



CITY OF NEW BEDFORD

ADDENDUM #2

The City of New Bedford issues the following Addendum #2 for IFB # 15192034

October 20, 2014

This addendum is issued to provide bidders with the following info:

An formatting error was made when original documents were issued please

Delete: Original Appendix A

Insert Appendix A attachment

APPENDIX A

BID SUBMISSION DOCUMENTS

Bid Submission Checklist

THE GENERAL BIDDER SHALL SUBMIT ALL THE FOLLOWING FORMS AS A PART OF ITS BID SUBMISSION, AND SHALL SUBMIT A COPY OF SUCH TO:

The City of New Bedford
Office of Equal Opportunity
133 William Street Room 208
New Bedford, MA 02740
ph: 979-1446 / fax: 508-991-6148

- (1) Certificate of Understanding: Certification of Compliance with Executive Order 11246"
- (2) Schedule of Participation for Minority, Woman & Disadvantaged Business Enterprises
- (3) Letter of Intent - for each MBE/WBE/DBE Participation
- (4) MBE/WBE Contractor Identification Statement - for each MBE/WBE/DBE
- (5) Bidder's Certification - must be completed and signed by the General Contractor and all Subcontractors who will work on the project (to include MBE/WBE/DBE **and** non-MBE/WBE/DBEs)
- (6) If applicable, a completed and signed MBE/WBE/DBE Unavailability Certification in the event that the work listed on the Schedule is not sufficient to fulfill the Requirement for MBE/WBE/DBE Participation. This certification must include a statement by the bidder of the reasons why it believes it is in compliance with this Provision, and a list of the names, addresses, telephone numbers and reason given for unavailability of the Minority /Woman/ Disadvantaged Contractor who was contacted by the Bidder with respect to the performance of work under the contract.

NOTE: FAILURE TO FULLY COMPLETE AND/OR TO SUBMIT ANY OF THE ABOVE-REFERENCED DOCUMENTS AT THE TIME OF THE BID SUBMISSION MAY RESULT IN THE BID BEING CONSIDERED DISAPPROVED.

Commonwealth of Massachusetts

BIDDERS CERTIFICATE OF UNDERSTANDING

Equal Employment Opportunity Provisions

Contractor _____ Project _____

Address _____ Tel. # _____ Project # _____

_____ Fax # _____

I, the undersigned, understand that:

A.Minority Business Enterprises are to be awarded at least 11% of the total contract amount for construction/public works projects.

B. Woman Business Enterprises are to be awarded at least 5% of the total contract amount for construction/public works projects.

C. Disadvantaged Business Enterprises are to be awarded at least 4% of the total contract amount for airport projects.

D.All required MBE/WBE/DBE forms included in Instructions to Bidders are to be completed and submitted with the bid.

E.Prior to award of the contract, a pre-construction conference must be held (to be attended by the general contractor and all subcontractors, regardless of tier) at which time the following requirements will be discussed:

1. Weekly Workforce Utilization Reports (Form CAD85) are to be submitted weekly with payroll reports within five (5) days of last payroll;

2. Quarterly Manpower Projection Tables (Form CAD85-1) are to be submitted with the Start of Construction notification;

3. Any project in the amount of \$100,000+ is subject to the New Bedford Resident Hiring and the Responsible Employer Plan ordinances;

4. A minimum goal of 18% minority manpower utilization, in terms of total work hours in the aggregate workforce, in each trade or craft, on each project, will be maintained. The goal for female manpower utilization will be maintained at 6.9% according to regulations;

5. Minority and female work hours are to be uniform in each trade, and minorities and females are to be employed evenly on each project;

6. Minority or female employees are not be transferred from project to project for the purpose of meeting goals;

7.A roster of all minority and/or female applicants for employment must be maintained at each project site (Federal & Non-Federal) in the New Bedford Hometown Plan Area.

E.The submission of the above reports and adherence to hiring practices and equal opportunity performance of subcontractors is the responsibility of the prime contractor.

The bidder hereby certifies that he/she shall comply with the minority manpower ratio and specific affirmative action steps contained in the EEO above, including compliance with the minority contractor compliance specifications. The Contractor receiving the award of the contract shall be required to obtain from each of its subcontractors, and submit to the contracting or administering agency prior to the performance of any work under said contract, a certification by said sub-contractor, regardless of tier, that it will comply with the minority manpower ratio and specific affirmative action steps contained in this appendix.

