



Wes Moore, Governor · Aruna Miller, Lt. Governor · Atif Chaudhry, Secretary

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## NOTICE TO BIDDERS

### Solicitation Fact Sheet

**- PLEASE READ THOROUGHLY -**

**BIDS FOR THIS SOLICITATION ARE BEING ACCEPTED SOLELY ONLINE THROUGH**

<https://emma.maryland.gov>

**THIS IS A SMALL BUSINESS RESERVE PROCUREMENT**

**SEE SECTION 9 BELOW**

**PROJECT NO.** SM-850-230-002

**TITLE:** Renovation of Farthing's Bathrooms at Historic St. Mary's Commission

For the purpose of this solicitation, the Instructions to Bidders for Construction Projects (July 2022), and the General Conditions for Construction Contracts (July 2022) have been supplemented as follows:

- 1. BID DUE DATE:** August 15, 2024 at 2:00 PM
- 2. PRE-BID CONFERENCE is scheduled for:**  
Thursday, August 1, 2024 at 10:30 AM  
47414 Old State House Road  
St. Mary's City, MD
- 3.** Carefully review the Department of General Services' Instructions to Bidders for Construction Projects (July 2022) and General Conditions for Construction Contracts (July 2022) which are attached to this solicitation.
- 4. The PROJECT CLASSIFICATION for this solicitation is:** "B" (\$100,000 to \$500,000)
- 5. PLANS AND SPECIFICATIONS:**

ALL BIDDERS are directed to obtain the Contract Documents directly from eMaryland Marketplace Advantage (eMMA). Please go to the "Attachments" section of the solicitation to view, print, and/or download the plans, specifications, any/all addenda, and all other documents available.

NOTE: For the purposes of bidding, all Contract Documents used for bidding, must be printed in the size and resolution advertised.

- 6. ATTACHMENTS:** Bid/Proposal Affidavit, Bid Bond, Minority Business Enterprise (MBE) Forms, Payment of Employee Health Care Expenses Certification, Corporate Diversity Addendum, and Attachment P

ALL forms required to be submitted with the bid must be attached to the eMMA solicitation response form as one attachment. Faxed copies or emails will not be accepted.

NOTE: For this solicitation, the following forms **MUST** be submitted with the bid:

- **Completed Bid Bond Form** (if bid is over \$100,000) – submit in accordance Item 5 in the Instructions to Bidders for Construction Projects.
- **MBE Attachment D-1A** – submit in accordance with Minority Business Enterprise Attachment D – February 5, 2021.
- **Bid/Proposal Affidavit** – submit in accordance with Item 2.B(6) in the Instructions to Bidders for Construction Projects.
- **Payment of Employee Health Care Expenses Certification** – submit in accordance with State Finance & Procurement Article Title 17, Subtitle 8.
- **Corporate Diversity Addendum** – (if bid is over \$1,000,000) submit in accordance with Corporate Diversity Addendum – August 12, 2022.
- **Attachment P** - Prime Contractor List of ALL Subcontractors Anticipated/Used During Contract

If bidders elect to attach forms to eMMA bids, the apparent low bidder will be required to submit the original bid bond within 72 hours of notification from procurement officer.

## **7. MINORITY BUSINESS ENTERPRISE:**

The MBE subcontracting participation goal for this solicitation is: 15%

The MBE participation shall be a percentage of the **TOTAL CONTRACT VALUE**.

If the bidder fails to accurately complete and submit MBE Attachment D-1A with the bid, the procurement officer shall deem the bid non-responsive and reject the bid.

Please refer to the MDOT MBE Directory at <https://marylandmdbe.mdbecert.com/> to determine if a firm is certified with the appropriate North American Industry Classification System (“NAICS”) Code and the product/services description. Only those specific products and/or services for which a firm is certified in the MDOT Directory can be used for purposes of achieving the MBE participation goals.

If, for any reason, the apparent successful bidder is unable to achieve the contract goal for each certified MBE classification specified as having a subcontract goal or the overall MBE contract goal, the bidder will be contacted to document its waiver request as stated in the Minority Business Enterprise Utilization Procedures – February 5, 2021.

Please review all MBE information carefully. Refer to the Minority Business Enterprise Attachment D – February 5, 2021 for further information.

## **8. VETERAN-OWNED SMALL BUSINESS ENTERPRISE:**

The VSBE subcontracting participation goal for this Solicitation is: 0%

The VSBE participation shall be a percentage of the **TOTAL CONTRACT VALUE**.

Confirmation of VSBE Program Certification – eMMA is the exclusive platform to use when verifying that a veteran vendor is certified in the state’s VSBE Program. The “VSBE Certification #” field must be populated and the “VSBE Expiration Date” must be valid.

Please review all VSBE information carefully. Refer to “Attachment E – Veteran-owned Small Business Enterprise” for further information.

