DATE: February 15, 2012

TO: All Prospective Proposers

FROM: Delores R. Pertee

RE: ON CALL MECHANICAL CONTRACTOR – RFP#BC-20726-P
ADDENDUM # 2

Page 1 of 2

The following amends the above referenced RFP documents. Receipt of this addendum must be acknowledged by completing the enclosed "Acknowledgement of Receipt of Addenda" Form and submitting it along with the Technical Proposal you return to the University.

The due date and time for the Technical Proposal to be submitted to the University has been EXTENDED to TUESDAY, FEBRUARY 21, 2012 by 3:00 p.m. to the issuing office.

A. ADDITION/CLARIFICATION:

1. Under Section 100, I: Instructions to Proposers for the On-Call Mechanical Contractors, Item U: Minority Business Enterprise Notice, ADD “Paragraph #3 Minority Business Enterprise: The minority business participation goal for this RFP is set at ten percent (10%) of the total contract value to each awarded firm under this contract. This goal applies to all firms regardless of whether the prime contractor is or is not a MBE firm. All proposals must include, in the technical proposal, a statement as to the expected level of MBE participation (prime contractor and subcontractor) that will be involved in this contract. Proposers may propose percentages that exceed the requirement stated.

Due to the nature of on call work, minority participation may vary from task order to task order; however, the 10% MBE participation must be achieved based on the cumulative total awarded task orders during the contract term.

The “Certified MBE Utilization and Fair Solicitation Affidavit” Form (attached) shall be completed and returned with the Technical Proposal certifying the Proposer’s intent to provide MBE participation, and the level, or to request a waiver. Failure to comply with this requirement will result in the Proposal being deemed non-responsive and rejected from consideration.

Within ten (10) days of notification of award, the successful Proposer should provide: (1) an “Outreach Efforts Compliance Statement Form”; and (2) a “Subcontractor Project Participation Statement Form”. Both of these forms are attached for your information, but are to be completed and returned only after contract award.
2. Under Section 700: Standard General Conditions of Maintenance Projects/Contracts, Paragraph 9.05: Minority Business Enterprise Utilization, **DELETE** “Intentionally Omitted” at the end of the sentence, and **REPLACE** with “See revised Section 100, I. Instructions to Proposers For The On-Call Mechanical Contractors, Item U: Minority Business Enterprise Notice, Paragraph #3.”

B. **CORRECTION:**

1. In Section 400, IV: Scope of Work, Article 3: Special Conditions, Paragraph 1, **DELETE** “2013” and **REPLACE** with “2014”.

2. Attachment D: Price Proposal Form, **DELETE** the entire form and **REPLACE** it with the attached “REVISED PRICEPROPOSAL”

C. **QUESTIONS AND ANSWERS:**

1. **QUESTION:** If the proposing firm is an MBE, are they required to subcontract to other MBE’s to meet the goals?  
   **ANSWER:** In the original RFP documents, an MBE goal had not been established for this contract. However, there is a 10% MBE goal. Please see the Addition/Clarification above in Section A for the requirement.

2. **QUESTION:** My project manager attended the pre-bid meeting and indicated that there would be an MBE requirement for this contract, but I didn’t see anything in the specs detailing that. Could you provide detail on what the requirements would be if any?  
   **ANSWER:** In the original RFP documents, an MBE goal had not been established for this contract. However, there is a 10% MBE goal. Please see the Addition/Clarification above in Section A for the requirement.

3. **QUESTION:** Per Section 400: Scope of work; Article 2 “-Specifications”, Paragraph 9, is Parking Free?  
   **ANSWER:** There is no charge for parking providing the Contractor follows campus parking policies. The Facilities Project Manager obtains from Parking Services one (1) vehicle permit for the Contractor allowing parking in any service space on campus. Additional, limited parking permits are also available at no cost for satellite parking.
4. QUESTION: Assuming we pass the technical phase and move into providing a Price Proposal, will there be another question period related to pricing?

ANSWER: The RFP document is to be reviewed in its entirety and questions submitted prior to the deadline date established for questions regarding the RFP document. There should be no additional questions regarding the Price Proposal.

5. QUESTION: Having missed the Pre-bid meeting, do you recommend that I not bid on this project? What other information could you supply at this time concerning the bid that would not be contained in the bid package.

ANSWER: All of the information on the scope of work and requirements needed to submit a proposal for this solicitation (RFP documents and any Addenda issued) are posted to the UMBC eBid Board. Proposers should monitor this website for additional information that may be posted prior to the Technical Proposal due date.

6. QUESTION: I noticed that the solicitation is intended to be for an initial two (2) years and then there are six (6) one-year renewals for a potential eight (8) years which is a long time. Is there a pricing escalation clause of some type or is the pricing provided suppose to be good for 8 years or would the contractor have the option to not renew for pricing reasons?

ANSWER: Per Section 400: Statement of Work, Article 1: “General Provisions”, Paragraph 2, “Contract Term”, there is an initial two (2) year contract term and six (6) one-year renewal options at the sole discretion of the University for a potential contract term of eight (8) years.

For the subsequent renewal terms, the contractor may request and provide justification for a price increase at least ninety (90) days prior to the end of the then contract term. The price increase must be based on the Consumer Price Index, however, price increases are not guaranteed.
The following questions reference Section 700: Standard General Conditions of Maintenance Projects/Contracts.

7. QUESTION: As builder’s risk coverage does not appear to be addressed in the addenda, should we assume the owner has this, and if so, what is the deductible?

ANSWER: Builders risk insurance is not required for this contract. The required insurance is detailed in Addendum #1.

8. QUESTION: Section 1: “Definitions and Responsibilities”, Item # 1.02 University’s Responsibilities, Paragraph A, does this mean the University provides utility location to the contractor?

ANSWER: No. The On Call Mechanical Contractor would be responsible for including utility location as part of their responsibility where needed in completing each task order or project.

9. QUESTION: Section 2: “Award and Execution of contract”, Item # 2.01 Award, Paragraph B, What do you accept as a joint venture? between the two parties? Or do you require a single legal entity?

ANSWER: Partnership and Joint Venture - If a proposal is submitted by a partnership (including a joint venture), it must be submitted in the partnership name. The partnership name and the identity of each general partner must be made clear and all affidavits and certificates must be executed on behalf of the partnership or on behalf of each general partner. No provision of any agreement among partners will be binding on the State unless it is disclosed in the proposal. Reasonable evidence satisfactory to the State of the authority of one partner to bind the other purported partner(s) must also be given in the proposal. It is recommended that the proposal contain a copy of the partnership agreement, if one exists. If no partnership agreement exists and if the number of general partners is reasonably small, each general partner must execute all required documents, including proposals. At the State’s option all general partners may be required to sign the proposal. Failure to present the State with satisfactory information concerning a purported partnership may be grounds for finding a proposal unacceptable.

10. QUESTION: Section 7: “Prosecution and Progress of The Work”, Item # 7.07 Progress Schedule and time, at what dollar value of the contract will CPM schedules be required?

ANSWER: This contract is for on-call mechanical work and will be scheduled as tasks and projects arise. The forms included as Attachment D of
the RFP documentation will be used with the Contractor to define
the scope of each task or project, timeline and price. The Critical
Path Method does not apply to this contract.

11. QUESTION: Section 7: “Prosecution and Progress of The Work”, Item # 7.14
    Failure to Complete on Time /Liquidated Damages, does the
    $1,000 dollar a day liquidated damages apply to all jobs regardless
to size?
ANSWER: The task order and projects under this contract will be on an as
needed basis. The University reserves the right to access
liquidated damages in the amount of 1% of the task order price.

12. QUESTION: Section 8: “Payments”, Item # 8.04 Certificate of Payment,
    Paragraphs C and D, is there any retainage held on any of the jobs?
ANSWER: No.

