



MARYLAND TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor
Beverley K. Swaim-Staley, Secretary • Ralign T. Wells, Administrator

TO: All Planholders
FROM: Maryland Transit Administration
SUBJECT: ADDENDUM NO. 3
Contract No.: T-1421-0240
Bus Wash Replacement
DATE: April 25, 2012

Enclosed and effective this date is Addendum No. 2 to the subject Contract. This change delays the Bid Opening Date to **May 1, 2012**.

This Addendum involves a revision to the answer to Question No. 1, see attached.

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

All other terms and conditions remain unchanged.

Sincerely,

Gary R. Lockett, Procurement Officer
Construction/Installation & Professional Services Section
Procurement Division

Acknowledgement of receipt of ADDENDUM # 3 to Solicitation #T-1421-0240

Vendor Name: _____

Authorized Representative's Signature

Date

ADDENDUM NO.: 3
DATE: 04/25/2012
CONTRACT NO.: T-1421-0240

The following additions, deletions, and modifications are hereby made a part of the Contract Documents of Bus Wash Replacement, Contract No.: T-1421-0240.

Item No.	Page	Modification
I. CONTRACT SPECIFICATIONS		
1	NTC pg 2	Revised Bid Opening date from April 27, 2012 to May 1 2012
2	BF pg 1	Revised Bid Opening date from April 27, 2012 to May 1, 2012

Also attached is the revised answer to the contractors' question No. 1.

glockett@mta.maryland.gov. Facsimile messages will not be accepted unless accompanied by telephone notification at (410) 767-3360. Our fax number is (410) 333-4810. Questions directed to this office must be received no later than **March 30, 2012** at the close of the business day. Questions should be submitted on company letterhead. No interpretations other than written shall be binding on the Administration.

4. **BID DUE DATE & TIME**

Sealed Bids addressed to the Maryland Transit Administration, Procurement Division, 6 St. Paul Street, Baltimore, Maryland 21202-1614, and marked "**Bid for Contract No. T-1421-0140 – Bus Wash Replacement**", will be received at the above address until but not after 2:00 P.M. local time, **May 1, 2012**. At that time, the Bids will be publicly opened and read aloud at a location at the same address. Hand delivered bids should be deposited in the Bid Box located on the 7th Floor before the 2:00 P.M. deadline. Any bids received after the date and time specified shall not be considered.

5. **ELECTRONIC VERSION OF BID DOCUMENTS**

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

6. **AVAILABILITY OF DOCUMENTS**

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

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

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

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION

BID FORM

FOR

CONTRACT NO.: T-1421-0240

TO: MARYLAND TRANSIT ADMINISTRATION
ATTN: PROCUREMENT DIVISION
6 SAINT PAUL STREET, 7TH FLOOR
BALTIMORE, MD 21202-1614

BID OPENING DATE:

MAY 1, 2012

BID OPENING TIME:

2:00 PM

BID OF: _____
(Bidder's Name)

PROJECT DESCRIPTION:

This Contract is for the replacement of existing bus washes at the following locations: Bush Bus Division and Northwest Bus Division.

The work includes all necessary material, labor, tools, equipment, supervision, mobilization, demobilization, hauling, proper disposal, testing, and other considerations required for the completion of the Contract. The Contractor shall provide new, first quality products and workmanship shall meet or exceed industry standards for the various trades.

Work at the Bush Bus Division and the Northwest Bus Division will be performed as part of the Base Bid. As an option, the Contractor may be asked to replace the specified number of bus wash systems at the following locations: Eastern Bus Division and Kirk Bus Division. Pricing for these options will be provided in the Bid Form and the work may be performed at the discretion of the MTA.

