

**Project # BWC-080003-02
WATER BARRIER REPAIR
PHASE 2
Bureau of Workers' Compensation
Columbus, Ohio**

**ADDENDUM NUMBER 3
June 8, 2009**

WORK: ALL TRADES

This Addendum Number 3 becomes as fully a part of the first issued documents as if originally issued therewith or originally contained therein.

This Addendum embraces additions to, deductions from, all changes and substitutions in, or clarifications and emphasis on parts of requirements of the drawings and specifications, pertaining to ALL TRADES and WORK herewith mentioned for the completion of the PROJECT.

NOT including any cover sheet(s), including this page, there is/are THIRTEEN (13) total 8.5 X 11 page(s) included with this Addendum #3:

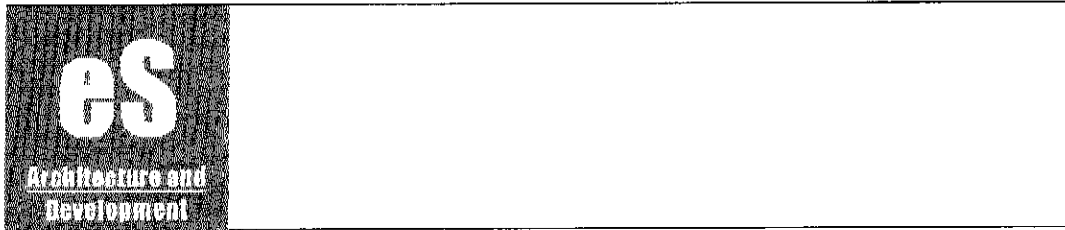
SPECIFICATIONS and DRAWINGS:

1. Pre-Bid meeting notes, pre-bid sign-in sheet, and State agenda attached to this Addendum.
2. ODAS EEO documents attached to this Addendum.
3. It is the Contractors responsibility to installed all stone elements that are removed and reinstalled and/or replaced as a part of the Work on this project in a manner that results in structurally stable and safe condition. As a design guideline, installations of vertical stone panels shall include no less than 1/2" diameter stainless steel pins epoxy grouted into the stone panel and epoxy grouted no less than 4" into the respective substrate. Pins shall be installed in wall panels at a rate of one pin per every 4 square feet of stone. Pins shall be used in horizontal stone to match existing conditions. For bidding purposes approximately 1, 6" long 1/4" diameter stainless steel pin per every 2 lineal feet, epoxy grouted no less than 2" into the stone and 4" into the respective substrate. Pins that penetrate proposed water barrier membrane must be made water-tight per the membrane manufacturers recommendations.

QUESTIONS and ANSWERS:

Requests for substitutions received include:

1. None received.



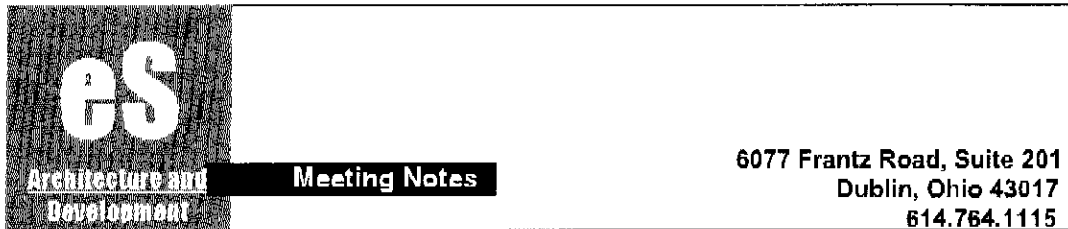
From Affordable Choice Electric:

1. What size GRC for security run and is this in base bid?

Answer: The security conduit is 3/4". This is covered in the specifications, which state that the minimum conduit size is 3/4". The security conduit is base bid.

2. Drawing A0-1 has Lead Contractor being responsible for cutting and patching but spec calls out for trades to do their own. Will the GC do core drilling for conduit runs?

Answer: Each trade will perform their own cutting, boring, and patching.

