

**In The Matter Of:**

*Delaware Department of Transportation  
Penny Lane Building Waterproofing*

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*Hearing Contract No.T201961102.01  
June 18, 2019*

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*Wilcox & Fetzer, Ltd.  
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STATE OF DELAWARE  
DELAWARE DEPARTMENT OF TRANSPORTATION

IN RE: BID PROPOSAL :  
FOR CONTRACT NO. :  
T201961102.01 :  
PENNY LANE BUILDING :  
WATERPROOFING, :  
KENT COUNTY :

Pre-Bid Meeting taken pursuant  
to notice at the State of Delaware, Delaware  
Department of Transportation, 800 Bay Road,  
Bidder's Room, Dover, Delaware, beginning at  
10:00 a.m., on Tuesday, June 18, 2019, before  
Gloria M. D'Amore, Registered Professional  
Reporter and Notary Public.

- - -

WILCOX & FETZER  
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1 APPEARANCES:

2 On behalf of the State of Delaware  
3 Delaware Department of Transportation:

4 CRYSTAL A. SMITH,  
5 CONTRACT/CONSULTANT CONTROL COORDINATOR

6 TAYLOR KING, P.E.,  
7 FACILITIES PROGRAM MANAGER

8 SKIP S. SANDERS,  
9 FACILITIES ENGINEER

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1 MS. SMITH: Good morning,  
2 everybody. It is now ten o'clock, and we are  
3 going to get started with our Mandatory  
4 Pre-Bid Meeting.

5 My name is Crystal Smith. I  
6 work here at DeIDOT. I'm a Contract  
7 Consultant Coordinator.

8 Today we are going to go over  
9 information for Contract No. T201961102.01,  
10 which is the Penny Lane Building  
11 Waterproofing in Kent County.

12 We do have a sign-in sheet.  
13 Please make sure you sign in. Please make  
14 sure that all information on the sign-in  
15 sheet is filled in.

16 We also have a court  
17 stenographer here. So I'm going to ask if  
18 you have any questions that you please state  
19 your name, the company you work for and then  
20 your question.

21 I do ask that only one person  
22 speak at a time so that way we can ensure  
23 that we have a good recording.

24 The transcript of the meeting



1 and the sign-in sheet will be posted on our  
2 website.

3 If you have any questions after  
4 the meeting adjourns, please send an E-mail  
5 to dot-ask@state.de.us.

6 The main reason for this  
7 particular meeting is we have to come up with  
8 a list of subcontractor categories.

9 Before we get started, though,  
10 I want to go over Bidder's Note No. 13.  
11 Reference, Appendix A, Technical  
12 Specifications. There are various  
13 manufacturers listed throughout the Technical  
14 Specifications in Appendix A.

15 In addition to all listed  
16 manufacturers, you may submit an approved  
17 equal to the Department for review and  
18 approval or disapproval.

19 Your request must list the page  
20 number, paragraph and section of Appendix A  
21 that you want to review.

22 Send your approved equal  
23 request to dot-ask@state.de.us.

24 Consultant categories.



1 MR. KING: Taylor King.  
2 Facilities Program Manager.

3 I would like to open it to the  
4 floor to list subcontractor categories.

5 MS. SMITH: Any suggestions  
6 for masons? Any type of category that you  
7 presume you may need for this contract?

8 Has everybody read the RFP?

9 MR. ECKMAN: Mike Eckman.  
10 E-C-K-M-A-N. Quinn Construction.

11 Masons and bricklayers would  
12 definitely be one.

13 MR. KING: You won't be able to  
14 sign in. You came in late.

15 MS. SMITH: It's after ten  
16 o'clock.

17 MR. MYERS: Wayne Myers with  
18 RBCI.

19 Paving contractor.

20 MR. KING: It's a small scope  
21 of work.

22 MS. SMITH: Are you okay with  
23 that?

24 MR. KING: Yes. I also wanted



1 to discuss self performed percent.

