

OFFICIAL TRANSCRIPT OF THE
MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION
PRE-PROPOSAL CONFERENCE
FOR
ANCILLARY FOR REPAIR AND MAINTENANCE
OF COMMUNICATION SYSTEMS AND ASSOCIATED EQUIPMENT
CONTRACT NO. T-1297

July 27, 2011

1:30 P.M.

Maryland Transit Administration
6 St. Paul Street, Rms. 731-732
Baltimore, Maryland 21202

Agency:

Gary Lockett, MTA Construction/Installation
and Professional Services
David Goodman, MTA Engineering
Tom Hill, MTA Engineering
Tammi Bolden, MTA Engineering
Amanda Patten, MTA Procurement
Paula Cullings, Office of Fair Practice

Participants:

John Burke, Intellect Corporation
Kuldip Battu, GL Communications
Walter Hill, Jr., MS&I

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

1 MR. LOCKETT: Good afternoon. My name is Gary
2 Lockett. I'm the Chief of Construction Installation and
3 Professional Services section of the MTA Procurement Division.
4 I'll be serving as Procurement Officer for this project.

5 This is the Pre-bid meeting for Contract Number T-1297
6 entitled, "Ancillary for Repair and Maintenance of Communication
7 Systems and Associated Equipment." And, I see that everyone has
8 signed in so far, and I will start with introductions of the MTA
9 project team.

10 And, you can start.

11 MS. BOLDEN: Tammy Bolden, Manager, Systems and
12 Equipment Engineering.

13 MR. HILL: Tom Hill. I'm the Project Manager for the
14 Light Rail public address PALED sign system for the stations
15 that will be included in this sample task.

16 MR. GOODMAN: Dave Goodman, Chief, Systems
17 Engineering.

18 MS. PATTEN: Amanda Patten, Procurement Assistant.

19 MS. CULLINGS: Paula Cullings, Director of Office
20 of Fair Practices.

21 MR. LOCKETT: I'm going to begin with an overview of
22 some of the administrative and contractual elements of this
23 notice to the contractors and solicitation. And, once we start
24 the question and answer period, I'll be -- you are reminded that
25 this is being recorded, so you need to state your name and

1 company that you're affiliated with. And, our transcriber will
2 also remind you, too. Okay.

3 All right. The description of the project, the work
4 to be performed under this contract, includes the furnishing of
5 services necessary for the accomplishment of miscellaneous minor
6 repairs and maintenance work for the Administration's facilities
7 located throughout the state.

8 Work may include repairs, maintenance, additions and
9 modifications to existing controlling communications systems,
10 including but not, necessarily, limited to fiber optic carrier,
11 digital networks, digital data, voice and video communications,
12 video surveillance systems, public address, variable message
13 signs and safety control systems. The work may include only
14 systems installation work in accordance with supplied drawings
15 and specifications.

16 A DBE, Disadvantaged Business Enterprise,
17 subcontracting goal of twenty-five percent (25%) has been
18 established for this project.

19 This project is federally funded.

20 The Deadline for submission of questions is **August**
21 **9th, 2011**. All questions must be directed to my attention at
22 the administrative offices or via internet address, and that's
23 glockett@mta.maryland.gov. Faxed messages will not be accepted
24 unless accompanied by telephone notification, and our fax number
25 is (410) 333-4810.

1 Questions should be submitted on company letterhead.
2 Questions shall not be accepted after the close of the
3 submission day. An addendum, which has been issued, by the way,
4 after the deadline for the questions -- will be issued after the
5 deadline for questions has passed. So, we have one addendum,
6 already sent out.

7 The addendum will include responses to the
8 contractors' written questions, Plan Holders lists and any
9 changes which need to be made to the specifications. All Plan
10 Holders will be informed by e-mail when the addendum has been
11 issued and ready to download from the MTA's website.

12 Bidders are required to acknowledge all addenda by
13 signing a copy of each addenda cover letter and include it with
14 their bid package. Do not return the signed cover letter after
15 receiving the addendum.

16 Although the MTA endeavors to notify contractors of
17 all addenda to this solicitation, in a timely manner, it is the
18 responsibility of the contractors to make sure they download all
19 appropriate documents prior to the bid due date. Bids are due
20 on **August 24th, 2011 at 2:00 p.m. Eastern standard time.**

21 Bids should be sealed and addressed to the Maryland
22 Transit Administration Procurement Division, 6 St. Paul Street.
23 That's Baltimore, Maryland 21202, and marked "Bid for Contract
24 Number T-1297, Ancillary for Repair and Maintenance of
25 Communication Systems and Associated Equipment."

