

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. Contract Number DCKA-2015-R-0080		Page of Pages 1 7	
2. Amendment/Modification Number Amendment No. 10		3. Effective Date See Section 16C Below		4. Requisition/Purchase Request No.		5. Solicitation Caption Asset Preservation and Maintenance of DC Tunnel System	
6. Issued By: Office of Contracting and Procurement Roads and Highway 55 M Street SE 7th Floor Washington DC 20003			Code	7. Administered By (If other than line 6) DDOT-IPMA Asset Management Division 55 M Street SE 5 th Floor Washington DC 20003			
8. Name and Address of Contractor (No. Street, city, country, state & zip code)				(X)	9A. Amendment of Solicitation No. DCKA-2015-R-0080		
					9B. Dated (See Item 11) November 9, 2015		
					10A. Modification of Contract/Order No.		
					10B. Dated (See Item 13)		
Code			Facility				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
X	The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended <input checked="" 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 <input type="checkbox"/> 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 ACKNOWLEDGEMENT 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 change 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 CONTRACTS/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 date, 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 type="checkbox"/> is not <input checked="" type="checkbox"/> is required to sign this document and return <input type="checkbox"/> copies to the issuing office.							
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)							
Solicitation Number DCKA-2015-R-0080 is hereby amended as follows:							
1. DELETE Section E.8.2.1.1's reference to "Performance Measure 4C" and REPLACE WITH "Performance Measure 87".							
2. DELETE Section E.8.2.1.2's reference to "Performance Measure 5C" and REPLACE with "Performance Measure 88".							
3. Attached are responses to questions raised at the Pre-Proposal Conference held on Tuesday, February 2, 2016.							
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 B. Lattimore, Deputy Chief Contracting Officer			
15B. Name of Contractor (Signature of person authorized to sign)		15C. Date Signed		16B. District of Columbia (Signature of Contracting Officer)		16C. Date Signed 12 Feb 16	

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4. This amendment is the final response to questions from offerors on this solicitation leading to Receipt of Proposals on Thursday, March 3, 2016 by 2:00 p.m.
5. **INSERT** the attached publication "Saber Work Order Data Fields" that provides images about what information the MMS can capture. This will be referred to as Appendix T on Page 83-R.

RESPONSE TO QUESTIONS

1. Question: Which J and K Attachments should be affixed to the proposal?

Response: The following documents should be made a part of your technical proposal:

Solicitation, Offer and Award Cover Sheet

- J.1.5 E.E.O. Information Policy Statement.
- J.1.8 DBE Utilization Form
- J.2.1 Tax Certification Affidavit
- J.2.2 Bid Bond
- J.2.3 Performance Bond (commitment letter from Surety to issue the bond and verification of contractor's bonding capacity)
- J.2.4 Payment Bond (commitment letter from Surety to issue the bond and verification of contractor's bonding capacity)
- J.2.5 Cost/Price Data Certification
- J.2.7 Bidder/Offeror Certification Form
- J.2.8 Employee Training Requirement

SECTION K in its entirety (K.1 thru K.7-CERTIFICATION, REPRESENTATIONS AND OTHER STATEMENTS OF OFFERORS).

2. Question: Has EPA been asked to classify the air quality in exhaust rooms?

Response: No.

3. Question: If so what was their finding?

Response: See the response to Question#2 (under Response to Questions) above.

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4. Question: What safety precautions must be used with personnel working in these rooms?

Response: Refer to Section F.5.3.1.5 of the RFP.

5. Question: How detailed is the Saber System for work orders? Each light repaired a work order or can you name the number of lights worked on during the work request?

Response: For information regarding the data that can be captured in the Saber Work Order Data Fields document, refer to Appendix T now appended to the DTAP website.

6. Question: Any lane closure must occur during the night for maintenance? Saturday? Sunday?

Response: Planned lane closures should take place at night or on weekends to minimize the traffic impact. The contractor should be prepared for lane closures at any time to facilitate emergency response in the tunnels.

7. Question: Is there an additional system to be used by the Contractor besides the Saber System per section L.2.5.2.4.1?

Response: No. Saber is the only maintenance data system which the contractor is required to use and maintain. Section L.2.5.2.4.1 addresses the contractor's procedures to ensure that the Saber MMS is populated with current, comprehensive, and accurate data regarding tunnels maintenance activities.

8. Question: Is the replacement of fans, motors and other heavy equipment part of this contract or will it be a modification?

Response: The contractor is required to maintain and repair the in-scope equipment so that it meets the performance standard described in the RFP and Appendix A.

9. Question: Appendix A1 table under Fans refers to vibration readings provided in the RFP. Where is this located in the RFP?

Response: See Appendix F-Special Mechanical Requirements.

10. Question: What is the date for the receipt of proposals?

Response: Refer to Amendment #9.

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11. Question: For Form A (1st page of solicitation), Sections J, and K; can you please confirm which, if any, forms need to be submitted with the proposal and whether they should be bound with the price proposal or submitted separately?

Response: See the response to Question No. 1 (under Response to Questions) above.

12. Question: Should hard copies of the addendums be submitted with the proposal?

Response: Yes, hard copies should be submitted as stated in Section L.15 that is RESCINDED and REPLACED with the following:

The offeror shall acknowledge receipt of any amendment to this solicitation by attaching Page 1 of all amendments to their technical proposal by the date and time specified for receipt of proposals. An offeror's failure to acknowledge an amendment may result in rejection of its offer.

13. Question: What is required for the DBE plan at this time? Should this be submitted with the proposal or before submittal?