2 Right now I think the contract  
3 requires 50 percent self performed.

4 Would anyone prefer a different  
5 percent, self performed?

6 MR. THOMPSON: Brian with  
7 Conventional Builders.

8 The question is, can we get the  
9 percentage down to 20 percent?

10 MR. KING: Do we have  
11 consensus? I see a few heads nodding. We  
12 will accept 20 percent self performed.

13 Accepted 20 percent. Okay.  
14 Are there any other questions about the  
15 contract?

16 MS. SMITH: Ask now or forever  
17 hold your peace.

18 We're done. Thank you. Okay.  
19 Since there are no other questions, we will  
20 adjourn this meeting.

21 MR. MYERS: Wayne Myers with  
22 RBCI.

23 How about as far as the site  
24 visit?



1 MR. KING: We can schedule a  
2 site visit. We'll send notice out.

3 MR. ECKMAN: Mike Eckman.  
4 Quinn Construction.

5 Document availability online.  
6 It has unofficial website copies stamped on  
7 it. Official copies can be attained where?

8 MS. SMITH: You'll just need to  
9 send a request in to dot-ask@delaware.gov or  
10 at state.de.us. They'll both go to the same  
11 mailbox. Then we'll send you the official  
12 documents for the bidding process.

13 MR. MYERS: Wayne Myers. RBCI.  
14 Is it possible just to go to  
15 the site to look at it, or is it a formal  
16 site visit?

17 MR. KING: The site is open if  
18 you would like to go and walk around. It's  
19 fine with everybody and will save everybody  
20 time. We don't have to schedule a formal  
21 meeting if you would like to walk around the  
22 site. You're free to do that. We will not  
23 schedule a formal site visit.

24 MR. THOMPSON: Brian with



1 Conventional Builders.

2 How do you get to that site?

3 How do you get into it?

4 MR. KING: It looks like you  
5 have to access it from Dyke Branch Road and  
6 follow Penny Lane around.

7 MR. THOMPSON: Can you repeat  
8 the road, please?

9 MR. KING: Dyke Branch Road.

10 MR. ECKMAN: Can you repeat the  
11 E-mail?

12 MS. SMITH: It's  
13 dot-ask@delaware.gov or state.de.us. They'll  
14 both go to the same box.

15 MR. ECKMAN: Thank you.

16 MR. AMENT: Jim Ament. RG  
17 Architects.

18 What is the bid schedule, or is  
19 that on the bid documents on the website?  
20 When is the bid due is the question?

21 MS. SMITH: So the completion  
22 time is 120 days. Bids are to be due prior  
23 to two p.m. on July 29, 2019.

24 MR. KING: July 9th.



1 MS. SMITH: I'm sorry.

2 July 9th.

3 Appendix A is where the bulk of  
4 your information is for this RFP. So make  
5 sure you understand what is in Appendix A.

6 Any other questions? Do you  
7 have anything else?

8 MR. KING: No.

9 MS. SMITH: Okay. Meeting is  
10 adjourned. We're done.

11 (The Pre-Bid Meeting was  
12 concluded at, approximately, 10:10 a.m.)  
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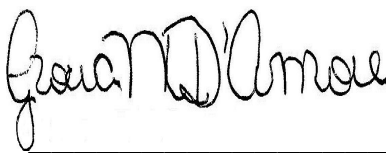
1 State of Delaware:

2 New Castle County:

3  
4 CERTIFICATE OF REPORTER

5  
6 I, Gloria M. D'Amore, Registered  
7 Professional Reporter and Notary Public, do  
8 hereby certify that the foregoing record,  
9 Pages 1 to 10 inclusive, is a true and  
10 accurate transcript of my stenographic notes  
11 taken on Tuesday, June 18, 2019, in the  
12 above-captioned matter.

13 IN WITNESS WHEREOF, I have hereunto set  
14 my hand and seal this 19th day of June, 2019,  
15 at Wilmington, Delaware.

