

**BARRY GLASSMAN**  
HARFORD COUNTY EXECUTIVE

**BILLY BONIFACE**  
DIRECTOR OF ADMINISTRATION



**KAREN D. MYERS**  
DIRECTOR OF PROCUREMENT

REQUEST FOR PROPOSAL

JOPPATOWNE WWTP ULTRAVIOLET DISINFECTION SYSTEM  
RFP NO. 16-060

ADDENDUM NO. 4

October 26, 2015

Ladies and Gentlemen:

The purpose of this addendum is to provide clarification (s) to all prospective bidders.

**Please note that the due date has been extended. All proposals are due by the close of business (5:00 pm EST) on November 20, 2015 and must be delivered to the Department of Procurement, 220 S. Main Street, Bel Air, Maryland 21014.**

**Attached is a required, separate, MDE/Federal Form for non-discrimination, anti-kickback, debarment, and work hours that needs to be provided with the proposal. No wage rates are required for this project.**

**From Addendum No. 2, Question No. 5, Is a Bioassay confirmation of the UV dosage required? A bioassay of the UV dose is not required.**

**From Addendum No. 2, Question No. 8, Are American Iron and Steel Act Provisions required? American Iron and Steel Act provisions are not required.**

**The signature page referenced in Addendum No. 3, Question No. 2 is attached to this addendum.**

**RFI 26 referenced in Addendum No. 3, Question No. 10 is attached to this addendum.**

**PLEASE NOTE THAT A REVISED BID FORM WILL BE POSTED LATER THIS WEEK. THE QUESTION DEADLINE HAS PASSED, THEREFORE, NO ADDITIONAL QUESTIONS WILL BE ADDRESSED.**

*Maryland's New Center Of Opportunity*

410.638.3550 | 410.879.2000 | TTY Maryland Relay 711 | [www.harfordcountymd.gov](http://www.harfordcountymd.gov)

220 South Main Street, Bel Air, Maryland 21014

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

**QUESTION NO. 1:** Page PP-2 of the Contract Cost Limit (CCL) Form seems to be incomplete. There are no scope items mentioned for serial no. 1 and 2 under the reimbursable cost section. Serial Nos. 3 and 4 do have scope items defined under the Fixed Costs section. Please provide the complete CCL Form.

**ANSWER NO. 1:** An updated CCL form is forthcoming.

**QUESTION NO. 2:** Section 5.1.2 mentions advertising (intended for DBEs) for the EPA grant application. Since the scope of work is not fully defined yet, it is cost prohibitive and not typical to advertise at this point. We will do the advertising and submit all DBE related paperwork if selected. Please provide the minimum requirements for meeting qualification criteria of Attachment H at the proposal stage.

**ANSWER NO. 2:** Compliance with MBE/WBE requirements or Good Faith effort is a requirement of the grant and must be submitted to MDE for grant and project proposal approval. An MDE checklist that outlines the Good Faith Effort Requirements is attached. Attached is also a required, separate, MDE/Federal form for non-discrimination, anti-kickback, debarment, and work hours that needs to be provided with the proposal. No wage rates are required for this project.

Should you have additional questions regarding this project, please do not hesitate to contact me at [djguthrie@harfordcountymd.gov](mailto:djguthrie@harfordcountymd.gov).

Sincerely,



Daniel J. Guthrie, CPPB  
Chief

cc: Dave Pergrin, DPW/W&S

**REQUIREMENTS AND CONTRACT PROVISIONS FOR THE PROJECT**

**FINANCED BY THE STATE GRANTS THROUGH**

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**MARCH 2011**

**The project or segment thereof to be constructed in accordance with these contract documents is subject to the following requirements. In the event of conflict with other requirements of the contract documents, the following requirements control unless the requirement is a minimum requirement. Nothing in this document shall be construed to prohibit the owner from requiring additional assurances, guarantees, indemnities, or other contractual requirements from any other party to this agreement.**

- I. ASSURANCES FOR COMPLIANCE WITH THE FOLLOWING FEDERAL AND STATE LAWS AND REGULATIONS:**
  - 1. NON-DISCRIMINATION IN EMPLOYMENT**
  - 2. DEBARMENT**
  - 3. ANTI-KICKBACK**
  - 4. CONTRACT WORK HOURS AND SAFETY STANDARDS**
  - 5. PREVAILING WAGE RATES FOR STATE-FUNDED CONSTRUCTION PROJECTS**
  
- II. THE PROJECT SIGN**
  
- III. UTILIZATION OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

**(Performance of the good faith steps are required, regardless of M/WBE goal achievement. All information is to be submitted to the owner, prior to the owner's award of the contract, UNLESS OTHERWISE DIRECTED BY THE OWNER).**

**I. ASSURANCES FOR COMPLIANCE WITH THE FOLLOWING FEDERAL AND STATE LAWS AND REGULATIONS:**

The contractor is required to comply with the Federal laws and regulations in regard to non-discrimination in employment, debarment, anti-kickback, and contract work hours and safety standards as delineated below.

**1. Non-discrimination in Employment:**

The contractor is required to comply with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 of October 13, 1967.

The contract for the work under this proposal will obligate the prime contractor and its subcontractors not to discriminate in employment practices.

The contractor shall not maintain or provide for his/her employees the facilities, which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.

The contractor must, if requested, submit a compliance report concerning their employment practices and policies in order to maintain his/her eligibility to receive the award of the contract.

The contractor must be prepared to comply in all respects with the Contract Provisions regarding non-discrimination, as stipulated under the Labor Standards.

**2. Debarment:**

Under Executive Order 12549, an individual or organization debarred from participation in Federal assistance or benefit programs may not receive any assistance award under a Federal program, or a sub-agreement thereunder for \$25,000 or more.

Therefore, the bidder as an individual or as an organization, presently debarred, suspended, proposed for debarment, will be declared ineligible to participate in bidding the proposed contract as a prospective recipient of financial assistance from the Maryland Department of the Environment.

The contractor shall not enter into any sub-contract with any individual, firm or organization debarred from Government contracts pursuant to Executive Order 11246.

**3. Anti-kickback:**

The contractor and/or its sub-contractors shall comply with the Copeland "Anti-Kickback" Act (18 U.S.C. 874). Any evident illicit kickback practice in any shapes or forms will cause termination of the contract.

**4. Contract Work Hours and Safety Standards:**

The contractor and/or its sub-contractors shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330).

**5. Prevailing Wage Rates for State-Funded Construction Projects:**

The Prevailing Wage Law regulates the hours of labor, rates of pay, conditions of employment, obligations of employers, and the powers and duties of certain public officials under contracts

and subcontracts for public works in Maryland. Coverage extends to any contract for public works in excess of \$500,000 when State funds are used to provide 50% or more of the funds for the construction of any project.

**Wage Determinations:**

A wage determination issued for a project specifies the wage and fringe benefit rates for each classification of worker, determined to prevailing in that locality for that type of construction. Wage Determinations are issued for each locality in the State (23 counties and Baltimore City) and are in effect for one year from the date on which they become final. The law requires employees on a public works contract to be paid overtime for hours in excess of 10 hours in a single day, and for work performed on a Sunday or a legal holiday.

