



INVITATION TO BID

SOLICITATION TITLE: RIVMC Columbarium Plaza Expansion
SOLICITATION NUMBER: 7606786
BID PROPOSAL SUBMISSION DEADLINE: July 9, 2020 at **11:30 AM**

PREBID CONFERENCE

- NONMANDATORY
- MANDATORY** → Bidder must attend the mandatory prebid conference. The bidder's representative must register with the Division of Purchases at the mandatory prebid conference and identify the bidder he or she represents.

Location: None
Date:
Time: Choose an item.

QUESTIONS about this solicitation must be emailed and received by the Division of Purchases at **Buyer Email Address**. no later than **Click here to enter a date.**, 5:00 PM, in a Microsoft Word attachment with the corresponding solicitation number. Questions, if any, and responses will be posted on the Division of Purchases website at www.purchasing.ri.gov as an addendum to this solicitation

BID BOND REQUIRED: NO
 YES

PAYMENT AND PERFORMANCE BOND REQUIRED: NO
 YES

SPECIFICATIONS AND PLANS: NO
 YES → See Electronic Solicitation Bidding Information.
Click on the online active "D" link in the "info" column.

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INVITATION TO BID

SOLICITATION TITLE: [Click here to enter text.](#)
SOLICITATION NUMBER: [Click here to enter SOLICITATION NUMBER](#)
BID PROPOSAL SUBMISSION DEADLINE: [Click here to enter a date. at 00:00 Choose an item.](#)

RIVIP REGISTRATION: Bidders must be registered vendors through the online Division of Purchases Rhode Island Vendor Information Program at www.purchasing.ri.gov. To register or update information, click on "Vendor Center," then "Vendor Information" from the dropdown menu on the left.

BIDDER CERTIFICATION COVER FORM: Bidders must download (obtainable at www.purchasing.ri.gov), complete, and submit a Bidder Certification Cover Form with each bid proposal.

Solicitation Date: Thursday, July 09, 2020
Project Description: RIVMC Columbarium Plaza Expansion
Project Location: [Street Address, Floor #, Room #, etc.](#)
Completion Time: see bid specifications
User Agency: Human Services, Department Of DHS VETERANS CEMETERY
Awarding Authority: The State of Rhode Island Department of Administration
Division of Purchases, 2nd Floor
One Capitol Hill, Providence, RI 02908-5855
Design Agent: Bryant Associates

The State of Rhode Island through its, Department of Administration, Division of Purchases, is soliciting bid proposals to perform the work described in the plans and specifications dated [Click here to enter a date.](#) for the Project in accordance with this solicitation.

Bidders are invited to submit bid proposals to the Division of Purchases by the bid proposal submission deadline.

This solicitation contains, and is subject to the terms and conditions of, the Invitation to Bid, Instructions to Bidders, Bid Preparation Checklist (with applicable forms), Agreement, General Conditions, any Supplemental Conditions, Specifications and Plans, Bidder Certification Cover Form, and Bid Form. The solicitation is available at www.purchasing.ri.gov.

The award of the contract pursuant to this solicitation will be made to the responsive and responsible bidder with the lowest bid price. *The Division of Purchases reserves the right to waive any technicalities in the bid proposals, accept or reject any bid proposal, award a contract in the best interest of the State, or revoke any solicitation.*

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INVITATION TO BID

Electronic Solicitation Bidding Information

Downloading and Accessing Additional Electronic Solicitation Files

Accessing electronic files on the purchasing website will require Adobe viewer. All bid solicitations that include a "D" in the "Info" column will require WinZip 8.1 software. The WinZip file may contain one or more files. These files may require additional software such as Microsoft Office.

Specifications that have a file for download are marked with a "D" in the "Info" field of the bid search results page located on the Purchasing website. The "D" will indicate an active link to the WinZip file until the bid reaches its opening date. Clicking on the active "D" link will allow you to open or save the WinZip file associated with the bid. Opening the WinZip file will offer you the option of saving to your local computer.

