

**PRE-BID MEETING MINUTES
ADDENDUM NO. 1
TELECOMMUNICATION SYSTEMS RELOCATION
AT THE
DELAWARE ARMY NATIONAL GUARD RIVER ROAD TRAINING FACILITY
1197 River Road, New Castle DE 19720
DEARNG CONTRACT NO. 05-2014**

A Mandatory Pre-Bid Meeting for the referenced project was held in the Delaware Army National Guard River Road Training Facility, Building 33; 1197 River Road, New Castle DE 19720 on Tuesday, August 26, 2014, at 1:00 p.m. Those in attendance were:

CPT Eugene Bledsoe	Delaware Army National Guard
CPT Guy Gravino	Delaware Army National Guard
Gaylon Stewart	Mumford & Miller
Jamie Berrier	Henkels & McCoy
George Wekert	Henkels & McCoy
Geoff Reichelt	Comstar Supply
Larry Anderson	East Coast Underground
Matt Bailey	Power Plus Electrical Contracting, Inc.
Bill Kriss	Power Plus Electrical Contracting, Inc.
Ryan Landis	Carr & Duff, Inc.
Lee Narozanick	American Athletic Courts, Inc.
Brian Temple	KCI, Inc.
Arch Noha	KCI, Inc.
Al McGarvey	KCI, Inc.
Mike Stefanoni	Belair Underground
Mike Kacher	Belair Underground
Denise Ksiazek	Filec Services
Brandon Ksiazek	Filec Services
Bobby Tudor	Tudor Electric, Inc.
Brian Jester	Assurance Media, LLC
Scott Rees	Battaglia
C.G. Warz	Kent Construction, Co.
Brian Havens	Grass Busters
Victor Rolli	Mid-Atlantic Electrical Services
Matt Tarr	G.E.S.
Cari Suppi	Suppi Construction
Thomas W. Gargalas	Electrical Integrity, LLC
Michael Gana	Dura-Line
Joseph Jakubowski	Duffield Associates, Inc.
John Everhart	Brandywine Construction, Inc.
Mike Wheedleton, AIA	Davis, Bowen & Friedel, Inc.
Matt Galinskie, C.E.A.	Fayda Engineering & Energy Solutions, LLC
Edward Fayda, P.E.	Fayda Engineering & Energy Solutions, LLC



Date of Report: August 29, 2014

FE&ES Comm. No.: 14-1129A

Items of Discussion:

- 1.0 These Pre-Bid Meeting Minutes, Addendum No. 1, shall be made part of the Project Manual and Drawings dated August 8, 2014 for the Telecommunication Systems Relocation at the Delaware Army National Guard River Road Training Facility.
- 2.0 Sealed bids for DEARNG Contract No. 05-2014 – Telecommunication Systems Relocation At The Delaware Army National Guard River Road Training Facility 1197 River Road, New Castle De 19720 will be received by the Delaware Army National Guard at the Security Officers desk in the Main Lobby of the Armed Forces Reserve Center located at 250 Airport Road, New Castle, Delaware, 19720-1502, until 1:00 PM local time on Thursday, September 18, 2014, at which time they will be publicly opened and read aloud in the Multipurpose Room located next to the main lobby. Valid driver's license will be required for site access, front desk where all visitors are required to sign in at the Security Desk. Bidder bears the risk of late delivery. Any bids received after the stated time will be returned unopened. **Contractors are reminded to provide ample time to gain access to this secure site.**
- 3.0 Project will include the installation of underground telecommunication conduit ductbanks, manholes and appurtenances for a complete underground raceway system; the installation of all fiber, copper and coaxial cabling by one of the approved State Contract Telecommunication vendors and the final tie-in of all new services along with the removal of all existing telecommunication services. Underground ductbank will be bid via both Directional Boring & Open Cut excavations with Concrete Encasement. If you have purchased a set of documents electronically, be sure to print it out at full size or you may have a scaling problem. In the drawing titleblock, you will find a true 1" measurement. Make sure your plots are correctly sized.
- 4.0 This is a mandatory pre-bid meeting and prime bidders are limited to those in attendance.
- 5.0 For further bidding information relating to the Project Manual and Drawings, the contractors are directed to contact Edward Fayda, P.E., Project Manager at Fayda Engineering & Energy Solutions, LLC at telephone: 302-999-1060. Requests for clarification or interpretation shall be delivered electronically (by email) to efayda@faydaees.com. Ensure the project title contractor's name and RFI # are in the subject line. (Example: RRTF Telecom "Contractor Name"- RFI #1)
- 6.0 The wage rates for this Project are Delaware Department of Labor and Division of Industrial Affairs for **New Castle County, Building Construction Classification**. A certified copy of the prevailing wage rates for this specific project has been determined by the Department of Labor and is included in the Project Manual. This approved scale of wages must be posted by the Contractor in a prominent and easily accessible place at the work site.

