

INVITATION TO BIDS
LAM BOW APARTMENTS
Solicitation No. 5266
ADDENDUM NO. 3
Issue Date October 21, 2019

This Addendum containing the following revisions, additions, deletions and/or clarifications, is hereby made a part of this solicitation and Contract Documents for the above-named project. Bidders/Proposers shall take this Addendum into consideration when preparing and submitting their response to this solicitation.

This Addendum [clarifies various sections within the ITB and give instructions on how to request the CAD documents. (see Item 1 below)], lists questions received and SHA's responses (see Item 2 below), and [extends the due date for Phase 1 proposals (see Item 3 below)].

Item 1. Changes to Division 00 Bidding and Contract Requirement is as follows:

Delete Section 00020 Section 1.01 E and **Replace** with:

This phase is expected to take 8 to 9 weeks. Once final pricing is established, and a permit is issued, SHA will complete mixed finance closing.

Delete Section 00020 Section 1.04 and **Replace** with:

This project's construction cost is estimated to be \$26 Million not including Profit and Overhead.

Delete Section 00020 Section 1.05 A. and **Replace** with:

Sealed bids will be requested from prequalified contractors moved through from Phase 1 to Phase 2 for this project. The Phase 2 bids will be based on 100% Design Development documents to be transmitted to prequalified contractors within one week after selection by the Seattle Housing Authority (SHA).

Section 00210 Section 1.02 B. **Add:**

5. New Construction

Delete Section 00210 Section 1.02 F. and **Replace** with:

Contractor's Profit and Overhead means a fixed percentage, to be applied to Direct Costs in all change orders under the contract, for (1) all profit of the Contractor for this Project; (2) all regional and home office overhead expenses, including labor and materials, travel, phone, cellular phone, facsimile, postage and other incidental office expenses attributable to work on this Project that is not specifically identified in the Specified General Conditions work; (3) all taxes, including B&O, owed by the Contractor except retail sales tax on the Work; and (4) all insurance, but not bonds, required under the Contract.

Delete Section 00210 Section 1.02 G. and **Replace** with:

Direct Cost means the cost of all labor, materials, subcontracts, fees, permits (other than the building permit), bonds, general requirements, and other expense of any kind and description necessary to comply with the construction documents and complete the project, whether or not physically incorporated into the Work.

CAD files are available and should be requested by filling out an EITA document. Please contact Richard Olson for the EITA form at Richard.olson@seattlehousing.org

Attachment A has been revised and is attached to this Addendum. Proposals should submit the attached Attachment A – Cost Proposal Form with the Phase 1 Proposal documents.

Item 2. The following is a list of questions received and SHA's responses to those questions.

Question 1. Page 1 of Attachment A indicates the start date of construction is anticipated to be early 2019 dependent on financing. Can you provide an updated anticipated start date and duration for preconstruction as well as construction?

Response: *Construction is anticipated to start approximately mid-April 2020. The start date is contingent upon the building permit and financial closing. Please see below for the Anticipated schedule:*

<i>Issue addendum 3:</i>	<i>Monday</i>	<i>Oct 21</i>
<i>Phase 1 submittals due:</i>	<i>Tuesday</i>	<i>Oct 29</i>
<i>SHA complete short list</i>	<i>Friday</i>	<i>Nov 8</i>
<i>Release docs for Phase 2 bid:</i>	<i>Monday</i>	<i>Nov 11</i>
<i>Last day for questions:</i>	<i>Tuesday</i>	<i>Dec 3</i>
<i>Last day for addendum</i>	<i>Tuesday</i>	<i>Dec 10</i>
<i>Phase 2 bids due:</i>	<i>Tuesday</i>	<i>Dec 17</i>
<i>Preconstruction Services</i>	<i>Jan 15 2020 to March 15 2020</i>	

Question 2. Is there information available regarding the permit process and anticipated timeline for a permit?