Once saved, you can open the WinZip file and view the files. The individual files can be saved to your computer in a location such as "Desktop" or "My Documents".

Buyer Name: Katherine Missell, Title: Chief Buyer

DOCUMENT 00 00 20
INVITATION TO BID

Purchaser: Rhode Island Department of Administration,
Division of Purchases
One Capitol Hill, Providence, RI 02908-5855

Owner/Agent: Rhode Island Department of Human Services, Division of
Veterans' Affairs

Architect: Bryant Associates, Inc.
/Engineer 640 George Washington Highway
Building C, Suite 100,
Lincoln, Rhode Island 02865
Tel.: 401-722-7660 Fax: 401-722-7530

Project: Columbarium Plaza Expansion CW-4 Project - Phase 1
Rhode Island Veterans' Memorial Cemetery
301 South County Trail, Exeter, Rhode Island 02822

Completion Time: From Date of Purchase Order as stated in Document 00 03 00,
herein.

General Contractors are invited to submit sealed bids on the above Project,
to the Purchaser at the above address on or before:

Time: _ _ _ _ _ (a.m./p.m.), Date: _ _ _ _ _ .

Note: Complete details of the scope of work are available in a download at
the Rhode Island Division of Purchases website at <https://www.ridop.ri.gov/>
(labeled with the date of this Solicitation Information document), which
includes the Project Drawings and Project Manual.

Bidder is required to provide a Bid Security in the form of a Bid Bond, or a
certified check payable to the **State of Rhode Island**, in the amount of a sum
no less than five percent (5%) of the Bid Price.

The Owner will hold a Pre-Bid Conference at _ _ _ _ _ .

Time: _ _ _ _ _ (a.m./p.m.), Date: _ _ _ _ _ .

It is strongly recommended that bidders attend the Pre-Bid Conference to
familiarize themselves with the Scope of Work and site restrictions. The
Owner/Agent will not be obligated to schedule site visits after the Pre-Bid
Conference. No claims for extra cost shall be allowed because of lack of full
knowledge of verifiable conditions.

Refer to "Instructions to Bidders" for other Bidding Requirements.

Bidders' attention is referred to State requirements pertaining to conditions
of employment to be observed, including the Equal Employment Opportunity Act
and requirements that 10 percent of the dollar value of the work must be
performed by Minority Business Enterprises, and wage rates to be paid under
the Contract for this project must be in accordance with those prevailing
wages on file in the Rhode Island Department of Labor, Office of the

Director, and included in this Project Manual. Bidders are subject to terms, conditions and provisions of State's General Conditions of Purchase, and to the provisions of Chapters 2, 12, 13 and 14.1 of Title 37, General Laws of the State of Rhode Island 1956, as amended.

The Office of Purchases reserves the right to accept or reject any or all Bids.

Katherine Missell, Chief Buyer

END OF DOCUMENT

DOCUMENT 00 00 20
INVITATION TO BID

Purchaser: Rhode Island Department of Administration,
Division of Purchases
One Capitol Hill, Providence, RI 02908-5855

Owner/Agent: Rhode Island Department of Human Services, Division of
Veterans' Affairs

Architect: Bryant Associates, Inc.
/Engineer 640 George Washington Highway
Building C, Suite 100,
Lincoln, Rhode Island 02865
Tel.: 401-722-7660 Fax: 401-722-7530

Project: 7606786 Columbarium Plaza Expansion CW-4 Project
- Phase 1 Rhode Island Veterans' Memorial
Cemetery
301 South County Trail, Exeter, Rhode Island 02822

Completion Time: From Date of Purchase Order as stated in Document 00 03 00,
herein.

General Contractors are invited to submit sealed bids on the above Project,
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Time: _ _ _ _ _ (a.m./p.m.), Date: _ _ _ _ _ .

