

PROCUREMENT DEPARTMENT
Rm 120 Municipal Services Building
Philadelphia, PA 19102-1685
FAX: (215) 686-4716

CITY OF PHILADELPHIA

Hugh Ortman
Procurement Commissioner

December 6, 2012

BID NUMBER: S3Z59440
TITLE: Turf Management - Water Department
DEPARTMENT: Various
DATE TO OPEN: December 13, 2012 at 10:30 AM

ADDENDUM # 1

TO ALL BIDDERS:

You are hereby notified of the following changes to the above mentioned bid:

Please add the following information:

Paragraph 5.18.3

25050 006 191 01

Lot price for initial clearing and removal of debris.

Mingo Creek Storm Water Pumping Station

[Ref: 2.2.18.4]

LO 1 \$_____

Paragraph 5.18.4

25050 006 192 01

Lot price for initial clearing and removal of debris.

Central Schuylkill Pumping Station

[Ref: 2.2.18.4]

LO 1 \$_____

Questions & Answers
Turf Management – Water Department
Invitation & Bid No. S3-Z5944-0
Non-Mandatory Pre-Bid Meeting of November 28, 2012

Question #1

We are asking that the “and/or” in between the MBE and WBE ranges is taken out and replaced with ranges that appeared in the last bid 3/23/2009, but with a higher MBE range?

Answer:

Numeric ranges and Good Faith Efforts both have the same meaning and require the same result.

The result is to have inclusion of certified minority, women and disabled businesses within City projects.

The difference between the two is that one has a perimeter (ranges), the other does not (Good Faith Efforts). Good Faith Efforts are explained within the Antidiscrimination Policy Instructions which is located in the first pages of each City bid. According to the Instructions within the bid:

"B. RESPONSIVENESS

1. A Bid responsive to the Policy is one which contains documentary evidence of the M/W/DSBEs that have been solicited and that will be used by the Bidder on the contract, if awarded; where the Bid satisfies the M/W/DSBE participation ranges for that contract, the Bidder is rebuttably presumed not to have discriminated in its selection of contract participants.

2. Bidders must submit documentary evidence of MBEs, WBEs and DSBEs who have been solicited and with whom commitments have been made in response to the participation ranges included in this Bid. Failure to submit the Solicitation For Participation and Commitment Form will result in the rejection of the Bid as nonresponsive, although the City, at its sole discretion, may allow Bidders to submit or amend the Solicitation For Participation and Commitment Form at any time prior to award. The Solicitation For Participation and Commitment Form must contain the following information: . . ."

Question #2

The minimum prevailing wage rates in this year's bid are exactly the same as they were in 2009. Is this correct and if so, are vendors who respond to this bid going to be compliant to the new City Living Wage Rate Laws?

Answer:

The Prevailing Wages are not the same rates based on the previous Invitation and Bid issued in 2009.

Question #3

Will OEO verify that the invoices/payments by and to the M/WBE firms listed by the contractors that won work in 3/09 be substantiated. If a vendor who is in non-compliance to the M/WBE ranges in terms listing a firm and not having a commitment with the listed M/WBE firm or who have not paid the listed M/WBE's in accordance to what they were listed to receive in 3/09 be allowed to compete on this year's bid despite them being in non-compliance? If so, why, since that bidder has not performed and/or respected the "Good Faith" tenants on the Mayor's Inclusion program?

Answer:

The statement referenced Question #3 has never been substantiated nor is it pertinent to this Invitation and Bid.

Question #4

What was the Procurement Dept's budgeted amount for this work per contractor that won and how much was actually spent for each vendor who won in 3/09?

Answer:

Bidders can obtain previous bid results by contacting the City of Philadelphia Procurement Department Public Information Unit, located at 1401 JFK Boulevard, Room 170B, Philadelphia, Pa. 19102 at (215) 686-4720.

Question #5

Are there performance of work issues related to any of the three awarded vendors in 3/09? If so, who and will they be allowed to compete this year?

Answer:

Bidders shall refer to the response provided under Question #4 of this Addendum.

Question #6

Can the City's Horticultural Recycling Center be utilized for tree, shrub debris etc.?

Answer:

No.

