



INVITATION FOR BIDS
FREDERICK COUNTY BID NO. 20-008-CP
TRANSIT EXPANSION

Notice is hereby given that Frederick County Government; Frederick County, Maryland will receive Sealed Bids from qualified Contractors in the Department of Procurement and Contracting, Winchester Hall, 12 East Church Street, Frederick, Maryland, 21701 for the Transit building expansion until:

300 PM (local time) on February 20, 2020,

at which time, bids will be opened and publicly read aloud. Bids received after that time and date will not be accepted and returned unopened.

Description of the Work:

The Site is located at: 1040 Rocky Springs Road
Frederick, Maryland 21704

The work under this contract includes but is not limited to:

1. Completely renovating the existing administration building and providing an expansion onto the building.
2. Site work improvements to provide more parking and improve circulation.
3. Construction of a new pre-engineered bus storage facility for electric bus charging stations.

1. Presentation of Bids:

Presentation of bids shall be in strict accordance with the Instructions to Bidders included in the project Specifications (Section 00100). Bids shall be enclosed in a sealed envelope, addressed to Frederick County and identified as Bid Number 20-008-CP in one envelope which includes:

- Bid Proposal (Bid Forms Section 00200)
- Bid Security
- Bidder Certification of Work Capacity
- Affidavit of Qualification to Bid
- Certification of Compliance With Frederick County Purchasing Regulation 1-2-36
- Affidavit

- List of Subcontractors per specification section 00200c
- MDOT DBE Form A
- MDOT DBE Form B
- MDOT DBE Form E
- Buy America Certification
- Certification Regarding Lobbying

The Bidder's Name and address should be clearly marked on the outside of the envelope.

2. Obtaining or Inspecting Contract Documents:

There is no charge for the bid documents. Downloading the Contract Documents will permit the bidder to take Contract Documents to the "print shop" of their choice for printing.

Bid documents may be obtained as follows:

- If you are already a registered vendor on the Frederick County Procurement & Contracting website, go to our Procurement & Contracting Current Solicitations page at <http://www.frederickcountymd.gov/1116/Current-Solicitations> and download a copy of the bid.
- If you are not yet a registered vendor on the Frederick County Procurement & Contracting website, go to the vendor registration page at <https://ww4.frederickcountymd.gov/VendorSignIn/> and follow the instructions to register.
- When you have completed the registration, go to the Procurement & Contracting Current Solicitations page identified above to download a copy of the bid.
- Supplier registration in Frederick County's new procurement system is strongly encouraged and is now required in order to be awarded a bid. At a yet to be determined future date bid announcements will only be made by the new system. In order to register in the new procurement system please go to the following web page (note: it is necessary to submit a W-9 with your registration):
www.frederickcountymd.gov/procurement

NOTICE: CONTRACTORS AND SUBCONTRACTORS, THAT DO NOT REGISTER, WILL NOT RECEIVE NOTIFICATION OF ADDENDA; THEREFORE THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF NON-REGISTERED ENTITIES TO RECEIVE ADDENDUMS.

3. Bid Security and Guarantee is applicable to this project.

The Contractor shall submit bid security in the form of Bid Bonds, Certified Checks, or Cashier's Checks in the amount of Five Percent (5%) of Bidder's maximum total project bid price. Security shall be made payable to the Frederick County, Maryland. Bid Bonds shall be issued by a surety company licensed to conduct business in the State of Maryland and shall be written on EJCDC C-430 Bid Bond (2002 Edition).

Bid Security and Guarantee shall meet all requirements of Instructions to Bidders Article 8 (EJCDC C-200, 2002 Edition). Such bid security shall be submitted with the understanding that it shall guarantee that the Bidder will not withdraw its bid for a period of

One Hundred and Twenty (120) days after the closing time for receipt of bids; that if its bid is accepted the Bidder will enter into a formal contract with the Owner and that the required Insurance and Performance and Payment Bonds will be promptly obtained and submitted to the Owner. In the event Bidder withdraws its bid within this period or fails to enter into a contract and/or give the required submittals within the time designated to submit same, the Bidder shall be liable to the Owner for the full amount of the bid security representing the damage to the Owner on account of the Bidder.

4. Performance Bond and Payment Bond are applicable to this project.

The successful bidder shall furnish performance and payment bonds covering the faithful performance of the Contract and payment of all obligations there under, in the amount of One Hundred Percent (100%) of the total Contract Sum, including Contingency Items and any accepted Alternates (if any of these are included in the bid award). Each Bond shall be issued by a Surety Company licensed to conduct business in the State of Maryland and shall be delivered to the Frederick County Procurement & Contracting Department within seven (7) calendar days after Notice of Award of the Contract. The bonds shall be written on EJCDC C-610 – Performance Bond (2002 Edition) and EJCDC C-615 – Payment Bond (2002 Edition).