**Under Payments:**

Contractors found to be paying wages below the prevailing wage rate may be fined \$20 per day for each worker paid less than the established rate. *Note: The maximum allowable ratio is one journeyman to one apprentice. All apprentices must be registered with the Maryland Apprenticeship and Training Program without exception.*

**Certified Payroll Statements:**

Contractors on State funded construction projects covered by the Prevailing Wage Law are required to submit certified payroll statements indicating proper worker classification and wage for both straight time and overtime work. Certified payrolls must be submitted to the Commissioner of Labor and Industry within 14 days after the end of the payroll period. Penalties for late submission of payrolls total \$10 for each calendar day the records are late.

**Additional Information:**

Division of Labor and Industry  
Prevailing Wage Unit  
1100 North Eutaw Street, Room 607  
Baltimore, Maryland 21201  
(410) 767-2342  
Fax: (410) 333-7303  
E-Mail Address: [prevailingwage@dllr.state.md.us](mailto:prevailingwage@dllr.state.md.us)  
Website: <http://www.dllr.maryland.gov/labor/prev/>

Within seven (7) days of the bid opening, the apparent low bidder shall sign the form as given in Attachment I, Assurances for Compliance with Federal Laws and Regulations pertaining to non-discrimination in employment, debarment, anti-kickback, contract work hours and safety, and prevailing wage rates.

**Attachment – I**

**ASSURANCES FOR COMPLIANCE WITH FEDERAL AND STATE LAWS AND REGULATIONS**

The contractor is required to comply with the following Federal and State laws and regulations:

1. **Non-discrimination in Employment in accordance with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 of October 13, 1967.**
2. **Debarment in accordance with the Executive Order 12549 and Executive Order 11246**
3. **Anti-kickback in accordance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874)**
4. **Contract Work Hours and Safety Standards in accordance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330)**
5. **Prevailing Wage Rates for State-Funded Construction Projects.**

**Determination Number:** \_\_\_\_\_

**Date Issued:** \_\_\_\_\_

*Note: Wage rates remain in effect for one year from the date they were issued. If construction does not start within one year of issuance, a new wage rate determination would be required.*

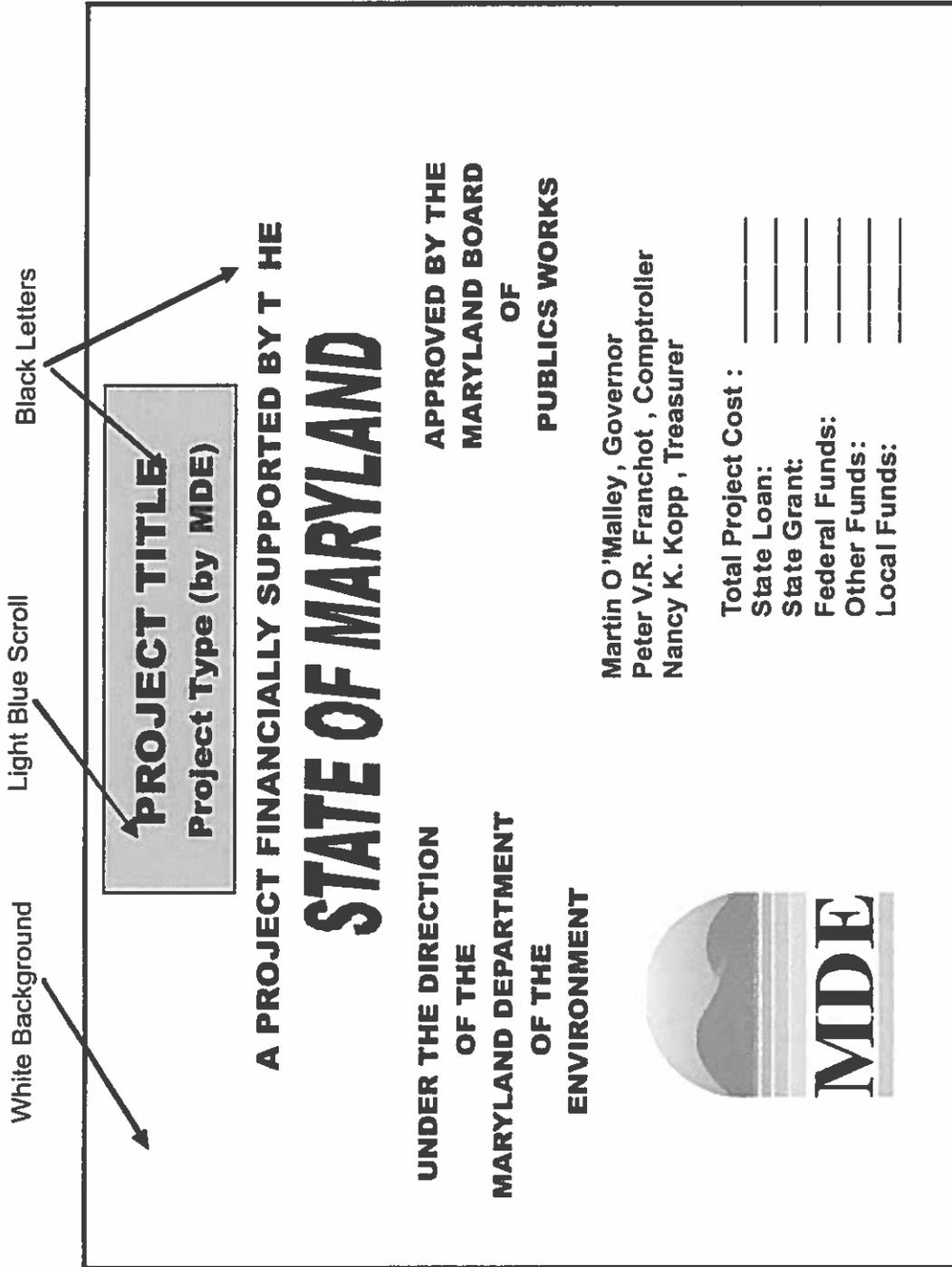
I do solemnly declare and affirm that I am obligated to comply with the above Federal and State laws and regulations. It is understood that non-compliance with any one of the above Federal or State laws and regulations will be the sufficient reason to cause termination of the contract.