1 Hand delivered bids should be deposited in the bid box
2 located on the seventh floor before the 2:00 p.m. deadline. At
3 that time, bids will be, publicly, opened and read aloud. Bid
4 prices are irrevocable for 150 days following bid opening.

5 The Insurance Requirements are listed in the Table
6 of Contents, and all bidders must submit with their bid the
7 following documents, a fully executed Bid Bond on a form
8 furnished by the Administration in the amount of five percent
9 (5%) of the bid price or a fully executed Individual Surety Bid
10 Bond in the amount of five percent (5%) of the bid price, if
11 applicable, and a fully executed Affidavit of Individual Surety;
12 a fully executed copy of the Contractor's Questionnaire;
13 Pre-award evaluation data; a fully executed copy of the Bid
14 Proposal Affidavit and executed Buy America certificate; a fully
15 executed Certification regarding Lobbying and a fully executed
16 Attachment A, Certified DBE Utilization and Fair Solicitation
17 Affidavit and Attachment B, DBE Participation Schedule.

18 With these two forms, if you fail to -- if the bidder
19 fails to submit Attachment A and Attachment B with the bid as
20 required, the Procurement Officer shall deem the bid
21 nonresponsive; a signed copy -- and then, finally, a signed copy
22 of the cover letter for each addendum issued by the MTA. This
23 same list of items is on BF -- page BF 3 of 8 on the Bid Form
24 that's out.

25 Are there any questions related to the administrative

1 and contractual requirements?

2 Okay. If not, I will open the floor to the Office of
3 Fair Practice, Paula Cullings, to discuss the DBA -- DBE
4 subcontractor requirements.

5 MS. CULLINGS: Good afternoon, everyone. This is a
6 federally-funded project, so, therefore, your participation
7 shall be firms that are DBE certified. These firms will be at
8 the office of MDOT's directory online.

9 When you go online, many times you'll see firms that
10 are certified as MBE/DBE. You might see firms that are only
11 MBE, and you may see firms that are only DBEs. Those that are
12 MBE/DBE, they can be utilized and, certainly, all DBE only. You
13 cannot use an MBE firm. They're just an MBE firm on this
14 particular solicitation.

15 Excuse me. When you're in the directory, you're
16 looking for commercial use for functions of these firms. They
17 may have NAIC codes, and they do beside some of the statements
18 of what they do.

19 Some of the NAICS codes you might notice a letter "G."
20 That means they have graduated from that particular NAIC code.
21 So, you want to make sure that you don't use them for that
22 particular service or good that they may have going on, but all
23 other NAIC codes that they're listed for, certainly, you can
24 continue to consider them for participation.

25 When you come to the -- since it's only three bidders

1 here, I'm sorry it seems, let me let you see the form that we'll
2 speak of. When you submit your proposals, your bids, your
3 documents, this is the Form A and B that's required to come in
4 (indicating). Failure to have these forms at the time that the
5 bid is open is what would deem you to be nonresponsive.

6 Form A is your opportunity to say to us, yes, you
7 agree to the twenty-five percent (25%), or you may have some
8 other idea in mind. Perhaps you may be asking for a waiver, and
9 I'll speak to you about that a little later. But, this is the
10 document where you simply sign off and submit.

11 The third page in the package says MBE -- sorry --
12 MDOT DBE Form B. And, again, it says, "Federally-funded
13 contracts bid only" so that you know it's not for proposals, but
14 for bids.

15 These Instructions are for you to keep, and the second
16 page where it shows the Schedule is also for you to keep. When
17 we get to part two, this is the DBE Participation Schedule.
18 This Schedule shall be prepared for each company. So, if you
19 need to make more than the copies provided, feel free to do so.

20 Column 1 is where you identify who the DBE is; Column
21 2, what is their certification number; Column 3 is NAIC codes or
22 what service are they performing.

23 So, you know NAIC codes have a way to be a little
24 vague and bogged by a larger description. But, when you drill
25 down and realize that perhaps they're going to do a certain

1 task, we're really more interested in knowing what the firm is
2 going to do because the NAIC code may not match what is written
3 in their profile.

4 Many times they have it written, but, you know, the
5 difference -- they may say, especially this or exception to
6 that. So, be very clear what you're having a company to do.

7 [Section] 4.1 in Column 4 allows you to put in the
8 dollar amount that you guesstimate would be as participation.
9 Sometimes you might use a percentage instead of the dollar
10 amount if that's the nature of how you are bidding. In the case
11 of -- this is the first task, correct?

12 MR. LOCKETT: Yes.

13 MS. CULLINGS: So, given that it's a task, I don't
14 know if all things you submit for will be all the things that
15 would be utilized. And, that's where you have some variance in
16 saying, well, I'm not on the exact dollar, but I'm, certainly,
17 going to do five percent with this company and three percent
18 with that company and so on. So you can give it to us both ways
19 or either way.

