

UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY



**PROJECT MANUAL AND NOTICE TO CONTRACTORS
BAYSIDE PARKING LOT REDEVELOPMENT BUILDING DEMOLITION PHASE
AT
THE UNIVERSITY OF MASSACHUSETTS BOSTON
PROJECT NO.: UMBA 13-B1-B**

Volume 1 of 1

Chapter 149

Wednesday, April 29, 2015

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Project Manual & Invitation to Bid*

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PART ONE

BIDDING REQUIREMENTS

NOTICE TO CONTRACTORS

Sealed bids will be received by the University of Massachusetts Building Authority for the **Bayside Parking Lot Redevelopment Building Demolition Phase Project at the University of Massachusetts Boston, Project No. UMBA 13-B1-B** (the "Project"). Bids shall be on a form furnished by the Authority, shall be clearly identified as a bid, and shall be endorsed with the name and address of the bidder, the project number, and the project name. Bids will be received at the **Procurement Dept., Rm. 3-098 110 Quinn Administration Building, 3rd Floor, UMass Boston, 100 Morrissey Blvd. Boston, MA**, no later than the time and date specified and will forthwith be publicly opened and read aloud. Messenger and other delivery services are the agents of the bidder and the Authority assumes no responsibility for late delivery or receipt of documents to the above

Sub-bids will be due before 2:00 p.m. local time on Friday, May 13, 2015.

General bids will be due before 2:00 p.m. local time on Wednesday, May 27, 2015.

Every General Bidder must be certified by the Division of Capital Asset Management and Maintenance (DCAMM) as a Prime/General Contractor for the dollar amount of its bid. General Bids will be valid only when accompanied by a current Certificate of Eligibility issued by DCAMM and a DCAMM Prime/General Contractor Update Statement (form effective March 30, 2010) summarizing the contractor's record for the period between its latest DCAMM certification and the date the contractor submits its bid.

Every Sub-bidder must be certified by the DCAMM for the dollar amount of its bid. Sub-bids will be valid only when accompanied by a current DCAMM Certificate of Eligibility and a DCAMM Sub-bidder Update Statement (form effective March 30, 2010) summarizing the sub-bidder's record for the period between its latest DCAMM certification and the date the sub-bidder submits its bid.

The Minority Business enterprise and Women Business Enterprise (MBE/WBE) participation goals for this Project is a combined goal of 10.4%.

The applicable minority workforce utilization percentage is 15.3%.

The applicable women workforce utilization percentage is 6.9%.

Further information about the requirements relating to participation goals is described in Section 10 hereof and in the Agreement and General Conditions for Construction pursuant to MGL Chapter 149.

The estimated construction cost for the project is Two Million Five Hundred Thousand Dollars (\$2,500,000).



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The Demolition Phase of the Bayside Parking Lot Redevelopment project consists of the demolition of the existing 275,000 square foot building, including minor building restoration to party walls of two adjacent buildings.

Substantial Completion is estimated to occur no later than **August 14, 2015**. Time is of the essence in the Project, and liquidated damages in the amount of **\$500** per day shall apply as described in Article 2.6 of the Agreement and General Conditions of the Contract for Construction Pursuant to M.G.L. c. 149 (the “Agreement”), a copy of which is provided as an attachment to this Project Manual.

Included is the following required filed sub-bidder: Masonry

The Base Bid is for all work of the Project.

Each general bid must be secured by an accompanying deposit of five percent (5%) of the total bid amount, including alternates, and each sub-bid must be secured by an accompanying deposit of five percent (5%) of the total sub-bid amount, including alternates. Deposits shall be in the form of a bid bond, cash, certified check, treasurer’s check, or cashier’s check payable to the University of Massachusetts Building Authority.

Bid deposits of all General Bidders, except those of the three (3) lowest responsible and eligible Bidders, will be returned within five (5) days, Saturdays, Sundays, and legal holidays excluded, after the opening of General Bids. The bid deposits of the three (3) lowest responsible and eligible General Bidders shall be returned upon the execution and delivery of the General Contract or, if no award is made, then at the expiration of thirty (30) days after the opening of the general bids, Saturdays, Sundays, and legal holidays excluded, unless forfeited by failure to sign the Contract as hereinafter provided.

All bids for this project are subject to the provisions of either or both Massachusetts General Laws (MGL) c. 149, §§ 44A-44H inclusive, or MGL c. 30, §39M. The wage rates to be paid on the project shall be not less than the Prevailing Wage Rates, in effect from time to time, as established for the project by the Commonwealth of Massachusetts – Division of Occupational Safety in conformance with MGL c. 149, §§ 26–27D.