\_\_\_\_\_  
**Signature of Prime Contractor**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name and Title**

**THE CONSTRUCTION SITE SIGN FOR PROJECTS FINANCIALLY SUPPORTED BY STATE REVOLVING LOAN FUNDS AND OTHER FUND SOURCES**



**PROJECT SIGN**

***Project Type:***

Insert the selected item under the project title:

- Green Infrastructure Project - Constructing environmentally beneficial “green” infrastructure
- Wetlands - Creating wetlands to improve water quality and create wildlife habitat
- Stream restoration - Restoring streams to improve water quality and create wildlife habitat
- Living shorelines - Turning shorelines into living habitats to improve water quality and to reduce erosion and flooding
- Septic connections - Connecting homes to public sewer to eliminate failing septic systems, improve water quality, and protect public health
- Drinking water extension - Connecting homes to public water supply to improve drinking water quality
- Stormwater project - Reducing stormwater runoff to improve water quality, protect public health, and reduce flooding
- CSOs, Sewer project - Preventing sewer overflows to improve water quality and protect public health
- ENR - Reducing pollution to improve Maryland waterways and the Chesapeake Bay and to protect public health

**MARYLAND DEPARTMENT OF THE ENVIRONMENT****STATE GRANT CAPITAL PROGRAMS****MINORITY AND WOMEN'S BUSINESS ENTERPRISES PARTICIPATION**

These Minority and Women's Business Enterprises (M/WBE's) requirements are applicable to a project or segment thereof to be constructed in accordance with these contract documents that may be funded, in part, by State grant funds provided through the Maryland Department of the Environment under the following capital programs:

1. Bay Restoration Fund
2. Water Pollution Control Fund (State Grant of more than \$500,000)
  - o Special Water Quality/Health (SWQH)
  - o Small Creeks and Estuaries Restoration Program (SCERP)
  - o Stormwater Pollution Control Program
  - o Biological Nutrient Removal (BNR)
3. Water Supply Financial Assistance Fund (State Grant of more than \$500,000)
  - o Drinking Water

As part of our mission, fostering economic growth and opportunities for all Marylanders, grant recipients and sub-recipients (i.e. prime construction contractors, A/E services vendors) are required to make good-faith efforts to utilize M/WBE's to participate in state grant-funded contracts. Please note that A/E service consultants who receive grant funds are also considered as prime contractors and must comply with M/WBE requirements. The attached guidance and forms are to assist recipients and sub-recipients in reaching out to M/WBEs when procuring contracts for the project.

The Grant Recipients and Prime Contractors/Consultants must complete the following attached forms below:

- **M/WBE Participation – Good Faith Effort Checklist (page 10)**
- **Solicitation Summary and Results Attachment A (page 11)**

The Grant Recipients and Prime Contractors/Consultants must return completed forms along with the bid package prior to contract award, to the address below:

Maryland Water Quality Financing Administration  
Maryland Department of the Environment  
1800 Washington Boulevard, Suite 515  
Baltimore, MD 21230-1718  
Attn: DBE Coordinator, MWQFA  
Phone: 410-537-3146, Fax: 410-537-3968

**MARYLAND DEPARTMENT OF ENVIRONMENT  
STATE GRANT CAPITAL PROGRAMS  
Minority and Women's Business Enterprises (M/WBE)  
Guidance for Grant Recipients & Prime Contractors**

The Maryland Department of the Environment's mission is to protect and restore the quality of Maryland's air, water, and land resources, while fostering smart growth, economic development, safe communities, and quality environmental education, for the benefit of the environment, public health, and future generations. As a part of our mission, fostering economic growth and opportunities for all Marylanders, all grant recipients and sub-recipients (i.e., prime construction contractors, A/E services vendors) are **REQUIRED** to make good-faith efforts to utilize Minority and Women's Business Enterprises (M/WBEs) to participate in state grant contracts. MDE requires grant recipients and sub-recipients to adhere to the terms and conditions in Appendix A.

The attached guidance is intended for both Recipients and Prime (Construction & A/E) Contractors (sub-recipients) to undertake certain good-faith efforts to provide opportunities for M/WBE firms to participate in contracts financed with State grants. Grant Recipients and Prime Contractors are also required to meet local requirements. The attached forms are **REQUIRED** to be used to guide and report the good faith efforts undertaken and M/WBE participation outcomes achieved, if applicable.

**M/WBE Good-Faith Efforts:** The following good-faith efforts apply to all procurement contracts involving state grant funds:

- Step 1:** Placing qualified minority business enterprises (MBEs) and women's business enterprises (WBEs) on solicitation list.
- Step 2:** Assuring that MBEs and WBEs are solicited whenever they are potential sources.
- Step 3:** Dividing total requirements, when economically feasible, into small tasks or quantities, to permit maximum participation of MBEs and WBEs.
- Step 4:** Establishing delivery schedules, where the requirement permits, which encourage participation by MBEs and WBEs.
- Step 5:** Using the services and assistance of the Maryland Department of the Transportation (MDOT). MDOT is designated as the primary agency within Maryland for listing and certifying MBEs.
- Step 6:** Recipients must require the prime contractor, if subcontracts are to be let, to apply the good faith efforts listed above (1-5).

Please submit all information to:  
DBE Coordinator, MWQFA  
1800 Washington Blvd., Baltimore MD 21230  
Phone: 410-537-3146, Fax: 410-537-3968  
<http://www.mde.state.md.us>

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
STATE GRANT CAPITAL PROGRAMS  
Minority and Women's Business Enterprises (M/WBE)  
Guidance for Grant Recipients & Sub-Recipients**

**Good Faith Efforts**

**A. Recipients and sub - recipients are required to undertake steps 1 and 5, to develop lists of qualified M/WBE firms that can bid as sub-contractors.**

In developing a list of qualified M/WBE firms for participation as sub-contractors in construction, equipment, services, and supplies, Contractors are required to contact and gather information from different resources such as:

- Maryland Department of Transportation (MDOT)
- Loan Recipient/Project Owner
- Maryland Department of the Environment (MDE)

The M/WBE vendor lists may be classified with Standard Industrial Classification (SIC) or NAICS codes to facilitate solicitation of sub-contractors for specific tasks.

**B. Recipients and Prime contractors are required to undertake steps 3 and 4 to assure that qualified M/WBE firms have opportunities as contractors in construction, equipment, services and supplies being procured under the prime contract.**

To provide procurement opportunities to M/WBE firms, the Recipient and Prime Contractor are required to undertake the following:

- Determine if the prime contract can be broken down into smaller categories for purposes of sub-contracting or entering into joint ventures.
- For prime contract broken down into smaller components (e.g., painting, roofing, excavation, pipe laying, etc.) ensure that the delivery schedules are reasonable.
- Invite M/WBE firms, where appropriate, to meetings, conferences, etc. to inform them of sub-contract procurement opportunities.
- The Grant Recipient should require the prime contractor to submit all the required M/WBE information with the bid proposal.

**C. Recipients and Prime contractors are required to undertake affirmative Step 2, to assure qualified M/WBE firms have opportunities to bid on the project procurement (in construction, equipment, services, and supplies).**

Use the list developed in Item A (above) to solicit proposals from M/WBE firms to work as contractors. In addition, you may contact the resources listed below for posting your bid opportunities.