20 [Section] 4.2 allows you to realize that we have a
21 sixty percent (60%) rule. So, just in case you're buying goods,
22 products, commodities from a company, you may only use 60
23 percent (60%) of what you spend with them towards your goal.

24 So, if you're going to buy some cable for \$8,000 from
25 a minority firm, DBE, then you would only get -- you would spend

1 the 8,000, but you would only bring sixty percent (60%) of that
2 into your calculations. So, that's why you want to be very
3 clear.

4 And, this is where the difference is when you're using
5 this form four section where you're putting in your price or
6 percentage. You need to show, exactly, all of that if it's a
7 commodity or service.

8 Is that clear? I mean, am I making myself clear? You
9 may be quizzical about that one aspect.

10 But, if you're using a firm for a commodity to a
11 service, show the whole amount you would spend. Show the math
12 deductions so that when we calculate, the numbers are right,
13 because if your numbers are not right and you haven't asked for
14 a waiver for the difference, you're in a bad place. So, you
15 want to be very clear that you're doing your proper
16 calculations.

17 Once you have been determined to be the awardee, you
18 would receive notification to submit Form C and D. Form C tells
19 us how did you go about locating minority disadvantaged
20 businesses. Did you run an ad in the paper? Did you simply go
21 to the directory, which is fine; maybe a firm you've used
22 before. Whatever that method is, you would complete that.

23 And, Form D is a form that is utilized for you to
24 prepare. Once again, state what the company will be doing for
25 you. This one form per company. You would sign it as a prime.

1 You can fax it to the sub. They will sign it. And, we'll
2 accept it as a faxed document. If they're nearby, just sign it
3 in person. That's fine. But, we do allow for the faxed
4 document.

5 Now, to understand the twenty-five percent (25%) a
6 little better, the twenty-five percent (25%) is on the total
7 ancillary contract for how long?

8 MR. LOCKETT: Three years.

9 MS. CULLINGS: Three years?

10 MR. LOCKETT: It's a three-year contract.

11 MS. CULLINGS: Okay. So, this is a three-year
12 contract. The twenty-five percent (25%) goes over the whole
13 three years. So, that means each task that you're given an
14 opportunity to bid on, so to speak, you will break off some of
15 this twenty-five (25%) percent to suit yourself.

16 You will always be sending in a DBE package for each
17 task. So, what I'm saying is that on this particular task it
18 may or may not be twenty-five percent (25%) worth of
19 segmentation, at this time. It could be zero sometimes because
20 it's not there. And, if it is zero, you need to explain that
21 the task is, something that you know -- whatever it is we're
22 asking you to do, you're doing it or what have you. And then,
23 the next task you do some more and so on.

24 So, each time you will be given an opportunity to
25 price a task once this award has been made, you will be

1 submitting your DBE package.

2 So, on this first task, we're not expecting that you
3 have to do twenty-five percent (25%). If you care to, if it's
4 twenty-five percent (25%) in here to segment and you want to do
5 that, that's fine, but that's not a requirement. So don't, you
6 know, be concerned.

7 I don't know the specifics of this task versus any
8 down the road, and you won't probably know all of them either,
9 but it's anticipated that over the 3-year period twenty-five
10 percent (25%) participation is something that's realistic and
11 can happen, but it may not happen on every task.

12 If you need a waiver up front -- and when I say "up
13 front," I'm thinking in terms of this particular task -- you
14 will not, necessarily, ask for a waiver if you're below 25
15 percent. You follow me?

16 But, if you were asking for a waiver at any juncture,
17 you would have to document your inability to have done any
18 participation. That is not going to be necessary when you have
19 a task where you may be offering zero. You're not asking for a
20 waiver. You're just not able to segment on this particular
21 task. Is that clear?

22 Okay. So, I don't want you to get, you know, too
23 confused with what would be required. But, whenever there's a
24 waiver you must show evidence of all your efforts to find
25 participation.

1 There are 4,000 certified firms, and, obviously, we
2 would be expecting that you've done diligence and perhaps even
3 good faith efforts that are offered in lieu of that.

4 So, you know, we really want you to look towards those
5 things that are segmentable for the task that you're given at
6 the time, because even as you move along, you may not win the
7 next four tasks. So, you just give your best on each occasion.

8 All right. When it's all said and done, you would
9 also provide a agreement between you and that individuals that
10 are your subcontractors. And, it's just very basic what you
11 would have them to do, what penalties are involved and so on and
12 how to invoice you and things of that nature.

