

GI-1.01 Contract Summary

ITEM	DESCRIPTION
Contract Title	Long Term Lot A Culvert Replacement
MAA Contract Number	MAA-CO-20-003
AIP Contract Number	N/A
Applicable Standard Provisions	https://www.airportal.maa.maryland.gov
MBE Participation Goal	25% Total MBE Participation With No Sub-Goals
Veteran-Owned Participation Goal	0% Veteran-Owned Small Business Enterprise Firms
Small Business Reserve	YES
Contractor Self-Performance Goal	50 %
Contract Classification	Class D
Wage Rates Required*	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Project Location	BWI Marshall <input checked="" type="checkbox"/> Martin State <input type="checkbox"/>
DHR Hiring Agreement Applicable	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Contract Drawings and Technical Provisions	https://emma.maryland.gov
Total Contract Duration	270 Calendar Days
Liquidated Damages	\$500.00 per Calendar Day
Pre-Bid Conference	October 4, 2019 at 10:00:00 AM MAA Office of Procurement 7001 Aviation Blvd Glen Burnie, Maryland 21061 Potomac River Conference Room
Site Inspection	October 4, 2019 after Pre-Bid Conference at Long Term Lot A
Questions Due	October 10, 2019 at 10:00:00 AM
Bids Due	October 25, 2019 at 2:00:00 PM MAA Office of Procurement 7001 Aviation Blvd, 2 nd Floor Glen Burnie, Maryland 21061
Bid Opening	October 25, 2019 at 2:10:00 PM MAA Office of Procurement 7001 Aviation Blvd Glen Burnie, Maryland 21061 Potomac River Conference Room

Wage Rates are required for bids in excess of \$500,000 (State-funded projects).

GI-1.02 Notice to Contractors

The *Standard Provisions for Construction Contracts (Volume I: General Provisions and Volume 2: Special Provisions)*, the *Technical Provisions* and *MDOT SHA Standard Specifications for Construction and Materials* are intended to describe and establish all requirements and standards for this construction Contract and shall be binding upon the parties signatory to the Contract. By submitting a bid for this Contract, the Contractor agrees to adhere to the requirements of all of these Provisions.

Sealed bids for the State of Maryland (State), Maryland Department of Transportation (MDOT), Maryland Aviation Administration (MAA) project entitled:

**Long Term Lot A Culvert Replacement
at Baltimore/Washington International Thurgood Marshall Airport
Construction Contract No. MAA-CO-20-003**

will be received at the MAA Office of Procurement
7001 Aviation Blvd., 2nd Floor, Glen Burnie, Maryland 21061

October 25, 2019 at 2:00:00 PM Local Time

All bids submitted on or before the date and time indicated above will be publicly opened and read aloud at:

**October 25, 2019 at 2:00:00 PM Local Time
at the MAA Office of Procurement
7001 Aviation Blvd., Glen Burnie, Maryland 21061**

Use of U.S. Mail or other delivery services may delay delivery. **Hand or Commercial Delivery is recommended, and shall be delivered to:**

**Maryland Aviation Administration
Office of Procurement
7001 Aviation Blvd., 2nd Floor
Glen Burnie, Maryland 21061
Attn: Kareen Davis, CPPB, ACE**

Bids sent by U.S. Postal Service shall be sent to:

Maryland Aviation Administration
Office of Procurement
P.O. Box 8766
BWI Airport, Maryland 21240-0766
Attn: **Kareen Davis, CPPB, ACE**

Positively no bids will be received after October 25, 2019 at 2:00:00 PM Local Time. Late bids, late requests for modifications, or late requests for withdrawal, will not be considered. MDOT MAA is not responsible for bids received late and will not receive any bids that are late.

This is a **Small Business Reserve Procurement** for which award will be limited to Certified Small Business vendors. Only businesses that meet the statutory requirements set forth in State Finance and Procurement Article, “14-501, 14-505” Annotated Code of Maryland and who are registered with the Department of General Services Small Business Reserve Program are eligible for award of a contract.

Vendors MUST be certified prior to award of this contract with the Department of General Services Small Business Reserve Program (www.dgs.state.md.us). Vendors who are not certified prior to award will be considered non-responsive.

In accordance with Code of Maryland Regulations (COMAR) 21.05.02.16, to receive a contract award, a vendor/offeror must be registered on eMaryland Marketplace Advantage (eMMA) as a vendor. To register on eMMA, go to the Department of General Services website at <https://emma.maryland.gov>.

The work under this contract includes, but is not limited to, the replacement of two culverts consisting of twin elliptical corrugated metal pipes at the MDOT MAA’s Long Term Lot A at BWI Marshall. The existing corrugated metal pipes will be replaced with prefabricated concrete arch culverts. See paragraph GI-1.04 for additional description.

This project has been advertised via eMaryland Marketplace Advantage. Volume I and Volume II are available for download via eMaryland Marketplace Advantage: <https://emma.maryland.gov>. Contract drawings are on a disk and available for pick up at the MDOT MAA’s Office of Procurement at 7001 Aviation Blvd, Second Floor, Glen Burnie, Maryland 21061. If you prefer your contract drawings mailed, please contact the Procurement Officer. Your companies UPS or Fed-Ex account number will be required for mailing. All bids must be submitted on the bid documents provided in Volume II.

A Pre-Bid Conference will be held on:

October 4, 2019 at 10:00:00 AM Local Time

Maryland Aviation Administration
Potomac River Conference Room
7001 Aviation Blvd.
Glen Burnie, Maryland 21061

A Site Inspection will immediately follow the Pre-Bid Conference. Bidders will be required to travel to the Long Term A Lot by way of its own transportation. There is a fee of \$1.00 per hour for each vehicle.