5. Disadvantaged Business Enterprises (DBE): This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Enterprises in Department of Transportation Financial Assistance Programs*. A separate contract goal of **27% DBE participation** has been established for this procurement.

Bidders must indicate if the work will be performed in its entirety by Bidder's firm, or if any work will be subcontracted. This project is funded by Federal, State and County funding and any offers inclusive of subcontracted work must include DBE vendors. Contractors may use the State's online search of the Directory of Certified Firms located at http://mbe.mdot.state.md.us/directory/search_select.asp to find appropriately qualified DBE firms.

6. Prevailing Wage Requirements: It shall be mandatory upon the Contractor to whom the Work is awarded and upon any subcontractors under the Contractor to pay not less than the general prevailing rate of wages as determined by the Secretary of Labor. The requirements of the Davis-Bacon and Related Acts apply to this procurement.

The most recent applicable wage determination (General Decision No. MD20200042 dated 10/3/2020, State: Maryland, County: Frederick County, Construction: Type Building) is provided in Appendix 1. Bidders must use the most recent determination in preparing their bid proposal and are advised to check the website identified below for the most current wage determination prior to submitting their bids:

https://beta.sam.gov/search?index=wd&keywords=&sort=-modifiedDate&date_filter_index=0&date_rad_selection=date&wdType=dbra&state=MD&county=16458&page=1

7. Time of Completion and Liquidated Damages:

The Contractor shall commence the Work under this Contract based on the Construction Start Date identified in the Notice to Proceed, prosecute all said Work, and complete the Work, within 365 calendar-days duration.

In case of failure on the part of the Contractor to complete the Work within the time fixed in the Contract or any extensions thereof, the Contractor shall pay the Owners, as fixed and agreed upon liquidated damages, the sum of \$1,000.00 (One Thousand Dollars) per calendar day to Frederick County for each calendar day in excess of the Contract Time stated above or as otherwise modified and agreed to by the Owner and Contractor.

8. Pre-Bid Conference:

A Pre-Bid Conference will be held **January 23, 2020 at 11:00 AM** in the Winchester Room, 2nd Floor, Winchester Hall, 12 East Church Street, Frederick MD 21701. The project is located at the existing TransIT facility located at 1040 Rocky Springs Rd, Frederick, MD 21702. The project will be reviewed and questions pertaining to the plans, specifications, and bidding procedures will be addressed.

9. Award or Rejection of Bids:

A bidder may be required to submit evidence that he has appropriate experience, and financial resources available to undertake and perform the Contract properly and expeditiously, and any other information that may be required to indicate his ability to fulfill the Contract. **This may include, but not be limited to, submission of at least three similar projects performed within the last three years** (including the name of the Owner and the name and telephone number of an authorized representative of the Owner familiar with the project).

It is the intent of the Owners to award the construction contract to the lowest responsive and responsible Bidder, on the basis of the lowest Total Contract Sum or the lowest Total Contract Sum plus selected Alternate(s), whichever is deemed in the best interest of the County, complying with all the provisions of the Instructions to Bidders, provided the bid price is reasonable and it is to the interest of the Owner to accept it.

Frederick County, Maryland reserves the right to cancel the project, at no penalty, up to the issuance of the "Notice to Proceed". Frederick County, Maryland or its authorized agent(s) reserve the right to reject any or all bids and to waive any informality or deficiency in bids received, whenever such rejection or waiver is in the best interest of the County. Frederick County, Maryland also reserves the right to reject the bid of a Bidder who has previously failed to perform properly or to complete, on time, contracts of a similar nature, or the bid of a Bidder, who after investigation, is not in a position to perform the Contract.

As a condition of award the successful Bidder will be required to submit bonds and insurance prior to the execution of the Contract by the Owner. Failure to meet this requirement shall constitute abandonment of the Bid by the Bidder and forfeiture of the bid security. The bid may then be awarded to the next lowest bidder.

10. Bid Protest:

The County's Bid Protest Procedure may be accessed at:

<http://www.frederickcountymd.gov/index.asp?nid=1116>

Frederick County Government does not discriminate on the basis of race, color, national origin, sex, religion, age and disability in employment or the provision of services.

Individuals requiring special accommodations are requested to contact the Department of Procurement and Contracting at (301) 600-1067 (Voice), or (301) 600-1672 (Voice/TDD) to make arrangements no later than ten (10) working days prior to the meeting.

11. Solicitation Administration:

All communications relative to the bid for this Work shall be directed to Justin Hedges, Acting Team Leader prior to the opening of Bids. All questions relating to interpretation of the Contract Documents or requests for clarification must be submitted in writing. E-mail: JHedges@frederickcountymd.gov **no later than February 4, 2020 at 4:00 PM.**

BY AUTHORITY OF:

Frederick County Government, Frederick County, MD
Diane Fouche, CPPB, Director of Procurement & Contracting