7.0 Contractors are reminded that if they are a recognized contractor that customarily performs the work of a given subcontractor classification; that they can list themselves on the line for that particular subcontractor category. DO NOT LEAVE ANY BLANKS ON THE BID FORM. DO NOT ADD ANY ADDITIONAL VERBIAGE OTHER THAN WHAT IS REQUESTED. FAILURE TO DO SO MAY DISQUALIFY YOUR BID. As an example, if you are an electrical contractor that will self-perform the electrical work, that you list your company on the Electrical Subcontractor line on the bid form. Ensure your address, license, etc. is also included.

8.0 The following sections of the specifications were reviewed:

<u>Section</u>	<u>Article</u>	<u>Title</u>
	-----	Advertisement for Bids
00 41 13	-----	Bid Form
01 23 00	-----	Schedule of Alternates
00 15 40	-----	Security Procedures
27 05 43	-----	Utility Conduits by Directional Boring
27 13 00	-----	Telecommunication Conduit Ductbank System
27 53 33	-----	Network Cabling Systems
Appendix D	-----	Approved Telecommunication Contractor Vendors

9.0 Contractor must be a registered plan holder in order to submit a bid. Bid Form shall be submitted in triplicate.

10.0 Engineer clarified that a two (2) year warranty is required on work and materials beginning on the date of substantial completion.

11.0 The drawings were generally reviewed to present the intent of the contract documents.

12.0 The following items were discussed in detail:

A. This is a secure site. A site walkthrough was conducted immediately following the meeting today. Two (2) additional visits are tentatively scheduled for 9/2/14 and 9/4/14; both at 1:00 p.m. Contractors wishing to register for the walkthrough shall contact Matt Galinskie at 302-999-1060. Only registered contractors will be permitted to tour the site. If no-one registers for a particular visit, the visit will be cancelled.

B. Working hours are 7:00 a.m. to 4:00 p.m. Monday through Friday, except for State Holidays at which time the site will be closed. Additional hours must be arranged with the Owner in advance. All shutdowns shall be conducted on weekdays and at the convenience of the owner. Shutdowns must be scheduled and approved by the owner a minimum of two weeks in advance.

- C. Contractors are to contact the Department of Labor if they have any questions with regard to the State Prevailing Wage Law or clarifications on payroll reporting. Telephone number is 302-451-3423.
- D. Requests for substitutions must be submitted to the Engineers office by **September 8, 2014 at 1:00 p.m.** Such requests shall include a complete description of the proposed substitutes, along with sufficient documentation and information necessary for a complete evaluation.
- E. All questions should be directed in writing to the Engineer. Contractors are encouraged to submit questions as soon as possible. All answers to questions not in addendum format will not be binding. In the case of a conflict between the specifications and drawings or within each not answered by addendum, the greater quantity or better quality shall be provided. The deadline for questions shall be **September 12, 2014 at 5:00 p.m.**
- F. The successful contractor, their employees and subcontractors who will be working on site shall complete and submit to the DE ARNG Contracting Officer, a request for criminal history record information. DE ARNG has the right to refuse access to the facility based on the results of the background checks. Refer specifically to Specification Section 00 15 40 for additional information.
- G. DE ARNG to coordinate the shutdown of the Rifle Range during construction activity.
- H. Billing for stored material will not be paid unless the material is on the jobsite and in a secure location under the contractor's control. DEARNG will assist with providing area for materials storage; however it will not be a secured area.
- I. Excavated soils and drilling soils may be stockpiled and then deposited at a suitable location designated by DEARNG. Drilling spoils that contain bentonite shall be removed from the site by the contractor.
- J. Contractor shall provide temporary toilets. Contractors will not be permitted to use facility restrooms.
- K. Contractor shall provide all water for construction activity. The use of metered or unmetered facility water will not be permitted.
- L. Contractor will be responsible for the identification of underground utilities in the area of excavation or drilling. Any known utilities are approximately shown on the contract documents.
- M. Under Alternate #1, Specification Section 01 23 00 identifies that the contractor shall Include 100 cubic yards of over-excavation, removal of unsuitable soils and the