1. Maryland Department of Transportation: [http://www.mdot.state.md.us/MBE\\_Program/Index.html](http://www.mdot.state.md.us/MBE_Program/Index.html)
2. Governor's Office of Minority Affairs: <http://www.oma.state.md.us/>
3. EMaryland Marketplace's website: <https://ebidmarketplace.com>
4. U. S. Small Business Administration's subnet: [http://www.sba.gov/md/MD\\_OPPORTUNITIES.html](http://www.sba.gov/md/MD_OPPORTUNITIES.html)
5. U.S. Dept. of Commerce Minority Business Development Agency: <http://www.mbda.gov>
6. U.S. Women's Chamber of Commerce's Opportunity Center: [www.uswcc.org](http://www.uswcc.org)
7. Maryland Washington Minority Contractor's Association: [www.mwmca.org](http://www.mwmca.org)

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
**1800 Washington Boulevard Suite 515 Baltimore MD 21230-1718**  
**410-537-3146 or 1-800-633-6101 <http://www.mde.state.md.us>**

**M/WBE Participation - Good Faith Efforts Checklist**

Please Check: State Grant Recipients  OR Prime (Construction & A/E) Contractors

Project Name:

**Procurement Category:** Check box for all M/WBE procurement categories being reported under the above referenced project.      Construction       Equipment       Services       Supplies

*For each procurement action, Grant Recipient & Prime Contractor must complete forms)*

**A: Develop Bidders List of DBE firms (Grant Recipient & Prime Contractor)**

- |    |  |                              |                             |
|----|--|------------------------------|-----------------------------|
| A1 | Did you develop a Bidders List of M/WBE firms?                         | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| A2 | Did you advertise in minority, local, regional papers or Dodge Report? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| A3 | Did you send invitation for bids to M/WBE trade associations?          | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| A4 | Did you contact US-SBA/MBDA/MDOT?                                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| A5 | Did you provide Prime-Contractors with Bidders List?                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| A6 | Did you provide MDE with Bidders List?                                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

**B: Smaller work components and delivery schedules (Grant Recipient & Prime Contractor must complete)**

- |    |   |                              |                             |
|----|---|------------------------------|-----------------------------|
| B1 | Did M/WBE firms have opportunity to bid as prime contractors?                         | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B2 | Did you break down the project, where economically feasible, into smaller components? |                              |                             |
|    | o For M/WBE firms to bid as prime contractor  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|    | o For M/WBE firms to bid as sub-contacts  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B3 | Do project components have reasonable delivery schedules?                             | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B4 | Did you encourage M/WBEs to bid as consortium due to project size?                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| B5 | Is M/WBE a "responsiveness" criteria in bid documents?                                | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

**C: Solicitation Summary of DBE firms (Grant Recipient & Prime Contractor must complete – Use Attachment A for each contract)**

- |    |   |                              |                             |
|----|---|------------------------------|-----------------------------|
| C1 | Did you use the Bidders List to solicit prime or sub-contractors? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| C2 | Did M/WBE firms bid as prime or sub-contractors?                  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| C3 | Is the prime contractor using any subcontractors?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

**D: Require prime contractor to Undertake Good Faith Efforts (Grant Recipient only must complete)**

- |    |  |                              |                             |
|----|--|------------------------------|-----------------------------|
| D1 | Did you include the "MDE Grant Insert" in the bidding documents?       | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| D2 | Did you require the prime contractors to apply the good faith efforts? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| D3 | Did you select any M/WBE firms as prime contractor?                    | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

**Supporting Documentation**

*In support of the actions taken in items A, B, C and D (above), all grant recipients and prime contractors must submit with bid proposal Attachment A and attach this checklist along with supporting documentation for "Yes" answers and an explanation for "No" answers. Examples of supporting documentation include: (i) Bidders List of M/WBE firms; (ii) list of sub-contract work elements possible under the prime contract; (iii) proof of contact with DBE firms as potential prime contractors (copies of invitations for bids/RFP, contact letters, faxes and telephone call sheets, etc.); (iv) copies of all procurement advertisements; and, (v) list of all prime contractors that submitted bids/RFP.*

\_\_\_\_\_  
 Grant Recipient Name and Title  
 Contact Phone # \_\_\_\_\_

OR \_\_\_\_\_  
 Prime Contractor Name and Title  
 Signature/ Date: \_\_\_\_\_

Attachment A

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
SOLICITATION SUMMARY AND RESULTS  
State Grant Recipients and Prime (Construction & A/E) Contractors  
Complete one form for each prime contract or each subcontract**

Project Name:

Total Contract Amount: \_\_\_\_\_

*Please answer the following questions for each prime contract or subcontract*

**Procurement Category:** Check only one procurement category for each contract being reported under the above referenced project. Construction  Equipment  Services  Supplies

**Summary of Subcontractors Solicited** (*Grant Recipient & Prime Contractor must complete separate forms*)

- 1 Number of firms solicited (attach documentation): \_\_\_\_\_
- 2 Number of M/WBE firms that responded (attach documentation): \_\_\_\_\_

**Details of Selected Firm**

3 Name of Firm:

4 Address:

5 Contact Person (Name and Phone):

6 Total amount of contract  \$

7 Type of contract Work:

Type of Work	Cost	Type of Work	Cost
	\$		\$
	\$		\$

8 Is the firm a Minority Business Enterprise? (MBE) Yes  No

9 Is the firm a Women's Business Enterprise? (WBE) Yes  No

10 If response to question 8 or 9 is yes, please complete the following:

M/WBE Certification Number: \_\_\_\_\_  
 Certification Date: \_\_\_\_\_  
 Expiration Date (if applicable): \_\_\_\_\_  
 Certifying Agency: \_\_\_\_\_

**Please submit all information to:  
 DBE Coordinator, MWQFA  
 1800 Washington Blvd., Baltimore MD 21230  
 Phone: 410-537-3146, Fax: 410-537-3968**

Grant Recipient Name and Title \_\_\_\_\_

**OR**

Prime Contractor Name and Title \_\_\_\_\_

Contact Phone # \_\_\_\_\_

Signature/ Date: \_\_\_\_\_

**APPENDIX A:  
MDE'S MINORITY AND WOMEN'S BUSINESS ENTERPRISES  
(M/WBES) PROGRAM**

MDE's Minority and Women's Business Enterprises (M/WBES) Program applies to contract procurement actions funded in part by MDE assistance agreements awarded after October 1, 2008. The authorization is found at Maryland State regulation, Environment Article 9: Section 9-345(d); Section 9-421(d); and, Section 9-1605.2(i) (4).

**Grant Recipient Responsibilities:**

- Include MDE's guidance in each contract with a primary contractor.
- Employ the six Good Faith Efforts during prime contractor procurement.
- Require prime contractor to comply with the following prime contractor requirements:
  - Provide to prime contractor MDE form M/WBE Participation - Good Faith Efforts Checklist: State Grant Recipients and Prime (Construction & A/E) Contractors (pg. 10).
  - Provide to prime contractor MDE form Solicitation Summary and Results: – Attachment A: Grant Recipients and Prime (Construction & A/E) Contractors. (pg. 11)
  - Prime contractor to pay its subcontractor for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient.
  - Prime contractor to notify grant recipient in writing prior to any termination of a M/WBE subcontractor for convenience by the prime contractor.
  - Prime contractor to notify subcontractor in writing prior to any termination of a M/WBE subcontractor for convenience by the prime contractor.
  - To employ the six good faith efforts if soliciting a replacement subcontractor after a M/WBE subcontractor fails to complete work under the subcontract for any reason.
  - To employ the six good faith efforts even if MDE's fair share goals objectives are achieved.
- Maintain records documenting its compliance with the requirements, including a BIDDERS LIST and documentation of its and its prime contractors' good faith efforts.

