

ABERDEEN MIDDLE SCHOOL  
HVAC SYSTEMIC RENOVATION

**ADDENDUM NO. 3**

DATE: March 21, 2024

ENGINEER: Gipe Associates  
1220 East Joppa Road, Suite 223  
Baltimore, Maryland 21286  
Phone: (410) 832-2420

OWNER: Harford County Public Schools

PROJECT: Aberdeen Middle School  
HVAC Systemic Renovation  
111 Mt. Royal Avenue  
Aberdeen, Maryland 21001  
Gipe Project No. 23043

TO: All Prospective Bidders

The following revisions and responses to questions are made to the original bid documents, dated February 26, 2024. This addendum forms a part of the Contract Documents and modifies the Original Solicitation Documents accordingly and as noted below. Acknowledge receipt of this Addendum in the space provided on the "Addenda" form within the Form of Proposal.

**A. CHANGES TO SPECIFICATIONS**

1. 00 00 02 - TABLE OF CONTENTS  
**Delete Section 10 44 00 FIRE PROTECTION SPECIALTIES.**
2. 00 00 20 - INVITATION TO BID  
**Change the bid date from March 25, 2024 to April 9, 2024.**
3. 00 01 00 - INSTRUCTIONS TO BIDDERS  
**Paragraph 1.1: Change March 25, 2024 to April 9, 2024.**
4. 00 00 03 - LIST OF DRAWINGS  
**Add drawing A103A – ROOF DETAILS.**
5. 00 03 00 FORM OF PROPOSAL  
**See revised Specification section in the attachments**
6. 01 21 00 - ALLOWANCES  
**Paragraph 3.3: Add the following:**  
**Allowance No.2: \$\_\_\_\_\_.** Work associated with the PV relocation by the PV contractor in accordance with the Solar Power Purchase Agreement.
7. 01 23 00 – ALTERNATES  
**Paragraph 3.1: Add the following:**  
**Alternate No.5:**  
**1. Remove the existing 8-inch water service from the downstream side of the proposed water meter to the existing fire hydrant, including the fire hydrant, where the temporary water service is proposed for the modular structure(s) and provide a new 8-inch water service, and fire hydrant including all site work and restoration of**

**existing surfaces. Remove the existing 6-inch water service to the existing fire hydrant, including the fire hydrant, on the northeast side of the building from the proposed 8-inch water service and provide a new 6-inch water service and fire hydrant including all site work and restoration of existing surfaces.**

8. 06 06 60 - MINORITY BUSINESS ENTERPRISE REQUIREMENTS  
**Delete the first page and replace with the page in the attachments in this Addendum.**
9. 07 72 36 AUTOMATIC SMOKE VENTS  
**This specification section didn't get attached per Addendum No.1 therefore it is included in the attachments of this addendum.**
10. 10 44 00 – FIRE PROTECTION SPECIALTIES  
**Delete entire section.**
11. 13 22 00 – MODULAR CLASSROOMS AND BATHROOMS  
**Paragraph 2.1 Change to the following: “The Contractor shall be responsible for any and all pathways, ramps, stairs, and platforms **with canopies** to provide access to all...”**  
  
**The design intent is to have canopies at all entrance/exits of the modular structure(s).**
12. 23 06 00 HEATING, VENTILATING & AIR CONDITIONING EQUIPMENT  
**Paragraph 2.2.A: Add the following. Where using the manufacturer's cant strip is not viable with the existing insulation thickness, provide a field cant strip made of rigid insulation.**
13. 23 30 00 HVAC AIR DISTRIBUTION  
**Paragraph 2.3.C: Delete and add the following:**  
**C. DOUBLE WALL/ or PRE-INSULATED DOUBLE WALL INTERIOR AND EXTERIOR DUCTWORK, ROUND OR RECTANGULAR (UP TO 4-INCHES)**
  1. Ductwork systems shall be equal to Pro-RDuct, or approved equal, pre-assembled, pre-insulated double wall ductwork for interior or exterior applications. Insulation shall be internal to the duct system and shall be minimum R-6 for interior applications and minimum R-8 for exterior applications. Exterior insulation shall not be required. Interior liner shall be perforated.
  2. Ductwork shall be constructed in accordance with SMACNA Standards.
  3. No gluing, caulking or taping shall be required.
  4. Interior applications shall be constructed of a paintable external finish.
  5. Exterior application shall have a standard aluminum embossed cladding (0.040”) in compliance of Kynar 500 AAMA 621-02, E-84.
  6. Applications shall have integrated TDC connections with double gaskets and flange covers (exterior only).
  7. Provide manufacturer's access doors as required.

8. **Provide where indicated on the drawings and where ductwork is exposed.  
Provide for all ductwork located on the roof , even below the air handling units  
or DOAS units.**

14. 23 30 00 HVAC AIR DISTRIBUTION  
**Delete paragraphs 2.24, 2.15, 3.15 and 3.16.**

**B. CHANGES TO DRAWINGS**

1. **CS – PROJECT COVER SHEET  
Add drawing A103A – ROOF DETAILS.**
2. **A103A – ROOF DETAILS  
See attached drawing A103A.**
3. **M704 – DETAILS  
See attached drawing M704.**
4. **M705 – DETAILS  
See attached drawing M705.**
5. **M801 – CONTROLS  
Automatic Controls General Notes:  
Add the following: 10. Provide interlock from the smoke vents doors on the roof  
of the Multi-Purpose Room to the Bas to indicate an alarm condition when the  
vent doors are opened.**
6. **E311 – ROOF PLAN - POWER  
See attached drawing E311.**

**C. RFI QUESTIONS, ANSWERS AND CLARIFICATIONS**

1. At the pre-bid it was mentioned canopies would be required over the doors of the modular entrances. Please confirm.  
**Yes, canopies are required. See this Addendum for additional information.**
2. Please confirm you would like smart panel skirting to be used under the aluminum decks, steps, and ramps. This is not typical.  
**Yes, as indicated in the specification.**
3. Are ramps to be quoted as shown on plan?  
**No. Ramps are part of the Delegated-Design.**
4. What is the assumed soil bearing capacity where the modulares will go?  
**Unknown.**
5. Please provide a target occupancy date.  
**When the contractor will begin construction where swing space is needed. Per the documents that is anticipated October 1<sup>st</sup>.**

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6. There is no Finish Schedule provided in the bid documents. Please clarify the painting scope of work.  
**Painting occurs where the wall type S1 is indicated. Painted surface and rubber base are indicated through drawing 2/A102.**
7. Specification section 32 18 23 is listed in the Table of Contents, but is not included in the specifications, please advise if this specification is applicable to this project.  
**This Specification listing was deleted under Addendum No.1.**
8. Drawing E-502, note 12 states to provide speaker/strobe and pull stations for each modular building and remove after completion of project. Please advise how many modular buildings are there and the existing system being used. Please also advise how many classrooms per modular building.  
**Modular building to have separate independent fire alarm system. No interconnection between the school and/or modular buildings are required.**
9. Please advise the manufacturer of existing panelboards KP-U1, RP-U5, and RP\_U6.  
**These panels are Federal Pacific that are shown to be replaced.**
10. For the main piping 2.5" and larger, can schedule 10 with a COR greater than 1.0 be utilized?  
**No.**
11. Specification Section 10 44 00 – Fire Protection Specialties is provided but no fire extinguisher cabinets are indicated on the drawings. Please Advise.  
**See this Addendum for additional information.**
12. Please clarify what is to be included in the Base Bid in lieu of the laminate glass designated as Alternate No.2.  
**Section 088000 General Glazing:**  
**Base bid shall include glass types IG-1 (north and east facing glass) and IG-2 (south and west facing glass).**  
**Alternate No.2 shall include glass types ILG-1 (north and east facing glass) and ILG-2 (south and west facing glass).**
13. Please clarify cleaning requirements at completion of each phase as no cleaning specification is provided; number of coats of wax, if required, at resilient flooring surfaces, cleaning of furniture when they return to completed space, etc.  
**The contractor isn't required to provide coats of wax on the floors unless they fail to protect them. Refer to Section 01 77 00 CLOSEOUT PROCEDURES for final cleaning.**
14. On Plan Page C111, Note D-12 is not shown on the drawings, there appears to be a typo with Note D-11 between the two athletic fields.  
**The Note D-11 between the two athletic fields should be note D-12.**
15. Can Schedule 40 Thread be used for all pipes 2.0" and smaller.  
**Schedule 40 threaded 2" and smaller maybe used as specified.**
16. On drawing M808 and typical smoke damper detail shows a duct detector and test switch for the smoke damper. I want to know who is responsible for providing the duct detector and test switch? Would this be the mechanical contractor or fire alarm contractor?  
**Mechanical contractor shall provide.**

17. Addendum No.2 Clarification: **Fan Coil Units, change paragraph designation 2.15 to 2.17.**
18. **Note, The Allowance No.2 amount will be provided prior to bidding.**
19. **Note, Alternate No.5 as described in this addendum. Drawings will be issued prior to bidding.**
20. In specification 233000-2.20-E; it states All internal duct lining for low pressure duct systems shall be provided with an interior galvanized perforated liner. Does this mean that all low-pressure ducts shown as lined duct on the drawings will have to have this interior galvanized perforated liner? Please confirm as this will add a big expense to the project.  
**Yes. The only lined ductwork, per the details, within the building, except for the exposed ductwork areas, is within 10 feet of the air handling units or dedicated outdoor air units. Very limited.**
21. In reviewing the details we've not found what's required for the roof duct supports (see attached example). We assume these would be the manufactured type that rest on the existing roof and not flashed in creating more penetrations. Please confirm if these should be cut and flashed into the existing roof, or sit on top the roofing membrane.  
**See this addendum for additional information.**
22. Please provide a room layout drawing for how the modular should be arranged.  
**No. The modular structure(s) are a delegated-design.**
23. Will the modular buildings be required to sit on grade footing, or given the temporary nature of this project, ABS pads will be acceptable?  
**The modular structure(s) are a delegate-design that must meet local code requirements, soil conditions and the requirements of the specification. If the requirements are met, there is no reason for the delegated-design to be denied.**
24. How many students will be occupying the classrooms within the modular? Specs require 850sf per classroom and we want to confirm there will be enough space and be code compliant.  
**The space requirement is adequate for the student occupancy.**
25. In reference to Spec Section 2100505 2.1A#1 Fire Protection Piping – Can schedule 10 with a C.O.R. greater than 1.0 be used for the main piping 2.5" and larger, can schedule 10? Can the piping 2" and smaller be schedule 40 thread?  
**1. Schedule is not allowed.**  
**2. 2" and smaller can be Schedule 40 with threaded fittings.**
26. Spec Section 211003 2.2.F states that the sprinkler heads are to be center of tile. The new grid layout will require additional sprinkler heads and the existing outlets may not be of adequate size to supply the additional heads. Please advise.  
**The Base Bid requires that only the existing sprinkler mains will remain, and they are indicated on the plans. All branch piping throughout the building will be removed and new branch piping and heads will be provided. If new connections to the existing mains are required, they are part of the Base Bid.**
27. On the plans M201 Corridor 101, 137, M203 Corridor 105J-16 and M206 Corridor 204, 235 no mains are shown. For bidding purposes should we assume using existing mains or install new?  
**The existing sprinkler design doesn't have mains in those areas. The bid shall be based on these areas only have sprinkler runout piping that will be completely removed and new**

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**provided. In the area on M206 there was an existing main in the area that had to removed to the other side of the 2hr fire wall to accommodate the new sprinkler zoning.**

**D. ATTACHMENTS**

1. 00 03 00 – FORM OF PROPOSAL
2. 00 06 60 MBE Minority Business Enterprise Requirements page.
3. 07 72 36 AUTOMATIC SMOKE VENTS
4. **A103A** – ROOF DETAILS.
5. **M704** – DETAILS.
6. **M705**– DETAILS.
7. **E311** – ROOF PLAN – POWER.

**END OF ADDENDUM NO. 3**

**SECTION 00 03 00 - FORM OF PROPOSAL**

Proposal of: \_\_\_\_\_ (firm name)

Re: Aberdeen Middle School HVAC Systemic Renovations  
Location: 111 Mt. Royal Ave., Aberdeen, MD 21001

Date: \_\_\_\_\_

To: Board of Education of Harford County  
Harford County Public Schools  
2209 Conowingo Rd.  
Bel Air, Maryland 21015

Gentlemen

Having examined the Instruction to Bidders, the Drawings and the Specification, including Addenda Nos. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, thereto, and other proposed Contract Documents prepared by **Gipe Associates, Inc.** and having examined the site and other conditions affecting the construction, the undersigned hereby proposes to furnish all labor, materials, equipment and services to perform all work required for the **Aberdeen Middle School HVAC Systemic Renovations at Aberdeen Middle School** in strict accordance with the Contract Documents for the sums listed in the following bid items:

It is understood that if no figure is listed for an Alternate, that the Alternate may be accepted and there shall be no change in the Base Bid amount indicated below:

1. BASE BID:

The Lump Sum Base Bid for the site work, ceilings, mechanical, electrical, fire protection, plumbing, fire alarm, lighting, and controls associated with the project including the prevailing wage scale.

Base Bid Work,  
Dollars (\$) \_\_\_\_\_).

2. ALLOWANCES:

Bidder shall include allowance amount in BASE BID.  
Allowances conform to applicable project specification section.

Allowance No.1: **\$200,000.00.** Miscellaneous existing wiring laying on existing ceiling shall be attached

to the existing structure.

Allowance No.2: \_\_\_\_\_. Work associated with the PV relocation by the PV contractor in accordance with the Solar Power Purchase Agreement.

3. ALTERNATE NO.1

The Lump Sum Bid for the Alternate No.1 site work, mechanical, electrical, plumbing and associated automatic temperature controls with the project including the prevailing wage scale.

Alternate No.1 Work,

Dollars (\$ \_\_\_\_\_).

4. ALTERNATE NO.2

The Lump Sum Bid for the Alternate No.2, laminate associated with architectural with the project including the prevailing wage scale.

Alternate No.2 Work,

Dollars (\$ \_\_\_\_\_).

5. ALTERNATE NO.3

The Lump Sum Bid for the Alternate No.3, window sill cladding associated with architectural with the project including the prevailing wage scale.

Alternate No.3 Work,

Dollars (\$ \_\_\_\_\_).

6. ALTERNATE NO.4

The Lump Sum Bid for the Alternate No.4, Fire Protection Mains, four new sprinkler zones with vertical alarm check assemblies including the prevailing wage scale.

Alternate No.4 Work,

Dollars (\$ \_\_\_\_\_).

7. ALTERNATE NO.5

The Lump Sum Bid for the Alternate No.5, New Additional Water Service piping, fire hydrants, required site work and restoration of existing surfaces including the prevailing wage scale.

Alternate No.5 Work,

Dollars (\$ \_\_\_\_\_).



**SUBSTITUTIONS REQUESTS:**

Indicate proposed substitutions below and attach copies of "Substitution Request Form" referenced in Section 01 06 00A.

Proposed SubstitutionPrice Change

_____	\$ _____
_____	\$ _____

**EXECUTION:**

The undersigned affirms that the Base Bid stated above represents the entire cost of the Project in accordance with the Bid Documents and that no claim shall be made on account of any increase in wage, scales, material prices, taxes, insurance, cost indexes, or any other rate affecting the construction industry and/or this project.

The undersigned agrees, upon receipt of written notice of the acceptance of this bid within (60) calendar days after the date of opening of bids to execute the standard form of contract in accordance with the bid as accepted, and to give performance and payment bond with good and sufficient surety or sureties, for the faithful performance of the contract and for the protection of all persons supplying labor and materials in the prosecution of the work, within ten (10) calendar days after the prescribed forms are presented for signature.

Signature of:

X \_\_\_\_\_  
Bidder if the bidder is an individual

\_\_\_\_\_  
Name and Title (printed)

Registered Maryland Contractor No. \_\_\_\_\_

**OR**

X \_\_\_\_\_  
Partner if the bidder is a partnership

\_\_\_\_\_  
Name and Title (printed)

Registered Maryland Contractor No. \_\_\_\_\_

FORM OF PROPOSAL

00 03 00 - 3

Bid Documents

February 26, 2024

Addendum No.3-March 20, 2024

**OR**

X \_\_\_\_\_  
Officer if bidder is a corporation

\_\_\_\_\_  
Name and Title (printed)

Registered Maryland Contractor No. \_\_\_\_\_

**ALL**

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

X \_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

NOTE: The following items shall be completed and submitted as attachments to the Bid at the time of the Bid opening:

- \*☐1. Section 00 05 00 Bid Bond
- \*☐2. Section 00 06 60 MBE Attachment D-1A; MBE Utilization and Fair Solicitation Affidavit and MBE Participation Schedule
- ☐3. Section 00 06 30 Affidavit of Qualification to Bid

**\*NOTE: Item 1 must be submitted in proper form and content at the time of bid opening or the bid will be rejected as non-responsive.**

**END OF SECTION**

**MINORITY BUSINESS ENTERPRISE REQUIREMENTS****SECTION 06 06 60 - MINORITY BUSINESS ENTERPRISE REQUIREMENTS**

Minority Business Enterprises are encouraged to respond to the invitation.

Minority Business Enterprise documentation is required for this project.

It is the intent of Harford County Public Schools to actively participate in the achievement of the MBE participation requirement contained herein. The contractor or suppliers who provide materials, supplies, equipment, and/or services for this project shall attempt to achieve a **minimum percent as noted below**. The bidder may use the Maryland Department of Transportation web site ([www.mdot.state.md.us](http://www.mdot.state.md.us)) to help locate Maryland Department of Transportation certified Minority Business Enterprises.

The bidder or offeror shall submit with its bid or proposal a completed “**MBE Utilization and Fair Solicitation Affidavit & MBE Participation Schedule**” (Attachment D-1A) that identifies the bidder or offeror’s specific commitment of certified minority business and certifies it made a good faith effort to achieve the goal established in the solicitation. The MBE Participation Schedule shall include the name of each certified MBE that will participate in the project including its respective MBE classification, and shall include the items of work to be performed or furnished and the committed price or the percentage of the contract to be paid to each MBE for the work or supply.

The failure of a bidder to complete and submit all of the required forms as required by the MBE procedures dated February 5, 2021, shall result in a determination that the bid is not responsive.

**Note: The contract goals for various package bids shall be:**

<b><u>Package</u></b>	<b><u>MBE Goal Percentage</u></b>
<b>ALL</b>	25% Overall
	8% African-American Owned
	11% Women Owned

Minority Business Enterprise Requirements

Harford County Public Schools

<b>Attachment D. Minority Business Enterprise (MBE) Forms</b>
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**D-1A**  
**MBE UTILIZATION AND FAIR SOLICITATION AFFIDAVIT**  
**& MBE PARTICIPATION SCHEDULE**

**PART 1 - INSTRUCTIONS**

*PLEASE READ BEFORE COMPLETING THIS DOCUMENT*

**This form includes Instructions and the MBE Utilization and Fair Solicitation Affidavit & MBE Participation Schedule which must be submitted with the bid/proposal. If the bidder/offeree fails to accurately complete and submit this Affidavit and Schedule with the bid or proposal, the Procurement Officer shall deem the bid non-responsive or shall determine that the proposal is not reasonably susceptible of being selected for award unless the inaccuracy is determined to be the result of a minor irregularity that is waived or cured in accordance with COMAR 21.06.02.04.**

1. Contractor shall structure its procedures for the performance of the work required in this Contract to attempt to achieve the minority business enterprise (MBE) subcontractor participation goal stated in the Invitation for Bids or Request for Proposals. Contractor agrees to exercise good faith efforts to carry out the requirements set forth in these Instructions, as authorized by the Code of Maryland Regulations (COMAR) 21.11.03.
2. MBE Goals and Subgoals: Please review the solicitation for information regarding the Contract's MBE overall participation goals and subgoals. After satisfying the requirements for any established subgoals, the Contractor is encouraged to use a diverse group of subcontractors and suppliers from the various MBE classifications to meet the remainder of the overall MBE participation goal.
3. MBE means a minority business enterprise that is certified by the Maryland Department of Transportation ("MDOT"). Only MBEs certified by MDOT may be counted for purposes of achieving the MBE participation goals. In order to be counted for purposes of achieving the MBE participation goals, the MBE firm, including a MBE prime, must be MDOT-certified for the services, materials or supplies that it is committed to perform on the MBE Participation Schedule. A firm whose MBE certification application is pending may not be counted.
4. Please refer to the MDOT MBE Directory at <https://mbe.mdot.maryland.gov/directory/> to determine if a firm is certified with the appropriate North American Industry Classification System ("NAICS") Code and the product/services description (specific product that a firm is certified to provide or specific areas of work that a firm is certified to perform). For more general information about NAICS codes, please visit <https://www.census.gov/eos/www/naics/>. Only those specific products and/or services for which a firm is certified in the MDOT Directory can be used for purposes of achieving the MBE participation goals. **CAUTION:** If the firm's NAICS Code is in graduated status, such services/products may not be counted for purposes of achieving the MBE participation goals. A NAICS Code is in the graduated status if the term "Graduated" follows the Code in the MDOT MBE Directory.
5. **Guidelines Regarding MBE Prime Self-Performance.** Please note that when a certified MBE firm participates as a prime contractor on a Contract, a procurement agency may count the distinct, clearly defined portion of the work of the Contract that the certified MBE firm performs with its own workforce toward fulfilling up to, but no more than, fifty-percent (50%) of the overall

MBE participation goal, including up to one hundred percent (100%) of not more than one of the MBE participation subgoals, if any, established for the Contract.

