

**Addendum  
No. 3**

Date: December 6, 2019  
Project: Legislative Hall – Exterior Step Replacement  
Project No: MC1002000434

---

The work herein shall be considered part of the bid documents for the referenced project and carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents without change in Contract Sum or Contract Time. Acknowledge receipt of addendum on the bid form as indicated.

---

**General / Clarifications**

1. **Question:** Specification 230951 pages 5 & 6 describes separate sensors for temperature monitoring and snow detection. The basis of design manufacturer Tekmar manufacturers a sensor that combines both features into one sensor and is mounted into the slab.
  - a. Is the TEK090 combination sensor a suitable substitute to fulfill both purposes?
  - b. Please confirm ATC contractor is responsible for supplying these sensors.

**Response:** The TEK090 is suitable to fulfill both purposes. The ATC contractor is responsible for supplying these sensors.

**Changes to Drawings:**

1. *None*

**Changes to Specifications:**

1. 01 20 00 Price and Payment Procedures
  - a. Add the following article to Part 1:
    - 1.06 INITIAL PROGRESS PAYMENT PROCEDURES
      1. The following items must be complete and submitted to the owner prior to acceptance and/or payment of the Initial application for payment:
        1. Approved Schedule of Values
        2. Complete listing of Subcontractors
        3. Contractors Safety Plan
        4. Emergency Action Plan and Emergency Contacts
        5. Contractors Certificates of Insurance
        6. Contractors Submittal Schedule
        7. Approved Contractors Construction Schedule (Preliminary if not final)
2. 00 41 13 Bid Form
  1. The allowance has been revised see attached.

3. 00 41 14 Allowance Authorization

1. The allowance has been revised see attached.

END

**SECTION 01 20 00**  
**PRICE AND PAYMENT PROCEDURES**

**PART 1 GENERAL**

**1.01 SECTION INCLUDES**

- A. Procedures for preparation and submittal of applications for progress payments.
- B. Documentation of changes in Contract Price and Contract Time.
- C. Change procedures.
- D. Correlation of Contractor submittals based on changes.
- E. Procedures for preparation and submittal of application for final payment.

**1.02 SCHEDULE OF VALUES**

- A. Use Schedule of Values Form: AIA G703, edition stipulated in the Agreement.
- B. Forms filled out by hand will not be accepted.
- C. Submit Schedule of Values in duplicate within 15 days after date of Owner-Contractor Agreement.
- D. Format: Utilize the Table of Contents of this Project Manual. Identify each line item with number and title of the specification section. Identify site mobilization.
- E. Include separately from each line item, a direct proportional amount of Contractor's overhead and profit.
- F. Revise schedule to list approved Change Orders, with each Application For Payment.

**1.03 APPLICATIONS FOR PROGRESS PAYMENTS**

- A. Payment Period: Submit at intervals stipulated in the Agreement.
- B. Use Form AIA G702 and Form AIA G703, edition stipulated in the Agreement.
- C. Electronic media printout including equivalent information will be considered in lieu of standard form specified; submit sample to Architect for approval.
- D. Forms filled out by hand will not be accepted.
- E. For each item, provide a column for listing each of the following:
  - 1. Item Number.
  - 2. Description of work.
  - 3. Scheduled Values.
  - 4. Previous Applications.
  - 5. Work in Place and Stored Materials under this Application.
  - 6. Authorized Change Orders.
  - 7. Total Completed and Stored to Date of Application.
  - 8. Percentage of Completion.
  - 9. Balance to Finish.
  - 10. Retainage.
- F. Execute certification by signature of authorized officer.
- G. Use data from approved Schedule of Values. Provide dollar value in each column for each line item for portion of work performed and for stored products.
- H. List each authorized Change Order as a separate line item, listing Change Order number and dollar amount as for an original item of work.
- I. Submit three copies of each Application for Payment.
- J. Include the following with the application:

1. Transmittal letter as specified for submittals in Section 01 30 00.
  2. Construction progress schedule, revised and current as specified in Section 01 30 00.
  3. Current construction photographs specified in Section 01 30 00.
  4. Partial release of liens from major subcontractors and vendors.
  5. Project record documents as specified in Section 01 78 00, for review by Owner which will be returned to the Contractor.
  6. Affidavits attesting to off-site stored products.
- K. When Architect requires substantiating information, submit data justifying dollar amounts in question. Provide one copy of data with cover letter for each copy of submittal. Show application number and date, and line item by number and description.

