



WMATA contemplates issuing IFB No.: FQ18064/GG

IFB Title: Rehabilitation of 6 Parking Garages – Largo Town Center (North), Largo Town Center (South), New Carrollton, Vienna (North), West Falls Church and White Flint

ADVANCE NOTICE TO BIDDERS

Note: All dates and plans are tentative. The IFB will have the actual information.

Please do not contact WMATA, wait for official publication.

Solicitation Availability: On or about April 16, 2018

Pre-Bid Conference: On or about April 26, 2018

Bid Due Date: On or about May 16, 2018

Description of Work

Estimated Cost Range: More than \$10,000,000

Bids Due: On or about May 16, 2018 and shall be delivered to WMATA, Office of Procurement and Materials, Room 3C-02, 600 Fifth Street, NW, Washington, DC 20001.

Pre-Bid Conference - on or about April 26, 2018 at 11:00 AM at WMATA, Jackson Graham Building, Lobby Level Meeting Room, 600 5th Street, NW, Washington, D.C., 20001. WMATA will provide a presentation including the solicitation issues and technical requirements.

WMATA will have representatives of our procurement, insurance, DBE, Safety, and infrastructure renewal in attendance. 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 (cameras, cell phones, computers and other mobile devices are permitted). **Individuals that plan to attend the meeting are requested, but not required, to send an email to ggufanova@wmata.com, 48 hours in advance, with their 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.

Site Visit, WMATA plans to conduct a site visit at Largo Town Center (North) and Largo Town Center (South) following the Pre-Bid Conference.

Attendees will be required to sign in during the Site Visit.

Attendees will be required to provide their own transportation for the Site Visit. If attendees use Metrorail system to get to the Site, they will be required to provide their own fare to ride the Metrorail System.



Should Site Visit plans change, updated information will be publicized on www.wmata.com at least 1 week prior to the Site Visit. The attendees need to check www.wmata.com regularly for the latest information on the Site Visit.

Period of Performance: Anticipated to be 1350 calendar days.

Bonds/Guarantees:

A bid guarantee, in the amount of 5% of the total bid price, is required with the bid if it is greater than \$100,000. The successful Bid must provide Performance Bond in the amount of the contract price after award of the contract and Payment Bond in the amount of 1) Fifty percent of the contract price if the construction contract price is not more than \$1,000,000; (2) Forty percent of the contract price if the contract price is more than \$1,000,000 and not more than \$5,000,000; or (3) When the contract price is more than \$5,000,000, the payment bond shall be \$2,500,000.

DBE Information:

The solicitation includes a DBE goal of 26%, if the bid price is \$500,000 or more. Information on the WMATA DBE program can be found at <https://www.wmata.com/business/small-disadvantaged-business/dbe.cfm>

WMATA will have a DBE office representative on hand at the Pre Bid Conference.

DBE Vendor Directory:

http://www.wmata.com/business/disadvantaged_business_enterprise/dbe_search.cfm

Questions regarding WMATA's DBE program may be addressed to DBE. Email contacts preferred. Please cc Contract Administrator at ggufranova@wmata.com when contacting DBE and Compliance Specialist.

Insurance:

I. MINIMUM REQUIRED INSURANCE: MINIMUM LIMITS OF INSURANCE

INSURANCE TYPE	LIMITS	BASIS
Workers' Compensation	Statutory	
Employers' Liability	\$500,000	Each Accident
	\$500,000	Disease Policy Limit
	\$500,000	Disease Each Employee
Commercial General Liability		
	\$1,000,000	Each Occurrence Limit
	\$2,000,000	General Aggregate Limit
	\$1,000,000	Products-Completed Operations Limit
Business Auto Liability		



	\$1,000,000	Combined Single Limit
Railroad Protective Liability Insurance (RRP)		
	\$2,000,000	Each Occurrence Limit
	\$6,000,000	Aggregate Limit
Professional Liability		
	\$1,000,000	Each Claim

