



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
PO BOX 778
DOVER, DELAWARE 19903

JACK MARKELL
GOVERNOR

SHAILEN BHATT
SECRETARY

VIA OVERNIGHT DELIVERY

(302) 760-2030
FAX (302) 739-2254

May 8, 2013

Contract No. T201380108.01
Equipment Storage Sheds
Statewide

Ladies and Gentlemen:

Enclosed is Addendum No. 1 for the referenced contract consisting of the following:

NOTE: The date for the receipt of bids has been moved to Tuesday, May 21, 2013.

1. One (1) page, Bid Proposal Cover, revised, to be substituted for the same page in the Proposal.
2. One (1) page, Mandatory Pre-Bid Meeting Attendees, new, to be added to the Proposal.
3. Fifty-three (53) pages, Mandatory Pre-Bid Meeting Transcript, new, to be added to the Proposal.
4. One (1) page, List of Subcontractor Categories, new, to be added to the Proposal.
5. Two (2) pages, Questions and Answers, new, to be added to the Proposal.
6. One (1) page, Location Description, page i, revised, to be substituted for the same page in the Proposal. Note 3 explains how to complete the revised bid pages. Note 4 includes specifications to be submitted with your bid.
7. One (1) page, Special Provisions, Section I Overview and Authority, page 67, revised, to be substituted for the same page in the Proposal. This is a change to DeIDOT contract.
8. One (1) page, Specifications, page 74, revised, to be substituted for the same pages in the Proposal.
9. Two (2) pages, Specifications, pages 75 and 76, **DELETED**, to be removed from the Proposal and substituted with the enclosed sequencing pages.
10. Two (2) pages, Bid Proposal Forms, pages 1 and 2, revised, to be substituted for the same pages in the Proposal and one (1) page, Bid Proposal Forms, page 3, new, to be added to the Proposal.

11. One (1) page, Bid Bond, new, to be added to the Proposal. Must be submitted with the bid.

Please note the revisions listed above and submit your bid based upon this information.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Gottfried". The signature is fluid and cursive, with a prominent horizontal line across the middle.

Scott S. Gottfried
Competitively Bid Contracts Coordinator
:ssg
Enclosures

STATE OF DELAWARE



DEPARTMENT OF TRANSPORTATION

BID PROPOSAL

for

CONTRACT T201380108.01

EQUIPMENT STORAGE SHEDS

STATEWIDE

ADVERTISEMENT DATE: April 8, 2013

MANDATORY PRE-BID

PROSPECTIVE BIDDERS ARE ADVISED THAT THERE WILL BE A MANDATORY PRE-BID MEETING FOR THIS CONTRACT ON MONDAY, APRIL 23, 2013 AT 10:00 AM IN THE BIDDER'S ROOM (ROOM B1.11.01), IN THE DeIDOT TRANSPORTATION ADMINISTRATION CENTER, 800 BAY ROAD, DOVER, DE 19901.

Completion Date 3 Calendar Years

SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION
DELAWARE DEPARTMENT OF TRANSPORTATION
AUGUST 2001

Bids will be received in the Bidder's Room, Transportation Administration Center, 800 Bay Road, Dover, Delaware until 2:00 P.M. local time May ~~14~~ 21, 2013

Contract T201380108 - Equipment Storage Sheds

Mandatory Pre-Bid Meeting - April 23, 2013 @ 10:00 A. M.

Sign in sheets

Email	Name	Address	Phone Number
WILLIAM@DELMARVAPOLE.COM	WILLIAM KRAMER	DELMARVA POLE BUILDING SUPPLY 317 N LAYTON AVE WYOMING DE 19945	302-632-1365
Kdisabatino@disabatino.com	Kevin DiSabatino	DiSabatino Construction - 1 South Cleveland Ave Wilmington DE 19805	302-652-3838
CMAGDEFRAU@EASTERNHIGHWAYSPECIALISTS.COM	CHRIS MAGDEFRAU	920 N CHURCH STREET WILMINGTON, DE 19801	302-777-7673
	PAUL PARADISE	"	"
bbooth@itscommonwealth.com	Bill Booth	2317 PENNSYLVANIA AVE WILMINGTON, DE 19806	302-654-6611
dave.gray@comcast.net	David Gray	26193 Burrsville Road Denton Md. 21629	410-479-0921
vpinfo@jobconstruction.net	Kelli Miles	JOB Construction 8183 E. Newton Rd Bridgeville DE 19933	302-337-8181
jbolinar@cbstructuresinc.com	CB STRUCTURES INC DBA Jon Dolinar ^{Publictree} Structures	202 Orlan Rd New Holland PA 17557	717-598-3210
ACRISTOL@AOL.COM	Derome Robinson	1010 RIVER ROAD New Castle Delaware	302 322 1100
JZACK@HARBOYSERVICES.COM	John Zack	425 OLD AIRPORT RD New Castle De	302 328 9457
paul.turner@state.de.us	Paul Turner	800 S Bay Rd Dover, DE 19901	302-760- 2031 2031
Scott.GOTTFRIED@State.de.us	Scott GOTTFRIED	DELDOT	302 760 2031
Matthew Lichtenster state.de.us	Matthew Lichtenster	DE/DOT	760-2140

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION

IN RE:)
)
MANDATORY PRE-BID MEETING)
FOR CONTRACT T201380108.01,)
EQUIPMENT STORAGE SHEDS)

Department of Transportation
Administration Building
800 Bay Road
Dover, Delaware

Tuesday, April 23, 2013
10:00 a.m.

BEFORE:

SCOTT S. GOTTFRIED,
DelDOT, Competitively Bid Contracts
Coordinator

MATTHEW LICHTENSTEIN,
DelDOT, Maintenance Improvements Engineer

PAUL M. TURNER,
DelDOT, Contracts Coordinator

WILCOX & FETZER
1330 King Street - Wilmington, DE 19801
(302) 655-0477
www.wilfet.com



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ALSO PRESENT:

WILL KRAMER,
Delmarva Pole Building Supply, Inc.

KEVIN DiSABATINO,
DiSabatino Construction

CHRIS MAGDEFRAU
EHS, Inc.

PAUL PARADISE,
EHS, Inc.

BILL BOOTH,
Commonwealth Construction

DAVID GRAY,
Bob Breeding General Contractors

KELLI MILES,
Job Construction

JON DOLINAR,
CB Structures, Inc.

JEROME ROBINSON,
Bristol Industrial Corp.

JOHN ZACK,
Hardy Services



1 MR. GOTTFRIED: Good morning,
2 everybody. Welcome. Thank you for coming.

3 My name is Scott Gottfried. I am one
4 of the Competitively Bid Contracts Coordinators
5 here.

6 This is a mandatory pre-bid meeting
7 for Contract No. T201380108.01. This is
8 equipment storage sheds statewide. This has a
9 completion time of three calendar years.

10 Today's meeting will start with me
11 speaking about the administrative handling of the
12 contract, then I will turn the program over to
13 the engineering staff to discuss the specifics of
14 the work.

15 As we go along, if you have any
16 questions, please feel free to ask them. As you
17 can see, we have a court stenographer here today
18 to make a transcript of this meeting. Please
19 when asking your questions, please state your
20 name and the organization that you represent, and
21 only one person speak at a time.

22 Procedures before bidding: All
23 questions must come to me. This process is very
24 simple. You may either -- well, actually, you



1 may e-mail your concerns to me at
2 scott.gottfried@state.de.us.

3 This allows you to ask your questions
4 in your own words. I will in turn direct those
5 questions to the appropriate section. Do not
6 call the engineer or the consultant. If there is
7 a true need to speak directly with an engineer, I
8 will make those arrangements. This is the most
9 efficient way for this to be handled. If the
10 questions result in information that all bidders
11 need to be aware of, the information will be
12 distributed via addendum.

13 I'm putting this on the record right
14 now. All technical questions, specification
15 questions, changes to proposal, or add-ons, or
16 anything you want to get done regarding this,
17 must be in my office seven calendar days prior to
18 the bid opening. I will accept no questions
19 after noon on May 7th. Are we clear on this?
20 I'm not going to be getting down to the last two
21 minutes trying to answer or-equal questions. And
22 the reason for seven calendar days is because
23 that's how long it takes us to get through our
24 consultants and the engineering staff to get an



1 answer back to either get you a yea or an
2 approval, and to put out an addendum. If you
3 wait until the eleventh hour and send it in, you
4 will get a response back that we're not answering
5 your question. Is this clear? There's plenty of
6 time to go at this. I do understand some of the
7 specs might be vague and we'll get into that when
8 we get to the specification part. But the reason
9 being -- and I'll say this out of turn -- is
10 because if you've looked at the proposal in the
11 bid forms, you can see that we can also ask for
12 other size buildings.

13 After this meeting, there will be an
14 addendum issued to each of those attending the
15 pre-bid meeting. The addendum will consist of
16 the minutes of this meeting, whatever plan or
17 spec changes that come as a result of this
18 meeting, a subcontractor category list, if
19 needed, and a list of attendees. Please be sure
20 to sign the list certifying attendance. Since
21 this is a mandatory pre-bid meeting, if your firm
22 has not signed in, you cannot bid.

