



MANATEE COUNTY FLORIDA

March 25, 2013

TO: All Interested Bidders
SUBJECT: Invitation for Bids #13-1252CD
Rental of Mobile Dewatering Plant with Operator

ADDENDUM #1

Bidders are hereby notified that this Addendum shall be acknowledged on page 23 of the Bid Form and made a part of the above named bidding and contract documents. Bids submitted without acknowledgment of the Addendum will be considered incomplete.

The following items are issued to add to, modify, and clarify the bid and contract documents. These items shall have the same force and effect as the original bidding and contract documents, and cost involved shall be included in the bid prices. Bids to be submitted on the specified bid date, shall conform to the additions and revisions listed herein.

1. **DELETE** Article C.14.d, County's Protective Liability Coverage, on page 00030-5 of the bid documents.
2. **CHANGE** the second paragraph of Article C.14.g, Additional Insured, on page 00030-6 of the bid documents to read as follows:

Manatee County, a political subdivision of the State of Florida, shall be specifically named as additional insured on all applicable policies.

3. **ADD** the following Article C.12, Federal Requirements, to page 14 of the bid documents:

This project is included in the Federal Stimulus Funded Programs and requires all laborers and mechanics employed by contractors and subcontractors to be paid wages at rates not less than those prevailing on projects of a character similar in locality as determined by the Secretary of Labor. All Contractors and Subcontractors shall comply with the Federal Requirements section included in these bid documents.

4. **ADD** the Federal Requirements that are attached to this Addendum #1, to the bid documents.

The following questions have been asked regarding this IFB:

QUESTION #1: Can the County provide the monthly amount of Dry Tons of WAS produced over the last year?

RESPONSE #1: Yes, the 2012 monthly totals of WAS are attached to this Addendum #1.

Financial Management Department - Purchasing Division
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
PHONE: 941.749.3033 * FAX: 941.749.3034
www.manateeflex.org

DWW

QUESTION #2: Would the County be interested in providing the operator, and just renting the equipment?

RESPONSE #2: No. The vendor shall supply the operator and be responsible for the complete operations and maintenance of the Mobile Dewatering plant.

QUESTION #3: Does the County have a forklift to assist in the unloading of polymer?

RESPONSE #3: Yes.

QUESTION #4: Can you clarify who will be connecting the power?

RESPONSE #4: The vendor will connect their own equipment to the power provided by the County.

QUESTION #5: Can the manhole located in the drive isle by the Chlorine Building be used by the Contractor for filtrate discharge?

RESPONSE #5: Yes.

QUESTION #6: Section B.05 – Indemnification. We request the County consider revising the first sentence of this section to read as follows: The successful vendor covenants and agrees to indemnify and save harmless the County, its agents and employees, from and against all claims, suits, actions, damages, causes of action, or judgments arising out of the terms of the resulting agreement for any personal injury, loss of life, or damage to the property to the extent proximately caused by Contractor's negligence or breach of this agreement; from and against any orders, judgments, or decrees, which may be entered against the County, its agents or employees; and from and against all costs, attorney's fees, expenses and other liabilities incurred in the defense of any such claim, suit or action, and the investigation thereof.

RESPONSE #6: The County will not be revising Article B.05.

QUESTION #7: Section C.06 – Payment. Bidder requests that terms for payment for rental of equipment and services rendered be revised from forty-five (45) days to thirty (30) days after presentation of an appropriate invoice.

RESPONSE #7: The County will not be revising Article C.06.

QUESTION #8: Section C.08.d – Owners Protective Liability Coverage. This type of policy provides much the same type of coverage afforded by naming the County as an additional insured on the Bidder's General Liability policy but will add significantly to the cost of insurance coverage for the project. We request that the County consider removing the requirement for Owners Protective Liability Coverage for this project?

RESPONSE #8: Please see above item #1 of this Addendum #1.

Financial Management Department – Purchasing Division
1112 Manatee Avenue West, Suite 805, Bradenton, FL 34205
PHONE: 941.749.3014 * FAX: 941.749.3034
www.mymanatee.org

QUESTION #9: Would the County consider providing the polymer for the project? If you will not provide the polymer will you consider listing polymer as a separate line item on the bid?