**Prime Contractor Responsibilities:**

- Employ the five Good Faith Efforts steps (1) through (5) if the prime contractor awards subcontracts.
- Provide completed MDE M/WBE Participation - Good Faith Efforts Checklist: State Grant Recipients and Prime (Construction & A/E) Contractors to MDE's DBE Coordinator (pg. 10).
- Provide completed MDE form Solicitation Summary and Results - Attachment A: Grant Recipients and Prime (Construction & A/E) Contractors MDE's DBE Coordinator. Complete one form for each subcontract. (pg. 11)
- Pay subcontractors for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient.
- Notify the subcontractor in writing prior to termination for convenience.
- Employ the five good faith efforts if soliciting a replacement subcontractor after a M/WBE subcontractor fails to complete work under the subcontract for any reason.
- Employ the five good faith efforts even if the prime contractor has achieved its fair share goals.
- Maintain records documenting its compliance with the requirements, including BIDDERS LIST documentation good faith efforts.

<b>MDE Form</b>	<b>Requirement</b>	<b>Provided By</b>	<b>Completed By</b>	<b>Submitted To</b>
GOODFAITH EFFORTS CHECKLIST (Page 10)	Grant Recipients and Prime Contractor required to fill	MDE	Grant Recipient & Prime Contractor	MDE DBE Coordinator
SOLICITATION OF SUMMARY Attachment A (Page 11)	Grant Recipients and Prime Contractor required to fill	MDE	Grant Recipient & Prime Contractor	MDE DBE Coordinator

## **APPENDIX B: STATE GRANT GOOD FAITH EFFORTS**

### **When do the requirements apply?**

The requirements apply to procurement under MDE financial assistance agreements performed entirely within the State of Maryland, whether by a grant recipient or its prime contractor, for construction, equipment, services, and supplies.

### **What assurances must MDE obtain from recipients of MDE's financial assistance?**

The grant and prime contractor must ensure that each procurement contract it awards contains the term and conditions specified in Appendix A concerning compliance with the M/WBE contract requirements.

### **Is there a list of certified MBEs and WBEs?**

Maryland Department of Transportation will maintain a list of certified MBEs and WBEs on their website. Any interested person may also obtain a copy of the list from MDE's DBE Coordinator.

### **What is required?**

A grant recipient is required to make the following good faith efforts (a through f) whenever procuring construction, equipment, services and supplies under an MDE financial assistance agreement, even if it has achieved its fair share goals.

A prime contractor is required to make the following good faith efforts (a through e) whenever procuring construction, equipment, services and supplies under an MDE financial assistance agreement, even if it has achieved its fair share goals:

- (a) Ensure M/WBEs are made aware of contracting opportunities fully practicable through outreach and recruitment activities by placing qualified minority business enterprises (MBEs) and women's business enterprises (WBEs) on solicitation lists.
- (b) Assure that MBEs and WBEs are solicited whenever they are potential sources.
- (c) Dividing total requirements, when economically feasible, into small tasks or quantities, to permit maximum participation of M/WBEs and post solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (d) Make information on forthcoming opportunities available to M/WBEs and arrange periods for contracts by establishing delivery schedules, where the requirement permits, which encourage participation by MBEs and WBEs.
- (e) Use the services of the Maryland Department of the Transportation (MDOT), which is designated as the primary agency within Maryland for listing and certifying MBEs. See Appendix C for full list of references for M/WBE lists.
- (f) Grant recipients must require the prime contractor, if subcontracts are to be let, to apply the good faith efforts listed above (a through e).

**APPENDIX C: RESOURCE LISTING AND CONTACT INFORMATION  
FOR UTILIZATION OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

<b>Resource Listing</b>	<b>Contact</b>	<b>Website if applicable</b>
<p><b>State of Maryland Governor's Office of Minority Affairs</b> The mission of the Governor's Office of Minority Affairs (GOMA) is facilitating minority business enterprise activities through coordinating and promoting government programs aimed at strengthening and preserving the state's minority and women owned businesses.</p>	<p>Governor's Office of Minority Affairs Suite 1502 6 Saint Paul Street Baltimore MD 21202 767-8232 1-(877) 558-0998 f-(410) 333-7568 <a href="mailto:info@mdminoritybusiness.com">info@mdminoritybusiness.com</a></p>	<p><a href="http://www.oma.state.md.us/">http://www.oma.state.md.us/</a></p>
<p><b>U.S. Small Business Administration (SBA)</b> In addition to the national office, the SBA has local district and regional offices to assist small businesses in contracting with the public and private sector.</p>	<p>Website</p>	<p><a href="http://www.sba.gov/businessop/findop/matchmaking.html">www.sba.gov/businessop/findop/matchmaking.html</a></p>
<p><b>CCR/Pro-Net is an extensive database that combines the SBA's Pro-Net database and the DOD's Central Contractor Registration database of small businesses.</b></p>	<p>CCR Assistance Center 888-227-2423 269-961-5757 DSN: 661-5757</p>	<p><a href="http://www.ccr.gov/">www.ccr.gov/</a> Select "Dynamic Small Business"</p>
<p><b>U. S. Small Business Administration (SBA) - MD. District Office</b></p>	<p>City Crescent Bld. 6<sup>th</sup> Floor 10 South Howard St. Baltimore MD 21201 Phone: 410 962-6195</p>	<p><a href="http://www.sba.gov/md/index.html">www.sba.gov/md/index.html</a></p>
<p><b>Minority Business Development Administration (MBDA):</b> The MBDA is an agency within the U.S. Dept. of Commerce, created to foster the development and growth of minority businesses in the U.S. and coordinates resources in the public and private sectors to help MBE's. Recipients and bidders should contact the centers and provide notices of contracting opportunities. Also, see the Phoenix database, which matches minority companies with business opportunities.</p>	<p>1401 Constitution Ave NW Washington, D.C. 20230 Email: <a href="mailto:support@mbda.gov">support@mbda.gov</a> 1.888.324.1551</p>	<p><a href="http://www.mbda.gov/">www.mbda.gov/</a></p>
<p><b>Standard Industrial Classification Codes (SIC) or North American Industry Classification System (NAICS) codes visit the website.</b></p>	<p>Website</p>	<p><a href="http://www.sba.gov/size/sizetable2002.html">www.sba.gov/size/sizetable2002.html</a></p>

