

ADDENDUM #01

Project Name: DART OPERATIONS & MAINTENANCE PHASE 1 – **BID PACKAGE 13 RE-BID**

DCI Project #: 23-005

Date: 11/12/2024

General Information / Clarifications:

- Please note that this is for the **RE-BID of BID PACKAGE 13 – EQUIPMENT**, which received no bids at the initial invitation to bid. All other Bid Packages have previously been bid and awarded from the initial invitation to bid. We will NOT be accepting any bids for Bid Packages 1 through 12.
- Bidders who will be submitting for Bid Package 13 – Equipment must be sure to fill out the Bid Package 13 Bid Form, as well as all supplemental documents, as identified in the Supplements to Bid Form section 004313.

Changes to the Specifications:

- UPDATE the bid due date in section 002113, page 2 section 1.A to **December 4th, 2024 at 2:00pm**, NOT December 6th as previously listed.
- ADD specification section 004313.04 – Certification of Contractor Regarding Debarment
- ADD specification section 004313.05 – Certification of Lower Tiered Participants Regarding Debarment
- REPLACE specification section 004560 DBE Requirements with specification section 004313.07 Disadvantage Business Enterprises (DBE) Requirements.
- ADD specification section 004313.12 – Covered Telecommunications Equipment or Services

Affidavit
Covered Telecommunications Equipment or Services
00 43 13.12 (AD-1, 7/19/24)

State of _____

County of _____

The undersigned, _____, being duly sworn, states the following:

After conducting a reasonable inquiry, I confirm that _____ is in compliance with the requirements outlined in FAR 52.204-26 as it relates to Covered Telecommunications Equipment or Services.

Specifically _____ represents the following:

1. It does not provide telecommunications equipment or services as part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.
2. It does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services.

Dated as of _____

Signature _____

Name _____

Title _____

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public in and for said County and State

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00 43 13.05 (AD-1, 7/19/24)
**CERTIFICATION OF LOWER-TIER PARTICIPANTS (SUBCONTRACTORS) REGARDING
DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION**

THIS FORM TO BE SUBMITTED WITHIN 48 HOURS OF THE BID'S DUE TIME. (AD-2, 7/24/24)

The Undersigned Lower Tier Participant (Subcontractor to the Primary Contractor), certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. If the above named Lower Tier Participant (Subcontractor) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.

The Undersigned Lower-Tier Participant (Subcontractor), certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31. U.S.C. Sections 3801 et seq. are applicable thereto.

Name of Proposer _____

Address _____

City, State, Zip _____

Signature of Authorized Official _____

Title of Official _____

Telephone _____ Date _____

Notary Public Name (Printed)

Notary Public Signature County of

Expiration Date

**NOTICE TO PROPOSER: THIS CERTIFICATION SHALL BE COMPLETED BY ALL
SUBCONTRACTORS WHICH WILL HAVE A FINANCIAL INTEREST IN THIS PROJECT WHICH
EXCEEDS \$25,000 OR SUBCONTRACTORS WHICH WILL HAVE A CRITICAL INFLUENCE ON OR
A SUBSTANTIVE CONTROL OVER THE PROJECT.**

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SECTION 00 43 13.07 - DBE REQUIREMENTS

DBE PARTICIPATION

In connection with the performance of this Contract, the successful proposer agrees to cooperate with DART in meeting its commitments and goals with regard to maximum utilization of Disadvantaged Business Enterprises (DBE). The policy and obligations for maximum utilization of DBE's are herein set forth:

DBE Obligation

DART or its Contractor agrees to ensure that Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR, Part 23, have the maximum opportunity to participate in the performance of its contracts and subcontracts under this Agreement. In this regard, DART or its Contractor shall take all necessary and reasonable steps in accordance with 49 CF, Part 23, to ensure that DBEs have the maximum opportunity to compete for and to perform contracts. DART and its Contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-assisted contracts.

Requirements and goals for DBE participation in this Project are as follows:

DART has established a 1.27% DBE goal for this contract. The Contractor agrees to encourage the maximum feasible participation of certified DBE's through race-conscious means. DBE participation is met through certified DBE's performing as either:

- A member of a joint venture as a prime contractor;
- An approved subcontractor;
- An owner-operator of equipment;
- A renter of equipment to a prime contractor;
- A firm manufacturing and supplying goods used in the project;
- A firm supplying goods used in the project (when supplying goods, only 60 percent will be counted).

Race-conscious means include, but are not limited to the following:

- A) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses by means such as those provided under 49 CFR Part 26 § 26.39.
- B) Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g. by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs and other small businesses obtain bonding and financing).
- C) Providing technical assistance and other services
- D) Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of

lists of potential subcontractors; provision of information in languages other than English, where appropriate);

- E)** (5) Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
- F)** (6) Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
- G)** (7) Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
- H)** (8) Ensuring distribution of your DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
- I)** (9) Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

Prior to Contract award, the apparent successful proposer shall submit a written assurance of meeting the above goals and shall include names of DBE subcontractor, addresses of contact persons, a description of work to be performed and dollar values of each proposed DBE subcontract. This information shall be submitted on the attached ‘DBE Participation Form’ furnished with this solicitation.

If the goals were not met, the proposer must demonstrate that sufficient good faith efforts were made to meet the DBE contract goals and shall document the steps he has taken to obtain DBE participation.

Proposer’s good faith efforts will include the following actions.

- A)** Soliciting through all reasonable and available means the interest of all certified DBE’s who have the capability to perform work under the contract. This shall include attendance at pre-proposal meetings, advertising and /or written notices. The proposer shall allow sufficient time to allow the DBE’s to respond to the solicitation.
- B)** Selecting portions of the work to be performed by DBE’s.
- C)** Providing interested DBE’s with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- D)** Negotiations in good faith with interested DBE’s. It will be the responsibility of the proposer to make a portion of the work available to DBE subcontractor and suppliers and to select those portions of the work or materials consistent with the available DBE’s. Evidence of negotiations shall include the names, addresses, and telephone numbers of DBE’s that were considered and a description of the information provided regarding the plans and specifications for the work selected for subcontractor, and evidence as to why additional agreements could not be reached for DBE’s to perform the work.

- E)** Not rejecting DBE's as being unqualified without sound reasons based on a thorough investigation of their capabilities.
- F)** Efforts to assist interested DBE's in obtaining bonding, lines of credit, or insurance as required.
- G)** Efforts to assist interested DBE's in obtaining necessary equipment, supplies, materials, or related assistance or services.
- H)** Use of services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations that provide assistance in the recruitment and placement of DBE's.

The prime contractor agrees not to terminate for convenience a DBE subcontractor, and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without DART's prior written consent. When a DBE subcontractor is terminated, or fails to complete its work on the contract for any reason, the prime contractor agrees to find another DBE subcontractor to substitute for the original DBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the DBE that was terminated.

DES MOINES AREA REGIONAL TRANSIT AUTHORITY

DBE PARTICIPATION FORM

DART has not set a specific DBE goal for this project.

Proposer must check the appropriate box, provide the information requested, sign and submit this form with its proposal. Failure to complete and submit this form may result in rejection of the proposal as non-responsive.

Proposer is not certified according to the requirements of DOT 49 CFR Part 26 as a DBE eligible for participation in DOT assisted contracts. Proposer will facilitate the maximum feasible participation of certified DBEs by using race-neutral means as outlined in 49 CFR § 26.51(b)(1) through(9).

Proposer will meet the DBE goal for this contract. Proposer is certified according to requirements of DOT 49 CFR Part 26 as a DBE eligible for participation in DOT assisted contracts, and will be performing _____ percent (_____%) of the contract work.

Proposer will meet the DBE goal for this contract. If awarded this contract, proposer will subcontract with the DBE(s) listed below which will be performing a total of _____ percent (_____%) of the total dollar amount of contract work. Each DBE listed below is certified according to requirements of DOT 49 CFR Part 26 for participation in DOT assisted contracts.

<u>DBE Name and Address</u>	<u>Description of Work</u>	<u>Percent of Dollar Amount of Total Contract Work</u>
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(Attach additional sheets)

Proposer does not meet the DBE goal for this contract. Proposer certifies that it has made good faith efforts in accordance with the Request for Proposal to meet the DBE goal, but, despite those efforts, has been unable to meet the goal. The Good Faith Efforts Documentation Form is attached to this Participation Form.

Date: _____

Name: _____

Signature: _____

Title: _____

DES MOINES AREA REGIONAL TRANSIT AUTHORITY

DBE GOOD FAITH EFFORTS DOCUMENTATION FORM

DART PROJECT DBE GOAL: 1.27%

If proposer has indicated on the DBE Participation Form that it does not meet the DBE goal, proposer must submit this form with its DBE Participation Form as documentation of its good faith efforts to meet the goal. Failure to submit this form with its proposer may render this proposal non-responsive. DART may require that proposer provide additional substantiation of good faith efforts.

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____

Date: _____ Area of Expertise: _____

Name: _____ Company Name: _____

Response: _____

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00 43 13.04 (AD-1, 7/19/24)
**CERTIFICATION OF CONTRACTOR REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

The undersigned, an authorized official of the Proposer stated below, certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of these offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this proposal had one or more public transactions (federal, state, or local) terminated for cause or default.

(If the undersigned is unable to certify to any of the statements in this certification, such official shall attach an explanation to this proposal).

THE UNDERSIGNED CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

Name of Proposer _____

Address _____

City, State, Zip _____

Signature of Authorized Official _____

Title of Official _____

Telephone _____ Date _____

Notary Public Name (Printed)

Notary Public Signature County of

Expiration Date

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