RESPONSE #9: No. The Contractor shall supply polymer per the Invitation for Bids. Compensation shall be included in existing line items.

QUESTION #10: The Bid Form asks for an hourly rate for operation of the mobile dewatering plant in excess of 8 hours M-F for a total estimated quantity of 30 hours (as directed by the County). Is there a maximum number of additional hours/day in excess of 8 hours? Can the County provide clarification regarding expectations on how these 30 additional hours may be required (i.e. – 30 individual days at 1 hour/day, 5 consecutive days at 6 additional hours/day, 3 consecutive days at 6 additional hours each followed by 1 day at 12 additional hours, 2 days at 15 additional hours each, etc.).

RESPONSE #10: It is anticipated that the contractor's production rate will be adequate to handle the waste flow with the base bid - eight hours per day Monday through Friday along with the storage provided per the Invitation for Bids. The line items for additional time are to compensate the contractor for issues that may arise beyond the contractor's control that may require additional operating time.

QUESTION #11: The Bid Form asks for a Daily Rate for operation of the mobile dewatering plant on Saturday or Sunday – up to 8 hours per day (as directed by County) for an estimated 6 days. Can it be assumed that operations may be required for either a Saturday or a Sunday, but not both days consecutively in one week? Or, can it be expected that operations may be required for 7 days in a week?

RESPONSE #11: It is anticipated that the contractor's production rate will be adequate to handle the waste flow with the base bid - eight hours per day Monday through Friday along with the storage provided per the Invitation for Bids. The line items for additional days are to compensate the contractor for issues that may arise beyond the contractor's control that may require additional operating time.

QUESTION #12: Will the County be providing the service of “jockeying” of the dewatered cake receiving trailer/dumpster as may be required to even out the load for shipment?

RESPONSE #12: No. The contractor shall level loads.

QUESTION #13: Would the County please specify the power supply available to the successful bidder (voltage, amps, hertz)?

RESPONSE #13: Power supply is 3 phase, 480 volt, 250 amps and 60 Hertz.

QUESTION #14: In the unlikely event of working during darkness, will the County supply adequate lighting?

RESPONSE #14: Street lighting and equipment lighting are in the area. If the contractor requires more, then they shall supply it.

Financial Management Department - Purchasing Division
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
PHONE: 941.749.3014 * FAX: 941.749.3034
www.mymanatee.org

QUESTION #15: Will washroom / lunchroom facilities be made available by the County to the successful bidder's Operator(s)?

RESPONSE #15: No. The County will not supply sanitary or lunchroom facilities.

QUESTION #16: Does the County currently hold 'Owners Protective Liability Coverage' and would the County consider allowing the successful bidder to purchase such insurance from the County?

RESPONSE #16: Please see above item #1 of this Addendum #1.

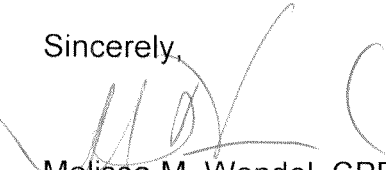
QUESTION #17: Does the County have an 'Engineer Estimate' available for the intended County spend?

RESPONSE #17: The estimated cost for the rental of the dewatering plant with operator for the rental period of two months to nine months ranges from \$190,000.00 to \$790,000.00.

END OF ADDENDUM #1

Bids will be received at Manatee County Purchasing, 1112 Manatee Avenue West, Bradenton, Florida 34205 until **Monday, April 1, 2013 at 3:00 PM.**

Sincerely,



Melissa M. Wendel, CPPO
Purchasing Official

Financial Management Department - Purchasing Division
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205
PHONE: 941.749.3014 * FAX: 941.749.3034
www.mymanatee.org