13 And, I suppose, Gary, the tasks are not in -- they're
14 not going to last. These are short --

15 MR. LOCKETT: Right.

16 MS. CULLINGS: -- short-term tasks, so it's not a
17 situation where we would expect that you would have a vendor as
18 your sub and need to let them go. Usually, that happens over
19 years in the contract where something may happen. These are the
20 things that should be in your agreement if that's something that
21 you would find to be important.

22 All waivers are conducted, here. It's no longer an
23 MDOT evaluation. It is happening here, so that's something new
24 and different for those of you who have been here before. But,
25 we do expect that there are enough activity in the overall

1 vision for this contract that there should be capabilities of
2 doing twenty-five percent (25%) participation.

3 Some of the areas that we look at were everything from
4 general contracting, trenching, excavation, conduit, cable
5 installation and things of that nature, and there are viable
6 firms that can do it.

7 As you know, with the DBE program, we do not ask for
8 sub goals. So, twenty-five percent (25%) anywhere you can make
9 it with those who are certified as DBEs would be acceptable.

10 Are there any questions?

11 MR. BATTU: Yes.

12 MS. CULLINGS: Very good.

13 MR. BATTU: Kuldip Battu from GL Communications.

14 COURT REPORTER: Excuse me. Your name, again?

15 MR. BATTU: Kuldip Battu from GL Communications.

16 COURT REPORTER: Thank you.

17 MR. BATTU: The question is, if the prime happened to
18 be a DBE, does he also have to meet the twenty-five percent
19 (25%) goal?

20 MS. CULLINGS: No. Actually, if the DBE's -- if a
21 prime is a DBE, they're not required to do twenty-five percent
22 (25%), because the contract solicitation do require the bidder
23 or prime to do a certain percent.

24 Was it 25 percent --

25 MR. LOCKETT: Overall.

1 MS. COLLINGS: of the work, overall?

2 MR. LOCKETT: Overall, yes.

3 MS. COLLINGS: So, that's pretty much a match, but it
4 should be in your area. So, as you indicate yourself, I mean,
5 you can't be the broker, bid the contract as the DBE, play
6 broker and sub everything to everyone else except other DBEs.

7 So, many DBE firms that are primes do subcontract to
8 other DBEs, what is standard and normal, but you're not required
9 to at the time you submit. But, you do need to indicate that
10 you will be doing the work.

11 MR. BATTU: Good. Thank you.

12 MR. HILL: Is that a state ruling, or is that --

13 COURT REPORTER: Excuse me.

14 MR. HILL: -- MTA rule.

15 COURT REPORTER: I need your name, please.

16 MR. HILL: Walter Hill.

17 MS. COLLINGS: No. That's a federal --

18 MR. HILL: -- That's a federal ruling?

19 MS. COLLINGS: Yes. That's the DBE program. It's
20 federal. The MBE program is state. The DBE program is federal.

21 MR. HILL: As I interpret what you just said, if a
22 minority company gets the award, they don't have to --

23 MS. COLLINGS: -- A DBE, not the MBE.

24 MR. HILL: A DBE, a DBE gets the award, they don't
25 have to sell out twenty-five percent (25%)?

1 MS. CULLINGS: Right. They're also required to do
2 twenty-five percent (25%), so that's a wash.

3 MR. HILL: Yeah.

4 MS. CULLINGS: All companies are required to do
5 twenty-five percent (25%) of the work. Some contracts we have
6 to do fifty percent (50%) of the work.

7 MR. LOCKETT: That's right.

8 MS. CULLINGS: So, it varies, but the bottom line is
9 that even if it didn't have any of the work designated, the DBE
10 program takes credit for the DBE prime. They never sub anything
11 out.

12 But, historically, most DBE firms that do win as
13 primes do subcontract to other DBEs, and I'm sure you can attest
14 to that, and you, too, as far as that's concerned. I've seen
15 that on many of the contracts.

16 So, you know, we don't want any company to feel that
17 they still could not market for a DBE firm just because they may
18 be bidding as a prime.

19 Okay. If you have any questions, technically -- you
20 all are a seasoned group -- you know to contact MDOT, directly,
21 if you're trying to navigate the directory and something is not
22 clear. If you want to be clear about what a company is
23 certified to do, you would also want to make sure that you have
24 contacted MDOT. Their phone number is (410) 865 --
25 (410) 865-1269. Anyone there can verify a company.

1 You may come across a firm you want to use. They
2 told you they can do A, B, C; you don't see it worded like that
3 in the directory. You want to be very clear, because when we
4 start to look at commercial useful function of both what you
5 have in mind for them to do and what they're certified for, it
6 needs to, you know, marry up together.

7 So, contact them, directly, if you have any of those
8 kind of technical questions on the navigation of the system or
9 something about a particular firm or NAIC code or anything of
10 that nature. All questions come to Gary, as stated earlier, but
11 that's something you can handle with MDOT, directly, for that
12 part.