23 I've already gone over this, but I'll
24 say it again. I strongly encourage you to look



1 over the proposal book as soon as you can. Bids
2 will be taken on May 14, 2013. However, no
3 technical or any questions will be accepted after
4 12 o'clock on May 7th, 2013.

5 Joint ventures: If anybody is
6 planning to do a joint venture, both firms need
7 to be registered with my department. If you're
8 not registered with us, you can pick up a
9 registration form at that window before you leave
10 today.

11 Please note that the certification
12 form, and I believe -- did we put a bond on this?
13 Okay. We did not put a bid bond on this. I
14 believe the bid bond on this goes, as you get
15 each purchase order, then you have to provide a
16 bond for the building.

17 The certification forms that are in
18 the back of your proposal, which is only one for
19 right now, must be filled out and returned and
20 notarized.

21 Real quickly. I want to go over
22 something a little bit out of turn here before we
23 go any further. If everybody is looking at their
24 proposals and you've dealt with DelTOT before,



1 you might see something a little bit different.
2 If you'll notice on the front cover of your
3 proposal, it has just a State contract number.
4 There is no Federal ID or Federal aid number.
5 But if you read inside your contract, you'll
6 notice that there's all Federal language in
7 there. Federal Highway Administration language
8 and there's also FTA language, which includes a
9 bunch of forms at the back of your proposal like
10 the lobby form, participant regarding debarment,
11 Certificate of Non-Collusion.

12 This contract this time has gone out
13 so that depending on what pot of money we need to
14 use, we can use this contract. This contract
15 mostly is going to be used for State funds, but
16 it does have the possibility to be used for
17 Federal funds which would be the Federal Highway
18 Administration Regulations, and it can also use
19 Federal Transit Authority funds. In other words,
20 DART can use this contract.

21 We kind of got ourselves in trouble
22 on our last contract because we didn't have FTA
23 language in and right at the end of the contract,
24 we needed a building, but FTA wouldn't approve it



1 because the language wasn't in it originally.

2 Now, I'm going to give all the people
3 a little bit of insight in here. Once this
4 contract is awarded, there will be a building
5 immediately purchased that will go under FTA. It
6 will be done by John Kotula and you'll be
7 contacted by him. It's for an 80-by-60 building.
8 It's going to be up in Wilmington. That is a
9 guarantee. I have that contract sitting on my
10 desk. He is going to be buying it off this
11 contract just because it makes more sense. It's
12 not in this contract, but I can tell you right
13 now, he's sitting waiting for this to be awarded
14 so that he can purchase his building. Okay? And
15 you will have to follow the FTA rules.

16 Now, you'll also notice in this
17 contract, you have State wage rates and you have
18 Davis-Bacon wage rates. When you get a purchase
19 order, you will be told at that time whether it's
20 just State money or we're using Federal money.
21 FTA and FHWA will both use the Davis-Bacon. If
22 that happens, when it comes to the wage rates,
23 you must use the higher of the two or the one
24 that's the most constrictive, which would be the



1 higher of the two. In other words, if the
2 laborer for the State and county is higher than
3 the Feds, even though you're using Federal money,
4 you would use the State wage rate. And the
5 reason I'm discussing that right now is because
6 the State wage rates just changed. And for about
7 the next two or three months until the Feds catch
8 up, the Feds usually mirror our wage rates here
9 in the State. They've been doing that for about
10 two years now. They'll come back in because our
11 rates are usually higher than theirs. But right
12 now there are Federal Highway rates for
13 categories that are higher than the State. Okay?
14 Unless there are some State ones that are higher
15 than the Feds. So you have to bounce back and
16 forth if you're using it for a Federal contract.
17 Does everybody understand that?

18 Your wages go by the categories, not
19 by the whole determination. So on a contract you
20 get for FTA, you could easily be using a State
21 laborer rate and a Davis-Bacon electrician rate.
22 It very well could happen.

23 MR. BOOTH: Bill Booth with
24 Commonwealth Construction.



1 Does the FTA specs require a quality
2 control plan to be submitted if it's under the
3 FTA funding?

4 MR. GOTTFRIED: I do not know. I'll
5 answer it in the addendum. I have no clue. I'll
6 have to talk with John Kotula and speak with him.
7 I don't believe so because of the square footage
8 of the buildings you'll be doing with them. I
9 believe that's the case.

10 It's under 5,000 square feet, which
11 also means when you're in the city of Wilmington,
12 you don't have to use the fire inspector and all
13 that and that was done on purpose.

14 MR. BOOTH: Well, I don't know if
15 that's the case. Your sprinklers are usually not
16 required in anything under 10,000, and most
17 likely a fire alarm system will be required, but
18 it will still have to go through plan review and
19 inspection.

20 MR. GOTTFRIED: Okay. I'm not going
21 to argue with you. I just know they have
22 something for the reason they've only made it
23 5,000 square feet.

24 MR. BOOTH: Okay.



1 MR. GOTTFRIED: I'm not going to
2 quote you on that. That will be found out when
3 he calls you up for that purchase order, if
4 you're the lucky recipient.

5 But I just want to make it clear to
6 everybody that this can come from three pots of
7 money. That's why you'll see all the
8 additional. And you won't learn which pot of
9 money it's coming out of until the purchase order
10 is cut.

11 MR. LICHTENSTEIN: Actually, we'll
12 know when we sub bid it. When we have the
13 contractors and we ask them to prepare prices,
14 we'll be able to tell them which wage rate table
15 to use.

16 MR. GOTTFRIED: No, you can't. Ask
17 me after the meeting. That's what I just went
18 through. You have to use both if it's Federal
19 money. You have to use both, and you have to use
20 the one that's higher. You don't have a choice
21 on that one. That goes by the State rules for
22 when they're doing construction jobs. I'll
23 explain it to you afterwards. It turns into a
24 wonderful nightmare if you use Federal money.



1 Are there any questions what I just
2 said about the FTA and Federal monies and the
3 wage rates and the forms?

4 Now, normally you'd be disqualified
5 if you don't turn all your forms in at the time
6 of bid that are in this proposal. I'd like to
7 see most of the forms or everything turned back
8 in. Well, you don't have a choice with
9 certification. That must be turned in with the
10 bid forms. But all the additional forms for the
11 FTA funding, which is what's going to be in the
12 back of your proposal, if you happen to miss one
13 of those, I'm letting you know now, I'm not
14 DQ'ing you, but you will have exactly 72 hours to
15 get that form in to me signed if you happen to
16 miss one. Okay? A little bit different than we
17 normally do.

18 Please note: When you do get a
19 purchase order, you will need to supply us with a
20 hundred percent performance bond.

21 Please note: We cannot accept any
22 bonds with riders or restrictions. You must use
23 the bonding forms that we send you for the reason
24 being, this is a State law requirement. This



1 isn't something that DelDOT puts out.

2 If for some reason your bonding
3 company will not use your forms after you get a
4 PO, please contact Matt or myself and we'll work
5 it out with your bonding company.

6 Please note: No AIA bonds or any
7 other type of bonds will be accepted for the
8 performance bond once the contract is awarded
9 and given to you for a purchase order. Is that
10 understood?

11 Please note: This contract is
12 governed by the Standard Specifications dated
13 August 2001.

14 Please note that all revisions to
15 those contracts are the contractor's
16 responsibility to go online and review. There is
17 a page inside your proposal that gives you a link
18 to go to the Web site and to review those.

19 All changes to the Standard
20 Specifications for supplementals that were in
21 effect as of the date of advertisement for this
22 contract will be in force in this contract. This
23 contract was advertised on April 8th. So
24 anything that was up and on the Web on April 8th



1 will be incorporated into this contract by
2 reference.

3 The Standard Specifications can be
4 purchased from my office for a cost of \$42. If
5 you're a cheapskate like myself, I suggest you go
6 to the Web site and download whatever sections or
7 whatever you need to look at in the Standard
8 Specifications.

9 Since most of the companies in here
10 don't usually do business with us because we
11 don't do buildings a lot, I would suggest you
12 look at Section 102.06 and Section 102.07.

13 Section 102.06 is preparation of
14 bids. This will tell you exactly how you are to
15 turn your bid forms in to me, and what you need
16 to do to place a bid.

17 Section 102.07 is for irregular
18 proposals. There are nine or ten things there,
19 that if you make a mistake, I will automatically
20 disqualify you. I have no choice. The wording
21 there says "shall be considered nonresponsive."
22 Do I have any questions so far?

23 MR. BOOTH: Bill Booth, Commonwealth
24 Construction.



1 Does the FTA money require us to have
2 everything sourced from American U.S.A. sources,
3 you know, steel, rebar?

4 MR. GOTTFRIED: Yes. There is a form
5 in your proposal, if you will look back, if
6 everybody has their proposal. I'm not going to
7 say that they're not going to allow you to use
8 other sources, but there is a notice to bidders
9 for Buy America Certification Compliance. And
10 that must be filled out and turned back in. And
11 you're stating there whether it's a Certificate
12 of Non-Compliance or a Certificate of Compliance.

