



CITY OF HOUSTON

Annise D. Parker

Mayor

P.O. Box 1562
Houston, Texas 77251-1562

Telephone – Dial 311
www.houstontx.gov
<http://purchasing.houstontx.gov>

August 25, 2014

Subject: Letter of Clarification No. 1 to Invitation to Bid No. S50-C25106 for a Work Order Contract for Concrete Panel Replacement for Residential Streets for the Public Works and Engineering Department

To: All Prospective Bidders:

This letter of Clarification is being issued for the following reasons:

- **To revise SECTION "A" of the Bid Document, SECTION "B" Scope of work/Technical Specifications, the Electronic Bid Form and answer questions posed by perspective bidders :**

- 1.) Remove Page Nos. 6, 8, 19 & 21 of 57 and replace with the revised Page Nos. 6, 8, 19 & 21 of 57 marked, REVISED 8/22/2014.
- 2.) See the revised Electronic Bid Form.
- 3.) The following questions and City of Houston responses are hereby incorporated and made a part of the Invitation to Bid:

Question No. 1: Page 2 of 57 states: "Work Order Contract for Concrete Panel Replacement for a three-year period with (1) one year option to extend." The Bid Form shows bid items only for the first three years and lacks the list for the bid items for the fourth option year.

Answer: The electronic bid form is continued on the next page. (See Page No. 2 on the Electronic Bid Form)

Question No. 2: The Bid Form for year one and two consist of two groups and their group 1 has 17 items. However, for year three the bid form shows only line items for Bid Group No. 1 and stops at Line Item No. 14.

Answer: See the above response to Question No. 1.

Question No. 3: Page 4 of 57, calls for BID BOND in the amount of 10% of the Total Bid Amount. Does it mean the Bid Amount of the first year work, total of three (3) years' work, or the total of the amount of three (3) years plus the amount of the one year option period?

Answer: As stated on Page No 4 of 57: **BID BOND:** The Contractor shall be required to provide and submit with its bid a Bid Bond in the amount of 10% of **the Total Bid Amount.**

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25106
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Question No. 4: Line item 12 of Bid Group No. 1 requests a lump sum number for "Flagman Allowance for uniformed peace officers only, not to exceed". We would like to suggest that this line item to be removed and contractors to be advised to incorporate such cost in their unit price proposals or alternatively the line item to be revised to unit price item for hourly rate of uniformed peace officers to be provided by the bidders and appropriate quantity to be incorporated by the Owner.

Answer: The bidder is required to estimate the amount of fees needed for a certified flagger/uniformed peace officer per contract year, for the duration of the contract. (See the revised Electronic Bid Form)

Question No. 5: Line Item Nos. 6 and 7: The cost varies based on the thickness of asphalt and subbase. Please provide those thicknesses.

Answer: The original Bid Line Item No. 6: Remove and Replace Asphalt Surfaces, to include Sub-Grade, has been removed and replaced with Line Item No. 7: Remove and Replace Base Material. The standard thickness of asphalt and subbase is eight inches. (See the revised Electronic Bid Form)

Question No. 6: Line Item 9: The cost for saw cutting of the concrete depends on the thickness of the concrete. Please provide the thickness.

Answer: The average thickness is six inches.

Question No. 7: Line Item Nos. 11 & 15: The cost of mud jacking varies based on the thickness of the voids under the slab. Please provide average void thickness.

Answer: The average void thickness is two inches.

Question No. 8: The M/WBE goals for this project need to be reviewed and lowered to more reasonably attainable percentages. This new solicitation is requesting contractors to increase MBE participation by 28% and WBE participation by 220% above the identical contracts that bid in the past. We suggest that the M/WBE participation goals be reduced to 12% MBE and 7% WBE.

Answer: See the attached revised Page Nos. 6, 8 & 19 of 57 marked, REVISED 8/22/2014.

Note: No further questions will be accepted after the publication of this Letter of Clarification.

When issued, Letter(s) of Clarification shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Purchasing Division and the

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applicable City Department(s). It is the responsibility of the bidder/respondent to ensure that it has obtained all such letter(s). By submitting a bid on this project, bidders/respondents shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this solicitation and resulting bid.

Furthermore, it is the responsibility of each Contractor to obtain any previous Letter of Clarification associated with this solicitation.

Arturo Lopez

Arturo Lopez
Senior Procurement Specialist
832-393-8731

Attachments: Revised Page Nos. 6, 8, 19 & 21 of 57

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25106
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REVISED 8/22/2014

be directed to the designated City Representative identified on the first page of the solicitation. Upon issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award, aside from bidder's formal response to the solicitation, through the pre-award phase, written requests for clarification during the period officially designated for such purpose by the City Representative, neither bidder(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any bidder. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, *or to a City Council committee convened to discuss a recommendation regarding the solicitation.*

HIRE HOUSTON FIRST:

Designation as a City Business or Local Business

To be designated as a City or Local Business for the purposes of the Hire Houston First Program, as set out in Article XI of Chapter 15 of the Houston City Code, a bidder or proposer must submit the **Hire Houston First Application and Affidavit ("HHF Affidavit")** to the Director of the Mayor's Office of Business Opportunities and receive notice that the submission has been approved prior to award of a contract. Bidders are encouraged to secure a designation prior to submission of a bid or proposal if at all possible.

