



State of Vermont
 Contract Administration
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Agency of Transportation
 Finance & Administration
<http://vtrans.vermont.gov/>
 [fax] 802-828-5545

November 8, 2016

**RFP CHANGE #1
 Questions & Answers
 & Clarifications**

RE: Request for Proposals – **2017 Maintenance Rental Agreements (MRA)**

ALL ACTIVITIES:

- ~ Bridge and Large Culvert Repair ~ Bridge Painting ~
- ~ Drainage System Cleaning and/or Inspection ~ Guardrail Repair and/or Installation ~
- ~ Rock and Slope Stabilization ~ Paving and/or Surface Treatments ~
- ~ Right-of-Way Clearing Services ~ Roadway Repairs, Slopes & Small Culverts ~
- ~ Roadside Mowing ~ Servilift Bridge Work ~

The Request for Proposals (RFP) for the above-mentioned services has been modified to clarify the RFP and by addressing the following questions:

1. **FORM UPDATE:** Attachment M - Workers’ Compensation; State Contracts Compliance Requirement: Self-Reporting & State Contracts Compliance Requirement is now titled: Worker Classification Compliance Requirement: Self Reporting and Subcontractor Reporting Form.
2. **IMPORTANT** - A mandate that will affect these proposals has been established: Attachment M – Worker Classification Compliance Requirement; Self-Reporting & Subcontractor Reporting Form, will now be required to be submitted with all MRA proposals of Activities over \$250,000. For these RFPs that includes all CAT II MRA Activities. Attached are the revised Attachment M forms. Please submit them with your proposal. If you do not have specific subs that you consistently use just enter NA in that section.
3. On Attachment E - the CAT II Maintenance Rental Agreements Cover Sheet, the Required documents include Attachment H - Disclosures of Lobbying Activities – SF-LLL (fillable .pdf). This form is not supplied and is not required as part of the submission package.
4. **CLARIFICATION** - Attachment E - the CAT II Maintenance Rental Agreements Cover Sheet, the Required documents list should read as follows:
 Checklist of Required Documents to submit with Bid Proposal
 ___ Attachment B – Equipment Rate Sheet – completed with appropriate equipment for this RFP only.
 Attachment E – Company Information:
 ___ Cover Sheet ___ Experience ___ Qualifications
 ___ Attachment F - Debarment and Non-Collusion Affidavit – Form CA-91 (fillable .pdf) notarized
 ___ Attachment G - Contractor’s EEO Certification Form – Form CA-109 (fillable .pdf)
 ___ Attachment M – Worker Classification Compliance Requirement:
 Form 1 Self Reporting and Form 2 Subcontractor Reporting Form (fillable .pdf).

5. Does the Certificate of Insurance (COI) need to be included with all ten copies if I am going to send it in with the Proposal?
A. No, one copy is sufficient. Please clip to the top of the original proposal.
6. Does our Certificate of Insurance need to be submitted with our proposals?
A. No, it does not have to be submitted with the proposal. However, if awarded a contract, it will considerably hasten the ability to bid on tasks.
7. Can you have one original MRA then make 9 copies or do you have to have 10 with original signatures?
A. Yes, only one (1) original is required. The other nine (9) can be copies.
8. When we send in 10 copies of the proposal packet, does that mean 10 copies of the entire RFP packet?
A. No, there is a list of required submissions in the RFP, now including the revised Attachment M. Do not submit the rest of the RFP package that is not listed.
9. When it's asking for the MRA CAT 2 Activity: Select One what am I supposed to put?
A. There is a drop down menu – when you click on that space you can see the drop down arrow, just select the activity that you want to bid on.
10. How do I produce a second page for our equipment list? The only way that I seem to be able to do it is to fill one out then print it then erase EVERYTHING then fill everything in for a second page.
*A. We have provided a Blank Spare Rate Page on the RFP website. You can save each page separately as you complete it. Please read the ****Read Me First**** file that is posted on the Contract Administration - Current RFPs webpage.*
11. Can we use an asterisk on the bottom of the page annotating overtime costs will be 1 ½ times the hourly rate?
A. Yes.
12. I am searching your website and need a little direction. Is there somewhere on the site where all the MRA contractors are listed?
*A. Last year's CAT II MRA Contractor awards are listed at:
vtrans.vermont.gov/contract-admin/personal-services/consultant-award-list*
13. If we file a RFP does that mean that we are on a bidding list and can bid any culvert project that comes out or just a list that VTrans uses to select companies for emergency or small repairs?
*A. If your company is awarded a contract based on your proposal, your contract is available for the Districts to request a bid of annually scheduled tasks as they arise.
It is not a guarantee of work. It is not for project specific construction.*
14. Does the information on the forms need to be typed or can they be handwritten?
*A. Preferably typed, but very clearly handwritten if that is not possible.
All pages to be completed are now fillable pdfs for your convenience.*

