

**WASHINGTON METROPOLITAN TRANSIT AUTHORITY
600 FIFTH STREET, NW
WASHINGTON, DC 20001**

Tender Number:	IFB-FQ18102/KKB
Date of Issuance:	May 02, 2018
Tender Due Date:	May 16, 2018
Revised Tender Opening Date:	May 23, 2018

**AMENDMENT NO. 01
TO
INVITATION FOR BIDS
FOR
Replacement of Chiller and Cooling Tower Accessories at Eight (8) Metro-rail Stations:
DC, MD, and VA
IFB-FQ18102/KKB**

TO WHOM IT MAY CONCERN:

The Invitation for Bids Documents accompanying IFB FQ18102/KKB requesting proffers for above procurement action are herewith changed in part as listed below. The changes are bolded and denoted with ## signs.

1. SECTION 00800, SUPPLEMENTAL CONDITIONS

<u>DELETE</u>	<u>SUBSTITUTE</u>	<u>DESCRIPTION</u>
Section 00800, Wage Rates, Pages Appendix D-1 thru Appendix D-20.	Section 00800, Wage Rates, Pages Appendix D-1 thru Appendix D-20. Amendment No. 01	Revised Wage Rates


2. SECTION 00800, SUPPLEMENTAL CONDITIONS

<u>DELETE</u>	<u>SUBSTITUTE</u>	<u>DESCRIPTION</u>
Section 00800, DBE, Pages Appendix B-2, Appendix B-9 to Appendix B-24	Section 00800, DBE, Pages Appendix B-2, Appendix B-9 to Appendix B-25, Amendment No. 01	Revised Article 8 of the Appendix B, DBE

3. SECTION 00100, BIDDING REQUIREMENTS

<u>DELETE</u>	<u>SUBSTITUTE</u>	<u>DESCRIPTION</u>
Section 00100, Pages Section 00100-1 to 2-Appendix D	Section 00100, Section 00100-1 to 2-Appendix D, Amendment No. 01	Revised Bid Opening Date

- 4 Delete Solicitation FQ18102/KKB cover page and replace with Solicitation FQ18102/KKB cover page Amendment No. 01.
5. Bid written questions cutoff date has been revised from May 02, 2018 @ 5:00 pm EST to May 08, 2018 @ 5:00 pm EST.
6. There are no further changes.
- 7 THE SOLICITATION PROVISIONS ENTITLED "SOLICITATION AMENDMENT" IS APPLICABLE TO THIS AMENDMENT. THE CHANGES SET FORTH ARE HEREWITH INCORPORATED INTO THE ABOVE CITED SOLICITATION. THE HOUR AND DATE SPECIFIED FOR RECEIPT OF PROFFERS IS EXTENDED FROM MAY 16, 2018 TO MAY 23, 2018 AT 2:00 PM EST.
8. Acknowledgement: Offerors are required to acknowledge receipt of this amendment on Proposal Form in the space provided. Failure to acknowledge all Amendments may cause the proffer to be considered non-responsive to the request, which may cause its rejection.

Issued By: 
Norie A. Calvert, Contracting Officer, Office of Procurement and Materials

General Decision Number: DC180002 **04/20/2018** DC2

Superseded General Decision Number: DC20170002

State: District of Columbia

Construction Type: Building

County: District of Columbia Statewide.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above – mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/05/2018
1	01/12/2018
2	02/09/2018
3	03/23/2018
4	04/20/2018

ASBE0024-007 10/01/2017

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR	\$ 35.13	16.22

Includes the application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems

ASBE0024-008 10/01/2017

	Rates	Fringes
ASBESTOS WORKER: HAZARDOUS MATERIAL HANDLER	\$ 22.81	7.34

Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials, whether they contain asbestos or not, from mechanical systems

ASBE0024-014 10/01/2017

	Rates	Fringes
FIRESTOPPER	\$ 28.01	7.78

Includes the application of materials or devices within or around penetrations and openings in all rated wall or floor assemblies, in order to prevent the passage of fire, smoke or other gases. The application includes all components involved in creating the rated barrier at perimeter slab edges and exterior cavities, the head of gypsum board or concrete walls, joints between rated wall or floor components, sealing of penetrating items and blank openings.

BRDC0001-002 04/30/2017

	Rates	Fringes
BRICKLAYER	\$ 30.91	10.24

CARP0177-003 05/01/2017

	Rates	Fringes
CARPENTER, Includes Drywall Hanging, Form Work, and Soft Floor Laying-Carpet	\$ 28.36	11.53

* CARP0179-001 05/01/2017

	Rates	Fringes
PILEDRIVERMAN	\$ 29.94	10.95

CARP0219-001 05/01/2017

	Rates	Fringes
MILLWRIGHT	\$ 32.49	11.23

ELEC0026-016 11/06/2017

	Rates	Fringes
ELECTRICIAN, Includes Installation of HVAC/Temperature Controls	\$ 45.15	17.15

ELEC0026-017 09/05/2016

	Rates	Fringes
ELECTRICAL INSTALLER (Sound & Communication Systems)	\$ 27.55	10.20

SCOPE OF WORK: Includes low voltage construction, installation, maintenance and removal of teledata facilities (voice, data and video) including outside plant, telephone and data inside wire, interconnect, terminal equipment, central offices, PABX, fiber optic cable and equipment, railroad communications, micro waves, VSAT, bypass, CATV, WAN (Wide area networks), LAN (Local area networks) and ISDN (Integrated systems digital network).

WORK EXCLUDED: The installation of computer systems in industrial applications such as assembly lines, robotics and computer controller manufacturing systems. The installation of conduit and/or raceways shall be installed by Inside Wiremen. On sites where there is no Inside Wireman employed, the Teledata Technician may install raceway or conduit not greater than 10 feet. Fire alarm work is excluded on all new construction sites or wherever the fire alarm system is installed in conduit. All HVAC control work.

ELEV0010-001 01/01/2018

	Rates	Fringes
ELEVATOR MECHANIC	\$ 44.12	32.645+a+b

- a. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day and the Friday after Thanksgiving.

- b. VACATIONS: Employer contributes 8% of basic hourly rate for 5 years or more of service; 6% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.