Note: Complete details of the scope of work are available in a download at
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The Office of Purchases reserves the right to accept or reject any or all Bids.

Katherine Missell, Chief Buyer

END OF DOCUMENT



State of Rhode Island Department of Administration
Division of Purchases

REVISED
November 20, 2013

NOTICE TO VENDORS

Each bid proposal for a *public works project* must include a "public copy" to be available for public inspection upon the opening of bids. **Bid proposals that do not include a copy for public inspection will be deemed nonresponsive.**

The public copy must be submitted in .pdf (portable document file) format on a *read-only* CD-R media disc. The disc must include *all of the documents* submitted in response to the solicitation concatenated or merged into one file. The file must be named in the following manner:

BidNumber_DateofBid_VendorName_VendorID.pdf

The Bidder Certification Cover Form contains all of the information for the file name. The date of bid must appear as mm-dd-yyyy. The vendor name must appear as one word, with no spaces or punctuation. Underscores must separate the fields.

Example: 7543210_11-08-2013_OceanStateCompanyInc_9867.pdf

The public copy disc must be separately enclosed in a protective cover clearly marked "Public Copy" and include the following information (all available from the Bidder Certification Cover Form): (1) title of solicitation; (2) name of bidder and RIVIP vendor ID number; (3) bid number; and (4) date of bid.

The public copy may redact any trade secrets or commercial or financial information which is of a privileged or confidential nature pursuant to the "Access to Public Records Act," R. I. Gen. Laws §§ 38-2-1 *et seq.*

For further information on how to comply with this statutory requirement, see R. I. Gen. Laws §§ 37-2-18(b) and (j). Also see Procurement Regulation 5.11 accessible at www.purchasing.ri.gov



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
DIVISION OF PURCHASES
One Capitol Hill
Providence, RI 02908-5855

Tel: (401) 574-8100
Fax: (401) 574-8387
Website: www.purchasing.ri.gov

**DIVISION OF PURCHASES
INSTRUCTIONS TO BIDDERS
PUBLIC WORKS CONSTRUCTION (PWC)**

Compliance with Instructions to Bidders

These Instructions to Bidders contain terms and conditions that will govern the preparation and submission of a bid proposal and any contract awarded pursuant to this solicitation.

Bidders must comply with each and every requirement of these Instructions to Bidders. Any failure to comply with any requirement may result in the determination of a nonresponsive bid proposal and/or the rejection of the bid proposal.

Priority of Terms and Conditions

The terms and conditions in these Instructions to Bidders *supersede* any and all inconsistent or conflicting terms and conditions in any other provision of any other document in this solicitation or in the bid proposal and govern this solicitation, the bid proposal, and any contract awarded pursuant to this solicitation.

Offer to Contract

Bid proposals constitute an offer to contract with the State of Rhode Island through the Department of Administration Division of Purchases on the terms and conditions contained in the solicitation, the laws of the State of Rhode Island, including all procurement statutes and regulations (available at www.purchasing.ri.gov), and applicable federal and local law, all of which are incorporated into this solicitation and any contract awarded pursuant to this solicitation by this reference.

Comprehensive Review and Inspection

The bidder is responsible for carefully reviewing all of the requirements of this solicitation, inspecting the project location, including checking and/or verifying measurements, site conditions, any limitations, and other details, prior to preparing and submitting its bid proposal. Failure to submit a complete bid proposal may result in rejection of the bid proposal. Claims for additional costs or time resulting from the bidder's failure to inspect and/or verify will not be considered.

Addenda

Responses to questions from bidders, interpretations of plans and specifications, changes prior to the bid proposal submission deadline, approvals of any substitutions, and supplemental instructions and terms will be posted as addenda on the Division of Purchases website at www.purchasing.ri.gov, and all addenda become incorporated into this solicitation upon posting. Bidders are responsible for checking the website to determine the issuance of any addenda. No addenda will be posted within the 5-day period preceding the bid proposal submission deadline except for an addendum withdrawing the solicitation or extending the bid proposal submission deadline.