13.8 BUY AMERICAN ACT

13.8.1 This contract requires compliance with the Buy American Act (41 U.S.C. 10.) The Buy American Act gives preference to domestic end products and domestic construction material. To verify compliance with this Section, Contractor is required to provide proof, acceptable to the Owner, that all major equipment and material installed on the project was manufactured in the United States.

16.3 Appendix D: Telecom Vendor List GSS_13441

1. **Replace** the current list and with the new list, attached.

17.0 Changes to Drawings

17.1 There are no changes to the Drawings.

18.0 Questions/Clarifications

Q1: Under directional boring method, open cut trench of approximately 50-60' from manholes will be required to route large quantities of conduits to manholes. Should these areas be concrete encased.

A1: Under the Directional Boring Base Bid, concrete encasement is not required.

Q2: Could you please verify that building #23 is in fact feed from building #24a and not building #32 as stated on matrix sheet E-6.

A2: Yes, Building #23 is fed from Building #24A, not Building #32.

Q3: Could you also verify the square box with a #3 inside of it between CMH-3 and CMH-4 on sheet E-3 please, I cannot find it's description anywhere in the notes section.

A3: Disregard this symbol in its entirety.



Edward Fayda, P.E.

EF/ef

14-1129A Pre-Bid Meeting Minutes & Addendum No 1

Attachments: Pre Bid Meeting Sign-In Sheet
Specification Section 00 41 13 Bid Form
Appendix D: Telecom Contractors

cc: All in Attendance
Associated Builders & Contractors, Inc.
Delaware Contractors Association
iSqFt Plan Room
P-File

TELECOM. SYSTEM RELOCATION

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SIGN IN SHEET

DATE: 8/26/14

Name (Please Print)	Company Name & Address	Phone / Fax or Email
GAYLON STEWART	MUMFORD + Miller	302-378-7736
JAMIE BERRICK	HENKELS & McCAY	717-266-5641
GEORGE WEIKERT	HENKELS & McCAY	717-578-2819
GEOFF REICHEL	COMSTAR SUPPLY	302-841-8578 GEOFF@COMSTARSUPPLY.COM
LARRY ANDERSON	EAST COAST UNDERGROUND	410-310-9168 LANDERSON_ECU@GMAIL.COM
Matt Bailey Bill Kriss	Power Plus Electrical Cont. Inc. 10 Janis Drive Dover, DE 19901	302 736-5070 302 736-5126 (F) WKRIS@MSN.COM
Ryan Landis	Carr & Puff, Inc. 2100 Byberry Rd. <small>Huntingdon Valley PA</small>	215 672 4200 rlandis@carrduff.com
Lee Narozanick	American Athletic Courts, Inc. 2050 Rte 206 Viaretown, N.J 08088	609-859-1414 609-859-1791 FAX aaci.nelson@comcast.net aaci.lee@comcast.net
Brian Temple Arch Moha Al McGarvey	KCI 921 Mercantile Drive Hanover MD 21076	443-418-5447 brian.temple@kci.com
MIKE STEFANO MIKE KACHER	BELAIR UNDERGROUND 735 POLASKI HWY JOPPA MD 21085	443-8669908 443-876-6636 MIKES@BELAIRUNDERGROUND.COM
Denise Ksiazek Brandon Ksiazek	Filec Services 501 Langollen Blvd New Castle DE 19720	(302) 328-7188 (302) 328-7187 fax filecservices@yahoo.com
Bobby Tudor T	TUDOR ELECTRIC INC	302. 736-1444 F. 302. 736-1483 tudorelectric@VERIZON.NET
BRIAN JESTER	ASSURANCE MEDICAL LLC 890 Century Blvd Wilm DE	302 892-3637 C) 983 3181 F 866 246-1153