IRON0005-011 06/01/2017

	Rates	Fringes
IRONWORKER, STRUCTURAL AND ORNAMENTAL	\$ 31.15	20.63

LABO0011-009 06/01/2017

	Rates	Fringes
LABORER: Skilled	\$ 23.42	8.04

FOOTNOTE: Potmen, power tool operator, small machine operator, signalmen, laser beam operator, waterproofer, open caisson, test pit, underpinning, pier hole and ditches, ladders and all work associated with lagging that is not expressly stated, strippers, operator of hand derricks, vibrator operators, pipe layers, or tile layers, operators of jackhammers, paving breakers, spaders or any machine that does the same general type of work, carpenter tenders, scaffold builders, operators of towmasters, scootcretes, buggymobiles and other machines of similar character, operators of tampers and rammers and other machines that do the same general type of work, whether powered by air, electric or gasoline, builders of trestle scaffolds over one tier high and sand blasters, power and chain saw operators used in clearing, installers of well points, wagon drill operators, acetylene burners and licensed powdermen, stake jumper, demolition.

MARB0002-004 04/30/2017

	Rates	Fringes
MARBLE/STONE MASON	\$ 36.91	16.55

INCLUDING pointing, caulking and cleaning of All types of masonry, brick, stone and cement EXCEPT pointing, caulking, cleaning of existing masonry, brick, stone and cement (restoration work)

MARB0003-006 04/30/2017

	Rates	Fringes
TERRAZZO WORKER/SETTER	\$ 27.44	11.44

MARB0003-007 04/30/2017

	Rates	Fringes
TERRAZZO FINISHER	\$ 22.51	10.50

MARB0003-008 04/30/2017

	Rates	Fringes
TILE SETTER	\$ 27.44	11.44

MARB0003-009 04/30/2017

	Rates	Fringes
TILE FINISHER	\$ 22.51	10.50

PAIN0051-014 06/01/2017

	Rates	Fringes
GLAZIER		
Glazing Contracts \$2 million and under	\$ 25.74	11.55
Glazing Contracts over \$2 million	\$ 29.87	11.55

PAIN0051-015 06/01/2017

	Rates	Fringes
PAINTER		
Brush, Roller, Spray and Drywall Finisher	\$ 25.06	9.66

PLAS0891-005 07/01/2016

	Rates	Fringes
PLASTERER	\$ 28.83	6.05

PLAS0891-006 02/01/2018

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER	\$ 28.15	10.58

PLAS0891-007 08/01/2016

	Rates	Fringes
FIREPROOFER		
Handler	\$ 16.50	4.89
Mixer/Pump	\$ 18.50	4.89
Sprayer	\$ 23.00	4.89

Spraying of all Fireproofing materials. Hand application of Fireproofing materials. This includes wet or dry, hard or soft. Intumescent fireproofing and refraction work, including, but not limited to, all steel beams, columns, metal decks, vessels, floors, roofs, where ever fireproofing is required. Plus any installation of thermal and acoustical insulation. All that encompasses setting up for Fireproofing, and taken down. Removal of fireproofing materials and protection. Mixing of all materials either by hand or machine following manufactures standards.

PLUM0005-010 08/01/2017

	Rates	Fringes
PLUMBER	\$ 41.67	17.60+a

- a. PAID HOLIDAYS: Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving, Christmas Day, New Year's Day, Martin Luther King's Birthday, Memorial Day and the Fourth of July.

PLUM0602-008 08/01/2017

	Rates	Fringes
PIPEFITTER, Includes HVAC Pipe Installation	\$ 40.69	21.07+a

- a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving and Christmas Day.

ROOF0030-016 05/01/2016

	Rates	Fringes
ROOFER	\$ 28.75	11.74

SFDC0669-002 04/01/2017

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers)	\$ 34.40	19.24

SHEE0100-015 03/01/2018

	Rates	Fringes
SHEET METAL WORKER (Including HVAC Duct Installation)	\$ 40.27	18.87+a

- a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day

SUDC2009-003 05/19/2009

	Rates	Fringes
LABORER: Common or General	\$ 13.04	2.80
LABORER: Mason Tender - Cement/Concrete	\$ 15.40	2.85
LABORER: Mason Tender for pointing, caulking, cleaning of existing masonry, brick, stone and cement structures (restoration work); excludes pointing, caulking and cleaning of new or replacement masonry, brick, stone and cement	\$ 11.67	

POINTER, CAULKER, CLEANER, Includes pointing, caulking, cleaning of existing masonry, brick, stone and cement structures (restoration work); excludes pointing, caulking, cleaning of new or replacement masonry, brick, stone or cement	\$ 18.88
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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees

must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

General Decision Number: MD180057 **04/20/2018** MD57

Superseded General Decision Number: MD20170057

State: Maryland

Construction Type: Building

County: Montgomery County in Maryland.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above – mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/05/2018
1	01/12/2018
2	02/09/2018
3	02/23/2018
4	03/23/2018
5	04/20/2018

ASBE0024-007 10/01/2017

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR	\$ 35.13	16.22

Includes the application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems

ASBE0024-010 10/01/2017

	Rates	Fringes
ASBESTOS WORKER: HAZARDOUS MATERIAL HANDLER (Removal of hazardous material from ceilings, floors, mechanical systems, and walls)	\$ 22.81	7.34

* BRMD0001-006 04/30/2017

	Rates	Fringes
TILE SETTER	\$ 27.44	11.44

* BRMD0001-009 04/30/2017

	Rates	Fringes
TILE FINISHER	\$ 22.51	10.50

* BRMD0001-011 04/30/2017

	Rates	Fringes
BRICKLAYER (Excluding Pointing, Caulking and Cleaning)	\$ 30.91	10.24

* BRMD0001-012 04/30/2017

	Rates	Fringes
MASON – STONE	\$ 36.91	16.55

CARP0177-011 01/01/2018

	Rates	Fringes
CARPENTER (Including Acoustical Ceiling Installation, Drywall Hanging, Metal Stud Installation and Form Work)	\$ 28.46	11.53

CARP0219-001 05/01/2017

	Rates	Fringes
MILLWRIGHT	\$ 32.49	11.23

ELEC0026-021 09/05/2016

	Rates	Fringes
ELECTRICIAN (Communication and Sound Equipment)	\$ 27.55	10.20

ELEC0026-022 11/06/2017

	Rates	Fringes
ELECTRICIAN (Including low voltage wiring for and installation of alarms, HVAC controls)	\$ 45.15	17.15+a

- a. PAID HOLIDAYS: New Year's Day, Inauguration Day, Martin Luther King Jr.'s Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, the day after Thanksgiving Day and Christmas Day.

ELEV0010-001 01/01/2018

	Rates	Fringes
ELEVATOR MECHANIC	\$ 44.12	32.645+a+b

- a. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day and the Friday after Thanksgiving.
- b. VACATIONS: Employer contributes 8% of basic hourly rate for 5 years or more of service; 6% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.