Prebid Conference

At the discretion of the State Purchasing Agent, a prebid conference - mandatory or nonmandatory - may be held. Bidders must attend a mandatory prebid conference and are encouraged to attend a nonmandatory prebid conference. The bidder's representative must register with the Division of Purchases at a mandatory prebid conference and identify the bidder he or she represents.

Costs

The bidder is responsible for all costs and expenses to develop and submit a bid proposal in response to this solicitation.

Preparation of Bid Proposal

Bid proposals must be made on the Bid Form included in the solicitation and in accordance with the instructions in this solicitation. All applicable blanks must be completed in a legible manner, printed electronically, typed, or handwritten in ink, and amounts must be expressed in both words and figures. In the event of any contradictory terms, handwritten terms prevail over printed or typed terms, and words prevail over figures. Signatures must be in ink. No additional provisions, conditions, or limitations may be made by the bidder, and any erasures and/or corrections must be initialed in ink by the person signing on behalf of the bidder.

This solicitation contains a Bid Preparation Checklist to assist the bidder in preparing a bid proposal for submission.

Submission of Bid Proposal

Each bid proposal (a complete package, with the signed Bidder Certification Cover Form, signed Bid Form, Bid Surety, IRS Form W-9, signed General Contractor Apprenticeship Certification, if applicable, and public copy CD-R media disk) must be submitted in a *separate sealed envelope* with the bidder's name and address and the specific "Solicitation Number," "Solicitation Title," and the "Bid Proposal Submission Deadline" marked in the upper left-hand corner of the envelope.

The bid proposal must be delivered (via mail, messenger service, or personal delivery) to the Division of Purchases and date-stamped receipted by the date and time specified for the bid proposal submission deadline. Bidders should mail bid proposals sufficiently in advance of the bid proposal submission deadline to ensure timely delivery to the Division of Purchases or, when delivering a bid proposal in person or by messenger, should allow additional time for parking and clearance through security checkpoints. Bid proposals must be addressed to:

Rhode Island Department of Administration
Division of Purchases
One Capitol Hill, Second Floor
Providence, RI 02908-5855

Bid proposals that are not received by the Division of Purchases by the bid proposal submission deadline for whatever reason will be deemed late and will not be considered. The submission time will be determined by the time clock in the Division of Purchases. Postmarks will not be considered proof of timely submission.

At the bid proposal submission deadline, bid proposals will be opened and read aloud in public.

Bid Price

The bidder must submit a Base Bid Price on the Bid Form to perform all of the work specified in the solicitation, including the cost of the bonds and any allowances and addenda. The costs of alternates shall not be included in the calculation of the Base Bid Price. The bidder shall separately provide the cost for each alternate listed in the Bid Form. The cost for each alternate must be designated as an addition to, or subtraction from, the Base Bid Price. Alternates will be selected, if any, by the Division of Purchases in the order of priority listed in the Bid Form.

Bidder Certification Cover Form

The bidder must download, complete, sign, and submit the Bidder Certification Cover Form for this solicitation as the first document with each bid proposal. The Bidder Certification Cover Form is downloadable with the solicitation from the Division of Purchases website by logging in as a RIVIP vendor and clicking on the applicable "Bid Number."

Public Copy

Bid proposals submitted in response to this solicitation are public records pursuant to the Rhode Island "Access to Public Records Act," R. I. Gen. Laws §§ 38-2-1 et seq. Each bid proposal must include a "public copy" to be available for public inspection upon the opening of bids. Bidders may redact in the public copy any trade secrets or commercial or financial information which is of a privileged or confidential nature pursuant to the Access to Public Records Act.

The public copy must be submitted in .pdf (portable document file) format on a **read-only** CD-R media disk. The disk must include **all of the documents** submitted in response to the solicitation concatenated or merged into one file.