13 My office can assist you if you have something very
14 personal about what you're trying to do and understand in the
15 utilization, but certainly, if it's a question that's likely
16 here, they need to go to Gary and then we answer it so that
17 everyone knows the question and the answer. Thank you very
18 much.

19 MR. LOCKETT: I'll now open the floor to the MTA
20 Project Manager team if they want to discuss any key elements of
21 the Summary of Work or the task before we go into the open
22 question and answer period. You'll get a chance if you want to
23 add anything.

24 MS. BOLDEN: Sure. Just, briefly, it's four Light
25 Rail Central Business District stations that we're trying to get

1 done. We're, basically, trying to do the infrastructure work,
2 plan a new conduit, spare conduit for future PALED and Homeland
3 Security CCTV. Those four stations are Lexington Market, Center
4 Stations, Convention Center and Baltimore Street Station.

5 These particular stations were, originally, slated to
6 go into our Light Rail PALED project; however, due to the
7 complexity and the urgency of trying to get these particular
8 stations done, we opted out to have this one done as a sample
9 task order and the ancillary because of the length of time it's
10 going to take.

11 We are asking that these four stations be completed 180
12 days after you get a Notice to Proceed on this contract. And,
13 because of the complexity, some of the quantities that are
14 listed, in the sample task are just for -- those are our basic
15 measurements so that you can have some type of indication of
16 where you need to start and how you need to bid so we can have
17 an apples and apples comparison amongst all participating
18 bidders.

19 Are there any questions about what the sample task is
20 asking?

21 MR. BECK: It talks about four contracts being issued
22 and --

23 COURT REPORTER: -- Excuse me.

24 MS. BOLDEN: You have to --

25 MR. BECK: -- Sorry. John Beck with Intellect

1 Corporation.

2 COURT REPORTER: Thank you. Thank you.

3 MR. BECK: And, my question is, in the document it
4 indicates that four contracts are to be issued and one will be
5 against the sample task order, and I guess, at this point,
6 nobody knows what the value of that's going to be until the bids
7 come in.

8 And, does the remaining money get divided up amongst
9 three contracts?

10 MS. BOLDEN: No. What happens is -- do you want
11 me --

12 MR. LOCKETT: I can take it. No. This is Gary
13 Lockett, Procurement Officer. No, what happens is that, that is
14 for that first sample task -- that contract award. The lowest
15 bidder, we're going to award maybe up to four contracts, but
16 that first sample task is -- will go to the lowest bidder.

17 Then, the project team, they will make -- after that
18 work is done or maybe during that time, another task will be
19 sent out to that pool of contractors and they'll bid on that
20 task. So, it's not divvied out. There is -- theoretically one
21 contractor could win the task -- every task, but, then again, it
22 -- they may not.

23 It all depends on what the task is and who the lowest
24 bidder is for each task, so. And, but the overall dollar amount
25 for the ancillary -- for all of the different tasks that I've

1 described earlier, that could occur out of here, the overall
2 dollar amount is \$3 million.

3 MS. BOLDEN: And, to add to -- Tammy Bolden -- and to
4 add to what Gary is saying, when we talk about four contracts,
5 this contract is for \$6 million. The overall ancillary contract
6 is for \$6 million, and what we're looking to do is award this
7 one contract to four potential bidders so that when we issue out
8 a task, we will put it out to those four selected contractors so
9 that you can bid on each of the OFS's that we put out for
10 services.

11 The one that we have, right now, is just a sample
12 task, and whoever is the winner of that particular sample task
13 will be guaranteed one of the -- participant in the four
14 contracts. So, there will be one of the contractors, and then
15 we will choose three others.

16 So, each time a task is put out, all four will have an
17 opportunity to bid on it and submit a proposal.

18 MS. CULLINGS: Excuse me. This is Paula Cullings.
19 Lexington Market. What were the other three stations?

20 MS. BOLDEN: Convention Center, Lexington and Center
21 Street.

22 MS. CULLINGS: That's three.

23 MS. BOLDEN: Correction. There are only three
24 contracts that will be awarded.

25 MS. CULLINGS: Three?

1 MS. BOLDEN: Right, three, not four. Three contracts.
2 No, this is one \$6 million contract, and there will be three
3 contractors that will be awarded the one \$6 million contract.
4 All right.

5 MR. LOCKETT: Well, I'm going to have to -- this is
6 Gary Lockett, Procurement Officer. We'll have to clarify with,
7 probably, an addendum because we put -- this was going out as --
8 up to -- well, up to four.