13 MR. BOOTH: So what do we own? Do we
14 own compliance or do we own non-compliance?

15 MR. GOTTFRIED: There are some
16 things -- I'm not going to say. There are some
17 things that they will accept, and there are some
18 steel issues that can be non-American, but I'm
19 not going to go into that list right now. It's
20 CFR -- and I don't know the number. I've looked
21 it up before. There are some things that you can
22 use that are non-American steel and it says some
23 things that are. But what you're talking about,
24 I'm almost sure you're going to have to comply



1 with "buy American." But there are other
2 instances, and like I said, just because I don't
3 have the book in front of me and I can read it
4 directly to you, there are other instances where
5 you may use non-American products and it's
6 spelled out, especially with steel.

7 MR. BOOTH: Okay.

8 MR. GOTTFRIED: My suggestion is,
9 shoot me a question on that and I'll get back to
10 you directly because, like I said, I incorporated
11 the money and I have to ask John Kotula, who is
12 the director on that for DART to give me his
13 regulations. We're trying to make this as open
14 as possible so that all three agencies can use it
15 just in case it comes up so we don't get caught
16 in a quagmire.

17 All right. Bid forms. Are there any
18 other questions on what I've gone over so far?

19 All right. I'm going to go to the
20 bid forms, and you'll see it says, "Schedule of
21 Items."

22 Now, I'm going to change something
23 which -- well, no, I did put it in there; right?
24 I didn't mess up.



1 As you will notice, it says, "All
2 figures must be typewritten or written in ink."
3 Okay? This is one of the few times I'm going to
4 allow you to handwrite your numbers. If anybody
5 normally comes in here like Mr. Booth from
6 Commonwealth knows, we don't accept handwritten
7 numbers, ever, but with this I will because I
8 could not do an expedite file on a disk.

9 I want to make it 100 percent clear.
10 If I can't read your numbers or if there is any
11 confusion between a 7 and an 8, or a 6 and a 9,
12 or a 3, and I can't figure out exactly what your
13 number is, I'm not going to strain myself, I'm
14 not going to call you. I'm automatically going
15 to disqualify you. Is everybody clear on that?
16 Please write legibly.

17 I do not want to have to play guess
18 because when I first started working here quite a
19 few years ago, we had a number and the number
20 made a difference in who became the low bidder.
21 I will throw you out. I don't care if it's for a
22 penny.

23 Please be clear in your writing
24 because I have the right to make changes to your



1 numbers if you add wrong. Okay?

2 I want everybody to understand that
3 there are one, two, three, four, five columns on
4 the bid form. The first column is the line
5 number, the second column is the item
6 description, your third column is your
7 approximate quantity and units, your fourth
8 column is for the unit price.

9 Please make sure you do not put the
10 extended amount in your unit price. Okay? Make
11 sure that you put the unit amount there. Even
12 though these are all ones -- I know. Don't go
13 there. I've seen people put a higher number in
14 the unit price, put a lower number in the
15 extended amount, and I have to go with the higher
16 of the two numbers and it can change bids and
17 people can lose it.

18 I know this sounds crazy, but I've
19 seen every type of way of this being messed up or
20 something crazy happening and you have to change
21 the low bidder and somebody comes back screaming
22 because of the numbers being wrong.

23 Please note: You must provide a
24 price for every item. If you cannot provide a



1 price for every item, I want a phone call. I
2 want a question sent in to me stating why your
3 company cannot provide a price for that item.
4 Okay? Or do I need to do something with the bid
5 forms, or we did the bid forms wrong or
6 something. Is that clear?

7 Please note: I'm going to go back
8 over this. If you have any exception to our
9 technical specs, you must call in seven days
10 prior to the bid opening.

11 Now, after quantity pages, there's
12 one, two, three, four, five new forms. These all
13 must be filled out. These are the FTA forms that
14 I was talking about, that if you forget to bring
15 in, I will give you 72 hours to turn those in,
16 but I will need all these back at some point. If
17 you don't turn them in within 72 hours and you
18 happen to be the low bidder, I will consider you
19 nonresponsive.

20 The form you must turn in is the
21 certification. The certification is at the back
22 of your contract.

23 Please note: At the top left-hand
24 corner it says, "The undersigned bidder." That



1 is not the name of the person filling out the
2 form; that's the name of your company.

3 Please note: At the bottom it says,
4 "Disadvantaged Business Enterprise percent." For
5 every contract you do, unless something really
6 strange happens, and I don't think that's going
7 to happen, your DBE goal will be zero percent.
8 Okay? I'm telling everyone now to put zero in
9 there. If you choose to put a number in this
10 area, on every Federal contract, I'm going to
11 hold you to that percent.

12 Please note: I'm not requiring it
13 because this will be used mostly with State
14 funds, but if you put a number that's more than
15 zero in the DBE goal, you will be held
16 accountable for that, and I will not let you
17 change it after bid. It will be a binding
18 agreement. Does everybody understand that?

19 If you use a DBE contractor, a
20 disadvantaged business contractor, thank you very
21 much. But for this contract, for the few times
22 we're going to use it for Federal money, because
23 most of this is going to be State, I do not
24 suggest you put any number in there higher than a



1 zero. Because if you don't meet that goal, you
2 can get sanctions. Is everybody clear?

3 This is a two-sided form. On the
4 back side of the form it says, "Bidder must
5 acknowledge receipt of all addenda." I can
6 guarantee you there's going to be one addendum on
7 this. It's going to have the transcript and
8 whatever changes that you first come out with.

9 You must use the number of the
10 addendum and the date it comes out. Underneath
11 that, you must sign the form, whoever can sign
12 your organization into a legal binding contract,
13 and it must be notarized.

14 Please make it clear that if the
15 person that's notarizing this happens to put
16 their stamp or seal on there before the person
17 signs it, even though it's not supposed to
18 happen, make sure it gets signed; you
19 double-check it. I have received certification
20 forms with a notary public stamp and nobody
21 signed the contract. It's an automatic
22 disqualification.

23 If you're incorporated, I must have
24 your corporate seal. It must be attested to.



1 Please note: The person who signs
2 the contract to enter into an agreement cannot be
3 the same person that signs or attests to the
4 corporate seal. They must be different. Okay?

5 If for some reason you don't have
6 your corporate seal stamp, you may draw your
7 corporate seal.

8 As far as the administration handling
9 of this contract, are there any questions?

10 Okay. If there's no questions, then
11 I'm going to turn the meeting over to Matt
12 Lichtenstein and let him go over some of the
13 particulars of the contract.

14 MR. LICHTENSTEIN: One of the items I
15 want to discuss, there was a little bit of a
16 sticking point. On the last contract there was
17 permitting.

18 DelDOT will pay the permit fee that
19 you give us a canceled check of, or the receipt
20 of, but it's your responsibility to obtain all
21 permits. So we'll pay the actual fee as a change
22 order price with a copy of the receipt, but it's
23 your responsibility to obtain the permit.

24 There's a wide variation from county



1 to county. So we'd just like you to keep them
2 instead of having to do guesswork on what county
3 you'll be working in.

4 I'm willing to entertain any
5 questions about the contract or any technical
6 questions about what we're going to be doing.

7 MR. DiSABATINO: Kevin DiSabatino,
8 DiSabatino Construction.

9 Could you go through what this job
10 is?

11 MR. LICHTENSTEIN: Wood and pole
12 buildings, open-end contract that we can do
13 throughout the State for FHWA, FTC or Delaware
14 Transit, or I'll be handling the State side of it
15 and probably FHWA. We do that as well.

16 It's a three-year contract. We don't
17 know what size buildings we're going to be doing
18 three years out. So that's why we're making it
19 an open-end with a lot of possibilities.

20 MR. GOTTFRIED: Let me add something
21 before we go any further.

22 With these types of buildings, there
23 can be change orders. What we're basically
24 asking for is the basic building on a basic



1 foundation if you have a perfect situation.
2 Everything else has to be negotiated at the time
3 of the purchase order because as you see, you
4 have no plans with this. You have three
5 different counties. They can all go up. They
6 can ask you to put doors on these things.
7 There's a lot of avenues they can go after this
8 contract.

9 Basically, what we're bidding for
10 here is the basic type of building, and then when
11 you get your purchase order, you'll negotiate and
12 do a change order to add everything else to it.

13 MR. DiSABATINO: Kevin DiSabatino,
14 DiSabatino Construction.

15 At each building, are there going to
16 be multiple people bidding on each building when
17 it comes up? Are two people going to have to
18 submit a proposal for each shed?

19 MR. GOTTFRIED: It depends on the
20 type of building and how many people we award to.

21 MR. LICHTENSTEIN: Typically, that's
22 what we try to do, but if there's one section or
23 one district that likes working with one
24 contractor and they are already on-site, they



1 might just ask them. Typically, we'll have the
2 two approved contractors, or three, give us
3 prices for things that aren't in this contract,
4 like electrical work. These guys want motorized
5 door openers, or light transmitting panels in the
6 ceiling. It's impossible to predict and it
7 wouldn't be good practice to try to get prices on
8 it all and not know the quantities until later.
9 So, yes, there will be a comparison between the
10 two approved contractors, typically. Two or more
11 approved contractors.

12 MR. KRAMER: Will Kramer, Delmarva
13 Pole Building Supply.

14 I guess my question is, I haven't
15 seen the contract, but is it a square foot number
16 you're looking for or is it a -- I guess the
17 question is, you're saying there's no sizes.

18 MR. GOTTFRIED: We have building
19 sizes in there, and we ask for a specific
20 building, exactly what we want with that one
21 standard building, and then there can be an
22 add-on to from that.

