

O038-13450

ADDENDUM NUMBER 7

MARCUS CENTER FOR THE  
PERFORMING ARTS  
PHASE IV HVAC RENOVATIONS  
RE-BID  
Site #270, Bldg. #50  
929 North Water Street  
Milwaukee, WI 53202

Project Number: O038-13450

Date of Addendum: March 11, 2013

This Addendum to the Contract Documents is issued to modify, explain or correct the original documents, dated February 4, 2013, and is hereby made part of the Contract Documents. Acknowledge receipt of this Addendum in the space provided on the Bid Form, or bid may be rejected.

BIDDING, CONTRACT DOCUMENTS, AND SPECIFICATIONS

CHANGE BID DUE DATE to March 20, 2013 at 2:00 P.M.

DOCUMENT 00250 - PRE-BID MEETING:

1. **ADD** the following: Only bidders that attended the prior Mandatory Pre-Bid meeting will be eligible to submit bids for this project re-bid.

DOCUMENT 00400 - BID FORM

1. **REPLACE**; bid form in its entirety (attached to and issued as part of this Addendum 7).

01230 - ALTERNATIVES

1. **ADD**; section in its entirety (attached to and issued as part of Addendum 7).

23 73 13 - MODULAR INDOOR CENTRAL-STATION AIR HANDLING UNITS

1. **DELETE**; sub-paragraphs 2.01.A.2 and 2.01.A.3. Base Bid equipment manufacturer shall be McQuay. Reference revised Bid Form and Section 01230 for acceptable alternate manufacturers available as an alternate deductive bid.

CHANGES TO DRAWINGS

MECHANICAL

Sheet M100, Mechanical Room 701 – Demolition plan #1 and New Work plan #2.

1. **ADD**; Base Bid Scope of Work boundary around the south half of Mechanical Room 701 – all work south of column line "J". Work shall include work shown for TX-4 at west end of central intake areawell. All work north of column line "J" will be Alternate Bid 2.

End of Addendum No. 7

DOCUMENT 00400  
 BID FORM  
 for  
 MARCUS CENTER FOR THE  
 PERFORMING ARTS  
 PHASE IV HVAC RENOVATIONS  
 RE-BID  
 Site #270, Bldg. #50  
 929 North Water Street  
 Milwaukee, WI 53202

Project No. O038-13450

Bids Due: March 20, 2013 at 2:00 P.M.

Contract 1: HVAC Phase IV Renovations

At the Office of: MILWAUKEE COUNTY CLERK  
 Room 105 - Courthouse  
 901 North 9th Street  
 Milwaukee, Wisconsin 53233

We, \_\_\_\_\_  
 (A Corporation)(A Partnership)(An Individual)(Cross Out Inapplicable)

of \_\_\_\_\_  
 Street

\_\_\_\_\_ City State Zip Code

\_\_\_\_\_ Telephone No. Fax Number email address

hereby agree to execute contract and furnish a satisfactory surety bond in the amount specified to complete the above project in strict accordance with Contract Documents dated February 4, 2013.

CONTRACT 1: HVAC Phase IV Renovations

Base Bid: The Work for the sum of:

\_\_\_\_\_ (In words)

\_\_\_\_\_ Dollars \$ \_\_\_\_\_ (In figures)

Miscellaneous Allowance (Add to Base Bid from Section 01210) \$ 90,000.00

**TOTAL BASE BID:** \_\_\_\_\_ (In words)

\_\_\_\_\_ Dollars \$ \_\_\_\_\_ (In figures)

**Alternative #1- Deduct:**

Provide an alternative deduct price to provide all base bid air handling units by a manufacturer other than McQuay. Trane, Carrier, York, and Huntair shall be acceptable manufacturers.

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(In words)

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Dollars \$ \_\_\_\_\_

(In figures)

**Alternative #2- Add:**

Provide an alternative add price to include all work associated with the air handling units on the north side of Mechanical Room 701 (AHU-3S2, AHU-3S4, and AHU-3S6), including demolition, controls, motors, and installation of north roof opening. Note project construction schedule remains unchanged.

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(In words)

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Dollars \$ \_\_\_\_\_

(In figures)

**Alternative #3 Deduct:**

Provide an alternative deduct price to provide all units to be replaced if Alternate #2 Add is accepted (AHU-3S2, AHU-3S4, and AHU-3S6) by a manufacturer other than McQuay. Trane, Carrier, York, and Huntair shall be acceptable manufacturers.