9 MS. BOLDEN: Right.

10 MR. LOCKETT: Four not to exceed \$3 million, so
11 we'll have to -- we have to clarify that in an addendum. That's
12 how it's advertised, right now. Okay. So, we will --

13 MS. CULLINGS: -- So, up to four doesn't mean you have
14 four bidders. Hypothetically, if you only have three bidders --

15 MR. LOCKETT: Right.

16 MS. CULLINGS: -- and they bid on this task, they're
17 the three that are in the club.

18 MR. LOCKETT: Yes.

19 MS. CULLINGS: And, the club will continue to bid --
20 only you, and you will not be -- others will not be solicited
21 during that period.

22 MR. LOCKETT: Right.

23 MS. CULLINGS: So, if you only have two bidders, then
24 that's what it'll end up being, but not more than four.

25 MS. BOLDEN: Right.

1 MR. LOCKETT: Right.

2 MS. CULLINGS: Never more than four.

3 MR. LOCKETT: Okay.

4 MR. BATTU: Could it be \$6 -- this is Kuldip Battu.

5 Is this going to be six million each for those --

6 MS. CULLINGS: No.

7 MR. BATTU: -- three or six million for all three?

8 MR. LOCKETT: All -

9 MS. CULLINGS: It's three.

10 MR. BATTU: All three.

11 MS. CULLINGS: No. Sorry.

12 MR. LOCKETT: Or it's six -- it's three or six

13 million. Let's put that out there.

14 MR. BATTU: Okay.

15 MR. LOCKETT: But, right now, in the solicitation --
16 this is Gary Lockett. Right now, in the solicitation it says
17 three million. Okay. That would be overall. Not, not every
18 contractor that's awarded will get -- is guaranteed \$3 million
19 dollars, no, no.

20 MR. BATTU: Not to exceed three million, or it's not
21 to exceed limit?

22 MR. LOCKETT: Yeah, for the overall contract.

23 MS. CULLINGS: For all of it.

24 MR. LOCKETT: For all --

25 MS. CULLINGS: -- For the whole three years.

1 MR. LOCKETT: -- For all the whole three years.

2 MS. BOLDEN: Not for the sample task.

3 MR. LOCKETT: Not for the sample task, not for each
4 individual contract.

5 MR. GOODMAN: For the duration of contract and spread
6 out for all the bidders, not each individual contractor?

7 MR. LOCKETT: Right.

8 MR. BATTU: Just one confusion I have, six million
9 versus three million. What is --

10 MS. BOLDEN: -- We'll clarify.

11 MR. LOCKETT: We'll clarify it.

12 MR. BATTU: Okay.

13 MS. BOLDEN: Any more questions?

14 MR. BURKE: John Burke with Intelect. At this part of
15 the original Light Rail project was put aside because of the
16 permit issues or things that were constraints, and we're being
17 told that this needs to be done in 180 days. Are those same
18 constraints going to be applicable as we get into this?

19 MR. GOODMAN: For each additional or --

20 MR. BURKE: Let's say it's the City of Baltimore
21 Baltimore permit that's it's going to take a long time to get --

22 MR. GOODMAN: -- The reason we're putting the 180 days
23 on this sample task is because some other contracts that this is
24 based on as a follow up. Not every task that you will get we
25 will have that limitation, necessarily. Just in this particular

1 case we have -- we needed it.

2 MS. BOLDEN: But, you still have to -- Tammy Bolden.
3 The contractor still has to get a contractor permit with
4 Baltimore City.

5 MR. BURKE: Second part of that question was, as the
6 Light Rail contract has already been awarded, the start of
7 hardware and LED signs, poles --

8 MS. BOLDEN: You will not -- you will not be
9 installing signs. You're just laying the conduit and the
10 foundation. So that when the Light Rail PALED contract hits
11 those particular stations, they will install all of the
12 equipment.

13 MR. BURKE: Just infrastructure?

14 MS. BOLDEN: Yes.

15 MR. HILL: Tom Hill. The -- that does include the
16 poles for this contract. The poles are included for 1,000-
17 foot -- 1,000-pound poles just keep in mind. And, the reason
18 why these stations were broken out separately is some of the
19 constraints with the CSX tunnel, directly, underneath the
20 platforms, so we had to do some additional engineering work.

21 So, that's why the four stations were broken out,
22 strictly, because of the CSX tunnel, directly, underneath.

23 MR. BURKE: Will we also have to interphase with CSX?

24 MR. HILL: Not that I'm aware of, no.

25 MR. BATTU: It's Kuldip Battu with GL. A question

1 related to the Baltimore City permits. If Baltimore City takes
2 longer to issue the permits, and will that 180-day condition
3 still apply, or will that be subject to change?

4 MR. HILL: It will be subject to change, you know. We
5 We did submit permits back in April as an agency to start a --
6 to try to begin a review process, but that doesn't exclude you
7 guys from doing a construction permit. I was told, told that it
8 could be sitting on someone's desk because we didn't put a
9 contractor's name on it.