23 MR. LICHTENSTEIN: But we might ask
24 for one that's not on that list.



1 MR. KRAMER: Understood.

2 MR. ZACK: John Zack, Hardy & Son.

3 Is there any unit prices for any of
4 the site work on these contracts at all? Do you
5 have paving, stone, removal of structures,
6 anything like that?

7 MR. LICHTENSTEIN: If that's not in
8 the contract, that will be one of the negotiable
9 items during the change order process or the
10 comparison process.

11 MS. MILES: Kelli Miles, JOB
12 Construction.

13 You've mentioned wood structures and
14 pole buildings. Are there going to be any steel
15 buildings in this contract?

16 MR. LICHTENSTEIN: Did we provide for
17 that?

18 MR. GOTTFRIED: I don't know. I used
19 the last contract.

20 MS. MILES: I haven't seen that, and
21 we did bid on the last ones, but we do steel
22 buildings and it just said wood. I just want to
23 clarify that.

24 MR. LICHTENSTEIN: That is our intent



1 to have steel and wood.

2 MS. MILES: Steel and wood.

3 MR. GOTTFRIED: Have you looked at
4 this yet?

5 MS. MILES: No, I haven't.

6 MR. GOTTFRIED: Okay. Don't scare me
7 like that.

8 I usually deal with mostly highway,
9 bridges, wonderful things like that, you know.
10 This is not one of my areas of expertise. I see
11 these contracts maybe three or four times a year.
12 You might be a better example on that, Mr. Booth.
13 It's the truth. You know how many buildings we
14 put out. It's not many. And I'm usually sitting
15 up here with my -- you know, looking as blank as
16 I am right now, just because we don't deal with
17 that many buildings. This is going to be steel
18 and pole, however you call them.

19 MR. LICHTENSTEIN: Wood.

20 MR. GOTTFRIED: Wood.

21 MR. GRAY: Dave Gray, Bob Breeding.

22 If we're bidding pole and steel, can
23 we put a bid for both?

24 MR. GOTTFRIED: Yes.



1 MR. GRAY: Because the steel is
2 definitely going to be higher than the pole.

3 MR. GOTTFRIED: Yes. You can bid
4 both or you can bid one or the other.

5 MR. DiSABATINO: Kevin DiSabatino,
6 DiSabatino Construction.

7 On the bid form, there's nothing in
8 here that says steel or wood.

9 MR. GOTTFRIED: I know where you're
10 going with this, and I'm waiting to see the
11 questions come back how to separate it. That was
12 done intentionally by me. I'm looking for the
13 industry to give me answers back on how to do
14 that.

15 MR. BOOTH: Bill Booth, Commonwealth
16 Construction.

17 Currently I'm looking at my neighbor
18 here. I'm sorry, I don't know your name. I'm
19 looking at the bid form. It looks like there's
20 eight buildings shown on the bid form, eight
21 types of buildings. And I guess the scenario is,
22 you want us to bid those eight different types of
23 buildings in wood and in metal. Is that the
24 intent, Scott?



1 MR. GOTTFRIED: Yes. Ask him.

2 MR. LICHTENSTEIN: Yes.

3 MR. BOOTH: Matt?

4 MR. LICHTENSTEIN: Yes.

5 MR. BOOTH: Okay. Well, maybe the
6 best thing to do would be, either change the
7 building types like IBW to represent wood, and
8 then IBS to represent the steel, and provide us
9 with a one complete bid package. And those of us
10 who are bidding on wood, can bid all the wood
11 stuff, and put NA on the steel items. And then
12 vice versa for those bidding steel and not wood.
13 That would be my recommendation.

14 MR. GOTTFRIED: Send me your
15 recommendation. I was waiting to hear responses
16 on this. There was an issue last time and I
17 remember it, and that's why I just put a simple
18 bid form in here to get answers back. That's why
19 when I saw this gentleman's face look up, you're
20 right, you must bid everything, but I'm looking
21 for how to bid wood and steel because there were
22 some problems with trying to bid them together
23 last time. But because it was a competitively
24 sealed proposal the previous time, those weren't



1 my main factors. My main factors were the five
2 criteria I had to evaluate the people on. This
3 time I'm looking to see what I need to do to put
4 together a bid form.

5 Like I said, I'm looking for the
6 industry to come back with some answers. I
7 figured that question would come up, and I was
8 waiting for it to come up on how to separate this
9 legitimately.

10 MR. KRAMER: Will Kramer, Delmarva.
11 You're saying and/or, though; right?

12 MR. LICHTENSTEIN: Yes.

13 MR. GOTTFRIED: You don't need to put
14 both.

15 MR. KRAMER: Okay.

16 MR. GOTTFRIED: I wouldn't crucify
17 you like that. I would only get one or two
18 bidders then.

19 MR. DiSABATINO: Kevin DiSabatino,
20 DiSabatino Construction.

21 With this new bid form, are you going
22 to give a little more -- since you're saying it's
23 going to be a low bid, I guess, and there's not
24 going to be kind of a quality check or a



1 narrative or anything about what we're bidding,
2 are you going to give a little bit of detail to
3 what type of building you're looking for? I
4 mean, the pole building guys and the wood guys,
5 we all know that you can build an expensive
6 building or a very cheap building with not a lot
7 in it. Is this just going to be a pure low bid
8 and then we just kind of --

9 MR. GOTTFRIED: There's
10 specifications in there.

11 MR. DiSABATINO: Okay.

12 MR. GOTTFRIED: It's a low bid
13 scenario.

14 MR. DiSABATINO: Okay.

15 MR. GRAY: Dave Gray, Bob Breeding.
16 Self-performing percentage, what is
17 that?

18 MR. GOTTFRIED: We haven't gotten
19 there yet.

20 MR. GRAY: As high as possible?

21 MR. GOTTFRIED: We haven't gotten
22 there yet. That's the last thing I'm going to go
23 through because I kind of almost answered that,
24 but I have to give the primes in the room the



1 ability to agree on that collectively.

2 You're talking about the
3 subcontractor category, and the percentage of how
4 much the 51 percent rule -- the contractor has to
5 do at least 51 percent of the work. I do
6 understand that. That's the last thing we'll
7 talk about here in a minute.

8 This is a low bid. There are
9 standards we have in here, but in doing this, you
10 must meet all State and Federal and county codes.

11 Believe me, it's a very delicate
12 situation trying to bid these buildings like
13 this, but the problem I have is, on the last
14 contract, one county put up 13 buildings. I
15 don't have time to put out 13 separate contracts
16 and have you guys in here 13 times to bid those
17 13 times, or we'd never get anything done. So
18 we've tried to make this as open-ended as
19 possible to allow everybody to have a chance to
20 bid but still give us the flexibility to come
21 back and be able to pick and choose and add
22 things to it.

23 MR. BOOTH: Bill Booth, Commonwealth
24 Construction.



1 Does the contractor address price
2 increases at all for materials?

3 MR. GOTTFRIED: You can, yes. There
4 is the Consumer Price Index clause in this.

5 MR. BOOTH: Okay.

6 MR. GOTTFRIED: No, I wouldn't do --
7 steel and wood, let me guess; the two things that
8 are the most volatile in the market to begin
9 with. We do understand, you know, all of a
10 sudden something spikes or something goes wrong,
11 yes, there would be an allowance for that. But
12 understand that would be against what we have in
13 the CPI-U. You just couldn't go off like one
14 gentleman did with resin paint and decided to go
15 up 120 percent when the increase was only three.
16 And if you do ask for a price increase because of
17 something -- because of an increase in wood or
18 steel, you must submit a letter to the Department
19 stating why and the reason why it's increasing.
20 Okay? We'll do our research, but we do expect
21 you to come to us. We're not going to come to
22 you. Okay? Are there any other technical
23 questions?

24 MR. BOOTH: Bill Booth, Commonwealth



1 Construction.

2 In regards to the wage rates and
3 there being a Federal and State wage requirement,
4 I know that Davis-Bacon wage rates, which are the
5 Federal wage rates, allow the use of sheet metal
6 workers who are not doing the ductwork, and that
7 is a much lower rate than what is considered the
8 standard sheet metal workers' rate who are doing
9 ductwork. However, the State wages which you're
10 saying govern, if they're higher, don't allow for
11 that sheet metal worker if not doing ductwork.
12 So can I use the Federal Davis-Bacon wage rate?

13 MR. GOTTFRIED: No.

14 MR. BOOTH: So I need to use the
15 State of Delaware --

16 MR. GOTTFRIED: When you get the
17 purchase order for this contract, if we're
18 telling you this is an FHWA funded project, or an
19 FTA, which is a DART funded project, you must use
20 the higher of the two.

21 If it is a State funded contract,
22 then you're only allowed to use the State wage
23 rates.

24 MR. BOOTH: Okay.



1 MR. GOTTFRIED: No choice in that.
2 That goes by the standard specs.

3 MR. BOOTH: So how do I put my bid
4 together understanding that there's a delta
5 between those two wage rates, and in one scenario
6 I can price the job up at this lower rate, but in
7 another --

8 MR. GOTTFRIED: You can't ever price
9 at the lower rate.

10 MR. BOOTH: So in essence you're
11 telling me the sheet metal workers' rate for
12 Federal projects through Davis-Bacon, a sheet
13 metal worker not doing ductwork doesn't even
14 apply to this contract.

