

AMENDMENT OF SOLICITATION / MODIFICATION OF CONTRACT		1. Contract Number DCKA-2013-B-0160	Page of Pages 1 / 11
2. Amendment/Modification Number Amendment 3	3. Effective Date See 16C	4. Requisition/Purchase Request No.	5. Solicitation Caption Riversmart / Green Alley
6. Issued by: District Department of Transportation 55 M Street, SE Suite 700 Washington, DC 20003		7. Administered by (If other than line 6) District Department of Transportation Anacostia Waterfront Initiative 55 M Street, SE 4 th floor Washington, DC	
8. Name and Address of Contractor (No. street, city, county, state and zip code)		X 9A. Amendment of Solicitation No. DCKA-2013-B-0160	9B. Dated (See Item 11) November 4, 2013
Code _____ Facility _____		10A. Modification of Contractor/Order No.	
		10B. Dated (See Item 13)	
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS			
<input 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 <u>2</u> copies 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. This supplemental agreement is entered into pursuant to authority of:			
D. Other (Specify type of modification and authority)			
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.			
14. Description of Amendment/Modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.) Solicitation No.: DCKA-2013-B-0160- Riversmart/ Green Alley is hereby amended as follows: A. The closing date is extended until January 2, 2013 at 2:00 PM. B. Section K should be deleted and replaced in its entirety with Section K (attached). Bidders must complete and return the bid forms upon the revised closing date.			
Except as provided herein, all terms and conditions of the document referenced in item (9A or 10A) remain unchanged and in full force and effect.			
15A. Name and Title of Signer (Type or print)		16A. Name of Contracting Officer	
		Courtney Lattimore Contracting Officer	
15B. Name of Contractor	15C. Date Signed	16B. District of Columbia	16C. Date Signed
(Signature)		(Signature of Contracting Officer)	12/18/13

SECTION K: CERTIFICATIONS, REPRESENTATIONS AND OTHER STATEMENTS OF BIDDERS

1. Non-Collusion Affidavit
2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction
3. Payment to Subcontractors and Suppliers Certification
4. Equal Opportunity Compliance
5. D.C. Residents Employment Agreement
7. Bid Bond, including Certificate as to Corporation
8. Bid Form
9. Certification of Independent Price Determination

INVITATION NO.: DCKA-2013-B-0160

SUBJECT: Riversmart/ Green Alley

NON-COLLUSION AFFIDAVIT

I, the undersigned depose and certify that I am the _____
Title

_____ Of the _____
Company

That I am authorized to make this affidavit on behalf of said company; and that said company y has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive proposal submitted in connection with proposed contract.

Signature of Official

Date

**CERTIFICATION REGARDING DEBARMENT
SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTION**

INVITATION NO.: DCKA-2013-B-0160

PROJECT: Riversmart/ Green Alley

_____, being
(President or Authorized Official of Bidder)
duly sworn (or under penalty of perjury under the laws of the United States), certifies that, except as noted below, (the Company) or any person associated therewith in the capacity of (owner, partner, director, officer, principal investigator, project director, manager, auditor, or any position involving the administration of federal funds):

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility under any Federal, District or State statutes;

has not been suspended, debarred, voluntarily excluded or determined ineligible by an Federal, District or state agency within the past three (3) years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.

Exceptions shall not necessarily result in denial of award, but shall be considered in determining acceptability of offeror. For any exception noted, indicate below to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

Contractor

Date

President or Authorized Official

Title

The penalties for making false statements are prescribed in the Program Fraud Civil Remedies Act of 1986 (Public Law 99-509, 31 U.S.C. 3801-3812).

Subscribed and sworn before me this _____ day _____

At _____
City and State

Notary Seal

Notary Public

INVITATION NO.: DCKA-2013-B-0160

PROJECT: Riversmart/ Green Alley

PAYMENT TO SUBCONTRACTORS AND SUPPLIERS CERTIFICATION

The Contractor, prior to receiving a progress payment, shall submit to the Contracting Officer, certification that the Contractor has made and shall make payments to his subcontractors and suppliers within seven (7) business days of receipt of such payment by DCDOT for work performed by subcontractors/suppliers.

