

Addendum #1 for Construction RFB

Project Name: Capitol Complex M2 Mechanical Improvements

DAS RFQ #: 0917335038

DAS Project #: 8915.00 - .03

Date: 06/27/2017

Addendum #1:

1. Bid date has been revised to July 13th, 2017 at 2:00 PM CST
2. Last Day to submit questions has been revised to July 7th, 2017 at 2:00 PM CST
3. Final Addendum to be issued no later than July 11th at 2:00 PM CST
4. Pre-Bid Meeting Minutes (4 pages)
5. Revised Spec Section 000120 – PUBLIC NOTICE (2 pages)
6. Revised Spec Section 001113 – INVITATION TO BID (2 pages)
7. Revised Spec Section 002113 – INSTRUCTIONS TO BIDDERS (12 pages)

Pre-Bid Meeting: June 20th, 2017 at 10:00 AM CDT**Owner/DAS/CM Team Introductions:**

Iowa Department of Administrative Services (DAS) – Jennifer Moehlmann
 Construction Manager – DCI Group – Rob Greiner
 DAS Purchasing Agent – Steve Oberbroeckling
 See attached sign-in sheet

General Project Description/Overview:

The Project consists of replacing the existing Fire Pump Controller servicing the Capitol Building and installing three (3) new exhaust fans that service the Capitol Complex tunnel system.

Base Bid: Replacement of Existing Fire Pump Controller and Replacement of Exhaust Fans
 Alternate #1: Connect Exhaust Fans to Building Automation System

Tour – Lead by DAS and DCI Group at conclusion of meeting.

Bid Package Process:

Overview of Instructions to Bidders – DCI Group

PROPOSALS DUE: Thursday, June 29th, 2017 by 2:00 PM

MAKE SURE IT IS SUBMITTED TO DAS AS THE REQUEST FOR PROPOSALS READS

1. Proposal Process
 - a. All questions after this meeting and prior to 2:00 PM June 23rd, to be submitted to Steve Oberbroeckling at steve.oberbroeckling@iowa.gov. Do not contact DAS, KCL or DCI Group directly for questions.
2. Schedule
 - a. An addendum will be issued via Rapids Reproduction and DAS Procurement with the Pre-Proposal Meeting Minutes no later than June 27th, 2017
 - b. Final addendum will be issued no later than June 27th, 2017 by 2:00 PM CST or no later than 48 hours prior to proposals being due.
 - c. Proposals due June 29th, 2017 by 2:00 PM CST
 - d. Tentatively a NOI will be issued by July 7th, 2017
 - e. Anticipated construction work to take place August 2017 through October 2017 pending accepted alternates.
 - i. A scheduling meeting will be held shortly after execution of contracts to further develop the construction schedule. All prime contractors, subcontractors, and key suppliers shall attend.
 - ii. One week prior to this meeting, contractors shall provide a preliminary schedule of their activities and activities of their subcontractors with durations and sequencing.

Scope of Work:

Dates Revised Per
 Addendum #1

3. Administrative
 - a. This RFB will result in one successful proposal per bid package.
 - b. EADOC project management software
 - c. Pre-construction meetings and submittals.
 - i. Prime contractors shall submit a submittal schedule within five business days of receipt of Owner/Prime Contractor Agreement. See section 007302 for requirements. A template with A/E identified submittals will be provided to contractors.
4. Construction
 - a. All areas shall be clean and put back to existing conditions prior to substantial completion.
 - b. Staging and storage of materials will be limited on-site. Coordinate through DCI Group.
 - c. Contractor shall maintain accurate as-built construction records throughout the project.
 - d. Daily logs/Weekly Report/Safety Meetings and meeting requirements.
 - e. Onsite supervision by Prime Contractor at all times work by that contractor or their subcontractors/suppliers is taking place.
5. Close Out
 - a. Provide complete, clean, and legible copies of the as-built construction records to DCI Group upon completion of work. Electronic and hard copies of all O&M's and as-built drawings to be submitted. Refer to spec. section 017700 for more details.

Capitol Complex Worksite Rules:

1. All personnel will go through a background check before working on-site.
2. Rob Greiner and with DCI Group will be onsite and your main point of contact.
3. Contractors to provide notice to DCI Group for tag out requests.
4. It is of the utmost importance to show respect and courtesy to all residents and staff at all times.
5. Clean all debris, materials, and bring all finishes back to existing conditions in the area they were working in prior to moving to the next area.
6. All work should be fully completed in one area prior to moving to the next or leaving for the day.
7. No smoking or smokeless tobacco use onsite

Open Discussion:

- 1) Sub-contractor and supplier list is required by State Code to be provided 48 hours after bid
- 2) Fire Watch will be provided and paid for by the State. Contractor shall coordinate needs with Construction Manager and the State.
- 3) Bid Package #2 is to furnish and install the VFDs
- 4) Are there any concerns with Asbestos at IWD? DCI Group to review and provide response via addendum
- 5) Fire pump controller will need replaced in one shift. Overtime hours shall be accounted for in bid if necessary.

- 6) Replacement of the fire pump seal shall take place during the same shift as replacement of the fire pump controller to minimize fire watch duration.