- ✓ In order to receive credit for self-performance, an MBE prime must be certified in the appropriate NAICS code to do the work and must list its firm in the MBE Participation Schedule, including the certification category under which the MBE prime is self-performing and include information regarding the work it will self-perform.
  - ✓ For the remaining portion of the overall goal and the remaining subgoals, the MBE prime must also identify on the MBE Participation Schedule the other certified MBE subcontractors used to meet those goals or request a waiver.
  - ✓ These guidelines apply to the work performed by the MBE Prime that can be counted for purposes of meeting the MBE participation goals. These requirements do not affect the MBE Prime's ability to self-perform a greater portion of the work in excess of what is counted for purposes of meeting the MBE participation goals.
  - ✓ Please note that the requirements to meet the MBE participation overall goal and subgoals are distinct and separate. If the contract has subgoals, regardless of MBE Prime's ability to self-perform up to 50% of the overall goal (including up to 100% of any subgoal), the MBE Prime must either commit to use other MBEs for each of any remaining subgoals or request a waiver. As set forth in Attachment 1-B Waiver Guidance, the MBE Prime's ability to self-perform certain portions of the work of the Contract will not be deemed a substitute for the good faith efforts to meet any remaining subgoal or the balance of the overall goal.
  - ✓ In certain instances where the percentages allocated to MBE participation subgoals add up to more than 50% of the overall goal, the portion of self-performed work that an MBE Prime may count toward the overall goal may be limited to less than 50%. Please refer to the Governor's Office of Small Minority & Women Business Affairs' website for the MBE Prime Regulations Q&A for illustrative examples.  
[http://www.goMDsmallbiz.maryland.gov/Documents/MBE\\_Toolkit/MBEPrimeRegulation\\_QA.pdf](http://www.goMDsmallbiz.maryland.gov/Documents/MBE_Toolkit/MBEPrimeRegulation_QA.pdf)
6. Subject to items 1 through 5 above, when a certified MBE performs as a participant in a joint venture, a procurement agency may count a portion of the total dollar value of the Contract equal to the distinct, clearly-defined portion of the work of the Contract that the certified MBE performs with its own forces toward fulfilling the Contract goal, and not more than one of the Contract subgoals, if any.
7. The work performed by a certified MBE firm, including an MBE prime, can only be counted towards the MBE participation goal(s) if the MBE firm is performing a commercially useful function on the Contract. Please refer to COMAR 21.11.03.12-1 for more information regarding these requirements.
8. **Materials and Supplies: New Guidelines Regarding MBE Participation.**
- ✓ Regular Dealer (generally identified as a wholesaler or supplier in the MDOT Directory): Up to 60% of the costs of materials and supplies provided by a certified MBE may be counted towards the MBE participation goal(s) if such MBE is a Regular Dealer of such materials and supplies. Regular Dealer is defined as a firm that owns, operates, or maintains a store, a warehouse, or any other establishment in which the materials, supplies, articles, or equipment are of the general character described by the specifications required under the contract and are bought, kept in stock, or regularly sold or leased to the

public in the usual course of business; and does not include a packager, a broker, a manufacturer's representative, or any other person that arranges or expedites transactions.

*Example for illustrative purposes of applying the 60% rule:*

*Overall contract value: \$2,000,000*

*Total value of supplies: \$100,000*

*Calculate Percentage of Supplies to overall contract value: \$100,000 divided by \$2,000,000 = 5%*

***Apply 60% Rule - Total percentage of Supplies/Products 5% x 60% = 3%***

***3% would be counted towards achieving the MBE Participation Goal and Subgoal, if any, for the MBE supplier in this example.***

- ✓ **Manufacturer:** A certified MBE firm's participation may be counted in full if the MBE is certified in the appropriate NAICS code(s) to provide products and services as a manufacturer.
  - ✓ **Broker:** With respect to materials or supplies purchased from a certified MBE that is neither a manufacturer nor a regular dealer, a unit may apply the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, fees, or transportation charges for the delivery of materials and supplies required on a procurement toward the MBE contract goals, provided a unit determines the fees to be reasonable and not excessive as compared with fees customarily allowed for similar services. A unit may not apply any portion of the costs of the materials and supplies toward MBE goals.
  - ✓ **Furnish and Install and other Services:** The participation of a certified MBE supplier, wholesaler, and/or regular dealer certified in the proper NAICS code(s) to furnish and install materials necessary for successful contract completion may be counted in full. Includes the participation of other MBE service providers in the proper NAICS code(s) may be counted in full.
9. **Dually certified firms.** An MBE that is certified in more than one subgroup category may only be counted toward goal fulfillment of ONE of those categories with regard to a particular contract.
- Example: A woman-owned Hispanic American (dually certified) firm may be used to fulfill the women-owned OR Hispanic American subgoal, but not both on the same contract.*
10. **CAUTION:** The percentage of MBE participation, computed using the percentage amounts determined for all of the MBE firms listed in PART 3, MUST meet or exceed the MBE participation goal and subgoals (if applicable) as set forth in PART 2- for this solicitation. If a bidder/offeror is unable to meet the MBE participation goal or any subgoals (if applicable), then the bidder/offeror must request a waiver in PART 2 or the bid will be deemed not responsive, or the proposal not reasonably susceptible of being selected for award. You may wish to use the attached Goal/Subgoal Worksheet to assist in calculating the percentages and confirming that your commitment meets or exceeds the applicable MBE participation goal and subgoals (if any).

11. If you have any questions as to whether a firm is certified to perform the specific services or provide specific products, please contact MDOT's Office of Minority Business Enterprise at 1-

800-544-6056 or via email to [mbe@mdot.state.md.us](mailto:mbe@mdot.state.md.us) sufficiently prior to the submission due date.

### **Subgoals (if applicable)**

Total African American MBE Participation:	_____ %
Total Asian American MBE Participation:	_____ %
Total Hispanic American MBE Participation:	_____ %
Total Women-Owned MBE Participation:	_____ %

### **Overall Goal**

Total MBE Participation (include all categories):	_____ %
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## **PART 2 - MBE UTILIZATION AND FAIR SOLICITATION AFFIDAVIT & MBE PARTICIPATION SCHEDULE**

**This MBE Utilization and Fair Solicitation Affidavit and MBE Participation Schedule must be completed in its entirety and included with the bid/proposal. If the bidder/offeror fails to accurately complete and submit this Affidavit and Schedule with the bid or proposal as required, the Procurement Officer shall deem the bid non-responsive or shall determine that the proposal is not reasonably susceptible of being selected for award.**

In connection with the bid/proposal submitted in response to Solicitation No. \_\_\_\_\_,  
I affirm the following:

1. **MBE Participation (PLEASE CHECK ONLY ONE)**

☐ I acknowledge and intend to meet IN FULL both the overall certified Minority Business Enterprise (MBE) participation goal of \_\_\_\_\_ percent and all of the following subgoals:

- \_\_\_\_\_ percent for African American-owned MBE firms
- \_\_\_\_\_ percent for Hispanic American-owned MBE firms
- \_\_\_\_\_ percent for Asian American-owned MBE firms
- \_\_\_\_\_ percent for Women-owned MBE firms

Therefore, I am not seeking a waiver pursuant to COMAR 21.11.03.11. I acknowledge that by checking the above box and agreeing to meet the stated goal and subgoal(s), if any, I **must** complete PART 3 - MBE Participation Schedule and Part 4 Signature Page in order to be considered for award.

### **OR**

☐ After making good faith outreach efforts prior to making this submission, I conclude that I am unable to achieve the MBE participation goal and/or subgoals. I hereby request a waiver, in whole or in part, of the overall goal and/or subgoals I acknowledge that by checking this box and requesting a partial waiver of the stated goal and/or one or more of the stated subgoal(s) if any, I **must** complete Part 3, the MBE Participation Schedule and Part 4 Signature Page for the portion of the goal and/or subgoal(s) if any, for which I am not seeking a waiver, in order to be considered for award. I acknowledge that by checking this box and requesting a full waiver of the stated goal and the stated subgoal(s) if any, I **must** complete Part 4 Signature Page in order to be considered for award.



### **Additional MBE Documentation**

I understand that if I am notified that I am the apparent awardee or as requested by the Procurement Officer, I must submit the following documentation within 10 working days of receiving notice of the potential award or from the date of conditional award (per COMAR 21.11.03.10), whichever is earlier:

- (a) Good Faith Efforts Documentation to Support Waiver Request (Attachment D-1C)
- (b) Outreach Efforts Compliance Statement (Attachment D-2);
- (c) MBE Subcontractor/MBE Prime Project Participation Statement (Attachments D-3A and 3B);
- (d) Any other documentation, including additional waiver documentation if applicable, required by the Procurement Officer to ascertain bidder or offeror responsibility in connection with the certified MBE participation goal and subgoals, if any.

I understand that if I fail to return each completed document within the required time, the Procurement Officer may determine that I am not responsible and therefore not eligible for contract award. If the contract has already been awarded, the award is voidable.

### **Information Provided to MBE firms**

In the solicitation of subcontract quotations or offers, MBE firms were provided not less than the same information and amount of time to respond as were non-MBE firms.

### PART 3 - MBE PARTICIPATION SCHEDULE

ORIGINAL

This document must be included with the bid or offer. If the bidder or offeror fails to submit this form with the bid or offer as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award.

1. Prime Contractor's Name		2. Prime Contractor's Address/Telephone Number	
3. Project/School Name		4. Project/School Location	
5. LEA Name: Harford County Schools		6. Base Bid Amount                 \$	
PSC Number:		Acceptance Alternates                 \$	
		Total     \$	
<p>7a.</p> <div style="display: flex; justify-content: space-between;"> <div> Minority Firm Name: _____  Minority Firm Address: _____  MDOT Firm Certification Number: _____  <input type="checkbox"/> African American    <input type="checkbox"/> Asian American    <input type="checkbox"/> Native American    <input type="checkbox"/> Women    <input type="checkbox"/> Hispanic    <input type="checkbox"/> Disabled </div> <div> Telephone Number: _____  NAICS Code: _____ </div> </div>			
Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount                 Participation Amount
MDOT Certified Firm	100%	%	\$                 \$
MDOT Certified Prime Contractor	50% of established goal    OR	%	\$                 \$
	100% of one subgroup contract subgoal	%	
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$                 \$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$                 \$
<p>7b.</p> <div style="display: flex; justify-content: space-between;"> <div> Minority Firm Name: _____  Minority Firm Address: _____  MDOT Firm Certification Number: _____  <input type="checkbox"/> African American    <input type="checkbox"/> Asian American    <input type="checkbox"/> Native American    <input type="checkbox"/> Women    <input type="checkbox"/> Hispanic    <input type="checkbox"/> Disabled </div> <div> Telephone Number: _____  NAICS Code: _____ </div> </div>			
Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount                 Participation Amount
MDOT Certified Firm	100%	%	\$                 \$
MDOT Certified Prime Contractor	50% of established goal    OR	%	\$                 \$
	100% of one subgroup contract subgoal	%	
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$                 \$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$                 \$

### PART 3 - MBE PARTICIPATION SCHEDULE

ORIGINAL

This document must be included with the bid or offer. If the bidder or offeror fails to submit this form with the bid or offer as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award.

7c.

Minority Firm Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Minority Firm Address: \_\_\_\_\_

NAICS Code: \_\_\_\_\_

MDOT Firm Certification Number: \_\_\_\_\_

☐ African American   ☐ Asian American   ☐ Native American   ☐ Women   ☐ Hispanic   ☐ Disabled

Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount	Participation Amount
MDOT Certified Firm	100%	%	\$	\$
MDOT Certified Prime Contractor	50% of established goal   OR 100% of one subgroup contract subgoal	% %	\$	\$
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$	\$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$	\$

7d.

Minority Firm Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Minority Firm Address: \_\_\_\_\_

NAICS Code: \_\_\_\_\_

MDOT Firm Certification Number: \_\_\_\_\_

☐ African American   ☐ Asian American   ☐ Native American   ☐ Women   ☐ Hispanic   ☐ Disabled

Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount	Participation Amount
MDOT Certified Firm	100%	%	\$	\$
MDOT Certified Prime Contractor	50% of established goal   OR 100% of one subgroup contract subgoal	% %	\$	\$
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$	\$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$	\$

### PART 3- MBE PARTICIPATION SCHEDULE

ORIGINAL

This document must be included with the bid or offer. If the bidder or offeror fails to submit this form with the bid or offer as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award.

7e.

Minority Firm Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Minority Firm Address: \_\_\_\_\_

NAICS Code: \_\_\_\_\_

MDOT Firm Certification Number: \_\_\_\_\_

☐ African American   ☐ Asian American   ☐ Native American   ☐ Women   ☐ Hispanic   ☐ Disabled

Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount	Participation Amount
MDOT Certified Firm	100%	%	\$	\$
MDOT Certified Prime Contractor	50% of established goal   OR	%	\$	\$
	100% of one subgroup contract subgoal	%		
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$	\$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$	\$

7f

Minority Firm Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Minority Firm Address: \_\_\_\_\_

NAICS Code: \_\_\_\_\_

MDOT Firm Certification Number: \_\_\_\_\_

☐ African American   ☐ Asian American   ☐ Native American   ☐ Women   ☐ Hispanic   ☐ Disabled

Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount	Participation Amount
MDOT Certified Firm	100%	%	\$	\$
MDOT Certified Prime Contractor	50% of established goal   OR	%	\$	\$
	100% of one subgroup contract subgoal	%		
MDOT Certified Supplier, Wholesaler and Regular Dealer	60%	%	\$	\$
MDOT Certified Broker	Count Reasonable Fee/Commission Only	%	\$	\$

#### 8. Reviewed and Accepted by Board of Education MBE Liaison

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Total MBE Participation:	\$	_____	_____	%
Total African-American MBE Participation:	\$	_____	_____	%
Total Women MBE Participation:	\$	_____	_____	%
Total Other MBE Participation:	\$	_____	_____	%

**PART 4 – SIGNATURE PAGE**

**To complete Affidavit committing to MBE(s) or requesting waiver,  
Bidder/Offeror must sign below:**

**I solemnly affirm under the penalties of perjury that: (i) I have reviewed the instructions for the MBE Utilization & Fair Solicitation Affidavit and MBE Schedule, and (ii) the information contained in the MBE Utilization & Fair Solicitation Affidavit and MBE Schedule is true to the best of my knowledge, information and belief.**

\_\_\_\_\_  
Bidder/Offeror Name  
(PLEASE PRINT OR TYPE)

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

\_\_\_\_\_  
Address

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Date

**SUBMIT THIS AFFIDAVIT WITH BID/PROPOSAL**

## D-1B WAIVER GUIDANCE

### GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET MBE PARTICIPATION GOALS

In order to show that it has made good faith efforts to meet the Minority Business Enterprise (MBE) participation goal (including any MBE subgoals) on a contract, the Offeror must either (1) meet the MBE Goal(s) and document its commitments for participation of MBE Firms, or (2) when it does not meet the MBE Goal(s), document its Good Faith Efforts to meet the goal(s).

#### I. Definitions

**MBE Goal(s)** – “MBE Goal(s)” refers to the MBE participation goal and MBE participation subgoal(s).

**Good Faith Efforts** - The “Good Faith Efforts” requirement means that when requesting a waiver, the Offeror must demonstrate that it took all necessary and reasonable steps to achieve the MBE Goal(s), which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient MBE participation, even if those steps were not fully successful. Whether the Offeror that requests a waiver made adequate good faith efforts will be determined by considering the quality, quantity, and intensity of the different kinds of efforts that the Offeror has made. The efforts employed by the Offeror should be those that one could reasonably expect the Offeror to take if the Offeror were actively and aggressively trying to obtain MBE participation sufficient to meet the MBE contract goal and subgoals. Mere *pro forma* efforts are not good faith efforts to meet the MBE contract requirements. The determination concerning the sufficiency of the Offeror's good faith efforts is a judgment call; meeting quantitative formulas is not required.

**Identified Firms** – “Identified Firms” means a list of the MBEs identified by the procuring agency during the goal setting process and listed in the procurement as available to perform the Identified Items of Work. It also may include additional MBEs identified by the Offeror as available to perform the Identified Items of Work, such as MBEs certified or granted an expansion of services after the procurement was issued. If the procurement does not include a list of Identified Firms, this term refers to all of the MBE Firms (if State-funded) the Offeror identified as available to perform the Identified Items of Work and should include all appropriately certified firms that are reasonably identifiable.

**Identified Items of Work** – “Identified Items of Work” means the Proposal items identified by the procuring agency during the goal setting process and listed in the procurement as possible items of work for performance by MBE Firms. It also may include additional portions of items of work the Offeror identified for performance by MBE Firms to increase the likelihood that the MBE Goal(s) will be achieved. If the procurement does not include a list of Identified Items of Work, this term refers to all of the items of work the Offeror identified as possible items of work for performance by MBE Firms and should include all reasonably identifiable work opportunities.

**MBE Firms** – “MBE Firms” refers to firms certified by the Maryland Department of Transportation (“MDOT”) under COMAR 21.11.03. Only MDOT-certified MBE Firms can participate in the State's MBE Program.

#### II. Types of Actions Agency will Consider

The Offeror is responsible for making relevant portions of the work available to MBE subcontractors and suppliers and select those portions of the work or material needs consistent with the available MBE subcontractors and suppliers, so as to facilitate MBE participation. The following is a list of types of actions the procuring agency will consider as part of the Offeror's Good Faith Efforts when the Offeror fails to meet the MBE Goal(s). This list is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

##### A. Identify Proposal Items as Work for MBE Firms

###### 1. Identified Items of Work in Procurements

- (a) Certain procurements will include a list of Proposal items identified during the goal setting process as possible work for performance by MBE Firms. If the procurement provides a list of Identified Items of Work, the Offeror shall make all reasonable efforts to solicit quotes from MBE Firms to perform that work.
- (b) Offerors may, and are encouraged to, select additional items of work to be performed by MBE Firms to increase the likelihood that the MBE Goal(s) will be achieved.

###### 2. Identified Items of Work by Offerors

- (a) When the procurement does not include a list of Identified Items of Work or for additional Identified Items of Work, Offerors should reasonably identify sufficient items of work to be performed by MBE Firms.

- (b) Where appropriate, Offerors should break out contract work items into economically feasible units to facilitate MBE participation, rather than perform these work items with their own forces. The ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the Offeror of the responsibility to make Good Faith Efforts.

**B. Identify MBE Firms to Solicit**

**1. MBE Firms Identified in Procurements**

- (a) Certain procurements will include a list of the MBE Firms identified during the goal setting process as available to perform the items of work. If the procurement provides a list of Identified MBE Firms, the Offeror shall make all reasonable efforts to solicit those MBE firms.
- (b) Offerors may, and are encouraged to, search the MBE Directory to identify additional MBEs who may be available to perform the items of work, such as MBEs certified or granted an expansion of services after the solicitation was issued.

**2. MBE Firms Identified by Offerors**

- (a) When the procurement does not include a list of Identified MBE Firms, Offerors should reasonably identify the MBE Firms that are available to perform the Identified Items of Work.
- (b) Any MBE Firms identified as available by the Offeror should be certified to perform the Identified Items of Work.

**C. Solicit MBEs**

**1. Solicit all Identified Firms for all Identified Items of Work by providing written notice. The Offeror should:**

- (a) provide the written solicitation at least 10 days prior to Proposal opening to allow sufficient time for the MBE Firms to respond;
- (b) send the written solicitation by first-class mail, facsimile, or e-mail using contact information in the MBE Directory, unless the Offeror has a valid basis for using different contact information; and
- (c) provide adequate information about the plans, specifications, anticipated time schedule for portions of the work to be performed by the MBE, and other requirements of the contract to assist MBE Firms in responding. (This information may be provided by including hard copies in the written solicitation or by electronic means as described in C.3 below.)

**2. “All” Identified Firms includes the MBEs listed in the procurement and any MBE Firms you identify as potentially available to perform the Identified Items of Work, but it does not include MBE Firms who are no longer certified to perform the work as of the date the Offeror provides written solicitations.**

**3. “Electronic Means” includes, for example, information provided *via* a website or file transfer protocol (FTP) site containing the plans, specifications, and other requirements of the contract. If an interested MBE cannot access the information provided by electronic means, the Offeror must make the information available in a manner that is accessible to the interested MBE.**

**4. Follow up on initial written solicitations by contacting MBEs to determine if they are interested. The follow up contact may be made:**

- (a) by telephone using the contact information in the MBE Directory, unless the Offeror has a valid basis for using different contact information; or
- (b) in writing *via* a method that differs from the method used for the initial written solicitation.

