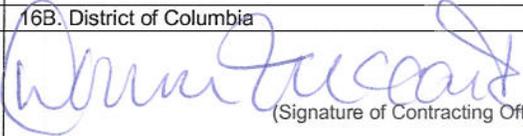


<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. Contract Number		Page of Pages	
						1	1
2. Amendment/Modification Number		3. Effective Date		4. Requisition/Purchase Request No.		5. Solicitation Caption	
DCAM-2009-B-0003/A0004		March 5, 2009		RQ531930		Citywide Security Services	
6. Issued by:			Code	07YH		7. Administered by (If other than line 6)	
The Office of Contracting and Procurement 441 4 <sup>th</sup> Street, NW Suite 700 South Washington, DC 20001 (202) 727-0252							
8. Name and Address of Contractor (No. street, city, county, state and zip code)				9A. Amendment of Solicitation DCAM-2009-B-0003			
				X			
				9B. Dated (See Item 11) January 30, 2009			
				10A. Modification of Contractor/Order No.			
				10B. Dated (See Item 13)			
Code		Facility					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input checked="" type="checkbox"/> is extended. <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copy of the amendment: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) BY separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting and Appropriation Data (If Required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTORS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14							
A. This change order is issued pursuant to (Specify Authority): The changes set forth in Item 14 are made in the contract/order no. in item 10A.							
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation data etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2 ( c ) and 3603.4.							
C. This supplemental agreement is entered into pursuant to authority of:							
D. Other (Specify type of modification and authority): pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2							
<b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not <input checked="" type="checkbox"/> is required to sign this document and return <u>  1  </u> copy to the issuing office.							
14. Description of Amendment/Modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)							
A. The date for submission of Bids is changed from March 20, 2009 to March 27, 2009.							
B. Attachment A to this document provides responses to questions submitted by potential bidders.							
C. Attachment B, J.1.1 provides locations: Sectors 1 through 3.							
D. Solicitation DCAM-2009-B-0003 is hereby amended as follows:							
1. Delete page 26 and insert the revised page 26 (Attachment C) to correct Section C.13.6.							
2. Delete page 30 and insert the revised page 30 (Attachment D) to correct item #14 in the table.							
3. Delete page 35 Section G (Attachment E) and insert the revised, page 35 Section G to correct the name of the Contracting Officer.							
4. Delete from Section L in its entirety and insert the revised Section L (Attachment F).							
15A. Name and Title of Signer (Type or print)				16A. Name of Contracting Officer			
				Donna T. McCarthy, CPPB, CPPO, CPM, PHD Contracting Officer			
15B. Name of Contractor		15C. Date Signed		16B. District of Columbia		16C. Date Signed	
(Signature)				 (Signature of Contracting Officer)		3/6/09	

ATTACHMENT A

RESPONSES TO QUESTIONS SUBMITTED BY POTENTIAL BIDDERS

**SOLICITATION DCAM-2009-B-0003 – CITYWIDE SECURITY SERVICES**

**QUESTIONS SUBMITTED BY POTENTIAL BIDDERS**

**AND**

**RESPONSES PROVIDED BY THE DISTRICT**

- Q1 How will the transition period be handled?
- A1 The new Contractor shall assign personnel at the District's Protective Services Division designated facilities in a manner that will allow for a smooth transition from Hawk One Security, Inc. to the new Contractor. The requirements for transition services are outlined in C.3.1 of the solicitation.
- Q2 What cost can be included in the transition services?
- A2 The Contractor may include any new equipment needed for start up, office space for the transition period, any start up training required and in other indirect or direct cost required for the transition period. However, the contractor will have to provide a total cost and breakdown of any costs represented for the transition period including hourly rate. Any guard services would be the same hourly rate to be paid during the regular contract period after the transition.
- Q3 Are the incumbent Guards in place for the 30 day transition period?
- A3 The incumbent guards will be replaced on a one for one basis, by facility, on a schedule established by PSD.
- Q4 Section L.17.1 states that all positions are considered key personnel and the names, resumes, and reporting relationships of key personnel shall be provided with the bid. Is that correct?
- A4 Sections L.17.1 and L.17.2 are revised as follows:
- L.17 Key Personnel
- L.17.1 The District considers the following positions to be key personnel for this contract: Security Guard (Unarmed), Commissioned Special Police Officer (Unarmed), Commission Special Police Officer (Armed), Relief Guards (Armed). These positions are considered post positions.
- L.17.2 The District considers non-post key positions to include any management or supervisory position key personnel that will have day to day involvement under the contract. Bidders shall provide resumes for all non-post key personnel including the hours that each will provide under the proposed contract. The information shall be submitted along with the Bid on March 27, 2009 at 10:00 a.m. in total and broken down by task.
- Q5 There are District site addresses on the two pages "Location Section 1" listing in the bid document. Can a company bid for just one or two or more of the sites or does a company have to bid on all sites or nothing?

- A5 A company must bid on all of the sites within the each Aggregate Group. There are three Aggregate Groups located in Schedule B – Pricing beginning on page 3 of the solicitation.
- Q6 Are there any additional locations other than Sector 1?
- A6 All Sectors and locations currently available are listed in the solicitation. When printing Attachment J.1.1 to the solicitation, the potential bidder must print the whole document. All three (3) sectors are represented in the excel attachment but you must prompt your print screen to print the **entire work book**.
- Q7 Please furnish the names and addresses of all eligible security companies for the solicitation, per your record.
- A7 The information can be obtain through request from the District of Columbia Department of Small, Local and Business Development at (202) 727-3900.
- Q8 Can two or more security companies present a joint bid, one as a principal bidder and the other as subcontractor(s) or how?
- A8 No, The principal bidder shall submit the bid, accounting for any associated subcontracting costs, as with any other overhead expenses. Please review the revised Section M of the solicitation issued with Amendment 0003.
- Q9 Can you approve or facilitate and advise the procedure for a private walk through by a company representative(s) to any of the sites within the next few days?
- A9 The District will not schedule a walk through for potential bidders. However, all facilities under the proposed contract are opened to the general public with proper identification. Potential bidders will be allowed only in the general public areas of the facilities.
- Q10 Does the percentage requirement for LSBDE as mandated in construction requirements apply to the solicitation or can the contractor(s) be SDBE?
- A10 The revised Section M in Amendment 0003 outlines the percentage requirements for the proposed contract.
- Q11 If a CBE defaults as a subcontractor, how does this affect the prime contractor?
- A11 If a CBE defaults as a subcontractor, the Prime Contractor is still responsible for fulfilling the contract requirements and for meeting 35% subcontracting requirement. The Prime Contractor shall be required to:
- a. Notify Office of Contracting and Procurement (OCP) and the Department of Small, Local, Business Development (DSLBD) of the situation;
  - b. Secure another CBE firm to complete the work; and
  - c. Enter into a new CBE subcontracting agreement with DSLBD.

The above applies to situations where the Prime may also be a CBE.

Q12 Section B.2, Contract Type (page 2 of the solicitation) states that the District contemplates awarded of multiple requirements type contract. What is a requirements type contract?

A12 In accordance with 27 District of Columbia Municipal Regulations (DCMR), a Requirements Contract provides for the filling of all actual purchase requirements of designated District agencies for specific supplies or services during a specified contract period, with deliveries to be scheduled by placing orders with the Contractor as required.

