

July 8, 2024

ADDENDUM #1

TO ALL PROSPECTIVE BIDDERS:

SUBJECT: Hazardous Materials Contract (MMB-007-24)

BID OPENING DATE: (ORIGINAL DATE) July 11, 2024, at 10:00 AM

THE SUBJECT INVITATION FOR BID (IFB) IS AMENDED AS FOLLOWS:

THIS ADDENDUM IS SUPPLEMENTARY TO THE PLANS AND SPECIFICATIONS FOR THE ABOVE SUBJECT REQUIREMENT. ALL CHANGES, ADDITIONS AND DELETIONS SHALL BECOME PART OF THE CONTRACT.

REMINDER TO BIDDERS:

ALL BIDS MUST BE TIME STAMPED AND RECEIVED IN ROOM 62 AT THE ABOVE ADDRESS NO LATER THAN 10:00 A.M., July 11, 2024.* Bids received after the time stated will not be accepted.

CLARIFICATIONS: The following questions and **answers** are submitted as clarification:

- Q1. In order to bid please confirm you must be a responsible bidder per Instruction to Bidders Section 12.E?
- A1. In order to receive award of a contract under this IFB, a bidder must be determined by FCPS to be a “responsible bidder.”**
- Q2. In order to be responsible please confirm as a contractor per the scope of work Section 1.2 (Special provisions) requires the contractor to have a flexible organization that can perform (four (4) or more) assignment simultaneously for emergency and non-emergency work (per Section 1.3) 24 hours a day seven days (including rush hour traffic) a week within 4 hours (Special provision Page 9 Section 22.3) with crew and equipment?
- A2. In order to be deemed a “responsible bidder,” a bidder must be determined by FCPS as capable of meeting all requirements of the IFB, including but not limited to those referenced in your question.**
- Q3. To be responsive how can a contractor be responsive if they do not have local abatement workers and supervisors and a local warehouse. It is impossible to have the ability or capacity to staff four asbestos or lead paint emergency abatement projects and to get to four schools anywhere in the County if your resources (trucks, warehouse, equipment) are over 100 miles away. Not to mention, are the workers going to drive 100 miles to get to the job to be there in four hours? Use the furthest schools from a businesses operations in Fairfax County like Great Falls Elementary School; South County, Herdon etc.? We for example could not bid this contractor is we were over 100 miles away as it would be impossible to have four crews on site in four hours and as a result we do

not bid emergency response if we cannot meet the requirements of when the crews must be on-site and we only have contracts that are within a 50 mile radius of our logistical facilities for a four hour response. In the middle of the night – warehousepersons or foreman have to get to the office, pick up the trucks and load the equipment while staff call our existing staff to get the workers onsite. If they are not local four hours with four crews and four trucks again at over 100 miles is impossible. We have done emergency response for over 20+ years.

- A3. The IFB does not require bidders to demonstrate that they maintain workers, equipment, office and/or warehouse facilities within any particular geographic region.**
- Q4. Per Instruction to Bidders – 1 Qualification of bidder – to be responsible,” bidder's site supervisors must have a minimum of three years of related experience and its removal workers must have at least one year of related experience. The bidder shall have experience with work of similar type and size to that called for in the Contract Documents and such experience shall be based upon projects that have been completed by the bidder within the last five years.” If you do not have the similar experience performing emergency response asbestos removal in the DMV regularly and your supervisors that must have three years' experience are not here in the DMV how can you be a qualified?
- A4. Bidders, site supervisors, and removal workers are required to have prior experience as specified in the IFB. They are not required to have obtained that experience in any particular geographic region.**
- Q5. Please confirm that a responsible bidder cannot use labor temps or subcontractors?
- A5. A successful bidder must use workers who are properly qualified, licensed, and trained to perform the services contemplated by this IFB. FCPS expects a successful bidder to perform these services with its own employees. During the course of performance of the contract, a Contractor may request from FCPS advance written permission to use subcontractors, in accordance with Section 8 of the General Conditions, which provides as follows:**

8. SUBCONTRACTORS

Unless otherwise agreed in advance by the Owner in writing, all Work to be performed hereunder shall be performed by Contractor's own forces and not by Subcontractors. In the event that the Contractor wishes to engage one or more Subcontractors to perform any portion of the Work hereunder, then the Contractor shall submit a request to the Owner in writing and shall provide the name, address, and telephone number of each proposed Subcontractor, together with a description of the portion or portions of the Work proposed to be performed by each such Subcontractor.