Company Name	Representative	Address	Phone & Fax	Email
Battaglia	Scott Rees	11 Industrial Blvd New Castle, De	302-325-6100	SRees@att.net
West Construction Co	C.G. WARR	1 Big Oak Rd Smyrna DE 19977	302-653-6469 302-653-2108	Estimator 2 @ westconstruction.com
GrassBusfos	Brian Huenes	935 Rahway Dr Newark DE 19711	302-292-1166 Fax - 302-292-1197	bhuenes2@ Verizon.net
MID-ATLANTIC ELECTRICAL SERVICES	VICTOR ROLLI	24556 BETTS POND RD MILLSBORO, DE 19966	302-934-7171 " " 7170	VROLLI@MAES1.COM
G.E.S.	MATT TARR	76 AUBRE DRIVE NEWARK DE 19720	302-918-3020	MYARLE.GES@GEBEL.COM
Supri Construction	Carl Supri	120 PERRIN HOUSE LN Bear DE 19704	302-834-1400 302-8366405	Carl@SupriConstruction.com
Electrical Integrity LLC	Thomas W. Gargalas	P.O. Box 1061 Middletown, DE 19709	(302) 384-3430 (302) 674-4876	tuGargalas@ electricalintegrity.com
Dura-Line	MICHAEL GANA	437 DORCHESTER LN PERKASIE PA 18944	267-733-8093	MICHAEL.GANA@ DURALINE.CO
DUFFIELD ASSOCIATES	JOSEPH JAKUBOWSKI	5400 LIMESTONE RD WILMINGTON DE 19808	302-239-6634 P 302-239-8485 F	joej@duffnet .com
BRADYWINE CONST	JOHN EVERHART	101 PIGEON POINT RD NEW CASTLE, DE 19720	302-571-9775 (P) 302-571-9775	jeverhart@bcccico .com

BID FORM

For Bids Due: 1:00 p.m., September 18, 2014

To: CPT. Eugene Bledsoe
AFRC-DEARNG-FMO
250 Airport Road
New Castle, DE 19720

Name of Bidder: _____

Delaware Business License No.: _____ **Taxpayer ID No.:** _____

(Other License Nos.): _____

Phone No.: () _____ - _____ **Fax No.:** () _____ - _____

The undersigned, representing that he has read and understands the Bidding Documents and that this bid is made in accordance therewith, that he has visited the site and has familiarized himself with the local conditions under which the Work is to be performed, and that his bid is based upon the materials, systems and equipment described in the Bidding Documents without exception, hereby proposes and agrees to provide all labor, materials, plant, equipment, supplies, transport and other facilities required to execute the work described by the aforesaid documents for the lump sum itemized below:

BASE BID: Provide new Underground Telecommunication Ductbank System and installation of manholes complete including dewatering/well pointing and using Directional Boring Methods. Provide all new Telecommunications Wiring Systems, complete.

Amount: _____ (\$ _____)

ALTERNATES

Alternate prices conform to applicable project specification section. Refer to specifications for a complete description of the following Alternates. An "ADD" or "DEDUCT" amount is indicated by the crossed out part that does not apply.

Alternate No.1: Provide new Underground Telecommunication Ductbank System and installation of manholes complete, including dewatering/well pointing, using open cut/excavation methods and concrete encased ductbank. Provide all new Telecommunications Wiring Systems, complete.

Add: _____ (\$ _____)

Alternate No.2: Provide two (2) 3" Conduits from Building #11 to Main Gate.

Add: _____ (\$ _____)

UNIT PRICES:

Unit Price #1: Over Excavation & Installation of additional Select Fill: \$ _____ / Cubic Yard

Unit Price #2: GABC Stone: \$ _____ /Ton.

BID FORM

I/We acknowledge Addenda numbered 1, _____ and the price(s) submitted includes any cost/schedule impact they may have.

This bid shall remain valid and cannot be withdrawn for 30 days from the date of opening of bids, and the undersigned shall abide by the Bid Security forfeiture provisions. Bid Security is attached to this Bid.

The Owner shall have the right to reject any or all bids, and to waive any informality or irregularity in any bid received.

This bid is based upon work being accomplished by the Sub-Contractors named on the list attached to this bid.

Should I/We be awarded this contract, I/We pledge to achieve substantial completion of all the Base Bid work within 180 calendar days of the Notice to Proceed.