For this solicitation, The District contemplates award of multiple requirements type contracts with fixed labor hours and a firm fixed-price only for the based period of the contract for transition services. A Requirements Contract as defined for this solicitation means that the District will purchase its requirements of the articles or services included herein from the Contractor(s) for properties managed by the District of Columbia's Office of Property Management, Protective Services Division.

Q13 Define a Sector and an Aggregate Group?

A13 Per Section L.1.3, the terms are synonymous for the three (3) groupings of locations where services are required. A Sector comprises the number of locations for which security services will be provided and an Aggregate Group are the number of Security Guards, Commissioned Special Police Officer – unarmed and armed that will be assigned to a Sector.

Q14 Please provide the type of facilities/post or their specific names such as Mental Health Visitor's entrance, etc.

A14 This information can be found on Attachment J.1.1 of the solicitation.

Q15 Section B.5.1, IFB Open Market Solicitations (Supplies & Services, page 9 of 71) states that "If a bidder intends to subcontract under the solicitation, it must subcontract at least 35% of the dollar volume of the contract in accordance with the provisions of section M.1.1. Is the 35% measured as compared to the total cost of the contract based on the level of services in Section C of the solicitation?"

A15 Section B.5.1 of the solicitation was revised and issued as Attachment G of Amendment 0003. However, Bidders must subcontract at a minimum 35% of the total value of the contract. This means the subcontracted portion must total at a minimum 35% of the total value of the contract.

Q16 What if the prime contractor chooses to subcontract the cost of a component of the cost of the contract (e.g., all uniforms), but the value of the uniforms is less than 35% of the overall value of the contract?

A16 If the contractor subcontracted portion is less than 35% of the total value of the contract, the bid will be deemed non-responsive because the bid has not meet the subcontracting requirements of the solicitation.

Q17 Section L.2.4 (page 60) states that there are a number of forms in the Bid Package which are in PDF format. Section L.2.4 states: The District may also reject as non-responsive any bids submitted on forms not included in or required by the solicitation. Bidders shall make no changes to the requirements set forth in the solicitation. Does the Government require that these specific forms the Attachment document be used or can a bidder recreate the forms using a suitable work processing tool so that they are fully compliant with the PDF version and easier to work with?

A17 The forms issued by the District are not to be modified and are to be completed and submitted along with the bid unless otherwise stated differently in the solicitation. However, prospective bidders may provide supporting documentation as an attachment to the District issued forms.

Q18 Reference Section L.2.2 – This section states that “The original bid shall govern if there is a variance between the original bid and the copy submitted by the bidder. Each bidder shall return the complete solicitation as its bid. Does this mean that the bidder should submit the three documents included in the Bid materials released by the District on 01/30 as part of its bid? If the District Government releases amendments or addenda as part of the Bid process, should bidders also include these documents as part of their submission?

A18 Section L.2.2, page 60: “The original bid shall govern if there is a variance between the original bid and the copy submitted by the bidder. Each bidder shall return the complete solicitation as its bid.” Other than the instructions in Section L.13, the above instruction remains unchanged. The bidder must submit and original bid and three copies at the time of submission of bids.

Section L.13 page 65 of the solicitation states the following states: “The bidder shall acknowledge receipt of any amendment to this solicitation (a) by signing and returning the amendment; (b) by identifying the amendment number and date in the space provided for this purpose in Section A.14 of the solicitation; or (c) by letter or telegram, including mailgrams. The District must receive the acknowledgement by the date and time specified for receipt of bids. Bidder’s failure to acknowledge an amendment may result in rejection of the bid.”

Q19 Reference Section L pages 59-66. Does the District have specified structure or organization that it requests Bidders to submit in their bid?

A19 Potential Bidder should adhere to the instructions set forth in Section L.2 “Preparation and Submission of Bids. “

Q20 Can the District describe what information Bidders should include in the submission of the Conceptual Transition Plan (Section L.16.10 and C.3.1.1 of the Solicitation)? Should bidders address the same topics as are identified in section C.3.1.2 as part of the Conceptual Transition Plan?

A20 The transitional plan shall outline the bidders plan for phasing in its employees over the course of the 30 day transition period in accordance with a schedule that will be prepared by the PSD. Bidders should address topics a, b and c of C.3.1.2 as part of the Transitional Plan.

Q21 Does the District require a single volume for the proposal?

- A21 The Bidder should follow the instructions in Section L.2, Preparation and Submission of Bids. The solicitation requests bids not proposals.
- Q22 Section C.1.2.1, line 8 of the states that "Guards may be armed with police baton..." does this include Guards I (unarmed) or should this requirement be included in C.1.2.2 under Special Police Officers (armed)?
- A22 Guard I unarmed shall be trained in the use of and armed with a police baton.
- Q23 Section C.3.2.2 states, "the COTR may modify, amend, or revise Post Orders to change shifts, duties, start and stop times and post locations provided the changes is within the contract scope and has no impact on the contract price". How would this request be tracked and measured? Can you give two examples of where this has happened?
- A23 PSD will track changes and amend Post Orders, where necessary. PSD continually evaluates security needs and concerns at its facilities. For example: during the past Presidential Inaugural, the Wilson Building security was modified to address security concerns raised by the US Secret Service and to provide security for the Mayor's viewing stand. This resulted in a change of duty schedules and post assignments for the current security guards assigned thereat. Another example is: due to lobby redesigns that will improve security concerns at certain facilities, guard posts at those facilities will be eliminated and/or reduced.
- Q24 Reference: Section C.3.3.8: In the current schedule or Sectors are there any positions that are Relief/Break personnel?
- A24 If a guard takes a break from the post, that break removes the guard, either physically or mentally (i.e., eating while on post diverts that guard's attention from performing his/her task) from the assigned post, a "relief guard" must meet the same qualifications of the guard being relieved from the post. The District will not pay extra for the "relief guard" Potential Bidders should be familiar with this provision when determining their bid.
- Q25 Reference, Section C.3.3.10 (Seasonal): Will the District provide Bidders a list of the 2008 seasonal requirements to include ramp-up notice of the request, number of locations, tenure and detail of the services?
- A25 In 2008 approximately 200,000 additional guard hours were required. The additional guard hours included coverage at 19 pools from May to September, Fire-watch Posts and Election posts.
- Q26 Can the District provide a list of the dollar value of the penalties assessed on each sector in 2008 or 2007?
- A26 Penalties are not currently assessed. However, liquidated damages for FY 2007 averaged approximately \$13,000 per month. The total costs of liquidated damages for FY 2008 have not be determined.
- Q27 Reference Section C.5.2, Basic Training: Is it the District's intent that all security personnel take 50 hours of re-training per year? As the scenario a new hire would spend 1/10<sup>th</sup> of their first year taking the same courses twice. Can the vendor provide an alternative that delivers the same results and could save the District at least \$186K in bidder's payroll costs for new hires per year?

- A27 The District's Basic Training requirement includes a minimum of 50 hours of initial training and 50 hours of training annually thereafter.
- Q28 Reference C.5.6.1: Can the bidders assume that only the Department of Mental Health locations are the only locations that require OJT? Please provide the reference to these locations so that bidder's can identify in Sectors?
- A28 At this time, only Mental Health locations require OJT.
- Q29 Reference C.7.4: Regarding dismissed employees to be given a window of "immediately to within a week". If the basic training requires 50 hours of training and the SOMB requires a minimum of 3 days for processing. How is the contractor physically able to meet this requirement and a 10% surge for available at all times?
- A29 The Contractor shall replace the dismissed employee from its reserve.
- Q30 Reference C.11.5: Can the District please provide Bidders with the Section reference for the DMH SPO Unarmed Officer positions that would fulfill this/these posts?
- A30 Please see the attachment J.1.1 that defines the sectors to review the number type of and number of hours for services at the locations listed below.