1. This bid is hereby submitted to the Maryland Transit Administration (hereinafter sometimes called the "Administration") in response to NOTICE TO CONTRACTORS dated _____.
2. The UNDERSIGNED has thoroughly examined, acknowledges receipt of, and is familiar with the Contract Documents as well as the various instructions, information, and requirements covering the same, all as mentioned herein and in said NOTICE TO CONTRACTORS.
3. In compliance with said NOTICE TO CONTRACTORS the UNDERSIGNED hereby proposes to furnish all labor, equipment, and materials and perform all work described and in strict accordance with the provisions of the Contract Documents for the consideration of the amounts, lump sum and unit prices listed in the attached Unit Price Schedule, and agrees that, upon Notice of Award, within one hundred fifty (150) calendar days after the date of opening of bids, unless mutually extended, he will within ten (10) calendar days after receipt of the prescribed forms, execute the Contract and furnish a performance bond and payment bond (if such bonds are required by the Contract Documents) on forms furnished by the Administration with good and sufficient surety or sureties.
4. The UNDERSIGNED agrees and understands that the time of completion is as



PROJECT: T-1421-0240 Bus Wash Replacement

INVITATION FOR BID - QUESTIONS / RESPONSES

Responses to Questions			
No.	Spec. Page #, Section & Para #	Question	Response to Question
1		Can you clarify that MTA plans to repair the water reclamation system in the Northwest Ave facility prior to new wash being installed?	No, the reclamation system at Northwest Bus Division will not be repaired prior to this project. However three (3) new transfer pumps and associated piping will be installed and connected to the existing reclamation system at the Northwest Bus Division as shown on the Contract Drawings.



MARYLAND TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor
Beverley K. Swaim-Staley, Secretary • Ralign T. Wells, Administrator

TO: All Planholders
FROM: Maryland Transit Administration
SUBJECT: **ADDENDUM NO. 2**
Contract No.: T-1421-0240
Bus Wash Replacement
DATE: April 16, 2012

Enclosed and effective this date is Addendum No. 2 to the subject Contract. This change delays the Bid Opening Date to **April 27, 2012**.

A list of the changes made to this contract is attached to this Addendum. Also attached are the answers to contractors' questions.

Changes to the drawings have been made. CDs containing the Contract Drawings will be mailed by the COB April 17, 2012 to all contractors who requested the original drawings. If your firm has not requested or received the original drawings, please email Mr. Gary Lockett at glockett@mta.maryland.gov with your firm's request for drawings as well as your firm's mailing address and contact information.

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

All other terms and conditions remain unchanged.

Sincerely,

Gary R. Lockett, Procurement Officer
Construction/Installation & Professional Services Section
Procurement Division

Acknowledgement of receipt of ADDENDUM # 2 to Solicitation #T-1421-0240

Vendor Name: _____

Authorized Representative's Signature

Date

ADDENDUM NO.: 2
DATE: 04/16/2012
CONTRACT NO.: T-1421-0240

The following additions, deletions, and modifications are hereby made a part of the Contract Documents of Bus Wash Replacement, Contract No.: T-1421-0240.

Item No.	Page	Modification
I. CONTRACT SPECIFICATIONS		
1	NTC pg 2	Revised Bid Opening date from April 20, 2012 to April 27, 2012
2	BF pg 1	Revised Bid Opening date from April 20, 2012 to April 27, 2012
II. CONTRACT DRAWINGS		
3	E004	Added Specific Note #6, requirements for control panel.
4	E007	Revised Specific Note #4, disconnect is non-fused type.
5	E007	Added number "call-out" and location on drawing for Note 6.
5	E007	Revised Specific Note #7, disconnect is non-fused type.
6	E007	Revised Specific Note #9, requirements for control panel.
7	E011	Removed General Note # 6.
8	E011	Revised Specific Note #1, changed conduit size from ¾" to 1".
9	E011	Revised Specific Note #4, added requirement for disconnect to be NEMA1 fused.
10	E011	Revised Specific Note #5, revised RGS conduit size from 2" to 1"
11	E013	Revised Kirk Single line Diagram, changed conduit size from ¾" to 1".
12	E014	Revised Demolition Note #3, added requirement for pull box to be NEMA 4.
13	E015	Revised Specific Note #3, changed wire size from 3#10 to 3#8.
14	E015	Revised Specific Note #5, changed wire size from 3#1 to 3#4 and changed RGS conduit size from 1 ½" to 1 ¼".
15	E015	Revised Specific Note# 9, changed conduit size from 2 ½' to 3" RGS conduit.
16	E016	Revised Specific Note #2, changed feeder from (4) 600 & (1) # 3 in a 5" conduit to (2) sets of (4) 4/0 & (1) # 3G in 3" conduit.
17	E016	Added Specific Note #3 and "call-out", note states "provide NEMA 4 steel panel board".
18	E017	Revised Specific Note #3, added "panel shall be NEMA 4".