The undersigned represents and warrants that he has complied and shall comply with all requirements of local, state, and national laws; that no legal requirement has been or shall be violated in making or accepting this bid, in awarding the contract to him or in the prosecution of the work required; that the bid is legal and firm; that he has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken action in restraint of free competitive bidding.

Upon receipt of written notice of the acceptance of this Bid, the Bidder shall, within twenty (20) calendar days, execute the agreement in the required form and deliver the Contract Bonds, and Insurance Certificates, required by the Contract Documents.

I am / We are an Individual / a Partnership / a Corporation

By _____ Trading as _____
(Individual's / General Partner's / Corporate Name)

(State of Corporation)

Business Address: _____

Witness: _____ By: _____
(SEAL) (Authorized Signature)

(Title)

Date: _____

ATTACHMENTS

- Sub-Contractor List
- Non-Collusion Statement
- Bid Security
- (Others as Required by Project Manuals)

BID FORM

SUBCONTRACTOR LIST

In accordance with Title 29, Chapter 6962 (d)(10)b Delaware Code, the following sub-contractor listing must accompany the bid submittal. The name and address of the sub-contractor **must be listed for each category** where the bidder intends to use a sub-contractor to perform that category of work. In order to provide full disclosure and acceptance of the bid by the *Owner*, **it is required that bidders list themselves as being the sub-contractor for all categories where he/she is qualified and intends to perform such work.**

<u>Subcontractor Category</u>	<u>Subcontractor</u>	<u>Address (City & State)</u>	<u>Subcontractors tax payer ID # or Delaware Business license #</u>
1. <u>Electrical</u>	_____	_____ _____	_____ _____
2. <u>Excavation</u>	_____	_____ _____	_____ _____
3. <u>Concrete Paving</u>	_____	_____ _____	_____ _____
4. <u>Asphalt Paving</u>	_____	_____ _____	_____ _____
5. <u>Directional Boring</u>	_____	_____ _____	_____ _____
6. <u>Well Pointing</u>	_____	_____ _____	_____ _____
7. <u>Telecom. Cabling</u>	_____	_____ _____	_____ _____

BID FORM

NON-COLLUSION and EPLS DISCLOSURE STATEMENT

This is to certify that the undersigned bidder has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this proposal submitted this date to the Office of Management and Budget, Division of Facilities Management.

AFFIRMATION: Within the past five years, has your firm, any affiliate, any predecessor company or entity, owner, Director, officer, partner or proprietor been the subject of a Federal, State, Local government suspension or debarment?

YES _____ NO _____ If yes, please explain (use separate page and include with Bid Form.)

All the terms and conditions of DEARNG CONTRACT NO. 05-2014 have been thoroughly examined and are understood.

NAME OF BIDDER: _____

AUTHORIZED REPRESENTATIVE (TYPED): _____

AUTHORIZED REPRESENTATIVE (SIGNATURE): _____

TITLE: _____

ADDRESS OF BIDDER: _____

PHONE NUMBER: _____

Sworn to and Subscribed before me this _____ day of _____ 20____.

My Commission expires _____. NOTARY PUBLIC _____.

THIS PAGE MUST BE SIGNED AND NOTARIZED FOR YOUR BID TO BE CONSIDERED.

Appendix "D"

Pre-Bid Meeting Minutes & Addendum No. 1
Telecommunication Systems Relocation at the
Delaware Army National Guard
River Road Training Facility
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STATE OF DELAWARE EXECUTIVE DEPARTMENT OFFICE OF MANAGEMENT AND BUDGET

November 1, 2013

TO: ALL STATE AGENCIES, SCHOOL DISTRICTS, MUNICIPALITIES, VOLUNTEER FIRE COMPANIES AND POLITICAL SUBDIVISIONS

FROM: Theresa Newman
STATE CONTRACT PROCUREMENT OFFICER
302-857-4552

SUBJECT: **AWARD NOTICE (Addendum #3)**
CONTRACT NO. GSS13441-DATA_CBL
Data and Voice Structured Cabling – Adding Prevailing Wage Information

TABLE OF CONTENTS OF KEY CONTRACT INFORMATION

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GOVERNMENT SUPPORT SERVICES – CONTRACTING
100 ENTERPRISE PLACE – SUITE 4 – DOVER, DE 19904-8202
PHONE: (302) 857-4550 – FAX: (302) 739-3779 – GSS.OMB.DELAWARE.GOV

KEY CONTRACT INFORMATION

1. MANDATORY USE CONTRACT

REF: Title 29, Chapter 6911(d) Delaware Code. Every state department and agency within the Executive Branch and Judicial Branch of the state government shall procure all material, equipment and nonprofessional services through the statewide contracts administered by Government Support Services, Office of Management and Budget. Delaware State University, Delaware Technical and Community College, the operations funded by Public School Districts, Delaware Transit Corporation, the Legislative Branch and the Board of Pension Trustees and their consultants are specifically exempted from the requirements of this subsection.