**Pre-Bid Meeting No. 01**

Project Name: Water Barrier Repair
BWC
Columbus, Ohio 43215

Client PN: SWC-080003-32
ES PN.: 08035

Date/Time: Thursday, May 28, 2009 at 11:00AM

Location: 17th Floor Conference Room
BWC
Columbus, Ohio 43215

Present: Sign-In sheet attached to these notes

Prepared by: Todd Schram, **ES**

Abbreviations: BWC Bureau of Workers' Compensation
SAO State Architect's Office
ES **ES Architecture and Development (A/E)**

The following items were interpreted as being discussed during this meeting:

1. Corrections to the minutes of the previous meeting:

- A. Not applicable.

2. General Discussion:

- A. A project-specific sign in sheet was passed around for all attendees to sign. This sign in sheet is attached to these notes.
- B. Documents are available at Key Blue Print in Dublin, Ohio
- C. All general bidding procedural questions for the project should be directed toward Nick Cassidy, SAO via the A/E.
- D. All technical questions for this project should be directed toward Todd Schram c/o **ES Architecture.**
- E. **No questions or calls should be made directly to any BWC management or staff.**
- F. ALL QUESTIONS SHOULD BE IN WRITING. VERBAL ANSWERS TO QUESTIONS WILL NOT BE CONSIDERED AS VALID OR ACCEPTABLE.
- G. **ES** read from the State agenda. This agenda is attached to these notes.
- H. It is imperative that all paperwork associated with bid documents be filled out properly and completely. Improper and/or incomplete bid documents submitted may result in a bid being found non-responsive and subsequently rejected.
- I. This project is being bid as per State guidelines and protocols.
- J. **ES** defined and explained the project scope and the intent of the overall project. The scope is defined in detail in the project specifications, Summary of Work for the project.
- K. It is the Bidder's responsibility to understand and comply with the product and system contractor qualifications and requirements.



- L. The documents relay specific design intent as well as products and systems desired in sufficient detail. However, each Bidder is duly notified there will need to be coordination and cooperation by the successful Bidder. This coordination and cooperation will need to occur as a part of the project and with no additional cost(s) or cost changes to the project.
- M. There are alternates for water barrier in each bid package. The water barrier and overburden scope for these respective alternates are essentially the same.
- N. No "brokering" or selling of the project or of any portion of the project is allowed.
- O. Work on this project will very likely require coordination with a separate project or projects under a separate contract which is/are scheduled for construction in these buildings at or about the same time as this project. This includes and is not limited to the elevator modernization project and the door project.
- P. **ES** mentioned that the Bidders should take notice of the "three-dimensional" aspects of the buildings as they will be ultimately responsible for the proper installation, water-tight final product, and structural integrity of the final product.
- Q. **ES** mentioned that the Bidders should take notice of the site surroundings and context specific to each building as they will be ultimately responsible keeping the site and associated landscaping in good condition while working on this project.
- R. **ES** identified that Bidders obtaining Bid documents from any third-party service is done so at their own risk.
- S. This is a prevailing wage rate project.
- T. This building will be occupied and in use at all times during this project. Caution is a must when considering the building population. The Contractor shall be aware of the hours of operation for this building and of the surrounding buildings.
- U. The Contractor must keep the site safe and clean at all times during all work on this project.
- V. The Contractor is responsible for performing all necessary surveys and sub-surface investigations required for proper installation of all of the Work outlined in the documents.
- W. The Lead Contractor shall obtain all necessary sidewalk and other non-State related permits from the Authorities Having Jurisdiction (IE City of Columbus, Franklin County, etc.).
- X. All existing waterproofing membrane and materials will need to be removed prior to installation of new water proofing materials.
- Y. Per State time lines the cut off for substitution requests is May 29, 2009.
- Z. All questions should be faxed or emailed to **ES** no later than 4:00 PM, June 2, 2009 (**NOTE: This was changed via Addendum to June 4, 2009, 4:00 PM**). This should give ample opportunity to distribute answers to all questions to all bidders within a reasonable time prior to the bid due date and time. Answers to questions received verbally and/or informally will not be considered valid and questions asked after the cutoff date will not be answered.