#### **1.04 MODIFICATION PROCEDURES**

- A. Submit name of the individual authorized to receive change documents and who will be responsible for informing others in Contractor's employ or subcontractors of changes to the Contract Documents.
- B. For minor changes not involving an adjustment to the Contract Price or Contract Time, Architect will issue instructions directly to Contractor.
- C. For other required changes, Architect will issue a document signed by Owner instructing Contractor to proceed with the change, for subsequent inclusion in a Change Order.
  1. The document will describe the required changes and will designate method of determining any change in Contract Price or Contract Time.
  2. Promptly execute the change.
- D. For changes for which advance pricing is desired, Architect will issue a document that includes a detailed description of a proposed change with supplementary or revised drawings and specifications, a change in Contract Time for executing the change with a stipulation of any overtime work required and the period of time during which the requested price will be considered valid. Contractor shall prepare and submit a fixed price quotation within 5 days.
- E. Contractor may propose a change by submitting a request for change to Architect, describing the proposed change and its full effect on the work, with a statement describing the reason for the change, and the effect on the Contract Sum and Contract Time with full documentation. Document any requested substitutions in accordance with Section 01 60 00.
- F. Computation of Change in Contract Amount: As specified in the Agreement and Conditions of the Contract.
  1. For change requested by Architect for work falling under a fixed price contract, the amount will be based on Contractor's price quotation.
  2. For change requested by Contractor, the amount will be based on the Contractor's request for a Change Order as approved by Architect.
  3. For pre-determined unit prices and quantities, the amount will be based on the fixed unit prices.
  4. For change ordered by Architect without a quotation from Contractor, the amount will be determined by Architect based on the Contractor's substantiation of costs as specified for Time and Material work.
- G. Substantiation of Costs: Provide full information required for evaluation.
  1. On request, provide the following data:
    - a. Quantities of products, labor, and equipment.
    - b. Taxes, insurance, and bonds.
    - c. Overhead and profit.
    - d. Justification for any change in Contract Time.
    - e. Credit for deletions from Contract, similarly documented.
  2. Support each claim for additional costs with additional information:

- a. Origin and date of claim.
  - b. Dates and times work was performed, and by whom.
  - c. Time records and wage rates paid.
  - d. Invoices and receipts for products, equipment, and subcontracts, similarly documented.
- 3. For Time and Material work, submit itemized account and supporting data after completion of change, within time limits indicated in the Conditions of the Contract.
- H. Execution of Change Orders: Architect will issue Change Orders for signatures of parties as provided in the Conditions of the Contract.
- I. After execution of Change Order, promptly revise Schedule of Values and Application for Payment forms to record each authorized Change Order as a separate line item and adjust the Contract Price.
- J. Promptly revise progress schedules to reflect any change in Contract Time, revise sub-schedules to adjust times for other items of work affected by the change, and resubmit.
- K. Promptly enter changes in Project Record Documents.

#### **1.05 APPLICATION FOR FINAL PAYMENT**

- A. Prepare Application for Final Payment as specified for progress payments, identifying total adjusted Contract Price, previous payments, and sum remaining due.
- B. Application for Final Payment will not be considered until the following have been accomplished:
  - 1. All closeout procedures specified in Section 01 70 00.

#### **1.06 INITIAL PROGRESS PAYMENT PROCEDURES**

- A. The following items must be complete and submitted to the owner prior to acceptance and/or payment of the initial application for payment:
  - 1. Approved Schedule of Values
  - 2. Complete listing of Subcontractors
  - 3. Contractors Safety Plan
  - 4. Emergency Action Plan and Emergency Contacts
  - 5. Contractors Certificate of Insurance
  - 6. Contractors Submittal Schedule
  - 7. Approved Contractor's Construction Schedule (Preliminary if not final)

#### **PART 2 PRODUCTS - NOT USED**

#### **PART 3 EXECUTION - NOT USED**

**END OF SECTION 01 20 00**

**Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901  
Contract No. MC1002000434**

**BID FORM**

**For Bids Due:** December 12, 2019

**To:** **OMB/Division of Facilities Management**  
540 S. DuPont Highway, Suite 1  
Dover, DE 19901

**Name of Bidder:** \_\_\_\_\_

**Delaware Business License No.:** \_\_\_\_\_ **Taxpayer ID No.:** \_\_\_\_\_  
**(A copy of Bidder's Delaware Business License must be attached to this form.)**

**(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:

\$ \_\_\_\_\_

The above base bid includes a fifteen thousand dollars (\$ 15,000) contingency allowance.

**ALTERNATES**

ALTERNATE No. 1: Replacement of brick veneer at the West Stair

Add: \_\_\_\_\_  
(\$ \_\_\_\_\_ )

ALTERNATE No. 2: Demolition and installation of new concrete slab, mortar bed, and brick paver sidewalk at the North Stair.

Deduct: \_\_\_\_\_  
(\$ \_\_\_\_\_ )

**Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901  
Contract No. MC1002000434**

**BID FORM**

**UNIT PRICES**

There are no Unit Prices.

**ALLOWANCES**

Allowances are included as follows:

Allowance No. 1: \$15,000 for general contingencies and repairs, the balance of which is to be returned to owner by credit change order at project conclusion.

**Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901  
Contract No. MC1002000434**

**BID FORM**

I/We acknowledge Addendums numbered \_\_\_\_\_ and the price(s) submitted include any cost/schedule impact they may have.

This bid shall remain valid and cannot be withdrawn for thirty (30) days from the date of opening of bids (60 days for School Districts and Department of Education), 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 work within \_\_\_\_\_ 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  
Affidavit of Employee Drug Testing Program  
Bid Security



(Others as Required by Project Manuals)

Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901  
Contract No. MC1002000434

**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.** This form must be filled out completely with no additions or deletions.

<u>Subcontractor Category</u>	<u>Subcontractor</u> <u>Subcontractors tax payer ID #</u>  <u>or Delaware Business license #</u>	<u>Address (City &amp; State)</u>
1. Electrical	_____	_____
2. Plumbing	_____	_____
3. Masonry	_____	_____

Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901

Contract No. MC1002000434

**BID FORM**  
**NON-COLLUSION 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*).

All the terms and conditions of (*Project or Contract Number*) have been thoroughly examined and are understood.

**NAME OF BIDDER:** \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE  
(TYPED):** \_\_\_\_\_

**AUTHORIZED REPRESENTATIVE  
(SIGNATURE):** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**ADDRESS OF BIDDER:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**E-MAIL:** \_\_\_\_\_

**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.**

Exterior Step Replacement  
Legislative Hall  
411 Legislative Hall Avenue; Dover, DE 19901

**Contract No. MC1002000434**

**AFFIDAVIT  
OF  
EMPLOYEE DRUG TESTING PROGRAM**

4104 Regulations for the Drug Testing of Contractor and Subcontractor Employees Working on Large Public Works Projects requires that Contractors and Subcontractors implement a program of mandatory drug testing for Employees who work on Large Public Works Contracts funded all or in part with public funds.

We hereby certify that we have in place or will implement during the entire term of the contract a Mandatory Drug Testing Program for our employees on the jobsite, including subcontractors that complies with this regulation:

**Contractor/Subcontractor Name:** \_\_\_\_\_

**Contractor/Subcontractor Address:** \_\_\_\_\_

**Authorized Representative (typed or printed):** \_\_\_\_\_

**Authorized Representative (signature):** \_\_\_\_\_

**Title:** \_\_\_\_\_

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.**

**END OF SECTION**

## ALLOWANCE AUTHORIZATION

**Project:** Legislative Hall Exterior Step Replacement

**Architect:** StudioJAED Architects & Engineers

**Project No.** MC1002000434

**Contractor:**

**AAA No.:**

**Initiation Date:**

### The Allowance is allocated as follows:

Allowance No. 1: \$15,000 for General Contingencies and Repairs.

Total original Contract Allowance was: \$ 15,000.00  
Amount of Contract Allowance Access previously authorized: \$  
Adjusted Contract Allowance prior to this authorization is: \$  
The amount of available Allowance will Decrease by this Access Authorization: \$  
The remaining Contract Allowance, after this Access Authorization will be: \$

**Recommended by:**  
**Architect**

By (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

**Accepted by:**  
**Contractor**

By (Signature): \_\_\_\_\_

Date: \_\_\_\_\_

**Approved by:**  
**Owner**

By (Signature): \_\_\_\_\_

Date: \_\_\_\_\_