Project Name: M2 – Capitol Complex New Mechanical Improvements

Meeting Purpose: Pre-Bid Meeting

Date: June 20th, 2017 at 10:00 AM

Attendees

<u>Initials</u>	<u>Name</u>	<u>Company</u>	<u>Phone Number</u>	<u>E-Mail Address</u>
<i>RG</i>	Rob Greiner	DCI Group	515-650-7777	robg@dcigroupia.com
<i>MS</i>	Michael Steen	DCI Group	515-975-8348	michaels@dcigroupia.com
<i>JM</i>	Jennifer Moehlmann	DAS	515-725-0454	Jennifer.Moehlmann@iowa.gov
<i>DH</i>	David Haines	DAS	515-208-4399	David.Haines@iowa.gov
<i>CB</i>	Chad Bass	KCL Engineering	515-205-1397	cbass@kclengineering.com
	James Deeds	KCL Engineering	515-371-9970	jdeeds@kclengineering.com
<i>MC</i>	MARK COOK	Siemens	515-374-9998	mark.cook@siemens.com
<i>KRH</i>	Ken Horner	WALDINGER	515-323-8710	KHORNER@WALDINGER.COM
<i>CS</i>	Chris Coxell	Climate Solutions Inc	712-792-8959	chris@climatesolutionsinc.net
<i>JH</i>	JOE HAYES	WALDINGER	515-323-5146	JOE.HAYES@WALDINGER.COM
<i>RW</i>	Ryan Wambold	Dahl A/C	515-996-2216	ryan@dahlair.com

PUBLIC NOTICE

M2 New Mechanical Improvements, Des Moines, Iowa
IOWA DEPARTMENT OF ADMINISTRATIVE SERVICES
Request for Bids, RFQ #0917335038

The project consists of Replacing the existing Fire Pump Controller servicing the Capitol Building and Installing three (3) new exhaust fan that service the Capitol Complex tunnel system located in Des Moines, Iowa

Bid Package #1 – Capitol Fire Pump Controller Replacement
Bid Package #2 – Tunnel Exhaust Fan Replacement

Base Bid

1. Replacement of Existing Fire Pump Controller and Replacement of Exhaust Fans

Alternates

1. Alternate #1 – Connect Exhaust Fans to Building Automation System

Target dates: Project Awarded July 2017, Substantial Completion of Base Bid October 2017.

Sealed bids will be received on or before 2:00 PM (Central Time) Thursday, ~~June 29th~~ July 13th, 2017 at the Iowa Department of Administrative Services, GSE-Procurement Services, Hoover State Office Building, Level 3, 1305 E Walnut Street, Des Moines, Iowa 50319-0105. Late bids or faxed bids and bids printed off the DAS internet site will not be considered and shall be returned to the bidder unopened.

Bids less than \$135,000.00 may be e-mailed to steve.oberbroeckling@iowa.gov. Along with all required bid documents. Scanned and e-mailed bids must be legible. Scanned images of checks for bid security will not be accepted for e-mailed bids. For e-mailed bids, the bidder must include a scanned image of a bid bond prepared by a bonding company licensed to transact business in the State of Iowa. Bids over \$135,000.00 will be considered formal bids and must be delivered in hard copy to the purchasing officer listed above before the bid deadline.

A Site Tour/ Pre-Bid Conference will be held Tuesday, June 20th, 2017, at 10:00 AM. Please meet at DAS' Office located at 109 SE 13th Street, Des Moines, Iowa 50319.

Bid security (5% of the bid amount) is required, in the form of a bid bond (preferred) or certified/cashiers check payable to the IA Dept of Administrative Services.

Plans, Specifications, and Bid Forms for the project will be available by June 13th, 2017 at Rapids Reproduction, Inc. at 1980 N.W. 94th St., Clive, Iowa 50325, Ph 515-251-3222. Alternatively, Bid Documents can be viewed online at <http://www.rapidsrepro.com/>. Project Documents will be loaned to qualified bidders upon receipt of either a Master Builders of Iowa non-cash deposit card, or a check for fifty dollars (\$50.00) per set. Deposit checks will be refunded if documents are returned to Rapids Reproduction, Inc. within fourteen (14) days after the bid due date. Checks are to be made out to Rapids Reproductions.

For further information, contact:

Steve Oberbroeckling, Purchasing Agent III
Iowa Department of Administrative Services
GSE- Procurement Services
Hoover Building – 3rd Floor
PH (515) 725-2090
e-mail: steve.oberbroeckling@iowa.gov

8915.00 - .03 DAS Capitol Complex
M2 – New Mechanical Improvements
Des Moines, Iowa

KCL No. 17052
06/02/17

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SECTION 00 1113 – INVITATION TO BID

NOTICE IS HEREBY GIVEN: That sealed bids will be received at the Iowa Department of Administrative Services, GSE-Procurement Services, Hoover State Office Building, Level 3, 1305 E Walnut Street, Des Moines, Iowa 50319-0105, until 2:00 p.m. CST on the ~~29th day June~~, 13th day of July 2017. Bids received after this time will not be accepted. Bids will be publicly opened and read aloud at the above noted time. All bidders are welcome to attend.