**5. In addition to the written solicitation set forth in C.1 and the follow up required in C.4, use all other reasonable and available means to solicit the interest of MBE Firms certified to perform the work of the contract. Examples of other means include:**

- (a) attending any pre-Proposal meetings at which MBE Firms could be informed of contracting and subcontracting opportunities; and
- (b) if recommended by the procurement, advertising with or effectively using the services of at least two minority focused entities or media, including trade associations, minority/women community organizations, minority/women contractors' groups, and local, state, and federal minority/women business assistance offices listed on the MDOT Office of Minority Business Enterprise website.

#### **D: Negotiate with Interested MBE Firms**

Offerors must negotiate in good faith with interested MBE Firms.

1. Evidence of negotiation includes, without limitation, the following:
  - (a) the names, addresses, and telephone numbers of MBE Firms that were considered;
  - (b) a description of the information provided regarding the plans and specifications for the work selected for subcontracting and the means used to provide that information; and
  - (c) evidence as to why additional agreements could not be reached for MBE Firms to perform the work.
2. The Offeror using good business judgment would consider a number of factors in negotiating with subcontractors, including MBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration.
3. The fact that there may be some additional costs involved in finding and using MBE Firms is not in itself sufficient reason for the Offeror's failure to meet the contract MBE goal(s), as long as such costs are reasonable. Factors to take into consideration when determining whether an MBE Firm's quote is excessive or unreasonable include, without limitation, the following:
  - (a) dollar difference between the MBE subcontractor's quote and the average of the other subcontractors' quotes received by the Offeror;
  - (b) percentage difference between the MBE subcontractor's quote and the average of the other subcontractors' quotes received by the Offeror;
  - (c) percentage that the MBE subcontractor's quote represents of the overall contract amount;
  - (d) number of MBE firms that the Offeror solicited for that portion of the work;
  - (e) whether the work described in the MBE and Non-MBE subcontractor quotes (or portions thereof) submitted for review is the same or comparable; and
  - (f) number of quotes received by the Offeror for that portion of the work.
4. The above factors are not intended to be mandatory, exclusive, or exhaustive, and other evidence of an excessive or unreasonable price may be relevant.
5. The Offeror may not use its price for self-performing work as a basis for rejecting an MBE Firm's quote as excessive or unreasonable.
6. The "average of the other subcontractors' quotes received" by the Offeror refers to the average of the quotes received from all subcontractors. Offeror should attempt to receive quotes from at least three subcontractors, including one quote from an MBE and one quote from a Non-MBE.
7. The Offeror shall not reject an MBE Firm as unqualified without sound reasons based on a thorough investigation of the firm's capabilities. For each certified MBE that is rejected as unqualified or that placed a subcontract quotation or offer that the Offeror concludes is not acceptable, the Offeror must provide a written detailed statement listing the reasons for this conclusion. The Offeror also must document the steps taken to verify the capabilities of the MBE and Non-MBE Firms quoting similar work.
  - (a) The factors to take into consideration when assessing the capabilities of an MBE Firm, include, but are not limited to the following: financial capability, physical capacity to perform, available personnel and equipment, existing workload, experience performing the type of work, conduct and performance in previous contracts, and ability to meet reasonable contract requirements.
  - (b) The MBE Firm's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of Proposals in the efforts to meet the project goal.

#### **E. Assisting Interested MBE Firms**

When appropriate under the circumstances, the decision-maker will consider whether the Offeror made reasonable efforts to assist interested MBE Firms in obtaining:

1. The bonding, lines of credit, or insurance required by the procuring agency or the Offeror; and
2. Necessary equipment, supplies, materials, or related assistance or services.



### III. Other Considerations

In making a determination of Good Faith Efforts the decision-maker may consider engineering estimates, catalogue prices, general market availability and availability of certified MBE Firms in the area in which the work is to be performed, other Proposals or offers and subcontract Proposals or offers substantiating significant variances between certified MBE and Non-MBE costs of participation, and their impact on the overall cost of the contract to the State and any other relevant factors.

The decision-maker may take into account whether the Offeror decided to self-perform subcontract work with its own forces, especially where the self-performed work is Identified Items of Work in the procurement. The decision-maker also may take into account the performance of other Offerors in meeting the contract. For example, when the apparent successful Offeror fails to meet the contract goal, but others meet it, this reasonably raises the question of whether, with additional reasonable efforts, the apparent successful Offeror could have met the goal. If the apparent successful Offeror fails to meet the goal, but meets or exceeds the average MBE participation obtained by other Offerors, this, when viewed in conjunction with other factors, could be evidence of the apparent successful Offeror having made Good Faith Efforts.

### IV. Documenting Good Faith Efforts

At a minimum, the Offeror seeking a waiver of the MBE Goal(s) or a portion thereof must provide written documentation of its Good Faith Efforts, in accordance with COMAR 21.11.03.11, within 10 Business Days after receiving notice that it is the apparent awardee. The written documentation shall include the following:

#### A. Items of Work (Complete Good Faith Efforts Documentation Attachment D-1C, Part 1)

A detailed statement of the efforts made to select portions of the work proposed to be performed by certified MBE Firms in order to increase the likelihood of achieving the stated MBE Goal(s).

#### B. Outreach/Solicitation/Negotiation

1. The record of the Offeror's compliance with the outreach efforts prescribed by COMAR 21.11.03.09C(2)(a). **(Complete Outreach Efforts Compliance Statement - D-2).**
2. A detailed statement of the efforts made to contact and negotiate with MBE Firms including:
  - (a) the names, addresses, and telephone numbers of the MBE Firms who were contacted, with the dates and manner of contacts (letter, fax, e-mail, telephone, etc.) **(Complete Good Faith Efforts Attachment D-1C- Part 2, and submit letters, fax cover sheets, e-mails, etc. documenting solicitations);** and
  - (b) a description of the information provided to MBE Firms regarding the plans, specifications, and anticipated time schedule for portions of the work to be performed and the means used to provide that information.

#### C. Rejected MBE Firms (Complete Good Faith Efforts Attachment D-1C, Part 3)

1. For each MBE Firm that the Offeror concludes is not acceptable or qualified, a detailed statement of the reasons for the Offeror's conclusion, including the steps taken to verify the capabilities of the MBE and Non-MBE Firms quoting similar work.
2. For each certified MBE Firm that the Offeror concludes has provided an excessive or unreasonable price, a detailed statement of the reasons for the Offeror's conclusion, including the quotes received from all MBE and Non-MBE firms proposing on the same or comparable work. **(Include copies of all quotes received.)**
3. A list of MBE Firms contacted but found to be unavailable. This list should be accompanied by an MBE Unavailability Certificate (see **D-1B - Exhibit A** to this Part 1) signed by the MBE contractor or a statement from the Offeror that the MBE contractor refused to sign the MBE Unavailability Certificate.

#### D. Other Documentation

1. Submit any other documentation requested by the Procurement Officer to ascertain the Offeror's Good Faith Efforts.
2. Submit any other documentation the Offeror believes will help the Procurement Officer ascertain its Good Faith Efforts.

**D-1B - Exhibit A**  
**MBE Subcontractor Unavailability Certificate**

1. It is hereby certified that the firm of \_\_\_\_\_  
(Name of Minority firm)  
located at \_\_\_\_\_  
(Number) (Street)  
\_\_\_\_\_  
(City) (State) (Zip)

was offered an opportunity to bid on Solicitation No. \_\_\_\_\_  
in \_\_\_\_\_ County by \_\_\_\_\_  
(Name of Prime Contractor's Firm)

\*\*\*\*\*

2. \_\_\_\_\_ (Minority Firm), is either unavailable for the work/service or unable to prepare a  
Proposal for this project for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

\_\_\_\_\_  
(Signature of Minority Firm's MBE Representative) (Title) (Date)

\_\_\_\_\_  
(MDOT Certification #) (Telephone #)

\*\*\*\*\*

3. To be completed by the prime contractor if Section 2 of this form is not completed by the minority firm.  
To the best of my knowledge and belief, said Certified Minority Business Enterprise is either unavailable for the  
work/service for this project, is unable to prepare a Proposal, or did not respond to a request for a price Proposal and has  
not completed the above portion of this submittal.

\_\_\_\_\_  
(Signature of Prime Contractor) (Title) (Date)

**D-1C**  
**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST**

PAGE \_\_ OF \_\_

<b>Prime Contractor:</b>	<b>Project Description:</b>	<b>PROJECT/CONTRACT</b>
Offeror Company Name, Street Address, Phone		<b>Solicitation #:</b>

Parts 1, 2, and 3 must be included with this certificate along with all documents supporting your waiver request.

I affirm that I have reviewed **Attachment D-1B**, Waiver Guidance. I further affirm under penalties of perjury that the contents of Parts 1, 2, and 3 of this **Attachment D-1C** Good Faith Efforts Documentation Form are true to the best of my knowledge, information, and belief.

Company:

Company Name (please print or type)

By:

Signature of Authorized Representative

Printed Name:

Printed Name

Title:

Title

Date:

Date

Address:

Company Address

**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST**  
**PART 1 – IDENTIFIED ITEMS OF WORK OFFEROR MADE AVAILABLE TO MBE FIRMS**

PAGE \_\_\_\_ OF \_\_\_\_

<b>Prime Contractor:</b>	<b>Project Description:</b>	<b>PROJECT/CONTRACT</b>
Offeror Company Name, Street Address, Phone		<b>Solicitation #:</b>

Identify those items of work that the Offeror made available to MBE Firms. This includes, where appropriate, those items the Offeror identified and determined to subdivide into economically feasible units to facilitate the MBE participation. For each item listed, show the anticipated percentage of the total contract amount. It is the Offeror's responsibility to demonstrate that sufficient work to meet the goal was made available to MBE Firms, and the total percentage of the items of work identified for MBE participation equals or exceeds the percentage MBE goal set for the procurement. Note: If the procurement includes a list of Proposal items identified during the goal setting process as possible items of work for performance by MBE Firms, the Offeror should make all of those items of work available to MBE Firms or explain why that item was not made available. If the Offeror selects additional items of work to make available to MBE Firms, those additional items should also be included below.

Identified Items of Work	Was this work listed in the procurement?	Does Offeror normally self-perform this work?	Was this work made available to MBE Firms? If no, explain why not.
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ Please check if Additional Sheets are attached.

# GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST

## PART 2 – IDENTIFIED MBE FIRMS AND RECORD OF SOLICITATIONS

PAGE \_\_\_\_ OF \_\_\_\_

Prime Contractor:	Project Description:	PROJECT/CONTRACT
<i>Offeror Company Name, Street Address, Phone</i>		Solicitation #:

Identify the MBE Firms solicited to provide quotes for the Identified Items of Work made available for MBE participation. Include the name of the MBE Firm solicited, items of work for which quotes were solicited, date and manner of initial and follow-up solicitations, whether the MBE provided a quote, and whether the MBE is being used to meet the MBE participation goal. MBE Firms used to meet the participation goal must be included on the MBE Participation Schedule. Note: If the procurement includes a list of the MBE Firms identified during the goal setting process as potentially available to perform the items of work, the Offeror should solicit all of those MBE Firms or explain why a specific MBE was not solicited. If the Offeror identifies additional MBE Firms who may be available to perform Identified Items of Work, those additional MBE Firms should also be included below. Copies of all written solicitations and documentation of follow-up calls to MBE Firms must be attached to this form. This list should be accompanied by a Minority Contractor Unavailability Certificate signed by the MBE contractor or a statement from the Offeror that the MBE contractor refused to sign the Minority Contractor Unavailability Certificate (**Attachment D-1B - Exhibit A**). If the Offeror used a Non-MBE or is self-performing the identified items of work, Part 4 must be completed.

Name of Identified MBE Firm & MBE Classification	Describe Item of Work Solicited	Initial Solicitation Date & Method	Follow-up Solicitation Date & Method	Details for Follow-up Calls	Quote Rec'd	Quote Used	Reason Quote Rejected
Firm Name: MBE Classification (Check only if requesting waiver of MBE subgoal.) <input type="checkbox"/> African American-Owned <input type="checkbox"/> Hispanic American- Owned <input type="checkbox"/> Asian American-Owned <input type="checkbox"/> Women-Owned <input type="checkbox"/> Other MBE Classification		Date: <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail	Date: <input type="checkbox"/> Phone <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail	Time of Call: Spoke with: <input type="checkbox"/> Left Message	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Used Other MBE <input type="checkbox"/> Used Non-MBE <input type="checkbox"/> Self-performing
Firm Name: MBE Classification (Check only if requesting waiver of MBE subgoal.) <input type="checkbox"/> African American-Owned <input type="checkbox"/> Hispanic American- Owned <input type="checkbox"/> Asian American-Owned <input type="checkbox"/> Women-Owned <input type="checkbox"/> Other MBE Classification		Date: <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail	Date: <input type="checkbox"/> Phone <input type="checkbox"/> Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail	Time of Call: Spoke with: <input type="checkbox"/> Left Message	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Used Other MBE <input type="checkbox"/> Used Non-MBE <input type="checkbox"/> Self-performing

☐ Please check if Additional Sheets are attached.

**GOOD FAITH EFFORTS DOCUMENTATION TO SUPPORT WAIVER REQUEST**  
**PART 3 – ADDITIONAL INFORMATION REGARDING REJECTED MBE QUOTES**

PAGE \_\_\_\_ OF \_\_\_\_

<b>Prime Contractor:</b>	<b>Project Description:</b>	<b>PROJECT/CONTRACT NUMBER:</b>
<i>Offeror Company Name, Street Address, Phone</i>		<b>Solicitation #:</b>

This form must be completed if Part 1 indicates that an MBE quote was rejected because the Offeror is using a Non-MBE or is self-performing the Identified Items of Work. Provide the Identified Items Work, indicate whether the work will be self-performed or performed by a Non-MBE, and if applicable, state the name of the Non-MBE. Also include the names of all MBE and Non-MBE Firms that provided a quote and the amount of each quote.

Describe Identified Items of Work Not Being Performed by MBE (Include spec/ section number from Proposal)	Self-performing or Using Non-MBE (Provide name)	Amount of Non-MBE Quote	Name of Other Firms who Provided Quotes & Whether MBE or Non-MBE	Amount Quoted	Indicate Reason Why MBE Quote Rejected & Briefly Explain
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other
	<input type="checkbox"/> Self-performing <input type="checkbox"/> Using Non-MBE	\$ _____	<input type="checkbox"/> MBE <input type="checkbox"/> Non-MBE	\$ _____	<input type="checkbox"/> Price <input type="checkbox"/> Capabilities <input type="checkbox"/> Other

☐ Please check if Additional Sheets are attached.

**D- 2**  
**OUTREACH EFFORTS COMPLIANCE STATEMENT**

Complete and submit this form within 10 Business Days of notification of apparent award or actual award, whichever is earlier.

In conjunction with the Proposal submitted in response to Solicitation No. \_\_\_\_\_, I state the following:

1. Offeror identified subcontracting opportunities in these specific work categories:

---

---

---

2. Attached to this form are copies of written solicitations (with Proposal instructions) used to solicit certified MBE firms for these subcontract opportunities.

3. Offeror made the following attempts to personally contact the solicited MDOT-certified MBE firms:

---

---

---

4. **Please Check One:**

- ☐ This project does not involve bonding requirements.
- ☐ Offeror assisted MDOT-certified MBE firms to fulfill or seek waiver of bonding requirements. (DESCRIBE EFFORTS):

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---

5. **Please Check One:**

\_\_\_\_\_ Offeror did attend the pre-Proposal conference.

\_\_\_\_\_ No pre -Proposal meeting/conference was held.

\_\_\_\_\_ Offeror did not attend the pre-Proposal conference.

PLEASE PRINT OR TYPE

Company:

Company Name (please print or type)

By:

Signature of Authorized Representative

Printed Name:

Printed Name

Title:

Title

Date:

Date

Address:

Company Address



# CERTIFIED MBE SUBCONTRACTOR PARTICIPATION CERTIFICATION

## INSTRUCTIONS:

**PRIME CONTRACTOR:** After completing SECTIONS A, B, and D, provide this form to *each* certified Minority Business Enterprise subcontractor (MBE) listed on the MBE Participation Schedule (Attachment D-1A) allowing sufficient time for the MBE to respond within the required timeframe.

**CERTIFIED MBE SUBCONTRACTOR:** Complete SECTION C to acknowledge and certify the information in SECTION A. Return the completed form directly to the Procurement Officer identified in SECTION D within 10 days after notice from the Prime Contractor of the State's intent to award the Contract. Provide a copy to the Prime Contractor.

*IF THIS FORM IS NOT RETURNED WITHIN THE REQUIRED TIME, THE PROCUREMENT OFFICER MAY DETERMINE THAT THE PRIME CONTRACTOR IS NOT RESPONSIBLE AND THEREFORE NOT ELIGIBLE FOR CONTRACT AWARD.*

## SECTION A

Provided that (Prime Contractor) \_\_\_\_\_ is awarded the State contract in conjunction with Solicitation Number \_\_\_\_\_, (Prime Contractor) \_\_\_\_\_ intends to enter into a subcontract with (Certified MBE Subcontractor) \_\_\_\_\_ with MDOT Certification Number \_\_\_\_\_ committing to participation by (Certified MBE Subcontractor) \_\_\_\_\_ of at least \$ \_\_\_\_\_ which equals \_\_\_\_\_ % of the Total Contract Value for the following products/services:

NAICS CODE	WORK ITEM, SPECIFICATION NUMBER, LINE ITEMS OR WORK CATEGORIES (IF APPLICABLE)	DESCRIPTION OF SPECIFIC PRODUCTS AND/OR SERVICES

The Contractor and certified MBE each acknowledge that, for purposes of determining the accuracy of the information provided herein, the Procurement Officer may request additional information, including, without limitation, copies of the subcontract agreements and quotes. The Contractor and certified MBE each solemnly affirms under the penalties of perjury that: (i) the information provided in this Certified MBE Subcontractor Participation Certification is true to the best of its knowledge, information and belief, and (ii) it has fully complied with the State Minority Business Enterprise law, State Finance and Procurement Article §14-308(a)(2), Annotated Code of Maryland which provides that, except as otherwise provided by law, a Contractor may not identify a certified MBE in a Bid/Proposal and:

- (1) fail to request, receive, or otherwise obtain authorization from the MBE to identify the MBE in its Bid/Proposal;
- (2) fail to notify the MBE before execution of the Contract of its inclusion of the Bid/Proposal;
- (3) fail to use the MBE in the performance of the Contract; or
- (4) pay the MBE solely for the use of its name in the Bid/Proposal.

**SECTION B – Prime Contractor**

Signature of Representative: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Prime Firm's Name: \_\_\_\_\_

Federal Identification Number: \_\_\_\_\_

Street Address, City, State, Zip Code: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION C – Certified MBE Subcontractor**

Signature of Representative: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

MBE Firm's Name: \_\_\_\_\_

Federal Identification Number: \_\_\_\_\_

Street Address, City, State, Zip Code: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION D**

*This completed form is due to the Procurement Officer on or before:* \_\_\_\_\_

Solicitation #: \_\_\_\_\_ Solicitation Title: \_\_\_\_\_

Agency/Dept.: \_\_\_\_\_ Procurement Officer: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address, City, State, Zip Code: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D-3B**  
**MBE PRIME PROJECT PARTICIPATION CERTIFICATION**

Please complete and submit this form to attest to each specific item of work that your MBE firm has listed on the MBE Participation Schedule (Attachment D-1A) for purposes of meeting the MBE participation goals. This form must be submitted within 10 Business Days of notification of apparent award. If the Offeror fails to return this affidavit within the required time, the Procurement Officer may determine that Proposal is not susceptible of being selected for Contract award.

Provided that \_\_\_\_\_ (Prime Contractor's Name) with Certification Number \_\_\_\_\_ is awarded the State contract in conjunction with Solicitation No. \_\_\_\_\_, such MBE Prime Contractor intends to perform with its own forces at least \$ \_\_\_\_\_ which equals to \_\_\_\_\_ % of the Total Contract Amount for performing the following goods and services for the Contract:

NAICS CODE	WORK ITEM, SPECIFICATION NUMBER, LINE ITEMS OR WORK CATEGORIES (IF APPLICABLE) For Construction Projects, General Conditions must be listed separately	DESCRIPTION OF SPECIFIC PRODUCTS AND/OR SERVICES	VALUE OF THE WORK

**MBE Prime Contractor**

Company: \_\_\_\_\_

*Company Name (please print or type)*

FEIN: \_\_\_\_\_

*Federal Identification Number*

Company Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

*Signature of Authorized Representative*

Date: \_\_\_\_\_

**D-4A**  
**Minority Business Enterprise Participation**  
**Prime Contractor Paid/Unpaid Invoice Report**

Report #:	Contract #:
Reporting Period (Month/Year):	Contracting Unit:
<b>Prime Contractor: Report is due to the MBE Liaison by the 10th of the month following the month the services were provided.</b> <b>Note: Please number reports in sequence</b>	Contract Amount:
	MBE Subcontract Amt:
	Project Begin Date:
	Project End Date:
	Services Provided:

Prime Contractor:			Contact Person:		
Address:					
City:			State:		ZIP:
Phone:		FAX:		E-mail:	
MBE Subcontractor Name:			Contact Person:		
Phone:		FAX:		E-mail:	
Subcontractor Services Provided:					
<b>List all payments made to MBE subcontractor named above during this reporting period:</b>			<b>List dates and amounts of any outstanding invoices:</b>		
	<b>Invoice #</b>	<b>Amount</b>		<b>Invoice #</b>	<b>Amount</b>
1.			1.		
2.			2.		
3.			3.		
4.			4.		
<b>Total Dollars Paid: \$</b>			<b>Total Dollars Unpaid: \$</b>		

- If more than one MBE subcontractor is used for this contract, you must use separate **Attachment D-4A** forms. Information regarding payments that the MBE prime will use for purposes of meeting the MBE participation goals must be reported separately in **Attachment D-4B**.
- **Return one copy (hard or electronic) of this form to the following addresses (electronic copy with signature and date is preferred):**

Contract Monitor Name	Contracting Unit
Address	City, State Zip
Email	Phone Number
Signature (Required)	Date

**D-4B**  
**Minority Business Enterprise Participation**  
**MBE Prime Contractor Report**

MBE Prime Contractor:	Contract #:
Certification Number:	Contracting Unit:
Report #:	Contract Amount:
Reporting Period (Month/Year):	Total Value of the Work to the Self-Performed for purposes of Meeting the MBE participation goal/subgoals:
<b>MBE Prime Contractor: Report is due to the MBE Liaison by the 10th of the month following the month the services were provided.</b> <b>Note: Please number reports in sequence</b>	
	Project Begin Date:
	Project End Date:

Contact Person:			
Address:			
City:		State:	ZIP:
Phone:	FAX:	E-mail:	

Invoice Number	Value of the Work	NAICS Code	Description of Specific Products and/or Services

**Return one copy (hard or electronic) of this form to the following addresses (electronic copy with signature and date is preferred):**

<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em;"></div>	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 10px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em;"></div>
Contract Monitor Name	Contracting Unit
Address	City, State Zip
Email	Phone Number
Signature (Required)	Date

**D-5**  
**Minority Business Enterprise Participation**  
**MBE Subcontractor Paid/Unpaid Invoice Report**

Report #:	Contract #:
Reporting Period (Month/Year):	Contracting Unit:
<b>Report is due by the 10th of the month following the month the services were performed.</b>	MBE Subcontract Amt:
	Project Begin Date:
	Project End Date:
	Services Provided:

MBE Subcontractor Name:					
MDOT Certification #:					
Contact Person:					
Address:					
City:				State:	
Phone:				FAX:	
				E-mail:	
<b>Subcontractor Services Provided:</b>					
List all payments received from Prime Contractor during reporting period indicated above.			List dates and amounts of any unpaid invoices over 30 days old.		
	Invoice Amount	Date		Invoice Amount	Date
1.			1.		
2.			2.		
3.			3.		
4.			4.		
<b>Total Dollars Paid: \$</b>			<b>Total Dollars Unpaid: \$</b>		
Prime Contractor:			Contract Person:		

**Return one copy of this form to the following addresses (electronic copy with signature and date is preferred):**

Contract Monitor Name

Contracting Unit

Address

City, State Zip

Email

Phone Number

Signature (Required)

Date

**CERTIFIED MINORITY BUSINESS ENTERPRISE PARTICIPATION  
STANDARD MONTHLY CONTRACTOR'S REQUISITION FOR PAYMENT**

IAC/PSCP Form 306.4

LEA: \_\_\_\_\_ DATE: \_\_\_\_\_  
FACILITY NAME: \_\_\_\_\_ PSC NO: \_\_\_\_\_  
SCOPE OF WORK: \_\_\_\_\_ REQ NO: \_\_\_\_\_

Name of MBE Subcontractor	MDOT Certification Number and Classification	TOTAL MBE Contract Amount	Amount to be Paid THIS Requisition	TOTAL Paid to Date	If amount paid is LESS than TOTAL MBE Contract Amount, EXPLAIN VARIANCE
TOTAL		\$	\$	\$	

MDOT Certification Number and Classification can be located at <http://mbe.state.md.us/directory/>

**MBE Classification:**

African American = AA                      African American/Women = AW  
Hispanic American = H                      Hispanic American/Women = HW  
Native American = N                      Native American/Women = NW  
Asian American = A                      Asian American/Women = AW  
Women = W

I certify that the figures and information presented above represent accurate and true statements, that timely payments have been and will be made to suppliers and subcontractors on this project as requisitioned payments are received, and in accordance with our contracts.

\_\_\_\_\_  
Name of Contractor Firm

\_\_\_\_\_  
Authorized Contractor Signature/Date

\_\_\_\_\_  
Contractor Federal Tax ID #

\_\_\_\_\_  
Contractor MBE Classification # (if applicable)

\_\_\_\_\_  
Name of LEA MBE Liaison (Printed)

\_\_\_\_\_  
Signature of LEA MBE Liaison/Date

**Instructions for Completion of IAC/PSCP Form 306.4**

**Page 3**

**THIS FORM TO BE COMPLETED BY PRIME CONTRACTOR ONLY**

1. **LEA** – Enter full name of LEA
2. **Facility Name** – Enter full name of school/facility
3. **Scope of Work** – Enter type of work being performed (i.e. New, Renovation, Roof, HVAC, ASP – flooring, QZAB – Media Center, etc.)
4. **Date** – Date of Requisition
5. **PSC No** – Enter full PSC Number as assigned by PSCP
6. **REQ No** – Enter the number of the corresponding Requisition for Payment
7. **Name of MBE Subcontractor** – Enter full name of MBE Subcontractor
8. **MDOT Certification Number & Classification** – Enter the 5 digit MDOT Certification Number and corresponding MDOT for each MBE Subcontractor; MDOT Classifications and the MDOT website are listed on this form
9. **TOTAL MBE Contract Amount** – Enter Original Total MBE Contract Amount as state on MBE Attachments B and D; this amount should NOT be altered with change order amounts, changes to scope of work, etc. which may affect contract amount
10. **Amount to be Paid THIS Requisition** – Enter the amount to be paid to the MBE Subcontractor for work applicable to this requisition
11. **TOTAL Paid to Date** – Enter the Total amount paid to date to the MBE Subcontractor, this amount should NOT include the amount being paid on this requisition, only the total of prior payments
12. **MBE has Received FINAL payment** – Enter YES if the MBE Subcontractor has been aid in full, enter NO if the MBE Subcontractor has NOT been paid in full
13. **If amount paid is LESS than TOTAL MBE Contract Amount, EXPLAIN VARIANCE** – Enter a brief reason for the MBE Subcontractor NOT being paid equal to or greater than the ORIGINAL Total MBE Contract Amount as stated on this form and MBE Attachments B and D; additional documentation may be required to be submitted for variance explanations
14. **Name of Contractor Firm** – Enter full name of Prime Contractor
15. **Authorized Contractor Signature/Date** – The authorized individual employed by the Prime Contractor who filled this form out should date and sign here
16. **Contractor Federal Tax ID #** - Enter the Federal Tax ID Number of the Prime Contractor
17. **Contractor MBE Classification #** - Enter the MDOT MBE Classification Number if the Prime Contractor is a MDOT Certified MBE company
18. **Name of LEA MBE Liaison** – PRINT the name of the LEA MBE Liaison (or other LEA authorized employee) responsible for VERIFYING ALL INFORMATION filled out by the Prime Contractor on this form
19. **Signature of LEA MBE Liaison/Date** – Signature of the person VERIFYING ALL INFORMATION filled out by the Prime Contractor on this form (signature of person stated in step 18)



## Attachment H

IAC/PSCP Form 306.6

### CLOSE-OUT SUMMARY

LEA: \_\_\_\_\_

DATE: \_\_\_\_\_

SCHOOL NAME: \_\_\_\_\_

PSC NO: \_\_\_\_\_

	<u>Public School Construction</u>	<u>Local and Other</u>	
Allocation:	_____	_____	
Cash Disbursements:	_____	_____	
	Approved Contracts	Expenditures	Balance
	Approved Contracts	Expenditures	Total Expenditures
Construction			
A/E			
Related Costs			
Total			
<p>I hereby certify that the data shown hereon is correct and request this project be closed.</p>			
<p>_____ Signature of LEA Representative</p>			
<p><b>FOR STATE USE ONLY</b></p>			
ADJUSTMENTS:			
Allocation:	_____	Initials	
Cash:	_____	Date	
<p>AUDIT COMMENTS:</p>			
		Initials	
		Date	

## **SECTION 07 72 36 - AUTOMATIC SMOKE VENTS**

### **PART 1. GENERAL**

#### **1.1 SUMMARY**

- A. Work Included: Provide factory-fabricated double-leaf automatic smoke vents.

#### **1.2 SUBMITTALS**

- A. Product Data: Submit manufacturer's product data.
- B. Shop Drawings: Submit shop drawings including profiles, accessories, location, fusible links, adjacent construction interface, and dimensions.
- C. Warranty: Submit executed copy of manufacturer's standard warranty.

#### **1.3 QUALITY ASSURANCE**

- A. Manufacturer: A minimum of 5 years experience manufacturing similar products.
- B. Installer: A minimum of 2 years experience installing similar products.
- C. Manufacturer's Quality System: Registered to ISO 9001 Quality Standards including in-house engineering for product design activities.

#### **1.4 DELIVERY, STORAGE AND HANDLING**

- A. Deliver products in manufacturer's original packaging. Store materials in a dry, protected, well-vented area. Inspect product upon receipt and report damaged material immediately to delivering carrier and note such damage on the carrier's freight bill of lading.

#### **1.5 WARRANTY**

- A. Manufacturer's Warranty: Provide manufacturer's standard warranty. Materials shall be free of defects in material and workmanship for a period of five years from the date of purchase. Should a part fail to function in normal use within this period, manufacturer shall furnish a new part at no charge.

### **PART 2. PRODUCTS**

#### **2.1 MANUFACTURER**

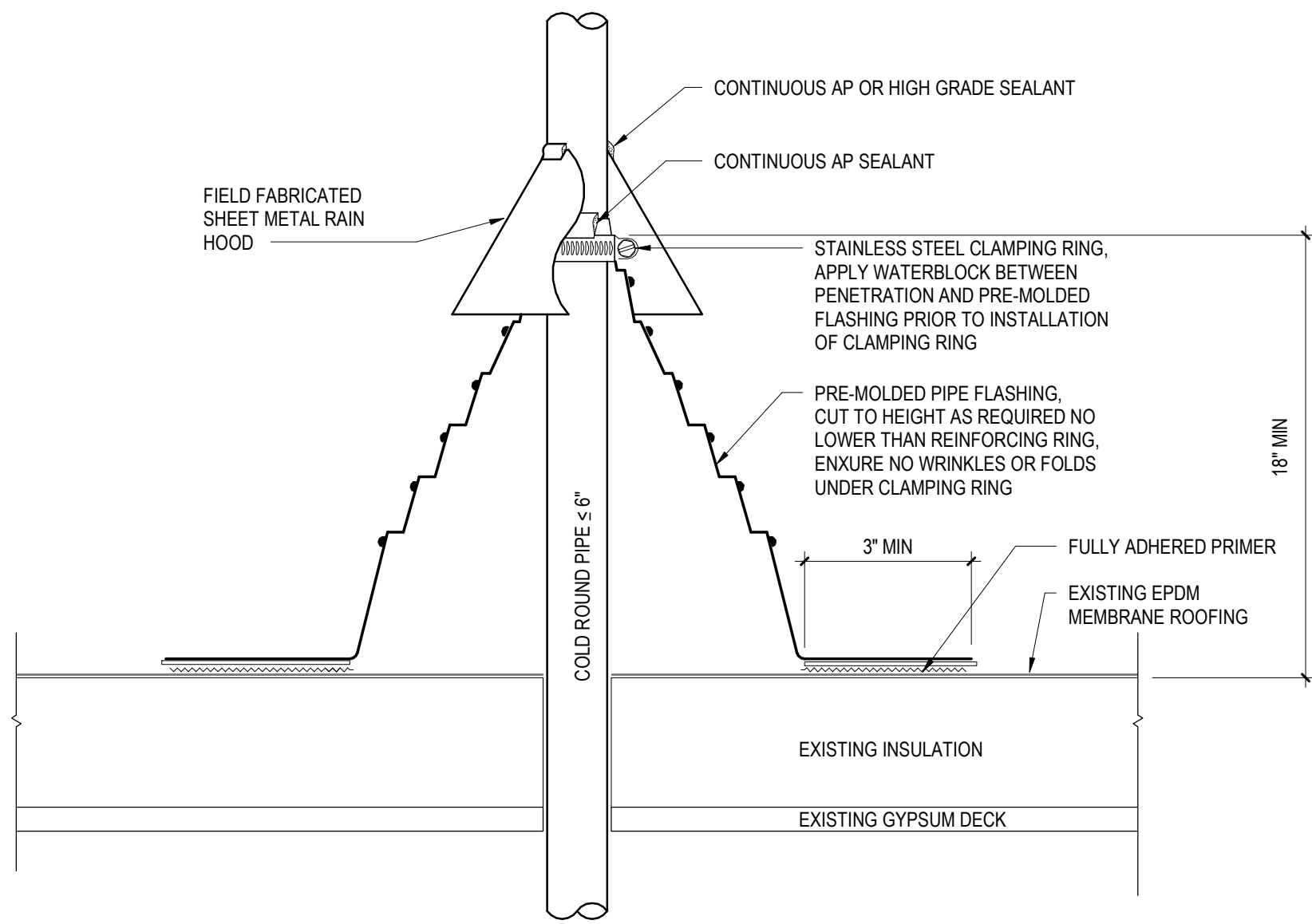
- A. Automatic Smoke Vent shall be equal to Bilco double-leaf type, Model ACDSV.

- B. Provide where indicated on plans. Smoke Vent shall be 48-inches x 48-inches. The roof fire vent shall be preassembled from the manufacturer.
- C. Performance characteristics:
  - 1. Vent(s) shall be UL listed.
  - 2. Covers shall be reinforced to support a minimum live load of 40 psf with a maximum deflection of 1/150th of the span or 90 psf wind uplift.
  - 3. Corrosion resistant gas springs shall open the vent covers simultaneously when latch is manually released or when heat breaks the UL listed fusible link. Opening shall be in a controlled manner to avoid damage to surrounding roof surfaces.
  - 4. Entire roof fire vent shall be weathertight with fully welded corner joints on cover and curb.
  - 5. Latch mechanisms shall hold the covers in the closed position without overstressing the fusible link and withstand 90 psf wind uplift forces acting on the cover.
  - 6. Latch operation: When heat parts the UL listed fusible link, the latch shall release instantaneously, allowing vent covers to open. The latch shall be designed for easy resetting, after a fire or test, so that the covers cannot be latched closed unless the mechanism has been reset properly. Manufacturer shall provide instructions for resetting the latch with each unit.
  - 7. Sound Transmission Rating: Vent(s) shall carry STC-50 and OITC 46 sound ratings.
  - 8. ISO 140-18 Rainfall Sound Rating – 37.5 db.
- D. Covers: Shall be 14-gauge galvanized steel with a 5-3/4" beaded flange with formed reinforcing members.
- E. Gasket: Dual EPDM gaskets shall be permanently adhered to the underside of the covers.
- F. Cover insulation: Shall be mineral wool of 4" in thickness, fully covered and protected by a 12-gauge galvanized steel liner.
- G. Curb: Shall be 12" in height and of 10-gauge galvanized steel with a fixed center channel. Curb shall be formed with a 6-7/8" flange with 7/16" holes provided for securing to roof deck. Curb shall be equipped with integral metal capflashing of 14-gauge galvanized steel and feature the Bil-Clip® flashing system, including stamped tabs, 6" on center, to be bent inward to hold single-ply roofing membrane securely in place.
- H. Curb insulation: Shall be 4" mineral wool insulation, fully enclosed by a 10-gauge galvanized steel liner.
- I. Lifting mechanisms: Corrosion resistant gas springs open covers automatically against a 10 lb/ft<sup>2</sup> snow/wind load. Gas springs shall have built in dampers to assure a controlled rate of opening and automatically lock the covers in the full open position. A release mechanism shall be provided to allow the covers to be closed.

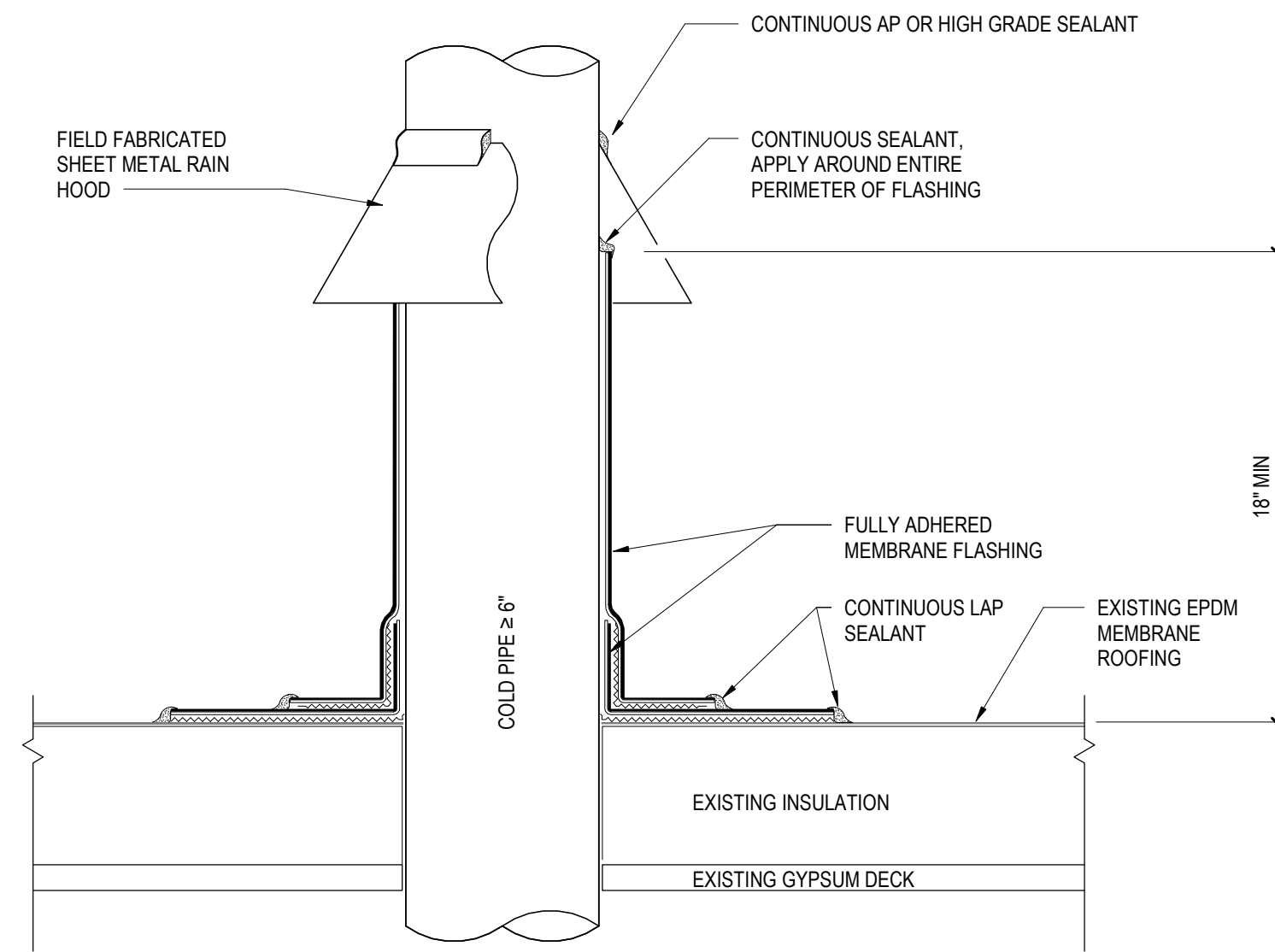
- J. Latch mechanism: Shall be the BILCO Electric Thermolatch® II positive hold/release mechanism with a separate latching point for each cover controlled by a single UL listed 165°F (74°C) fusible link. Fusible link shall be curb mounted on a non-hinged end to allow the latching mechanism to be easily reset from the roof level.
- K. Hardware: Corrosion resistant gas springs and hot dip galvanized steel stop cables. All other hardware is zinc plated/chromate sealed.
- L. Finish: Factory finish shall be alkyd base red oxide primer.
- M. Provide with an electric thermolatch to allow the vent to be operated by a single detector or fire alarm control panel. Electric latches shall be 115VAC. Provide an indicator switch for interlocking with the building BAS.
- N. Examine substrates and openings for compliance with requirements for installation tolerances and other conditions affecting performance. Proceed with installation only after unsatisfactory conditions have been corrected.
- O. Install products in strict accordance with manufacturer's instructions and approved submittals. Locate units level, plumb, and in proper alignment with adjacent work.
  - 1. Test units for proper function and adjust until proper operation is achieved.
  - 2. Test fusible link and install replacement fusible link after testing.
  - 3. Repair finishes damaged during installation.
  - 4. Restore finishes so no evidence remains of corrective work.
- P. Clean exposed surfaces using methods acceptable to the manufacturer which will not damage finish.

PART 3. NOT USED

**END OF SECTION**

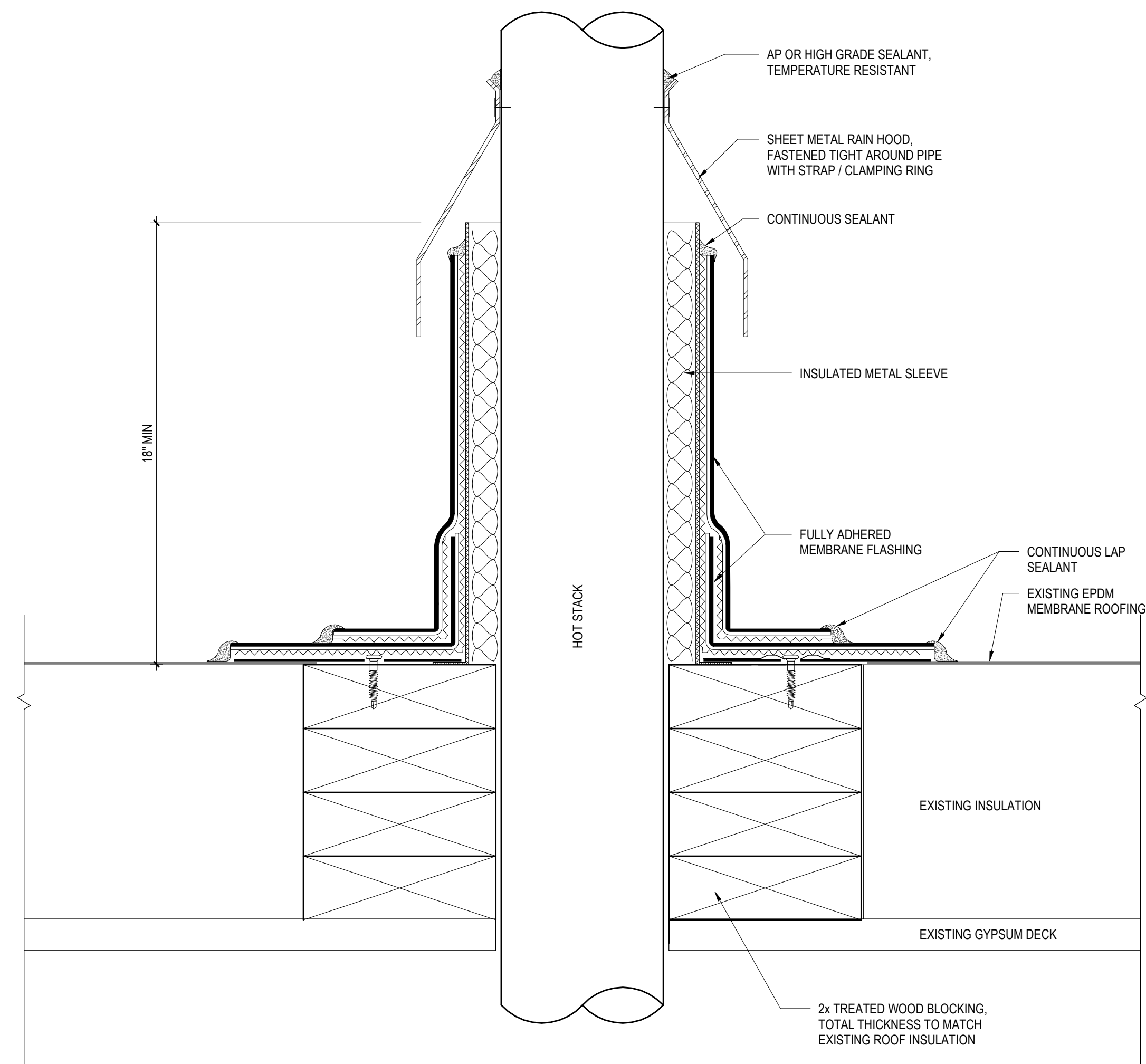


1 PRE-MOLDED PIPE FLASHING  
A103A NOT TO SCALE



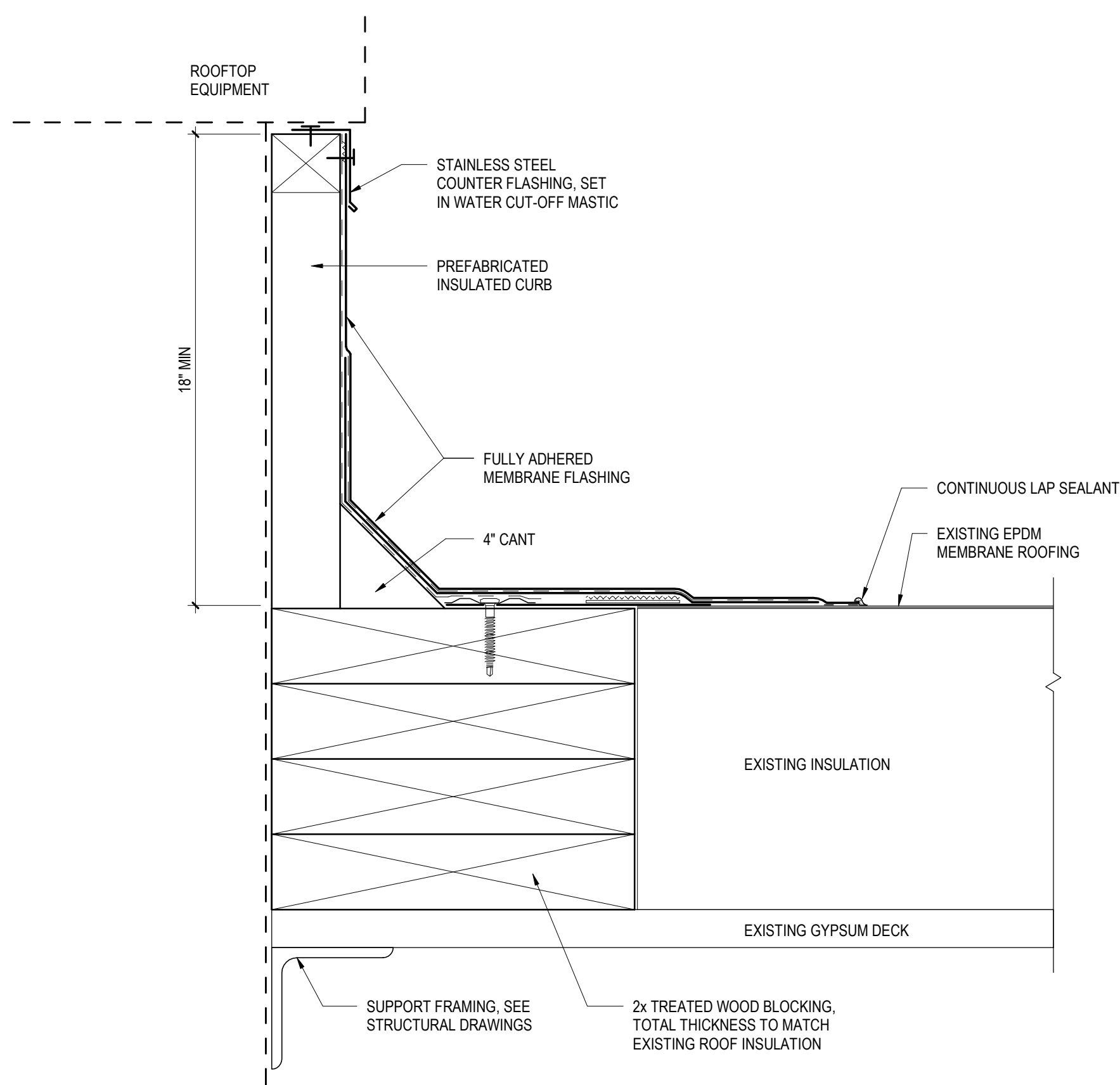
NOTE: ADDITIONAL MEMBRANE SECUREMENT IS REQUIRED WHEN PENETRATION EXCEEDS 12" IN DIAMETER. COORDINATE WITH ROOFING MANUFACTURER'S WARRANTY DETAILS.

2 FIELD FABRICATED PIPE FLASHING  
A103A NOT TO SCALE

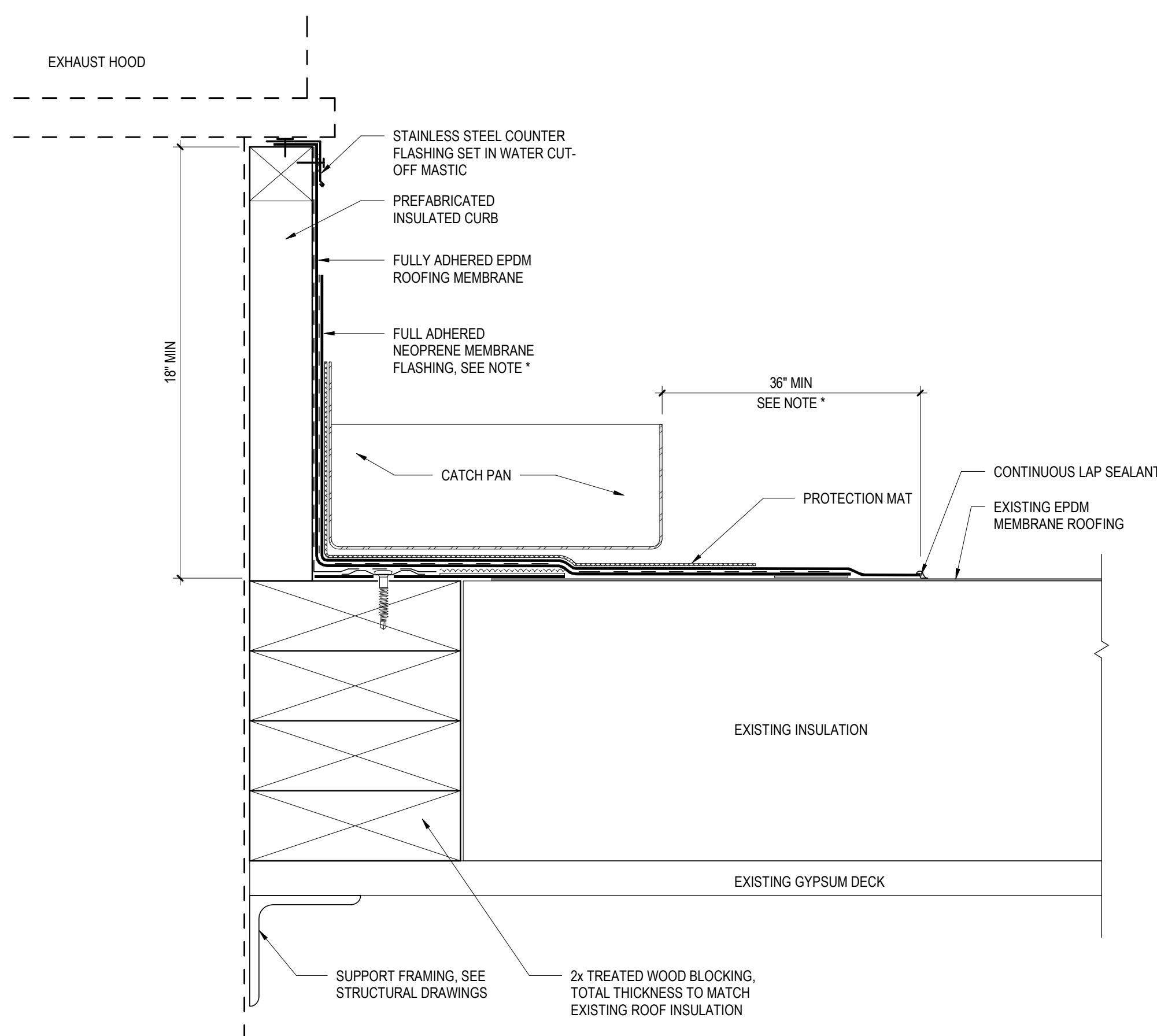


NOTE: ADDITIONAL MEMBRANE SECUREMENT IS REQUIRED WHEN PENETRATION EXCEEDS 12" IN DIAMETER. COORDINATE WITH ROOFING MANUFACTURER'S WARRANTY DETAILS.

3 HOT STACK FLASHING  
A103A NOT TO SCALE

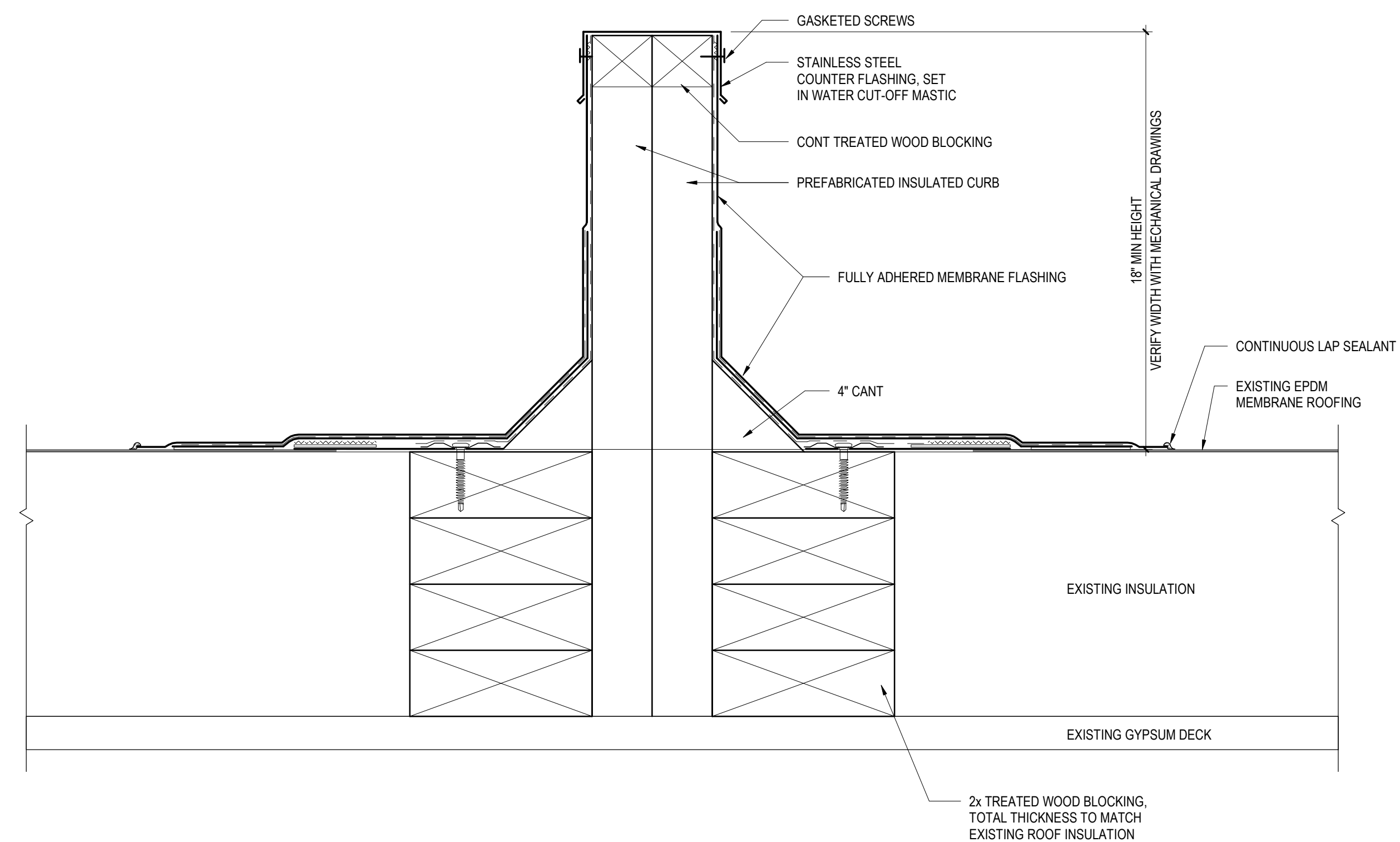


4 TYPICAL ROOF CURB  
A103A NOT TO SCALE



NOTE: EXTEND NEOPRENE MEMBRANE FLASHING BEYOND EDGE OF CATCH PAN TO ENSURE EPDM MEMBRANE IS PROTECTED FROM CONTAMINATES.

5 GREASE CATCH PAN  
A103A NOT TO SCALE



6 EQUIPMENT RAIL  
A103A NOT TO SCALE

GENERAL NOTE:  
THESE DETAILS ARE PROVIDED FOR GENERAL GUIDANCE ONLY.  
CONTRACTOR SHALL VERIFY ALL EXISTING AND NEW CONDITIONS IN  
FIELD AND COORDINATE ALL DETAILS WITH ROOFING MANUFACTURER  
AS TO NOT VOID EXISTING ROOFING WARRANTY.

REVISIONS		DATE	DESCRIPTION
1		3/5/2024	

PROFESSIONAL CERTIFICATION:  
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE No. 8490, EXPIRATION DATE: 03/04/2025.

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Fax: 410.822.6006

WO# 23043

PROJECT MANAGER S. WENTZ

DESIGNER C. LIMBERT

DATE 2/26/2024

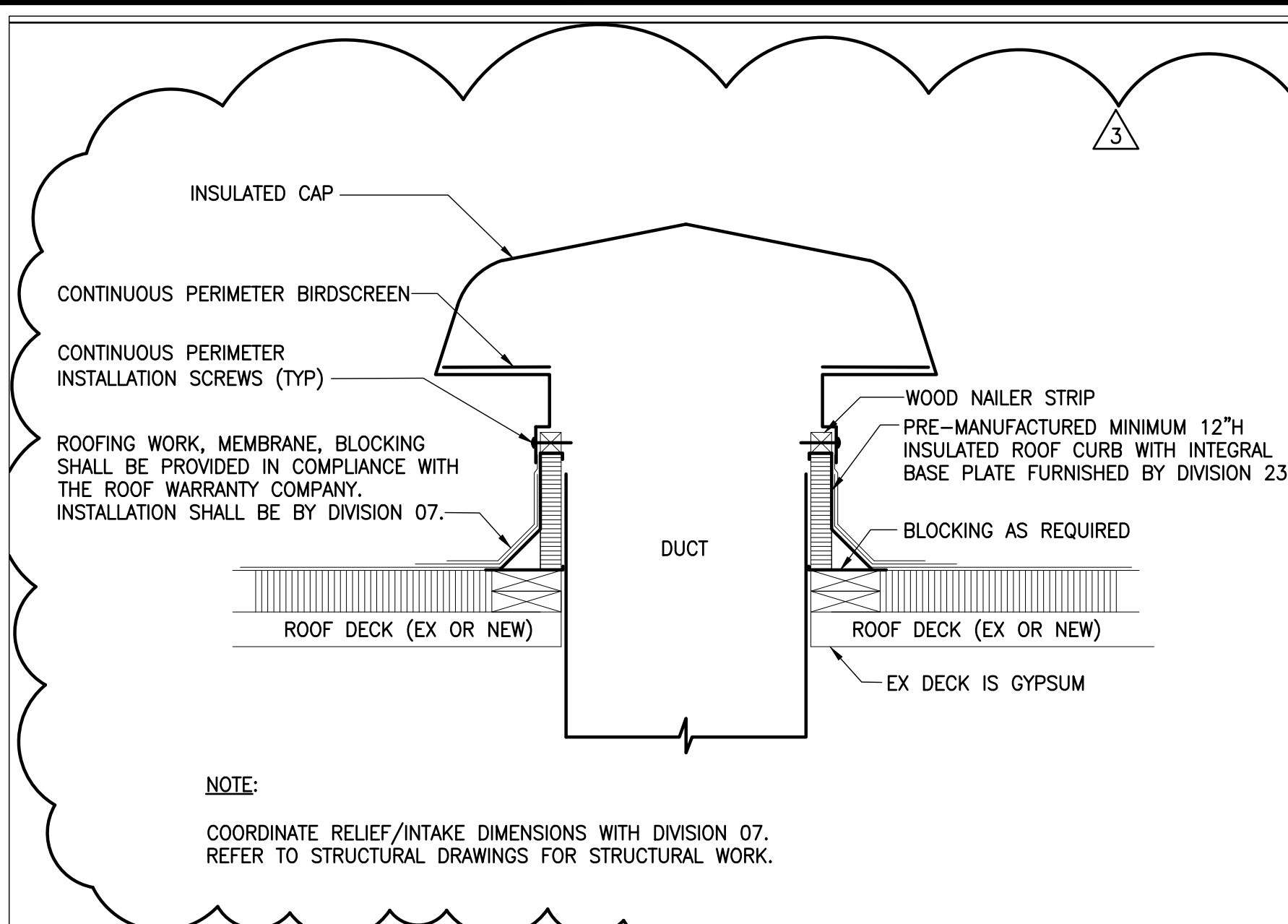
ROOF DETAILS  
HARFORD COUNTY PUBLIC SCHOOLS - ABERDEEN MIDDLE SCHOOL  
HVAC SYSTEMIC RENOVATIONS  
111 MT ROYAL AVE, ABERDEEN, MARYLAND 21001.

BID DOCUMENTS

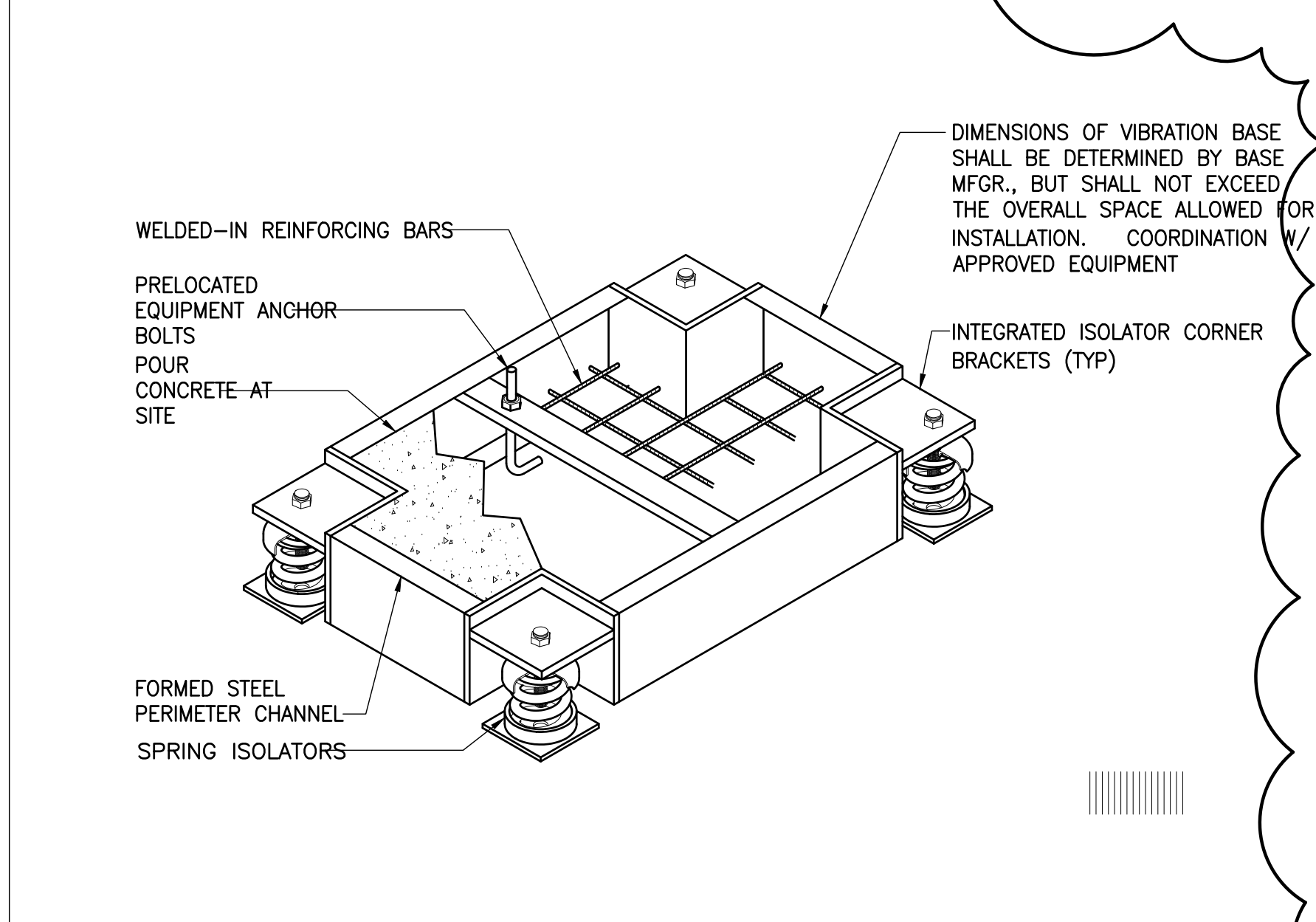
A103A

PSC-12.006





4 TYPICAL RELIEF/INTAKE DETAIL SCALE: AS NOTED



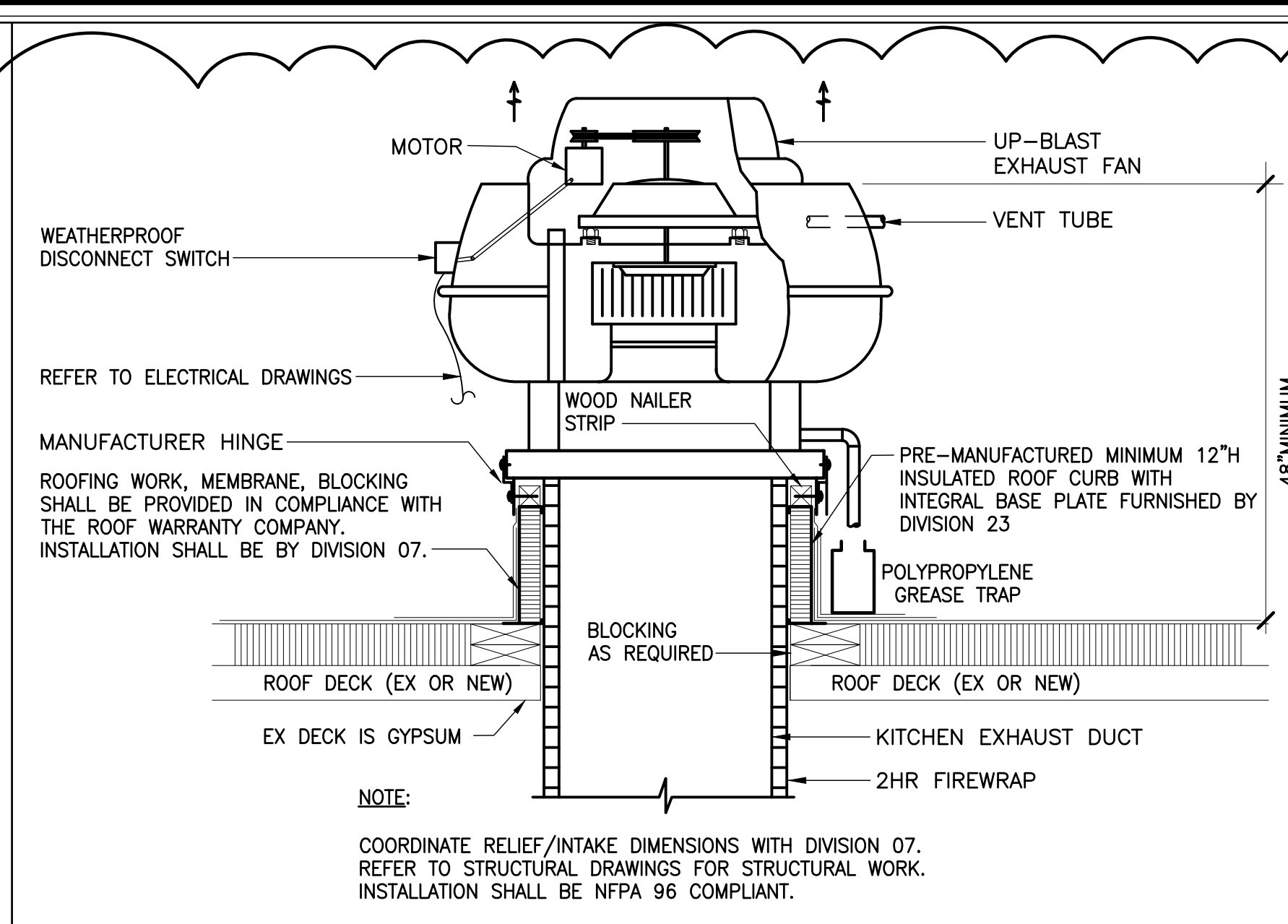
8 TYPICAL CONCRETE INERTIA VIBRATION BASE PAD DETAIL SCALE: AS NOTED



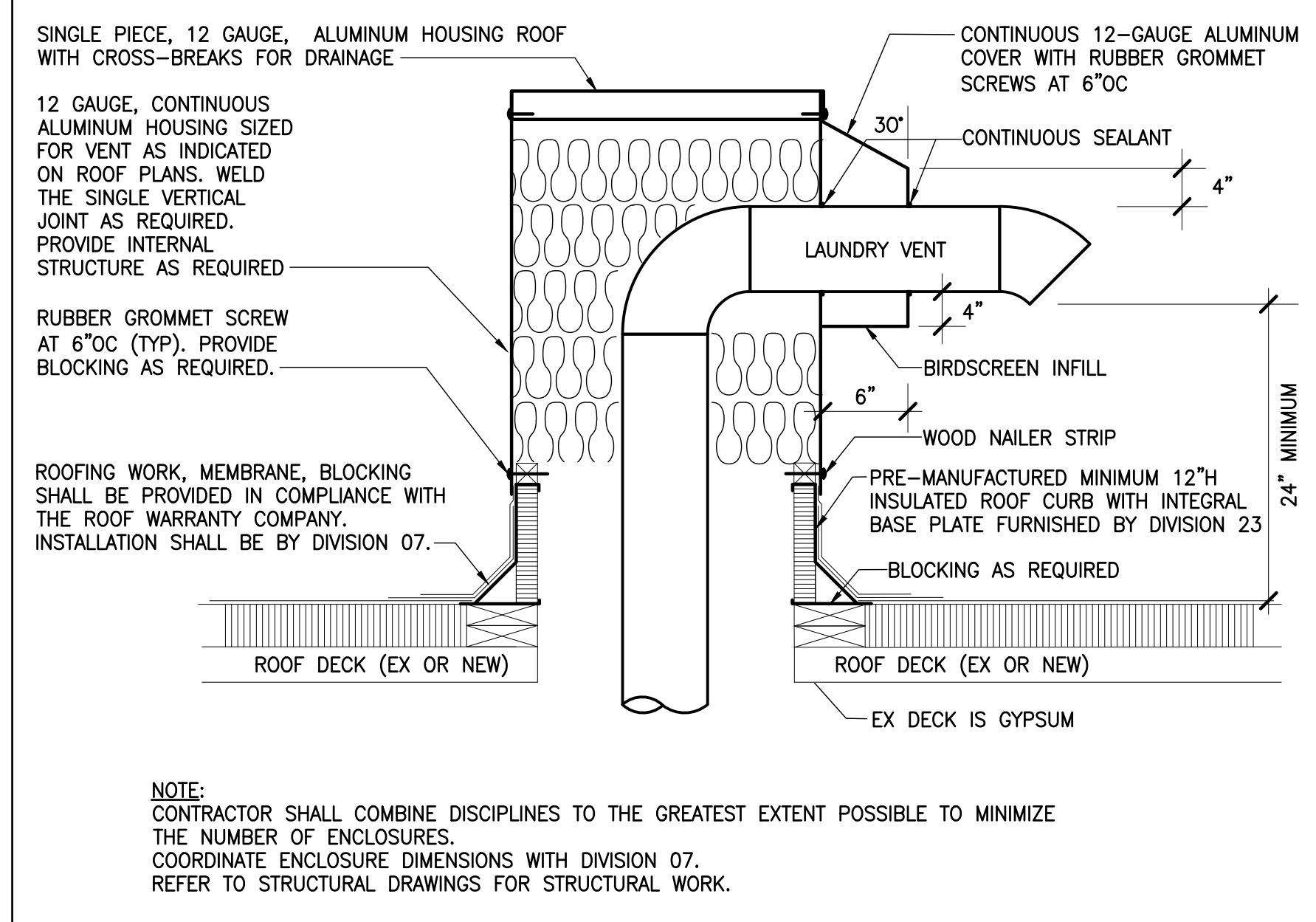
12 NOT USED



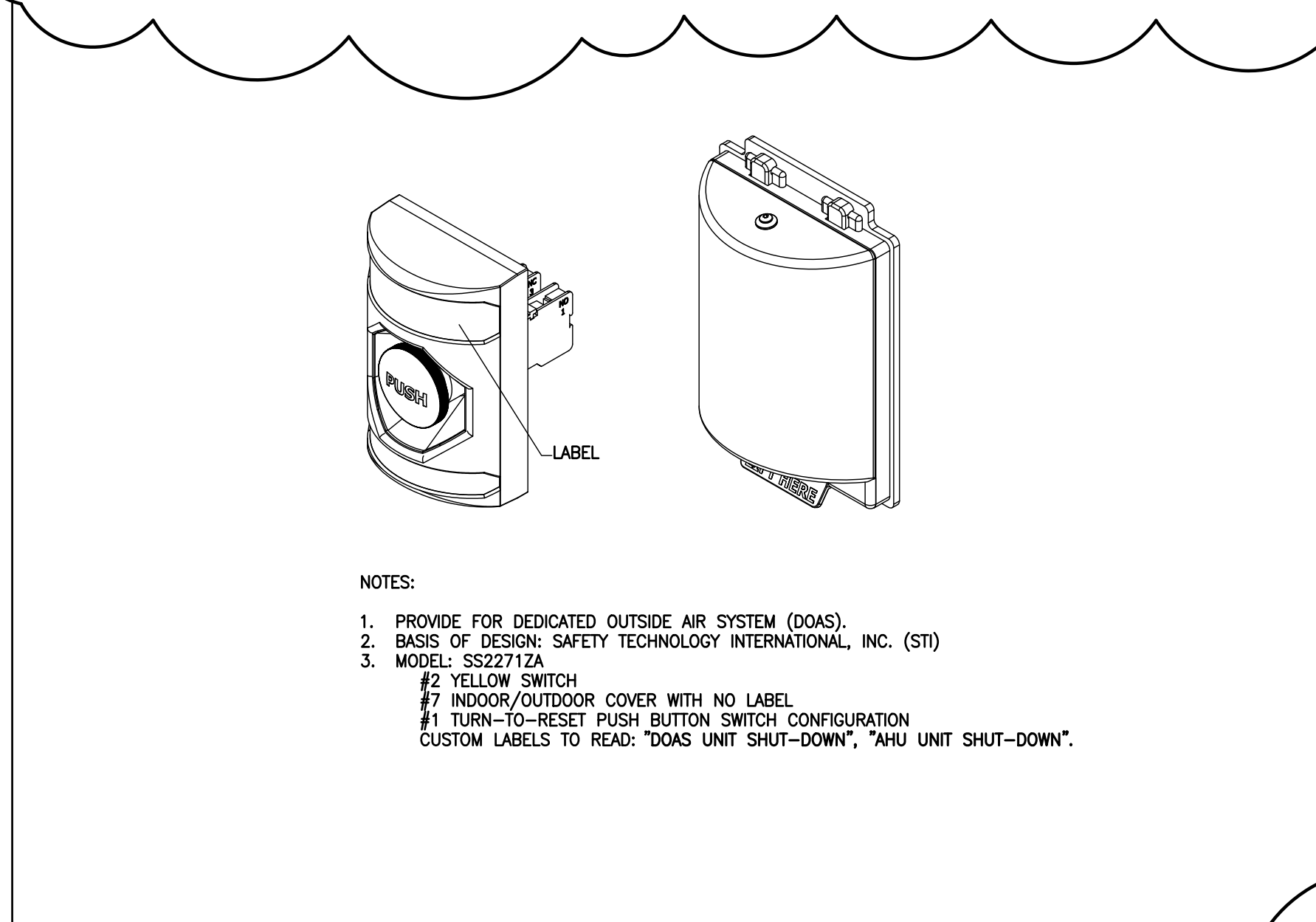
16 NOT USED



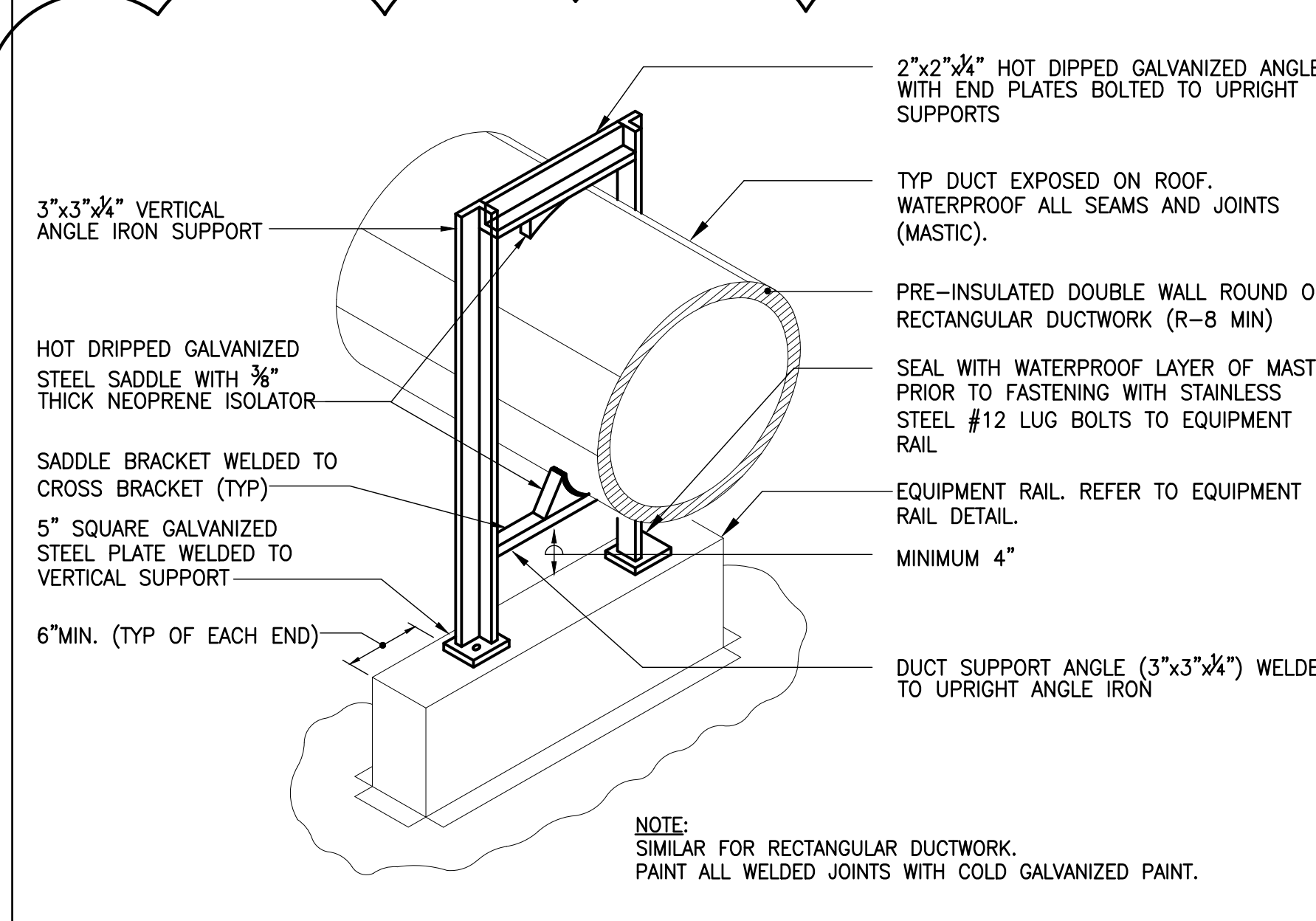
3 KITCHEN EXHAUST HOOD FAN DETAIL SCALE: AS NOTED



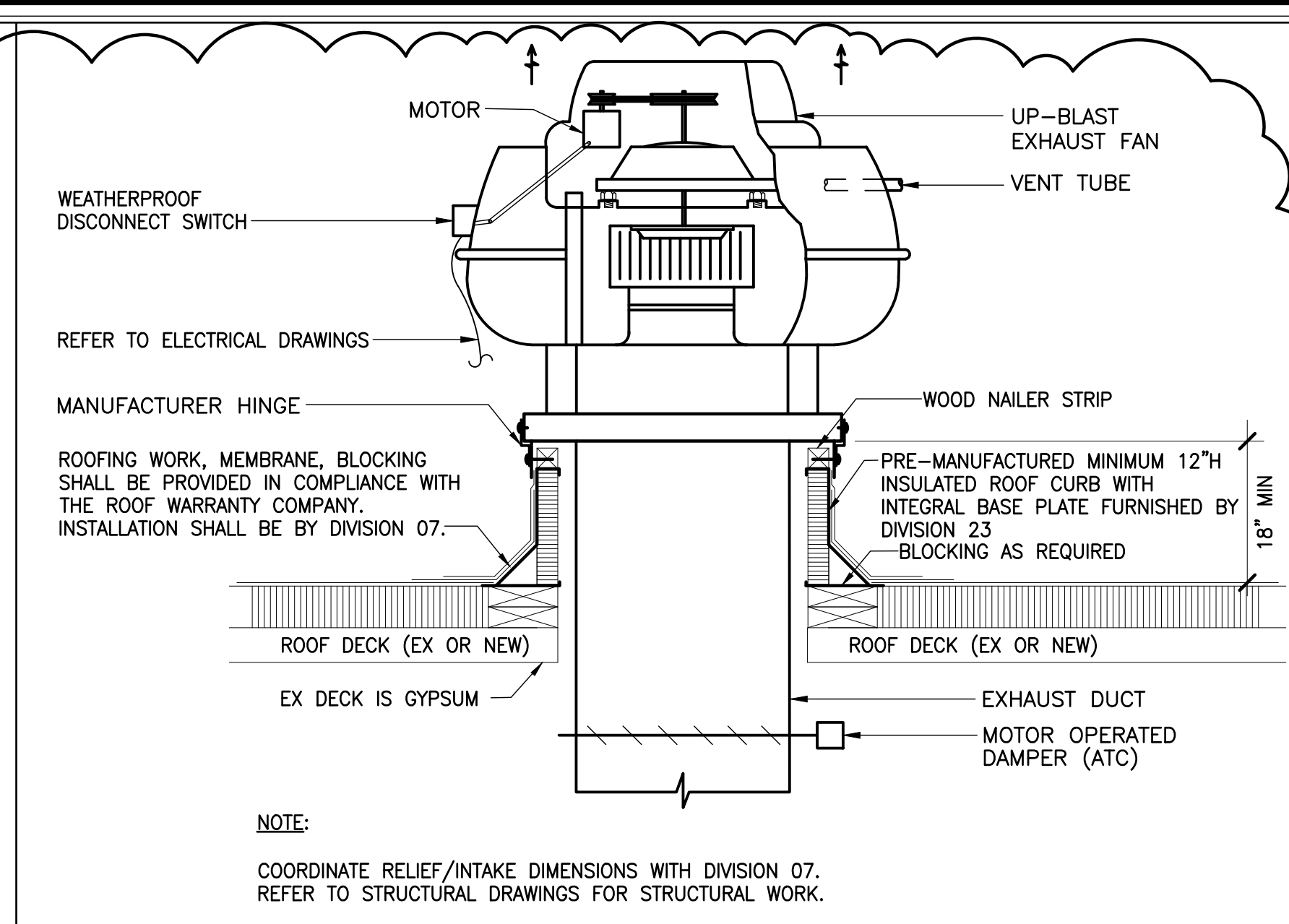
7 TYPICAL LAUNDRY VENT ENCLOSURE HOOD DETAIL SCALE: AS NOTED



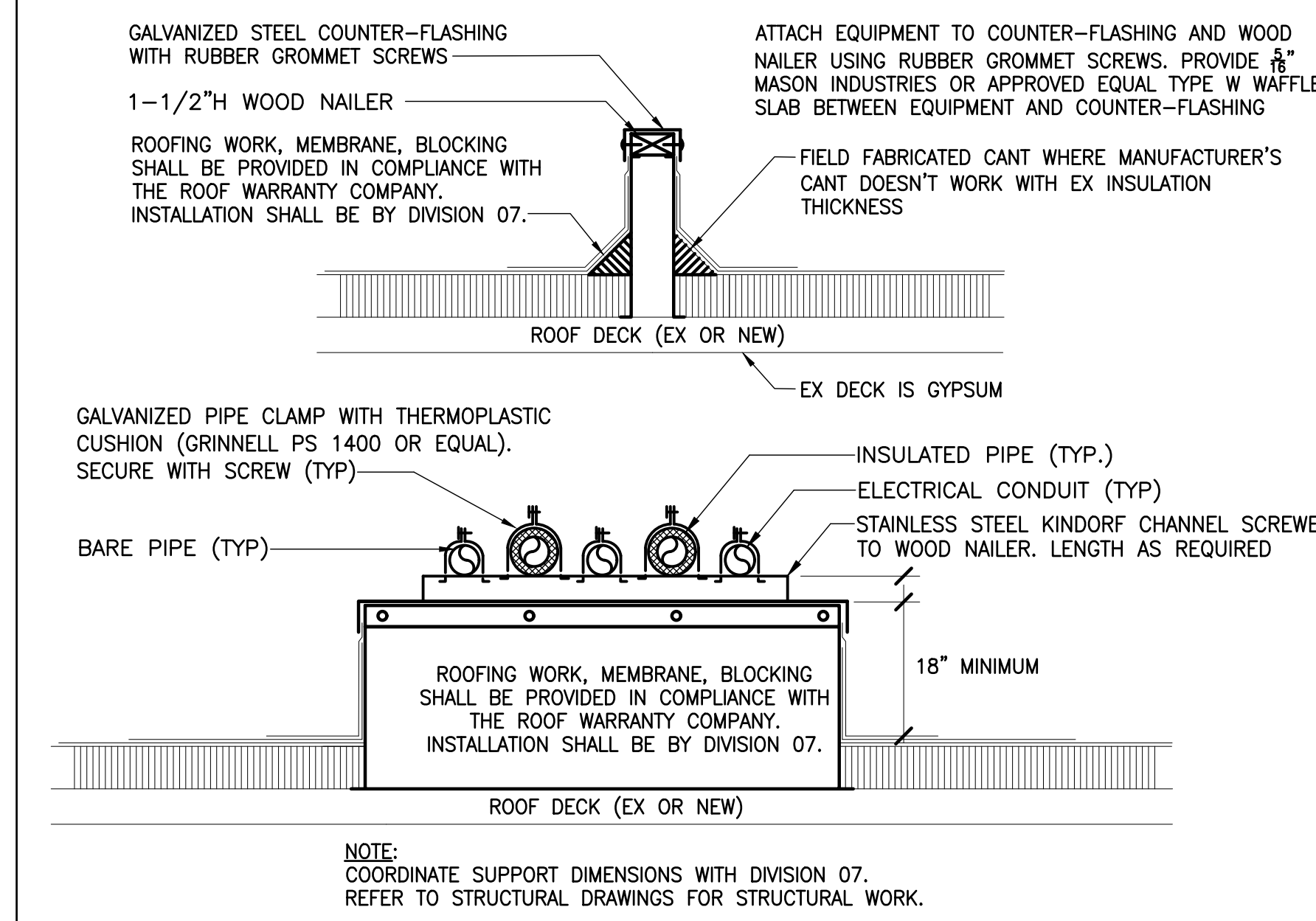
11 TYPICAL EMERGENCY SHUTDOWN SWITCH (ESS) DETAIL



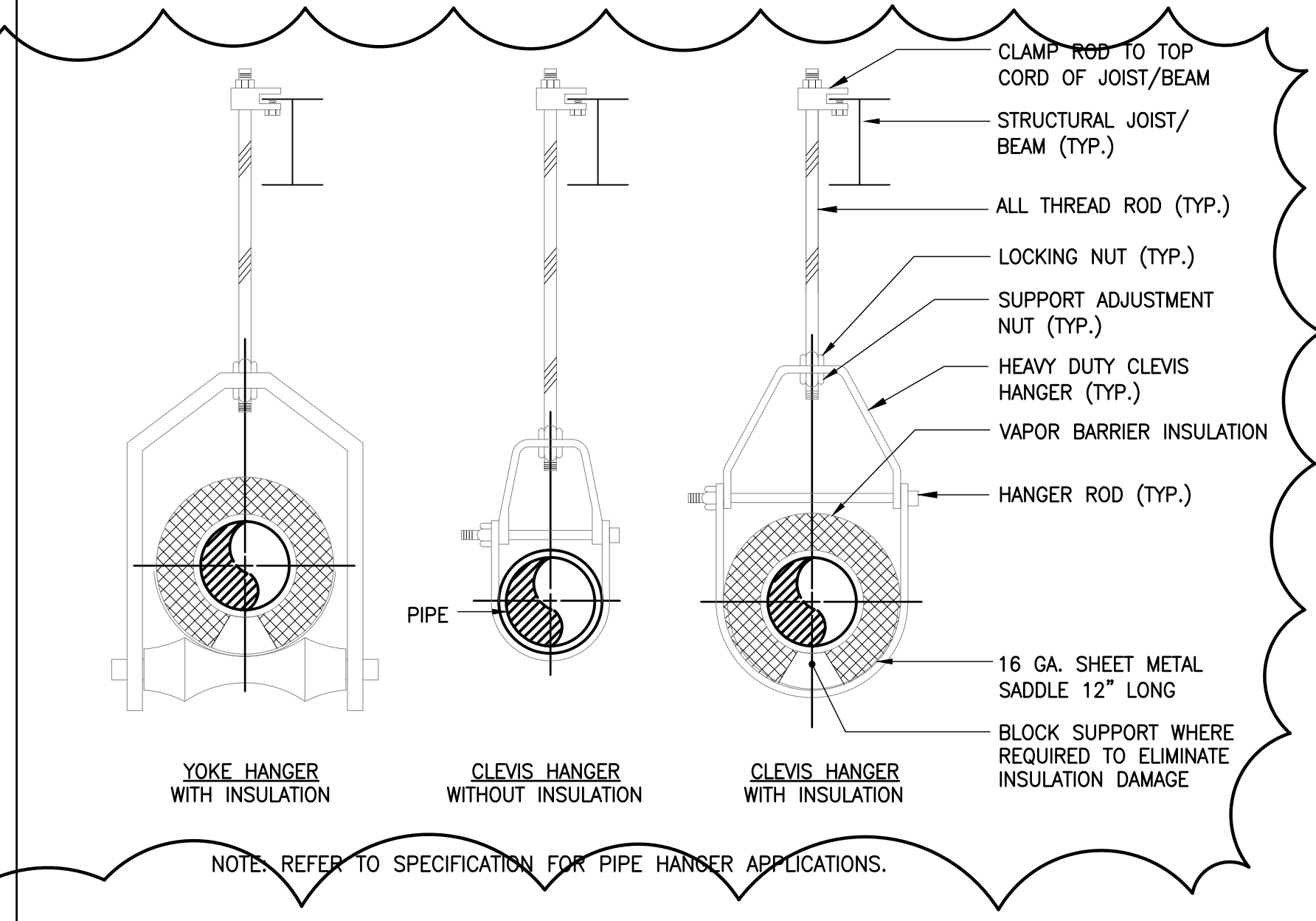
15 TYPICAL ROOFTOP DUCT SUPPORT DETAIL



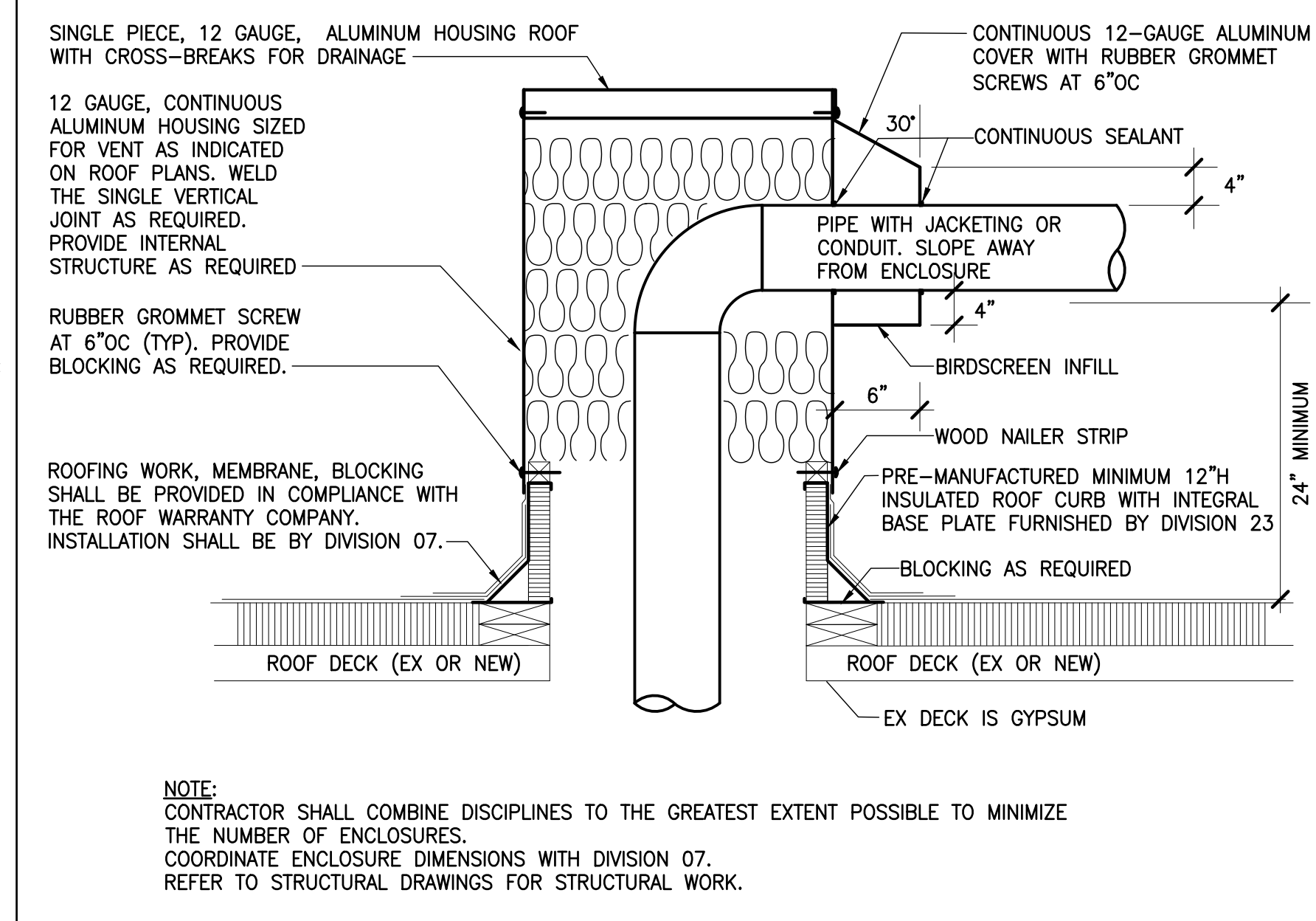
2 TYPICAL UP BLAST FAN DETAIL SCALE: AS NOTED



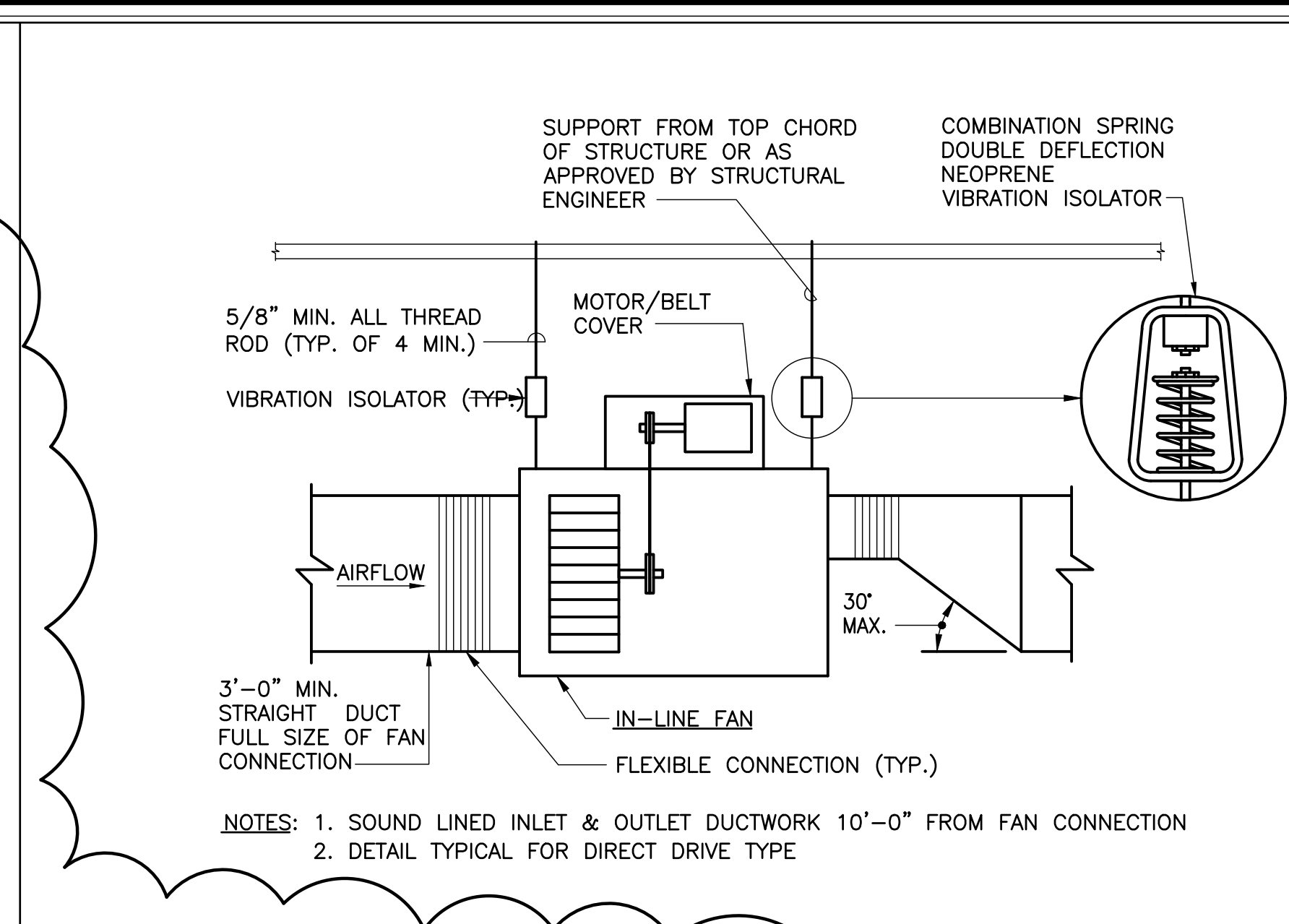
6 TYPICAL PIPE ROOF SUPPORT DETAIL SCALE: AS NOTED



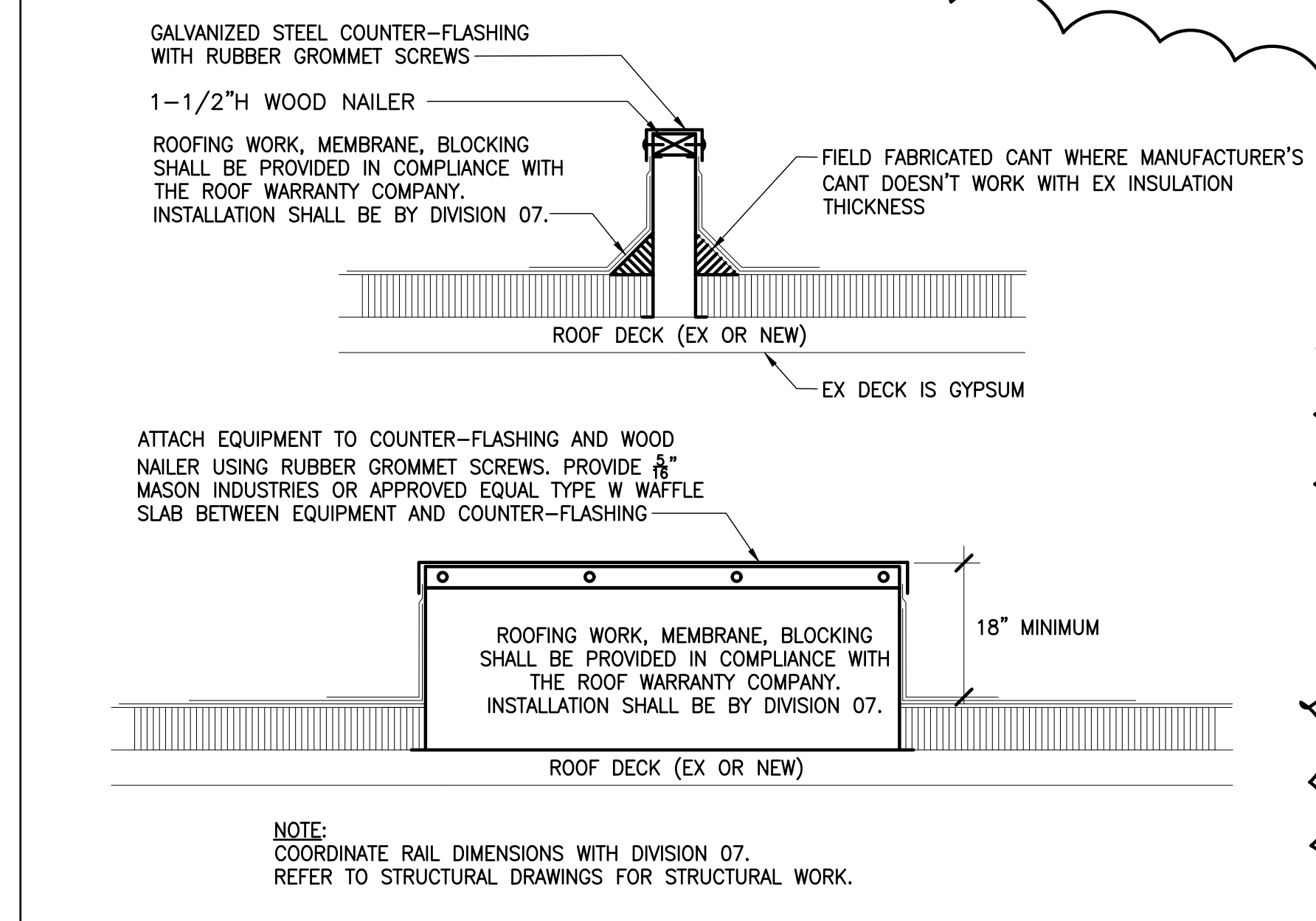
10 TYPICAL PIPE SUPPORT DETAIL SCALE: AS NOTED



