like I said, we're, pretty,
12 flexible about, you know, letting you in there. It's been our
13 experience that, you know, doing sprinkler systems aren't as
14 disruptive as some of the other work we've tried to do --

15 MR. LUCAS: Right.

16 MR. JOHNSON: -- while people were in there, so.

17 MR. LUCAS: Right.

18 MR. JOHNSON: And then, when you're -- that's when
19 you're in the maintenance area. When you're over in the lounge
20 area, because you're also going to put the sprinklers in our
21 transportation area --

22 MR. LUCAS: Right.

23 MR. JOHNSON: -- you're going to have to work around
24 that, too. Most of the time, our bus drivers aren't even going
25 to be there, I think, while you're working --

1 MR. LUCAS: Right.

2 MR. JOHNSON: -- because they'll, probably, be out on
3 their route.

4 MR. LUCAS: Exactly.

5 MR. JOHNSON: You know, but, yeah, you're going to
6 have somebody with you, so you don't have to -- yeah, you're
7 going to have to get badges. Whoever's successful, there's a
8 whole procedure about getting badges for your guys during the
9 work process, so yeah, you don't -- you'll have an escort.

10 MR. LUCAS: Okay, and second question, just looking at
11 the bid -- the turnout for this Solicitation. This job was bid
12 last year, right?

13 MR. JOHNSON: Yes.

14 MR. LUCAS: Okay. So, this is a re-bid?

15 MR. JOHNSON: Right.

16 MR. LUCAS: Okay.

17 MR. JOHNSON: So, there could be people -- 'cause you
18 don't, necessarily -- it's my understanding is you don't have to
19 come to this pre-bid to bid.

20 MS. ASHE: No, it's not mandatory.

21 MR. JOHNSON: Right. So, if there were people, who
22 were here last time, who were already familiar with the work --

23 MR. LUCAS: Okay.

24 MR. JOHNSON: -- they didn't -- they might still bid.
25 So, you might still have -- yeah, just because you only see

1 three people here doesn't always mean that they're only going to
2 be --

3 MR. LUCAS: -- No, I was involved on the previous bid,
4 but I'm wondering has the scope changed?

5 MR. JOHNSON: The major change has been, previously,
6 it was fifty percent (50%) required by the TC.

7 MR. LUCAS: Okay.

8 MR. JOHNSON: It's been dropped to 15 [percent].

9 MR. LUCAS: Okay, but Scope of Work, in the building,
10 hasn't changed from a labor standpoint --

11 MR. JOHNSON: No.

12 MR. LUCAS: -- where the devices are going, the layout
13 of the engineering is -- has been the same. Has that been
14 changed? Just trying to determine if I need to go to the
15 walkthrough because I've been here before, so --

16 MR. JOHNSON: Okay.

17 MR. LUCAS: -- you know, I just want to know if
18 anything has changed from a scope standpoint?

19 MR. JOHNSON: I would think that nothing has changed,
20 significantly, and I'm thinking --

21 MR. LUCAS: Okay.

22 MR. JOHNSON: -- if you were here, before, and you
23 walked through before, you're not going to pick up anything, new
24 by --

25 MR. LUCAS: Okay. Thanks.

1 MR. JOHNSON: -- walking through, again. Yeah, so.

2 MR. LUCAS: Okay.

3 MR. JOHNSON: Yeah.

4 MR. LUCAS: Thank you.

5 MR. JOHNSON: Any other questions because that's,
6 pretty much, all I have to say unless somebody has some specific
7 questions?

8 Was everybody here, before, because I can't remember
9 faces, per se, so I don't know if anybody else -- so, do you two
10 guys want to go Kirk, I guess, or --

11 MR. WEDEKIND: Yeah, I'll go --

12 MR. CLUBB: I'll go.

13 MR. WEDEKIND: Yes. Chip Wedekind, Fallsway
14 Construction.

15 MS. ASHE: So, if there are no more questions, I'd
16 like you to keep in mind that you do have up until May 31st to
17 submit any questions to me in writing if you have any questions.

18 MS. CULLINGS: If I can ask one question. Mr. Lucas?

19 MR. LUCAS: Yes.

20 MS. CULLINGS: I noticed on your business card you
21 have "MBE."

22 MR. LUCAS: Yeah, we're MBE, DBE, in the city and
23 also, MDOT State of Maryland.

24 MS. CULLINGS: Okay, when you say, "in the city", what
25 are you talking about?

1 MR. LUCAS: Well, we have a city certification for
2 MBE.

3 MS. CULLINGS: That doesn't apply, here.

4 MR. LUCAS: Okay, this is an MDOT?

5 MS. CULLINGS: This is, strictly, MDOT.

6 MR. LUCAS: Okay, we're also, MDOT MBE, as well.

7 MS. CULLINGS: Are you a DBE at MDOT?

8 MR. LUCAS: I'm not sure. I need to check that
9 status.

10 MS. CULLINGS: All right. Let me just say --

11 MR. LUCAS: Okay.

12 MS. CULLINGS: -- this. If you're not a DBE --

13 MR. LUCAS: Okay.

14 MS. CULLINGS: -- at MDOT, what I just said about a
15 DBE bidding as a prime, that's off the table.

16 MR. LUCAS: Gotcha.

17 MS. CULLINGS: Okay.

18 MR. LUCAS: Gotcha.

19 MS. CULLINGS: If you're an MBE at MDOT, you have to,
20 also, have thirty-two percent (32%) --

21 MR. LUCAS: -- participation.

22 MS. CULLINGS: -- in order -- DBE participation.

23 MR. LUCAS: Okay.

24 MS. CULLINGS: DBE.

25 MR. LUCAS: Because it's based on DBE, not --

1 okay -- MBE.

2 MS. CULLINGS: Because it's federally funded. I just
3 happened to look at your card, and just didn't want you to make
4 the mistake because we don't honor anyone else's -- the City of
5 Baltimore has an MBE/WBE program. We don't honor that.

6 MR. LUCAS: Okay.

7 MS. CULLINGS: We don't honor anybody's. So, it has
8 to be MDOT's certification.

9 MR. LUCAS: Gotcha.

10 MS. CULLINGS: Okay.

11 MR. LUCAS: Okay, thank you.

12 MS. CULLINGS: All right.

13 MS. ASHE: Thank you, Paula.

14 MR. LUCAS: And, Ms. Ashe, I sent you a e-mail,
15 yesterday -- RFI question. I'm not sure if you received it.

16 MS. ASHE: You had questions?

17 MR. LUCAS: Yes.

18 MS. ASHE: Okay, I'll look.

19 MR. LUCAS: Okay.

20 MS. ASHE: Give me a phone call once you get back to
21 your office.

22 MR. LUCAS: Okay. All right, thank you.

23 MS. ASHE: If they're no other questions, our meeting
24 can adjourn. It's, approximately, 11:05. And, thank everyone
25 for coming and good luck.

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(PRE-BID MEETING WAS CONCLUDED)

(A SITE VISIT WAS HELD IMMEDIATELY FOLLOWING THE PRE-BID
MEETING)

CERTIFICATE OF TRANSCRIBER

I, hereby, certify that the Maryland Department of Transportation, Maryland Transit Administration pre-bid meeting for Contract No. T-1148-0640R held at 6 St. Paul Street in Baltimore, Maryland on May 9, 2012 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 MTA employee, herein, and that I have no interest in the outcome of this solicitation and subsequent award.

In witness whereof, I have affixed my signature this 21st day of May, 2012.

By: 

Lisa P. Campbell
Transcriber