The Authority reserves the right to waive any informalities in and to reject any and all bids if it be in the best interest of the Authority to do so.

General bids that are deemed to be unrealistic in that the price proposed is, in the judgment of the Authority, substantially less or more than the actual cost to complete all of the work may be considered as not responsive to the Invitation to Bid and may be rejected. Sub-bids that are deemed to be unrealistic in that the price proposed is, in the judgment of the Authority, substantially less or more than the actual cost to complete all of the work specified in that section of the Specifications, may be considered as not responsive to the Invitation to Bid and may be rejected.

A pre-bid conference will be held at the lobby of the former Bayside Exposition Center, 200 Mt. Vernon Street, Boston, MA on Wednesday, May 6, 2015 at 1:00 pm. Representatives of



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the Authority, the Architect, and the University will be present. An opportunity to tour the project site will be provided, and this will be the only opportunity to do so.

Interested firms may obtain bidding documents by depositing a certified, treasurer's, cashier's, or official bank check payable to the University of Massachusetts Building Authority in the amount of **\$50.00** for one complete set of Plans and Specifications. The mailing fee is **\$20** per set and the check is to be made out to BFS Business Printers. The Plans, Specifications and any addenda may also be reviewed at no charge by visiting the BFS Online Plan Room website at <http://www.bfsplanroom.com>.

BFS Business Printers (BFS)

76 South Street

Boston, MA 02111

<http://www.bfsprinters.com>

Phone: 617-482-7770

Fax: 617-423-2071

No personal or corporate checks nor cash can be accepted as deposits for Plans and Specifications. Refund will be made to those returning the documents in satisfactory condition to BFS Business Printers, on or before **Monday, June 29, 2015**. Otherwise the deposit shall be the property of the Authority

Messenger and other types of pick-up and delivery service are the agents of the bidder, and the Authority assumes no responsibility for delivery or receipt of documents.

Designer: BVH Integrated Services, P.C.
 One Gateway Center, Suite 701
 Newton, MA 02458

University of Massachusetts Building Authority
Patricia Filippone, Executive Director

PART ONE
BIDDING REQUIREMENTS

1. GENERAL

1.1 Reference to General Laws

Wherever in the proposal, contract, plans, drawings, or specifications, reference is made to Massachusetts General Laws, Mass. Gen. Laws or MGL, it shall be construed to include all amendments thereto effective as of the date of issue of the invitation to bid on the proposed work.

1.2 Bid Preference

The attention of Bidders is called to MGL c. 149, § 179A, which requires persons contracting with the Commonwealth to do public work to give preferences in awarding contracts to persons who are citizens of the United States and to partnerships all of the members of which are such citizens.

1.3 Fair Competition

Bids for the work are subject to the provisions of MGL c. 149, §§ 44A-44H inclusive, as amended, requiring fair competition for bidders on the construction, reconstruction, alteration, remodeling, or repair of certain public works. If a contract for the work is awarded, it will be awarded to the lowest responsible and eligible Bidder determined in accordance with the provisions of said §§ 44A-44H inclusive, as amended.

1.4 Addenda and Interpretations

All questions by prospective Bidders as to the interpretation of the Notice to Contractors, form of bid, form of contract, plans, specifications, or form of performance bond and labor and materials or payment bond must be submitted in writing to the Authority and should be in its possession at least five (5) days before the date set for the receipt of General Bids or, if the questions pertain to Item 2, sub-bid work, at least five (5) days before the date set for the receipt of filed Sub-bids. The Authority will then mail any necessary addenda to Bidders who have taken out Plans at the address given by them before said date, containing interpretations of all questions so raised that in its opinion require interpretation. Oral interpretations given to prospective Bidders will have no standing. It shall be the sole responsibility of Bidders to ascertain the existence of any and all addenda issued by the Authority whether or not the addenda is presented or mailed to or received by the Bidder.

1.5 Rejection of Bids

The right is reserved to reject any and all proposals and to waive minor informalities. Any unit price bid that contains a unit price that is unduly high or low may be rejected as unbalanced.

2. SECURING PLANS AND SPECIFICATIONS

2.1 Source

Contractors desiring to bid on work may obtain Plans and Specifications at the location or locations specified in the Notice to Contractors. A deposit of **\$50** is required in advance for each set of Plans and Specifications. Plan deposits must be in the form of a certified, treasurer's, cashier's or official bank check made payable to the University of Massachusetts Building Authority.