10 So, we tried to take an early approach to getting it
11 approved and reviewed, but that may -- they may can hold 100
12 percent, actually, if anybody even took a look at it. So,
13 regardless, the -- everything has to be submitted for
14 construction permits through the City.

15 MR. BURKE: John Burke with Intellect. Have you
16 received approval of the drawings, and we're just submitting for
17 a construction permit through our own --

18 MR. HILL: -- No, no, there's been no formal approval
19 from the City.

20 MR. BURKE: Have you submitted drawings?

21 MR. HILL: Yes, drawings have been submitted, but,
22 like I said, you cannot take those as being complete or approved
23 because they're looking for a contractor's name on the drawings,
24 not MTA as an agency.

25 They want to see a contractor or a name, so chances

1 are they could be sitting on someone's desk and nobody could
2 have looked at them because, you know, they don't know. So, it
3 was issued as to be determined as far as the contractor's name
4 on the permit.

5 MR. BATTU: Okay. Kuldip from GL. Question on the
6 construction drawings that you have on CD or you have submitted
7 to Baltimore City, are they final drawings to be used for
8 construction on these conduits?

9 MR. HILL: They are signed and sealed drawings.

10 MR. BATTU: Okay. But then, when you said the City is
11 expecting the contractor's name on it --

12 MR. HILL: -- for construction, yes.

13 MR. BATTU: -- for construction, you want the
14 contractors to put their name and put they're on standby?

15 MR. HILL: No. It's already designed. It's already
16 stamped and sealed --

17 MR. BATTU: Okay.

18 MR. HILL: -- unless something were to change - field
19 conditions, size changes, footings have to be changed -- that
20 would be the only constraint.

21 MR. BATTU: Okay.

22 MR. BURKE: One other question. John Burke with
23 Intellect. Is Baltimore City the only agency that we have to
24 interphase with or --

25 MR. HILL: -- Yes, unless you, accidentally, go

1 through the tunnel --

2 [Laughter].

3 MR. HILL: -- that's the only agency I'm aware of.

4 MR. BURKE: Okay.

5 MR. BATTU: Don't go too deep.

6 MR. HILL: Then, there will be a lot of agencies
7 involved.

8 [Laughter].

9 MR. LOCKETT: The floor is still open for questions.

10 MR. BATTU: One more question. GL, Kuldip Battu. For
11 this sample task, are you expecting just the pricing or more
12 like a technical proposal with details of infrastructure to be
13 build out for these four stations?

14 MR. GOODMAN: Well, a complete list.

15 MR. BATTU: Technical proposal plus the price
16 proposal?

17 MR. GOODMAN: That's correct. That's correct.

18 MR. BATTU: It's not just a low bid?

19 MR. LOCKETT: It is a low bid.

20 MR. BATTU: Low bid and the technical --

21 MR. LOCKETT: This is the bid form.

22 MR. BATTU: Okay.

23 MR. GOODMAN: You submit, you know, your costs.

24 MR. BATTU: Okay.

25 MR. LOCKETT: So, that you can get the low bid.

1 MR. BATTU: But, usually, when you submit the
2 low bid, you do not submit the technical proposal with it.
3 Normally, it goes low bid is low bid. You just put the number
4 in there --

5 MS. CULLINGS: Right.

6 MR. BATTU: -- whoever is low bid gets the --

7 MR. LOCKETT: Right.

8 MS. CULLINGS: You don't do both.

9 MR. LOCKETT: Right. You don't do both. This is -
10 the sample task is described here.

11 MR. BATTU: Right.

12 MR. LOCKETT: Okay. And, you know, it spells out what
13 the work is going to be involved in doing -

14 MR. BATTU: Mm-hmm.

15 MR. LOCKETT: So, we want to bid on what's the -- how
16 much is it going to cost to do this work.

17 MR. BATTU: I understand. Just fill out the numbers
18 and the bid items, basically?

19 MR. LOCKETT: Yes, you fill out the bid -- the items.

20 MR. BATTU: No details of the work to be done;
21 it's just --

22 MR. LOCKETT: -- No --

23 MR. BATTU: Okay.

24 MR. LOCKETT: -- no, because it's not --

25 MR. BATTU: Thank you.

1 MR. LOCKETT: -- it's not going to be evaluated.

2 MR. BATTU: Okay.

3 MS. BOLDEN: I believe after NTP we will require to
4 see, exactly, how you plan on implementing --

5 MR. BATTU: That's right.

6 MR. LOCKETT: Right.

7 MS. BOLDEN: -- within that cost that you propose.

8 MR. LOCKETT: Yeah. The contracts -- this is Gary
9 Lockett, Procurement office. You know, that's part of what we
10 say in the documents about being the lowest responsive
11 responsible bidder. Part of that -- when your bid comes in,
12 there's a Contractor's Questionnaire on the pre-award evaluation
13 data. Things are taken into consideration.