ENGI0077-018 05/01/2017

	Rates	Fringes
OPERATOR: Bulldozer	\$ 30.56	8.95+a
OPERATOR: Loader Front End Loaders 3 1/2 cubic yards and above	\$ 30.56	8.95+a
Front End Loaders Below 3 1/2 cubic yards	\$ 30.56	8.95+a

- a. PAID HOLIDAYS: New Year's Day, Inaugural Day, Decoration Day, Independence Day, Labor Day, Martin Luther King's Birthday, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving and Christmas Day.

IRON0005-011 06/01/2017

	Rates	Fringes
IRONWORKER, STRUCTURAL AND ORNAMENTAL	\$ 31.15	20.63

LABO0657-017 06/01/2015

	Rates	Fringes
LABORER: Mason Tender - Cement/Concrete	\$ 22.63	7.31
LABORER: Pipelayer	\$ 22.63	7.31

PAIN0051-014 06/01/2017

	Rates	Fringes
GLAZIER Glazing Contracts \$2 million and under	\$ 25.74	11.55
Glazing Contracts over \$2million	\$ 29.87	11.55

PAIN0051-019 06/01/2017

	Rates	Fringes
PAINTER Brush, Roller, Spray and Drywall Finisher/Taper	\$ 25.06	9.66
Industrial	\$ 30.90	10.49

PLAS0891-005 07/01/2016

	Rates	Fringes
PLASTERER	\$ 28.83	6.05

PLAS0891-006 02/01/2018

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER	\$ 28.15	10.58

PLAS0891-008 08/01/2016

	Rates	Fringes
PLASTERER (Fireproofing Including Sprayer, Mixer, and Handler)		
Handler	\$ 16.50	4.89
Mixer/Pump	\$ 18.50	4.89
Sprayer	\$ 23.00	4.89

PLUM0005-010 08/01/2017

	Rates	Fringes
PLUMBER	\$ 41.67	17.60+a

- a. PAID HOLIDAYS: Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving, Christmas Day, New Year's Day, Martin Luther King's Birthday, Memorial Day and the Fourth of July.

PLUM0602-011 08/01/2017

Contract No.: FQ18102
Date: April 2018

Washington Metropolitan Area Transit Authority
IFB No.: FQ18102/KKB

	Rates	Fringes
PIPEFITTER (Including HVAC Pipe and System Installation)	\$ 40.69	21.07+a
a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving and Christmas Day.		

ROOF0030-016 05/01/2016

	Rates	Fringes
ROOFER	\$ 28.75	11.74

SFMD0669-001 04/01/2017

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers)	\$ 34.40	19.24

SHEE0100-015 03/01/2018

	Rates	Fringes
SHEET METAL WORKER (Including HVAC Duct Installation)	\$ 40.27	18.87+a

a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day

SUMD2010-091 08/04/2010

	Rates	Fringes
LABORER Common or General	\$ 14.15	2.30
Grade Checker	\$ 16.00	2.90
Landscape	\$ 9.23	
Mason Tender – Brick	\$ 13.00	0.00
Mason Tender – Stone	\$ 14.03	0.00
Mason Tender for Pointing, Caulking and Cleaning	\$ 13.21	
Mortar Mixer	\$ 16.61	9.08
POINTER, CAULKER, CLEANER, Includes pointing, caulking, cleaning of existing masonry, brick, stone and cement structures (restoration work); excludes pointing, caulking, cleaning of new or replacement masonry, brick, stone or cement	\$ 19.19	0.00
POWER EQUIPMENT OPERATOR:		
Asphalt Roller	\$ 21.35	5.38
Backhoe	\$ 19.82	5.02
Bobcat/Skid Loader	\$ 18.05	8.78
Boom	\$ 21.44	8.29
Crane	\$ 20.95	6.18
Excavator	\$ 20.00	0.00
Forklift	\$ 16.00	5.12
Gradall	\$ 20.50	8.42
Grader/Blade	\$ 14.50	5.18
Paver	\$ 17.47	6.36
Roller excluding Asphalt	\$ 17.60	3.88
TERRAZZO WORKER/SETTER	\$ 19.94	6.54

TRUCK DRIVER

Dump Truck	\$ 15.90	1.12
Tractor Haul Truck	\$ 17.87	9.98

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

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Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

END OF SECTION

General Decision Number: VA180013 04/20/2018 VA13

Superseded General Decision Number: VA20170013

State: Virginia

Construction Type: Building

County: Arlington County in Virginia. Includes the independent city of Alexandria*

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.35 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2018. The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/05/2018
1	03/23/2018
2	04/20/2018

* ASBE0024-006 10/01/2017

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR – MECHANICAL (Duct, Pipe & Mechanical System Insulation)	\$ 35.13	16.22

* ASBE0024-009 10/01/2017

	Rates	Fringes
FIRESTOPPER	\$ 28.01	7.78

Includes the application of materials or devices within or around penetrations and openings in all rated wall or floor assemblies, in order to prevent the passage of fire, smoke or other gases. The application includes all components involved in creating the rated barrier at perimeter slab edges and exterior cavities, the head of gypsum board or concrete walls, joints between rated wall or floor components, sealing of penetrating items and blank openings.

BOIL0045-003 01/01/2017

	Rates	Fringes
BOILERMAKER	\$ 32.72	25.26

BRDC0001-005 04/30/2017

		Rates	Fringes
TILE FINISHER		\$ 22.51	10.50
BRVA0001-008	04/30/2017		
		Rates	Fringes
BRICKLAYER		\$ 30.91	10.24
BRVA0001-009	04/30/2017		
		Rates	Fringes
MASON – STONE		\$ 36.91	16.55
ELEC0026-003	11/06/2017		
		Rates	Fringes
ELECTRICIAN (Includes Low Voltage Wiring and Installation of and Sound and Communication Systems)		\$ 45.15	17.15
IRON0005-010	06/01/2017		
		Rates	Fringes
IRONWORKER		\$ 31.15	20.63
PAIN0051-034	06/01/2017		
		Rates	Fringes
GLAZIER		\$ 25.74	11.55
PAIN0051-035	06/01/2017		
		Rates	Fringes
PAINTER Brush, Roller and Spray		\$ 25.06	9.66
PAIN0051-036	06/01/2017		
		Rates	Fringes
DRYWALL FINISHER/TAPER		\$ 25.06	9.66
PLUM0005-014	08/01/2017		
		Rates	Fringes
PLUMBER		\$ 41.67	17.60+a

Contract No.: FQ18102
Date: April 2018

Washington Metropolitan Area Transit Authority
IFB No.: FQ18102/KKB

- a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving and Christmas Day.