2.2 Refund
Refund will be made to those returning the documents by the date specified in the Notice to Contractors. The documents must be returned to the location where they were obtained.

2.3 Pre-examination of Documents
The Plans, Specifications and any addenda may be reviewed at no charge by visiting the BFS Online Plan Room website at <http://www.bfsplanroom.com>.

3 BIDS

3.1 Bid Form
To receive consideration, all General Bid submissions shall be made in writing using the bid forms provided in these bidding documents with all items properly filled out, giving prices for work proposed, with numbers stated both in words and in figures; and shall be signed in longhand by the Bidder and shall give his business address. The completed form must be without alterations, erasures or additions not requested.

3.2 Bid Deposit
The bid form shall be accompanied by a bid deposit in the form of a bid bond, in cash, a certified check, a treasurer's check, or a cashier's check issued by a responsible bank or trust company, payable to the University of Massachusetts Building Authority in the amount of five percent (5%) of the total bid amount, including alternates. No other form of bid security will be accepted. This bid deposit is given as a guaranty that the Bidder will enter into a contract if awarded the work.

3.3 Bid Deposit Forfeiture
In case of refusal or failure to enter into the proposed contract and furnish required bonds as stated in its General Bid, the Bidder shall forfeit the bid deposit and the amount shall become the property of the Authority as liquidated damages, provided that the amount of the bid deposit subject to forfeiture shall not, in any event, exceed the difference between the Bidder's price and the bid price of the next lowest responsible and eligible Bidder. However, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting the General Bidder, the bid deposit shall be returned to the General Bidder.

3.4 Bid Deposit Refund
All bid deposits of General Bidders, except those of the three (3) lowest responsible and eligible General Bidders, shall be returned within five (5) working days after the opening of the General Bids. The bid deposits of the three (3) lowest responsible and eligible General Bidders shall be returned upon the execution and delivery of the Agreement and General Conditions for Construction pursuant to MGL c. 149 (the General Contract) or, if no award is made, then at the expiration of thirty (30) working days after the opening of Bids, unless forfeited by failure to sign the General Contract as indicated in Section 3.3 above.

3.5 Pre-Bid Preparation
Before submitting a Bid, the Bidder shall visit the site of the proposed work to fully acquaint himself with all existing conditions, facilities, difficulties, and restrictions; shall thoroughly examine and be familiar with the specifications and drawings; and shall include in the Bid a sum to cover the cost of all items included in the General Contract.

- 3.6 Bid Understanding
By submitting a Bid, the Bidder agrees and assures that it has examined the site, drawings, and the specifications, and that the drawings and specifications are adequate, and that the required results can be produced under the drawings and specifications.
- 3.7 Sample Inspection
The Bidder shall provide the Authority all possible facilities for examining and obtaining samples of the quality of materials proposed to be furnished as specified in the Bid proposal. The materials furnished under the General Contract shall equal in quality the samples submitted and approved by the Authority.
- 3.8 Withdrawal of Bid
The Bidder may withdraw its Bid, either by written request or in person, prior to, but not after, the time set for opening of Bids. Bids submitted and opened must remain fixed and in force, as submitted, for thirty (30) days immediately following the opening of Bids.
- 3.9 Bid Delivery
The Bidder shall enclose his Bid in a sealed envelope bearing the title of the work and the name of the Bidder. The sealed envelope will be received by the date and time specified in the Notice to Contractors. It is the sole responsibility of the Bidder to see that the Bid is received in proper time. Any Bid received after the scheduled deadline for the receipt of Bids shall be returned to the Bidder unopened.
- 3.10 Addenda Referenced in Bids
Any addenda forming a part of the documents or issued during the time of bidding shall be referenced in the Bid proposal, and shall be a part of the Contract.
- 4 BONDS**
- 4.1 Release of Bid Deposit
At any time after five (5) working days from the opening of the General Bids, all General Bidders may file with the Authority a bond in an amount not less than the amount of its bid deposit and in a form satisfactory to the Authority, with a surety company qualified to do business in the Commonwealth, and conditioned upon the faithful performance by the Bidder of his agreements as contained in his Bid.
- 4.2 Performance Bond
The successful Bidder shall furnish with the executed General Contract a performance bond for the full amount (100%) of the Contract. The performance bond shall be in the form of AIA A312-2010 Performance Bond, which shall be filled out properly and contain no modifications of the standard terms, and shall be signed in longhand, witnessed, and submitted with and as part of the Contract.
- 4.3 Payment Bond
The successful Bidder shall furnish with the executed General Contract a labor and material or payment bond in the sum of One Hundred percent (100%) of the Contract price. The payment bond shall be in the form of AIA A312-2010 Payment Bond which shall be filled out properly and contain no modifications of the standard terms, and shall be signed in longhand, witnessed, and submitted with and as part of the Contract.
- 4.4 Power-of-Attorney Certification

Each Attorney-in-fact who signs contract bonds must file with each PERFORMANCE BOND and PAYMENT BOND a certified copy of his or her power of attorney to sign said bonds.