The public copy disk must be separately enclosed in a protective cover clearly marked "Public Copy" and include the following information: (1) Solicitation Title; (2) name of bidder and RIVIP vendor ID number; (3) Solicitation Number; and (4) bid proposal submission deadline.

The .pdf file must be named in the following manner:

SolicitationNumber_Bid Proposal Submission Deadline_BidderName_VendorID.pdf

The bid proposal submission deadline must appear as mm-dd-yyyy. The bidder name must appear as one word, with no spaces or punctuation. Underscores must separate the fields.

Example: 7543210_11-08-2013_OceanStateCompanyInc_9867.pdf

The public copy of each bid proposal will be posted on the Division of Purchases website.

*For Rhode Island Department of Transportation highway and bridge projects, in addition to the Quest Lite compatible electronic copy and one hard copy, the bidder must also include a duplicate original of the Quest Lite compatible electronic copy on a **read-only** CD-R media disk as the "public copy."*

Contractors Registration

The bidder must have and maintain a valid certificate of registration issued by the Contractors' Registration Board throughout the term of the contract awarded pursuant to this solicitation and ensure that its subcontractors, unless exempt from registration, also obtain and maintain valid certificates of registration.

Subcontractors

The bidder must demonstrate that it is able to perform a substantial portion of the work using its own workforce. Any bidder that does not maintain a permanent workforce and/or proposes to perform a disproportionate amount of the work through one or more subcontractors will be considered unqualified. The successful bidder must establish to the satisfaction of the State Purchasing Agent the reliability and responsibility of any subcontractors proposed to perform any work pursuant to this solicitation.

Taxes

The State of Rhode Island is exempt from federal excise taxes and state and municipal sales and use taxes. The bidder shall not include such taxes in any prices in the bid proposal.

Bid Surety

Bidders must furnish, with their bid proposals, either a bid bond from a surety licensed to conduct business in the State of Rhode Island or a certified check payable to the State of Rhode Island in the amount of five (5%) percent of the bid proposal. (*Bidders for Rhode Island Department of Transportation highway and bridge projects must furnish, with their bid proposals, a bid bond from a surety licensed to conduct business in the State of Rhode Island. Certified checks are not permitted for these projects.*) An attorney-in-fact who executes a bond on behalf of the surety must provide a certified current copy of the power of attorney. A successful bidder who fails to submit the additional documentation required by the tentative letter of award and/or fails to commence and pursue the work in accordance with the contract awarded pursuant to this solicitation may forfeit, at the discretion of the State Purchasing Agent, the full amount of the bid surety as liquidated damages. The State will retain the bid surety of all bidders until the earliest of: (i) the issuance of the Purchase Order; (ii) the 61st day following the bid proposal submission deadline; or (iii) the rejection of all bid proposals.

Divestiture of Investments in Iran Requirement

No bidder engaged in investment activities in Iran as described in R.I. Gen. Laws § 37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each bidder submitting a bid proposal or entering into a renewal of a contract is required to certify that the bidder does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws § 37-2.5-3.

Domestic Steel

Any steel products required by the plans and specifications in this solicitation must be formed, extruded, forged, cast, fabricated, or otherwise processed from steel made in the United States.

Withdrawal

A bidder may withdraw its bid proposal at any time prior to the bid proposal submission deadline. Bid proposals are irrevocable for a period of 60 days following the bid proposal submission deadline.

Reservation of Rights

The Division of Purchases reserves the right, at any time, for any reason, in its sole discretion, to: (i) revoke, suspend, or terminate this solicitation; (ii) accept or reject any and all bid proposals, in whole or in part; (iii) waive any technical defects, irregularities, or omissions in any bid proposals; and/or (iv) terminate any contract awarded pursuant to this solicitation, with or without cause.