PLUM0602-016 08/01/2017

	Rates	Fringes
PIPEFITTER (Includes HVAC Pipe, Unit and Temperature Controls Installations)	\$ 40.69	21.07+a

- a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving and Christmas Day.

SFVA0669-006 01/01/2017

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers)	\$ 33.40	19.52

SHEE0100-004 03/01/2018

	Rates	Fringes
SHEET METAL WORKER (Includes HVAC Duct Installation)	\$ 40.27	18.87+a

- a. PAID HOLIDAYS: New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day

SUVA2013-025 01/11/2016

	Rates	Fringes
BRICK POINTER/CAULKER/CLEANER	\$ 19.68	0.00
CARPENTER, Includes Acoustical Ceiling Installation, Drywall Hanging, and Form Work	\$ 23.36	5.20
CEMENT MASON/CONCRETE FINISHER	\$ 21.94	3.36
FLOOR LAYER: SOFT FLOORS	\$ 18.75	0.00
IRONWORKER, REINFORCING	\$ 27.46	8.71
LABORER: Common or General, including brick mason tending and cement mason tending	\$ 15.55	2.44
LABORER: Pipelayer.	\$ 16.81	4.26
OPERATOR: Backhoe/Excavator/Trackhoe	\$ 23.50	4.50
OPERATOR: Bobcat/Skid Steer/Skid Loader	\$ 18.95	4.03
OPERATOR: Bulldozer	\$ 21.99	4.98

OPERATOR: Crane	\$ 30.45	4.14
OPERATOR: Forklift	\$ 21.56	7.57
OPERATOR: Loader	\$ 22.26	3.57
OPERATOR: Roller	\$ 16.25	4.88
ROOFER	\$ 15.83	3.06
TILE FINISHER	\$ 23.40	0.00
TILE SETTER	\$ 27.80	10.25
TRUCK DRIVER: Dump Truck	\$ 19.22	2.58
WATERPROOFER	\$ 21.75	1.57

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

- 2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
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200 Constitution Avenue, N.W.
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The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

- 3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

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- 4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

~APPENDIX B~

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

1. DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENT:

- A. The DBE requirements of the Authority's DBE Program Plan apply to this contract. Accordingly, the Contractor shall carry out the requirements of the Authority's DBE Program Plan and this Appendix in the award and administration of this U.S. Department of Transportation (US DOT) assisted contract.

2. POLICY:

- A. It is the policy of the Authority (WMATA), the Federal Transit Administration (FTA) and the US DOT that Disadvantaged Business Enterprises (DBEs) shall compete fairly to receive and participate in performing federally assisted contracts, including contracts and subcontracts at any tier. It is further the policy of the Authority, the FTA and the US DOT that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts. The Contractor hereby agrees to carry out this policy in the award and administration of subcontracts to the fullest extent possible consistent with efficient Contract performance.

3. ## CONTRACT GOAL: ##

- A. If the bidder is not a DBE, the bidder agrees that the DBE goal for this Contract shall be met by subcontractors or by joint ventures with DBEs. The goal set forth for this Contract is **26%** of the final Contract price, including amendment and modification. The amount of DBE participation will be determined by the dollar value of the work performed and/or supplies furnished by DBE firms as compared to the total value of all work performed and/or supplies furnished under this Contract. The Contractor shall have met this goal if the Contractor's DBE participation meets or exceeds this goal.
- B. In cases where work is added to the Contract by modification such that additional DBE participation is necessary to meet this goal, the Contractor shall increase the participation of one or more firms listed on the "Schedule of DBE Participation" or submit additional DBE certified firms to meet the goal. In cases where work is deleted from the Contract, the goal shall be applicable to the new Contract amount. The Contractor shall be permitted to meet the goal by revising its DBE participation, provided, however, that the revision shall not result in DBE participation that is less than the original goal.

4. DEFINITIONS:

- A. **Appendix B.** The Notice of Requirements for Disadvantaged Business Enterprise, which when attached to a solicitation, implements the DBE requirements of the Authority's DBE Program Plan in the award and administration of federally funded Authority contracts.
- B. **Certified DBE.** means a for-profit small business concern (a) that is at least fifty one percent (51%) owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which fifty one percent (51%) of the stock is owned by one

- B. DBE Manufacturer's Affidavit, if applicable, must be submitted in order to receive one hundred percent (100%) of the allowable credit for expenditures to DBE manufacturers/suppliers (Attachment B-4). By submission of this affidavit, the bidder certifies this it is satisfied that the manufacturer meets the requirements of 49 CFR Part 26.
- C. Schedule B Information for Determining Joint Venture Eligibility, if applicable (Attachment B-5, pgs. 1-4). Submittal shall be signed by all parties, dated and notarized.
- D. Copy of Joint Venture Agreement, if applicable. Submittal shall be signed by all parties, dated and notarized.
- E. Certification letter of the DBE regular dealer/supplier, if applicable. If the bidder wants to receive the maximum allowable credit for its expenditures for material(s) or supplies required under this Contract, from DBE regular dealers/suppliers, the DBE must submit a signed and notarized statement on their letterhead, stating that it is a regular dealer of the material(s) or supplies. By submission of this statement, the bidder certifies that it is satisfied that the subcontractor is a regular dealer/supplier that meets the requirements of 49 CFR Part 26.
- F. For design-build contracts, if a DBE goal is specified in the DBE GOAL/ REQUIREMENTS, the bidder shall submit, with its initial bid, a list of DBE-certified firms that it intends to enter into subcontract agreements with for this Contract. If no goal is specified in the solicitation and the bidder still intends to utilize DBEs in the performance of this Contract, the offeror shall submit with its initial bid a list of those DBE-certified firms. The documentation requirements of the solicitation shall be completed and submitted at the time of bid opening for any Contract in which a DBE goal is applicable or for any Contract in which there was no goal established, but the offeror identified DBE-certified firms that it intended to enter into subcontract agreements with in its initial bid. Any bidder who fails to complete and return the following information, if applicable, with its bid may be deemed to be not responsible and may be ineligible for Contract award. Offerors that fail to meet the DBE goal, if any, specified in the solicitation and fail to demonstrate a good faith effort and/or to justify waiver of the DBE goal, may be deemed to be not responsible and may be ineligible for contract award.

8. CONTRACT ADMINISTRATION REQUIREMENTS:

The following requirements apply after Contract award:

- A. The Contractor shall include the following provision in each subcontract it awards in support of the DBE goal:

"The Contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, that may result in termination of this Contract or such other remedy as the Authority deems appropriate."