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(In words)

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Dollars \$ \_\_\_\_\_

(In figures)

**ADDENDUM RECEIPT**

We acknowledge the receipt of Addendum \_\_\_\_\_ to \_\_\_\_\_ inclusive.

**BID SECURITY ACCOMPANYING PROPOSAL**

**NOTE! See Instructions to Bidders - Article 9, Bid Security, subparagraph 9.1.1, filing original bid bond.**

The amount and type of bid security is as follows:

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COMMENCEMENT AND COMPLETION OF CONTRACT WORK

The undersigned agrees, if signatory to the Contract, to commence work no later than one calendar week upon receipt of Notice to Proceed and achieve Substantial Completion of the Work within 180 calendar days.

**NOTE! See Document 00800 - Supplementary Conditions – 8.2.3, for Liquidated Damages associated with the contract work.**

**ONLY BIDDERS THAT ATTENDED THE PRIOR MANDATORY PRE-BID MEETING WILL BE ELIGIBLE TO SUBMIT BIDS FOR THIS PROJECT RE-BID. REFER TO DOCUMENT 00250 - PRE-BID MEETING.**

**SUBMIT SPECIAL BID QUALIFICATION SUBMITTALS SPECIFIED IN DOCUMENT 00200 – INSTRUCTIONS TO BIDDERS (ARTICLE 16) TO BE ELIGIBLE FOR AWARD OF CONTRACT.**

BIDDER'S CERTIFICATE - Section 66.0901(7), Wisconsin Statutes

\_\_\_\_\_ certifies that they have examined and carefully prepared this bid from Bid Documents and have checked same in detail before submitting bid to Milwaukee County.

In submitting this bid, the bidder also acknowledges, understands and agrees that the submission of a bid shall commit the bidder to comply with Milwaukee County's requirements as outlined in the Contractor Residency Program provisions. The bidder also agrees to comply with the specific requirements as follows:

The bidder's commitment for the Contractor Residency Program Participation on this project is 50%.

\_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
(Title)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

My commission expires \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

**AFFIDAVIT**

State of \_\_\_\_\_

County of \_\_\_\_\_

\_\_\_\_\_ being duly sworn, deposes and states that  
(Name)

they are the \_\_\_\_\_ of  
(Official Capacity)

\_\_\_\_\_  
(Name of Firm)

and that Contractors Qualification Statement filed with County Clerk on

\_\_\_\_\_ for said firm remains true and correct. I understand that the willful falsification of information may result in a civil or criminal penalty pursuant to Chapter 101 Statutes.

\_\_\_\_\_  
(Signature and Title)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

If a qualification statement has been filed more than 3 years before the opening of this bid, submit a new qualification statement not less than five days before the opening of this bid.

## Disclosure of Ownership

The statutory authority for the use of this form is prescribed in Sections 66.0903(12)(d), 66.0904(10)(d) and 103.49(7)(d), Wisconsin Statutes.

The use of this form is mandatory. The penalty for failing to complete this form is prescribed in Section 103.005(12), Wisconsin Statutes.

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1) (m), Wisconsin Statutes]

- (1) On the date a contractor submits a bid to or completes negotiations with a state agency, local governmental unit, or developer, investor or owner on a project subject to Section 66.0903, 66.0904 or 103.49, Wisconsin Statutes, the contractor shall disclose to such state agency, local governmental unit, or developer, investor or owner, the name of any "other construction business", which the contractor, or a shareholder, officer or partner of the contractor, owns or has owned within the preceding three (3) years.
- (2) The term "other construction business" means any business engaged in the erection, construction, remodeling, repairing, demolition, altering or painting and decorating of buildings, structures or facilities. It also means any business engaged in supplying mineral aggregate, or hauling excavated material or spoil as provided by Sections 66.0903(3), 66.0904(2), 103.49(2) and 103.50(2), Wisconsin Statutes.
- (3) This form must **ONLY** be filed, with the state agency project owner, local governmental unit project owner, or developer, investor or owner of a publicly funded private construction project that will be awarding the contract, if **both (A) and (B) are met**.
  - (A) The contractor, or a shareholder, officer or partner of the contractor:
    - (1) Owns at least a 25% interest in the "other construction business", indicated below, on the date the contractor submits a bid or completes negotiations.
    - (2) Or has owned at least a 25% interest in the "other construction business" at any time within the preceding three (3) years.
  - (B) The Wisconsin Department of Workforce Development (DWD) has determined that the "other construction business" has failed to pay the prevailing wage rate or time and one-half the required hourly basic rate of pay, for