Authorized Signature Date

Name (Please Print or Type) Title

SCHEDULE OF PARTICIPATION
DISADVANTAGED/MINORITY / WOMAN BUSINESS ENTERPRISES
to be completed by the Bidder

Item I - Minority Or Disadvantaged Business Enterprise Participation

1.Name: _____

Address: _____

Nature of Participation: _____

Dollar Value / % of Bid: _____

2.Name: _____

Address: _____

Nature of Participation: _____

Dollar Value / % of Bid: _____

TOTAL BID PRICE **TOTAL DBE or MBE COMMITMENT**
\$ _____ \$ _____ %

Item II – Woman Or Disadvantaged Business Enterprise Participation

1.Name: _____

Address: _____

Nature of Participation: _____

Dollar Value / % of Bid: _____

2.Name: _____

Address: _____

Nature of Participation: _____

Dollar Value / % of Bid: _____

TOTAL BID PRICE **TOTAL WBE or DBE COMMITMENT**
\$ _____ \$ _____ %

The bidder agrees to furnish implementation reports, as required by the awarding authority, to indicate the MBE/WBE or DBE which it has used or intends to use. Breach of this commitment constitutes a breach of the contract.

General Bidder: _____

Signature: _____ Date: _____

LETTER OF INTENT

to be completed by the DBE/MBE/WBE

This form is to be completed by the DBE or MBE and WBE and must be submitted by the General Bidder as part of the Bid Proposal. A separate form must be completed for each MBE, WBE or DBE involved in the project.

ProjectTitle: _____ ProjectLocation: _____

To: _____
(Name of Bidder)

From: _____
(Name of DBE/MBE/WBE) Indicate DBE/MBE/WBE status

I / we intend to perform work in connection with the above project as (Check One)

- an individual a partnership
- a corporation a joint venture with: _____
- other (explain): _____

It is understood that if you are awarded the contract, you intend to enter into an agreement to perform the activity described below for the prices indicated.

DBE/MBE/WBE PARTICIPATION:

Description of Activity	Project Start Date	\$ Amount	% of Bid Price

The undersigned certify that they will enter into a formal agreement upon execution of the contract for the above-referenced project

.BIDDER DBE/MBE / WBE

Authorized Signature _____ Date _____ Authorized Signature _____ Date _____

Address _____ Address _____

Telephone / Fax _____ Telephone / Fax _____

MINORITY / WOMAN BUSINESS ENTERPRISE PROGRAM

CONTRACTOR IDENTIFICATION STATEMENT

Project Name: _____ Project#: _____

Total Bid Price: \$ _____ Bid Date: _____

In accordance with the New Bedford Minority Business Enterprise Program, the undersigned bidder certifies that he/she:

1.is a bona fide Minority/Woman/Disadvantaged Business Enterprise currently certified by the State Office of Minority/Woman Business Assistance (SOMWBA); and such SOMWBA certification has not changed; and in the event of said status changing, it will immediately forward written notification to the City of New Bedford and SOMWBA; and

2.intends to perform certain work (specified by formal bid proposal) under a contract in connection with the above-named project, and that work will not be sublet to any company at any tier; and

3.will comply with the minority/woman workforce ratio and specific affirmative action steps contained in the EEO/AA Contract Provisions and shall obtain from each of its subcontractors a copy of the bidder's certification and submit to the administering agency, prior to the award of such subcontract, regardless of tier, that he/she will comply with the minority/woman workforce ratio and specific affirmative action steps contained in these and the EEO/AA Contract Provisions.

SOMWBA CERTIFICATION CATEGORY: _____

CONTRACTORS NAME: _____

{ } MBE { } WBE { } DBE

ADDRESS: _____

TELEPHONE #: _____ FAX #: _____

REPRESENTATIVE NAME & TITLE: _____

AUTHORIZED SIGNATURE:

GENERAL BIDDERS NAME: _____

BIDDERS CERTIFICATION

to be completed by General Contractor & each of its Subcontractors (MBE/WBE/DBE and non-MBE/WBE/DBE)

The undersigned bidder hereby certifies that he/she will comply with the Minority/Woman Workforce Ratio and Specific Affirmative Action Steps contained in the EEO/AA Provisions of this contract, including compliance with the Minority/Woman/Disadvantaged Business Enterprise as required under these contract provisions.

The contractor receiving the award of the contract shall be required to obtain, from each of its subcontractors, regardless of tier, a copy of this Bidder's Certification indicating that it will comply with the Minority/Woman Workforce Ratio and Specific Affirmative Action Steps contained in these EEO/AA Contract Provisions, and submit it to the contracting agency prior to the award of such contract and subcontract.

Name of General Contractor Name of Subcontractor { } MBE { } WBE { } DBE { } Non-MBE/WBE

Signature of Authorized Representative Signature of Authorized Representative

Name & Title (Printed or Typed) Name & Title (Printed or Typed)

Date Date

MINORITY / WOMAN BUSINESS ENTERPRISES
UNAVAILABILITY CERTIFICATIONS

to be completed by General Contractor

*(the Bidder shall prepare additional copies of this information form
in the quantity necessary to comply with the bidding requirements)*

I, _____,
Name Title

of _____
Contractor Name

certify that on _____, I contacted the below listed MBE/WBE/DBE
Date of Contact
requesting a bid for

Project _____ as an { } MBE, { } WBE or { } DBE for the provision of
{ } Goods & Services or { } Labor to accomplish _____
Subcontract Work Offered to this MBE/WBE/DBE Company

Name of Prospective Sub-Contractor

Address City and State Telephone #

Contact was made by { } Telephone { } In Person

Said sub-contractor was unavailable for work on this project or unable to prepare a bid for the following reason(s):
(check appropriate answer):

{ } MBE/WBE/DBE Firm Declined Job

{ } MBE/WBE/DBE Firm offered to do a job at the price of \$_____, which was not
acceptable because: _____

{ } Other _____

The above information is accurate and complete, to the best of my knowledge and belief. Signed under the pains and penalties of
perjury.

Signature of Authorized Representative, General Contractor Date

MINORITY / WOMAN/DISADVANTAGED BUSINESS ENTERPRISES

REQUEST FOR WAIVER

Upon exhausting all known sources and making every possible effort to meet the minimum requirements for MBE/WBE/DBE participation, the Contractor may seek relief from these requirements by filing this form (completed) NO LATER THAN FIVE (5) working days following the bid opening. Failure to comply with this process shall be cause the bidder to be rejected, thereby rendering the contractor not eligible for award of the contract.

General Information

Project Title: _____ Location: _____

Bid Opening (time/date): _____ Location: _____

Bidder: _____

Mailing Address: _____

Contact Person: _____

Telephone No.: (_____) _____ Ext.

Minimum Requirements

The contractor must show that good faith efforts were undertaken to comply with the percentage goals, as specified. The bidder seeking relief must show that such efforts were taken appropriately, in advance of the time set for opening bid proposals, to allow adequate time for response(s) by submitting the following: *(please check all that apply and attach applicable documentation)*

- A.A detailed record of the effort made to contact and negotiate with minority, woman or disadvantaged business enterprises, to include:
 - () 1. Names, addresses and telephone numbers of all such companies contacted;
 - () 2. Copies of written notice(s) which were sent to MBE/WBE/DBE potential subcontractors prior to bid opening;
 - () 3. Copies of advertisements prior to bid opening, as appearing in general publications, trade-oriented publications, and applicable minority/women focused media detailing the opportunities for participation;

()4.A detailed statement as to why each subcontractor contacted (a) was not willing to do the job or (b) was not qualified to perform the work as solicited; and

()5.In the case(s) where a negotiated price could not be reached, the bidder should detail what efforts were made to reach an agreement on a competitive price

()6.Contractor certifies that 100% of the project is to be carried out with his/her own workforce. no subcontractors are to be utilized.

B.The Agency may require the contractor to produce such additional information, as it deems appropriate and may obtain whatever other information it deems necessary to reach a conclusion from any source.

C.No later than fifteen (15) days after receipt of all necessary information and documentation, a decision will be made in writing to the bidder. If the waiver request is denied, the facts upon which a denial is based will be set forth. A contractor who is dissatisfied with the decision may then appeal that decision to the Equal Opportunity Employment Agency.

Certification

The undersigned herewith certified that the above information and appropriate attachments are true and accurate to the best of my ability, and that I have been authorized to act on behalf of the bidder in this matter.

(authorized original signature)

Date

Submit to:Equal Employment Opportunity
Compliance Officer
133 William Street, Room 208
New Bedford, MA 02740

To be completed by the City of New Bedford's EEO

_____ Bid Date

_____ Date Received by EEO

_____ Initials