Response: *The building permit application will be filed before the end of October 2019. Anticipated issue is April , 12020.*

Question 3. Please confirm the Bid Form in 00300 is for Phase 2 proposals only and 00320 is for Phase 1 proposals only

Response: *The bid form contained in Section 00300 is a sample of what will be submitted with the Phase 2 portion of this bid process. Phase 1 proposals should include the revised Attachment A – Cost Proposal Form (attached).*

Question 4. Please confirm a Bid Bond is NOT required for Phase 1 proposals

Response: *Correct. The Bid Bond is required with the bid submissions during Phase 2.*

Question 5. Page 2 of Attachment A provides a list of documents to be included in the Phase 1 submittal. Item #3 calls for MEP subcontractors list. Please clarify whether we will be limited to those on this list or if other trade partners may be added with the approval of SHA at a later date or if this requirement can be provided in Phase 2 and deleted from Phase 1.

Response: *This form will be required at the time of bid submission during Phase 2.*

Question 6. Page 2 of Attachment A item #2 calls for a Representation, Certifications & other Statements of bidders form. Please indicate where that form is found.

Response: The Representations, Certifications and other Statements of Bidders form (HUD-5369-A) can be found in Section 00110 of the Invitation to Bid.

Question 7. Page 2 of Attachment A item #4 calls for a “Certificate as to Corporate Principal”. Please indicate where that form is found.

Response: This form can be found in Section 00320 of the Invitation to Bid (pg 65).

Question 8. Page 2 of Attachment A item #10 calls for a “Certifications and Assurances” Please indicate where that form is found.

Response: This item can be deleted. It is not required.

Question 9. What is the anticipated start date for construction of this project?

Response: *Mid-April 2020.*

Question 10. What is the anticipated date for submittal of the Phase 2 proposal?

Response: *December 17 2019*

Question 11. Has a Hazardous Material inspection been performed relative to required abatement and is it available to bidders?

Response: *Yes, a partial has been completed and will be provided to qualified Phase 2 Bidders.*

Question 12. Please confirm that per 00020.1.01.E our budget for Preconstruction Services is limited to 4 weeks.

Response: *The preconstruction phase is changed to 9 weeks, anticipating mid-January to mid-March.*

Question 13. Is there a cap on the value of the preconstruction services?

Response: *Yes. See Attachment A included with Addendum 3. The cap is \$50,000.*

Question 14. Will the construction duration of 18 months in 00020.1.01.H be in addition to the duration of abatement which has not been defined?

Response: *No.*

Question 15. 00200.2.04 – please define “compensatory use tax” Is it B&O tax or something else?

Response: *“Compensatory use tax” means those use taxes authorized and imposed by RCW 82.12 and 82.14.*

Question 16. Please confirm that in addition to the forms required in the Phase 1 proposal the proposal is limited to 26 pages. Please confirm whether this is two faced pages or if each face constitutes one of the 26 pages.

Response: *Each side counts as one page.*

Question 17. 00850 addresses a Contractor Performance Evaluation Program. Is there a monetary incentive included in the process?

Response: *No.*

Question 18. Is there a clear description of what is included in Fee, Specified General Conditions, Negotiated General Conditions and Overhead requested on the Phase 1 proposal form?

Response: *Refer to Section 00210 1.02 as modified in Addendum 3.*

Question 19. Please confirm the matrix on page 56 (00210) is to be used only for Phase 1 and Phase 2 is strictly based on the value of the bid.

Response: *The evaluation matrix in Section 00210 is used only for prequalification in Phase 1. In Phase 2 the award is based strictly on the bid.*

Question 20. Will we be able to provide detail and explanation of our proposed value for Phase 2?

Response: *No. Phase 2 award is based on the lowest responsive, responsible bid. A responsive bid cannot include explanations or qualifications.*

Question 21. What is the typical timeline to issue payment from when it is submitted by the contractor?

Response: *Net 30 from an approved invoice.*

Question 22. What is the typical timeline to issue the 5% retention following completion of a project?