The certification must be accompanied by a list of all subcontractors and suppliers who shall receive payment from the invoice and the dollar amount. Payment shall not be made until the Prime Contractor submits this information.

Certification shall be made on the following standard form.

To: Contracting Officer
Department of Transportation
55 M Street S.E., 7th Floor
Washington, DC 20003

I hereby certify:

I have made, or shall make payments to all my subcontractors/suppliers within seven (7) business days of receipt of such payment by DCDOT for work performed by subcontractors/suppliers. The subcontractors and suppliers are listed herein:

Contractor/Company Name

Signature of Official

Date

Title

INVITATION NO.: DCKA-2013-B-0160

PROJECT NAME: Riversmart/ Green Alley

ASSURANCE OF COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

MAYOR'S ORDER 85-85, EFFECTIVE JUNE 10, 1985, and THE RULES IMPLEMENTING MAYOR'S ORDER 85-85, 33 DCR 4952, (published August 15, 1986), "ON COMPLIANCE WITH EQUAL OPPORTUNITY REQUIREMENTS IN DISTRICT GOVERNMENT CONTRACTS," ARE HEREBY INCLUDED AS PART OF THIS BID/PROPOSAL THEREFORE, EACH BIDDER/OFFEROR SHALL INDICATE BELOW ITS WRITTEN COMMITMENT TO ASSURE COMPLIANCE WITH MAYOR'S ORDER 85-85 and THE IMPLEMENTING RULES. FAILURE TO COMPLY WITH THE SUBJECT MAYOR'S ORDER AND THE IMPLEMENTING RULES SHALL RESULT IN REJECTION OF THE RESPECTIVE BID/PROPOSAL.

I, _____, the authorized representative of, _____, hereinafter referred to as "Contractor" certify that the Contractor is fully aware of all of the provisions of Mayor's Order 85-85, effective June 10, 1985, and of the Rules implementing Mayor's Order 85-85, 33 DCR 4952. I further certify and assure that the Contractor shall fully comply with all applicable provisions of the Mayor's Order and implementing rules if awarded the DC Government contract referenced by the contract number entered below. Further, the Contractor acknowledges and understands that the award of said contract and its continuation are specifically conditioned upon the Contractor's compliance with the above-cited Orders and Rules.

CONTRACTOR

AUTHORIZED REPRESENTATIVE

TITLE

CONTRACT NUMBER

DATE

INVITATION NO.: DCKA-2013-B-0160

PROJECT NAME: Riversmart/ Green Alley

EMPLOYMENT AGREEMENT

For all offers over \$100,000, except for those in which the Offeror is located outside the Washington Metropolitan Area and shall perform no work in the Washington Metropolitan Area, the following certification is required (see Clause 28 of the Standard Contract Provisions). The Offeror recognizes that one of the primary goals of the District government is the creation of job opportunities for bona fide District residents. Accordingly, the Offeror agrees to pursue the District's following goals for utilization of bona fide residents of the District of Columbia with respect to this contract and in compliance with Mayor's Order 83-265 and implementing instructions: (1) at least 51% of all jobs created as a result of this contract are to be performed by employees who are residents of the District of Columbia; and (2) at least 51% of apprentices and trainees shall be residents of the District of Columbia registered in programs approved by the D.C. Apprenticeship Council. The Offeror also agrees to notify all prospective subcontractors, prior to execution of any contractual agreements, that the subcontractors are expected to implement Mayor's Order 83-265 in their own employment practices. The Offeror understands and shall comply with the requirements of The Volunteer Apprenticeship Act of 1978, D.C. official Code sec. 32-1401 et seq., and the First Source Employment Agreement Act of 1984, D.C. Code sec. 2-219.01 et seq.

The Offeror certifies that it intends to enter into a First Source Employment Agreement with the District of Columbia Department of Employment Services (DOES). Under this First Source Employment Agreement, the Offeror shall use DOES as the first source for recruitment and referral of any new employees. The Offeror shall negotiate the First Source Employment Agreement directly with DOES. Nothing in this certification or the First Source Employment Agreement shall be construed as requiring the Offeror to hire or train persons it does not consider qualified based on standards the Offeror applies to all job applicants.