### Other Construction Business

Name of Business			
Street Address or P O Box	City	State	Zip Code
Name of Business			
Street Address or P O Box	City	State	Zip Code
Name of Business			
Street Address or P O Box	City	State	Zip Code
Name of Business			
Street Address or P O Box	City	State	Zip Code

**I hereby state under penalty of perjury that the information, contained in this document, is true and accurate according to my knowledge and belief.**

Print the Name of Authorized Officer			
Signature of Authorized Officer	Date Signed		
Name of Corporation, Partnership or Sole Proprietorship			
Street Address or P O Box	City	State	Zip Code

**If you have any questions call (608) 266-6861**





# COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

## COMMITMENT TO CONTRACT WITH DBE

PROJECT No.: 0038-13450

PROJECT TITLE: Marcus Center Phase IV HVAC Renovations

TOTAL CONTRACT AMOUNT \$ \_\_\_\_\_

DBE Goal: 25%

A	V	Name & Address of DBE(*)	Scope of Work Detailed Description	DBE Contract Amount	% of Total Contract
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____

[\* Separate commitment form must be completed for each DBE firm]

### Bidder/Proposer Commitment

I certify that the DBE firm listed quoted the identified service(s) and cost(s), and acknowledge having contact, and receipt of confirmation, on partnering, pricing and delivery from DBE firm listed herein. Our firm \_\_\_\_\_ (Phone No. \_\_\_\_\_) intends to enter into contract with the DBE firm listed, for the service(s) and amount(s) specified if awarded this contract. A copy of the contract between our firm and that of the named DBE will be submitted directly to CBDDP within seven (7) days from receipt of Notice to Proceed on this contract. The information on this form is true and accurate to the best of my knowledge. I further understand that falsification, fraudulent statement, or misrepresentation will result in appropriate sanctions under applicable Local, State or Federal laws.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name & Title of Authorized Representative

\_\_\_\_\_  
Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

State of \_\_\_\_\_ My Commission expires \_\_\_\_\_

[SEAL]

\* Only firms certified as DBEs (within qualifying NAICS codes) by the State of Wisconsin UCP *prior to bid/proposal opening* shall be credited on this contract

### DBE Affirmation

- I affirm that the State of Wisconsin UCP has certified our company as a DBE, and that our company is currently listed in the State of Wisconsin UCP Directory.
- I acknowledge and accept this commitment to contract with my firm for the service(s) and dollar amount(s) specified herein, as put forth by \_\_\_\_\_
- I understand and accept that this commitment is for service(s) to be rendered in completion of the Milwaukee County project specified herein.