II. MINIMUM REQUIRED INSURANCE: MINIMUM INSURANCE COVERAGES AND COVERAGE PROVISIONS:

- 1) Contractor is required to maintain the prescribed insurance outlined in this Exhibit A during the entire period of performance under this contract. Notice to Proceed (NTP) will not be issued until all required insurance has been approved by WMATA.
- 2) The prescribed insurance coverage and limits of insurance are minimum required coverages and limits. Contractor is encouraged, at its sole cost and expense, to purchase any additional insurance coverages and or limits of insurance that Contractor deems prudent and necessary to manage risk in the completion of this contract.
- 3) Upon written request from WMATA, contractor shall provide copies of any requested insurance policies, including applicable endorsements, within five (5) business days of such request.
- 4) Receipt, review or communications regarding certificates of insurance (COI), insurance policies, endorsements, or other materials utilized to document compliance with these Minimum Insurance Requirements does not constitute acceptance by WMATA.
- 5) Insurance companies must be acceptable to WMATA and must have an A. M. Best rating of at least A- VII.
- 6) Unless otherwise noted, "Claims Made" insurance policies are not acceptable.
- 7) Any insurance policy utilizing a Self-Insured Retention (SIR) requires written approval from WMATA.
- 8) Contractor must incorporate these Minimum Insurance Requirements into contract requirements of all subcontractors of every tier; however, Contractor, at its sole peril, may amend these Minimum Insurance Requirements for its subcontractors, but doing so does not relieve Contractor from its respective liability to WMATA.
- 9) Compliance with these Minimum Insurance Requirements does not relieve Contractor from Contractor's respective liability to WMATA, even if that liability exceeds the Minimum Insurance Requirements.

III. COVERAGE-SPECIFIC REQUIREMENTS

Commercial General Liability



- 1) Commercial General Liability (CGL) shall be written on ISO Occurrence Form CG0001 (12/04) or its equivalent. Equivalency determination shall be made in WMATA's sole and unreviewable discretion.
- 2) Required minimum limits of coverage may be achieved through a combination of the aforementioned CGL coverage form and an Umbrella/Excess Liability coverage form(s), provided that the Umbrella/Excess Liability coverage form(s) provides the same or broader coverage than the prescribed CGL coverage form.
- 3) Policy shall be endorsed with Additional Insured Endorsement(s) in compliance with the "Additional Insured" Section below.
- 4) Policy shall be endorsed with a Waiver of Subrogation Endorsement(s) in compliance with the Waiver of Subrogation" section below.
- 5) The definition of "Insured Contract" shall be modified to provide coverage for contractual liability for any contracts involving construction or demolition operations that are within 50 feet of a railroad, and sidetrack agreements.
- 6) Defense Costs (Allocated Loss Adjustment Expense) must be included and outside of the policy limits for all primary liability and Umbrella/Excess Liability policies.

Business Auto Liability:

- 1) Business Auto Liability insurance shall be written on ISO Business Auto Coverage Form CA 00 01 03 06, or its equivalent. Equivalency determination shall be made in WMATA's sole and unreviewable discretion.
- 2) Policy shall be endorsed with Additional Insured Endorsement(s) in compliance with the "Additional Insured" Section below.
- 3) Policy shall be endorsed with a Waiver of Subrogation Endorsement(s) in compliance with the Waiver of Subrogation" section below.
- 4) Business Auto Liability minimum Combined Single Limit requirements may be obtained through the combination of a primary business auto liability policy and an Umbrella/Excess Liability policy provided that the Umbrella/Excess Liability policy complies with items 2 and 3 above.
- 5) MCS-90 Endorsement for work involving the transportation or disposal of any hazardous material or waste off of the jobsite. If the MCS-90 Endorsement is required, minimum auto liability limits of \$5,000,000 per occurrence are also required.
- 6) Non-Owned Disposal Site (NODS) Endorsement providing coverage for the Contractor's legal liability arising out of pollution conditions at the designated non-owned disposal site.

Professional Liability Insurance:

Contractor, any subcontractor of any tier, or any supplier providing design services or the services of a professional engineer, including, but not limited to stamping, sealing, or certifying blueprints or other related documents, are required to maintain Professional Liability Insurance as follows:

- 1) Actual coverage or tail coverage must be purchased and maintained at least up to the statute of repose.
- 2) Coverage can be written on an "occurrence" or "claims-made" basis.
- 3) Coverage can be written on "non-admitted" paper.