Download the HHF Affidavit from the Office of Business Opportunities Webpage at the City of Houston e-Government Website at the following location:

<http://www.houstontx.gov/hbsc/hirehoustonfirstaffidavit.pdf>

Award of Procurement of \$100,000 or More for Purchase of Non-Professional Services , Including Construction Services:

THE CITY WILL AWARD THIS PROCUREMENT TO A "CITY BUSINESS," AS THAT TERM IS DEFINED IN SECTION 15-176 OF THE CITY OF HOUSTON CODE OF ORDINANCES ("THE CODE")

- IF THE BID OF THE LOCAL BUSINESS IS THE LOWEST RESPONSIBLE BID OR IS WITHIN 3% OF THE LOWEST BID RECEIVED, AND
- UNLESS THE USER DEPARTMENT DETERMINES THAT SUCH AN AWARD WOULD UNDULY INTERFERE WITH CONTRACT NEEDS, AS PROVIDED IN SECTION 15-181 OF THE CODE.

IF THERE IS NO BID OF A LOCAL BUSINESS THAT MEETS THESE CRITERIA, THE CITY WILL AWARD THE PROCUREMENT TO THE LOWEST RESPONSIBLE BIDDER.

M/WBE CONTRACT COMPLIANCE:

The Contractor shall comply with the City's Minority and Women Business Enterprise ("MWBE") programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. The Contractor shall make good faith efforts to award subcontracts or supply agreements in at least 11% MBE and 7% WBE of the value of this Agreement to MWBEs. The Contractor acknowledges that it has reviewed the requirements for good faith efforts on file with the City's Office of Business Opportunities ("OBO"), and will comply with them.

The Contractor shall require written subcontracts with all MWBE subcontractors and shall submit all disputes with MWBEs to binding arbitration to be conducted in Houston, Texas, if directed to do so by the OBO Director.

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25106
Concrete Panel Replacement for Residential Streets
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substantially complete and available for the full and beneficial occupancy or use of the City.

6.0 MWBE COMPLIANCE:

The Contractor shall comply with the City's Minority and Women Business Enterprise ("MWBE") programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. The Contractor shall make good faith efforts to award subcontracts or supply agreements in at least 11% MBE and 7% WBE of the value of this Agreement to MWBEs. The Contractor acknowledges that it has reviewed the requirements for good faith efforts on file with the City's Office of Business Opportunities ("OBO"), and will comply with them.

The Contractor shall require written subcontracts with all MWBE subcontractors and shall submit all disputes with MWBEs to binding arbitration to be conducted in Houston, Texas, if directed to do so by the OBO Director. MWBE subcontracts must contain the terms set out in Exhibit "D".

7.0 CITY CONTRACTORS' PAY OR PLAY PROGRAM:

The purpose of this Executive Order 1-7 is to require certain contractors to offer to certain employees a minimal level of health benefits or to contribute a designated amount to be used to offset the costs of providing health care to uninsured people in the Houston/Harris County area. To that purpose, this Executive Order establishes the Pay or Play Program and procedures for the effectiveness and impact of the Program on contracting firms and the City of Houston.

8.0 GENERAL CONDITIONS:

8.1 The Project's specifications listed in the Technical Specification contains modifying criteria related to working conditions, paid/unpaid items, etc. which supersede and/or represent an addendum to the respective City of Houston Standard Construction Specifications / Details. The most restrictive/critical rule between the two specifications of Technical Specification and Standard Construction Specifications will prevail for the construction requirement(s) of this project.

8.2 In addition to the Technical Specifications, the City of Houston Standard Construction Specifications is attached, as well as the Construction Detail(s) is attached. It is the Contractor's responsibility to verify the correct dimensions, materials, construction methods and other items referred in said Construction Specifications/Details for the specified bid items prior to bidding on this Project regardless of whether the documents are attached or not.

9.0 POST AWARD MEETING:

9.1 Once the contract has been approved by City Council, PW&E will schedule a Post Award Meeting with the successful Contractor and PW&E End Users. The meeting will include procurement, PW&E contacts, vendor invoicing, vendor payment, and all other matters related to contract administration.

10.0 CONTRACT COMPLIANCE:

10.1 The City of Houston reserves the right to monitor this contract for compliance to ensure legal obligations are fulfilled and that acceptable level of service are provided.

10.2 Monitoring may take the form of, but not necessarily limited to:

10.2.1 Site visits

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Contractor the cost occasioned to the City thereby, or make an equitable adjustment in the Contract price.

- 14.5 If the City does not require correction or re-performance, the City shall make an equitable adjustment in the contract price.

**PW&E POLICY AND PROCEDURES FOR CONTRACTORS
A PDF version of the PW&E Policy & Procedures for Contractors
can be viewed on the following web link**

<https://purchasing.houstontx.gov/buyer/BidDocumentManager.aspx?id=C25106>

END OF SECTION

TECHNICAL SPECIFICATIONS

**All Documents and Sections that are not visible in the Technical Specifications can be viewed
from the following Public Works and Engineering web link:**

<http://edocs.publicworks.houstontx.gov/engineering-and-construction/specifications.html>

City of Houston Standard Specifications

For

WORK ORDER CONTRACT FOR CONCRETE PANEL REPLACEMENT FOR RESIDENTIAL STREETS

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Table of Contents

Document Title: The following standard specifications are included in the bid package:

DIVISION 1 – GENERAL REQUIREMENTS

- 01110 Summary of Work
- 01145 Use of Premises
- 01255 Change Order Procedures
- 01270 Measurement and Payment
- 01312 Coordination and Meetings
- 01325 Construction Photographs
- 01330 Construction Schedule
- 01422 Submittal Procedures
- 01450 Reference Standards
- 01452 Inspection Services
- 01454 Testing Laboratory Services
- 01555 Traffic Control and Regulation
- 01576 Waste Material Disposal: See Part Three - Execution, below.**
- 01610 Basic Product Requirement
- 01725 Field Surveying
- 01770 Closeout Procedures
- 01785 Project Record Documents

The average thickness of asphalt and sub-base is eight inches.

The average thickness of saw cutting is six inches.

The average void thickness of mud-jacking is two inches.