15. The company that I work for in Maine is trying to be added to the list that would allow us to see bids that would be coming out in Vermont. My understanding is that we need to be on a Maintenance Rental Agreement. Could you please tell me what I need to do, to be added to this?
- A. *I am unsure what list you are referring to. We do not send notifications of upcoming bid opportunities. We advertise our Invitation to Bid on the VT Bid System at www.vermontbidsystem.com and the VTrans webpage.*
 - B. *Go to our webpage and download any RFP that you are interested in submitting, and submit your proposal before the deadline. The RFPs can be found at vtrans.vermont.gov/contract-admin/personal-services/current-rfps.*
 - C. *A company must have a CAT II MRA contract in order to bid on available MRA tasks. You do not need a CAT II MRA agreement to bid on project specific solicitations.*
16. Can you please forward the RFP documents to me when they become available?
- A. *We cannot provide the documents to individual contractors. The documents are available at vtrans.vermont.gov/contract-admin/personal-services/current-rfps.*
17. Can you expand the Roadway Repair category listing to read Roadway Repair, Slopes & Small Culverts for clarity?
- A. *This has been corrected on the website.*
18. Do you still want only equipment listed for each MRA? There may be special equipment depending on the project. How should they address having that equipment available? Should they put "Other equipment is available depending on specific projects?"
- A. *Yes, please only list equipment pertinent to the RFP Activity. The RFP also states that "Additional equipment may be added to the contract without an amendment", if additional equipment is needed for certain conditions.*
19. I have found that equipment rate sheets have the (+) signs (attached sheet) in the rate columns.
- A. *We have adjusted them to a smaller font. It was formatted for the numbers to be rounded off to the nearest dollar, without cents being entered, which is preferred. We will clarify that in the future.*
20. Just noticed on the equipment list for (paving specifically) ...when you are putting in the class codes...mid-way down, the boxes don't lineup.
- A. *We have corrected that formatting issue.*
21. Do we have to fill out operator wages as well? All of our machines hourly rates include the operator in them.
- A. *Equipment and Operator rates must be submitted separately for tax reporting purposes. Combined rates will be rejected.*
22. If a business plans on covering 4 districts, but there are different rates involved, and using the same exact equipment, can they identify this on separate sheets?
- A. *Yes, if there are different rates involved submit separate rate sheets for the different districts.*
23. If our rates are the same for all districts, can we submit one rate sheet?
- A. *Yes, just indicate at the top of the rate sheet "Statewide" or you can list all of the Districts according to the map (Attachment N).*

24. The Rate Sheet asks for hourly rates for Mobilization - is that per piece of equipment or total mobilization for all equipment and operators?
A. Mobilization rates should include all equipment and operators that have to be relocated to the job site.
25. If I have two different types/brands of the same size equipment, should we list both on the rate sheet?
A. Not if you are charging the exact same price for the equipment and operator. They need to be invoiced exactly how they are described the price list.

26. **CLARIFICATION** - The word mobilization should be on the next line down at the bottom of the rate sheets.

Is Equipment Rented Without an Operator? YES NO Mobilization

63 Rate: per assigned work order \$ _____ per hour

It should read: **Mobilization Rate: per assigned work order \$ _____ per hour**

27. Are you wanting some sort of different cover letter other than Attachment E Part 1? like a company cover letter or something?
A. No.
28. How detailed do you want the experience to be? Do you need specific job names/values that we have worked on, or is this a general statement?
A. It can be as general or as detailed as you would like. The goal is to establish your eligibility for an award and to condense the number of pages submitted.
29. What is the difference between qualifications and experience?
A. The Experience and Qualifications sections have complementary purposes.

**Experience –The Experience section should be a history of your company’s past jobs as related to the particular activity and the length of time that you have been doing it.
Experience is a work history that makes a company suitable to do a particular job or activity.**

Qualifications – A summary of specific skills that qualify your company and/or employees for the intended activity. The summary of qualifications essentially fills a void usually left by the typical experience section. It highlights qualities and abilities, which are sometimes hard to bring up in the experience listings. For example – certain employees may have qualifications that the company as a whole does not. Skills tied to the specific activity are especially valuable.

30. Is it OK to have more than one person signing the documents, as long as they are authorized signers for the company?
A. Yes.