The bid is for Multiple Prime Contractor packages to complete the following: Fire Pump Controller Replacement and Removal and New Installation of three (3) Exhaust Fans, etc. per the Contract Documents.

Bid Packages:

Bid Package #1 – Capitol Fire Pump Controller Replacement
Bid Package #2 – Tunnel Exhaust Fan Replacement

Plans and Specifications governing the construction of the proposed work have been prepared by KCL Engineering of Des Moines, IA. Bidding Documents will be available by June 13th, 2017 at Rapids Reproduction, Inc. at 1980 N.W. 94th St., Clive, Iowa 50325, Ph 515-251-3222. Alternatively, Bid Documents can be viewed online at <http://www.rapidsrepro.com/>. Project Documents will be loaned to qualified bidders upon receipt of either a Master Builders of Iowa non-cash deposit card, or a check for fifty dollars (\$50.00) per set. Deposit checks will be refunded if documents are returned to Rapids Reproduction, Inc. within fourteen (14) days after the bid due date. Checks are to be made out to Rapids Reproductions. Bid security in the amount of 5% of the total bid must accompany each Bid in accordance with the Instruction to Bidders. The successful bidder shall be required to furnish a Performance Bond and a Payment Bond, each in an amount equal to the Bid, guaranteeing faithful performance of the Contract. No bidder may withdraw its bid for a period of thirty [30] business days after the date and hour set for opening of bids.

The award of the contract may be made by the State Design & Construction Resources Bureau to any responsive, responsible bidder or bidders offering suitable supplies, equipment and/or service at the lowest price taking into consideration the quality of material or service in the best interest of the State of Iowa Design & Construction Resources Bureau. The right is reserved to reject any and all bids, or any part thereof, and to waive informalities, and to enter into such contract as shall be deemed in the best interest of the State of Iowa Design & Construction Resources Bureau.

END OF SECTION 00 1113

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SECTION 00 2113 – INSTRUCTIONS TO BIDDERS

1. GENERAL

- A. PROJECT DESCRIPTION:
The Project consists of replacement of the Capitol Building Fire Pump Controller and the replacement of three (3) Exhaust Fans that serve the Capitol Complex tunnel systems per the contract documents in Des Moines, Iowa.
- B. OWNER:
State of Iowa
Department of Administrative Services
Hoover State Office Building, Level 3
1305 East Walnut Street
Des Moines, IA 50319
- C. STATE AGENCY REPRESENTATIVES CONTACT:
Owner Representative
Jennifer Moehlmann
State Design & Construction Resources Bureau
109 SE 13th Street
Des Moines, IA 50319
Phone: 515-725-0454
email: jennifer.moehlmann@iowa.gov
- D. CONSTRUCTION MANAGER CONTACT:
DCI Group
Michael Steen
Project Manager
1925 High Street
Des Moines, IA 50309
Phone: 515-975-8348
email: MichaelS@dcigroupia.com
- E. ENGINEER CONTACT
KCL Engineering
Chad Bass
Mechanical Engineer
218 1/2 5th Street
West Des Moines, IA 50265
Phone: 515-724-7938
email: cbass@opnarchitects.com

2. PROPOSAL FORM AND SUBMISSION

- A. A properly prepared and submitted bid document is the bidder's responsibility. Bids are to be made in accordance with these Instructions to Bidders and items included on the Bid Form. Failure to comply may be cause for rejection.
- B. The Bid is to consist of the "Bid Form" (required) or exact copy of the form, together with the other documents specified below to be submitted with the Bid, in which copies are included with these Bidding Documents.

The total bid package submitted is to include the following documents (properly completed) and submitted in properly labeled envelopes:

A **SEALED BID** envelope (a regular envelope furnished by the Bidder) identified with the name and address of the company submitting the bid, the project name, sealed bid number, due date and time for bids' receipt, and clearly labeled **SEALED BID** containing:

- Bid Form (blank form included in Project Manual) is required
- Non-discrimination Clause form (blank form included in Project Manual)
- Targeted Small Business Pre-Bid Contact form (blank form included in Project Manual).
- Bid Security (documentation provided by Bidder) is required

Bids less than \$135,000.00 may be e-mailed to steve.oberbroeckling@iowa.gov. Along with all required bid documents. Scanned and e-mailed bids must be legible. Scanned images of checks for bid security will not be accepted for e-mailed bids. For e-mailed bids, the bidder must include a scanned image of a bid bond prepared by a bonding company licensed to transact business in the State of Iowa. Bids over \$135,000.00 will be considered formal bids and must be delivered in hard copy to the purchasing officer listed above before the bid deadline.