SECTION A: COMPLIANCE WITH FEDERAL LAWS

A.01 FEDERAL REQUIREMENTS FOR CONSTRUCTION PROJECTS

- a) **Davis Bacon Act**, as amended (40 U.S.C. 267a to a-7) – **Contractor is required to comply with the Davis-Bacon Act** (40 U.S.C 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts governing Federally Financed and Assisted Construction"). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of labor. In addition, contractors shall be required to pay wages not less than once a week. (*See Attachment A for Current Federal Wage Decision*); and
- b) **Contract Work Hours and Safety Standards Act** (40 U.S.C. 327 through 333) Contractor is required to comply with Sections 103 and 107 of the Contract Work Hours Safety Standards Act (40 U.S.C. 327-333), as supplemented by Department of Labor regulations (29 CFR, Part 5). Under Section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous; and
- c) **Copeland "Anti-Kickback" Act** (18 U.S.C. 874 and 40 U.S. 276c) Contractor is required to comply with the Copeland "Anti-Kickback" Act (18 USC 874), as supplemented by Department of Labor Regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled.

A.02 **LABOR STANDARDS (PROJECTS OVER \$2,000)**

The following Federal Labor Standards provisions are in effect and must be complied with by all contractors and Sub-Contractors. As before mentioned it is mandatory that these legislative acts are complied with. Specific reporting requirements include, but shall not be limited to the following:

- a) Federal Wage Decision for Manatee County in Florida. Per the Davis-Bacon Act, these are applicable prevailing federal wage rates for this project. There are no State prevailing wage rates. These wage rates will be compared against those posted by the U.S. Department of Labor. In the event the Federal Wage Decision has been updated, proposers will be notified in writing in accordance with the current *Federal Wage Decision (Ref. Attachment A)*; and
- b) United States Department of Labor, Payroll Form WH-347 (OMB Approval No. 1215-0149) with accompanying Statement of Compliance. Per the Davis-Bacon Act and the Copeland Act, the awarded contractor and its subcontractor's are required to submit weekly payrolls, being accompanied by the Statement of Compliance, bearing an original signature. (See *Attachment B* for the current Payroll Form WH-347 with the accompanying Statement of Compliance

ATTACHMENT A

Federal Prevailing Wage Decisions

FEDERAL PREVAILING WAGE

General Wage Decision Number: FL130165 03/08/2013 FL165

Superseded General Decision Number: FL20120165

State: Florida

Construction Type: Heavy

County: Manatee County in Florida

Publication Date: 03/08/2013 – Modification Number 1

(SEE ATTACHED)

General Decision Number: FL130165 03/08/2013 FL165

Superseded General Decision Number: FL20120165

State: Florida

Construction Type: Heavy

County: Manatee County in Florida.

HEAVY CONSTRUCTION PROJECTS (Including Sewer and Water Lines)

Modification Number	Publication Date
0	01/04/2013
1	03/08/2013

* ELEC0915-003 12/01/2012

	Rates	Fringes
ELECTRICIAN.....	\$ 25.13	34%+\$0.25

ENGI0925-008 01/01/2012

	Rates	Fringes
POWER EQUIPMENT OPERATOR:		
Crawler Cranes; Truck Cranes; Pile Driver Cranes; Rough Terrain Cranes; and Any Crane not otherwise described below...	\$ 28.91	10.74
Hydraulic Cranes Rated 100 Tons or Above but Less Than 250 Tons; and Lattice Boom Cranes Less Than 150 Tons if not described below.	\$ 29.91	10.74
Lattice Boom Cranes Rated at 150 Tons or Above; Friction Cranes of Any Size; Mobile Tower Cranes or Luffing Boom Cranes of Any Size; Electric Tower Cranes; Hydraulic Cranes Rated at 250 Tons or Above; and Any Crane Equipped with 300 Foot or More of Any Boom Combination.....	\$ 30.91	10.74
Oiler.....	\$ 22.38	10.74