Question #7

Our Company respectfully requests and recommends that the OEO ranges for inclusion be increased as follows:

MBE-	20% to 30% Work Related toward range;	17% - 20%
	Supplies needed to perform	2% - 5%
WBE-	5% to 8% Work Related toward range;	3% - 7%
	Supplies needed to perform	1% - 3%

Answer:

Bidders shall refer to the response provided under Question #1 of this Addendum.

Question #8

What were the actual contract amounts for each awarded vendor and each of their renewal years? How many dollars were actually paid to each respective vendor for each contracted year, inclusive of renewal years? What was the City's budgeted dollar amount for each original contract year per awarded vendor and each of their respective renewal years?

Answer:

Bidders shall refer to the response provided under Question #4 of this Addendum.

Question #9

During the site visit inspections, it was noted that some Water Department site superintendents called for service but the vendor did not show up to perform the work. Are there existing documented performance issues with any current awarded contract vendor? If so, will these firms be allowed to qualify as a bidder?

Answer:

The statement made in Question #9 has not been substantiated, bidders shall refer to Paragraph 4.2.8 [Assesses Penalties] of the Invitation and Bid.

Question #10

If an awarded vendor on this contract is deemed as non-compliant by OEO with their contract monitoring compliance review evaluation of the awarded vendors invoices and total payments to and from, respectively, their listed MBE's / WBE's at bid opening, will they also be allowed to qualify to bid?

Answer:

This question is unclear. However, most questions concerning inclusion of certified Minority and/or Women Business Enterprises (M/WDSBEs), can be found within the Instructions from the City's Antidiscrimination Policy. Under "**F. REMEDIES**", if a vendor is found to be fraudulent:

1. The Successful Bidder's compliance with the requirements of Executive Orders 2-05 and 14-08, including the fulfillment of any M/W/DSBE commitments, is material to the contract. Any failure to comply with these requirements constitutes a substantial breach of the contract. It is further understood and agreed that in the event the City determines that the Successful Bidder hereunder has failed to comply with these requirements the City may, in addition to any other rights and remedies the City may have under the contract, any bond filed in connection therewith or at law or in equity, exercise one or more of the following remedies, as deemed applicable, which shall be deemed cumulative and concurrent:

- a. Withhold payment(s) or any part thereof until corrective action is taken.**
- b. Terminate the contract, in whole or in part.**
- c. Suspend/Debar the Successful Bidder from proposing/bidding and/or participating in any future City contracts for a period of up to three (3) years.**
- d. Recover as liquidated damages, one percent of the total dollar amount of the contract for each one percent (or fraction thereof) of the commitment**

Question #11

Will the Procurement Department consider having each facility add a price sheet for their respective sites that need an initial performance task of services, i.e. trimming, cutting, debris removal, etc.?

Answer:

Reference is made to Additional Pricing Paragraphs in this Addendum.

Question #12

Page 36, Paragraphs 2.2.18.3 and 2.2.18.4

Mingo Creek;

This property has been neglected for many years. There are weed trees growing throughout the property. To complete this work one would need chain saws and a chipper. Will there be a separate line item for an initial clearing and cleanup?

Central Schuylkill Pumping;

The slope at this site has weed trees and overgrowth. Will there be a separate line item for an initial clearing and cleanup?

Answer:

Reference is made to Additional Pricing Paragraphs in this Addendum.

Question #13

Can the City's Fairmount Park Recycling Center be utilized for tree, shrub debris etc.?

Answer:

No.

Question #14

Is the vendor responsible for cleaning up litter at each site? If so which sites?

Answer:

Reference is made to Paragraphs 2.1.1 through 2.1.5 of the Invitation and Bid.

Question #15

Is the vendor responsible for removing leaves from each site? If so which sites?

Answer:

Reference is made to Paragraphs 2.1.1 through 2.1.5 of the Invitation and Bid.

Question #16

Several PWD officials made statements regarding performance of services that are not specified in the current bid documents, will these statements be added via the addendum? (i.e. 7800 Penrose Avenue, we were instructed to leave debris on the embankment)

Answer:

Reference is made to Paragraphs 2.1.1 through 2.1.5 of the Invitation and Bid.

Please sign, date and return this addendum with your bid to the Procurement Department, 1401 J.F.K Boulevard, Bid Room 170A, Philadelphia, PA 19102-1685 as it now becomes a part of the proposal.

A. Campfield
Buyer, A. Campfield

AUTHORIZED SIGNATURE

FIRM NAME (PRINT)

DATE

AC/bws