Also attached are the answers to contractors' questions.

glockett@mta.maryland.gov. Facsimile messages will not be accepted unless accompanied by telephone notification at (410) 767-3360. Our fax number is (410) 333-4810. Questions directed to this office must be received no later than **March 30, 2012** at the close of the business day. Questions should be submitted on company letterhead. No interpretations other than written shall be binding on the Administration.

4. **BID DUE DATE & TIME**

Sealed Bids addressed to the Maryland Transit Administration, Procurement Division, 6 St. Paul Street, Baltimore, Maryland 21202-1614, and marked "**Bid for Contract No. T-1421-0140 – Bus Wash Replacement**", will be received at the above address until but not after 2:00 P.M. local time, **April 27, 2012**. At that time, the Bids will be publicly opened and read aloud at a location at the same address. Hand delivered bids should be deposited in the Bid Box located on the 7th Floor before the 2:00 P.M. deadline. Any bids received after the date and time specified shall not be considered.

5. **ELECTRONIC VERSION OF BID DOCUMENTS**

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6. **AVAILABILITY OF DOCUMENTS**

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

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION
MARYLAND TRANSIT ADMINISTRATION

BID FORM
FOR

CONTRACT NO.: T-1421-0240

TO: MARYLAND TRANSIT ADMINISTRATION
ATTN: PROCUREMENT DIVISION
6 SAINT PAUL STREET, 7TH FLOOR
BALTIMORE, MD 21202-1614

BID OPENING DATE:
APRIL 27, 2012
BID OPENING TIME:
2:00 PM

BID OF: _____
(Bidder's Name)

PROJECT DESCRIPTION:

This Contract is for the replacement of existing bus washes at the following locations: Bush Bus Division and Northwest Bus Division.

The work includes all necessary material, labor, tools, equipment, supervision, mobilization, demobilization, hauling, proper disposal, testing, and other considerations required for the completion of the Contract. The Contractor shall provide new, first quality products and workmanship shall meet or exceed industry standards for the various trades.

Work at the Bush Bus Division and the Northwest Bus Division will be performed as part of the Base Bid. As an option, the Contractor may be asked to replace the specified number of bus wash systems at the following locations: Eastern Bus Division and Kirk Bus Division. Pricing for these options will be provided in the Bid Form and the work may be performed at the discretion of the MTA.

1. This bid is hereby submitted to the Maryland Transit Administration (hereinafter sometimes called the "Administration") in response to NOTICE TO CONTRACTORS dated _____ .
2. The UNDERSIGNED has thoroughly examined, acknowledges receipt of, and is familiar with the Contract Documents as well as the various instructions, information, and requirements covering the same, all as mentioned herein and in said NOTICE TO CONTRACTORS.
3. In compliance with said NOTICE TO CONTRACTORS the UNDERSIGNED hereby proposes to furnish all labor, equipment, and materials and perform all work described and in strict accordance with the provisions of the Contract Documents for the consideration of the amounts, lump sum and unit prices listed in the attached Unit Price Schedule, and agrees that, upon Notice of Award, within one hundred fifty (150) calendar days after the date of opening of bids, unless mutually extended, he will within ten (10) calendar days after receipt of the prescribed forms, execute the Contract and furnish a performance bond and payment bond (if such bonds are required by the Contract Documents) on forms furnished by the Administration with good and sufficient surety or sureties.
4. The UNDERSIGNED agrees and understands that the time of completion is as