2. CONTRACT PERIOD

Each contractor’s contract shall be valid for a two (2) year period from November 1, 2013 through October 31, 2015. Each contract may be renewed for three (3) additional one (1) year periods through negotiation between the contractor and Government Support Services. Negotiation may be initiated no later than ninety (90) days prior to the termination of the current agreement.

3. VENDORS

<p>Arugie Enterprises Corp. dba: ARG Communications 612 S. Colonial Ave, Ste A. Wilmington, DE 19805</p> <p>Angel Jernoske Phone: 302-225-2000 Fax: 302-225-2010 angel@whyarg.com</p> <p>GSS13441-DATA_CBLV01 FSF ID#: 0000000456</p>	<p>Assurance Media 590 Century Blvd, Suite B. Wilmington, DE 19808</p> <p>Brian Jester Phone: 302-892-3540 Fax: 866-246-1153 jester@assurancemediacom.com</p> <p>GSS13441-DATA_CBLV02 FSFID#: 0000020739</p>	<p>Battaglia Electric, Inc. dba: Battaglia Integrated Technologies 11 Industrial Boulevard New Castle, DE 19720</p> <p>Scott Rees Phone: 302-325-5722 Fax: 302-325-6108 srees@battag.com</p> <p>GSS13441-DATA_CBLV03 FSF ID#: 0000025817</p>
<p>Bluestone Communications, Inc. 780C Primos Ave. Folcroft, PA 19302</p> <p>Rich Gibbons Phone: 610-237-8880 Fax: 610-237-8801 r.gibbons@bluestonecomm.com</p> <p>GSS13441-DATA_CBLV04 FSF ID#: 0000006734</p>	<p>Fiber Technologies Networks 300 Median Centre Rochester, NY 14618</p> <p>Mike Hurley Phone: 585-697-5100 Fax: 585-568-8499 mhurley@fibertech.com</p> <p>GSS13441-DATA_CBLV05 FSF ID#: 0000189364</p>	<p>KCI Construction Services dba: KCI Communications Infrastructure 921 Mercantile Drive, Suite H. Hanover, MD 21706</p> <p>Kenneth J. Harmel Phone: 410-309-7902 Fax: 410-309-1089 Ken.harmel@kci.com</p> <p>GSS13441-DATA_CBLV06 FSF ID#: 0000189362</p>

Award Notice Meeting Minutes & Addendum No. 1
 Telephone Cabling Systems Relocation at the
 Delaware Army National Guard
 River Road Training Facility

Contract No: GSS13441-DATA_CBL

<p>Tangent Cable Systems, Inc. 3700 Washington Avenue Wilmington, DE 19808</p> <p>Chad Myers Phone: 302-994-4104 Fax: 302-994-4105 cmyers@tangentcable.com</p> <p>GSS13441-DATA_CBLV07 FSF ID#: 0000027967</p>	<p>The Telephone Man, Inc. 301 Industrial Drive Avondale, PA 19311</p> <p>Linda Mister Phone: 610-268-0277, ext 305 Fax: 610-268-2157 accounts-payable@tm1.com</p> <p>GSS13441-DATA_CBLV08 FSF ID#: 0000018225</p>	<p>Tricomm Services Corp. 604 Interchange Blvd. Newark, DE 19711</p> <p>Gene Conway Phone: 302-454-2975 Fax: 302-454-1258 info@tricommmcorp.com</p> <p>GSS13411-DATA_CBLV09 FSF ID#: 0000014199</p>
<p>Under/Comm, Inc. 198 Mullet Run Milford, DE 19963</p> <p>Dave Hermansader Phone: 302-424-1554 Fax: 302-424-4478 dave@undercomm.com</p> <p>GSS13441-DATA_CBLV10 FSF ID#: 0000030544</p>		

Awarded Categories (see paragraph 7 below)

Vendor	General Structured Cabling	DelDot Fiber Optic	DTI Dark Finer
ARG Communications	X		
Assurance Media	X	X	X
Battaglia	X	X	X
Bluestone	X	X	X
Fiber Tech			X
KCI	X	X	
Tangent	X		
Telephone Man	X		
Tricomm	X	X	X
Under/Comm	X		

4. SHIPPING TERMS

F.O.B. destination; freight pre-paid.