DEPT OF MENTAL HEALTH	1250 U ST NW
DEPT OF MENTAL HEALTH	1900 MASS AVE SE
DEPT OF MENTAL HEALTH	2700 MARTIN LUTHER KING
DEPT OF MENTAL HEALTH	300 INDIANA AVE NW
DEPT OF MENTAL HEALTH	33 N ST NE
DEPT OF MENTAL HEALTH	35 K ST NE
DEPT OF MENTAL HEALTH	3846-3861 ALABAMA AVE SE
DEPT OF MENTAL HEALTH	64 New York Ave NE
DEPT OF MENTAL HEALTH	821 HOWARD ROAD SE

- Q31 Reference Section C.13.1.A: Please provide Bidders with type, level frequency, and number of current personnel for the Quality Control Monitors.
- A31 There are no current Contractor Quality Control Monitors.

- Q32 Reference Section E.3. Please provide bidders with the number of times liquidated.
- A32 Liquidated damages have been assessed monthly from at least January 2007 to present. See A26 of this document.
- Q33 Reference Section F.3.1. What is the percentage of current contract workforce of District residents?
- A33 This information is not available.
- Q34 Reference H.12: Can the Bidder place a gun safe on DC owned premises? If so, please provide the locations where such can occur?
- A34 The Contractor shall not place a gun safe on DC owned premises.
- Q35 Reference H.13, Liquidated Damages: We believe the liquidate damages are excessive. We ask that these be revised and more reasonable in nature? For example, in a one week period, WMATA had two train delays over 45 minutes surrounding Judiciary Square to which the vendor has not control. Concessions should be made for such matters. Also, please define "uncovered:
- A35 This provision is being reviewed and may be revised in a later amendment to the solicitation to the bid opening.
- Q36 What specific evaluation factors will the Government use and what weights will be assigned to each factor?
- A36 DCAM-2009-B-0003, Citywide Security Services solicitation is an Invitation for Bid not a Request for Proposal. In an Invitation after the bids have been determine to be responsive and responsible, price is the deciding factor as to who wins the award. Evaluation factors are used in Request for Proposals.
- Q37 Some of the requirements of the Bid document, for example the ability to carry five weeks of payroll, may be difficult for some small businesses to perform in practice. Will the Government be able to verify and corroborate information provided by small businesses and objectively evaluate small and large Bidder's proposals fairly?
- A37 In evaluating financial information provided by Bidders, the Government verify and corroborate information provided by all businesses submitting Bids objectively and fairly to determine responsibility and capability to perform the services outlined in the contract.
- Q38 Will the 30 minute relief provided to the Guards be a paid or unpaid break?
- A38 The District will not pay for relief guards.
- Q39 Reference page 2A (13.1) States that the contractor shall submit a detailed quality control plan within 15 days of contract award, however, on page 12 under transition plan, "a quality assurance inspection plan is required five (5) days of award (please clarify).
- A39 A quality assurance inspection plan is required five days of contract award.

- Q40 Will guards currently assigned to the contract be permitted to work on the new contract, initially without being required to complete the 50 hour basic training?
- A40 All guards employed under the new contract will be required to complete the basic training.
- Q41 If the Prime Contractor is a CBE, does the Prime Contract have to subcontract the minimum 35% to another CBE?
- A41 Yes, the Prime Contractor regardless of socioeconomic status will be required to adhere to the 35% contracting requirement.
- Q42 Reference Sections C.5.2 and L.2.57: Will the 12 month basic training be the same as the 50 hour basic training?
- A42 Yes, the 12 month basic training will be the same as the 50 hour basic training. The training of guards is required annually
- Q43 What are the hours for a project manager and supervisors and how many supervisors per aggregate? They are not included on the Pricing Schedule, Section B.4.1.
- A43 The hours for the project manager and supervisors are not included in the Pricing Schedule because those hours and number are determined by the Contractor and are built in the hourly rates for guard services as a direct cost.
- Q44 The Wage Determination only identifies Guard I and Guard 2. There is no Guard 3. Does that mean that Bidders will bid both Guard 2 and Guard 3 at the same rate?
- A44 The Wage Determination does not apply for Guard Services. The Contractor shall comply with the Collective Bargaining Agreement to determine hourly rates for Guards. The Wage Determination applies only those positions the contractor assigns to the contract that are not covered in the Collective Bargaining Agreement.
- Q45 Section C.4.4.9 and C.3.3.10 discuss additional hours that are not included in the set schedule for each Sector. Will this be billed separately or should it be included in the Pricing submitted for each Sector?
- A45 Authorized additional hours shall be billed and compensated separately, on an hourly basis.
- Q46 In reference to the question above, if the billable hours need to be included in the Pricing and not separate could you please provide us with the number of Will Call and Seasonal hours the incumbent provided last year?
- A46 The estimated number of Will Call and Seasonal hours for the previous year is approximately 60,000 hours.
- Q47 Section C.13.2 refers to the Quality Control Monitors. Are these monitors to be provided at no additional cost and to be paid internally by the security provider?

- A47 Quality Control Monitors are to be provided at no additional cost to the District and to be paid internally the Contractor.
- Q48 Section G.2.1 states that invoices shall be submitted monthly unless otherwise specified. Is it feasible to submit invoices weekly or bi-weekly?
- A48 Invoices must be submitted monthly.
- Q49 Section H.14.1.3 explains that the Government will provide items such as an office, locker space etc. Does this mean that the Government will provide the Contractor with an office for the Project Manager described in Section C.3.3.1?
- A49 The Government will not provide an Office for the Project Manager.
- Q50 Current District regulations require that firearms be stored at the jobsite unless it is absolutely not possible to do so. The policy stated in the solicitation would require that no firearms be stored at any of the jobsites. Is such requirement in compliance with current District rules and regulations for securing firearms?
- A50 The requirements for the storing of firearms outlined in the solicitation are in compliance and current with District rules and regulations.
- Q51 The IFB does not mention Union: Is this contract under Union oversight?
- A51 The Contract shall be under Union oversight (Local 21). There is a Collective Bargaining Agreement for Guard positions for the current contract. A copy of the Collective Bargaining Agreement is identified as Attachment F in Amendment 0003.
- Q52 To ensure an effective and orderly transition, will the District provide office space to the Contractor for the transition, to include requisition personnel records, conduct on-site interviews of incumbent personnel, training and equipment hand over?
- A52 The District will not provide office space to the Contractor for the transition for any purpose.
- Q53 Are there any prohibition to hiring the incumbent security personnel?
- A53 There is no prohibition to hiring the incumbent security personnel?
- Q54 Is the APM and QA manager considered key personnel?
- A54 Yes, as per the revised Section L17.2 of the solicitation.
- Q55 Why is there no hours set-aside for supervisors and relief officers?
- A55 The District will not compensate separately for supervisors or relief guard hours.
- Q56 Can set-asides be subcontracted to perform ancillary function such as training, Reserve Pool, Inspection etc?

- A56 Yes, set-asides can be subcontracted to perform ancillary function such as training, Reserve Pool, Inspection etc.
- Q57 Can "armed SPO – Guard III be licensed as "unarmed" SPO Guard II and keep their armed commission?
- A57 Armed SPO Guard III can be licensed as "unarmed" SPO Guard II and keep their armed commission?
- Q58 How much of a tax-incentive should the Contractor expect by hiring DC Residents from economically depressed areas?
- A58 Bidders should consult with a tax professional to determine any available tax-incentives.
- Q59 How much is the Performance Bond?
- A59 The solicitation does not require a Performance Bond.
- Q60 The IFB indicates that every year (12 months) basic training must be accomplished by all employees. Is this a mistake as all training after "Basic is considered "Refresher Training" and never the total hours annual as basic?
- A60 This is not a mistake. The solicitation requires 50 hours of annual re-training (C.5.2 and C.5.4).
- Q61 All DC Security Guards are required to take training and a written test as a condition to the application process. Will this training be waived from the 50 hours core subject?
- A61 All DC Security Guards are required to take training and a written test as a condition to the application process and the training will not be waived from the 50 hours core subject (C.5.2 and C.5.4).
- Q62 Does the incumbent guard force meet the requirements of this solicitation?
- A62 PSD has not evaluated the current guard force relative to this solicitation.
- Q63 Will the Contractor be responsible for providing all vehicles for the proposed contract along with vehicle type and annual mileage?
- A63 The Contractor shall be responsible for providing all vehicles for the proposed contract along with the vehicle type and annual mileage.
- Q64 Will the Contractor be required to provide body armor or handcuff for personnel?
- A64 The Contractor will be required to provide handcuffs for Guard II and III but body armor is not required.
- Q65 What are the associated labor categories by the for the Security Guard and the Armed and Unarmed Commissioned Special Police Officer positions?
- A65 The Department of Labor should be contacted for this information.

- Q66 Section C.3.3.8, page 6: Will OPM allow rovers or supervisor to provide relief for the guards? Are there posts that have been or could be designated as "relief posts" where guards can rotate to take their lunch but still maintain the post? If so can, OPM identify those post?
- A66 Guards may not rotate to take lunch. There are no such posts identified.
- Q67 Provide the current seniority list so all bidders can accurately determine vacation time, etc.
- A67 Hawk One Security, Inc. is the Contractor with the current contract. The information requested is not maintained by the District Government.
- Q68 Section C.5.2 states that all employees performing under this contract have completed the 50 hour Basic Training Curriculum. Is this required for incumbent officers who have previously received this training or is a revised "refresher" training acceptable?
- A68 Per Sections C.5.2 and C.5.4 guards are required to take a50-hour basic training and a 50-hour yearly refresher training.
- Q69 Section L.2.5.1 states "A bidder must submit evidence of adequate financial resources with the bid." Section L.16.1 says this is to be submitted within 5 days of the request by the District. Which is correct?
- A69 Potential Bidders must submit evidence of adequate financial resources with the bid on March 27, 2009 at 10: a.m. Section L.16.1 has been corrected with the issuance of Amendment 0004
- Q70 Section L.2.5.2 states" A Bidder must submit evidence of the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments with the bid". Section L.16.2 states that "the information is to be submitted within five (5) business days of the request from the District." Which is correct?
- A70 Potential Bidders must submit on March 27, 2009 at the time of bid opening, evidence of the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments with bids.
- Q71 Section L.2.5.4 says a bidder must submit evidence of the necessary organization, experience, accounting and operational control, technical skills or the ability to obtain them with the bid. However, Section L.16.3 states that his information must be submitted within 5 days of request by the District. Which is correct?
- A71 The bidder must submit along with the bid on March 27, 2009 at the time of bid opening evidence of the necessary organization, experience, accounting and operational controls, and technical skills or the ability to obtain them.
- Q72 Section L.2.5.5 states that a bidder must submit evidence of a satisfactory performance record, record of integrity and business ethics. However, Section L.16.5 says this is to be submitted with5 days of the request by the District. Which is correct?

- A72 The bidder must submit along with the bid on March 27, 2009 at 10: a.m. evidence of a satisfactory performance record, record of integrity and business ethics.
- Q73 Section L.2.5.6 states that a bidder must submit a quality control plan with the bid. However, Section C.13.1 states that the quality control plan is to be submitted within 15 days of contract award. Which is correct?
- A73 A bidder must submit a quality control plan with the bid on the date for submission of bids, March 27, 2009 at 10:00 a.m.
- Q74 Section L.2.5.8 states that a bidder must submit evidence of other qualification and eligibility criteria necessary to receive an award under applicable laws and regulations with the bid. However, paragraph L.16.7 says this is to be submitted within 5 days of the request by the District. Which is correct?
- A74 The bidder must submit along with the bid on March 27, 2009 at 10:00 a.m., evidence of other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations with the bid.
- Q75 Section L.2.2, second sentence, states that "Each bidder shall return the complete solicitation as its bid". Does this include all 10 Attachments in addition to the Offer and Award Form and Sections B through M? Please clarify.
- A75 Entire solicitation along with the all attachments shall be return as the bid with any additional information required in Section L of the solicitation.
- Q76 Section L.2.5.7 states that "Evidence of an effective management structure that would oversee this contract and ensure its implementation so as to meet all contract requirements. The bidder must provide names, titles, brief law enforcement CV and time with the company for each employee. The bidder must include name of the individual who would have direct responsibility for the management of the contract and his or her detailed CV including his or her last three professional positions." Per paragraph L.17.1 the following position are considered key personnel for this contract: Security Guard (unarmed); Commissioned Special Officer (unarmed); Commissioned Special Police Officer (armed); Relief Guards; Project Manager. Is a bidder actually expected to submit resumes for all the above personnel?
- A76 Section L.2.5.7 is revised to read as follows: The bidder shall submit along with the bid on March 27, 2009 evidence of effective management structure that will oversee the contract and ensure its implementation so as to meet all contract requirements. The bidder must include along with the bid on March 27, 2009 at 10:00 a.m., the name of the individual(s) who would have direct responsibility for the day-to-day management of the contract and his or her detailed CV including his or her last three professional positions. Also, the bidder shall provide the company's corporate structure, resumes of top management in the company, and include resumes of the project manager all supervisory positions under the proposed contract.
- Q77 Section L.2.5.8 states that a bidder must submit evidence of other qualification and eligibility criteria necessary to receive an award under applicable laws and regulations with the bid.

However, paragraph L.16.7 says this is to be submitted within 5 days of the request by the District.  
Which is correct?

- A77 The bidder must submit along with the bid on March 27, 2009 at 10:00 a.m., evidence of other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations with the bid.

ATTACHMENT B

LOCATIONS: SECTORS 1 THROUGH 3

**Invitation For Bid: DCAM-2009-B-0003**  
**Security Services Contract**  
**Protective Services Division/Office of Property Management**  
**Locations: Sector 1**

Sector #1 Locations	Post Hrs	S/G Unarmed	SPO Unarmed	SPO Armed
1205 Brentwood Road N.E.	M-F 8:00-20:00			1
1233 Brentwood Road N.E.	M-F 8:00-20:00			1
1233 Brentwood Road N.E.	M-F 8:00-18:00			1
1241 & 1261 W. Street N.E.	M-F 15-23:00	1		
1300 1st Street N.E.	M-F 5:30-18:30		1	
1300 1st St. N.E.	T-F 8:00-16:00		1	
1300 1st St. N.E.	M 8:30-17:00		1	
1338 G. Street S.E.	M-F 8:00-18:00	1		
1350 Penn. Ave. N.W.	M-F 7:00-15:00			1
1350 Penn. Ave. N.W.	M-F 8:30-16:30			3
1350 Penn. Ave. N.W.	M-F 10:00-18:00			2
1350 Penn. Ave. N.W.	M-F 15:00-23:00			1
1350 Penn. Ave. N.W.	F 23:00-M 7:00			1
1403 W. Street N.E.	24/7	1		
1725 15 th. Street N.E.	M-F 7:30-21:00	1		
1833 West Virginia Ave. N.E.	24/7	1		
1900 Mass. Ave. S.E.	Su-Sat 7:00-15:00		1	
1900 Mass. Ave. S.E.	Su-Sat 15:00-23:00		1	
1900 Mass. Ave. S.E.	Su-Sat 15:00-7:00		1	
1900 Mass. Ave. S.E.	M-F 7:30-16:30		1	
1900 Mass. Ave. S.E.	Sat. 7:00-11:00		1	
1900 Mass. Ave. S.E.	24/7	1	2	
2146 24th. Place N.E	24/7	1		
2175 West Virginia Ave. N.E.	M-F 6-22:00	1		
2175 West Virginia Ave. N.E.	Sat, Sun 6:00-22:00			1
2175 West Virginia Ave. N.E.	Su-Sat 22:00-6:00			1
2200 Adams Place N.E.	24/7	1		
222 Massachusetts Ave. N.W.	24/7			1
300 Indiana Ave. N.W.	24/7			2
300 IN Ave. N.W.	M-F 8:00-16:00			2
300 IN Ave. N.W.	M-F 7:00-17:30			1
300 IN Ave. N.W.	M-F 8:00-16:30			1
301 C St. N.W.	M-F 7:00-16:30			2
301 C St. N.W.	M-F 8:00-17:00			2
33 N. Street N.E.	24/7			1
33 N. Street N.E.	M-F 7:00-21:00		1	
33 N. Street N.E.	M-F 10:00-18:30		1	
35 K. Street N.E.	M-F 7:00-23:00		1	

**Invitation For Bid: DCAM-2009-B-0003**  
**Security Services Contract**  
**Protective Services Division/Office of Property Management**  
**Locations: Sector 1**

Sector #1 Locations	Post Hrs	S/G Unarmed	SPO Unarmed	SPO Armed
35 K. Street N.E.	Sat 8:00-16:00		1	
35 K. Street N.E.	Sun 10:00-16:00		1	
400 6th. Street S.W.	M-F 8:00-16:00	1		
400 6th. Street S.W.	M-F 6-10; 16:00-18:00	1		
400 6th. Street S.W.	24/7		1	
400 6th. Street S.W.	M-F 5:00-18:00	1		
400 6th. Street S.W.	24/7	1		
441 4th Street. N.W.	M-F 6:00-16:00	2		
441 4th Street. N.W.	M-F 8:00-19:00	2		
441 4th Street. N.W.	M-F 19:00-7:00	1		
441 4th Street. N.W.	Sat 7:00-M 6:00	1		
442 4th Street. N.W.	M-F 7:00-18:00	1		
51 N Street, NE	M-F 7:00-18:00	2		
51 N Street, NE	W 18:00-21:00	2		
51 N Street, NE	24/7			1
515 D Street, NE	M-F 8:00-17:00	1		
515 D Street, NE	M-F 7:30-16:30			1
609 H Street, NE	M-F 7:00-19:00	1		
625 H Street, NE	M-F 7:00-19:00	1		
64 New York Avenue, NE	M-F 7:00-18:00	1		
64 New York Avenue, NE	M-F 7:00-17:00	1		
645 H Street NE	M-F 6:30-18:00	2		
645 H Street NE	M-F 7:00-15:00	1		
645 H Street NE	M,T,TH,F 18:00-20:00	2		
645 H Street NE	W 15:00-22:00	1		
645 H Street NE	Alternate Sat 7:30-16:00	1		
825 North Capitol Street, NE	M-F 8:00-19:00	1		
825 North Capitol Street, NE	M-F 7:00-19:00	1		
900 New Jersey Avenue, SE	M-F 15:00-7:00	1		
941 North Capitol Street, NE	M-F 6:00-18:00	1		
941 North Capitol Street, NE	M-F 6:00-18:00	1		
941 North Capitol Street, NE	M-F 6:00-18:00		1	
941 North Capitol Street, NE	M-F 7:00-20:00	2		
95 M Street, SW	M-S 8:00-16:30			1
95 M Street, SW	24/7	1		

**Invitation For Bid: DCAM-2009-B-0003**  
**Security Services Contract**  
**Protective Services Division/Office of Property Management**  
**Locations: Sector 2**

Sector # 2 Locations	Post Hours	S/G Unarmed	SPO Unarmed	SPO Armed
1125 Spring Road N.W.	24/7	1		
1125 Spring Road N.W.	M-F 9:00-17:00	1		
1207 Taylor Street N.W.	M,T, TH,F 7:00-17:00	2		
1207 Taylor Street N.W.	M,T, TH,F 17:00-18:00	1		
1207 Taylor Street N.W.	M-F 17:00-20:00	1		
1207 Taylor Street N.W.	W 17:00-21:00	1		
1207 Taylor Street N.W.	Alt. Sat 7:30-16:00	1		
1250 U. Street N.W.	M-F 7:00-19:00	1		
2000 14th. Street N.W.	M-F 7:00-15:00			2
2000 14th. Street N.W.	M-F 7:30-17:30		1	
2000 14th. Street N.W.	M-F 15:00-23:00		2	
2000 14th. Street N.W.	M-F 23:00-7:00		2	
2000 14th. Street N.W.	Sat. 7:00-Mon 7:00		2	
310 McMillan Dr. N.W.	24/7	1		
310 McMillan Dr N.W.	24/7	1		
3222 M. Street N.W.	T-Sat 7:30-17:30	1		
3222 M. Street N.W.	T-Sat 7:30-17:30		1	
4900 Bates Road N.E.	M.-F. 22:00-6:30	1		
4900 Bates Road N.E.	Sat 6:30-M 6:00	1		

**Invitation For Bid: DCAM-2009-B-0003**  
**Security Services Contract**  
**Protective Services Division/Office of Property Management**  
**Locations: Sector 3**

Sector # 3 Locations	Post Hours	S/G Unarmed	SPO Unarmed	SPO Armed
2100 Martin Luther King Ave. S.E.	M-F 7:00-17:00	2		
2100 Martin Luther King Ave. S.E.	M-F 7:30-18:00	1		
2100 Martin Luther King Ave. S.E.	M,T,Th,F 18:00-20:00	1		
2100 Martin Luther King Ave. S.E.	W 17:00-21:00	1		
2100 Martin Luther King Ave. S.E.	W 18:00-21:00	1		
2100 Martin Luther King Ave. S.E.	Alt. Sat. 7:30-16:00	1		
2390 South Capitol Street S.E.	M-F 7:00-15:00		1	
2700 Martin Luther King Ave. S.E.	M-F 7:30-9:30	1		
2700 Martin Luther King Ave. S.E.	Su-Sa 8:00-16:00	1		
2700 Martin Luther King Ave. S.E.	24/7	1		
13th St. & Alabama Ave. S.E.	M-F 5:30-18:30	1		
Congress Hgts Metro	Su-Sa 6:00-24:00	1		
2700 Martin Luther King Ave. S.E.	24/7		3	
2700 Martin Luther King Ave. S.E.	Su-Sa 8:00-24:00	4	3	
2700 Martin Luther King Ave. S.E.	M-F 8:00-12:00	1		
2720 MLK Jr. Ave. S.E.	24/7			3
2720 MLK Jr. Ave. S.E.	M-F 7:00-15:00			1
2720 MLK Jr. Ave. S.E.	Sat 7:00-M 7:00			1
2720 MLK Jr. Ave. S.E.	24/7			1
3200 Benning Road N.E.	M-F 15:00-7:00	1		
3200 Benning Road N.E.	Sat 7:00- M 7:00	1		
3230 Pennsylvania Ave. S.E.	M-F 7:45-17:15			1
3720 Martin Luther King Ave. S.E.	24/7		1	
3851 Alabama Ave. S.E.	M,T, Th,F 7:00-20:00	1		
3851 Alabama Ave. S.E.	M-F 7:00-18:00	1		
3851 Alabama Ave. S.E.	W 18:00-20:00	2		
3851 Alabama Ave. S.E.	W 20:00-21:00	1		
3851 Alabama Ave. S.E.	Alt. Sat. 7:30-16:00	1		
3855 8th. Street S.E.	M-F 7:30-19:30	1		
3917 Minnesota Ave. N.E.	M-F 7:30-18:00	1		
3917 Minnesota Ave. N.E.	M-F 7:00-19:00	1		
3919 Benning Road N.E.	24/7			1
4001 South Capitol Street S.W.	M-F 7:00-18:00	2		
4001 South Capitol Street S.W.	M,T,Th,F 18:00-20:00	1		
4001 South Capitol Street S.W.	W 18:00-21:00	2		
4001 South Capitol Street S.W.	Alt. Sat 7:30-4:00	1		
5001 Shepherd Parkway S.W.	24/7	1		1
821 Howard Road S.E.	M-F 8:00-18:00	1		
821 Howard Road S.E.	W 18:00-21:00	1		

ATTACHMENT C

REVISED PAGE 26 TO CORRECT SECTION C.13.6

Government which may include: liquidations based on infractions, contracting with another vendor to cover a particular post; or if persistent problems occur, termination of the contract for default.

- C.13.6** The COTR reserves the right of the District to conduct its own quality assurance inspections. Such inspections will be similar in scope, but not limited to, those inspection requirements listed in C.13.1. The COTR shall provide the contractor with a written quality assurance policy. Three (3) instances of failure to meet the minimum requirements in the quality assurance policy at a particular facility may result in the contractor's loss of responsibility for providing security for that facility.

ATTACHMENT D

REVISED PAGE 30 TO CORRECT Item #14

6	Employees (other than DMH locations) complete four (4) on-site orientation training as described in C.5.6.1	After contract award
7	Building Orientation Report for each employee as described in C.5.6.2	Upon completion
8	Make available all Activity Log Books, Incident Reports or MPD arrest reports as described in C.8.4	Watch Command upon request
9	Project Manager meetings with COTR as described in C.10.1	Weekly or as deemed necessary
10	Notice to Reschedule meeting as described in C.10.1	Notice period of 24 hours to reschedule meeting with PSD
11	All contractor personnel selected to work at DMH locations as described in C.10.2	After contract award but prior to its inception with COTR DMH
12	Copies of employees resumes/CV as described in C.11.1	To DMH Staff
13	Name, address and telephone number of Project Manager in writing at post award meeting as described in C.11.2	To DMH Staff at meeting prior to contract inception
14	Project Manager meeting with DMH staff as described in C.11.2	every Friday or a frequency determined by COTR
15	Work Schedule to DMH staff as described in C.11.3	Every two(2) weeks
16	Participate in eight (8) hour orientation conducted by DMH staff as described in C.11.4	After contract award
17	Employees driving record and provide proof of license validity as described in C.11.5.1	Annually
18	Written permission from DMH staff for employees to drive off campus as described in C.11.5.2	When applicable & copy sent
19	Any malfunctioning government equipment used by the contractor as described in as described in C.12.1	within ten (10) minutes
20	Quality Control Plan as described in C.13.1	for approval within 15 days of contract award
21	Quality Control Inspection	quarterly or upon request

ATTACHMENT E

REVISED PAGE 35 TO CHANGE THE NAME OF THE CONTRACTING OFFICER

party. The District of Columbia may not be interpleaded in any judicial or administrative proceeding involving such a dispute.

**G.7 CONTRACTING OFFICER (CO)**

Contracts may be entered into and signed on behalf of the District only by contracting officers. The name, address and telephone number of the Contracting Officer is:

Donna T. McCarthy  
Contracting Officer  
Office of Contracting and Procurement  
441 4<sup>th</sup> Street, NW, Suite 700S  
Washington, DC 20001  
Telephone: 202-727-6651

**G.8 AUTHORIZED CHANGES BY THE CONTRACTING OFFICER**

**G.8.1** The Contracting Officer is the only person authorized to approve changes in any of the requirements of this contract.

**G.8.2** The Contractor shall not comply with any order, directive or request that changes or modifies the requirements of this contract, unless issued in writing and signed by the Contracting Officer.

**G.8.3** In the event the Contractor effects any change at the instruction or request of any person other than the Contracting Officer, the change will be considered to have been made without authority and no adjustment will be made in the contract price to cover any cost increase incurred as a result thereof.

**G.9 CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR)**

**G.9.1** The COTR is responsible for general administration of the contract and for advising the Contracting Officer as to the Contractor's compliance or noncompliance with the contract. In addition, the COTR is responsible for the day-to-day monitoring and supervision of the contract, for ensuring that the work conforms to the requirements of this contract and such other responsibilities and authorities as may be specified in the contract. The COTR for this contract is:

Name: Benjamin B. Pietrovsky  
Title: Assistant Chief  
Agency: Protective Services Police Department  
Address: 1900 Massachusetts Avenue, 2<sup>nd</sup> Floor, ACC Building 8  
Telephone: (202) 698-8625  
E-mail:

**G.9.2** The COTR shall not have authority to make any changes in the specifications or scope of work or terms and conditions of the contract.

ATTACHMENT F

REVISED SECTION L IN ITS ENTIRETY

## **SECTION L: INSTRUCTIONS, CONDITIONS AND NOTICES TO BIDDERS**

### **L.1 METHOD OF AWARD**

**L.1.1** The District reserves the right to accept/reject any/all bids resulting from this solicitation. The Contracting Officer may reject all bids or waive any minor informality or irregularity in bids received whenever it is determined that such action is in the best interest of the District.

**L.1.2** The District intends, but is not obligated, to award multiple contracts resulting from this solicitation to the responsive and responsible bidders who have/have the lowest bids.

### **L.1.3 AGGREGATE GROUP**

Award will be broken down into three separate Aggregate Award Groups. For purposes of this section of the solicitation, the three Aggregate Award Groups are called: Aggregate Award Group 1, Aggregate Award Group 2, and Aggregate Award Group 3. A bidder can bid on all three Aggregate Award Groups; however, a bidder can only be awarded a maximum of two of the Aggregate Award Groups. If a bidder is the lowest bidder on all three Aggregate Award Groups it will only be awarded a contract for Aggregate Award Group 1 and Aggregate Award Group 3. The second lowest bidder on Aggregate Award Group 2 would then be awarded a contract for Aggregate Award Group 2.

For illustrative purposes please see the following examples:

Example – Bidder A provides the lowest bid for Aggregate Award Groups 1, 2, and 3. Bidder B provides the second lowest bid for Aggregate Award Group 2. Bidder A will be awarded a contract for Aggregate Award Groups 1 and 3. Bidder B will be awarded a contract for Aggregate Award Group 2.

Example – Bidder A provides the lowest bid for Aggregate Award Groups 2 and 3. Bidder B provides the lowest bid for Aggregate Award Group 1. Bidder A will be awarded a contract for Aggregate Award Groups 2 and 3. Bidder B will be awarded a contract for Aggregate Award Group 1.

In the event the District receives only one (1) bid for Aggregate Award Group 2, the sole respondent to Aggregate Award Group 2 will be awarded the contract for Aggregate Award Group 2 regardless of the awards made to Aggregate Award Groups 1 and 3.

## L.2 PREPARATION AND SUBMISSION OF BIDS

- L.2.1 Bidders shall submit a signed original and *two* copies. The District will not accept a facsimile copy of a bid as an original bid. All items accepted by the District, all pages of the Invitation for Bids (IFB), all attachments and all documents containing the bidder's offer shall constitute the formal contract. **Each bid shall be submitted in a sealed envelope conspicuously marked: "Bid in Response to Solicitation No. DCAM-2009-B-0003 Security Services" Attn: Yvette Henry.**
- L.2.2 The original bid shall govern if there is a variance between the original bid and the copy submitted by the bidder. Each bidder shall return the complete solicitation as its bid.
- L.2.3 The District may reject as non-responsive any bid that fails to conform in any material respect to the Invitation for Bids.
- L.2.4 The District may also reject as non-responsive any bids submitted on forms not included in or required by the solicitation. Bidders shall make no changes to the requirements set forth in the solicitation.
- L.2.5 The prospective contractor must demonstrate to the satisfaction of the District the capability in all respects to perform fully the contract requirements; therefore, the prospective contractor must submit the documentation listed below and submit with bid.
- L.2.5.1 Evidence of adequate financial resources, credit or the ability to obtain such resources as required during the performance of the contract. Acceptable evidence includes, but is not limited to, audited financial statements or documentation from a financial institution which can substantiate the bidder's access to at least 5 weeks of working capital for this contract .
- L.2.5.2 Evidence of the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments. The bidder shall submit a draft Transition Plan that outlines the contractor's staffing, recruitment, hiring and training plans to ensure that the bidder will have the required staffing levels at the end of the thirty day transition period. In addition, the bidder must outline its ongoing hiring and recruitment efforts to maintain a reserve staff at 10% (Refer to C.3.3.5 B.)
- L.2.5.3 Evidence of the ability to properly train personnel. Evidence shall include: a) list of courses and a copy of the written curriculum for initial and ongoing training, particularly firearms training and contraband detection using X-ray machines and hand-held devices. The bidder shall indicate which, if any, of the courses would need to be developed during the Transition Period.; b) qualification certificates/documentation for instructors; c) sample training completion documentation that will be held on file for each employee.
- L.2.5.4 Evidence of the necessary organization, experience, accounting and operational control, technical skills or the ability to obtain them.

- L.2.5.5** Evidence of a satisfactory performance record, record of integrity and business ethics. The bidder shall provide a list of at a minimum four clients for which the bidder has provided similar security services. One of the four clients shall be a client that the bidder has lost in the last five years. The bidder must provide an explanation for why it lost the client. If the bidder has not lost any clients, then it shall submit four current clients. For each client reference, the bidder must list the contact person's name, phone number, email address, street address, length of contract term, number of security personnel provided, and contract amount. **State if the bidder has ever been penalized for not meeting all requirements of past contracts. List contract, penalties, and dollar amount assessed per penalty, if any.**
- L.2.5.6** Evidence of ability to effectively monitor contract performance. Bidders must provide a copy of their Quality Control procedures which shows how the bidder will ensure that all guards are present and fully equipped for duty at the beginning of their shifts, have and maintain the proper training, and otherwise adhere to the Quality Control Plan and contract requirements.
- L.2.5.7** Evidence of an effective management structure that would oversee this contract and ensure its implementation so as to meet all contract requirements. Provide names, titles, brief law enforcement c.v., and time with your company for each employee. Include the name of the individual who would have direct responsibility for the management of this contract, and his or her detailed c.v., including that individual's last three professional positions.
- L.2.5.8** Evidence of other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations.
- L.2.5.9** If the prospective contractor fails to supply the information requested, the Contracting Officer shall make the determination of responsibility or non-responsibility based upon available information. If the available information is insufficient to make a determination of responsibility, the Contracting Officer shall determine the prospective contractor to be non-responsible.

**L.2.6 PRE-BID CONFERENCE**

A pre-bid conference will be held at **10:00 a.m. on February 12, 2009 at the Office of Contracting and Procurement, 441 4<sup>th</sup> Street, NW, Suite 700 South Washington, DC 20001**. Prospective bidders will be given an opportunity to ask questions regarding this solicitation at the conference. The purpose of the conference is to provide a structured and formal opportunity for the District to accept questions from bidders on the solicitation document as well as clarify the contents of the solicitation. Attending bidders must complete the pre-bid conference attendance roster at the conference so that bidder attendance can be properly recorded.

Impromptu questions will be permitted and spontaneous answers will be provided at the District's discretion. Verbal answers given at the Pre-Bid Conference are only intended for general discussion and do not represent the District's final position. All oral questions must be submitted in writing following the close of the pre-bid Conference but no later than

five working days after the pre-bid Conference in order to generate an official answer. Official answers will be provided in writing to all prospective bidders who are listed on the official bidder's list as having received a copy of the solicitation. Answers will be posted on the OCP website at [www.ocp.dcgov.org](http://www.ocp.dcgov.org).

**L.3 FAMILIARIZATION WITH CONDITIONS (SERVICES)**

Bidders shall thoroughly familiarize themselves with the terms and conditions of this solicitation, acquainting themselves with all available information regarding difficulties which may be encountered and the conditions under which the work is to be accomplished. Bidders will not be relieved from assuming all responsibility for properly estimating the difficulties and the cost of performing the services required herein due to their failure to investigate the conditions or to become acquainted with all information, schedules and liability concerning the services to be performed.

**L.4 BID SUBMISSION DATE AND TIME**

Bids must be submitted no later than **10:00 a.m.** local time on **March 27, 2009**.

**L.5 WITHDRAWAL OR MODIFICATION OF BIDS**

A bidder may modify or withdraw its bid upon written, telegraphic notice, or facsimile transmission, if received at the location designated in the solicitation for submission of bids, but not later than the exact time set for the opening of bids.

**L.6 LATE SUBMISSIONS, LATE MODIFICATIONS, AND LATE WITHDRAWALS**

**L.6.1** Bids, modifications to bids, or requests for withdrawals that are received in the designated District office after the exact local time specified above, are "late" and shall be considered only if they are received before the award is made and one (1) or more of the following circumstances apply:

- a. The bid or modification was sent by registered or certified mail no later than the fifth (5th) day before the date specified for receipt of bids; or
- b. The bid or modification was sent by mail and it is determined by the Contracting Officer that the late receipt at the location specified in the solicitation was caused by mishandling by the District after receipt.

**L.6.2 Postmarks**

The only acceptable evidence to establish the date of a late bid, late modification or late withdrawal sent either by registered or certified mail shall be a U.S. or Canadian Postal Service postmark on the wrapper or on the original receipt from the U.S. or Canadian Postal Service. If neither postmark shows a legible date, the bid, modification or

withdrawal shall be deemed to have been mailed late. When the postmark shows the date but not the hour, the time is presumed to be the last minute of the date shown. If no date is shown on the postmark, the bid shall be considered late unless the bidder can furnish evidence from the postal authorities of timely mailing.