14 It won't just be -- you just can't throw some numbers
15 on here and, you know, and they're low and expect that that's
16 going to, you know, ride through the day. There is -- you know,
17 there's a team of people that's going to be looking at those
18 bids. That's why we announce an apparent low bidder and because
19 we need to make sure that you're not only responsive but you are
20 responsible that in all respects, you're capable of doing this
21 work.

22 MR. BATTU: Yes.

23 MR. LOCKETT: So, you know, this is -- and, you know,
24 and we have multiple awards, so, you know, you give yourself an
25 opportunity to do this sample task. Okay. If you don't get

1 that but you're still in the pool of awardees, the next task
2 might be the one for you.

3 But, it won't be -- I don't suspect that the project
4 team will, you know, be willing to accept just any, any type of
5 bid. They know what -- they have tasked out and know an
6 estimate of what it takes to do this work. So, we're going to
7 be -- we'll especially be watching for that.

8 Okay. And, you three are here, but other people that
9 may want to bid, they didn't have to be here if they didn't want
10 to be. So, I don't know how many bids we're going to get.

11 MR. BURKE: John Burke with Intellect. In the
12 documents that we were given, a number of \$3 million was
13 mentioned. Is that the engineer's estimate for this sample
14 task?

15 MR. LOCKETT: No, because already we've stated
16 earlier -- as we stated earlier, there may be more than that
17 available funds. It might be six million, and that's not,
18 necessarily, the engineer's estimate on that.

19 MS. BOLDEN: Tammy Bolden. The pricing that -- the
20 cost is for the entire ancillary contract; it's not for the
21 sample task. The sample task is going to be totally different
22 than what the ancillary -- the value of the ancillary contract
23 is going to be.

24 MR. LOCKETT: Correct.

25 MR. BURKE: Okay.

1 MS. BOLDEN: Tammy Bolden, again. I really don't want
2 to see a sample task coming in at \$3 million.

3 [Laughter].

4 MS. CULLINGS: And, that being said -- Paula
5 Cullings -- sometimes figures are not engineer's estimate. It
6 could be budget money. So, it could be money allocated to do a
7 task or a job or a five-year project, however way it shakes
8 down, but it doesn't mean someone's estimate or guesstimate.
9 We're asking you for that.

10 MR. BATTU: It's Kuldip Battu with GL. Is it possible
11 to get a range for this sample task? And, this is not really a
12 sample task just for paper. This is for actual work. And, most
13 of the low bids are provided a range that this contract range is
14 bidding X to Y. Is that something that can be provided based on
15 some engineer's estimate so to give -- to be on the same page
16 for everybody?

17 MR. LOCKETT: Well, a range, I'm not -- I don't think
18 so.

19 MS. BOLDEN: Not on ancillary.

20 MR. LOCKETT: No, not on ancillary. Not on ancillary.

21 MS. CULLINGS: Give us your best.

22 MR. LOCKETT: Yeah.

23 MS. CULLINGS: We want you to -- you're proposing to
24 do the task. You know, give us your best.

25 MR. LOCKETT: Yeah. This is a, relatively -- I'm sure

1 a new process. And, maybe, I don't know if you've ever been
2 involved in the previous processes where ancillary was given out
3 to one contractor. So, you know, a range of costs was probably
4 given back then.

5 MS. BOLDEN: But, it was for the total value of the
6 ancillary.

7 MR. LOCKETT: It was the total value of the ancillary
8 itself.

9 MS. CULLINGS: But never for -- but never a range for
10 the task or one set of work. You see, historically ancillaries
11 could be a lot of things in the term of three years to do
12 anything.

13 MR. BATTU: Thank you.

14 MR. LOCKETT: Any more questions?

15 [There were no further questions].

16 MR. LOCKETT: Okay. If not, I'd like to thank you,
17 everyone for attending and want to remind you about the deadline
18 for getting questions -- written questions in as well as the
19 addendum that went out.

20 So, you need to download that because that has, you
21 know, major sections under the special provisions that were put
22 in place on addendum number one, so, and it goes into a lot more
23 detail about, you know, what the ancillary is about.

24 Okay. And, thank you very much.

25 (Whereupon, the pre-bid meeting was concluded.)

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CERTIFICATE OF TRANSCRIBER

I hereby certify that the Maryland Department of Transportation, Maryland Transit Administration Pre-bid meeting for Contract No. T-1297 on July 27, 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 10th day of August, 2011.

By: 

Lisa P. Campbell
Transcriber