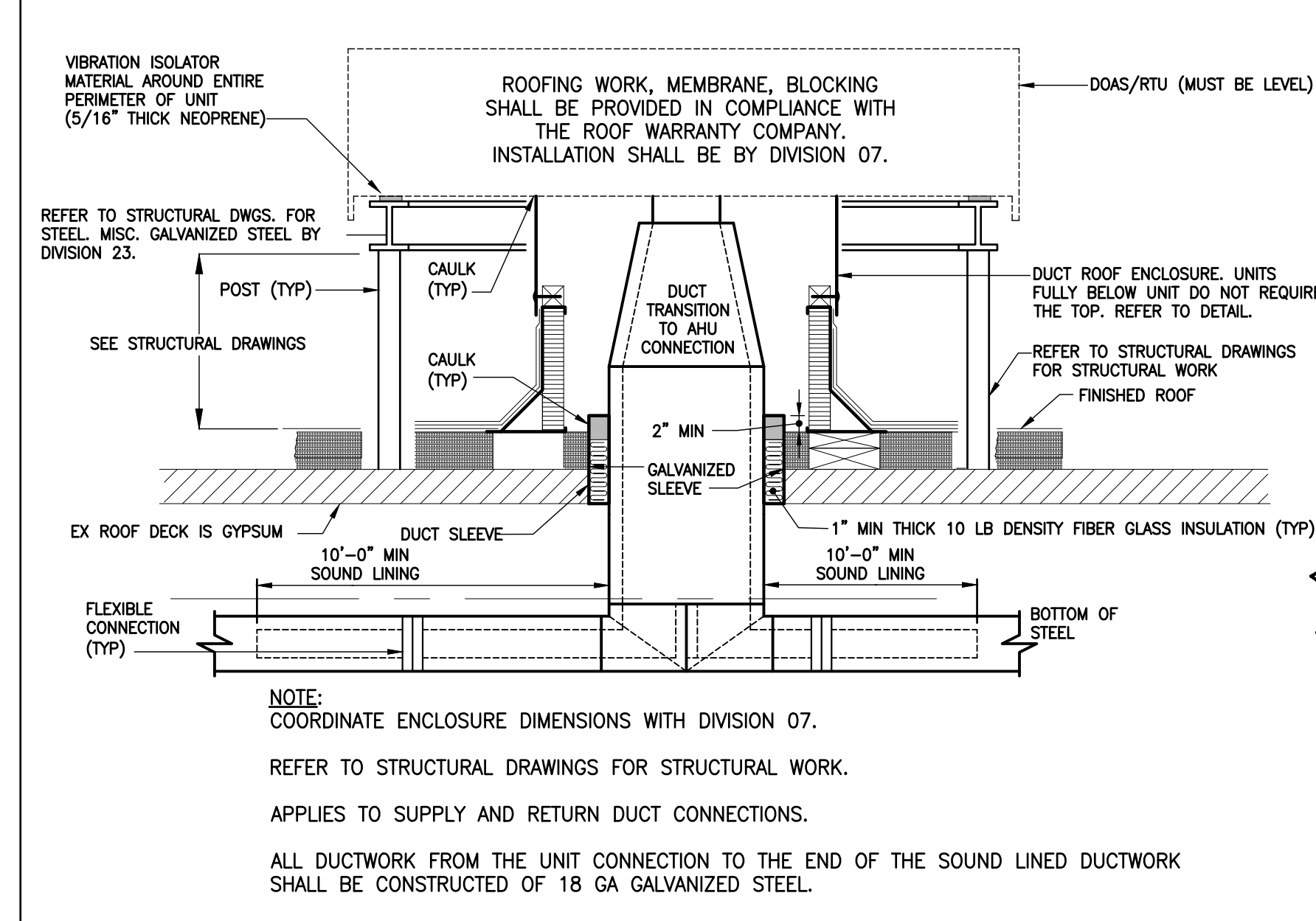
14 PIPE AND CONDUIT ROOF PENETRATIONS ENCLOSURE DETAIL



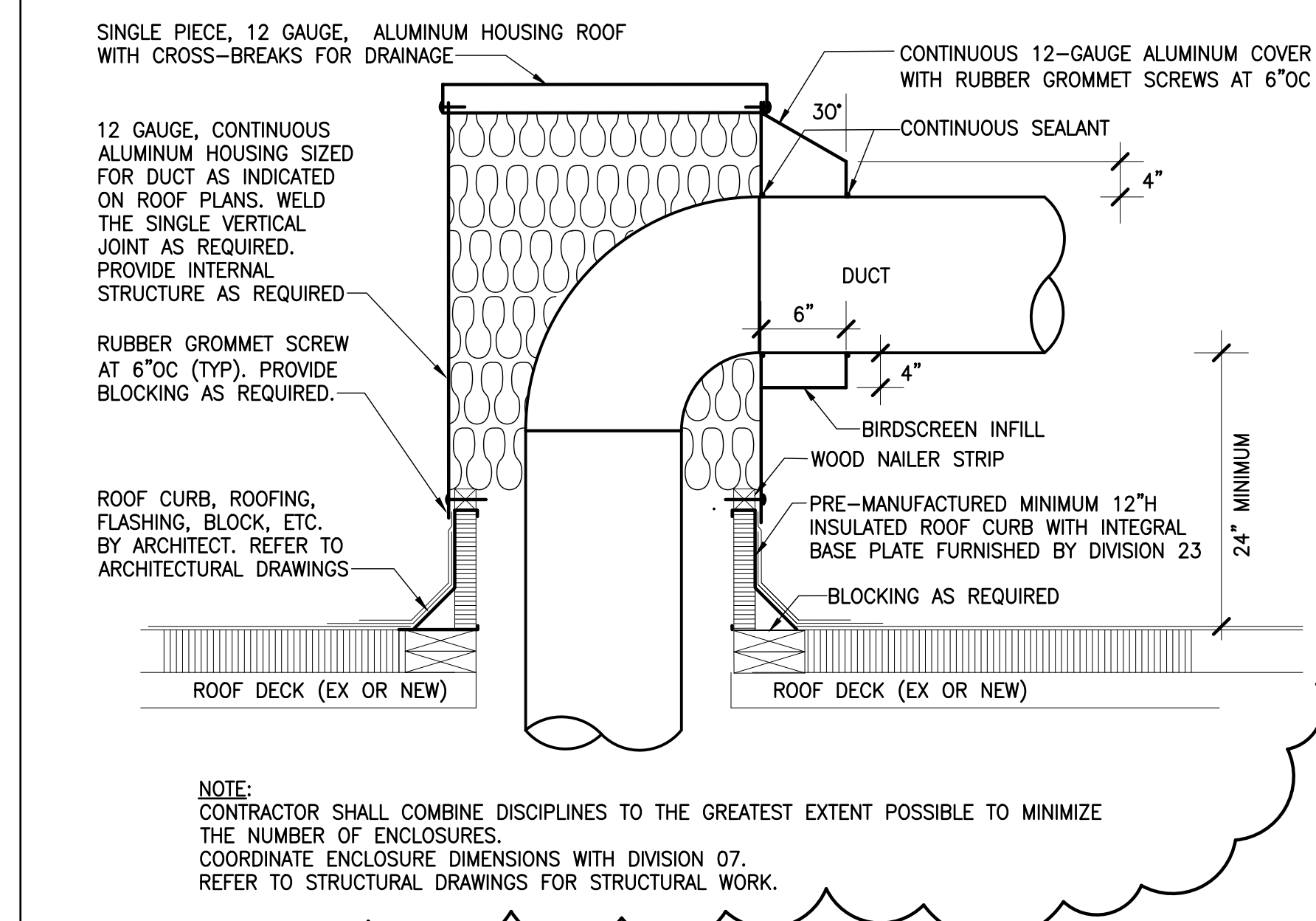
1 TYPICAL SQUARE IN-LINE FAN DETAIL SCALE: AS NOTED



5 TYPICAL EQUIPMENT RAIL DETAIL SCALE: AS NOTED



9 TYPICAL RTU DETAIL



13 DUCT ROOF ENCLOSURE PENETRATION DETAIL

REVISIONS	
NO.	DATE
1	3/7/24
2	3/14/24
3	3/20/24

ADENDUM NO. 1  
ADENDUM NO. 2  
ADENDUM NO. 3

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WO# 23043

PROJECT MANAGER SED  
DESIGNER EEE  
DATE 2/26/2024

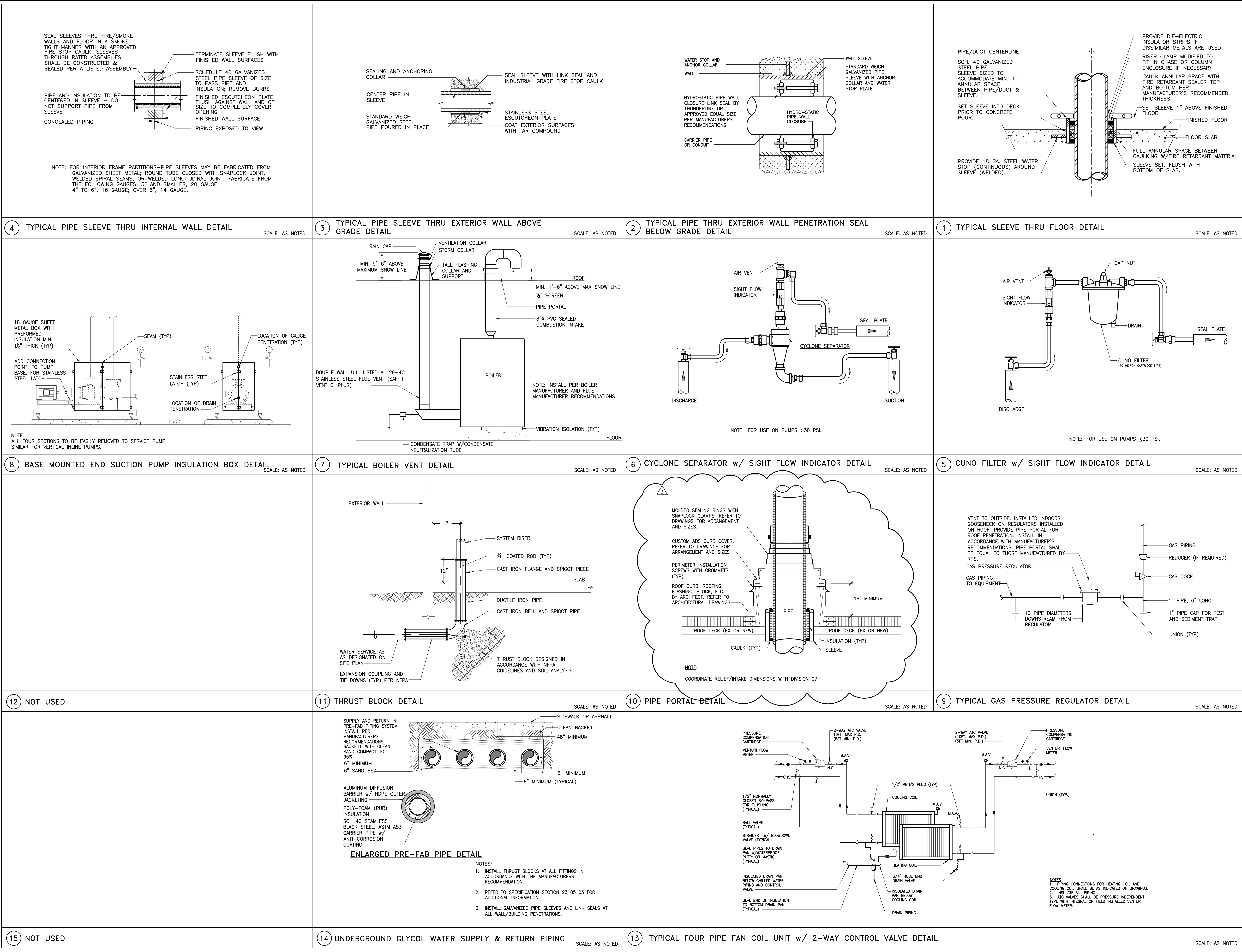
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HVAC SYSTEMIC RENOVATIONS  
111 MT ROYAL AVE, ABERDEEN, MARYLAND 21001.

BID SUBMISSION

**M704**

PSC-12.006





REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	3/7/24	ADDITION NO. 1	
2	3/14/24	ADDITION NO. 2	
3	3/20/24	ADDITION NO. 3	

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WO# 23043

PROJECT MANAGER SED

DESIGNER EEE

DATE 2/26/2024

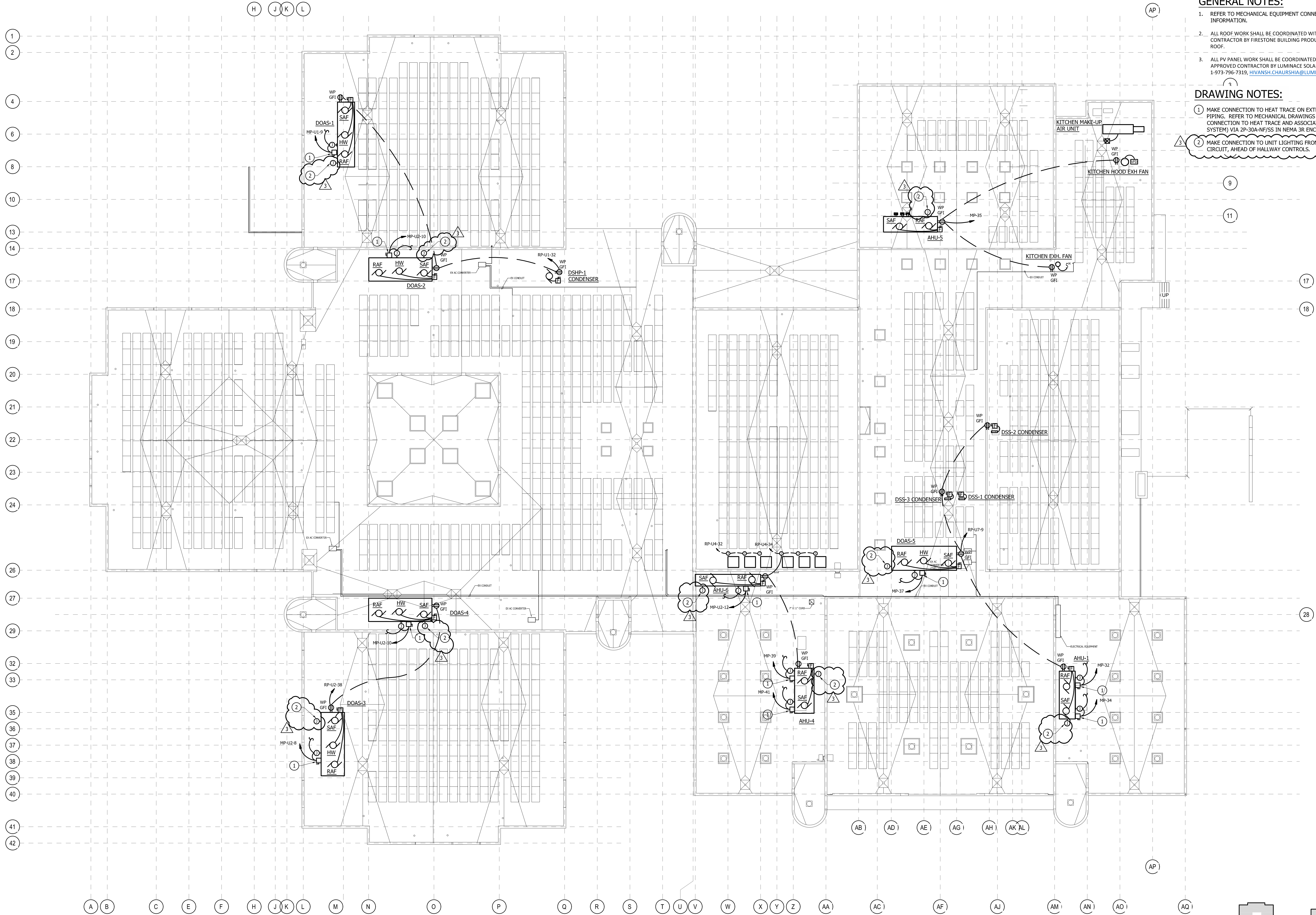
DETAILS

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M705

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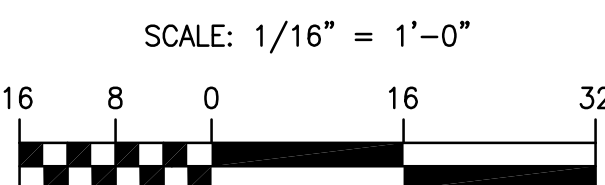
GENERAL NOTES:

1. REFER TO MECHANICAL EQUIPMENT CONNECTION SCHEDULE FOR ADDITIONAL INFORMATION.
2. ALL ROOF WORK SHALL BE COORDINATED WITH AND PERFORMED BY THE APPROVED CONTRACTOR BY FIRESTONE BUILDING PRODUCTS, THE WARRANTY HOLDER OF THE ROOF.
3. ALL PV PANEL WORK SHALL BE COORDINATED WITH AND PERFORMED BY THE APPROVED CONTRACTOR BY LUMINACE SOLAR OPERATIONS. SHIVAMSH CHAURUSHAI, 1-973-796-7319, [HIVANSH.CHAURSHIA@LUMINACE.COM](mailto:HIVANSH.CHAURSHIA@LUMINACE.COM)

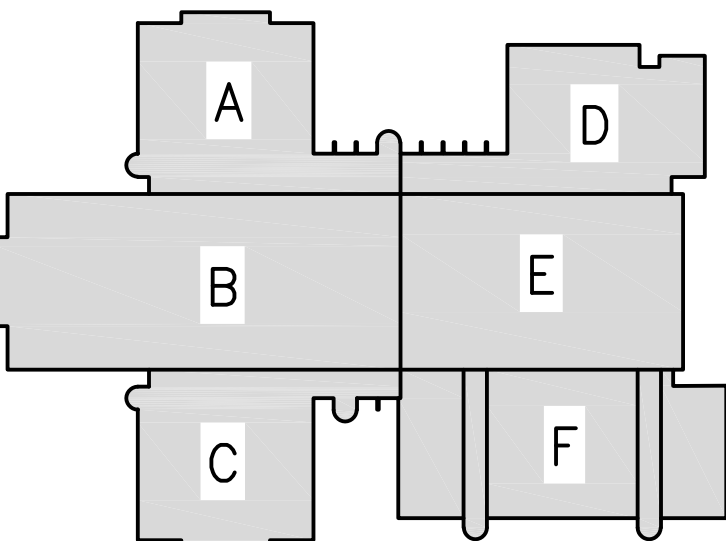
DRAWING NOTES:

1. MAKE CONNECTION TO HEAT TRACE ON EXTERIOR WATER SUPPLY AND RETURN PIPING. REFER TO MECHANICAL DRAWINGS FOR PIPING LAYOUT. MAKE CONNECTION TO HEAT TRACE AND ASSOCIATED CONTROLLER (FURNISHED WITH SYSTEM) VIA 2P-30A-NF/SS IN NEMA 3R ENCLOSURE, AS REQUIRED.
2. MAKE CONNECTION TO UNIT LIGHTING FROM NEAREST 277V HALLWAY LIGHTING CIRCUIT, AHEAD OF HALLWAY CONTROLS.

1 ROOF PLAN - POWER  
E311 SCALE: 1/16" = 1'-0"



KEY PLAN  
N.T.S.



ROOF PLAN - POWER

HARFORD COUNTY PUBLIC SCHOOLS - ABERDEEN MIDDLE SCHOOL  
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PROJECT MANAGER EMP

DESIGNER SED

DATE 2/26/2024

2