- Q6. Should a list of all asbestos permits in a 40-mile radius of Fairfax City be provided to show that a contractor has the experience in the last 12 months to perform the level of work on this contract as required?
- A6. The IFB does not require bidders to demonstrate experience in any particular geographic region.**

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- Q7. How will FCPS verify that a contractor is responsible?
- A7. FCPS will evaluate the factors identified in Section 12.E. of the Instructions to Bidders. As stated in Sections 12.E. and 12.G. of the Instructions to Bidders, FCPS may also review and consider any information bearing upon a bidder's capacity to meet contract requirements and its moral and business integrity and reliability, including but not limited to bidder references and prior performance on projects of similar nature and scope.**
- Q8. If a contractor does not regularly perform asbestos removal in Northern Virginia or the DMV metro area nor has site supervisors with three years locally or equipment locally at the time of bid how can they be responsible at time of bid?
- A8. The IFB does not require bidders to demonstrate experience in any particular geographic region.**
- Q9. As the wage rate was approved in the prior bid for Hazardous Material worker from DOLI, can the proper wage scale be added to the bidding documents?
- A9. The Virginia Department of Labor and Industry's wage rate determination, including the rate for the Hazardous Material Worker, has been appended to the IFB at Appendix D of the Specifications.**
- Q10. Per Special Provisions Section 9.2 - Commercially Reasonable Bid Prices - please identify what FCPS is seeking and what is acceptable and who determines responsiveness to the line by line pricing per line item.
- A10. As set forth in Section 9.2 of the Special Provisions, FCPS expects pricing for each bid item to represent "the actual cost reasonably anticipated by the bidder for performance or delivery of the bid item, together with a proportional share of the bidder's anticipated overhead and profit." Bids that contain excessively low and excessively high prices for similar or comparable items will be regarded as irregular, as such bids tend to create reasonable doubt that the bid will ultimately result in the lowest overall cost to FCPS.**
- Q11. Per Special Provisions Section 9.2 - Commercially Reasonable Bid Prices – "The amount bid for each bid item must be a good faith charge or unit price, which in every instance must be commercially reasonable and susceptible to substantiation in the industry." Please explain as there are basis to validate the rates with the requirements of the contract which requires the contractor to staff at four schools in four hours. Only a couple of contractors can meet this requirement in the DMV region to begin with. You cannot use a stand-alone bid for example to perform 1000 SF of floor tile and compare that to this contract which requires the four crews – four locations 24/7/365 days a year. This is apples and oranges. There is a large cost to being on standby for the county for disasters as required by contract to be responsible. This contract has the most stringent requirements for response of all term contracts in a 150-mile region as FCPS is the 11th largest school system in the United States. The bid evaluation should be the total price off the bid form and should be based on the quantities prescribed on the bid form from FCPS. Should the quantities be purchased based on the bid form be utilized the end price would be most advantageous to the county. The county is not only purchasing abatement – it most importantly is purchasing a contractor to be on standby for all emergencies for the county over three years that has the experience, the capacity, and the proven track record to ensure that all emergencies in a worst-case scenario can be handled by the primary contractor. This is a lot of equipment, manpower, and logistics that must be maintained throughout the contract to adequately perform and prevent a disaster from shutting down a school or making the news.

A11. As set forth in Section 9.2 of the Special Provisions, FCPS expects pricing for each bid item to represent “the actual cost reasonably anticipated by the bidder for performance or delivery of the bid item, together with a proportional share of the bidder’s anticipated overhead and profit.” The “actual cost” to the bidder may include the reasonably anticipated cost of being able to meet all of the IFB’s requirements.

Q12. Per Special Provisions Section 9.2 - Commercially Reasonable Bid Prices – what system will FCPS use to determine is CLIN is market rate for a contract that requires four crews to be onsite in four hours simultaneously in a planned or an emergency response basis and the ability to perform at any hour and any schedule that FCPS requests on a wage scale project and to use no-odor mastic solvents and to repaint rooms if the paint comes loose with the tapes to hold poly in place?

A12. As set forth in Section 9.2 of the Special Provisions, FCPS expects pricing for each bid item to represent “the actual cost reasonably anticipated by the bidder for performance or delivery of the bid item, together with a proportional share of the bidder’s anticipated overhead and profit.” The “actual cost” to the bidder may include the reasonably anticipated cost of being able to meet all of the IFB’s requirements. If at any time the Contractor damages walls during the performance of services, FCPS will determine whether the walls will be repaired at that time or a later date.

Q13. How will reimbursement of permit fees and permit revisions work?

A13. FCPS will reimburse the Contractor for the permit fees as detailed in Technical Specifications, Item 1. Hazardous (Asbestos) Materials Removal, paragraph B. Administrative Actions Prior to Removal, section 3.

- 3. The Contractor will secure necessary permits in conjunction with asbestos removal, hauling, and disposal as may be required by Federal, State, Regional, and Local authorities. The Owner will reimburse the Contractor for the actual cost of all permit fees incurred by the Contractor for each project. The Contractor will not include (and the Owner will not be responsible for) any mark-up to the permit fees.**

All other terms and conditions remain unchanged.


Angela C. Mylechraine, Contracts Administrator
Office of Administrative Services

THIS ADDENDUM IS ACKNOWLEDGED AND IS CONSIDERED A PART OF THE SUBJECT INVITATION FOR BID.

SIGNATURE: _____ DATE: _____

NAME OF FIRM: _____

A SIGNED COPY MAY BE RETURNED PRIOR TO BID OPENING OR MAY ACCOMPANY YOUR BID.