- B. (1) **The Contractor shall monitor the performance of, collect and report data on DBE participation to WMATA's Small Business Programs Office on the WMATA website at www.wmata.com under Doing Business with WMATA and on the attached "Prompt Payment Report-Prime Contractor's Report" (Attachment B-6) which shall be submitted monthly with each payment request. Failure to submit these reports may result in suspension of**

contract payments. The Contractor shall certify with each payment request that payment has been or will be made to all subcontractors due payment, within ten (10) days after receipt of payment from the Authority for work by that subcontractor. The Contractor shall inform the COR or COTR, with their payment request, of any situation in which scheduled subcontractor payments have not been made and the reason therefore.

- (2) The Contractor shall require each subcontractor to report Prompt Payment data to WMATA's Small Business Programs Office online at www.wmata.com under Doing Business with WMATA and on a monthly basis using the attached "Prompt Payment Report-Subcontractor's Report" (Attachment B-7). The subcontractor shall certify that payment has been received.
- (3) The Contractor and the subcontractor are required to have Prompt Payment reporting training for each WMATA contract which has been awarded to them. Failure to complete this training may result in suspension of contract payments.

C. The Contractor shall have a continuing obligation to maintain a schedule for participation by DBE contractor(s) to meet its goal set forth above in this Appendix. The Contractor shall not have work performed nor the materials or supplies furnished by any individual or firm other than those named in the "Schedule of DBE Participation." If at any time, the Contractor believes or has reason to believe that it needs to obtain a substitute for a DBE contractor named in the "Schedule of DBE Participation", the Contractor shall, within ten (10) days, notify the Contracting Officer and the Small Business Programs Office of that fact in writing on (Attachment B-8). A copy of this written request will be forwarded to the DBE vendor. The vendor shall have ten (10) days to respond in writing to the Contracting Officer. The Contracting Officer shall will meet with the DBE Liaison Officer to review the documentation submitted. A written determination will be made within ten (10) days on whether to approve or deny the request. There is no appeal to this decision. A copy of this decision shall be maintained in the contract file. Situations which may warrant substitution for a DBE firm include, but are not limited to the following:

- (1) Evidence of change in ownership or circumstances regarding the firm's status as a DBE.
- (2) Death or physical disability, if the named subcontractor or DBE partner of the joint venture is an individual.
- (3) Dissolution, if a corporation or partnership.
- (4) Bankruptcy of the subcontractor, subject to applicable bankruptcy law, and only instances where the bankruptcy affects the Contractor's ability to perform.
- (5) Inability to furnish a reasonable performance or payment bond, if required.
- (6) Inability to obtain, or loss of, a license necessary for the performance of the particular category of work.

- (7) Failure or inability to comply with a requirement of law applicable to contractors and subcontractors on a construction, alteration or repair project.
- (8) Failure or refusal to execute the subcontract in accordance with the terms of an offer submitted to the Contractor prior to the Contractor's submission of its offer, but only where the Contracting Officer or other delegated Authority representative can ascertain with reasonable certainty the terms of such offer. In the absence of any other factors, such a failure or refusal will be considered an unusual situation only if the offeror obtained, prior to bidding/proposing, an enforcement commitment from the subcontractor involved.
- (9) Failure to comply with the terms and conditions of this Contract or those of its subcontract or joint venture agreement.

The Contractor must have the prior, written approval of the Contracting Officer and the DBE Liaison before substitution of a DBE subcontractor, regardless of the reason for substitution. Failure to obtain the Authority's approval could result in the Contractor's suspension or debarment.

If the request for substitution is approved, within thirty (30) days thereafter, the Contractor shall, if necessary to achieve the Appendix B goal, make every reasonable effort to subcontract the same or other work equivalent in value to other certified DBE firms. These efforts must be submitted in writing to the Contracting Officer and the DBE Liaison Officer. Examples of reasonable efforts include, but are not limited to the following:

- 1. **Documentation of efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the bidder or the Authority;**
 - 2. **Documentation of efforts to utilize the services of small business organizations, community and contractor groups to locate qualified DBEs;**
 - 3. **Documentation that the bidder has broken out contract work items into economically feasible units in fields where there are available DBE firms to perform the work; and**
 - 4. **Evidence that adequate information was provided to interested DBEs about the plans, specifications and requirements of the contract, and that such information was communicated in a timely manner.**
- D. The Contractor shall forward copies of all subcontracts to the DBE Office at the time of their execution.
- E. If the Contracting Officer or other delegated Authority representative determines that the Contractor has failed to comply with this Appendix B, he/she will notify the Contractor of such noncompliance and the action to be taken. The Contractor shall, after receipt of such notice, take corrective action. If the Contractor fails or refuses to comply promptly, the Contracting Officer or other delegated Authority representative may issue a "stop work order" stopping all or part of the work until satisfactory corrective action has been taken. No part of the time lost due to any such stop work order shall be made the subject of claim for extension of time or for excess costs or damages by the Contractor. When the Authority proceeds with such formal

actions, it has the burden of proving that the Contractor has not met the requirements of this Appendix. The Contractor's failure to meet its Appendix B goal shall shift the burden to it to show that it has met the good faith requirements of this Appendix. After exhausting all of its administrative and legal remedies, if the Contractor is found to have failed to exert a "good faith effort" to involve DBEs in the work, the Authority may suspend or debar the Contractor.

- F. The Contractor agrees to cooperate in any studies or surveys as may be conducted by the Authority which are necessary to determine the extent of the Contractor's compliance with this Appendix.
- G. The Contractor shall keep records and documents for two (2) years following performance of this Contract to indicate compliance with this Appendix. These records and documents, or copies thereof, shall be made available at reasonable times and places for inspection by any authorized representative of the Authority and will be submitted upon request, together with any other compliance information that such representative may require.
- H. If the Authority, FTA or the US DOT has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements regarding the DBE Program, the matter shall be referred to the WMATA's DBE office, and WMATA's Office of Inspector General (OIG).
- I. Failure by the Contractor to carry out the requirements of this Appendix is a material breach of this Contract, that may result in the termination of this Contract or such other remedy as the Authority deems appropriate.

SUMMARY OF SUBMITTALS

With the Bid:

1. Completed "Schedule of DBE Participation" (Attachment B-1) with current certification letters attached for each listed DBE.
2. Executed "Letters of Intent to Perform as a Subcontractor/Joint Venture" (Attachment B-2).
3. Justification for grant of relief (waiver of DBE goal), if applicable. Include completed "DBE Unavailability Certifications" (Attachment B-3) as appropriate.

Bid Requirements (Apparent Low Bidder)

1. All DBEs must submit copies of their current WMATA or D.C. DOT certification letters or a certification letter issued by the MWUCP.
2. A DBE Manufacturer's Affidavit, if applicable, must be submitted in order to receive one hundred percent (100%) of the allowable credit for expenditures to DBE manufacturers/suppliers (Attachment B-4).
3. Schedule B Information for Determining Joint Venture Eligibility, if applicable (Attachment B-5, pgs. 1, 2, 3, 4).
4. Copy of Joint Venture Agreement, if applicable.
5. Certification letter of the DBE regular dealer/supplier, if applicable.

After Contract Award

1. "Prompt Payment Report-Prime Contractor's Report" Attachment B-6) – submitted monthly.
2. "Prompt Payment Report-Subcontractor's Report" (Attachment B-7) - submitted monthly.
3. Request to substitute DBE contractor (see paragraph 8.C.) – submitted as required.
4. Copies of subcontracts-submitted at the time of their execution.

Contract No.: FQ18102
Date: April 2018

Washington Metropolitan Area Transit Authority
IFB No.: FQ18102/KKB

SUBMIT WITH BID
SCHEDULE OF DBE PARTICIPATION

Contract No. _____

Project Name _____

Name of Bidder

The bidder shall complete this Schedule by identifying only those DBE firms, (with scope of work and price) who have agreed to perform work on this Contract. The prices shall be at an amount that is at least the DBE percentage goal for the total Contract. The offeror agrees to enter into a formal agreement with the DBE firm(s) listed for the work, at an amount equal to, or greater than, the prices listed in this Schedule, subject to award of a Contract with the Authority. If the total amount is less than the DBE percentage goal, a justification for waiver of DBE goal shall be attached to this Schedule.

Name of DBE Subcontractor	Address	Type of Work(Electrical, Paving, Etc.) and Contract Items or Parts Thereof to be Performed and Work Hours Involved	Agreed Price
Subtotal \$ DBE Subcontractors			
Name of DBE Prime Contractor	Address	Type of Work (Electrical, Paving, Etc.) and Contract Items or Parts Thereof to be Performed and Work Hours Involved	Agreed Price
Subtotal \$ DBE Prime Contractor			
TOTAL \$ ALL DBE CONTRACTORS		TOTAL	

Signature of Contractor' Representative

Title

Date

Contract Number: _____

Project Name: _____

**LETTER OF INTENT TO PERFORM AS A SUBCONTRACTOR/JOINT VENTURE
(ALL ITEMS MUST BE COMPLETED)**

TO: _____
(Name of Offeror)

The undersigned intends to perform work in connection with the above projects as (check one):

____ An individual ____ A corporation ____ A partnership ____ A joint venture

Specify in detail particular work items or parts thereof to be performed:

at the following price: \$ _____

Please indicate ____ % of the dollar value of the subcontract that will be awarded to non-DBE contractors, if applicable. The undersigned will enter into a formal agreement with you for the above work upon your execution of a contract with the Authority.

Name of DBE Subcontractor/Joint Venture

Phone Number

Address

WMATA Vendor ID #/DBE Cert. #

Signature & Title

Date

The following is to be completed by the Prime Contractor. A copy of this letter must be returned to the DBE subcontractor to indicate acceptance.

To: _____
(Name of DBE)

You have projected your interest and intent for such work, and the undersigned is projecting completion of such work as follows:

WORK
ITEMS

PROJECTED DBE
COMMENCEMENT
DATE

PROJECTED DBE
COMPLETION
DATE

(Date)

(Name of Prime Contractor &

Acceptance Signature)

SUBMIT WITH BID

DBE UNAVAILABILITY CERTIFICATION

I, _____, _____ of _____
(Name) (Title) (Bidder)

certify that on _____ I contacted the following DBE contractor(s) to obtain offer(s) for work
(Date)

items to be performed on Contract Number _____

DBE Contractor	Work Items Sought	Form of Bid Sought (i.e., Unit Price, Materials and Labor Only, Etc.
_____	_____	_____

To the best of my knowledge and belief, said DBE contractors were unavailable (exclusive of unavailability due to lack of agreement on price) for work on this project, or unable to prepare a bid, for the following reason(s):

Signature: _____ Date: _____

_____ was offered an opportunity to submit a bid on the above
(Name of DBE Contractor)

identified work on _____ by _____
(Date) (Source)

The above statement is true and accurate account of why I did not submit an offer on this project.

(Signature of DBE Contractor)

(Title)

M

23.25 (Rev 10/99)

DBE Certification Instructions

Important Notice

If you do not have a current, official letter of certification from WMATA, D.C. DOT or MWUCP, you are not pre-certified and are therefore not eligible to participate as a Disadvantaged Business Enterprise on the bid.

For those who wish to access the MWUCP certification application, it may be found on the internet at the following address:

https://www.wmata.com/business/disadvantaged_business_enterprise. Go to "Procurement and Contracting", click on "Disadvantaged Business Enterprise", then click on "DBE Application for Certification".

49 CFR Part 26 gives Metropolitan Washington Unified Certification Program (MWUCP) ninety (90) days in which to process a complete DBE application. In order to become certified and participate in the MWUCP, you must comply with the procedures that follow. Certification must be final before the due date for bids or offers on a contract on which a firm seeks to participate as a DBE.

Instructions

49 C.F.R. § 26.81(d) of the Certification Procedures requires a firm to be certified as a DBE in its "home state," where its principal place of business is located, in order to become certified outside such "home state". Therefore, you must attach to the MWUCP application, a copy of a valid DBE Certification letter from your home state's Department of Transportation. In addition, submit the pertinent documents for your company listed below. The application should be completed in full and NOTARIZED.

General (All firms must submit these documents.)

- Current (unaudited) Financial Statements;
- Prior three (3) years Federal Tax Returns;
- Resume of Principal(s) and Key Personnel;
- Third Party Agreements, such as Rental and Management Agreements;
- Licenses to Do Business;
- Personal Net Worth (PNW) Statement;
- Statement of Disadvantage;
- No Change Affidavit or Notice of Change (where applicable).

Corporations

- Articles of Incorporation;
- By-Laws;
- Copies of any Stock Options;
- Copies of Stock Certifications of Each Holder;
- Copies of Stockholders' Voting Rights;
- Record of First Organizational Meeting.

Partnerships

- Partnership Agreement

Proprietorships

IRS Employer ID Number
WMATA Vendor ID#

Limited Liability Companies

Operating Agreement with any amendments;
Certificate of Formation, U.S. Income Tax Returns.

Change of Status Review

On or before each certification anniversary date, you must submit a No Change Statement attesting that there have been no changes in the firm's circumstances affecting its ability to meet the eligibility requirements of 49 CFR Part 26 or WMATA's DBE Program Plan. Firms with changed circumstances must submit a Notice Regarding Change for review by the DBE Office. A review of these changes shall be made to determine if the firm is in compliance with the 49 CFR Part 26.

Affidavit Enclosure

NOTE: When completing MWUCP Application, complete all information blocks. Type "N/A" if item does not apply to you or your firm.

DBE MANUFACTURER'S AFFIDAVIT

I hereby declare and affirm that I am _____ (Title)
and duly authorized representative of _____ (Name of Company),
a _____ owned and controlled enterprise
whose address is _____

I further declare and affirm that company employees (persons not on the payroll of and/or performing the same tasks for disadvantaged owned business having any interest in the affiant's business) operate the following company equipment relative to the manufacturing process:

Equipment

Type	Function	Model	Age	Make
------	----------	-------	-----	------

Number of employees involved in the manufacturing process: _____

The undersigned swears that the foregoing statements are true and correct and fully understands that WMATA may rely on these statements in determining whether a WMATA prime contractor purchasing goods from the undersigned's manufacturing concern is entitled to a 100% credit of such purchases towards its DBE goal. The undersigned further understands that any material misrepresentation will be grounds for initiating action under Federal or state laws concerning false statements.

Signature of Affiant	Printed Name
----------------------	--------------

Date: _____ State: _____ County: _____

On this _____ day of _____, 19_____,

before me appeared _____
(Name)

to me personally known, who, being duly sworn, did execute the foregoing Affidavit, and did state that he or she was properly authorized by _____
(Name of Firm)

to execute the Affidavit and did so as his or her free act and deed.

(Seal) Sworn and subscribed before me _____
(Notary Public)
Commission Expires: _____

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M

Information for Determining Joint Venture Eligibility

Page 1

.....
Name and address of Joint Venture:

Contact Person: _____ Telephone: _____

Have you attached a copy of the Joint Venture agreement? ☐ Yes ☐ No

NOTE: Affidavit will not be processed without a copy of the Joint Venture agreement.

.....
Name and address of Joint Venture partner: _____

Contact Person: _____ Telephone: _____

Status of firm: ☐ DBE. ☐ Non-Minority.

Does firm have current WMATA, D.C. DOT or MWUCP DBE certification? ☐ Yes ☐ No

.....
Name and address of Joint Venture partner: _____

Contact Person: _____ Telephone: _____

Status of firm: ☐ DBE. ☐ Non-Minority.

Does firm have current WMATA, D.C. DOT or MWUCP DBE certification? ☐ Yes ☐ No

.....
Describe the nature of the Joint Venture's business:

Describe the role in the Joint Venture of each partner listed above:

Describe the experience and business qualifications of each partner in the Joint Venture listed above:

.....

Information for Determining Joint Venture Eligibility

Page 2

Indicate the percentage of ownership in the Joint Venture for each Joint Venture partner, indicating dollar amounts wherever applicable.

Name of Partner	Percentage of Ownership	Profit and Loss Sharing	Capital Contributions including Equipment	Other Agreements
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTALS:

Identify by name, title, race, sex and company affiliation those individuals responsible for the management control of and participation in this contract:

1. Financial decisions, such as payroll, insurance, surety and/or bonding requirements:

Name: _____ Race: _____

Title: _____ Sex: ☐ Male ☐ Female

Company affiliation: _____

2. Management decisions, such as estimating, marketing and sales, hiring and firing, purchasing supplies:

Name: _____ Race: _____

Title: _____ Sex: ☐ Male ☐ Female

Company affiliation: _____

3. Supervision of field operations:

Name: _____ Race: _____

Title: _____ Sex: ☐ Male ☐ Female

Company affiliation: _____



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Information for Determining Joint Venture Eligibility

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.....

The undersigned swear that the foregoing statements are correct and include all material information necessary to identify and explain the terms and operations of our following named Joint Venture:

and the intended participation by each Joint Venturer in the undertaking. Further, the undersigned covenant and agree to provide the Authority current, complete and accurate information regarding actual Joint Venture work and the payment thereof and any proposed changes in any of the Joint Venture arrangements and to permit the audit and examination of the books, records and files of the Joint Venture, or those of each Joint Venturer relevant to the Joint Venture, by authorized representatives of the Authority or the Federal funding agency. Any material misrepresentation will be grounds for terminating any contract which may be awarded and for initiating action under Federal and State laws concerning false statements.

It is recognized and acknowledged that the Authority's DBE Program shall have access to the information provided herein above for the purpose of establishing eligibility and authenticity of the minority/woman-owned status of the Joint Venture.

It is understood that trade secrets and information privileged by law, as well as commercial, financial, geological and geophysical data furnished will be protected.

(NAME OF FIRM)

(NAME OF SECOND FIRM)

(SIGNATURE OF AFFIANT)

(SIGNATURE OF AFFIANT)

(PRINT NAME)

(PRINT NAME)

(TITLE)

(TITLE)

(DATE)

(DATE)

.....

23.29 (10/99)

M

Information for Determining Joint Venture Eligibility

Page 4

.....
Date: _____ State: _____ County: _____

On this _____ day of _____, 19____,

before me appeared _____
(Name)

to me personally known, who, being duly sworn, did execute the foregoing Affidavit, and did state that he
or she was properly authorized by _____
(Name of Firm)

to execute the Affidavit and did so as his or her free act and deed.

(Seal) Sworn and subscribed before me _____
(Notary Public)

Commission Expires: _____

.....
Date: _____ State: _____ County: _____

On this _____ day of _____, 19____,

before me appeared _____
(Name)

to me personally known, who, being duly sworn, did execute the foregoing Affidavit, and did state that he
or she was properly authorized by _____
(Name of Firm)

to execute the Affidavit and did so as his or her free act and deed.

(Seal) Sworn and subscribed before me _____
(Notary Public)

Commission Expires: _____



23.06c (Rev 10/99)

Contract No.: FQ18102
Date: April 2018

Washington Metropolitan Area Transit Authority
IFB No.: FQ18102/KKB

Washington Metropolitan Area Transit Authority

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
MONTHLY PROMPT PAYMENT REPORT**

PRIME – CONTRACTOR'S REPORT

This report is required to be submitted to the Office of Procurement, DBE Branch 600 5th Street, NW, Suite 3C, Washington, DC 20001, pursuant to the requirements of WMATA's DBE Program Plan and §26.29 of 49 CFR Part 26.

Contract No.: _____ Reporting Period: _____

Name of Prime Contractor: _____ DBE – Yes or No _____

Prime Contract Amount: _____ Total Received this Reporting Period: _____ Total Received to Date: _____ DBE Goal _____

Name of Sub-Contractor	DBE (Y/N)	Description of Work	Date of Contract Awarded	Amount of Sub-Contractor Award	Amount Paid This Reporting Period	Cumulative Paid To Sub-Contractor	% of Physical Work Complete
TOTAL							

I certify the information furnished with respect to DBE subcontractor performance correct to the best of my knowledge and represents a current status of the prime contractor with the DBE subcontractors for the designated period covered by this report. Further, those subcontractors, due payment pursuant to the terms of their subcontracts will be paid within ten days after receipt of payment from WMATA.

By: _____ Title: _____ Date: _____

Washington Metropolitan Area Transit Authority
IFB No.: FQ18102/KKB

Contract No.: FQ18102
Date: April 2018

Washington Metropolitan Area Transit Authority
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
MONTHLY PROMPT PAYMENT REPORT

SUBCONTRACTOR'S REPORT

This report is required to be submitted to WMATA's DBE Office, 600 5th Street, NW, Suite 3C, Washington, DC 20001, pursuant to the requirements of WMATA's DBE Program Plan and 49 C.F.R. §26.29.

Contract No.: _____ Reporting Period: _____

Name of Subcontractor: _____ DBE – Yes or No _____

Subcontractor Contract Amount: _____ Total Received this Reporting Period: _____ Total Received to Date: _____

Name of Sub-Contractor	DBE (Y/N)	Description of Work	Date of Contract Awarded	Amount of Sub-Contractor Award	Amount Paid This Reporting Period	Cumulative Paid To Sub-Contractor	% of Physical Work Complete
TOTAL							

I certify the information furnished with respect to DBE subcontractor performance correct to the best of my knowledge and represents a current status for the designated period covered by this report. Further, those contractors, due payment pursuant to the terms of their subcontracts will be paid within ten days after receipt of payment from the Contractor.

By: _____ Title: _____ Date: _____



Invitation For Bid

Federal

**REPLACEMENT OF CHILLER AND
COOLING TOWER ACCESSORIES
AT EIGHT (8) METRO-RAIL
STATIONS: DC, MD, and VA**

IFB NO.: FQ18102/KKB

IFB Publicized Date: April 17, 2018

IFB Due Date: May 23, 2018

**MINORITY BUSINESS ENTERPRISES ARE
ENCOURAGED TO RESPOND TO THIS
SOLICITATION NOTICE**

Volume 1, Specifications, Divisions 00-01

Amendment No. 01

SECTION 00100
INVITATION FOR BIDS

This Section includes Project information for Bidders.

NOTICE TO BIDDERS

Contract No.: FQ18102 includes IFB Documents for:

Project Name: Replacement of Chiller and Cooling Tower Accessories at Eight (8) Metro-Rail Stations.
DC, MD, and VA

Bids for the Work described herein shall be submitted before 2:00 PM (local time) on May 23, 2018. Questions may be directed to the Contract Administrator, Mr. Kamoru Banjo at (202) 962-1395 or kkbajo@wmata.com. See Section 00200, INSTRUCTIONS FOR BIDDERS, for Bid submittal instructions.

DIRECTIONS TO SUBMITTING BIDDER: Read and comply with the Invitation Instructions. In addition to other submission requirements set forth in this Invitation for Bids and all Amendments, the following must be properly executed, completed, and submitted as part of the Bid:

A. BID:

1. Bid Form, Section 00413 (properly executed)
2. Bid Price Schedule, Section 00434
3. Bid Guarantee, Section 00431
4. Completed and signed Representations and Certifications, Section 00451
5. Compliance Information, Section 00432
6. Buy America Certification
7. List of DBE Certified Firms
8. DBE Data, Section 00453

BID(S) MUST SET FORTH FULL, ACCURATE, AND COMPLETE INFORMATION AS REQUIRED BY THIS INVITATION FOR BIDS, INCLUDING ALL AMENDMENTS

00101 GENERAL STATEMENT OF WORK:

- A.** This invitation is for the submittal of Bids for Replacement of Chiller and Cooling Tower Accessories at Eight (8) Metro-Rail Stations.

00102 GENERAL SCOPE OF WORK:

The general scope of this project shall include furnishing and installation of the chillers, cooling tower accessories, refrigerant leak detection systems and chilled/ condenser water system accessories at CWPA1 Farragut North (A02), CWPA5 Bethesda (A09), CWPA6 Medical Center (A10), CWPD2 Federal Center SW (D04), CWPE3 Columbia Heights (E04), CWPG2 Capitol Heights (G02), CWPK1 Clarendon (K02) and CWPK2 Ballston (K04) chiller plant locations. The Contractor shall furnish all labor, tools, permits, coordination, materials, transportation, and other items necessary to satisfactorily complete this Project as written in the Specifications and as indicated on the contract drawing. Refer to Specification Section 01000 Scope of Work for detailed requirements for each chiller plant.

Contractor shall be responsible for all permits and inspections. Contractor shall comply with Federal and jurisdictional requirements and codes pertaining to this project. Contractor shall also comply with all safety requirements and permits required by WMATA.

00103 PROJECT BID SCHEDULE

The Bid schedule for this Project is as follows:

1. Issue Invitation for Bid: April 17, 2018
2. Pre-Bid Conference/Site Visit: Monday, April 30, 2018 at 08:00a.m. (Please arrive at the Lobby Receptionist between 7:30 – 08:00 a.m.) at WMATA, Jackson Graham Building, 600 5th Street, Washington, DC 20001. The second site visit will be on the following day after the first site visit at 10:00 and the starting location would be arranged during the first site visit.

WMATA will have representatives of our procurement, insurance, DBE, safety, and DECO. WMATA certified DBE's are strongly encouraged to attend.

All attendees must provide a WMATA Contractor ID or a government issued identification for entry into the Jackson Graham Building. Individuals that plan to attend the meeting are requested, but not required, to send an email to kkbanjo@wmata.com, 24 hours in advance, with name, title, company name, mailing address, telephone, and email for each attendee.

Attendees should arrive early in order to clear security and/or receive temporary badges.

WMATA will conduct site visits at all locations immediately after the Pre-Bid Conference. The site visit will start at the Pre Bid Conference. Attendees must ride the Metrorail to each station. Attendees must be escorted by WMATA personnel.

Attendees that have a current WMATA Contractor ID shall display their ID and bring PPE and WMATA approved safety vest. Attendees not holding WMATA Contractor ID with PPE and vest should specifically identify themselves to the WMATA escorts. WMATA must arrange escorts based upon the number of attendees.

3. **## Bid Opening: May 23, 2018 ##**
4. Projected Contract Award: June 8, 2018

END OF SECTION