PROJECT: T-1421-0240 Bus Wash Replacement

INVITATION FOR BID - QUESTIONS / RESPONSES

		Responses to Questions	
No.	Spec. Page #, Section & Para #	Question	Response to Question
1		Can you clarify that MTA plans to repair the water reclamation system in the Northwest Ave facility prior to new wash being installed?	No, the reclamation system at Northwest Bus Division will not be repaired prior to this project. Repair of existing filtration equipment is not part of the scope of work for this project.
2		At all facilities, will above ground tanks and below grade pits be cleaned by MTA prior to the new wash equipment being installed?	Not specifically, but the MTA has a regular cleaning schedule for these tanks and pits.
3		Will a phone line be installed by MTA for each control skid for modem access?	Yes, MTA will provide communication lines, if necessary.
4		Will compressed air be available from MTA shop for each wash system (80 to 100 psi each bay)?	Yes, compressed air will be provided by the MTA. Extend compressed air lines from the existing mains as shown on the drawings.
5		Does this project require Ready Mix Concrete for the Bus Washes?	Yes. There are new housekeeping pads for equipment at Northwest and floor repairs to patch damage from the removal of the existing bus washes. Provide Ready Mix per specifications.
6		What are the addresses of the Bus Washes?	Bush Bus Division - 1515 Washington Blvd., Baltimore, MD 21230 Eastern Bus Division - 201 S. Oldham St, Baltimore, MD 21224 Kirk Bus Division - 2226 Kirk Avenue, Baltimore, MD 21218 Northwest Bus Division - 4401 Mount Hope Drive, Baltimore MD 21215
7	Eastern Division- E007 - Note #4- notes 100 amp fused disconnect	Will the disconnect be a fused or non-fused type?	All Disconnects are non-fused type, drawing revised.
8	Eastern Division- E007 - Note #7- notes 30 amp fused disconnect.	Will the disconnect be a fused or non-fused type?	All Disconnects are non-fused type, drawing revised.
9	Eastern Division- E007 - Note #6	Note #6 - Cannot locate on drawing?	Note 6 should be next to 4 button control panel callout, drawing revised.
10	Kirk Division-E011 - Note #4-400 amp disconnect.	Will the 400 amp disconnect be a NEMA 4X as noted in General Notes # 8 or a NEMA 1 400 amp disconnect?	Disconnect shall be NEMA 1 fused, drawing revised. General Note 8 specifies all disconnects to be NEMA 4x, UON. UON means unless otherwise noted. Specific Note #8 is an exception.
11	Kirk Division-E011 - Note #5	Note #5-states (6) #12 & (1) #10G in 2" RGS conduit. Is the 2" RGS conduit size correct as stated?	Drawing revised to show 1" RGS.



PROJECT: T-1421-0240 Bus Wash Replacement

INVITATION FOR BID - QUESTIONS / RESPONSES

		Responses to Questions	
No.	Spec. Page #, Section & Para #	Question	Response to Question
12	Kirk Division-E011 and E013	E011-General Notes-# 6.C-states (4) #1 & (1) # 8G in a 1-1/2" conduit, but Specific Notes # 2 and E013 notes (3) # 4 & (1) #8G in a 1-1/4" conduit. Which is correct?	Drawing E011 General Note 6 has been removed. Drawing E011 Specific Note #1 indicates feeder for controls package, Drawing E011 Specific Note #2 indicates feeder for motor package, refer to single line diagram for clarification. Drawings E011 and E013 Revised.
13	Kirk Division-E011 and E013	E011-General Notes-#6.D-states (4) # 10 & (1) # 10G- in a 3/4" conduit, but Specific Notes #1 and E013 notes (3) # 8 & (1) #10G in a 3/4" conduit. Which is correct?	Response: General Note 6 has been removed. Contractor shall follow specific note 1 that correspond correctly with the single line diagram (E013) showing feeder sizes. Conduit shall be 1" RGS. Drawing Revised.
14	Northwestern Division - E014	Demolition Notes-# 3-is the new pull box NEMA 4X?	Pull box shall be NEMA 4. Drawing Revised.
15	Northwestern Division - E015	Note # 3-states (3) # 10 & (1) # 10G in 3/4" conduit, but on drawing E016 notes (3) # 8 & (1) # 10G in 3/4" conduit. Which is correct?	Drawing E016 (3#8) is correct, drawing revised.
16	Northwestern Division - E015	Note # 5-states (3) # 1 & (1) # 8G in a 1-1/4" conduit, but drawing E016 notes (3) # 4 & (1) # 8G in a 1-1/4" conduit. Which is correct?	Drawing E016 (3#4) is correct, drawing revised.
17	Northwestern Division - E015	Note # 9-states (2) sets of (4) 4/0 & (1) # 3G in 2-1/2" conduit, but on drawing E016-Specific Notes # 2-states (4) 600 & (1) # 3 in a 5" conduit. Which is correct?	The feeder size shall be (2) sets of (4) 4/0 & (1) # 3G in 3" RGS conduit, drawings E015 and E016 revised. Changed 2 1/2" conduit to 3".
18	Northwestern Division - E017	New Panelboard-(Panel DP-BW). Is this new panelboard a NEMA 1 enclosure?	Single line diagram shows panel in bold to indicate new, panelboard rating shall be NEMA 4 (steel). Drawing revised for clarity.