5. PRICING

Prices will remain firm for the contract term.

See separate Pricing Spreadsheet for detailed pricing.

6. SCOPE

This agreement is for structured cabling systems required to support Voice, Data, and imaging applications within State-owned and leased office facilities. These requirements encompass all materials, design, engineering, installation, supervision, and training services for a Structured Cabling System.

7. CATEGORIES OF WORK

A. General Structured Cabling

Provide a universal and flexible cabling system for workstations, conference rooms, and laboratories. Cabling system must be multi- functional and provide service for telephones, computers, fax machines, LANs, WANs, broad band fiber optic and coaxial systems (CATV, SATV, CCTV.), Data Centers, computer-aided design workstations, Audio Video systems (AV), and other technologies.

B. DeIDOT Fiber Optic

The department of transportation performs state wide outside plant fiber installations. These runs can vary in length from approx. 200 feet to 20,000 feet and are generally on state highways/roadway thus requiring adherence to all state safety and OSHA rules. This work may include implementation of hand holes, conduits, backhoe work, trenching and boring. With this section of the contract, the contractor is expected to work closely with the Department's Fiber Optic Committee providing quotes, emergency services, and recommendation and in some incidences design reviews.

C. DTI Dark Fiber

The State utilizes a combination of State fiber, leased fiber and copper based services and leased dark fiber. Expanding the State's use of dark fiber is needed to meet the State's network connectivity needs and to allow the State to serve as a primary customer for the purposes of expanding and diversifying connectivity options for businesses and residences across the State.

8. PUBLIC WORKS REQUIREMENTS

Agencies requesting work through this contract must comply with Public Works requirements as defined in Delaware Code Title 29, Chapter 69, [§ 6960 through § 6970](#). Construction projects must have prior approval. Public works [thresholds](#) may apply and require alternate procurement methods for projects over \$50,000.00. Projects that alter the interior/exterior of DFM managed buildings will require prior approval of the plans by Facilities Maintenance.

9. DELAWARE BROADBAND FUND GRANT

The State of Delaware has created the "Delaware Broadband Fund" (Fund) to support and enhance broadband services in the State's public schools and public libraries and for rural broadband initiatives in unserved areas of the State. The Delaware Department of Technology and Information (DTI) shall administer the Fund and distribute monies to expand broadband connectivity through a competitive grant process. Vendors capable of providing access to dark fiber and some lit fiber services will be evaluated for capability, past performance and contract and service level agreement options.

The Delaware Broadband Fund Grant application and additional information is posted at <http://dti.delaware.gov/information/vendors.shtml>.

ADDITIONAL TERMS AND CONDITIONS

[\(Return to Table of Contents\)](#)

10. BILLING

The successful vendor is required to **"Bill as Shipped" to the respective ordering agency(s).** Ordering agencies shall provide at a minimum the contract number, ship to and bill to address, contract name and phone number.

11. PAYMENT

The agencies or school districts involved will authorize and process for payment each invoice within thirty (30) days after the date of receipt. The contractor or vendor must accept full payment by procurement (credit) card and/or conventional check and/or other electronic means at the State's option, without imposing any additional fees, costs or conditions.

12. PRODUCT SUBSTITUTION

All items delivered during the life of the contract shall be of the same type and manufacture as specified unless specific approval is given by Government Support Services to do otherwise. Substitutions may require the submission of written specifications and product evaluation prior to any approvals being granted.

13. ORDERING PROCEDURE

Successful contractors are required to have either a local telephone number within the (302) area code, a toll free (800) number, or agree to accept collect calls. Each agency is responsible for placing their orders and may be accomplished by written purchase order, telephone, fax or computer on-line systems. The contractor or vendor must accept full payment by procurement (credit) card and/or conventional check and/or other electronic means at the State's option, without imposing any additional fees, costs or conditions.