- C. All blank spaces on each document are to be completed, in ink or typewritten, unless the blank has otherwise been noted by Owner as "Not Applicable to this Project." Erasures or corrections shall be initialed by the person signing the bid. Where requested, amounts shall be stated in both words and figures. If words and figures do not agree, the amount written in words shall be considered correct.
- D. Include the amount for performing all work described in the drawings and specifications for Base Bid and for each Alternate Bid requested.
- E. Acknowledge receipt of all Addenda issued, where so indicated on the Bid Form.
- F. The Bid Form and other required documents are to be signed, where so indicated, by an officer of the company having authority to bind the company in a contract. The name of the person signing the bid and his/her title shall be typed or printed below the signature.
- G. Commencement of the work of the contract shall begin with the Contractor's receipt of a fully executed contract (signed by both parties).
- H. The Owner reserves the right to award a contract for Base Bid only, or for Base Bid in combination with any, or all, identified Alternate Bids.
- I. The company's Federal I.D. Number and the Iowa Contractors Registration Number shall be included in the Bid Form.
- J. Unless indicating otherwise, the Bid shall be for a single responsibility contract for all work as indicated on the Drawings and specified in the Project Manual, and shall be a lump sum amount. All requested Alternate Bids are to be bid. Failure to do so may result in disqualification of your bid. If no change in the Base Bid amount is required with respect to consideration of a particular Alternate Bid, enter "No Change" in the blank for that Alternate Bid.

- K Where so requested, provide Unit Prices for the designated types of work and in the units specified, in which the Unit Prices would be used as adjustments to the quantities described in the Bidding Documents as the basis for the Base Bid and any Alternate Bid work. A Unit Price would be applicable in the event the Owner should request additional work of that type beyond the extent and quantity that has been established as the scope of the work by graphic delineation and notations on the Drawings, or by otherwise stipulating in the Bidding Documents a numerical quantity of the work, for the Bidder's use in determining the lump sum bid amount for the Base Bid and any requested Alternate Bid containing such work. The Unit Prices shall also be used to adjust the Contract Amount for actual quantities of work involved when the work subject to Unit Price adjustment differs by being less in quantity than that contemplated by the Bidding Documents' original scope of work for the respective Base Bid or Alternate Bid.
- L. A Completed State of Iowa Nondiscrimination Clause form and Subcontractor Targeted Small Business Enterprise Pre-Bid Contact Information form, included in these Bidding Documents, are to accompany the Bid. Bidders shall comply with all affirmative action/equal opportunity provisions of State and Federal laws. The Owner seeks to provide opportunities for Targeted Small Businesses in accordance with the provisions of Chapter 73 of the Code of Iowa.
- M. The completed Bid Form, and above referenced documents, to be placed in the Sealed Bid envelope included with these Bidding Documents. Any required Bid Security shall be provided, in the form and amount specified elsewhere in these Instructions to Bidders, at the time of submission of the Bid. When a site visit is mandatory as specified elsewhere in these Instructions to Bidders, and a Certificate of Site Visit is required to be submitted with the Bid as evidence of such visit having occurred for purposes of observing the conditions of the site and the work proposed therein, the Certificate shall be enclosed in the Sealed Bid envelope containing the Bid Form, Bid Security and other documents.

3. TAXES

- A. In accordance with Section 423 of the Code of Iowa and 701-19 of the Iowa Administrative Rules, Iowa Construction Sales Tax Exemption Certificates for his project will be issued. **Do not include Iowa sales tax or use tax, or any local option sales tax, on construction materials in determining your bid prices.** The successful Contractor will be required to notify the Department of Administrative Services project manager of all Subcontractors within 48 hours of the determination of the apparent low bidder and receipt of the "Notification of Intent to Award a Contract" for the project's construction. Information on the Contractor and each Subcontractor shall include the firms' name, address, contact person, federal tax identification number, and the Iowa contractor registration number. For the Contractor and each Subcontractor, designate the type of trade or category of work that is to be provided on the project. The project manager for the Department of Administrative Services must be informed when any Subcontractor is added to the project. Following receipt of the information, the project manager for the Department of Administrative Services will arrange to have an authorization letter and certificate issued on behalf of the Contractor and each Subcontractor and will forward the documents to the Contractor for distribution and use by each in purchasing construction materials for this project. Certificates issued for this project shall be used for tax-exempt purchasing construction materials for this project only.

4. ALTERNATE BIDS

- A. Bidders are to bid all Alternates requested on the Bid Form. Alternates quoted will be reviewed and accepted or rejected at the option of the Department of Administrative

Services. Accepted Alternates will be identified in the Owner-Contractor agreement. Indicate the price on the Bid Form for alternates as shown on the Drawings and specified in the Project Manual, and identify in the correct location on the Bid Form.

5. DRAWINGS

All drawing sheets bearing the project name: Iowa Capitol Complex – M2 Improvements

6. PROJECT MANUAL

All project manual sheets bearing the project name: Capitol Complex – M2 Upgrades Improvements Project