IRON0397-006 07/01/2012

	Rates	Fringes
IRONWORKER, STRUCTURAL.....	\$ 27.67	12.59

LABO0517-002 05/01/2008

	Rates	Fringes
LABORER: Grade Checker.....	\$ 17.20	5.47

PAIN0088-008 07/01/2008

	Rates	Fringes
PAINTER: Brush, Roller and Spray.....	\$ 16.00	6.85

SUFL2009-161 06/24/2009

	Rates	Fringes
CARPENTER.....	\$ 14.95	2.92
CEMENT MASON/CONCRETE FINISHER...	\$ 14.77	3.50
LABORER: Common or General.....	\$ 10.90	0.38
LABORER: Landscape.....	\$ 7.25	0.00
LABORER: Pipelayer.....	\$ 13.75	2.06
LABORER: Power Tool Operator (Hand Held Drills/Saws, Jackhammer and Power Saws Only).....	\$ 10.63	2.20
OPERATOR: Asphalt Paver.....	\$ 11.59	0.00
OPERATOR: Backhoe Loader Combo.....	\$ 16.10	2.44
OPERATOR: Backhoe/Excavator.....	\$ 15.00	0.52
OPERATOR: Bulldozer.....	\$ 17.00	0.00
OPERATOR: Grader/Blade.....	\$ 16.00	2.84
OPERATOR: Loader.....	\$ 14.75	0.00
OPERATOR: Mechanic.....	\$ 14.32	0.00
OPERATOR: Roller.....	\$ 10.76	0.00
OPERATOR: Scraper.....	\$ 11.00	1.74
OPERATOR: Trackhoe.....	\$ 20.92	5.50
OPERATOR: Tractor.....	\$ 10.54	0.00
TRUCK DRIVER, Includes Dump Truck.....	\$ 11.00	0.00

TRUCK DRIVER: Lowboy Truck.....\$ 12.73 0.00

TRUCK DRIVER: Off the Road
Truck.....\$ 12.21 1.97

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

=====

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 union or non-union.

Union Identifiers

An identifier enclosed in dotted lines beginning with
characters other than "SU" denotes that the union
classification and rate have found to be prevailing for that
classification. Example: PLUM0198-005 07/01/2011. The first
four letters , PLUM, indicate the international union and the
four-digit number, 0198, that follows 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.
The date, 07/01/2011, following these characters is the
effective date of the most current negotiated rate/collective
bargaining agreement which would be July 1, 2011 in the above
example.

Union prevailing wage rates will be updated to reflect any
changes in the collective bargaining agreements governing the
rates.

0000/9999: weighted union wage rates will be published annually
each January.

Non-Union Identifiers

Classifications listed under an "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Example: SULA2004-007 5/13/2010. SU indicates the rates are not union majority rates, LA indicates the State of Louisiana; 2004 is the year of the survey; and 007 is an internal number used in producing the wage determination. A 1993 or later date, 5/13/2010, indicates the classifications and rates under that identifier were issued as a General Wage Determination on that date.

Survey wage rates will remain in effect and will not change until a new survey is conducted.

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.

=====

END OF GENERAL DECISION

ATTACHMENT B
Payroll Form WH-347

U.S. Wage and Hour Division

U.S. Wage and Hour Division
Rev. Dec. 2008

OMB No.: 1235-0008
Expires: 01/31/2015

PROJECT OR CONTRACT NO.

[illegible]

Public Burden Statement

(over)

Date _____

I, _____ (Name of Signatory Party) _____ (Title)
do hereby state:

(1) That I pay or supervise the payment of the persons employed by

_____ (Contractor or Subcontractor) _____ on the _____
_____ (Building or Work) _____ that during the payroll period commencing on the _____
_____ day of _____ and ending the _____ day of _____

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the full _____ (Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967, 76 Stat. 357, 40 U.S.C. § 3145), and described below.

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

☐ _____ in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

☐ _____ Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

--	--

NAME AND TITLE	SIGNATURE
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

SOUTHWEST RECLAMATION FACILITY
AVERAGE POUNDS WASTE EPR DAY FOR EACH MONTH (2012)

2012	WAS MLSS	WAS Flow MGD	WAS LBS Avg/Day
Jan	13732	0.095	10880
Feb	11262	0.089	8359
Mar	10897	0.091	8301
Apr	11835	0.095	9334
May	11506	0.094	9054
Jun	12337	0.071	7333
Jul	16811	0.104	14519
Aug	15470	0.119	15309
Sep	20832	0.079	13752
Oct	23451	0.072	14021
Nov	17848	0.100	14937
Avg	15089	0.092	11436
Min	10897	0.071	7333
Max	23451	0.119	15309

Southwest Reclamation Facility
The average pounds waste
per day for each month.