Attendance at the Pre-Bid Conference and the Site Inspection is not mandatory, but all interested bidders are encouraged to attend in order to facilitate better preparation of their bids. Attendance may also increase the bidder’s understanding of, and ability to meet the State’s Minority Business Enterprise (MBE) subcontractor participation goals.

A State Equal Opportunity Officer will be available to discuss the Minority Business Enterprise (MBE) program.

Appropriate auxiliary aids and service for qualified individuals with disabilities will be provided upon request. Please call the Office of Procurement at least five business days in advance of the meeting at 410-859-7081 or via MD Relay by dialing 7-1-1 or 1-800-201-7165 to advise of any reasonable accommodations required.

The Bid, if over \$100,000.00, must be accompanied by a Bid Guaranty in the amount of five percent (**5%**) of the Bid Price in the name of the "State of Maryland".

The Bid/Proposal Affidavit shall accompany the bid.

Performance and Payment Bonds in the amount of the Contract Price will be required of the successful Bidders.

Assistance in obtaining Bid, Performance and Payment Bonds may be available to qualifying small businesses through the Maryland Small Business Development Financing Authority (MSBDFDA). Questions regarding the bonding assistance program should be referred to: MSBDFDA, 826 East Baltimore Street, Baltimore MD 21202, (410) 333-4270 (phone) (410) 333-6931 (fax).

Minority Business Enterprise (MBE) Requirements

Bidders shall carefully review all instructions related to MBE requirements under GI-1.06. The Certified MBE Utilization and Fair Solicitation Affidavit and the MBE Participation Schedule must also accompany the bid. **Be advised that the documents must be completed in their entirety with accurate information. If a bidder fails to submit these documents the MAA will deem the bid as non-responsive.**

Bidders are hereby notified that in regard to any contract entered into pursuant to this advertisement, MBE firms will be afforded full opportunity to submit bids in response to this notice and will not be subjected to discrimination on the basis of race, color, sex, creed, or national origin. MBE firms are encouraged to respond to this solicitation notice.

It is the goal of the Maryland Department of Transportation (MDOT) that MBE firms participate in all contracts, and the Contractor is encouraged to utilize MBE subcontractors when there is opportunity to do so. Based on the total contract dollar amount, the MAA has established a minimum overall goal of 25% and no subgoals.

Maryland's MBE/DBE Directory will reflect the dual certification status. 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

By submitting a response to this solicitation the Bidder agrees that this amount of the contract be performed by one or more MBE firms (**including the classifications of MBE specified**). A Prime contractor, including an MBE prime contractor, must accomplish the MBE subcontract goals with certified MBE subcontractors. A prime contractor comprising a joint venture that includes MBE partner(s) must accomplish the MBE subcontract goal with certified MBE subcontractors.

In accordance with COMAR 21.11.03.10(E), all contracts containing Minority Business Enterprise Program Goals must include the Liquidated Damages Provision.

Liquidated Damages. This contract requires the contractor to make good faith efforts to comply with the Minority Business Enterprise (“MBE”) Program and contract provisions. The State and the Contractor acknowledge and agree that the State will incur damages, including but not limited to loss of goodwill, detrimental impact on economic development, and diversion of internal staff resources, if the Contractor does not make good faith efforts to comply with the requirements of the MBE Program and MBE contract provisions. The parties further acknowledge and agree that the damages the State might reasonably be anticipated to accrue as a result of such lack of compliance are difficult to ascertain with precision.

Therefore, upon a determination by the State that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or contract provisions, the Contractor agrees to pay liquidated damages to the State at the rates set forth below. The Contractor expressly agrees that the State may withhold payment on any invoices as a set-off against liquidated damages owed. The Contractor further agrees that for each specified violation, the agreed upon liquidated damages are reasonably proximate to the loss the State is anticipated to incur as a result of such violation.

- a. Failure to submit each monthly payment report in full compliance with COMAR 21.11.03.13B (3): \$23.00 per day until the monthly report is submitted as required.
- b. Failure to include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13B (4): \$82.00 per MBE subcontractor.
- c. Failure to comply with COMAR 21.11.03.12 in terminating, canceling, or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule: the difference between the dollar value of the MBE participation commitment on the MBE participation schedule for that specific MBE firm and the dollar value of the work performed by that MBE firm for the contract.
- d. Failure to meet the Contractor’s total MBE participation goal and subgoal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.

Notwithstanding the use of liquidated damages, the State reserves the right to terminate the contract and exercise all other rights and remedies provided in the contract or by law.

There is no Veteran-Owned Small Business Enterprise (VSBE) subcontract participation goal for this project.

By submitting a response to this solicitation, the Bidder agrees to accept payments by electronic funds transfer unless the State Comptroller's Office grants an exemption. The selected Bidder shall register with the EFT Registration, General Accounting Division form using the COT/GAD X10 Vendor Electronic Funds (EFT) Registration Request Form, available at <http://compnet.comp.state.md.us/gad/pdf/GADX-10.pdf>. Any request for exemption must be submitted to the State Comptroller's Office for approval at the address specified on the COT/GAD X-10 form and must include the reason for exemption.

Questions regarding the Electronic Funds Transfer should be referred to Office of the Comptroller, General Accounting Division, 80 Calvert Street, Room 200, Annapolis, Maryland 21401, (410) 260-7375 or mmcmahon@comp.state.md.us.

By submitting a response to this solicitation, a vendor shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the contract if selected for the contract award.

The MDOT MAA reserves the right to reject any and all bids if in its judgment the interest of the Administration may so require.

If there should be any questions regarding this contract, please contact:

Kareen Davis, CPPB, ACE
Deputy Director
Office of Procurement
Maryland Aviation Administration
Maryland Department of Transportation
410-859-7792