<p>Maryland Department of Transportation (MDOT) and the <u>Minority/Disadvantaged Business Enterprise (MDOT – MBE/DBE)</u>. Loan recipients and bidders may locate qualified M/WBE's through the MBE/WBE Directory.</p>	<p><b>Office Address</b> 7201 Corporate Drive Hanover, MD 21076</p> <p>Or <b>Mailing Address:</b> P.O. Box 548 Hanover, MD 21076</p>	<p><a href="http://www.mdot.state.md.us/MBE_Program/index.html">www.mdot.state.md.us/MBE_Program/index.html</a></p> <p><a href="http://www.e-mdot.com/MBE_Program/directary">http://www.e-mdot.com/MBE_Program/directary</a> Click on "Proceed to Directory. Select any combination of the fields to identify M/WBE's for the specific project opportunities.</p>
<p>U.S. EPA Office of Small, Disadvantaged Business Utilization (OSDBU) – OSDBU's mission includes "fostering opportunities for partnerships, contracts, subagreements, and grants for small and socioeconomically disadvantaged concerns". One of the resources to assist prime contractors is a listing of small and disadvantaged businesses (a vendor profile system) registered with OSDBU.</p>	<p>US.EPA Office of Small Programs 1200 Pennsylvania Avenue NW Mail Code 1230T Washington, D.C. 20460</p>	<p><a href="http://cfpub.epa.gov/sbvps/">http://cfpub.epa.gov/sbvps/</a> <a href="http://www.epa.gov/osdbu/">http://www.epa.gov/osdbu/</a> Select "search the OSDBU Registry" Click on the search criteria of interest (ethnicity, size, SIC, etc.)</p>
<p><b>National Black Chamber of Commerce</b></p>	<p>1350 Connecticut Ave. N.W. Suite 405 Washington D.C. 20036 Phone: 202 466-6888 Fax: 202 466-4918</p>	<p><a href="http://www.nationalbcc.org">www.nationalbcc.org</a></p> <p>Email: <a href="mailto:info@nationalbcc.org">info@nationalbcc.org</a></p>
<p><b>Virginia Hispanic Chamber of Commerce (Northern Va.)</b></p>	<p>8300 Boone Blvd., 4<sup>TH</sup> Floor Vienna, VA 22182 Phone: 804.378.4099 Fax: 703 893-1269</p>	<p><a href="http://www.vahcc.com">www.vahcc.com</a></p>
<p><b>U.S. Hispanic Chamber of Commerce</b></p>	<p>2175 K Street NW Suite 100 Washington, D.C. 20037</p>	<p><a href="http://www.usfcc.com">www.usfcc.com</a></p>
<p><b>National Association of Minority Contractors (NAMC)</b></p>	<p>666 11 Street N.W. Suite 520 Washington D.C. 20001 Phone: 202 347-8250</p>	<p><a href="http://www.namcline.com">www.namcline.com</a></p>
<p><b>Maryland/Washington Minority Contractors (MWMCA)</b></p>	<p>1107 North Point Blvd, Suite 227 Baltimore, MD 21224 410.282.6101 410.282.6102 –fax</p>	<p><a href="http://www.mwmca.org">www.mwmca.org</a></p>

<b>National Association of Women's Business Owners (NAWBO) – National</b>	1760 Old Meadow Rd. Ste 500 McLean VA 22102 Phone: 800.556.NAWBO 703.506.3268 703.506.3266-fax	<a href="http://www.nawbo.org">www.nawbo.org</a>
<b>NAWBO Baltimore Regional Chapter</b>	4404 Silverbrook Lane, Suite E-204 Owings Mills MD 21117 Phone: 410 876-0502 410.654.9734-fax	<a href="http://www.nawbomaryland.org">www.nawbomaryland.org</a>  Email: <a href="mailto:info@nawbomaryland.org">info@nawbomaryland.org</a>
<b>NAWBO Delaware Chapter</b>	P.O. Box 4657 Greenville Station Greenville, DE 19807-4657 Phone: 302 355.9945	<a href="http://www.nawbodelaware.org">www.nawbodelaware.org</a>  Email: <a href="mailto:info@nawbodelaware.org">info@nawbodelaware.org</a>
<b>MD/DC Minority Supplier Development Council (MSDC)</b>	10770 Columbia Pike Lower Level, Suite L100 Silver Spring MD 20901 Phone: 301 592-6710 Fax: 301 592-6704	<a href="http://mddccouncil.org/">http://mddccouncil.org/</a>
<b>National Minority Supplier Development Council, Inc. (NMSDC)</b>	1040 Avenue of the Americas, 2 <sup>nd</sup> Floor New York, New York 10018 Phone: 212 944-2430 212.719.9611-fax	<a href="http://www.nmsdcus.org/">www.nmsdcus.org/</a>
<b>UIDA Business Services is a Native American Procurement and Technical Assistance Center- maintains a comprehensive database of Native American owned firms</b>	86 South Cobb Drive, MZ:0510 Marietta, GA 30063-0510 Phone, 770 494-0431 770.494.1236-fax or <b><u>Northeast Region</u></b> 2340 Dulles Corner Blvd Mail Stop: 1n01 Herndon, VA 20171 Phone: 703.561.3120 703.561.3124-fax	<a href="http://www.uida.org">www.uida.org</a>
<b>Diversity Business (A multi-cultural online resource)</b>	200 Pequot Avenue Southport, CT 06890 Phone 203.255.8966 203.255.8501-fax	<a href="http://www.diversitybusiness.com/">www.diversitybusiness.com/</a>
<b>National Association of Women in Construction</b>	327 S. Adams Street Fort Worth, TX 76104 Phone: 1-800-552-3506 Phone: 817.877.5551 817.877.0324-fax	<a href="http://www.nawic.org/">www.nawic.org/</a>

**ATTACHMENT A - PROJECT DESCRIPTION / SCOPE OF SERVICES  
DESIGN/BUILD  
RFP No. 16-060  
For  
Joppatowne Wastewater Treatment Plant  
Ultraviolet Disinfection System**

**Signature Page**

Our Team has reviewed the Project Description and Scope of Services and:

- We acknowledge and accept the Project Description/Scope of Services (Attachment A) as sufficient upon which to proceed with the detailed work of this project with **no exceptions.**
- We acknowledge and accept the Project Description/Scope of Services (Attachment A) as sufficient upon which to proceed with the detailed work of this project with exceptions as documented in Volume 2 of our proposal.

\_\_\_\_\_  
ENTITY NAME

\_\_\_\_\_  
Authorized Representative/Title (Signature)

\_\_\_\_\_  
Authorized Representative/Title (Print/Type)