16  
17  
18   
19 \_\_\_\_\_

20 GLORIA M. D'AMORE, RPR



| A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 9:12<br>Architects (1)                                                                                             | C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3:11 10:2<br>court (1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>able (1)</p> <p>5:13</p> <p>above-captioned (1)</p> <p>10:12</p> <p>accept (1)</p> <p>6:12</p> <p>Accepted (1)</p> <p>6:13</p> <p>access (1)</p> <p>8:5</p> <p>accurate (1)</p> <p>10:10</p> <p>addition (1)</p> <p>4:15</p> <p>adjourn (1)</p> <p>6:20</p> <p>adjourned (1)</p> <p>9:10</p> <p>adjourns (1)</p> <p>4:4</p> <p>after (2)</p> <p>4:3 5:15</p> <p>also (2)</p> <p>3:16 5:24</p> <p>Ament (2)</p> <p>8:16,16</p> <p>anyone (1)</p> <p>6:4</p> <p>anything (1)</p> <p>9:7</p> <p>Appendix (5)</p> <p>4:11,14,20 9:3,5</p> <p>approval (1)</p> <p>4:18</p> <p>approved (2)</p> <p>4:16,22</p> <p>approximately (1)</p> | <p>8:17</p> <p>around (3)</p> <p>7:18,21 8:6</p> <p>attained (1)</p> <p>7:7</p> <p>availability (1)</p> <p>7:5</p> | <p>came (1)</p> <p>5:14</p> <p>Castle (1)</p> <p>10:2</p> <p>categories (3)</p> <p>4:8,24 5:4</p> <p>category (1)</p> <p>5:6</p> <p>CERTIFICATE (1)</p> <p>10:4</p> <p>certify (1)</p> <p>10:8</p> <p>come (1)</p> <p>4:7</p> <p>company (1)</p> <p>3:19</p> <p>completion (1)</p> <p>8:21</p> <p>concluded (1)</p> <p>9:12</p> <p>consensus (1)</p> <p>6:11</p> <p>Construction (2)</p> <p>5:10 7:4</p> <p>Consultant (2)</p> <p>3:7 4:24</p> <p>Contract (5)</p> <p>3:6,9 5:7 6:2,15</p> <p>contractor (1)</p> <p>5:19</p> <p>Conventional (2)</p> <p>6:7 8:1</p> <p>Coordinator (1)</p> <p>3:7</p> <p>copies (2)</p> <p>7:6,7</p> <p>County (2)</p> | <p>3:16</p> <p>Crystal (1)</p> <p>3:5</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | B                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>D</p> <p>D'Amore (2)</p> <p>10:6,20</p> <p>day (1)</p> <p>10:14</p> <p>days (1)</p> <p>8:22</p> <p>definitely (1)</p> <p>5:12</p> <p>Delaware (2)</p> <p>10:1,15</p> <p>DelDOT (1)</p> <p>3:6</p> <p>Department (1)</p> <p>4:17</p> <p>different (1)</p> <p>6:4</p> <p>disapproval (1)</p> <p>4:18</p> <p>discuss (1)</p> <p>6:1</p> <p>Document (1)</p> <p>7:5</p> <p>documents (2)</p> <p>7:12 8:19</p> <p>done (2)</p> <p>6:18 9:10</p> <p>dot-ask@delawaregov (2)</p> <p>7:9 8:13</p> <p>dot-ask@statedeaus (2)</p> <p>4:5,23</p> <p>down (1)</p> <p>6:9</p> |

|                                          |                                      |                                                                |                                                        |
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| <b>due (2)</b><br>8:20,22                | <b>forever (1)</b><br>6:16           | <b>July (3)</b><br>8:23,24 9:2                                 | <b>manufacturers (2)</b><br>4:13,16                    |
| <b>Dyke (2)</b><br>8:5,9                 | <b>formal (3)</b><br>7:15,20,23      | <b>June (2)</b><br>10:11,14                                    | <b>masons (2)</b><br>5:6,11                            |
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| <b>E-C-K-M-A-N (1)</b><br>5:10           | <b>Gloria (2)</b><br>10:6,20         | <b>King (12)</b><br>5:1,1,13,20,24 6:10<br>7:1,17 8:4,9,24 9:8 | <b>Meeting (8)</b><br>3:4,24 4:4,7 6:20<br>7:21 9:9,11 |
| <b>else (1)</b><br>9:7                   | <b>going (3)</b><br>3:3,8,17         | <b>L</b>                                                       | <b>Mike (2)</b><br>5:9 7:3                             |
| <b>E-mail (2)</b><br>4:4 8:11            | <b>Good (2)</b><br>3:1,23            | <b>Lane (2)</b><br>3:10 8:6                                    | <b>morning (1)</b><br>3:1                              |
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| <b>few (1)</b><br>6:11                   | <b>I</b>                             | <b>mailbox (1)</b><br>7:11                                     | <b>nodding (1)</b><br>6:11                             |
| <b>filled (1)</b><br>3:15                | <b>inclusive (1)</b><br>10:9         | <b>main (1)</b><br>4:6                                         | <b>Notary (1)</b><br>10:7                              |
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| <b>foregoing (1)</b><br>10:8             |                                      |                                                                | <b>number (1)</b>                                      |