**L.6.3 Late Submissions**

A late bid, late request for modification or late request for withdrawal shall not be considered, except as provided in this section.

**L.6.4 Late Modifications**

A late modification of a successful bid which makes its terms more favorable to the District will be considered at any time it is received and may be accepted.

**L.6.5 Late Bids**

A late bid, late modification or late withdrawal of a bid that is not considered shall be held unopened, unless opened for identification, until after award and then retained with unsuccessful bids resulting from this solicitation.

**L.7 HAND DELIVERY OR MAILING OF BIDS**

Bidders must deliver or mail their bids to the address in Section A.8 of the cover page.

**L.8 ERRORS IN BIDS**

Bidders are expected to read and understand fully all information and requirements contained in the solicitation. Failure to do so will be at the bidder's risk. In the event of a discrepancy between the unit price and the total price, the unit price shall govern.

**L.9 QUESTIONS ABOUT THE SOLICITATION**

If a prospective bidder has any questions relative to this solicitation, the prospective bidder shall submit the questions in writing to the Contracting Officer. The prospective bidder shall submit questions no later than 11 days prior to the closing date and time indicated for this solicitation. The District will not consider any questions received less than 11 days before the date set for submission of bids. The District will furnish responses promptly to all other prospective bidders. An amendment to the solicitation will be issued, if that information is necessary in submitting bids, or if the lack of it would be prejudicial to any other prospective bidders. Oral explanations or instructions given before the award of the contract will not be binding.

**L.10 FAILURE TO SUBMIT BIDS**

Recipients of this solicitation not responding with a bid should not return this solicitation. Instead, they should advise the Contracting Officer, by letter or postcard whether they want to receive future solicitations for similar requirements. It is also requested that such recipients advise the Contracting Officer, of the reason for not submitting a bid in response to this solicitation. If a recipient does not submit a bid and does not notify the Contracting Officer, that future solicitations are desired, the recipient's name may be removed from the applicable mailing list.

**L.11 BID PROTESTS**

Any actual or prospective bidder or contractor who is aggrieved in connection with the solicitation or award of a contract, must file with the D.C. Contract Appeals Board (Board) a protest no later than 10 business days after the basis of protest is known or should have been known, whichever is earlier. A protest based on alleged improprieties in a solicitation which are apparent prior to bid opening or the time set for receipt of initial bids shall be filed with the Board prior to bid opening or the time set for receipt of initial bids. In procurements in which bids are requested, alleged improprieties which do not exist in the initial solicitation, but which are subsequently incorporated into this solicitation, must be protested no later than the next closing time for receipt of bids following the incorporation. The protest shall be filed in writing, with the Contract Appeals Board, 717 14th Street, N.W., Suite 430, Washington, D.C. 20004. The aggrieved person shall also mail a copy of the protest to the Contracting Officer.

**L.12 SIGNING OF BIDS**

- L.12.1** The Contractor shall sign the bid and print or type its name on the Solicitation, Offer and Award form of this solicitation. Each bid must show a full business address and telephone number of the bidder and be signed by the person or persons legally authorized to sign contracts. Erasures or other changes must be initialed by the person signing the bid. Bids signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the Contracting Officer.
- L.12.2** All correspondence concerning the bid or resulting contract will be mailed to the address shown on the bid in the absence of written instructions from the bidder or contractor to the contrary. Any bid submitted by a partnership must be signed with the partnership name by a general partner with authority to bind the partnership. Any bid submitted by a corporation must be signed with the name of the corporation followed by the signature and title of the person having authority to sign for the corporation. Bidders shall complete and sign all Representations, Certifications and Acknowledgments as appropriate. Failure to do so may result in a bid rejection.

**L.13 ACKNOWLEDGMENT OF AMENDMENTS**

The bidder shall acknowledge receipt of any amendment to this solicitation (a) by signing and returning the amendment; (b) by identifying the amendment number and date in the

space provided for this purpose in Section A.14 of the solicitation; or (c) by letter or telegram, including mailgrams. The District must receive the acknowledgment by the date and time specified for receipt of bids. Bidder's failure to acknowledge an amendment may result in rejection of the bid.

**L.14 BIDS WITH OPTION YEARS**

The bidder shall include option year prices in its price/cost bid. A bid may be determined to be unacceptable if it fails to include option year pricing.

**L.15 LEGAL STATUS OF BIDDER**

Each bid must provide the following information:

**L.15.1** Name, address, telephone number and federal tax identification number of bidder;

**L.15.2** A copy of each District of Columbia license, registration or certification that the bidder is required by law to obtain. This mandate also requires the bidder to provide a copy of the executed "Clean Hands Certification" that is referenced in D.C. Official Code §47-2862 (2001), if the bidder is required by law to make such certification. If the bidder is a corporation or partnership and does not provide a copy of its license, registration or certification to transact business in the District of Columbia, the bid shall certify its intent to obtain the necessary license, registration or certification prior to contract award or its exemption from such requirements; and

**L.15.3** If the bidder is a partnership or joint venture, the names and addresses of the general partners or individual members of the joint venture, and copies of any joint venture or teaming agreements.

**L.16 STANDARDS OF RESPONSIBILITY**

The prospective contractor must demonstrate to the satisfaction of the District the capability in all respects to perform fully the contract requirements. Therefore, the prospective contractor must submit the documentation listed below along with the bid.

**L.16.1** Evidence of adequate financial resources, credit or the ability to obtain such resources as required during the performance of the contract.

**L.16.2** Evidence of the ability to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments shall be submitted with the bid.

**L.16.3** Evidence of the necessary organization, experience, accounting and operational control, technical skills or the ability to obtain them shall be submitted along with the bid.

**L.16.4** Evidence of compliance with the applicable District licensing and tax laws and regulations.

- L.16.5 Evidence of a satisfactory performance record, record of integrity and business ethics.
- L.16.6 Furnish evidence of the necessary production, construction and technical equipment and facilities or the ability to obtain them.
- L.16.7 Evidence of other qualifications and eligibility criteria necessary to receive an award under applicable laws and regulations
- L.16.8 If the prospective contractor fails to supply the information requested, the Contracting Officer shall make the determination of responsibility or non-responsibility based upon available information. If the available information is insufficient to make a determination of responsibility, the Contracting Officer shall determine the prospective contractor to be non-responsible.
- L.16.9 Efficient and effective protection of persons and property means that the contractor at minimum has successfully provided security services of similar size and scope for a period of at least five (5) years without any major contractual penalties or loss of the contract; and that contractor employees have maintained at least the minimum requirements, as stated in C.4, for such five (5) year period.
- L.16.10 Conceptual Transition Plan as described in C.3.1.1
- L.17 Key Personnel**
  - L.17.1 The District considers the following positions to be key personnel for this contract: Security Guard (Unarmed), Commissioned Special Police Officer (Unarmed), Commission Special Police Officer (Armed), Relief Guards (Armed) and any management or supervisory position. Guard (Unarmed), Commissioned Special Police Officer (Unarmed), Commission Special Police Officer (Armed), Relief Guards (Armed) are consider post positions.”
  - L.17.2 The District considers non-post key personnel to include any management or supervisory position. Non-post key personnel are those positions that will have day to day involvement under the contract. Bidders shall provide along with the Bid, resumes for all non-post key personnel including the hours that each will provide under the proposed contract. The information shall be submitted in total and broken down by task.”