MARYLAND TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor
Beverley K. Swaim-Staley, Secretary • Ralign T. Wells, Administrator

TO: All Planholders

FROM: Maryland Transit Administration

SUBJECT: **ADDENDUM NO. 1**
Contract No.: T-1421-0240
Bus Wash Replacement

DATE: March 16, 2012

Enclosed and effective this date is Addendum No. 1 to the subject Contract. This change does not delay the Bid Opening Date.

A conformed copy of the revised specification sections is attached. A list of the changes made to this contract is attached to this Addendum.

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

All other terms and conditions remain unchanged.

Sincerely,

A handwritten signature in blue ink that reads "Gary R. Lockett".

Gary R. Lockett, Procurement Officer
Construction/Installation & Professional Services Section
Procurement Division

Acknowledgement of receipt of ADDENDUM # 1 to Solicitation #T-1421-0240

Vendor Name: _____

Authorized Representative's Signature

Date

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

BUS WASH REPLACEMENT

CONTRACT NO.: T-1421-0240

DATE: February 24, 2012

1. DESCRIPTION OF WORK

- A. This Contract is for the replacement of existing bus washes at the following locations: Bush Bus Division and Northwest Bus Division.

The work includes all necessary material, labor, tools, equipment, supervision, mobilization, demobilization, hauling, proper disposal, testing, and other considerations required for the completion of the Contract. The Contractor shall provide new, first quality products and workmanship shall meet or exceed industry standards for the various trades.

Work at the Bush Bus Division and the Northwest Bus Division will be performed as part of the Base Bid. As an option, the Contractor may be asked to replace the specified number of bus wash systems at the following locations: Eastern Bus Division and Kirk Bus Division. Pricing for these options will be provided in the Bid Form and the work may be performed at the discretion of the MTA.

- B. Estimated value for the base bid work is in the range of \$1,000,000 to \$2,500,000.

2. PRE-BID MEETING & SITE VISIT

A Pre-Bid meeting for the purpose of explaining the Project will be held on March 14, 2012 at 10:00 a.m., local time at the Administration Headquarters, 6 St. Paul Street, 7th Floor Conference Room(s) 731-732, Baltimore, Maryland 21202-1614.

A Site Visit will be held on March 14, 2012 immediately following the Pre-Bid Meeting.

Additional site visits can be arranged by contacting Richard Stelmack of Bus Facilities Maintenance. His email address is RStelmack@mta.maryland.gov and his telephone number is 410-454-7127.

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

3. DEADLINE FOR QUESTIONS

Questions regarding the work should be directed in writing to Mr. Gary R. Lockett at the Administration Offices or via Internet address glockett@mta.maryland.gov. Facsimile messages will not be accepted unless accompanied by telephone notification at (410) 767-3360. Our fax number is (410) 333-4810. Questions directed to this office must be received no later than **March 30, 2012** at the close of the business day. Questions should be submitted on company letterhead. No interpretations other than written shall be binding on the Administration.

4. BID DUE DATE & TIME

Sealed Bids addressed to the Maryland Transit Administration, Procurement Division, 6 St. Paul Street, Baltimore, Maryland 21202-1614, and marked "Bid for Contract No. T-1421-0140 – Bus Wash Replacement", will be received at the above address until but not after 2:00 P.M. local time, **April 20, 2012**. At that time, the Bids will be publicly opened and read aloud at a location at the same address. Hand delivered bids should be deposited in the Bid Box located on the 7th Floor before the 2:00 P.M. deadline. Any bids received after the date and time specified shall not be considered.

5. ELECTRONIC VERSION OF BID DOCUMENTS

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

6. AVAILABILITY OF DOCUMENTS

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

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

TO OBTAIN THE DRAWINGS: e-mail Gary R. Lockett at glockett@mta.maryland.gov requesting the contract drawings and supplying the following information: the contact person, company name, mailing address, phone

and e-mail address. The drawings (CD) will be mailed to you at no cost. You also have the option of picking up the CD containing the drawings at: 6 Saint Paul Street, 7th floor, Baltimore, MD 21202.