13. QUESTION: Section 9: “Employees, Subcontractor and Worker Conditions”,
    Item # 9.06 Prevailing Wage Rates, is prevailing wage rates
    required?
ANSWER: No

Enclosures:   Acknowledgement of Receipt of Addenda Form
    Revised Price Proposal
    MDOT Certified MBE Utilization and Fair Solicitation Affidavit
    Outreach Efforts Compliance Statement
    Subcontractor Project Participation Certificate

Cc:   Procurement File

END OF ADDENDUM #2 DATED 02/15/12
This addendum was posted to the University’s eBid Board, eMaryland Market on 02/15/12.
(Original with enclosures were not mailed)
PRICE PROPOSAL ANTICIPATED DUE DATE: Friday, March 16, 2012, on or before 3:00 p.m. The actual due date and time will be confirmed with those firms that meet the 75% or better on the technical evaluation.

PROPOSER'S NAME: __________________________________________
FID NUMBER/SSN: ___________________________________________

REVISED PRICE PROPOSAL

DATE_______________________

Ms. Delores Pertee  
Procurement Office  
University of Maryland, Baltimore County  
Room #301, Administration Building  
1000 Hilltop Circle  
Baltimore, MD 21250

Dear Ms. Pertee:

The undersigned, hereby submits a price proposal for the On Call Mechanical Maintenance procurement as set forth in RFP #BC-20726-P documents dated January 25, 2012 and Addenda as follows:

Addendum No. 1 Dated 02/07/12
Addendum No. 2 Dated 02/16/12
Addendum No. Dated ______________

We understand that by submitting this price proposal, we are agreeing to all of the terms and conditions of UMBC’s RFP. Below please find our quoted pricing under this RFP.
1. Quoted Hourly Billing Rate for the following positions:

   A. First Year of Initial 2 Year Contract Term (4/1/12 – 3/31/13)

<table>
<thead>
<tr>
<th>Position</th>
<th>Regular Hourly Rate</th>
<th>2\textsuperscript{nd} Shift Hourly Rate</th>
<th>Overtime Hourly Rate</th>
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</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>$__________</td>
<td>$__________</td>
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<tr>
<td>Foreman/Superintendent</td>
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<td>$__________</td>
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<tr>
<td>Journeyman Plumber</td>
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<tr>
<td>Apprentice Plumber</td>
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<td>$__________</td>
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<tr>
<td>HVAC Mechanic</td>
<td>$__________</td>
<td>$__________</td>
<td>$__________</td>
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<tr>
<td>Steamfitter</td>
<td>$__________</td>
<td>$__________</td>
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<tr>
<td>Helper</td>
<td>$__________</td>
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</tbody>
</table>

   B. Second Year of Initial 2 Year Contract Term (4/1/13 – 3/31/14)

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<tr>
<th>Position</th>
<th>Regular Hourly Rate</th>
<th>2\textsuperscript{nd} Shift Hourly Rate</th>
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</table>

2. On Call Mechanical Maintenance’s Material Mark-up Percentage: ________%

3. Trade Work to be performed by a subcontractor to the On Call Mechanical Maintenance:
   Provide a quoted percentage mark-up that will apply to any quoted subcontractor costs.
   
   Subcontractor’s Mark-up/Percentage: ____________%

We also understand that the Bid/Proposal Affidavit, , and proof of the Proposer's Contractor's license under Article 56, Section 180, Annotated Code of Maryland provided with our Technical Proposal remain in force under this Price Proposal phase.
We understand that the University reserves the right to award a contract (or contracts) for all items, or any parts thereof, as set forth in detail under the information furnished in the RFP document.

The Proposer represents, and it is a condition precedent to acceptance of this proposal, that the Proposer has not been a party to any agreement to submit a fixed or uniform price and that the signatory is authorized to financially obligate the Proposer. Sign where applicable below.

SIGNED: ________________________________

PRINTED NAME: _________________________

TITLE: _________________________________

DATE: _________________________________
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned, hereby acknowledges the receipt of the following addenda:

Addendum No. 1 dated 02/07/12
Addendum No. 2 dated 02/15/12
Addendum No. ___ dated _________
Addendum No. ___ dated _________
Addendum No. ___ dated _________

As stated in this Addendum, this form is to be returned within your Technical Proposal.

__________________________
Signature

__________________________
Printed Name

__________________________
Title

__________________________
Date

END OF FORM
MDOT Certified MBE Utilization and Fair Solicitation Affidavit
(submit with bid or offer)

This document MUST BE included with the bid or offer. If the Bidder or Offeror fails to complete and submit this form with the bid or offer 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.

In conjunction with the bid or offer submitted in response to Solicitation No. ________, I affirm the following:

1. □ I acknowledge and intend to meet the overall certified Minority Business Enterprise (MBE) participation goal of ____ percent and, if specified in the solicitation, the following subgoals (complete for only those subgoals that apply):
   ____ percent African American ____ percent Asian American
   ____ percent Hispanic American ____ percent Woman-Owned

   Therefore, I will not be seeking a waiver pursuant to COMAR 21.11.03.11.

   OR

   □ I conclude that I am unable to achieve the MBE participation goal and/or subgoals. I hereby request a waiver, in whole or in part, of the overall goal and/or subgoals. Within 10 business days of receiving notice that our firm is the apparent awardee, I will submit all required waiver documentation in accordance with COMAR 21.11.03.11.

2. I understand that if I am notified that I am the apparent awardee, I must submit the following additional documentation within 10 working days of receiving notice of the potential award or from the date of conditional award (per COMAR 21.11.03.10), whichever is earlier.

   (a) Outreach Efforts Compliance Statement (Attachment B)
   (b) Subcontractor Project Participation Certification (Attachment C)
   (c) Any other documentation, including waiver documentation, if applicable, required by the Procurement Officer to ascertain bidder or offeror responsibility in connection with the certified MBE participation goal.

   I understand that if I fail to return each completed document within the required time, the Procurement Officer may determine that I am not responsible and therefore not eligible for contract award. If the contract has already been awarded, the award is voidable.

3. In the solicitation of subcontract quotations or offers, MBE subcontractors were provided not less than the same information and amount of time to respond as were non-MBE subcontractors.
4. Set forth below are the (i) certified MBEs I intend to use and (ii) the percentage of the total contract amount allocated to each MBE for this project and the items of work each MBE will provide under the contract. I hereby affirm that the MBE firms are only providing those items of work for which they are MDOT certified.

<table>
<thead>
<tr>
<th>Prime Contractor:</th>
<th>Project Description:</th>
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<tbody>
<tr>
<td>(Firm Name, Address, Phone)</td>
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<tr>
<td>Project Number:</td>
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</table>

**List Information For Each Certified MBE Subcontractor On This Project**

<table>
<thead>
<tr>
<th>Minority Firm Name</th>
<th>MBE Certification Number</th>
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<tr>
<td>__________________</td>
<td>________________________</td>
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</table>

Identify the Applicable Certification Category *(For Dually Certified Firms, Check Only One Certification Category)*

- [ ] African American  - [ ] Asian American  - [ ] Hispanic American  - [ ] Woman-Owned  - [ ] Other

Percentage of Total Contract Value to be provided by this MBE: ____ %

Description of Work to Be Performed:

<table>
<thead>
<tr>
<th>Minority Firm Name</th>
<th>MBE Certification Number</th>
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<tbody>
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Identify the Applicable Certification Category *(For Dually Certified Firms, Check Only One Certification Category)*

- [ ] African American  - [ ] Asian American  - [ ] Hispanic American  - [ ] Woman-Owned  - [ ] Other

Percentage of Total Contract Value to be provided by this MBE: ____ %

Description of Work to Be Performed:

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- [ ] African American  - [ ] Asian American  - [ ] Hispanic American  - [ ] Woman-Owned  - [ ] Other

Percentage of Total Contract Value to be provided by this MBE: ____ %

Description of Work to Be Performed:

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Identify the Applicable Certification Category *(For Dually Certified Firms, Check Only One Certification Category)*

- [ ] African American  - [ ] Asian American  - [ ] Hispanic American  - [ ] Woman-Owned  - [ ] Other

Percentage of Total Contract Value to be provided by this MBE: ____ %

Description of Work to Be Performed:

Continue on a separate page, if needed.
### SUMMARY

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<tbody>
<tr>
<td>Total African American MBE Participation:</td>
<td>%</td>
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<tr>
<td>Total Asian American MBE Participation:</td>
<td>%</td>
</tr>
<tr>
<td>Total Hispanic American MBE Participation:</td>
<td>%</td>
</tr>
<tr>
<td>Total Woman-Owned MBE Participation:</td>
<td>%</td>
</tr>
<tr>
<td>Total Other Participation</td>
<td>%</td>
</tr>
<tr>
<td><strong>Total All MBE Participation:</strong></td>
<td>%</td>
</tr>
</tbody>
</table>

I solemnly affirm under the penalties of perjury that the contents of this Affidavit are true to the best of my knowledge, information, and belief.

__________________________  ____________________________
Bidder/Offeror Name        Signature of Affiant

*(PLEASE PRINT OR TYPE)*

Name: ______________________
Title: ______________________
Date: ______________________
Outreach Efforts Compliance Statement

Complete and submit this form within 10 working days of notification of apparent award or actual award, whichever is earlier.

In conjunction with the bid or offer submitted in response to Solicitation No. _________, Bidder/Offeror states the following:

1. Bidder/Offeror identified opportunities to subcontract in these specific work categories.

2. Attached to this form are copies of written solicitations (with bidding instructions) used to solicit MDOT certified MBEs for these subcontract opportunities.

3. Bidder/Offeror made the following attempts to contact personally the solicited MDOT certified MBEs.

4. Select ONE of the following:
   a. ☐ This project does not involve bonding requirements.  
      OR
   b. ☐ Bidder/Offeror assisted MDOT certified MBEs to fulfill or seek waiver of bonding requirements (describe efforts).

5. Select ONE of the following:
   a. ☐ Bidder/Offeror did/did not attend the pre-bid/proposal conference.  
      OR
   b. ☐ No pre-bid/proposal conference was held.

____________________________________ By: _____________________________________
Bidder/Offeror Printed Name   Signature
Address: _____________________________________
_____________________________________
_____________________________________
Subcontractor Project Participation Certification

Please complete and submit one form for each MDOT certified MBE listed on Attachment A within 10 working days of notification of apparent award.

_________________________ (prime contractor) has entered into a contract with ______________________ (subcontractor) to provide services in connection with the Solicitation described below.

<table>
<thead>
<tr>
<th>Prime Contractor Address and Phone</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Number</td>
<td>Total Contract Amount $</td>
</tr>
<tr>
<td>Minority Firm Name</td>
<td>MBE Certification Number</td>
</tr>
<tr>
<td>Work To Be Performed</td>
<td></td>
</tr>
<tr>
<td>Percentage of Total Contract</td>
<td></td>
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</tbody>
</table>

The undersigned Prime Contractor and Subcontractor hereby certify and agree that they have fully complied with the State Minority Business Enterprise law, State Finance and Procurement Article §14-308(a)(2), Annotated Code of Maryland which provides that, except as otherwise provided by law, a contractor may not identify a certified minority business enterprise in a bid or proposal and:

1. fail to request, receive, or otherwise obtain authorization from the certified minority business enterprise to identify the certified minority business enterprise in its bid or proposal;
2. fail to notify the certified minority business enterprise before execution of the contract of its inclusion of the bid or proposal;
3. fail to use the certified minority business enterprise in the performance of the contract; or
4. pay the certified minority business enterprise solely for the use of its name in the bid or proposal.

PRIME CONTRACTOR SIGNATURE         SUBCONTRACTOR SIGNATURE

By: _______________________________ By: _______________________________
Name, Title                        Name, Title
Date                               Date