31. If company only has owners and no employees, how do we address the Workers Compensation?
- A. ***You may submit a letter stating that you do not have employees or you can obtain Form 29 – Application for Exclusion from the Provisions of the Workers’ Compensation Act from the Department of Labor at: labor.vermont.gov/forms/ .***
32. On Attachment F – the Debarment and Non-Collusion Affidavit, what should we write down for the Project Name, number and location of Job?
- A. ***You may enter N/A when the information requested is requiring project specific information. However, the forms are required to be submitted by federal regulations.***
33. Is the contractor limited by the contract award amount or category?
- A. ***The contractor is limited by the contract Maximum Limiting Amount (MLA) per MRA Cat II contract.***
34. If you max out the MLA of the contract, is that contract finished?
- A. ***If you max out the contract MLA, no more work may be completed under that contract.***
35. What if you send in proposal and then a change comes up, will people be notified that they need to send changes to proposal if needed?
- A. ***No one will be directly notified of changes. Check the VTrans Contract Administration Current RFPs website for any RFP Changes. vtrans.vermont.gov/contract-admin/personal-services/current-rfps***
36. It says not to talk to other AOT personnel does that mean do not talk to the Districts about the proposal?
- A. ***Correct, all questions must be in writing to the Point-of-Contact. As stated in the RFP, discussing the RFP and their proposal with any others may cause their proposal to be rejected. This statement is referring to what specific information to enter in your proposals.***
37. If we do not own the equipment that has the * next to it, do we need to get a rental quote from someone else and use their quote? Can we add more equipment if we think more equipment is necessary?
- A. ***The rate you enter can be for rented equipment, you do not have to own the equipment. Yes, you can add any equipment that is pertinent to the Activity of the RFP. Do not include the company’s equipment list.***
38. The RFPs state that we should submit only the equipment specified and equipment that pertains to the tasks of the RFP in question. There are 66 pieces of equipment, with a few in bold print. Does that mean that we have to submit rates for all the listed equipment or just the ones in bold print?
- A. ***The equipment that is in bold with an asterisk is required equipment for that specific activity. You may add other equipment only that pertains to that specific activity. Do not include the company’s equipment list.***
39. People are concerned about the talk regarding surcharge on gas which could be as much as \$.88 per gallon. What happens with the prices they submit now if there is such a large increase in gas prices?
- A. ***These contracts are for a one-year term and submitted pricing will be used for the term of the agreements. Pricing can be adjusted for the next submission for the following year.***

40. What is the selection process for work tasks for CAT II's?

- A. *Whenever possible, bids from 3 or more contractors are solicited before assigning the work to a specific contractor.***

PAVING and/or SURFACE TREATMENTS ONLY

41. My question is more regarding the “* Please be advised.... category

The alternative procurement method will be used exclusively during 2017 Dist. Leveling.”

Can you explain this to me...as in: Is there going to be a separate agreement that we will be needing to fill out for the bigger paving (dist. Leveling jobs) or how is the going to be done?

- A. *A one-year Contracting Pilot for Paving Projects (District Leveling) will be used for selected Spring 2017 spring district levelling work. This pilot program, being further developed through our Maintenance and Operations Bureau and Contract Administration Section, will be solicited via Simplified Bidding (under a special State of Vermont Agency of Administration exemption allowing up to \$1,000,000 per contract). The Maintenance and Operations Bureau and Contract Administration will provide more info in the future as that information becomes available.***

BRIDGE PAINTING ONLY:

42. The equipment list highlights several trucks in the last column that are not really required for Bridge Painting. Do we really have to enter rates for them?

- A. *No, they were listed in error. Please enter only equipment that is pertinent to Bridge Painting.***

ROADSIDE MOWING ONLY:

43. On the CAT II Maintenance Rental Agreements Cover Sheet, it list's below:

Checklist of Required Documents to submit with Bid Proposal

____ Attachment B – Equipment Rate Sheet – completed with appropriate equipment for this RFP only.

____ Attachment E – Company Information

____ Cover Sheet ____ Experience ____ Qualifications

____ Attachment F - Debarment and Non-Collusion Affidavit – Form CA-91 (fillable .pdf) notarized

____ Attachment G - Contractor's EEO Certification Form – Form CA-109 (fillable .pdf)

____ Attachment H - Disclosures of Lobbying Activities – SF-LLL (fillable .pdf)

There is no Attachment H supplied?

- A. *Since Federal funds are never used for this Activity, Attachment H is not required. See Items 1 – 4 for more information on this subject.***

44. Roadside mowing requires responses to categories 26 Mower and 49 Tractor (and mobilization). Historically – they have only submitted a price for 49 Tractor because their Tractor/Mower assembly was considered one single unit to them. Do they need to break up the pricing into the 2 separate categories?