Name _____ Title _____

Signature _____ Date _____

Office of Contracting and Procurement (CONSTRUCTION)		BID BOND		Date Bond Executed (Must Not be later Than Bid Opening Date)	
Bid Bond Period Ninety (90) Working Days After Bid Opening		TYPE OF ORGANIZATION ("X")			
PRINCIPAL Name(s) and Address(es)		<input type="checkbox"/> INDIVIDUAL		<input type="checkbox"/> PARTNERSHIP	
		<input type="checkbox"/> JOINT VENTURE		<input type="checkbox"/> CORPORATION	
		STATE OF INCORPORATION			
SURETY (IES) Name(s) and Address(es)		PENAL SUM OF BID			
		AMOUNT NOT TO EXCEED			
		MILLION(S)	THOUSAND(S)	HUNDRED(S)	CENT(S)
		BID IDENTIFICATION			
		BID OPENING DATE		INVITATION NO: DCKA-2013-B-0160	

KNOW ALL MEN BY THE PRESENTS. That we, the Principal and Surety(ies) hereto, are firmly bound to the District of Columbia Government, a municipal corporation, hereinafter called the District, in above penal sum for the payment of which we bind ourselves, our heirs, executors and successors, jointly and severally Provided, That, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has submitted the bid identified above.

NOW, THEREFORE, if the Principal shall not withdraw said bid within the period specified therein after the opening of the same, or, if no period be specified, within ninety (90) working days after said opening, and shall within the period specified therefore, or, if no period be specified, within ten (10) days after being called upon to do so, furnish Performance & Payment bonds with good and sufficient surety, as may be required, for the faithful performance and proper fulfillment of the Contract, and for the protection of all persons supplying labor specified, or the failure to furnish such bond within the time specified, if the Principal shall pay the District the difference between the amount specified in said bid and the amount for which the District may procure the required work and/or supplies, if the latter amount be in excess of the former, then the above obligations shall be void and of no effect, otherwise to remain in full force and virtue.

Each Surety executing this bond hereby agrees that its obligation shall not be impaired by extension(s) of time for acceptance of the bid that the Principal may grant to the District, notice of which extension(s) to the Surety(ies) being hereby waived; provided that such waiver of notice shall apply only with respect to extensions aggregating not more than ninety working days in addition to the period originally allowed for acceptance of the bid.

IN WITNESS WHEREOF, the Principal and Surety(ies) have executed this bid bond and have affixed their seals on the date set forth above.

PRINCIPAL

1. Signature		1. Attest		Corporate Seal
Seal Name & Title (Typed)		Name & Title (Typed)		
2. Signature		2. Attest		Corporate Seal
Seal Name & Title (Typed)		Name & Title (Typed)		

PRINCIPAL (Continued)

CERTIFICATE AS TO CORPORATION

I, _____ certify that I am _____
Secretary of the Corporation named as Principal herein, that
_____ **who signed this bond on behalf of the Principal was then**

Of said corporation; that I know this signature, and his signature thereto is genuine; that said bond was duly signed and sealed for and on behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Secretary of Corporation

SURETY(IES)

1. Name & Address (typed)		State Inc.	of	Liability Limit	Corporate Seal
Signature of Attorney-In-Fact	Attest (Signature)				
Name & Address (typed)	Name & Address (Typed)				
2. Name & Addressed (typed)		State Inc.	of	Liability Limit	Corporate Seal
Signature of Attorney-In-Fact	Attest (Signature)				
Name & Address (typed)	Name & Address (typed)				

INSTRUCTIONS

1. This form shall be used whenever a bid guaranty is required in connection with construction, alteration and repair work.
2. Corporation's name should appear exactly as it does on Corporate Seal and inserted in the space designated "Principal" on the face of this form. If practicable, bond should be signed by President or Vice President; if signed by other official, evident of authority must be furnished. Such evidence should be in the form of an Extract of Minutes of a Meeting of the Board of Directors, or Extract of Bylaws, certified by the Corporate Secretary, or Assistant Secretary and Corporate Seal affixed thereto. CERTIFICATE AS TO CORPORATION must be executed by Corporate Secretary, or Assistant Secretary.
3. Corporations executing the bond as sureties must be among those appearing on the US Treasury Department's list of approved sureties and must be acting within the limitations set forth therein, and shall also be listed with the "Insurance Administration, Department of Consumer and Regulatory Affairs", to do business in the District of Columbia. The surety shall attach hereto an adequate Power-of-Attorney for each representative signing the bond.
4. Corporations executing the bond shall affix their Corporate Seals. Individuals shall sign full first name, middle initial and last name opposite the work "seal", two witnesses must be supplied, and their addresses, under the word "attest". If executed in Maine or New Hampshire, an adhesive shall be affixed.
5. Names of partners must be set out in body or bond form, with the recital that they are partners composing a firm, naming it, and all members of the firm shall execute the bond as individuals. Each signature must be witnessed by two persons and addresses supplied.