7. BID SECURITY

A. Each Bid shall be accompanied by Bid Security.

The Bid Security shall be in the form of a Certified check, Cashier's check or a Bid Bond in an amount not less than five percent (5%) of the maximum value of the Bid, including any additive Alternates. **NOTE:** Checks other than Certified Checks and Cashier's checks will not be accepted. Bonds shall be issued by a bonding company licensed to transact business in the State of Iowa, and may be submitted on CONSENSUSDOCS 262, "Bid Bond." The Attorney in Fact who signs the Bond shall file with the Bond a certified and effectively dated copy of their Power of Attorney. The Bid Security shall be made payable to the Iowa Department of Administrative Services, and shall accompany the Bid. The Bid Security shall serve as a guarantee that a Bidder who is offered a contract will enter into an Agreement with the State of Iowa and will file an approved surety company's Performance Bond and Payment Bond and the Insurance Certificates as evidence of the required Insurance within ten days of execution of the Contract for construction of this Project, but not later than the start of construction in any event. Upon failure to comply, the Bid Security shall be forfeited as liquidated damages. The governmental entity shall retain the bid security furnished by the successful bidder until the approved contract form has been fully executed, a bond has been filed by the bidder guaranteeing the performance of the contract, and the contract and bond have been approved by the governmental entity. The provisions of chapter 573, where applicable, apply to contracts awarded under this chapter. The governmental entity shall promptly return the checks or bidder's bonds of unsuccessful bidders to the bidders once the Notice of Intent to Award is issued.

8. DUE DATE AND TIME FOR RECEIPT OF BIDS

A. Properly completed Bids shall be received at the place, and not later than the time, specified below for receipt of Bids, or any extension thereof made by Addendum issued subsequent to issuing the Bidding Documents. Oral or telephonic Bids are invalid, and will not receive consideration. The Bidder shall assume full responsibility for the timely delivery and receipt of the Bid by the Procurement Division of the Department of Administrative Services at the location herein specified. Late bids will not be accepted, and will be returned unopened to the Bidder.

Sealed Bids will be received at the time and location as follows:

On or before 2:00 p.m. Central Time, ~~June 29th~~ July 13th, 2017
State of Iowa, Department of Administrative Services

Procurement Services
Hoover State Office Building, Level 3
1305 East Walnut Street
Des Moines, Iowa 50319-0105
Attention: Steve Oberbroeckling, Purchasing Agent III

9. COMMENCEMENT AND COMPLETION DATES

- A. Commencement of the Work of the Contract shall be the day of receipt by the selected Contractor of the fully-executed contract. Final completion of the Work of the contract shall be stated as a part of the Contractor's proposal.

10. SITE VISIT

- A. Bidders are urged and expected to inspect the site where the work will be performed. Please contact the Construction Manager listed within these documents to arrange a site visit.

10. PRE-BID CONFERENCE

- A. Site Tour/Pre-Bid Conference will be held Tuesday, June 20th, 2017, at 10:00 AM. Please meet at DAS' Office located at DAS' Office located at 109 SE 13th Street, Des Moines, Iowa 50319.

12. QUESTIONS

- A. Questions should be submitted, in writing, no later than ~~June 23rd~~ July 7th, 2017 by 2:00 PM CST, to Randall Stapp with Iowa Department of Administrative Services as previously indicated in these Instructions to Bidders.

13. ADDENDA AND INTERPRETATIONS OF THE CONTRACT DOCUMENTS

- A. Any person contemplating submitting a proposal for the proposed Contract, who is in doubt as to the true meaning of any part of the Bidding Documents, shall submit a written request for an interpretation thereof. The person submitting a request will be responsible for its prompt delivery. Every request for such interpretation should reference the Sealed Bid Number specified in the Bidding Documents, and shall be made in writing (email preferred). Questions shall be submitted to Randall Stapp with Iowa Department of Administrative Services as previously indicated in these Instructions to Bidders. To be given consideration, requests shall be received by ~~June 23rd~~ July 7th, 2017 at 2:00 PM CST. Replies, which revise or correct the Bidding Documents, or provide necessary clarifications, will be issued in the form of a written Addendum to the Bidding Documents. Interpretations, corrections or changes of the Bidding Documents made in any other manner will not be binding, and Bidders shall not rely upon such interpretations, corrections, or changes. The Bidder is to include any resultant cost changes in the Bid Sum. Addenda will be posted electronically at the respective bid site where the bid is initially posted. Acknowledgment by the Bidder of each issued Addendum shall be noted on the Bidder's proposal, in the location so indicated on the Bid Form. All Addenda issued shall become part of the Contract Documents.

14. SUBSTITUTIONS

- A. Where the Bidding Documents stipulate a specific product be provided by naming one or more manufacturer and model, and include a statement such as “or equal”, “equal to”, “equivalent to”, or “basis of design”, a substitute product will be considered when written request is received by ~~June 23rd~~ July 7th, 2017 at 2:00 PM CST. The written request shall be on the “Request for Substitution” form included in the Project Manual. If no such form is included, the request shall be provided on the letterhead of the company making the request.
Note: Subsequently, substitutions will be viewed in the context of a Change Order to the Contract, and consideration will only be given in the event a product becomes unavailable or not practical due to no fault of the Contractor, or the substitution is substantially to the Owner’s advantage (equal product for less cost or higher quality product at no change in Contract Sum). Use Document Section 00 4325 – Substitution Request Form for proposal of substitutions to be considered as a Change Order to the Contract.
- B. Document each substitution request with complete data substantiating compliance of the proposed substitution with the Bidding Documents. Each request shall identify the specified product for which the substitution is requested, and shall clearly describe the product for which approval is requested. The burden shall be on the requester to demonstrate the proposed substitute product’s suitability for use in the Work and its equivalency or superiority in function, appearance, quality, and performance with the product named in the Bidding Documents.
- C. A description of any changes to the Bidding Documents that the proposed substitution will require shall be included with the request. The requester shall affirm that dimensions shown on the Drawings will not be affected by the substitute product, and that it will have no adverse affect on other trades, the construction schedule, or specified warranty requirements. The request for use of a substitute product shall be signed by an authorized representative of the firm submitting the request, who shall state that the firm will pay for any changes to the building design, including Design Professional’s design, detailing, and construction cost caused by the requested substitution if the substitution is approved for use in the Work.
- D. All such substitute products approved for use in the Work during the established period of time before receipt of Bids will be identified in a subsequent Addendum to the Bidding Documents.

15. OBLIGATION OF BIDDER

- A. It shall be the responsibility of each Bidder contemplating the submission of a Bid for the proposed Contract to fully acquaint himself/herself with conditions at the work site, project requirements, and to become acquainted thoroughly with the work, and all conditions that may be related to it. No considerations or revision in the contract price or scope of the project will be considered by the Owner for any item, which could have been revealed by a thorough on-site inspection and examination.
- B. By submission of a Bid, it shall be understood that the Bidder assures that he/she has reviewed and is thoroughly familiar with the project requirements, contract conditions and supplementary conditions, the drawings, specifications, addenda, and that the bidder is aware of the conditions existing at the site that may relate to the work of this project. Failure of any Bidder to examine any form, document, or other instrument shall in no way relieve the Bidder from any obligation in respect to his/her Bid.

16. PUBLIC RECORDS AND REQUESTS FOR CONFIDENTIAL TREATMENT

- A. The Agency's release of public records is governed by Iowa Code chapter 22. Contractors are encouraged to familiarize themselves with Chapter 22 before submitting a Proposal. The Agency will copy and produce public records upon request as required to comply with Chapter 22 and will treat all information submitted by a Contractor as non-confidential records unless Contractor requests specific parts of the Proposal be treated as confidential at the time of the submission as set forth herein AND the information is confidential under Iowa or other applicable law.
- B. A Contractor requesting confidential treatment of specific information must: (1) fully complete form 22(Available at <https://das.iowa.gov/sites/default/files/procurement/pdf/Form%2022-ConfidentialityRequest-RFB.pdf>), (2) identify the request in the transmittal letter with the Contractor's Proposal, (3) conspicuously mark the outside of its Proposal as containing confidential information, (4) mark each page upon which confidential information appears, and (5) submit a "Public Copy" from which the confidential information has been excised.
- C. Form 22 will not be considered fully complete unless, for each confidentiality request, the Contractor: (1) enumerates the specific grounds in Iowa Code chapter 22 or other applicable law that supports treatment of the material as confidential, (2) justifies why the material should be maintained in confidence, (3) explains why disclosure of the material would not be in the best interest of the public, and (4) sets forth the name, address, telephone, and e-mail for the person authorized by Contractor to respond to inquiries by the Agency concerning the confidential status of such material.
- D. The Public Copy from which confidential information has been excised is in addition to the number of copies requested in Section 3 of this RFP. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Proposal as possible.
- E. Failure to request information be treated as confidential as specified herein shall relieve Agency and State personnel from any responsibility for maintaining the information in confidence. Contractors may not request confidential treatment with respect to pricing information and transmittal letters. A contractor's request for confidentiality that does not comply with this section or a contractor's request for confidentiality on information or material that cannot be held in confidence as set forth herein are grounds for rejecting contractor's Proposal as non-responsive. Requests to maintain an entire Proposal as confidential will be rejected as non-responsive.
- F. If Agency receives a request for information that Contractor has marked as confidential and if a judicial or administrative proceeding is initiated to compel the release of such material, Contractor shall, at its sole expense, appear in such action and defend its request for confidentiality. If Contractor fails to do so, Agency may release the information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction. Additionally, if Contractor fails to comply with the request process set forth herein, if Contractor's request for confidentiality is unreasonable, or if Contractor rescinds its request for confidential treatment, Agency may release such information or material with or without providing advance notice to Contractor and with or without affording Contractor the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

17. WITHDRAWAL OF BID

- A. A Bid may be modified or withdrawn only before the time and date for receipt of Bids. Said request for modification or withdrawal of formal sealed bid must be made in writing and delivered to the previously designated Purchasing Agent for the Department of Administrative Services in a sealed envelope, properly identifying the bid that is to be modified. A Bid shall remain valid for consideration by the Owner for the following period(s) of time after the date specified for receipt of Bids, or until such time following that period that the apparent low bidder requests in writing that the Bid be withdrawn, after which the Bid may be withdrawn without forfeiture of any required Bid Security. The Base Bid shall be valid for not less than thirty (30) days after the date Bids are specified to be due. With the approval of the Department of Administrative Services, a bid may be withdrawn after opening, but only if the bidder provides prompt written notification that adequately documents the commission of an honest error that may cause undue financial loss.

17. BID CLOSING

- A. Bids received prior to the time of opening will be securely kept, unopened. The Purchasing Agent for the Department of Administrative Services designated to receive Bids will determine when the specified time has arrived. No bid received thereafter will be considered.

18. BASIS OF BIDS

- A. The Bidder shall include all additional documents or appendices that are requested to be submitted concurrent with the Bid Form; failure to comply may be cause for rejection.
- B. In accordance with Iowa law, Section 8A.311: **A bidder, to be considered for an award of a state construction contract, shall disclose to the state agency awarding the contract the names of all subcontractors and suppliers who will work on the project being bid, within forty-eight (48) hours after the published date and time by which bids must be submitted. A bidder shall not replace a subcontractor or supplier disclosed without the approval of the state agency awarding the contract. A bidder, prior to an award or who is awarded a state construction contract, shall disclose all of the following, as applicable:**
If a subcontractor or supplier disclosed (under the preceding) by a bidder is replaced, the reason for replacement and the name of the new subcontractor or supplier;
if the cost of work to be done by a subcontractor or supplier is changed or if the replacement of a subcontractor or supplier results in a change in the cost, the amount of the change in cost.
Any reduction in subcontractor or supplier price as a result of the change, if the change is approved by the Owner, shall be deducted from the Trade Contract via a deductive Change Order. Any such changes, if approved by the Owner, which result in an increase in the Trade Contract Price shall be borne by the Trade Contractor.
- C. The Bidder is specifically advised that any person, firm or other party to whom it is proposed to award a subcontract under this contract must:
- Be registered in the State of Iowa and have an Iowa Contractor's Registration number, and
 - Be acceptable to the Owner.

19. INFORMALITIES/ REJECTION OF BIDS

- A. The Iowa Department of Administrative Services reserves the right to waive any irregularities or informalities and to enter into a Contract with a Bidder, or to reject any or all bids as it deems to be in the best interest of the State, without penalty.

20. CONSIDERATION OF BIDS

- A. It is the intent of the Department of Administrative Services to award a Contract to the lowest responsible Bidder, provided the Bid has been submitted in accordance with the requirements of the Bidding Documents and is determined to be compliant with all Bidding Requirements, and does not exceed the funds available for construction.
- B. Bidder is to bid on each Alternate Bid requested. Failure to do so may result in disqualification of the bid. The Department of Administrative Services reserves the right to accept any, or no, Alternate Bid. Alternate Bids may be considered in any order or combination, and the low successful Bidder will be determined on the basis of the sum of the Base Bid and the Alternate(s) accepted at the time of the Contract award.
- C. In evaluating Bids, any proposal offered by a Bidder for an alternate design, or for materials other than those shown or specified for the Base Bid or for Alternate Bid construction under the proposed Construction Documents or called for by any issued Addenda to those Construction Documents, will not be considered in determining the low successful Bidder. However, the Department of Administrative Services reserves the right to consider any such Bidder-proposed (Contractor's Alternate) alternate designs or materials with the low successful Bidder, after the low successful Bidder is determined in the manner described above (A and B).

21. PREFERENCE

- A. By virtue of statutory authority, a preference shall be given to Iowa domestic labor, products produced and provisions grown within the state of Iowa, in accordance with the provisions of Chapter 73, Code of Iowa and any amendments thereto.
- B. **Enforcement of reciprocal resident bidder preference and resident labor force preference codified at Iowa Code Section 73A.21.**
NOTICE: Failure on the part of the bidder to carefully read the following paragraphs and to provide the information requested below may make the bidder's bid materially nonresponsive and therefore ineligible for contract award. Violations of Iowa Code Section 73A.21 may, among other things, result in civil penalties assessed by the Commissioner of the Division of Labor of Iowa Workforce Development. The bidder should seek out the advice of an attorney if he or she has questions about Iowa Code Section 73A.21.
As a part of the competitive procurement of contracts for Public Improvements that must be awarded to the low bidder (if the bid is responsive and the bidder is deemed responsible), Public Bodies shall allow a preference to Resident Bidders if a Nonresident Bidder places a bid for the contract for the Public Improvement and that Nonresident Bidder's state or foreign country gives resident bidders of that state or foreign country a preference (including a labor force preference or any type of preferential treatment). The preference allowed, or reciprocally applied, shall be equal to the preference given or required by the state or foreign country in which the Nonresident Bidder is a resident bidder.
"Public Body" means the State of Iowa (and its agencies) and any of its political subdivisions, including school districts, public utilities, and the state board of regents.
"Public Improvement" means a building or other construction work to be paid for in whole or in part by the use of funds of the State of Iowa, its agencies, and any of its political subdivisions and includes road construction, reconstruction, and maintenance projects.

"Resident Bidder" means a person or entity authorized to transact business in of the State of Iowa and having a place of business for transacting business within the State of Iowa at which it is conducting and has conducted business for at least three years prior to the date of the first advertisement for the public improvement. Note, however, that if a nonresident bidder's state or foreign country has a more stringent definition of a resident bidder, the more stringent definition is applicable as to bidders from that state or foreign country. "Nonresident Bidder" means a person or entity who does not meet the definition of a resident bidder.