- A. *No, although there may be some situations where a self-container mower or a separate unit is required, so it is good for the Districts to know exactly what you have for available equipment.***

45. Overtime: a. In the RFP for Culvert repair it mentions that “Overtime rates may be used for hours worked over 8 hours per work day or 40 hours or the work week”. However, that phrase is not included in the RFP for roadside mowing. Is it true that the Roadside Mowing RFP also may use Overtime rates? b. Is there a place on the Equipment/Operator Rate sheet where you are supposed to put your Overtime Rate? c. Is the Overtime Rate Time + ½ of your regularly hourly rate for Operators?

A. Generally speaking, mowing is not considered an urgent activity and it is not (again, generally) a wise use of taxpayer’s money to pay time and a half for a non-urgent activity. Therefore, we do not ask for OT rates for Roadside Mowing. In cases where it might become a necessity, prior approval must be obtained in writing from the VTrans representative.

B. Not for the Roadside Mowing Activity.

C. Yes, when overtime is allowed.

46. Will the Roadside Mowing Contractors receive a detailed Grid/Map of their work area?

A. No, Contractors receive mile marker (MM) info as to where the work would need to be performed and would be told how many passes to make.

All other aspects of the Request for Proposals shall remain unchanged.

Sincerely,

Bonnie Sanders
VTrans Contracts Specialist

ATTACHMENT

RFP/PROJECT NAME & NUMBER:

DATE:

WORKER CLASSIFICATION COMPLIANCE REQUIREMENT

Self Reporting Form 1 of 2

This form must be completed in its entirety and submitted as part of the response for the proposal to be considered valid.

The Vermont Agency of Transportation, in accordance with Section 32 of Act 54 (2009), as amended by Section 17 of Act 142 (2010) and further amended by Section 6 of Act 50 (2011), and for total projects costs exceeding \$250,000.00, requires bidders comply with the following provisions and requirements.

Bidder is required to self report the following information relating to past violations, convictions, suspensions, and any other information related to past performance and likely compliance with proper coding and classification of employees. The Agency of Transportation is requiring information on any incidents that occurred in the previous 12 months. Attach additional pages as necessary. If not applicable, so state.

Summary of Detailed Information	Date of Notification	Outcome

WORKER CLASSIFICATION COMPLIANCE REQUIREMENT: Bidder hereby certifies that the company/individual is in compliance with the requirements as detailed in Section 32 of Act 54(2009), as amended by Section 17 of Act 142 (2010) and further amended by Section 6 of Act 50 (2011).

Date: _____

Name of Company: _____

Contact Name: _____

Address: _____

Title: _____

Phone Number: _____

E-mail: _____

Fax Number: _____

By: _____

Name: _____

Signature (Request/Report Not Valid Unless Signed) *

(Type or Print)

*Form must be signed by individual authorized to sign on the bidder's behalf.

DO NOT WRITE IN THIS SPACE – AGENCY USE ONLY	
VDOL CHECKED RE: ACT 54 2009, AND AMENDMENTS	<input type="checkbox"/>

WORKER CLASSIFICATION COMPLIANCE REQUIREMENT

**Subcontractor Reporting Form
Form 2 of 2**

This form must be completed in its entirety by the Contractor and included in all requests to sublet or assign work as outlined in Section 108.01 of the Standard Specifications for Construction. This form must be updated as necessary and provided to the State as additional subcontractors are hired.

The Agency of Transportation in accordance with Act 54, Section 32 of the Acts of 2009 and for total project costs exceeding \$250,000.00 requires the contractor to comply with the following provisions and requirements:

The Contractor is required to provide a list of subcontractors on the job along with lists of subcontractor's subcontractors and by whom those subcontractors are insured for workers' compensation purposes. Include additional pages if necessary. This is not a requirement for subcontractor's providing supplies only and no labor to the overall contract or project.

Additionally, the Contractor shall collect and retain evidence of subcontractors' workers' compensation insurance, such as the ACORD insurance coverage summary sheet. Agency of Transportation will periodically verify the Contractors' compliance.

Subcontractor	Insured By		Subcontractor's Sub	Insured By

Date: _____

Name of Company: _____

Contact Name: _____

Address: _____

Title: _____

Phone Number: _____

E-mail: _____

Fax Number: _____

By: _____

Name: _____

Failure to adhere to Act 54, Section 32 of the Acts of 2009 and submit Subcontractor Reporting: Worker Classification Compliance Requirement will constitute non-compliance and may result in cancellation of contract and/or forfeiture of future bidding privileges until resolved.

Send Completed Form to: Vermont Agency of Transportation
One National Life Drive
Montpelier, VT 05633-5001