15 MR. GOTTFRIED: If the State is
16 higher, no, it does not. You have to use the
17 most constrictive of the two.

18 MR. BOOTH: The State is higher but
19 it doesn't offer a classification as detailed as
20 the Federal Government under the Davis-Bacon wage
21 rates.

22 MR. GOTTFRIED: I'm telling you now,
23 if the State has something that says sheet metal
24 and they're at \$80 an hour and the Feds are at



1 20, you're going to use the \$80 an hour. No
2 choice. I don't like this rule, but it's a rule
3 that's in our standard specs.

4 MR. BOOTH: I'm not arguing with you.
5 I just want to make sure everybody understands
6 that.

7 MR. GOTTFRIED: When you're using
8 State money, you only have State wage rates. No
9 choice. If you're using Federal Highway or FTA
10 money, you're still going to be using the higher
11 of the two. Even though you have the Davis-Bacon
12 here, if the State is higher, then use that for
13 that category; if the Feds is higher, use it for
14 it. It comes out for the laborer who gets the
15 advantage of that. Okay?

16 And I will tell you, the State will
17 be up on you with this one; Hi, how you doing?
18 We're here to see you.

19 I've watched too many people who have
20 to come back and pay additional wages because
21 they go ahead and try to use the Davis-Bacon.
22 You must use the higher of the two. I'm going to
23 say this with a grain of salt. I have no control
24 over DOL. If you have an issue, talk to your



1 congressmen and get them to deal with those wage
2 rates. Like I said, all I do is follow what they
3 tell me.

4 MR. BOOTH: Understood.

5 MR. DiSABATINO: Kevin DiSabatino,
6 DiSabatino Construction.

7 So we're going to bid these things,
8 and we're going to say for this 150-by-80, 60,
9 whatever building, it's going to cost you X, but
10 that price isn't necessarily binding or what
11 we're going to get a contract for. That's just
12 to get us to that stage.

13 MR. GOTTFRIED: Yeah, but for the
14 building, for the basic building, yes. Change
15 orders at that point will be added to it.
16 Whatever you give me for an 80-by-60 building,
17 I'm going to hold you to that cost. Now, I may
18 add a door to it, electronics, electric, all
19 that. Those prices are negotiated in the change
20 order, or asked to be resubmitted. But your base
21 bid for that building is going to stay the same.
22 Okay?

23 Just like if you're putting up this
24 building on a foundation, I can tell you right



1 now, between Sussex County and New Castle, it's
2 two different types of things. You know, you
3 will be allowed that allowance. I do understand
4 that, but that's all asked to come back to you at
5 the time you get a purchase order.

6 This is basically a way we can get
7 three or four contractors, preferably two pole
8 and two metal, or two wood and two metal, and
9 then to go with that. Because the other reason
10 we're asking for multiple contractors is,

11 depending on how the funding sources come down --
12 this has happened with Matt, and I'm sure he'll
13 agree with me on this. All of a sudden tomorrow
14 we can get a pot of money that was just nowhere,
15 and be given to him, and he's got to use it.

16 Okay? And your company may have work right now,
17 his company may have work, and you may say, I
18 only want to take home one of these to meet your
19 time frames. At least if we have a backup to go
20 to this company and look at it. And that has
21 happened. We can ask for 12 buildings, but if
22 you already got work, which I know is really
23 crazy in this time frame, but it has happened to
24 us where a contractor has come back and said, I



1 can't help you. We've got too much work. I
2 won't meet your time frames. I'm going into
3 liquidated damages. And because I've asked you
4 to put a solid price on what the building is, I
5 don't want you to be hurt by something because
6 we're asking you to come out here now, you know,
7 because this is really an open-end contract.
8 It's like a credit card. We use it when we need
9 it. Okay?

10 MR. GRAY: Dave Gray, Bob Breeding.

11 When we price these buildings up for
12 especially steel, the codes are different for
13 each county. Do we price it up for Sussex
14 County?

15 MR. LICHTENSTEIN: Use the most
16 restrictive. If New Castle is more restrictive
17 than Kent and Sussex --

18 MR. GRAY: I didn't know if you'll
19 give us --

20 MR. LICHTENSTEIN: No, I can't
21 estimate where we're going to be doing one
22 building in each --

23 MR. GOTTFRIED: Before you go there.
24 Do me a favor, submit that question to me.



1 MR. GRAY: Okay.

2 MR. GOTTFRIED: Submit that question.

3 MR. GRAY: If it was a three and it's
4 now a 12 is a big difference when you're pricing
5 up steel.

6 MR. GOTTFRIED: I understand. I know
7 where you're going with that. I expect to make
8 changes to the bid form. Send that question to
9 me in detail. I might make a change to that just
10 for the steel because I do know that is a
11 situation of the counties.

12 I want to talk to somebody and
13 address that before we say yea or nay. We're
14 trying to learn from doing this. This is only
15 the second time we've done this. So it's a
16 learning process. Any other questions?

17 All right. Let's go to my favorite
18 two things of the day. First of all, what I've
19 asked you for in this contract is what we're
20 bidding. Please remember that. I didn't ask you
21 for a bunch of other stuff. So when I say this,
22 as far as what they've given me in equipment
23 storage sheds that we put in the proposal -- how
24 many prime contractors do I have in here?



1 Everybody?

2 Who here can't do 51 percent of the
3 work that I've asked for in the proposal? You
4 can't?

5 MR. DOLINAR: Jon from CB Structures.
6 I'm not sure.

7 MR. GOTTFRIED: I'm not asking for
8 all the additional that we can add in the
9 purchase order change.

10 MR. DOLINAR: It's hard to say. The
11 electric could be --

12 MR. GOTTFRIED: I didn't ask for the
13 electric. All I'm asking for is a shell here.

14 MR. DOLINAR: It depends on which
15 type.

16 MR. GOTTFRIED: Okay.

17 MR. DOLINAR: I'd like to stick with
18 no, if possible for the sake of --

19 MR. GOTTFRIED: DelDOT has a 51
20 percent rule in the standard specs. It says that
21 the prime contractor will do 51 percent of the
22 work. Now, usually in vertical structures we
23 have plumbing, electrical, HVAC, roofing, and
24 other things that cause me to lower that number



1 because you have so many subs. I didn't ask for
2 that in this contract. All I asked for was just
3 the buildings and the shells. So in saying that
4 note, is there anybody in here that can't do 51
5 percent of the work?

6 MR. DiSABATINO: Kevin DiSabatino,
7 DiSabatino.

8 Fifty-one percent of these --

9 MR. GOTTFRIED: You got it.

10 MR. DiSABATINO: -- nine things?

11 Overhead doors, personnel doors,
12 concrete floors, load conditions, overhangs,
13 gutters and downspouts, concrete aprons, and
14 paint, and the building itself.

15 MR. GOTTFRIED: Yes, that is correct,
16 and the building.

17 MR. KRAMER: Will Kramer, Delmarva
18 Pole Building.

19 Are you saying with our
20 subcontractors as employees?

21 MR. GOTTFRIED: Subcontractor
22 categories are a rule that Delaware has put in.
23 It's a form that I have to add to the proposal.
24 And what it allows me to do is, we decide on



1 subcontractor categories of the 51 percent rule.

2 First of all, let's deal with the 51
3 percent rule stating that you can do 51 percent
4 of the work. We're about to get to the
5 subcontractor categories.

6 For what I've asked for in the
7 specific proposal -- now everybody understands
8 that there could be change orders to this in the
9 future and there will be on each building. We
10 understand that. But for what I've asked
11 directly out of this proposal is for the shell of
12 the building and a few items we've asked to go
13 with it to put up that building, can you do 51
14 percent of the work?

15 MR. DiSABATINO: With your employees.

16 MR. GOTTFRIED: With your employees,
17 with your forces.

18 MR. KRAMER: Without subcontractors
19 you mean?

20 MR. GOTTFRIED: Without
21 subcontractors, that is correct.

22 And note: This is not including any
23 of the additional items like electrical, HVAC,
24 and all that. This is just for the buildings and



1 what we've asked for in the proposal, and it's
2 going to be a consensus because I can lower that
3 number, but I don't like lowering that number.
4 There's a reason why. Because then I get --
5 somebody tries to bid in here and then bid it
6 out. But there's reasons why we don't like
7 lowering that number. I like leaving it because
8 then I don't have to put any extra language in
9 the proposal. That's the 51 percent rule; that's
10 DelDOT's rule.

11 The subcontractor category rule is,
12 if you're going to need subcontractors -- this
13 has to be agreed upon by everybody in the room.
14 If there's going to be any subcontractor
15 categories, then I must state those subcontractor
16 categories. You're going to get another form in
17 your proposal. It's going to have a list of
18 those categories, okay, and you must put who your
19 subcontractor is going to be, whether it be your
20 company or somebody you sub out to. Once I
21 receive that list from you, you're not allowed to
22 change that after the time of bid. If you do
23 decide to change that, then it will be at a cost
24 to you, I believe it's \$2,000, per each time you



1 change it. It's not a penalty, but it's to make
2 sure that you can't shop a subcontractor's bid
3 after you've gotten it. Okay?