14. PURCHASE ORDERS

Agencies are required to identify the contract number GSS13441-DATA_CBL on all Purchase Orders (P.O) and shall complete the same when entering P.O. information in the State's Financial Reporting System.

15. PREVAILING WAGE

Prevailing wage law, 29 Del.C.§6960, is enforced by the Department of Labor and states that the specifications for every contract or aggregate of contracts relating to a public works project in excess of \$100,000 for new construction (including painting and decorating) or \$15,000 for alteration, repair, renovation, rehabilitation, demolition or reconstruction (including painting and decorating of building or works) to which this State or any subdivision thereof is a party and for which the State appropriated any part of the funds and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Delaware Department of Labor, Division of Industrial Affairs, to be prevailing in the county in which the work is to be performed. (For additional information please visit: <http://dia.delawareworks.com/labor-law/prevailing-wage.php>)

Prevailing wages set forth in the pricing spreadsheet identify Certified and General Labor wage classifications. The term “Certified” refers to the job qualifications of a Licensed Electrician, which is defined in [Delaware Code Title 24.Ch.14. § 1402](#). The term “General Labor” refers to the job qualifications of a Contractor, which is defined in [DIVISION OF REVENUE TECHNICAL INFORMATION MEMORANDUM 93-5](#).

Prevailing Wage for Electricians applies to all work performed on the contract. Current Rates can be found at:

<http://dia.delawareworks.com/labor-law/documents/Building%20Construction%20Final%20PW%20Rates%203-14-14.pdf>

16. HOLD HARMLESS

The contractor agrees that it shall indemnify and hold the State of Delaware and all its agencies harmless from and against any and all claims for injury, loss of life, or damage to or loss of use of property caused or alleged to be caused, by acts or omissions of the contractor, its employees, and invitees on or about the premises and which arise out of the contractor’s performance, or failure to perform as specified in the Agreement.

17. NON-PERFORMANCE

In the event the contractor does not fulfill its obligations under the terms and conditions of this contract, the ordering agency may purchase equivalent product on the open market. Any difference in cost between the contract prices herein and the price of open market product shall be the responsibility of the contractor. Under no circumstances shall monies be due the contractor in the event open market products can be obtained below contract cost. Any monies charged to the contractor may be deducted from an open invoice.

18. FORCE MAJEURE

Neither the contractor nor the ordering agency shall be held liable for non-performance under the terms and conditions of this contract due, but not limited to, government restriction, strike, flood, fire, or unforeseen catastrophe beyond either party's control. Each party shall notify the other in writing of any situation that may prevent performance under the terms and conditions of this contract.

19. AGENCY’S RESPONSIBILITIES

The Agency shall:

- a. Examine and review in detail all letters, reports, drawings and other documents presented by the Contractor to the Agency and render to the Contractor in writing, findings and decisions pertaining thereto within a reasonable time so as not to delay the services of Contractor.
- b. Give prompt written notice to the Contractor whenever the Agency observes or otherwise becomes aware of any development that affects the scope or timing of the Contractor's services.
- c. When an ordering agency first experiences a relatively minor problem or difficulty with a vendor, the agency will contact the vendor directly and attempt to informally resolve the

problem. This includes failure to perform by the date specified and any unacceptable difference(s) between the purchase order and the merchandise received. Ordering agencies should stress to vendors that they should expedite correction of the differences because failure to reply may result in an unfavorable rating in the execution of the awarded contract.

- d. The state has several remedies available to resolve non-performance issues with the contractor. The Agency should refer to the Contract Terms and Conditions to view these remedies. When a default occurs, the Agency should first review the contract to confirm that the issue is a part of the contract. If the issue is not covered by the contract, the state cannot expect the contractor to perform outside the agreement. If the issue is a part of the contract, the Agency or GSS - Contracting must then contact the contractor, discuss the reasons surrounding the default and establish a date when the contractor will resolve the non-performance issue.
- e. If there is a performance deficiency, a Corrective Action Report (CAR) may be used. Complete this form to report concerns with vendors or commodities. Be sure to furnish as much detail as possible. <http://gss.omb.delaware.gov/divisionwide/forms.shtml>.