- C. Nonresident bidders shall be required to certify on the Bid Form, where so indicated, the state or foreign country in which the firm is a resident, and if that state or foreign country uses a percentage for in-state bidders and the amount of the preference.
- D. If it is determined that this may cause denial of federal funds which would otherwise be available, or would otherwise be inconsistent with requirements of federal law, this section shall be suspended, but only to the extent necessary to prevent denial of the funds or to eliminate the inconsistency with federal requirements.

22. QUALIFICATIONS

- A. The Owner may make such investigations as he or she deems necessary to determine the ability of the Bidder to perform the required work, and the Bidder shall furnish to the Owner all such information and data for this purpose, including completion of a "Contractor's Qualification Statement", as the Owner may request. The Owner reserves the right to reject any Bid if the evidence submitted by, or in investigation of, such Bidder fails to satisfy the Owner that the Bidder is properly qualified to carry-out the obligations of the Contract and to complete the Work contemplated therein.
- B. Bidders shall be registered as a Construction Contractor with the Labor Commissioner, Iowa Workforce Development Department, as required by Chapter 91C of the Code of Iowa. Bidder's Iowa Contractor Registration Number shall be included in the location provided in the Bid Form.
- C. Non-resident corporations submitting bids must be in compliance with Section 490.1501 of the Code of Iowa and legally authorized thereby to carry-on such business in the State of Iowa as is required by the Contract Documents.
- D. An out-of-state Bidder, if awarded a contract, will be required to submit evidence of authorization to do business in the State of Iowa.

23. INSURANCE

Insurance Requirements – Reference Consensus Docs. Samples Contract which is included in the package.

24. FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR

The Agreement for the Work will be written on CONSENSUSDOCS 802 Form of Agreement between Owner and Contractor (sample of the document with modifications incorporated is bound in this Project Manual). Copies of these CONSENSUSDOCS for the Contract for the IVH-Guard House, are available for examination at the State of Iowa, Department of Administrative Services – Purchasing, if not bound in this Project Manual.

25. EXECUTION OF CONTRACT

- A. Contract documents shall mean and include the following:
- Contract: CONSENSUS DOCS 802
 - Performance and Payment Bonds.
 - Project Manual.
 - Drawings
 - Numbered Addenda issued after initial publication of Bid Documents.
 - Numbered Modifications (Change Orders and Supplemental Instructions or Instructions to Contractor) issued after Contract is signed.

26. LAWS AND REGULATIONS

- A. The Bidder's attention is directed to the fact that all applicable laws and regulations of Federal and State agencies having jurisdiction over the construction of this project shall apply to any contract resulting from this proposal, and it shall be deemed that those rules and regulations are made a part of such contract the same as if set forth in their entirety therein. By submitting a Bid, the Bidder confirms that he/she is familiar with and understands the Contractor's responsibility under all Federal and State of Iowa laws and regulations with respect to the Work described by the proposed Contract Documents.

27. CONDITIONS OF THE WORK

- A. Each bidder must fully inform his/her-self of the conditions under which the work is to be performed at the site of the work, the obstacles which may be encountered, and all other relevant matters concerning the work to be performed. Failure to do so will not relieve a successful bidder of the obligation to furnish all material and labor necessary to carry out the provisions of the contract. When a site visit is required by provisions located elsewhere in these Instructions to Bidders, as a site tour in conjunction with a mandatory Pre-Bid Conference, it shall be the Bidder's responsibility to fulfill this obligation as a condition of bidding the Work described in the Bidding Documents.
- B. No allowance will be made for any additional compensation by reason of any matter or condition with which the bidder might have fully informed his/her self, but failed to do so prior to bidding. Insofar as possible, the Contractor and all subcontractors shall employ such methods or means in carrying out the work so as not to cause any interruption of, or interference with, the work of any other subcontractor or trade.

28. RULES FOR CONSTRUCTION WORKERS

- A. The staff of the State of Iowa has a responsibility to protect the public by providing a secure environment. All work site rules must be followed to the letter, at all times.
- B. You are permitted access only to the work site and no other area of the institution.
- C. No drugs, alcohol, or firearms are allowed on the work site.
- D. Personal vehicles are to be parked and locked in designated or authorized area of the work.
- E. Never leave keys in any vehicle. If a security officer finds keys in a vehicle, they are under orders to turn them in to a security supervisor.
- F. Do not leave money, drugs, alcohol, or firearms in your personal vehicle.

- G. Secure all tools at the end of each day. If security officers find loose tools, they are under orders to turn them in to their supervisor.
- H. All delivery vehicles must go directly to the job site. Extra time should be anticipated for all deliveries. Provide 24-hour notice to the facility of deliveries.
- I. During an emergency, follow the instructions of the security staff.
- J. New employees will be required to attend DCI Groups on-site orientation.

29. SUBCONTRACTS

- A. The Contractor shall be responsible for notifying all subcontractors and suppliers and informing them that they are bound in each case by all applicable provisions of the bidding information and those of the proposed Form of Agreements as defined in the Contract Documents.

END OF SECTION 00 2113