3. Attachments

- A. Sign in sheets.
- B. State agenda

4. Copies to

- A. All bidders - via fax
- B. Attendees - via fax

Ohio Department of Administrative Services
 Ted Strickland, *Governor*
 Hugh Quill, *Director*

General Services Division
 State Architect's Office
 4200 Surface Road
 Columbus, Ohio 43228-1395

614.466.4761 voice
 614.644.7982 fax
 www.ohio.gov/sao



Pre-Bid Meeting
May 28, 2009
Project BWC-080003-01 & BWC-080003-02
01 Entry Modification & 02 Water Barrier Repair

1. Introductions
2. Summary of the work is located in Specifications and includes but is not limited to the performance all work as indicated in the Construction Documents.
 - a. SAO will receive bids for General (Lead) and Electrical.
 - b. **The Project is located at:**

BWC
 30 W. Spring St.
 Columbus, Ohio 43215
3. State Funded project following typical Department of Administrative Services, State rules & requirements.
4. This Project will be utilizing the NEW DAS "Procurement and Contracting Requirements" (aka) "Front End" dated January 2009. Please read and become familiar with them including latest Special Conditions. **This is a completely NEW document.**
5. Estimates of contracts and Alternates for this project are included in the Notice to Bidders.

01 Entry Modification:

General Contract - (Lead Contractor)	\$ 367,250.00
Alternate G-1 -- Muntz Panels	\$ 20,000.00
Alternate G-2 -- Water Barrier	\$ 20,000.00
Electrical Contract	\$ 17,750.00
Alternate E-3 -- New wire and conduit	\$ 5,000.00

02 Water Barrier Repair:

General Contract	\$ 360,000.00
Alternate G-1- Waterproofing at revolving doors	\$ 20,000.00
Alternate G-2 -- Removal/reinstallation of paver system	\$ 20,000.00



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6. Section 00 21 13, Instruction to Bidders:

- a) Article 2.5: Substitution Prior to Bid Opening: No substitution will be allowed to the items specified unless the proposed item has been submitted for approval in a timely manner and has been noted in an Addendum. The bids are to reflect the use of items as specified or "approved" equals only. Proposed Substitutions received by the Associate less than 10 days prior to the bid opening shall not be considered.
- b) Article 2.6, Bid Form: Do not make changes to the Bid Form. If you believe that, the Bid Form is incorrect, contact the Associate prior to bidding.
- c) Article 2.10.3.3, Submittals with Bid Form: All Apparent Low Bidders that do not currently possess an EEO Certificate of Compliance should immediately apply for a certificate with Affirmative Action Programs, issued pursuant to Section 9.47 ORC by the State Equal Opportunity Center. This office is in the Equal Opportunity Division of the Department of Administrative Services, 30 E. Broad Street - 18th Floor, Columbus, Ohio. Their phone number is (614) 466-8380. This form is required for execution of a Construction Contract.
- d) Article 2.10.3.6, Submittals with Bid Form: Submittal of the Responsible Bidder Background Information (RBI) with bids is not required but STRONGLY encouraged. This section will require either:

An annual financial statement prepared within the twelve (12) months prior to the Bid by an independent licensed accounting firm; and the name, address, contact person and phone number of the bank normally used by the Bidder for its banking; or,

A financial report generated within 30 days prior to the Bid from Standard and Poors, Dun and Bradstreet or a similar company documenting the financial condition of the Bidder; and the name, address, contact person and phone number of the bank normally used by the Bidder for its banking;

This information is not a public record under Section 149.43, ORC; and will remain confidential, except under proper order of a court.

- e) Article 2.10.3.11: Out of State Contractors need to secure a certificate of Good Standing from the Ohio Secretary of State. Refer article I.B. 2.7.2.8.
- f) Article 2.10.4.
 - 1.) **Prior to submitting a bid** bidders are required to be enrolled in, and to be in good standing in an Ohio Bureau of Workers' Compensation (OBWC) Drug-Free Workplace Program (DFWP) or an equivalent OBWC-approved DFWP in accordance with, but not limited to, Ohio Administrative Code Chapter 4123-17 and Executive Order 2002-13T.