4 Now, there are some unique
5 situations -- and when I say unique, I've seen it
6 happen once in 12 years -- where we'll allow a
7 contractor to go out and get another
8 subcontractor to replace him on that
9 subcontractor list, but that's because he walked
10 off the job. And I'm not going to penalize a
11 prime because a guy goes and files bankruptcy and
12 walks off the job. That's not fair. Okay?

13 MR. KRAMER: So I would say we
14 wouldn't meet the 51 percent.

15 MR. GOTTFRIED: Fifty-one percent
16 just means you're going to do at least half the
17 job. I'm not going to move it up. I would move
18 it down if I got a consensus. So in the room who
19 can't do -- I'll do it this way. Please state if
20 you can't do, by a raising of the hand, 51
21 percent. Okay. Then what could you do?

22 MR. DOLINAR: Jon with CB Structures.
23 I'm not sure at this time. I can
24 possibly come up with a number, but I'd have



1 to --

2 MR. GOTTFRIED: All right. Then
3 shoot that number to me. I'm going to be honest
4 with you here. I'm not going to go very low.
5 Don't look for 25, or 30 on this, or 40. I need
6 to see why you can't complete the 51 percent for
7 the basic buildings. I'm just curious. So if
8 you shoot that to me after the meeting in an
9 e-mail, and then I'll go from there.

10 So are we in agreement by a show of
11 hands that everybody else, the other primes in
12 here could meet the 51 percent rule? Please
13 leave your hands up. By a show of hands there
14 were seven hands.

15 Can you meet it or not?

16 MR. KRAMER: No. I use subs for
17 pretty much all my work.

18 MR. GOTTFRIED: Send me an e-mail. I
19 want to talk with you two separately after this
20 or even after the meeting. We'll talk.

21 All right. For right now I'm going
22 to hold it at 51 percent, but if there's any
23 changes, you'll see it in the first addendum. I
24 don't believe there will be, but we'll talk.



1 Does anybody by a show of hands need
2 subcontractor categories for the second? I'm not
3 looking for -- I mean, the only subcontractor
4 category I would see on this that may be the
5 prime wouldn't do here -- and this is just my own
6 personal intuition on this -- is the concrete and
7 the pads. Is that a problem? Is that a
8 subcontractor category or not?

9 MR. DiSABATINO: Kevin DiSabatino,
10 DiSabatino Construction.

11 I would say we shouldn't list it just
12 because over three years any subcontractor is
13 going to either get busy or not get busy, and
14 leaving the primes open for flexibility to use,
15 like, concrete or door supply or whatever.

16 MR. GOTTFRIED: Okay. Then there
17 won't be a subcontractor list. Actually, I know
18 without a subcontractor list, it's more
19 beneficial to the contractors. I do know that.

20 What's your question, Mr. Booth?

21 MR. BOOTH: I was going to make a
22 smart comment.

23 MR. GOTTFRIED: Make a smart comment.
24 I love your comments.



1 MR. BOOTH: Especially concrete
2 contractors are dropping like flies right now.
3 So who's going to be in business three years from
4 now is so hard to say.

5 MR. GOTTFRIED: Not a problem.
6 That's what I need to know. I don't know these
7 things. That's why I'm asking. I'm just going
8 on past experiences here. I'm not out in the
9 field every day for concrete. Now, if you ask me
10 about asphalt, I'll be glad to tell you.

11 So right now we're at the 51 percent
12 rule and there will be no subcontractor category
13 listings. Are there any other concerns or
14 questions regarding this contract?

15 MR. DOLINAR: Jon with CB Structures.

16 Do the prevailing wage rates, the
17 current rates apply for the full three years?

18 MR. GOTTFRIED: That is correct. In
19 other words, what those rates -- when this is
20 awarded in 2015, you will still be using those
21 rates. Those will be the rates that the
22 Department of Labor comes out and looks at you
23 about. I guarantee, you won't see a Federal
24 inspector, but I can almost guarantee, you will



1 see a little State guy pull up in a car and start
2 asking your workers questions. You can almost
3 guarantee that. They are out there. They're in
4 force right now. It can be good or bad,
5 depending on your company or who you are, but
6 don't make a mistake. They're asking for our
7 books. They are going out to the job sites and
8 they are just pulling up and looking. And
9 they're even stopping it. I've gotten ones back,
10 Yeah, we saw work here, Scott. Is this yours?
11 I've gotten phone calls while they're sitting at
12 the job site looking to find out who the owner of
13 the contract is. So please don't play with the
14 Department of Labor.

15 MR. DiSABATINO: When do you plan on
16 starting this contract?

17 MR. GOTTFRIED: I'll be honest with
18 you. The bids come out on May 14th. I will be
19 really honest with you. Within 30 days it will
20 probably be awarded quite quickly. But if you
21 want me to give you the actual time frames, we
22 have 30 days to award. The contractor has 20
23 days to send it back to us, and then we take
24 three days to execute it.



1 If you want to go from the time that
2 we actually make award -- but this is a State
3 contract. As far as State funding, I don't have
4 to ask the Feds for the money because it's by PO.
5 So I can almost tell you right now, this will be
6 expedited quite a bit. Basically, it's going to
7 come from a recommendation. If your numbers look
8 fine, I'll get a recommendation back from Matthew
9 here, and then we will go forward with the award.
10 You'll get that paperwork. You'll be given a
11 time frame to get it back to us.

12 Because you don't have to get a bond
13 at that time, it shouldn't take that long to have
14 the agreement notarized that we send you four
15 copies of, and you'll get that back to us. And
16 then it takes us two to three days -- usually one
17 day, but two to three days depending on who's
18 here and who isn't to get the actual execution
19 through all the Department signatures.

20 Any other questions?

21 MR. KRAMER: Will Kramer, Delmarva
22 Pole Building Supply.

23 I guess my question is, as far as --
24 I know you said POs. What kind of payments, time



1 frames are there on it? It's all written in
2 there?

3 MR. GOTTFRIED: Yes. When you submit
4 your invoice, you get paid 30 days later. And if
5 you don't pay your subs, I guarantee you, they'll
6 be calling me and you'll be getting nice little
7 phone calls.

8 MR. LICHTENSTEIN: Typically, what
9 we've been doing is, we'll pay for material as it
10 arrives on-site with a copy of the receipt.
11 We'll pay what you pay with no markup, and then
12 we'll pay a percentage of the work as it gets
13 completed.

14 MR. GOTTFRIED: Any other questions?
15 Any other concerns?

16 If you still need to pick up the
17 proposal, you can do it at the window before you
18 leave today.

19 MR. BOOTH: Bill Booth, Commonwealth
20 Construction.

21 Is there a price for the proposal
22 package?

23 MR. GOTTFRIED: I don't believe
24 there's one for this one. This one is free. I



1 wanted to get people here for this one. This is
2 going to solve a lot of problems for me.

3 Any other questions or concerns? All
4 right. Then I'd like to thank everybody for
5 coming. Please have a good day. I look forward
6 to getting your bids.

7 (Pre-Bid meeting adjourned at 11:05
8 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, Vera T. Sitze, a Notary Public and Registered
3 Professional Reporter, do hereby certify that the
4 foregoing is an accurate and complete
5 transcription of the proceeding held at the time
6 and place stated herein, and that the said
7 proceeding was taken down by me in Stenotype
8 notes and thereafter transcribed by use of
9 computer-aided transcription under my direction.

10 I further certify that I am not a relative,
11 employee, or attorney of any of the parties or a
12 relative or employee of either counsel, and that
13 I am in no way interested directly or indirectly
14 in this action.

15
16
17 

18
19 Vera T. Sitze, RPR

20
21
22 My commission expires July 31, 2014
23
24



Delaware Department of Transportation
QUESTIONS AND ANSWERS
T201380108.01
Equipment Storage Sheds Statewide
Wednesday, May 08, 2013

Q #	Question	Answer
15	Are these buildings insulated and what is the requested R value? <input type="checkbox"/>	If insulation is required it will be asked for in each case.
14	Page 75 and 76 in the bid pack what is the intent of these pages? Are these pages just to give the bidders an idea of the approximate quantity of buildings?	These pages have been removed.
13	The bid form (discussed in pre-bid) would it be easier to have a completely different form for each building type.	Refer to Addendum No. 1 "Prospective Bidders Note: 3", and revised bid pages.
12	The 80 x 60 building in Wilmington mentioned in the pre-bid meeting, will that building be wood frame or steel?	The building will be a rigid frame (steel) design and construction.
11	Regarding wage rates: in the pre bid meeting it was made clear that the higher of the two (State vs Davis Bacon) should be used for bidding. Does this statement also apply as far as the counties are concerned?	Yes. Refer to Addendum No. 1 "Prospective Bidders Note: 3", and revised bid pages.
10	Has it been determined, which building code we should use when estimating the steel buildings?	Refer to Addendum No. 1 "Prospective Bidders Note: 3", and revised bid pages.
9	Will there be a need for a bid bond?	A 10% Bid Bond is required to be submitted with the bid. The Bid Bond form will be included in Addendum 1. You must use the Bid Bond form provided in Addendum 1. AIA or other bond forms are not acceptable. This is a change to the Pre-Bid Transcript, Page 6, Line 13. Lines 14 through 16 refer to a Performance Bond referred to in Section II 2.3A of the contract.