## REQUEST FOR INFORMATION

<b>Date:</b> 6/21/2012	<b>Joppatowne WWTP Upgrade</b>	<b>RFI Number:</b> 26
<b>To:</b> Hatch, Mott, McDonald 11019 McCormick Rd, Suite 260 Hunt Valley, MD 21031 <b>Attn:</b> Kevin Marc Merriman	<b>From:</b> American Contracting & Envir. Ser. 1002 West Street Laurel, MD 20707  <b>Originator:</b> Jeff Tedder	<b>Reference or Affected Design Document(s):</b>  RFI 20, 21 and 23
<b>Subject (for tracking purposes):</b> Relocation of Denite Filter Bypass Piping – Final Clarification		
<b>Description of Request:</b>		
<p>This RFI is intended to clarify the pipe routing of the 16" Denite Filter Bypass piping. It is also intended to supersede RFIs 20, 21 and 23. Please refer to the attached sketch for final proposed pipe routing. The new scheme does not require the need for the 16" flanged butterfly valve requested in RFI 20 and 21; upon further review of those requests it was noted that the entire line would need to be run and the flanged valve installed at the Filters before flow could be returned to CCT No. 1, we determined this to be unacceptable as it would prolong the shutdown of CCT No. 1.</p> <p>As noted in RFI 23 Dezurik was unable to replace the flanged butterfly valve with an MJ model with a 316SS stem in time to meet our schedule. Harford County, through Arcadis, has indicated that a 304 SS stem would be acceptable. The valve Dezurik has in stock will also require finish painting on site (a formal submittal for this finish will be submitted under separate cover for review).</p> <p>Please confirm acceptability of the following: 1) The proposed pipe routing; 2) The use of 304SS stem on 16" Butterfly valve</p>		
<b>Additional Info Attached</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Response Needed By:</b> 6/27/12 <b>Submitted By:</b> Jeff Tedder		
<b>Response to Request:</b>		
<p>.....</p> <p>The proposed pipe routing contained in this RFI was revised in RFI 32. Per HMM's response to RFI 32, the revised routing is</p> <p>.....</p> <p>acceptable Contractor shall make note of all changes in As-Built drawing markups. The use of a 304SS stem on a 16" Butterfly valve</p> <p>.....</p> <p>is acceptable.</p> <p>.....</p>		



Hatch Mott  
MacDonald

Hatch Mott MacDonald  
11019 McCormick Road  
Suite 260  
Hunt Valley, MD 21031

[www.hatchmott.com](http://www.hatchmott.com)

July 11, 2012

Mr. David E. Pergrin, P.E.

Harford Co. Department of Public Works  
Division of Water and Sewer  
212 South Bond Street, 2nd Floor  
Bel Air, Maryland 21014

**RE: Joppatowne Wastewater Treatment Plant ENR Upgrade  
Harford County, MD  
HMM Job No. 272548  
Response to RFI #32**

Dear Mr. Pergrin:

On June 10, 2012, American Contracting and Environmental Services (ACES), the Prime Contractor performing the Joppatowne WWTP ENR Upgrade, raised a question and requested HMM's response, referred to herein as RFI #32. The inquiry was reviewed by HMM. Our response to this inquiry is attached on the Request for Information form submitted by ACES.

Please give me a call if there are any other questions.  
Sincerely,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read 'Andrew O. Yarbrough'.

Andrew O. Yarbrough, P.E.  
Project Manager  
[Andrew.yarbrough@hatchmott.com](mailto:Andrew.yarbrough@hatchmott.com)

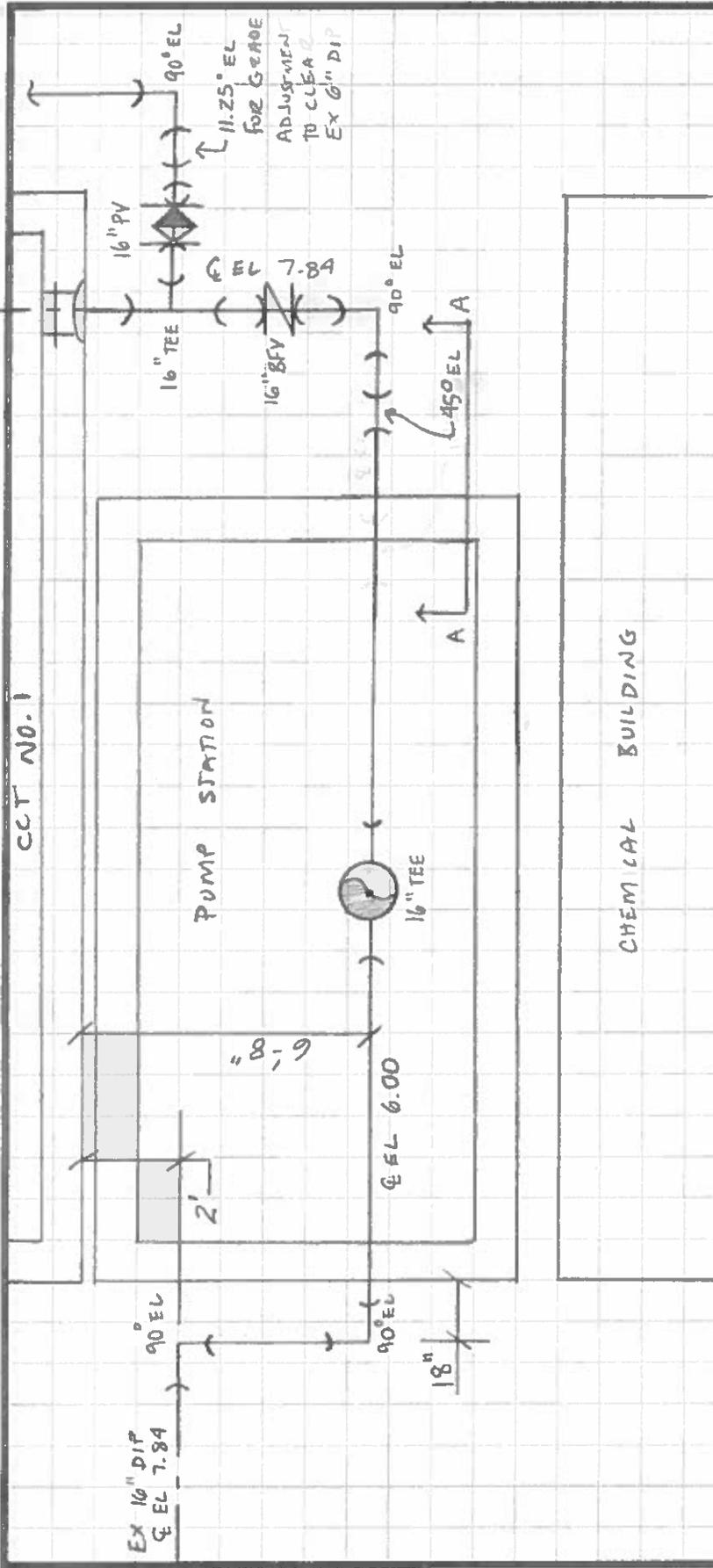
AOY

cc.

encl.

## REQUEST FOR INFORMATION

Date: 7/9/2012	Joppatowne WWTP Upgrade	RFI Number: 32
To: Hatch, Mott, McDonald 11019 McCormick Rd, Suite 260 Hunt Valley, MD 21031 Attn: Kevin Marc Merriman	From: American Contracting & Envir. Ser. 1002 West Street Laurel, MD 20707  Originator: Daniel Vaseekaran	Reference or Affected Design Document(s):
Subject (for tracking purposes): 16" Tertiary Bypass Pipe Routing		
<p><b>Description of Request:</b></p> <p>After excavation and field measurements of existing pipe elevations the Contractor suggests the routing shown on the attached drawing (SK-1) for the 16" Tertiary Bypass Pipe. The suggested routing uses 90 elbows to decrease elevation to route the pipe under the pump station and a 45 elbow to increase elevation after the pump station. The 16" Butterfly Valve has been relocated down the line due to lack of space before the final 90 elbow. The Centerline elevation of the pipe under the pump station will be 6.00. This is 22.02" lower than the 7.835 measured elevation of the existing 16" Pipe.</p> <p>Please confirm that this reroute is acceptable.</p> <p>Additional Info Attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      Response Needed By: 7/10/2012      Submitted By: Daniel Vaseekaran</p>		
<p><b>Response to Request:</b></p> <p>.....</p> <p>The proposed valve relocation is acceptable provided the new location allows enough clearance to operate the butterfly valve. Contractor shall verify this dimension and provide adequate space in the revised routing.</p> <p>.....</p>		



BOT OF PS SLAB = 8.17  
 EX 16" Q EL = 7.84  
 .33  
 4" N.G.