- 2.) Bidders shall confirm their enrollment in an OBWC-approved DFWP by properly indicating such in the space provided on the Bid Form.
- g) Article 5, Bid Guaranty and Contract Bond: Paragraphs 5.1 and 5.4.: Bidders shall include the Bid Guaranty and Contract Bond and Power of Attorney with their Bids. We strongly recommend that the Bidders use the Bid Guaranty and Contract Bond Form included in our Standard Conditions, Section 00 43 12. **Leave the amount blank.** Contractors may use locally produced form, but the form shall comply with the language on our Bond form as prescribed by Section 153 of the Ohio Revised Code. Failure to utilize the correct Bond form will result in the Bidders rejection.
- h) Article 6.1.11: By submitting its Bid, the Bidder warrants that it is not subject to an unresolved finding for recovery under O.R.C. Section 9.24. O.R.C. Section 9.24 prohibits the State from awarding a Contract to any Bidder against whom the Auditor of State has issued a finding for recovery if the finding for recovery is unresolved at the time of award. If the Contract is awarded to a Bidder subject to an unresolved finding for recovery under O.R.C. Section 9.24, the Contract is void on its face and the Contractor shall immediately repay to the Owner any funds paid under the Contract.
- i) Article 6.1.12: All Contractors shall participate in the "Encouraging Diversity Growth and Equity ("EDGE") Program by contracting with and using one or more businesses certified as an EDGE Business Enterprise by the Department's Equal Opportunity Division ("EOD") as proposed for each contract by the Contractor and as approved by the Department for use on each contract.
- 1.) Conditions Precedent for Execution of Contract, all contractors shall provide evidence acceptable to the Department of the Bidder's participation in contracting with certified EDGE Business firms for the project, and provide evidence acceptable to the Department of the Bidder's good faith effort to contract with certified EDGE Business Enterprise companies for this the project". EDGE Participation / Demonstration of Good Faith form can be found at:
<http://www.das.ohio.gov/gsd/SAO/Docs/F110-13-EDGEgGdFthEfrt.doc>
- 2.) Additional information may be review on the EOD web page located at:
<http://das.ohio.gov/Eod/Edge/>
- 3.) The Responsible Bidder and EDGE Good Faith Forms are due 72 Hours after the contractor receives notice that they are the "Apparent Low Bidder". Contractors bid WILL be deemed Non Responsive for FAILURE to comply with the 72 hours deadline.
- 4.) The EDGE Participation Goal is 5.0%.



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- j) **Article 6.1.13: The Contractor shall provide its completed DMA form as published by the Department of Public Safety, to certify that it does not provide material assistance to any organization on the United States Department of State's terrorist exclusion list. The DMA form and the terrorist exclusion list are available at www.homelandsecurity.ohio.gov/dma.asp.**
 - k) **Article 6.2, Time Limits: The Contracting Authority's failure to award the Contract and execute the Contract Form-within 60 days of the bid opening invalidates the entire bid process and all Bids submitted, unless the time is extended by written consent of the apparent lowest responsive and responsible Bidder and the Contracting Authority**
 - l) **Article 6.5, Wage Rates: Project is prevailing wage. All successful bidders are responsible for maintain updated wage rates when notified by SAO via FAX.**
7. **Section 00 72 16 General Conditions.**
- a) **Article 1.10: Drug Free Workplace Program Participation**
 - 1.) **By entering into this Contract, the Contractor agrees that it will require each of its Subcontractors, or tiered subcontractors, which provide labor on the Project site to be enrolled in an OBWC-approved DFWP.**
 - 2.) **Prior to authorizing a Subcontractor to commence work on the Project, the Contractor shall submit written confirmation of the Subcontractor's enrollment to the Associate and Department.**
 - 3.) **In addition to OBWC-approved DFWP Level 1 requirements, the Department requires that each Contractor and each Subcontractor that provides labor on the Project site to perform random drug testing of five (5) percent of its employees who perform labor on the Project construction site(s). The random drug testing percentage shall also include the on-site supervisors of the Contractors and applicable Subcontractors. Level 1 random drug testing shall otherwise comply with the same testing guidelines and criteria as required for OBWC-approved Level 2 testing."**
 - b) **Article 4.3, Construction Progress Scheduling: Refer to this section and the specification section 01 32 16 for requirements pertaining to electronic scheduling and coordination.**
 - c) **Lead contractors please review Article 4 and paragraph 4.2 for contractual obligations.**
 - d) **Construction Time is 150 consecutive calendar days for 01 Entry Modifications and 100 consecutive calendar days for 02 Water Barrier Repair after notice to proceed.**