\_\_\_\_\_  
Signature of Authorized DBE Representative

\_\_\_\_\_  
Name & Title of Authorized DBE Representative

\_\_\_\_\_  
Date

FOR CBDDP USE ONLY: (A) \$ \_\_\_\_\_  
(V) \$ \_\_\_\_\_

Total % \_\_\_\_\_

CBDDP APPROVAL:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

## COMMITMENT TO CONTRACT WITH DBE

### ADDITIONAL INFORMATION/REQUIREMENTS:

1. This form is to be completed by the bidder/proposer (Bidder/Proposer Commitment section) and the intended DBE contractor (DBE Affirmation section) for inclusion in the bid/proposal submission.
2. The Directory of Certified DBE firms eligible for credit toward the satisfaction of this project's DBE goal will be found at the following link, and can be searched by Name and/or NAICS code.  
<https://app.mylcm.com/wisdot/Reports/WisDotUCPDirectory.aspx>
3. **ALLOWANCES:** During the course of this project you will be using portions of the allowance, which was initially deducted from your contract when you figured out your DBE requirement. As the allowance is used on the project, it is to be added back into the total contract price. An exception would be if the allowance being used is such that the DBE(s) cannot handle any portion of the work, the total contract amount should remain the same. In this case, it is necessary for the prime contractor/consultant to contact CBDP immediately by phone and provide the dollar amount involved and the reasoning for DBEs not being utilized. In addition, a follow-up letter documenting the information is required.
4. **CHANGE ORDERS:** Any prime contractor/consultant receiving additional work on the contract, e.g., change orders, addendums, etc., is required to increase the amount of DBE participation proportionally. Any time you receive additional work of any type, the prime contractor/consultant is required to contact CBDP.
5. **WRITTEN CONTRACTS WITH DBEs:** CBDP requires that prime contractors/consultants enter into contract, directly or through subcontractors, with the DBE(s) specifying the work to be completed and the dollar amount as indicated in this form. Agreements must be submitted to CBDP within 7 days of receipt of the Notice To Proceed. ***By executing the above affidavit, your company is certifying, under oath, that you have had contact with the named DBE firm(s), that the DBE firm(s) will be hired, and that the DBE firm(s) will participate to the extent indicated in performance of the contract. VIOLATION OF THE TERMS OF THIS AFFIDAVIT IS GROUNDS FOR TERMINATION OF YOUR CONTRACT.***
6. **SUBSTITUTIONS, DBEs FURTHER SUBCONTRACTING WORK, TRUCKING FIRMS:** The prime contractor/consultant must submit written notification of desire for substitution to the DBE affected, and forward a copy to CBDP, specifying the reason for the request. Any DBE so notified has five (5) business days to provide written objection/acceptance to the prime making the notification. The "right to correct" must be afforded any DBE objecting to substitution/termination for less than good cause as determined by CBDP (Refer to 49 CFR §26.53). **Approval must be obtained from CBDP prior to making any substitutions.** DBE contractors are also required to notify and obtain approval from CBDP when further subcontracting out work on this project. In the case of DBE trucking firms, credit will be given for trucks leased from other DBE firms; however, if the DBE leases trucks from non-DBE firms, only the commission or fee will be counted for DBE crediting.
7. **REQUESTS FOR PAYMENT:** Contractor/Consultant must indicate on the Continuation Sheet the work being performed by DBEs by either a) placing the word "DBE" behind the work item or b) breaking out the work done by DBEs at the end of the report. Prime contractor/consultant shall notify DBEs of the date on which they must submit their invoices for payment.
8. **DBE UTILIZATION REPORTS:** A DBE Utilization Report (DBE-16) must be submitted with each request for payment for the period's activity, even if no activity takes place during the period being reported. **Payments will be withheld from all prime contractors/consultants not in compliance.**

If you have any questions or concerns related to Milwaukee County's DBE Program, please contact  
**Mark Phillips / [mark.phillips@milwcnty.com](mailto:mark.phillips@milwcnty.com) / 414.278.5104**

SECTION 01230  
ALTERNATIVES

PART 1 GENERAL

1.1 ALTERNATIVES

- A. Alternatives quoted on Bid Forms will be reviewed and accepted or rejected at the Owner's option and in the Owner's sole discretion up to and including the date the Owner-Contractor Agreement is presented to an identified bidder for signature. The Alternatives selected by the Owner will be identified in the Owner-Contractor Agreement.
- B. Coordinate related work and modify surrounding work as required.
- C. Schedule of Alternatives:
  - 1. Alternative 1: Alternate Air Handling Unit Manufacturers (Base Bid Scope)
    - a) Provide an alternative deduct price to provide all base bid air handling units by a manufacturer other than McQuay. Trane, Carrier, York, and Huntair shall be acceptable manufacturers.
  - 2. Alternative 2: Project Scope Addition
    - a) Provide an alternative add price to include all work associated with the air handling units on the north side of Mechanical Room 701 (AHU-3S2, AHU-3S4, and AHU-3S6), including demolition, controls, motors, and installation of north roof opening. Note project construction schedule remains unchanged.
  - 3. Alternative 3: Alternate Air Handling Unit Manufacturers (Alternate Bid Scope)
    - a) Provide an alternative deduct price to provide all units to be replaced if Alternate #2 Add is accepted (AHU-3S2, AHU-3S4, and AHU-3S6) by a manufacturer other than McQuay. Trane, Carrier, York, and Huntair shall be acceptable manufacturers.

PART 2 PRODUCTS - Not Used.

PART 3 EXECUTION - Not Used.

END OF SECTION