Response: SHA will release retention after all wage compliance requirements are satisfied and SHA has received the releases from the three Washington State Agencies (Labor and Industries, Department of Revenue, and Employment Security).

Question 23. Please confirm that all labor on this job is subject to the state of Washington prevailing wage regulations including a detailed audit of labor classification and reconciliation of that audit prior to the release of any retention.

Response: This project is subject to the public works regulations of Washington State. However, the applicable wages will be Davis Bacon Building wages. SHA will perform certified payroll review throughout the project and prior to the agency submitting notice of completion to the required state agencies.

Question 24. Would you accept a modular elevator as a replacement on the project?

Response: *The Phase 2 bid should be based on the specified elevator. SHA will not entertain proposed substitutions prior to contract award.*

Question 25. Briefly, this is our current understanding of the process: This is a multi-phase process. General Contractors submit their qualifications as outlined in the Invitation to Bid (Solicitation No. 5266 Volume I). the intent of phase I is to prequalify three or more qualified General Contractors whom would advance to phase II. Upon the completion of the 100% Design Development Documents the prequalified General Contractors would submit a second cost proposal setting the maximum price for construction. The owner will negotiate with the low bidder a firm-price and lump-sum contract from Phase II. Is this a fair understanding to the spirit of the process? It is a fair understanding of the spirit of the process, but not exactly the details:

Response: *The cost proposal in Phase II is the first cost proposal. No cost proposal (and no bid bond) is required with the Phase I qualifications submittal.*

The Phase II cost proposals should be considered as firm price bids. The contractor selected will be the lowest responsive bidder (the process will have already determined responsibility in Phase I.) The contract will be awarded on the basis of the bid, not negotiated. This will allow the contractor to award subcontracts without asking the subs to hold their bids for an extended time. The negotiation which follows is to arrive at a change order that reconciles the final drawings and specifications to the bid.

Question 26. Is there a Project Labor Agreement or Community Workforce Agreement requirement?

Response: *No.*

Question 27. Are the owner intentions to compensate the selected General Contractor for preconstruction services?

Response: *No, that cost should be folded into the Phase II bid.*

Question 28. Are all prequalified General Contractors expected to submit proposals for Phase II?

Response: Yes

Question 29. With the contract value being set at the 100% DD documents; what is the process for change orders?

Response: *The reconciling change order mentioned above will be negotiated according to the usual process; however, there will be the opportunity to bring the contract amount and the scope indicated in the plans and specs into agreement, whether that results in a change to the contract amount or not.*

Question 30. How are bona fide contract adjustments handled from phase I to the final construction contract?

Response: *There is no contract amount resulting from Phase I.*

Item 3. The Due Date for Phase 1 is extended to **1:00 PM, October 29, 2019**

END OF ADDENDUM NO. 3

ATTACHMENT A
Phase 1 Cost Proposal Form and Required Documents

To: Seattle Housing Authority
190 Queen Anne Avenue North
Seattle WA 98109-1028

For: SHA Solicitation No. 5266
Invitation to Bid
for Lam Bow Housing Project

From: _____
(Contractor (PRINT NAME))

(Individual (PRINT NAME))

In response to your Invitation to Bid for the above referenced work, the undersigned ("Bidder") submits its qualifications in accordance with Section 00210 and, if deemed prequalified in accordance with Section 00210, offers to submit a bid in Phase 2 to furnish all personnel, equipment, facilities, materials, supplies, bonds and insurance required to successfully complete construction of the project and all general contracting responsibilities of the Contractor during Preconstruction and Construction.

Bidder certifies that: it has examined and is fully familiar with all provisions of the ITB including any addenda thereto; it has carefully checked all of the words and figures which comprise this Cost Proposal; and it has by careful examination of the ITB, any addenda thereto, the sites and all other pertinent conditions and matters, satisfied itself as to the nature, location, character, quality, and quantity of the work required by the contract and as to the conditions and other matters that may be encountered at the site or that may affect performance of the work or the cost or difficulty thereof.