4.5 Bond Premium Payment

The premiums for the performance bond and the payment bond shall be paid by the General Contractor and shall be included in the contract price. The General Bidder shall pay the premiums for subcontractor bonds, if it requires subcontractors to provide same, and shall include the cost of such bonds in its contract price.

5. **PRE-BID CONFERENCE**

Pre-bid Conference

A pre-bid conference will be held at the site at the date, time, and place specified in the Notice to Contractors. All bidders are encouraged to attend.

6. **CONTRACTOR'S CERTIFICATE OF ELIGIBILITY AND UPDATE STATEMENT**

Before bidding on this project, every General Bidder must have already applied for and received from DCAMM a Certificate of Eligibility for bidding on construction in the categories of work and for the dollar amount of this Contract. Bidders must submit a completed DCAMM Certificate of Eligibility and a DCAMM General/Prime Contractor Update Statement (form effective March 30, 2010) with their bids in order to be considered responsive.

7. **FILED SUB-BIDDER'S CERTIFICATE OF ELIGIBILITY AND UPDATE STATEMENT**

Before bidding on this project, every Filed Sub-Bidder must have already applied for and received from DCAMM a Certificate of Eligibility in each category of work for which the Filed Sub-Bidder is submitting a sub-bid and for the dollar amount of such bid. Bidders must submit a completed DCAMM Certificate of Eligibility in each such category and a DCAMM Sub-Bidder Update Statement (form effective March 30, 2010) with their bids in order to be considered responsive.

8. **QUESTIONS**

Bidders shall not communicate with the Authority, the University or any of their representatives, including the Owner's Project Manager (OPM) and the Designer, at any time during the Bidding process except through written questions submitted as set forth herein. **All questions must be submitted by email only, addressed to:**

Bill Cunniff
Joslin Lesser + Associates, Inc.
44 Pleasant Street
Watertown, MA 02472
bcunniff@joslinlesser.com

Questions must be received by the OPM no later than 5:00 p m on the day which is five (5) days prior to the date upon which General Bids are due; except, however that questions relating to Item 2 filed sub-bid work must be received by the OPM no later than 5 p. m on the day which is five (5) days prior to the date upon which Sub-Bids are due.

The Authority will respond to all written questions, which in the Authority's sole judgment may have a material effect on the bids, by issuing one or more Addenda, which will be sent to prospective Bidders that have taken out plans and provided a contact address. Copies of Addenda will be made available for inspection at no charge at the location identified in the Notice to Contractors where Plans and Specifications may be inspected.

It is the sole responsibility of Bidders to ascertain the existence of any and all Addenda issued by the Authority. Only written Addenda issued as described in this Section shall be effective to modify this Invitation to Bid. Bidders may not rely upon any oral statements or communications, and the Authority will not be bound by them.

9. PREVAILING WAGE RATES

The wage rates to be paid with respect to all Work on this Project shall be in accordance with M.G.L. c.149, §§26-27F, and shall be no less than the prevailing wage rates as established for the project by the Commonwealth of Massachusetts Department of Labor – Division of Occupational Safety (“Prevailing Wage Rates”), which for the first year of the project shall be the rates set forth in the Prevailing Wage Schedule attached hereto.