Response: There is a 4% DBE goal for this solicitation and Attachment J.1.8 should be submitted with your proposal.

14. Question: What information is available regarding the new equipment to be installed at the Air Rights tunnel?

Response: Once construction is completed, the Air Rights tunnel will have the same number of fans (16) to be maintained, although the ventilation system will have been converted from transverse to longitudinal. The length of the new Air Rights tunnel will be approximately 2400'. Offerors should be prepared to assume responsibility for a corresponding increase in the scope of the roadway assets (lighting system, lane control system, structural assets, etc.).

15. Question: Upon award and notice to proceed, for equipment that is not up to standard, will it be the contractor's responsibility to address or will there be a change order?

Response: From the NTP date, the new contractor will assume all responsibility for the maintenance and repair of all assets within the scope defined in the RFP. Assets will be turned over at NTP "as is," and subject to any applicable regular maintenance schedules, unless a particular maintenance or repair action identified under the previous contract has been assigned by task order to the previous contractor for completion and remains uncompleted as of NTP.

The current contractor will maintain responsibility for all assets prior to the new contract NTP date.

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16. Question: What about warranties for existing and new equipment?

Response: Processing in-warranty replacements will be the maintenance contractor's responsibility.

17. Question: Do any of the tunnels have a back-up generator?

Response: No. The Mall Tunnel has four independent Pepco power feeds. The Air Rights Tunnel has two independent Pepco feeders. The 9th St Tunnel has two independent Pepco feeders. The 12th St North Tunnel and all other remaining tunnels each have one Pepco feeder.

18. Question: Who will be responsible for disposal of waste materials, broken/replacement equipment, etc.?

Response: The maintenance contractor will be responsible for disposal.

19. Question: What will the force account be used for?

Response: The force account will be used at the District's discretion for repairs and upgrades within the tunnel envelope and support facilities that are not within the scope of preventive and corrective maintenance services in this contract.

20. Question: Amendment #8 refers to an Appendix B as an attachment, but it was not attached. Can the Department please advise of Appendix B.

Response: See the Supplement to Appendix B now appended to the DTAP website.

21. Question: Can you kindly advise if the bid bond must reflect the final Bid Opening Date?

Response: The date on the bid bond should be the date for Receipt of Proposals (March 3, 2016).

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22. Question: Almost all the reports provided in the CD containing the Appendices are outdated. The latest asset condition reports go back to 2012 and some of them are based on the tests carried out in 2005. Also, two of the appendices are blank, namely DDOT Special Provisions and Appendix S. It was pointed out in the pre-bid meeting that the contractor receiving the award would be responsible for the assets as they are even if they are deficient and broken. Therefore, it is absolutely essential to have the exact condition of the assets, in particular mechanical and electrical assets, at this moment to assess the risk and cost associated with their repair/maintenance. Please provide the up to date condition of assets.

Response: For tunnel asset condition data through May 2015, see the tunnel condition evaluation results provided in Appendix B.

23. Question: Per C.6.16.2.5 the contractor is responsible for damages greater than \$200,000 per single incident per tunnel. C.3.3.21 defines Single Incident as "a distinct event in time, such as a crash, or a major electrical surge that causes damage to the tunnel assets." This definition contradicts the explanation given to us during pre-bid meeting. In the meeting we were told that contractor's responsibility for damages beyond \$200,000 applies only for Force Major incidents such as earthquake, etc., and in case of crash in tunnels the contractor would be responsible for damages to the lighting only and for other damages repairs would be under Force Account. Please confirm that the explanation given during the pre-bid is correct. If not, please inform of the number of such Single Incidents in the past five years which will at least give us an indication of what to be expected so that we can cover the risk of such incidents in our pricing.

Response: As stated at the pre-bid conference, verbal responses given to questions during the pre-bid conference were unofficial and non-binding. Only written answers in response to written questions, issued as part of an official Amendment, should be considered. The limitation on damages is not limited to a Force Majeure event such as an earthquake or flood. It would also be applicable in the event of a major crash or fire causing more than \$200,000 of damages to in-scope assets. During the past five years there have been zero incidents resulting in over \$200,000 in damages to in-scope tunnel system assets.

24. Question: Per response to Question 13 in Addendum #8, decision for applying wage rates to employees is left to the contractor. This will create huge problem for the contractor who is responsible to pay correct rates to the employees and submit Certified Payroll to DDOT DBE section. It is quite possible that DBE Section may not agree with contractor's decision in applied rates and impose heavy penalties. In all DDOT contracts the wage rates are determined by DDOT and included in the contract. We request same be applied to this contract.

Response: DDOT realizes the contract shall be governed by the Service Contract Act with the payment of Service Contract wage rates on a daily basis. However, circumstances will change from time to time and the work being performed may fall under the Davis-Bacon Act wage rates. It is anticipated that the selected offeror will apply due diligence in ensuring the correct wage rates are being applied according to the work being performed.

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25. Question: Please inform if the amount of Bid Bond should be based on the Base Years price or should it also cover the Option Years?

Response: The amount of the bid bond should be based on the base year only. Option years are not guaranteed.

26. Question: The 4% DBE Goal applies to the Base Years or should also include the Option Years?

Response: The 4% DBE goal is for the base and all option years.

27. Question: Please inform if the bid package should be submitted in three volumes, namely Price Proposal, Technical Proposal and Staff/Management Proposal, or all could be submitted in one volume. If separate, could you please identify the arrangement of documents, for example which volume should include acknowledgement of Addenda, Certificates, Licenses, etc.

Response: The proposal should be submitted in two (2) volumes: Technical (including staffing and management) and Cost Proposal.