Q #	Question	Answer
8	Include protective pipe bollards?	If protective pipe bollards are required it will be asked for in each case.
7	Include bird netting on the underside of the trusses?	If bird netting on the underside of the trusses is required it will be asked for in each case.
6	Buildings to receive 'double bubble' insulation installed on the walls and roof?	If insulation is required it will be asked for in each case.
5	Are posts to be protectively wrapped where they get buried in the ground?	If post wrap is required it will be asked for in each case.
4	I just want to re-confirm that these forms can be filled out by hand, that there is no forms to fill out electronically and send in on a disc?	Correct. Bid forms and attachments may be typed or handwritten.
3	For the Steel Buildings, I am assuming the price should include the trench excavation and backfill for the footings, piers and frost walls, as well as all necessary concrete work for a complete building with floor slab. Is that correct?	Yes.
2	We are considering pricing both the wood pole buildings as well as the steel buildings, but there is only one bid form for the building types.	Refer to Addendum No. 1 "Prospective Bidders Note: 3", and revised bid pages.
1	I didn't see any specs on the steel as far as gauge of steel. Also it says 4"x5" downspouts seamless but you can get the gutters seamless but not the downspouts.	Refer to Addendum No. 1 "Prospective Bidders Note: 4." Correction made for seamless gutters and not downspouts.

Contract No.T201380108.01

**EQUIPMENT STORAGE SHEDS
STATEWIDE**

LOCATION

These improvements are located in STATEWIDE.

DESCRIPTION

The improvements consist of furnishing all labor and materials for, **EQUIPMENT STORAGE SHEDS**, and other incidental construction in accordance with the location, notes and details shown on the plans and as directed by the Engineer.

COMPLETION DATE

All work on this contract must be complete within 3 Calendar Years .

PROSPECTIVE BIDDERS NOTE:

1. No retainage will be withheld on this contract.
2. The Department has adopted an External Complaint Procedure. The procedure can be viewed on our website at; <http://www.deledot.gov/information/business/>, or you may request a copy by calling (302) 760-2555.
3. Revised Bid Pages have been included with Addendum 1. Note that there are now separate pages for each county, and a separate column for Wood and Steel buildings. Include the cost of permits, county building requirements, and county wage rates in each of the bids.

Bidders can bid on any one or all counties. Bidders can bid on only Wood, only Steel, or both types of buildings. If bidding Wood buildings, all Wood building items must be bid. If bidding Steel buildings, all Steel building items must be bid.

Do not enter a bid price of "0" for any item. If not bidding on one type of building, leave column blank.

4. Bidders please make note of Special Provision "EQUIPMENT STORAGE SHEDS" Section II, item number 2.5F. "ORDER SPECS" (page 69). The basic specifications for the buildings are to be industry standard. Bidders are hereby instructed to submit information (such as a brochure, cut sheet, drawing, etc.) with their bid that describes the basic specifications for their submitted pricing.

**STATE OF DELAWARE
CONSTRUCTION ITEMS UNITS OF MEASURE**

English Code	English Description	Multiply By	Metric Code	Metric Description	Suggested CEC Metric Code
ACRE	Acre	0.4047	ha	Hectare	HECTARE
BAG	Bag	N/A	Bag	Bag	BAG
C.F.	Cubic Foot	0.02832	m ³	Cubic Meter	M3
C.Y.	Cubic Yard	0.7646	m ³	Cubic Meter	M3
EA-DY	Each Day	N/A	EA-DY	Each Day	EA-DY
EA-MO	Each Month	N/A	EA-MO	Each Month	EA-MO
EA/NT	Each Night	N/A	EA-NT	Each Night	EA/NT
EACH	Each	N/A	EA	Each	EACH
GAL	Gallon	3.785	L	Liter	L
HOUR	Hour	N/A	h	Hour	HOUR
INCH	Inch	25.4	mm	Millimeter	MM
L.F.	Linear Foot	0.3048	m	Linear Meter	L.M.
L.S.	Lump Sum	N/A	L.S.	Lump Sum	L.S.
LA-MI	Lane Mile	1.609	LA-km	Lane-Kilometer	LA-KM
LB	Pound	0.4536	kg	Kilogram	KG
MFBM	Thousand Feet of Board Measure	2.3597	m ³	Cubic Meter	M3
MGAL	Thousand Gallons	3.785	kL	Kiloliter	KL
MILE	Mile	1.609	km	Kilometer	KM
S.F.	Square Foot	0.0929	m ²	Square Meter	M2
S.Y.	Square Yard	0.8361	m ²	Square Meter	M2
SY-IN	Square Yard-Inch	0.8495	m ² -25 mm	Square Meter-25 Millimeter	M2-25 MM
TON	Ton	.9072	t	Metric Ton (1000kg)	TON
N.A.*	Kip	4.448	kN	Kilonewton	N.A.*
N.A.*	Thousand Pounds per Square Inch	6.895	MPa	Megapascal	N.A.*

*Not used for units of measurement for payment.

EQUIPMENT STORAGE SHEDSSECTION I OVERVIEW AND AUTHORITY1.1 Purpose

This Request for Request for Proposal (RFP) is issued by the Delaware Department of Transportation's Division of Maintenance and Operations (hereinafter designated as 'Department'). The Department desires to install Storage Buildings and Truck Sheds at various sites statewide.

1.2 Intent

The Department intends to contract with multiple firms to provide storage buildings and truck sheds with installation, site work and warranty in accordance with these requirements. Firms may subcontract portions of the work; however, the contracted firm is responsible to meet all requirements of this RFP.

1.3 Scope

This document contains general information relating to the procedural requirements in the preparation of proposals to the Department, performance requirements and proposer characteristics, which must be met in order for a proposal to receive consideration.

1.4 Authority

This Request for Request for Proposal is issued pursuant to 29 Del C §6962.

1.5 Inquiries

Should any proposer have any questions as to the intent or meaning of any part of this proposal, they should contact the Department before submitting their proposal in time to receive a reply. All inquiries concerning this RFP must be submitted to the person designated below. Firms are not to contact the Department's Maintenance Operations Section or other Department personnel.

~~Scott S. Gottfried~~, Contract Administration
Delaware Department of Transportation
800 Bay Road
Dover, Delaware 19903
(302) 760-2031
scott.gottfried@state.de.us

dot-ask@state.de.us

SECTION II CONTRACT REQUIREMENTS

2.1 Formal Contract

The successful firm(s) shall promptly execute a contract , which shall incorporate the terms of this RFP, within twenty (20) days after the award of the contract. No proposer is to begin any service prior to receipt of a Notice To Proceed (NTP) and a Purchase Order from the Department.

2.2 Effective Date

The contract will become effective upon execution by the Department, and purchases from the contract may begin at any time thereafter. The contract award shall be for a period of three years. The Department reserves the right to contract for any of the above services from one or more proposers in accordance with 29 Del. C §6986. The Department may terminate the contract at any time upon written notice to the firm.

2.3 Purchase Orders

After award, the Department will issue Purchase Orders for purchasing selected equipment storage sheds. There is no guarantee that any Purchase Orders will be issued, nor for the timing of any purchase order issuance. In the event terms or criteria of the Purchase Order differ from this document, the Purchase Order shall prevail.

- A. Upon issuance of a Purchase Order, the vendor must furnish a Performance Bond, or certified check, in the amount of 100% of the purchase order amount, whichever is less, made payable to the State of Delaware and prepared on an approved form as security for the faithful performance of the contract within ten (10) days of issuance of the Purchase Order. The surety thereon must be such surety company or companies as are acceptable to the State of Delaware and as are authorized to transact business in this State. Attorneys-in-Fact who sign proposal bonds must file with each bond a certified copy of their power of attorney to sign said bond.

2.4 Department Responsibilities

The Department's responsibilities include issuing Purchase Orders for desired products.

2.5 Terms of Contract

- A. EXEMPT FROM TAXES: Articles covered by this proposal are exempt of all FEDERAL and STATE TAXES. Such taxes shall not be included in prices quoted. Successful bidder(s) will be required to furnish necessary or applicable tax exemption forms with his (their) invoices.
- B. PRICES QUOTED: The prices quoted are that for which the current model(s) and/or service(s) will be furnished F.O.B. point of delivery and include all charges that may be imposed during the life of the contract.
- C. DELIVERY PROVISIONS:
 - 1. TIME: The timing of deliver/completion of contracted items/products will be determined by a schedule, established by the provider and agreed upon by the Department upon execution of this contract.
 - 2. LIQUIDATED DAMAGES: A sum of \$750.00 per unit/per day will be deducted by the Department from moneys due the vendor, not as a penalty, but as liquidated damages for each unit not delivered on or before the date specified in paragraph C.1. above and in complete compliance. Saturdays, Sundays and State legal holidays will be excluded from the computations for the assessment of liquidated damages.
 - 3. EXTENSIONS: The Department will only consider an extension of the delivery time specified under the terms of this contract in cases where labor strikes, national emergencies or acts of God shall prevent the required fulfillment of the contract. Evidence of such delays must be submitted for consideration. Knowledge of existing or pending strikes will be taken into consideration when placing Purchase Orders.
- D. INSPECTION: Upon delivery, the article(s) will be inspected by an authorized representative of the Department, and if found defective or if it fails in any way to meet the specifications in this proposal, it will be rejected. Inspection will be performed within five (5) working days after delivery/completion.
- E. PRODUCTS BY NAME: Specifications of products by name are intended to be descriptive of

SPECIFICATIONS

Contract Notes

Construction of this contract shall conform to Delaware Department of Transportation Standard Specifications dated August 2001 as amended by the supplemental specifications, the special provisions, the most recent standard construction details, Delaware manual on Uniform Traffic Control Devices and these specifications.