**BID FORM
(CONSTRUCTION CONTRACT)**

Read Instructions to Bidders (See Standard Contract Provisions as amended)	Invitation No.: DCKA-2013-B-0160 Issue Date:
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TO: CONTRACTING OFFICER, GOVERNMENT OF THE DISTRICT OF COLUMBIA

In compliance with above Invitation, the undersigned proposes to furnish all plant, labor and materials and perform required work per provisions as set forth in the Standard Contract Provisions, as amended, specifications, addenda, drawings, for the consideration of:

PROJECT TITLE: Riversmart/ Green Alley

The undersigned agrees that if he is awarded the Contract within 90 calendar days after bid opening date and he is notified thereof, he will within 10 days after the prescribed forms are forwarded for execution, or within any authorized extension of time, execute and deliver a Contract on Form No. DC 2640-6 and furnish performance and payment bonds on Form No. DC 2640-7 and Form No. DC 2640-8 with good and sufficient survey; and that if he falls or refuses, required bid guaranty shall be applied as specified in Instructions to Bidders.

Undersigned acknowledges receipt of the following addenda. Failure to acknowledge receipt of all addenda may result in rejection of bid.

Addendum No.	1	2	3	4	5	6	7	8
Received								

Enclosed is bid guaranty consisting of 5% of the total bid Bid Bond Certified Check Other
 Name of bidder must be shown in full if an individual; and if a partnership, full names of all partners must be shown. If bidder is a corporation, impress corporate seal and furnish name of State where incorporated. If joint venture, all parties must sign.

Bidder represents that he operates as an individual joint venture, corporation
 Incorporated in State of _____ Telephone No. _____

Name of Bidder (Type or print)	Corporate Seal
DUNS or RUBS NO	
Business Address (Type or print)	
By (Signature in ink)	Attest
Title of Person Signing	Title of Person Attesting

Envelopes containing bid, guaranty, etc., must be sealed, marked and addressed as follows:

Mark envelope in upper left corner as follows: Invitation No.: DCKA-2013-B-0160 To be opened (date): January 2, 2013 At 2:00 P.M. Envelopes available from Office of Contracting and Procurement	Address as follows: Department of Transportation Office of Contracting and Procurement 55 M Street, S.E., 4 th Floor Washington, DC 20003
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CERTIFICATION OF INDEPENDENT PRICE DETERMINATION

- (a) Each Signature of the Bidder is considered to be a certification by the signatory in accordance with D.C. Official Code 2-203.16 that:
- 1) The prices in this Bid have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, *or* agreement with any Bidder or competitor relating to:
 - (i) those prices
 - (ii) the intention to submit a Bid, or
 - (iii) the methods or factors used on calculate the prices in the Bid;
 - 2) The prices in this Contract have not been and shall not be knowingly disclosed by the Bidder, directly or indirectly, to any other Bidder or competitor before Contract opening unless otherwise required by law; and
 - 3) No attempt has been made or shall be made by the Bidder to induce any other concern to submit or not to submit a Bid for the purpose of restricting competition.
- (b) Each signature on the bid is considered to be a certification by the signatory that the signatory;
- 1) Is the person in the Bidder's organization responsible for determining the prices being offered in this Bid, and that the signatory has not participated and shall not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
 - 2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and shall not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above:

(insert full name of person(s) in the organization responsible for determining the prices offered in this Contract and the title of his or her position in the Bidder's organization);

 - (ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(I) above have not participated, and shall not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and
 - (iii) as an agent, has not participated, and shall not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.
- (c) If the Bidder deletes or modifies subparagraph (a)(2) above, the Bidder must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure.