

INVITATION FOR BIDS

**CONTRACT NO. MAA-MC-18-012
ROOF REPAIRS AND MAINTENANCE AT
BALTIMORE/WASHINGTON INTERNATIONAL THURGOOD
MARSHALL AND MARTIN STATE AIRPORTS**

Sealed Bids for the Maryland Department of Transportation (MDOT)/Maryland Aviation Administration (MAA) solicitation titled **Roof Repairs and Maintenance at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall) and Martin State Airports (MTN)**, as found in **Contract No. MAA-MC-18-012**, shall be submitted to the MAA's Office of Procurement, 7001 Aviation Blvd, Second Floor, Glen Burnie, Maryland 21061, until **2:00:00 p.m.**, local time, **January 11, 2018** and at **2:10:00 p.m.** on this date and place they shall be publicly opened and read aloud. **Positively no bids shall be received after 2:00:00 p.m.**

NOTICE TO BIDDERS: Use of UPS, U.S. Mail or other delivery services may delay delivery. Bids sent by U.S. Postal Service should be addressed to MAA, P.O. Box 8766, BWI Airport, MD 21240-0766, Attention: Mark Berry, Office of Procurement. Late bids, late requests for modifications or late requests for withdrawal will not be considered. U.S. Postal Service mail is not received at the Office of Procurement. Hand or Commercial Delivery is recommended, and should be delivered to 7001 Aviation Blvd., Second Floor, Glen Burnie, MD 21061. The MAA is not responsible for bids received late and shall not accept any bids that are late if sent by U.S. Postal Service, or delivered by commercial delivery.

The work to be performed under this contract consists of providing all labor, supervision, equipment, tools, personnel lifts, safety systems, materials, insurance, bonding, and expertise to perform preventive maintenance and repairs to various types of roof surfaces at Baltimore/Washington International Thurgood Marshall (BWI Marshall) and Martin State (MTN) Airports in accordance with the specifications.

The award of this contract shall be made to the responsible bidder that submits the lowest responsive bid meeting the experience and specifications.

NOTICE TO BIDDERS: Each Bidder, before submitting a bid, shall become fully informed as to the extent and character of the work required. No consideration shall be granted for any alleged misunderstanding of the material to be furnished or work to be done. The submission of a bid is an agreement with all of the items and conditions referred to herein.

This project has been advertised via eMaryland Marketplace: Specifications (Volume I) and Bid Documents (Volume II) are available for download via eMaryland Marketplace: <https://emaryland.buyspeed.com/bsol/>. If you are unable to download the documents (Volume I and II), these documents may be examined without charge at the MAA's Office of Procurement, 7001 Aviation Blvd, Second Floor, Glen Burnie, Maryland 21061. Copies thereof may be obtained. All bids must be submitted on the bid documents provided in Volume II.

A Pre-Bid Meeting shall be held at 10:00 a.m. on December 12, 2017 for interested

Bidders. Please assemble at 7001 Aviation Blvd, First Floor, Potomac River Conference Room, Glen Burnie, Maryland 21061. Attendance at this meeting is not mandatory, but recommended.

If any prospective Bidders are physically impaired and are planning to attend the Pre-Bid or Bid Opening meetings, please call ahead to 410-859-7957 (Office of Procurement), 410-859-7111 (MAA Communications Center), or 410-859-7227 (TDD) to advise of any reasonable accommodations required.

Each Bid (Section P), if in the amount of \$100,000 or more, must be accompanied by a Bid Bond (Section L) in the amount of 5% of the total contract price. **If a Bidder fails to submit these documents, the MAA will deem the bid non-responsive.** The Bid/Proposal Affidavit (Section M) shall also be submitted with each bid.

A Performance Bond (Section B) in the amount of the total contract price is required of the successful Bidder. A Payment Bond (Section C) in the amount of the total contract price is also required. **The Performance Bond and Payment Bond may be annualized.** See SP-1.04 for details. **Assistance in obtaining Bid and Performance bonds may be available to qualifying businesses through the Maryland Small Business Development Financing Authority (MSBDF). See SP-1.06 for more details.**

NOTICE TO BIDDERS: In accordance with Code of Maryland Regulations (COMAR) 21.05.02.16, to receive a contract award, a Bidder must be registered on eMaryland Marketplace as a vendor. To register on eMaryland Marketplace, go to the Department of General Services Website at <https://emaryland.buyspeed.com/bso/>.

The MAA hereby notifies all Bidders that in regard to any contract entered into pursuant to this advertisement, certified MDOT Minority Business Enterprise (MBE) firms shall be afforded full opportunity to submit bids in response to this notice and shall not be subjected to discrimination on the basis of race, color, sex, or national origin in consideration for an award. MBE firms are encouraged to respond to this solicitation notice.

NOTICE TO BIDDERS: The MAA has determined under the Maryland Living Wage Law (SP-1.56), the contract resulting from this solicitation has been deemed to be a **Tier 1** contract.

Minority Business Enterprise (MBE) Requirements

Bidders shall carefully review all instructions related to MBE requirements under this section. The Certified MBE Utilization and Fair Solicitation Affidavit **and** the MBE Participation Schedule must 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 and sub-goals as follows:

Overall MBE Contract Goal	Seven percent	7%
• African American-Owned Business	Zero percent	0%
• Hispanic American-Owned Business	Zero percent	0%
• Asian-Owned Business	Zero percent	0%

As an option for meeting the MBE/DBE participation goal set out for this procurement in part or in total, the Maryland Aviation Administration strongly encourages joint venture partnerships between the prime and MBEs/DBEs.

MBE Prime Self-Performance. When a certified MBE firm participates as a prime (independently or as part of a joint venture) on a contract, a procurement agency may count the distinct, clearly defined portion of the work of the contract that the certified MBE firm performs with its own forces toward fulfilling up to fifty-percent (50%) of the MBE participation goal (overall) and up to one hundred percent (100%) of not more than one of the MBE participation sub-goals, if any, established for the contract. In order to receive credit for self-performance, an MBE prime must be (a) a certified MBE (see 1-3 above) and (b) listed in the Part 2 – MBE Participation Schedule with its certification number, the certification classification under which it will self-perform, and the percentage of the contract that can be counted as MBE self-performance. For the remaining portion of the overall goal and any sub-goals, the MBE prime must also list, in the Part 2 – MBE Participation Schedule, other certified MBE firms used to meet those goals or, after making good faith efforts to obtain the participation of additional MBE firms, request a waiver. Note: A dually-certified MBE firm can use its own forces toward fulfilling ONLY ONE of the MBE sub-goals for which it can be counted.

Minority Business Enterprise (MBE) firms may elect to be dually certified as Woman-owned Businesses and as members of an ethnic or racial category. For purposes of achieving any gender or ethnic/racial MBE participation sub goals 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. 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/DBE partner(s) must accomplish the MBE subcontract goal with certified MBE/DBE subcontractors.

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

Minority Business Enterprise Liquidated Damages Provision: 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): \$25.45 per day until the monthly report is submitted as required.
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): \$89.09 per MBE subcontractor.
- b. 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.
- c. Failure to meet the Contractor's total MBE participation goal and sub-goal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.
- d. Failure to promptly pay all undisputed amounts to an MBE subcontractor in full compliance with the prompt payment provisions of this contract: \$ **100 per day** until the undisputed amount due to the MBE subcontractor is paid.

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.

A Veteran-Owned Small Business Enterprise (VSBE) subcontract participation goal of Zero percent (0%) of the total contract dollar amount has been established for this procurement.

NOTICE TO BIDDERS: 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. This includes the payment of taxes and employee benefits, and that it shall not become in arrears during the term of the contract if selected for contract award.

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 the Office of the Comptroller, General Accounting Division, 80 Calvert Street, Room 200, Annapolis, Maryland 21401, (410) 260-7820 or mmcmahon@comp.state.md.us.

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

If there are any questions regarding this contract, please contact:

Mark Berry
Manager, Construction and Maintenance
Office of Procurement
Maryland Aviation Administration
Ph: 410-859-7004
mberry@bwiairport.com