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- e) There will be weekly job meetings.
 - f) Ohio law requires the use of **DOMESTIC STEEL**.
 - g) The Owner has submitted and paid for the Plan Approvals from the Ohio Department of Commerce, Division of Industrial Compliance, Bureau of Construction Compliance. The respective Contractors shall provide approvable documents to the Associate for submission to the Bureau of Construction Compliance for the remaining Permits. The Contractor shall obtain all regulatory approvals and pay all fees as necessary to obtain Fire Marshal, Life Safety, OSHA and OEPA approvals for the work.
8. Section 00 72 16 General Conditions, Article 11.2, Builder's Risk Insurance: The Owner shall provide and maintain, during the progress of the Work and until the execution of the final Certification of Contract Completion by the Contracting Authority, a Builder's Risk insurance policy to cover all Work in the course of construction. This insurance shall be on a special cause of loss form, which provides coverage on an open perils basis insuring against the direct physical loss of, or damage to, covered property including, but not limited to, theft, vandalism, malicious mischief, earthquake, tornado, lightning, explosion, breakage of glass, flood, collapse, water damage, and hot and cold testing. This insurance shall also include debris removal, and/or demolition occasioned by enforcement of Applicable Law.
9. **Bids due** in Columbus at the Office of the State Architect, 4200 Surface Rd, Columbus, Ohio 43228-1395 on **June 9, 2009, at 3:00 p.m.** Changed via Addendum to June 16, 2009.
- a) Bids shall be in a separately sealed envelope that clearly identifies that a bid is included and identifies the Project Name, project Number and Contractor's Name. (Important with Fed Ex, etc. delivery services.) IB 3.1
10. Questions.

Please address any specific questions in writing to Todd Schram, at fax: 614.764.1116 or email at tschram@esarchitecture.com

Verbal interpretations of the Contract documents, and any statements made at the Pre-Bid meeting by the Associate, the Owner, or its representatives will not be binding, and that any and all changes to the Contract Documents will be made by written addendum.

All Bidders are required to make all requests for interpretation or clarification a minimum of seven (7) days before the bid opening.

11. Site Visit.

If you plan on visiting, the Site other than today please check in with the facility staff.

Ohio Department of Administrative Services
 Ted Strickland, *Governor*
 Hugh Quill, *Director*
 Melinda Carter, *Deputy Director*

Equal Opportunity Division
 30 E. Broad Street
 18th Floor
 Columbus, Ohio 43215

614.466.8380 voice
 614.728.5628 fax
 www.das.ohio.gov/eod

Ohio **DAS**

EOD
 Equal Opportunity Division

- Contractor's EEO Responsibilities – state and state assisted projects

As a state contractor, the State of Ohio's affirmative action program pursuant to Ohio Administrative Code (OAC) 123:2-3 through 123:2-9 is applicable while performing under a state or state assisted state contract.

EEO Responsibilities:

- **Certificate of Compliance:** All prime contractors must secure a valid Certificate of Compliance with an affirmative action program from the Department of Administrative Services, Equal Opportunity Division. The application must be filed electronically at the following website address: <http://das.ohio.gov/eod/CCCertofCompliance.htm>
- **Affirmative Action Program Verification:** An Affirmative Action Program Verification (AAPV) form must be submitted to the Equal Opportunity Division to comply with the affirmative action requirements pursuant to the Ohio Revised Code 125.111(B). All businesses (suppliers) from whom the state or any of its political subdivisions makes purchases must submit an AAPV form electronically at the following website address: <http://das.ohio.gov/eod/AAPV.htm>
- **Reporting (OAC 123:2-9):** All prime and subcontractors regardless of the number of employees or the state contract amount are required to submit monthly utilization reports (Input Form 29) covering the contractor's total workforce within the state of Ohio. The reports must be filed electronically by the 10th of each month, beginning with the contract award and continuing until the contractor or subcontractor completes performance of the state contract. Electronically submit Input Form 29 through EOD's webpage: <http://das.ohio.gov/eod/CCInputForm29.htm>
- **Adopt the State of Ohio's Affirmative action program. Recruit, hire and maintain minorities and women in the construction trades employed by the contractor.**
 - Minority participation goals for each construction trade (OAC 123:2-3-02) vary statewide. To view minority participation goals: <http://das.ohio.gov/eod/CCMinPartGoals.htm>
 - Women participation goal for each construction trade is 6.9% statewide pursuant to OAC 123:2-3-05; OR
- **Develop and submit an acceptable affirmative action program pursuant to OAC 123:2-3-04.**
- **Construction Jobsites:**
 1. Post company's EEO and Anti Harassment policies on jobsites;
 2. Post Federal EEO posters on jobsites.
- Maintain a working environment free of discrimination, harassment, intimidation and coercion.

Failure to meet the minority and female goals:

- Demonstrate good faith efforts to comply with the minority and female participation goals.
 - Document recruitment efforts
 - Maintain current minority/female recruitment list;
 - Maintain documentation (letters, memos, tracking log, etc) to demonstrate ongoing efforts to meet minority and female goals during hiring opportunities;
 - Maintain a file of minority and women job applicants and the action taken regarding each applicant;
 - Notification of any labor union practice that impedes the equal employment of minorities and women, including the union's failure to refer minority and women applicants back to the contractor or subcontractor after the contractor's or subcontractor's referral of the applicant to the union.

Ohio DAS

- Work with minority organizations to increase the number of minorities and women in training programs.
- Maintain a working environment free of discrimination, harassment, intimidation and coercion.
 - Post EEO policy statement, Sexual Harassment Policy statement, and federal EEO posters at the company's location and all job sites;
 - Provide employees with EEO policies;
 - Educate and train those in supervisory positions regarding the company's EEO policies and responsibilities;
 - Include EEO (Equal Opportunity Employer) tagline on external documents;
 - Monitor employment practices (promotions, terminations, etc).
- Utilize minority and/or women owned businesses as a subcontractor or goods/services provider
 - Maintain solicitation to and from certified MBEs/WBEs (quotes, bids, etc);
 - Maintain a file of MBE/WBE participation (certification, invoices, purchase orders, etc).

The Equal Opportunity Division conduct compliance reviews to audit state contractors to ensure they adhere to above EEO responsibilities/obligations and will notify contract letting agency of review results for further action.

For questions or concerns, please contact the contract officer/specialist that has been assigned the alphabet letter that begins with the first letter of your company's name.

Construction Compliance Unit staff roster:

I, T, U, Z

Tim Collins
(614) 752-9261
tim.collins@das.state.oh.us

L, N, W

Brenda Hodge
(614) 752-9321
brenda.hodge@das.state.oh.us

B, S, X

Stacy Cornett
(614) 752-4739
stacy.cornett@das.state.oh.us

E, K, Q

Charles King
(614) 728-8747
charles.king@das.state.oh.us

A, P, R

Kathy Dabney
(614) 466-7789
kathy.dabney@das.state.oh.us

C, M, O

Priscilla Smith
(614) 752-9266
priscilla.smith@das.state.oh.us

G, H, J

Dianna Fraley
(614) 644-7394
dianna.fraley@das.state.oh.us

D, F, V, Y

Alonzo Webb
(614) 752-9268
alonzo.webb@das.state.oh.us

State of Ohio, Equal Opportunity Division
Construction Compliance Unit
30 E. Broad Street, 18th Floor
Columbus, Ohio 43215
Phone: (614) 466-8380
Fax: (614) 728-5628

Webpage: <http://das.ohio.gov/eod/CC.htm>

REVIEW
- STIMULUS PLAN