7. **ADDENDA**

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

8. **EMARYLAND MARKETPLACE REGULATIONS**

Use of “e-Maryland Marketplace”

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

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

9. **BID BOND**

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

10. **PAYMENT AND PERFORMANCE BONDS**

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

17-104 of the State Finance and Procurement Article, Annotated Code of Maryland.

11. ELECTRONIC FUNDS TRANSFER

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

12. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

A. DISADVANTAGED BUSINESS ENTERPRISES ARE ENCOURAGED TO RESPOND TO THIS SOLICITATION NOTICE.

B. The Maryland Transit Administration hereby notifies all bidders that, in regard to any Contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit Bids in response to this Notice, and will not be subjected to discrimination on the basis of political or religious opinion or affiliation, race color, creed, sex, age or national origin in consideration for an award.

C. It is the goal of the Administration that Disadvantaged Business Enterprises participate in all Contracts. Each Contract will contain goals for Disadvantaged Business Enterprise participation on a contract-to-contract basis. A subcontracting goal of **fifteen percent (15%)** has been established for this procurement. All bidders must submit with their bid a fully executed copy of the Certified DBE Utilization and Fair Solicitation Affidavit (MDOT DBE FORM A) and DBE Participation Schedule (MDOT DBE FORM B). If the bidder fails to submit these completed forms with the bid as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award. **ALL DBE FIRMS MUST BE CERTIFIED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION. NO OTHER CERTIFICATIONS WILL BE ACCEPTED.**

D. **A contractor may count toward its DBE goal 60 percent of its expenditures for materials and supplies required under the contract and obtained from a DBE regular dealer, and 100 percent of such expenditures to a DBE manufacturer. The DBE credited supplies may not exceed 60 percent of the entire contract goal.**

E. New versions of Sections 13-103, 13-104 and 14-303 of the State Finance and Procurement Article of the Maryland Code, relating to increased bid/proposal documentation of DBE commitments, are effective as of October 1, 2004. The Contract under this solicitation will be awarded in accordance with these new requirements. As a result, new bid submission requirements,

including certain revised DBE documents, are in effect for this solicitation. These new requirements are set forth elsewhere in this solicitation.

- F. As a result of the revisions to Sections 13-103, 13-104 and 14-303, certain existing portions of the Code of Maryland Regulations (COMAR) relating to post bid/proposal submission of DBE subcontractors are inconsistent with the revised statute. To the extent the provisions of COMAR relating to post bid identification of DBE subcontractors are inconsistent with the requirements of this solicitation, the requirements of this solicitation shall control the award of a Contract. Questions or concerns regarding the DBE requirements of this solicitation must be raised prior to the opening of bids or receipt of initial proposals
- G. Effective on October 1, 2009, Minority Business Enterprise (MBE) firms may elect to be dually certification as woman-owned businesses and as members of an ethnic or racial category. For purposes of achieving any gender or ethnic/racial MBE participation subgoals in a particular contract, an MBE firm that has dual certification may participate in the contract either as a woman-owned business or as a business owned by a member of a racial or ethnic minority group, **but not both**.

WARNING – PLEASE READ:

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

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

Example:

ABC Corporation, Inc.
123 Corporate Circle
Hanover, MD 21076
Female/African American
00-000

13. AFFIRMATIVE ACTION REQUIREMENTS

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

14. FEDERAL FUNDING

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

15. SUSPENSION AND DEBARMENT CERTIFICATION

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

16. CONTRACTOR'S QUESTIONNAIRE

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

17. INSURANCE REQUIREMENTS

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

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

18. USE OF BIDDER'S OWN FORCES

The bidder with his own forces shall perform not less than fifteen percent (15%) of the work at the project site.

19. BUY AMERICA REQUIREMENTS

This contract is subject to Section 165, "Buy America", of the Surface Transportation Assistant Act of 1982, U.S. Public Law 197-424, and regulations and/or guidance implementing this statutory provision issued by the Federal

Transit Administration of the U.S. Department of Transportation. The contract is further subject to the Buy American Steel requirements of Chapter 02 of subtitle 11 of the Code of Maryland Regulations, Title 21, State Procurement Regulations.

20. CANCELLATION OR REJECTION OF BIDS

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

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