MIN EL FOR 16" PER  
 SECTION A-A = Q EL 6.00

MIN EL FOR 16" MJ 90  
 TO CLEAR SLAB  
 B.O.S. EL 8.17  
 MJ TE LL 6.30

MIN EL TO CLEAR BOT OF  
 SLAB WITH MJ BELL:  
 B.O.S EL 8.17  
 MJ LL 7.23

CHEMICAL BUILDING

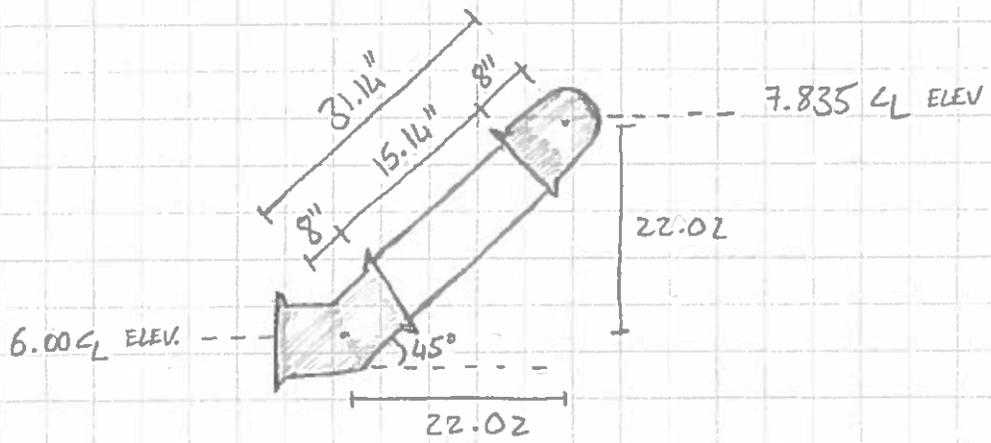


Project

RFI 32 SK-1

By *AT*

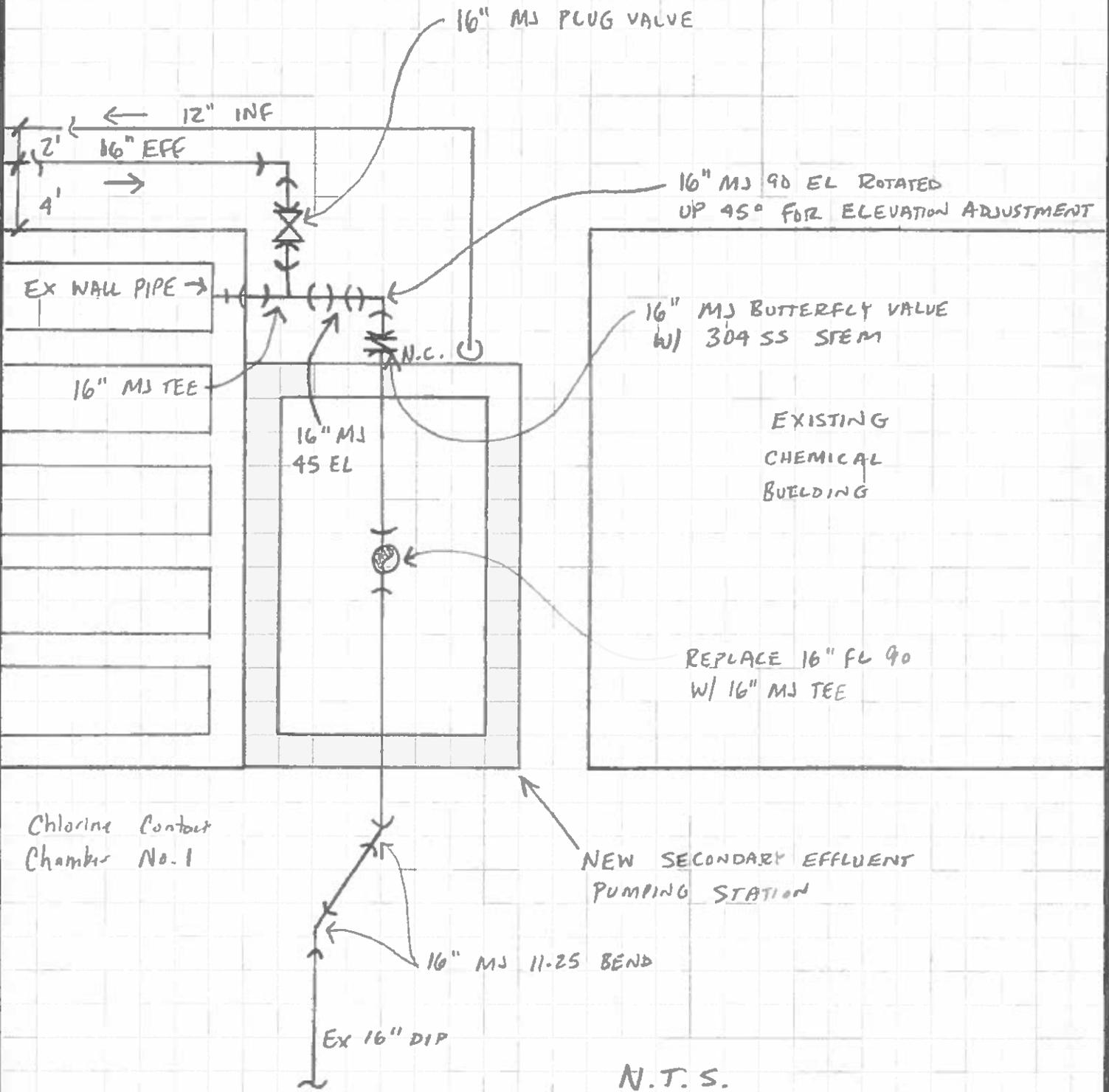
Date 7/9/12 Sheet 1 of 2



SECTION A-A

RELOCATION OF DENITE FILTER BYPASS PIPING  
RFI 20, 21 + 23 CLARIFICATION

*Handwritten initials/signature*



Chlorine Contact Chamber No. 1

NEW SECONDARY EFFLUENT PUMPING STATION

EXISTING CHEMICAL BUILDING

N.T.S.



Project

RFI 20 SKETCH 1

By Jeff Tedder

Date 6/21/12 Sheet 1 of 1