In submitting this Proposal the undersigned agrees:

1. that if prequalified in accordance with Section 002210, to submit in Phase 2 a firm fixed price bid to construct the project in accordance with the plans and specifications and all other applicable requirements.
2. that if its Phase 2 bid be accepted as the lowest responsive bid from a responsible bidder, within seven (7) days of written notification from the Owner that it is the selected Contractor, to duly execute the Contract for Construction between Owner and Contractor and deliver it to the Seattle Housing Authority, together with all required bonds and certificates of insurance.
3. that upon execution of the Contract for Construction, and prior to Notice to Proceed, to perform Preconstruction Services, i.e. to work diligently with the architect and other members of the design team to reconcile the final construction documents to the contract amount, and to negotiate in good faith a change order to reflect any increase in the contract amount resulting from such reconciliation.
4. to accept, as compensation for Preconstruction Services, the amount entered below, whether not agreement is reached as to the amount of the change order contemplated in (3) above.
5. to accept, as markups on all direct costs in all change orders under the contract, the percentages entered below for Profit and Overhead and Profit.

Bidder acknowledges that start dates for construction of Lam Bow Housing Construction Project is dependent on mixed finance closing scheduled date of approximately April 1 2019.

Bidder acknowledges receipt, understanding and full consideration of Addenda No(s): _____
_____ (list each addendum separately by number)

ATTACHMENT A
Phase 1 Cost Proposal Form and Required Documents

Component	Proposal Amounts	Proposal Amount expressed as percent of estimated direct costs
A. Preconstruction Services	\$50,000	LUMP SUM
B. Profit not to exceed 6% (% times estimated direct costs of <u>\$26,000,000.00</u>)	\$	Profit %: _____%
C. Overhead not to exceed 2% (% times estimated direct costs of <u>\$26,000,000.00</u>)	\$	Overhead %: _____%
Total Cost Proposal (A+B+C)	\$	

***IMPORTANT:** The following completed and signed documents are attached to and made a condition of Part 1:

1. Cost Proposal Form
2. ~~Required Bid Bond (Proposal Cost Guarantee) Due at Phase 2~~
3. Instructions to Bidders (HUD 5369)
4. Representations, Certifications & other Statements of Bidders (HUD 5369-A)
5. ~~Bidders/MEP Subcontractors List Due at Phase 2~~
6. Certificate as to Corporate Principal
7. Seattle Housing Authority Vendor Fact Sheet
8. Section 3 Business Certification
 - a. * Affidavit of Family Size and Income (* Submitted with ITB only if the Bidder is a Section 3 Business)
9. Suspension & Debarment Compliance
10. Non-Collusive Affidavit
11. Environmental Regulation Compliance
12. SSB5301- Certification of Compliance with Wage Payment Statutes
13. HUD 2530 – Previous Participation Certification

ATTACHMENT A
Phase 1 Cost Proposal Form and Required Documents

SUBMITTED on: _____ day of _____ 2014
From:

Legal Name of Bidder: _____

Business Address: _____

(Phone) _____ (Email) _____

Street Address: _____

Bidder's Washington State Contractor's License No. _____
License Expiration Date: _____
Federal Tax Identification Number (TIN) _____

Signature of Corporation: _____
(Bidder's Business Name)
a _____ corporation
By: _____
Title: _____
Date: _____

Signature of Partnership
or Joint Venture: _____
(Name of Partnership or Joint Venture)

Signed by (all general partners
or joint ventures) Name _____
Title _____ Date Signed _____
Name _____
Title _____ Date Signed _____
Name _____
Title _____ Date Signed _____

Signature of Sole Proprietorship (if signing as individuals they shall be jointly and severally liable)
Name _____
Title _____ Date Signed _____
Name _____
Title _____ Date Signed _____

End of Cost Proposal Form