Railroad Protective Liability:

Railroad Protective Liability Insurance is required for any work within 50 feet of WMATA railroad tracks or work within WMATA rail stations.

- 1) The Railroad Protective Liability (RRP) policy must be on a policy form and with an insurance company that is acceptable to WMATA.
- 2) WMATA shall be the Named Insured.
- 3) The original RRP policy shall be sent to WMATA at following address:

Washington Metropolitan Area Transit Authority
Office of Insurance, Room 8F
600 Fifth Street, NW
Washington, DC 20001

WMATA Blanket RRP Program Option

WMATA may offer to waive the requirement for the Contractor to procure RRP if 1) the work qualifies for coverage under WMATA's blanket RRP program, and 2) the Contractor prepays the RRP waiver fee which shall be determined by the rate schedule promulgated by the insurer in effect as of the effective date of this Contract. Contractor shall be advised of, and pay the applicable waiver fee.

IV. OTHER

Additional Insured

- 1) Contractor and subcontractors of every tier are required to add WMATA and WMATA Board of Directors as additional insured on all required insurance including excess liability policies, with the exception of Workers' Compensation and Professional Liability.
- 2) Coverage provided to Additional Insured shall be primary and non-contributory to any other insurance available to the Additional Insured, including coverage afforded to the WMATA as an additional insured by subcontractors, and from other third parties.
- 3) Coverage provided to any Additional Insured shall be for claims arising out of both ongoing operations and products and completed operations hazard.
- 4) Coverage available to any Additional Insured under the products and completed operations hazard can only be limited to the applicable statute of repose in the jurisdiction(s) where the contract scope of work takes place.
- 5) Commercial General Liability and Umbrella/Excess Liability forms must provide defense coverage for additional insureds. The Additional Insured Endorsement shall provide coverage for Ongoing as well as Products and Completed Operations with no limitation on when claims can be made.

Waiver of Subrogation



Contractor and subcontractors of every tier are required to have all insurance policies except Professional Liability endorsed to waive the respective insurance company's rights of recovery against WMATA, and the WMATA Board of Directors.

- 1) Waiver shall be provided on an endorsement that is acceptable to WMATA.

Certificate of Insurance (COI)

Contractor shall provide WMATA an ACORD Certificate of Insurance (COI) and copies of all required endorsements as evidence that the insurance requirements of this Section have been satisfied. Certificates of Insurance shall be sent to WMATA.

The Certificate Holder box should read:

Washington Metropolitan Area Transit Authority
Office of Insurance, Room 8F
600 Fifth Street, NW
Washington, DC 20001

Additionally:

- 1) Proposed material modifications to required insurance, including notice of cancellation, must be received by WMATA in writing at least 30 days prior to the effective date of such change or cancellation.
- 2) WMATA's receipt of copies of any COI, policy endorsements or policies does not relieve Contractor of the obligation to remain in compliance with the requirements of this Section at all times. Contractor's failure to comply with these insurance requirements shall constitute a material breach of this Contract.
- 3) Receipt of the COI does not constitute acceptance of the insurance outlined above.

Virginia Contractor License:

If any Work is in the Commonwealth of Virginia, bidders shall have a Virginia Class A Contractor license. <http://www.dpor.virginia.gov/>. This is a Commonwealth of Virginia law and WMATA complies with the law.

Type of Contract:

Firm fixed price Contract for the items in the Unit Price Schedule.

IFB availability:

Once the IFB is issued it will be posted on the WMATA website at <https://www.wmata.com/Business/procurement/solicitations/active-procurement-opportunities.cfm> in Adobe Acrobat (.pdf) format. The IFB can be downloaded free of charge.

In order to avoid IFB download problems, please immediately download the latest version of Adobe Acrobat Reader available for free at <http://get.adobe.com/reader/>



Amendments: If any amendments are issued, they will be posted on the WMATA website along with the solicitation.

Buy America Act Certification (Not to be confused with Buy American)

Bidders should be fully cognizant regarding BUY AMERICA.

http://www.fta.dot.gov/legislation_law/12921.html

Contact Person: Guzel Gufranova Contract Administrator, ggufranova@wmata.com voice (202) 962 5544. **Email contacts are strongly preferred. Questions prior to official IFB publication will not be answered. Please wait for official publication.**