## **9. SMALL BUSINESS RESERVE (SBR) PROCUREMENT:**

This solicitation has been designated as “SBR,” an award can only be made to a certified SBR vendor.

SBR Certification can only be completed online through the vendor registration process on the state's eProcurement platform - [eMaryland Marketplace Advantage \(eMMA\)](#) Vendors must register for an eMMA account. After registering in eMMA, vendors may access and complete a SBR application. Vendors attest to meeting the eligibility standards and must re-certify annually. There is no cost to participate in the SBR Program.

Statutes & Regulations

[Md. Code Ann., State Fin. & Proc. Art. §14-501.](#)

[Code of Maryland Regulations 21.11.01.06](#)

## **10. MARYLAND GREEN PURCHASING:**

**The State of Maryland is committed to purchasing environmentally preferable products and services (EPPs).** Maryland’s State Finance & Procurement Article §14-410 defines environmentally preferable purchasing as “the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods or services that serve the same purpose.” Accordingly, Bidders/Offerors are strongly encouraged to offer EPPs to fulfill this contract, to the greatest extent practicable.

**The State of Maryland requires, at a minimum, from the Contractor annual sales data over the life of this contract; the State also reserves the right to request quarterly sales data over the life of this contract.** The report shall include, at a minimum, details about the third-party sustainability certifications and other environmental attributes of products and services sold on this price agreement per the contract specifications. To facilitate consistent reporting on this contract, the Contractor will be provided with a CONTRACTOR GREEN SALES REPORT template from the Green Purchasing Committee (GPC), the Office of State Procurement (OSP) or the Department of General Services (DGS).

Statutes & Regulations

[Code of Maryland Regulations 21.11.07.09](#)

[Plumbing Specification](#)

## Lighting Specification

### **11. ELECTRONIC TRANSACTION FEE:**

- A. For projects with Project Classifications valued at \$5,000,000.00 and below, a Contractor shall pay an electronic transaction fee to the State equal to one percent (1%) of the amount paid to the Contractor by the State for accepted work. The electronic transaction fee shall not be charged directly to the customer, e.g., as a separate line item, fee or surcharge, but shall be included in the price listed in the Contractor's Project Quotation.
- B. Within forty-five (45) days of receiving payment from the State for accepted work, the Contractor shall submit the electronic transaction fee to the Office of State Procurement: Fiscal Services Division, 301 W. Preston Street, Room 1309 Baltimore, MD, 21201.
- C. Failure to remit transaction fees in a timely manner or remittance of fees inconsistent with the Contract's requirements may result in the State exercising all recourse available under the contract including, but not limited to, a third-party analysis of all Contract activity, deeming the Contractor in default of the Contract, and Contract termination.
- D. Prior to the award of a PO Agreement, the Contractor will be asked to confirm in writing that the price included in its Project Quotation includes the one percent (1%) electronic transaction fee.

### **12. COMPLETION TIME AND LIQUIDATED DAMAGES:**

The work shall be completed within 120 calendar days from the start date of the contract. If the work is not completed within the time period specified, the contractor will be liable for liquidated damages of \$350.00 per calendar day as specified in the "General Conditions."

### **13. INSURANCE REQUIREMENT:**

The base bid shall include without limitation, labor, materials, bailing, shoring, removal, overhead, profit, insurance (**including builder's risk insurance, if applicable**) etc.

Builder's Risk Insurance **is NOT required** for this project.

NOTE: Refer to the General Conditions for Construction Projects, 10.01: Insurance Requirements.

### **14. TIME FOR BID ACCEPTANCE:**

Bid prices are irrevocable for a period of 120 days following bid opening. After opening bids, the Procurement Officer may request bidders to extend the time during which the State may accept their bids, provided that, with regard to bids, no other change is permitted.

### **15. QUESTIONS DEADLINE:**

The deadline for questions has been established as **August 8, 2024 @ 2:00 p.m.**, to ensure that there is enough time to allow for the A/E to provide responses and possible Addendum issuance if necessary.

All Questions must be submitted, in writing, to the Procurement Officer.

## **16. EXECUTED CONTRACTS**

The contract awarded to the successful Bidder pursuant to this IFB will be in the form of Attachment A. ALL DGS contracts must have a company seal or notary on the signature page of the contract in order for contracts to be executed.

## **17. PAYMENT OF EMPLOYEE HEALTH CARE EXPENSES CERTIFICATION**

Payment of Employee Health Care Expenses Certification, Under State Finance & Procurement Article Title 17, Subtitle 8, Form MUST be submitted with the bid. Failure to submit the form will deem the bidder as non-responsible and the bid will be rejected under COMAR 21.06.01.01.

## **18. PREVAILING WAGE RATES**

Prevailing wage rates apply to all contracts in the amount of \$250,000 or more. Wage rates applicable to projects of \$250,000 or more are attached to the specifications.