Construction shall conform to all local, federal and state building codes.

The contractor shall acquire all required permits from state and local government as well as the State Fire Marshall.

All building sites are to be considered level. Contractor is to include earthwork price schedule for any leveling if necessary.

Signed and sealed (by a PE) shop drawings that shall be submitted prior to building construction for the purpose of obtaining permits.

Labor rates shall comply with the State of Delaware prevailing wage rate regulations.

Each storage shed is intended to have 15' W x 60' L bays to accommodate DelDOT truck storage, unless otherwise noted.

Additional Buildings not listed may be required at a later date. Contractor to provide a cost per square foot of construction for alternate building sizes not included on the equipment storage shed list.

Overhead Doors

Sectional Overhead Door Standard 14' H x 12" W, 24 Gauge minimum.
Painted-White

Weather tight

Minimum 3 vision lights each

Vendor is to provide unit cost to supply and install additional standard, and optional 12' H x 20' W overhead door.

Personnel Door

3' W x 6' 8" H hollow metal door and frame

Painted – White

Vendor to also provide unit cost to supply and install additional standard door

Concrete Floors

6" Type B State Mix over 6" #57 Stone

Broom finish

Vendor to provide price schedule for earthwork

All buildings have floors

Vendor to also provide unit square foot cost to supply and install additional concrete 6" thick.

Load Conditions

Vendor to detail all design conditions to meet code for the State of Delaware.

Overhangs

12” overhangs on the front and rear of the buildings

Soffit shall be solid faced

Gutter and Downspouts

5” D style Aluminum Gutter\

4” x 5” Aluminum Downspout spaced evenly at approx. 30’

All buildings are to be provided with gutters/downspouts to be one piece.

Concrete Aprons

6” type B State Mix over 6” #57 Stone

Broom finish

Colors

Walls	White with 2’ blue trim at the bottom
Base Trim	Blue
Roof	White
Eave	White
Gable	White
Soffit	White
Trim	White

Provide on various DeIDOT sites, statewide:

	Size	Quantity	
S-1	165’ x 60’ x 16’ 8’ x 165’ apron	1	Enclosed 4 sides, 11 overhead doors, 2 personnel doors,
S-2	150’ x 60’x 16’	4	Enclosed 3 sides
S-3	120’ x 60’x 16’	2	Enclosed 3 sides
S-4	120’x 60 x 16’ door, 8’ x 120’ apron	1	Enclosed 4 sides, eight overhead doors, 1 personnel
S-5	90’ x 60’ x 16’ x90’ apron	6	Enclosed 4 sides, 6 overhead doors, 1 personnel door, 8’
S- 6	75’ x 60’ x 16’	2	Enclosed 4 sides, 5 overhead doors, 2 personnel doors
S- 7	60’ x 40’ x 16’ 40’ apron	2	Enclosed 4 sides, 1 overhead door, 1 personnel door, 8’ x
S-8	60’ x 30’ x 16’	2	Enclosed 4 sides, 3 overhead door, 1 personnel door, 8’ x 30’ apron

Note: Additional Buildings not listed above may be required at a later date. Alternate sizes may also be requested at a later date.

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CONTRACT ID: T201380108.01 PROJECT(S):)

All figures must be typewritten or written in ink.

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	WOOD SHED		STEEL SHED	
			DOLLARS	CTS	DOLLARS	CTS
SECTION 0001 EQUIPMENT STORAGE SHEDS - NEW CASTLE COUNTY						
0010	S-1	EA 1.000				
0020	S-2	EA 1.000				
0030	S-3	EA 1.000				
0040	S-4	EA 1.000				
0050	S-5	EA 1.000				
0060	S-6	EA 1.000				
0070	S-7	EA 1.000				
0080	S-8	EA 1.000				
0090	14' H x 12' W OVERHEAD DOOR	EA 1.000				
0100	12' H x 20' W OVERHEAD DOOR	EA 1.000				
0110	14' H x 12' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0120	12' H x 20' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0130	3' W x 6'-8" W PERSONNEL DOOR SUPPLIED W/ CLOSER AND KEYED HARDWARE. DOOR HARDWARE SHALL MEET ADA & DE FIRE MARSHAL REGS.	EA 1.000				
0140	1 SQUARE FOOT COST TO SUPPLY AND INSTALL ADDITIONAL CONCRETE 6" THICK, W/ FIBER REINFORCEMENT, OV 6" #57 STONE	EA 1.000				
	SECTION 0001 NEW CASTLE COUNTY TOTAL					

CONTRACT ID: T201380108.01 PROJECT(S):)

All figures must be typewritten or written in ink.

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	WOOD SHED		STEEL SHED	
			DOLLARS	CTS	DOLLARS	CTS
SECTION 0002 EQUIPMENT STORAGE SHEDS - KENT COUNTY						
0010	S-1	EA 1.000				
0020	S-2	EA 1.000				
0030	S-3	EA 1.000				
0040	S-4	EA 1.000				
0050	S-5	EA 1.000				
0060	S-6	EA 1.000				
0070	S-7	EA 1.000				
0080	S-8	EA 1.000				
0090	14' H x 12' W OVERHEAD DOOR	EA 1.000				
0100	12' H x 20' W OVERHEAD DOOR	EA 1.000				
0110	14' H x 12' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0120	12' H x 20' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0130	3' W x 6'-8" W PERSONNEL DOOR SUPPLIED W/ CLOSER AND KEYED HARDWARE. DOOR HARDWARE SHALL MEET ADA & DE FIRE MARSHAL REGS.	EA 1.000				
0140	1 SQUARE FOOT COST TO SUPPLY AND INSTALL ADDITIONAL CONCRETE 6" THICK, W/ FIBER REINFORCEMENT, OV 6" #57 STONE	EA 1.000				
	SECTION 0002 KENT COUNTY TOTAL					

CONTRACT ID: T201380108.01 PROJECT(S):)

All figures must be typewritten or written in ink.

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	WOOD SHED		STEEL SHED	
			DOLLARS	CTS	DOLLARS	CTS
SECTION 0003 EQUIPMENT STORAGE SHEDS - SUSSEX COUNTY						
0010	S-1	EA 1.000				
0020	S-2	EA 1.000				
0030	S-3	EA 1.000				
0040	S-4	EA 1.000				
0050	S-5	EA 1.000				
0060	S-6	EA 1.000				
0070	S-7	EA 1.000				
0080	S-8	EA 1.000				
0090	14' H x 12' W OVERHEAD DOOR	EA 1.000				
0100	12' H x 20' W OVERHEAD DOOR	EA 1.000				
0110	14' H x 12' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0120	12' H x 20' W OVERHEAD DOOR W/ ELECTRIC DOOR OPENER	EA 1.000				
0130	3' W x 6'-8" W PERSONNEL DOOR SUPPLIED W/ CLOSER AND KEYED HARDWARE. DOOR HARDWARE SHALL MEET ADA & DE FIRE MARSHAL REGS.	EA 1.000				
0140	1 SQUARE FOOT COST TO SUPPLY AND INSTALL ADDITIONAL CONCRETE 6" THICK, W/ FIBER REINFORCEMENT, OV 6" #57 STONE	EA 1.000				
	SECTION 0003 SUSSEX COUNTY TOTAL					

BID BOND

TO ACCOMPANY PROPOSAL
(Not necessary if security is used)

KNOW ALL MEN BY THESE PRESENTS That: _____
of _____ in the County of _____ and State of _____
as **Principal**, and _____ of _____ in the
County of _____ and State of _____ as **Surety**, legally authorized to do business in the State
of Delaware ("**State**"), are held and firmly unto the **State** in the sum of _____
Dollars (\$ _____), or _____ percent not to exceed _____
Dollars (\$ _____) of amount of bid on
Contract No. T201380108.01, to be paid to the **State** for the use and benefit of its Department of
Transportation ("**DelDOT**") for which payment well and truly to be made, we do bind ourselves, our and
each of our heirs, executors, administrators, and successors, jointly and severally for and in the whole
firmly by these presents.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH That if the above bounden
Principal who has submitted to the **DelDOT** a certain proposal to enter into this contract for the
furnishing of certain materiel and/or services within the **State**, shall be awarded this Contract, and if said
Principal shall well and truly enter into and execute this Contract as may be required by the terms of this
Contract and approved by the **DelDOT**, this Contract to be entered into within twenty days after the date
of official notice of the award thereof in accordance with the terms of said proposal, then this obligation
shall be void or else to be and remain in full force and virtue.

Sealed with _____ seal and dated this _____ day of _____ in the year of our Lord two thousand and
_____ (20__).

SEALED, AND DELIVERED IN THE
presence of

Name of Bidder (Organization)

Corporate
Seal

By: _____
Authorized Signature

Attest _____

Title

Name of **Surety**

Witness: _____

By: _____

Title