10. MBE/WBE PARTICIPATION AND WORKFORCE REQUIREMENTS

10.1 The Authority is committed to equal employment opportunity and non-discrimination on all of its projects and will take affirmative action to ensure equal employment opportunity and to eliminate discriminatory barriers. The Project will have the following participation goals for minority business enterprises (MBE) and women business enterprises (WBE) and for workforce utilization:

Construction: Combined MBE/WBE participation goal 10.4%
Construction workforce: Minorities: 15.3%; Women: 6.9%

10.2 Definitions

The following definitions shall apply to this Section:

Minority: For the purpose of meeting the participation goals, minority means a person who meets one or more of the following definitions:

- A. American Indian or Native American: All persons having origins in any of the original peoples of North America and who are recognized as an Indian by a tribe or tribal organization.
- B. Asian: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands, including, but not limited to China, Japan, Korea, Samoa, India, and the Philippine Islands.
- C. Black: All persons having origins in any of the Black racial groups of Africa, including, but not limited to African Americans, and all persons having origins in any of the original peoples of the Cape Verdean Islands.
- D. Eskimo or Aleut: All persons having origins in any of the peoples of Northern Canada, Greenland, Alaska and Eastern Siberia.
- E. Hispanic: All persons having their origins in any of the Spanish –speaking peoples of Mexico, Puerto Rico, Cuba, Central or South America, or the Caribbean Islands.

MBE Status: A minority owned business shall be considered an MBE only if it has been certified as a minority business enterprise by the Massachusetts Supplier Diversity Office (formerly the State Office of Minority and Women Business Assistance (SOMWBA)) or another state or federal agency.

WBE Status: A women owned business shall be considered a WBE only if it has been certified as a women business enterprise by the Massachusetts Supplier Diversity Office or another state or federal agency.

MBE/WBE Participation: The percentages are percentages of total contract fee.

- A. If the Contractor is itself an MBE or WBE, MBE/WBE participation credit shall be given in an amount equal to the entire contract price for its work (Item 1 work).
- B. If the Contractor is a joint venture with one or more MBE or WBE joint venturers, MBE/WBE participation credit shall be given to the joint venture as follows: a) If the joint venture is certified by a state or federal agency as an MBE or WBE, MBE/WBE credit shall be given to the joint venture in an amount equal to the entire contract price; b) If the joint venture is not certified, then participation credit shall be given for the value of the work that is performed by the MBE or WBE joint venturer(s) and for the value of the work that is performed by each MBE or WBE Bidder or sub-Bidder.
- C. If an MBE or WBE supplies but does not install equipment or materials, MBE/WBE participation credit shall be given only if the MBE or WBE supplier is regularly engaged in sales of equipment or supplies to the construction industry from an established place of business. MBE/WBE participation credit shall be given for the full amount of the purchase only if the MBE or WBE supplier manufactures the goods or substantially alters them before resale. In all other cases, MBE/WBE participation credit shall be given for **50%** of the purchase.

Workforce Participation Goals: The workforce participation goal percentages are percentages of hours available in each trade.

10.3

Waiver or Reduction in Goals: The Authority reserves the right to reduce or waive the MBE/WBE participation goals established for this Project upon written request made by a general bidder within the time frame set forth in this Paragraph 9.3. Such written request must demonstrate to the satisfaction of the Authority

that it is not feasible for a non-MBE or non-WBE general bidder to meet the goals established for this Project based upon any or all of the following: (i) actual MBE/WBE availability, (ii) the geographic locations of the project to the extent related to MBE/WBE availability, (iii) the scope of the work, (iv) the percentage of work available for subcontracting to MBE/WBEs, and (v) other relevant factors, including a **documented** inability by the prospective Bidder to obtain commitments from MBE/WBE subcontractors sufficient to meet the MBE/WBE goals after having made a diligent, good faith effort to do so. Any such request shall be submitted in the form of the Request for Reduction or Waiver of Minority/Women Business Enterprise Participation Goals, which appears as UMBA Form No. UMBA-13, a copy of which appears at Page CF-22. All of the foregoing documentation shall accompany the Bidder's request for a reduction or waiver of the MBE/WBE participation goals. Such documentation shall include all of the information requested on the form, including at a minimum, the following:

- A. A list of all items of work under the Contract that the Bidder made available for subcontracting to MBE/WBEs. The Bidder shall identify all items of work, other than work to be performed by filed sub-bidders, that the Bidder did not make so available and shall state the reasons for not making such work available for subcontracting to MBE/WBEs. The Bidder shall also demonstrate that, where commercially reasonable, subcontracts were divided into units capable of being performed by MBE/WBEs.
- B. Evidence that the Bidder sent written notices soliciting Bids for proposals to perform the items of work made available by the Bidder for subcontracting to MBE/WBEs to all MBE/WBEs qualified to perform such work. The Bidder shall identify (i) each MBE/WBE solicited, and (ii) each MBE/WBE listed in the Supplier Diversity Office (SDO) directory under the applicable trade category that was not solicited and the reasons therefor. The Bidder shall also state the dates that notices were mailed and provide a copy of the written notice(s).
- C. Evidence that the Bidder made reasonable efforts to follow up the written notices sent to MBE/WBEs with telephone calls or personal visits in order to determine with certainty whether the MBE/WBEs were interested in performing the work. Phone logs or other documentation must be submitted.
- D. A statement of the response received from each MBE/WBE solicited, including the reason for rejecting any MBE/WBE who submitted a bid or proposal.
- E. Evidence of efforts made to assist MBE/WBEs that needed assistance in obtaining bonding or insurance, or lines of credit with suppliers if the inability of MBE/WBEs to obtain bonding, insurance, or lines of credit is the reason given for the Bidder's inability to meet the MBE/WBE goals.
- F. The Bidder may also submit any other information supporting its request for a waiver or reduction in the MBE/WBE participation goals, including, without limitation, evidence that the Bidder placed advertisements in appropriate media and trade association publications announcing the Bidder's interest in obtaining bids or proposals from MBE/WBE economic development assistance agencies, trade groups and other organizations notifying them of the Project and the work to be subcontracted by the Bidder to MBE/WBEs.

G. The Bidder shall also submit any other information reasonably requested by the Authority to show that the Bidder has taken all actions that could reasonably be expected to achieve the MBE/WBE participation goals.

- 10.4 If filed sub-bids are solicited for this Project, requests from prospective General Bidders to reduce or waive the MBE/WBE participation goals for this Contract must be received by the Authority **no later than four (4) working days after the list of filed sub-Bidders is mailed by the Authority to persons who have taken out plans for the Contract**. If there are no filed sub-bids solicited for this Contract, requests to reduce or waive the MBE/WBE participation goals for this Contract must be received by the Authority no later than four (4) calendar days before the date set for the receipt of general bids. **THE AUTHORITY WILL NOT CONSIDER ANY REQUEST TO REDUCE OR WAIVE THE MBE/WBE PARTICIPATION GOALS FOR THIS CONTRACT THAT IS RECEIVED AFTER THESE DEADLINES**. Any reduction or waiver of the MBE/WBE participation goals for this Contract will be made by written addendum mailed to all persons who have taken out plans for the project.
- 10.5 No later than five (5) business days after the opening of the General Bids, the apparent low Bidder shall submit the following documents to the Authority: (a) a completed Schedule for Participation by Minority and Women Business Enterprises, which shall be in the form which appears as Form No. UMBA-14 at Page CF-24, showing MBE/WBE participation in amounts no less than the MBE/WBE participation goals for the project; (b) a completed Letter of Intent, which shall be in the form which appears as Form No. UMBA-15 at Page CF-25 for each MBE/WBE listed in the Schedule for Participation, showing that the MBE/WBE is currently certified in the area of work for which it is listed on the Letter of Intent; and (c) a current certification letter for each MBE/WBE listed in the Schedule for Participation, which letter has been issued by the Massachusetts Supplier Diversity Office (formerly SOWMBA) or another state or federal agency, showing that the MBE/WBE is currently certified in the area of work for which it is listed on the Letter of Intent.
- 10.6 Each Letter of Intent shall identify and describe the work to be performed by the named MBE/WBE (the “MBE/WBE Work”) with enough specificity to permit the Authority to identify the particular items of contract work that the MBE/WBE will perform for MBE/WBE participation credit. The Authority reserves the right to reject any Letter of Intent if the price to be paid for the MBE/WBE Work does not bear a reasonable relationship to the value of such work under the Contract as determined by the Authority.
- 10.7 Within five (5) working days after receipt of the Schedule for Participation, Letters of Intent, and SDO certification letters, the Authority shall review and either approve or disapprove the apparent low Bidder’s submissions. If the apparent low Bidder has not submitted an appropriate Schedule for Participation and appropriate Letters of Intent and SDO certification letters establishing that the MBE/WBE participation goal for the project will be met, the apparent low Bidder will be considered ineligible for Award of the Contract and the Authority will Award the Contract to the second lowest bidder, subject to said Bidder’s compliance with these conditions.
- 10.8 A filed sub-bidder is not required to submit a Schedule for Participation with its Bid. A filed sub-bidder may, at its option, submit a Letter of Intent with its Bid if it is certified as an MBE or WBE by the Massachusetts SDO or another state or federal agency. If a filed sub-bidder intends a sub-subcontract or purchase order to be credited toward the participation goals for this Contract, the filed sub-bidder

should submit a Letter of Intent from that MBE/WBE either with its Bid or after award of the subcontract.