|                                 |                                              |                                   |                                                                |
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| <b>o'clock (2)</b><br>3:2 5:16  | <b>performed (4)</b><br>6:1,3,5,12           | <b>RBCI (3)</b><br>5:18 6:22 7:13 | <b>save (1)</b><br>7:19                                        |
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| <b>only (1)</b><br>3:21         | <b>possible (1)</b><br>7:14                  | <b>recording (1)</b><br>3:23      | <b>section (1)</b><br>4:20                                     |
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| <b>over (2)</b><br>3:8 4:10     | <b>presume (1)</b><br>5:7                    | <b>REPORTER (2)</b><br>10:4,7     | <b>sheet (3)</b><br>3:12,15 4:1                                |
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| <b>particular (1)</b><br>4:7    | <b>Public (1)</b><br>10:7                    | <b>RG (1)</b><br>8:16             | <b>SMITH (11)</b><br>3:1,5 5:5,15,22<br>6:16 7:8 8:12,21 9:1,9 |
| <b>Paving (1)</b><br>5:19       | <b>Q</b>                                     | <b>Right (1)</b><br>6:2           | <b>sorry (1)</b><br>9:1                                        |
| <b>peace (1)</b><br>6:17        | <b>question (3)</b><br>3:20 6:8 8:20         | <b>Road (3)</b><br>8:5,8,9        | <b>speak (1)</b><br>3:22                                       |
| <b>Penny (2)</b><br>3:10 8:6    | <b>questions (5)</b><br>3:18 4:3 6:14,19 9:6 | <b>RPR (1)</b><br>10:20           | <b>Specifications (2)</b><br>4:12,14                           |
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|                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                             |                                                                                                                                                                                    |                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
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| <b>T</b>                                                                                                                                                                                                                                                                                                            | <b>U</b>                                                                                                                                                    | <b>1</b>                                                                                                                                                                           |                            |
|                                                                                                                                                                                                                                                                                                                     | <b>understand (1)</b><br>9:5<br><b>unofficial (1)</b><br>7:6<br><b>up (1)</b><br>4:7                                                                        | <b>1 (1)</b><br>10:9<br><b>10 (1)</b><br>10:9<br><b>10:10 (1)</b><br>9:12<br><b>120 (1)</b><br>8:22<br><b>13 (1)</b><br>4:10<br><b>18 (1)</b><br>10:11<br><b>19th (1)</b><br>10:14 |                            |
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|                                                                                                                                                                                                                                                                                                                     | <b>various (1)</b><br>4:12<br><b>visit (4)</b><br>6:24 7:2,16,23                                                                                            |                                                                                                                                                                                    |                            |
|                                                                                                                                                                                                                                                                                                                     | <b>W</b>                                                                                                                                                    | <b>2</b>                                                                                                                                                                           |                            |
|                                                                                                                                                                                                                                                                                                                     | <b>walk (2)</b><br>7:18,21<br><b>wanted (1)</b><br>5:24<br><b>Waterproofing (1)</b><br>3:11<br><b>way (1)</b><br>3:22<br><b>Wayne (3)</b><br>5:17 6:21 7:13 | <b>20 (3)</b><br>6:9,12,13<br><b>2019 (3)</b><br>8:23 10:11,14<br><b>29 (1)</b><br>8:23                                                                                            |                            |
|                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                             | <b>5</b>                                                                                                                                                                           |                            |
|                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                             | <b>50 (1)</b>                                                                                                                                                                      |                            |