Award

The State Purchasing Agent, in his or her sole discretion, will award the contract pursuant to this solicitation to the responsive and responsible bidder who submits the lowest responsive and responsible bid proposal. The State Purchasing Agent may determine, in his or her sole discretion, the low bid proposal on the basis of the amount of the Base Bid Price plus the alternates selected in accordance with the Bid Form. The successful bidder will receive a tentative letter of award from the Division of Purchases with instructions for the bidder to submit further documentation. The successful bidder shall be authorized to commence work only upon the issuance of the Purchase Order by the Division of Purchases and, in addition, an authorization from the user agency. The issuance of the Purchase Order and the continuation of any contract awarded pursuant to this solicitation is contingent upon the availability of funds.

Payment and Performance Bonds

The successful bidder must furnish a 100% payment and performance bond from a surety licensed to conduct business in the State of Rhode Island upon the tentative award of the contract pursuant to this solicitation.

Prevailing Wages

For contracts priced under \$1 Million

The successful bidder and its subcontractors must pay their workers at the applicable prevailing wage rates (adjusted every July 1) for the various trades on a weekly basis, pay their workers one and one-half times the applicable prevailing wage rates for each hour worked in excess of 8 hours in any one day or 40 hours in any one week, and submit certified weekly payroll forms on a monthly basis to the user agency. Prevailing wage posters and rate schedules, available at the Rhode Island Department of Labor and Training website at www.dlt.ri.gov, must be posted at the project site.

For contracts priced \$1 Million or More

The successful bidder and its subcontractors must pay their workers at the applicable prevailing wage rates (adjusted every July 1) for the various trades on a weekly basis, pay their workers one and one-half times the applicable prevailing wage rates for each hour worked in excess of 8 hours in any one day or 40 hours in any one week, submit certified weekly payroll forms on a monthly basis to the user agency, and maintain a certified prevailing wage daily log at the project site. Prevailing wage posters and rate schedules, available at the Rhode Island Department of Labor and Training website at www.dlt.ri.gov, must be posted at the project site.

Apprenticeship

if the value of the project pursuant to this solicitation is at least \$1 Million (including all alternates), the successful bidder must employ apprentices on this project (in accordance with the apprentice to journey person ratio for each trade approved by the State Apprenticeship Council. The bidder must complete, sign, and submit the General Contractor Apprenticeship Certification Form, included in the solicitation, with the bid proposal.

The successful bidder will also be required to complete, sign, and submit the General Contractor Apprenticeship Re-Certification and Certification Form following receipt of the tentative letter of award, and, in addition, each subcontractor must complete, sign, and submit to the successful bidder the Subcontractor Apprenticeship Certification Form prior to the commencement of any work on the project pursuant to this solicitation.

Specific information about apprentice occupations and apprenticeship requirements is available on the Rhode Island Department of Labor and Training website at www.dlt.ri.gov/apprenticeship.

Occupational Safety

The successful bidder must ensure (if the total contract price is at least \$100,000) that all employees at the project site possess a card issued by the United States Department of Labor certifying successful completion of an OSHA ten (10) hour construction safety program.

Hazardous Substances

The successful bidder must submit a chemical identification list to the Rhode Island Department of Labor and Training upon receipt of a Purchase Order from the Division of Purchases prior to performance of the contract awarded pursuant to this solicitation and make available to all employees a list of any hazardous substances that may present a risk of exposure.

Substitutions

Any proposal in response to a request for substitutions in this solicitation must include the detailed information necessary for a comprehensive evaluation, including (without limitation) the name of the material or equipment of the proposed substitution and a complete description of the proposed substitution, with drawings and performance and test data. Products specified in this solicitation establish a standard of quality, performance, dimension, function, and appearance. Proposed substitutions must meet the standard and will not be considered without the prior written approval of the Division of Purchases. All substitution approvals will be posted, as addenda to the solicitation on the Division of Purchases website.

Licenses

The successful bidder and anyone performing any work on the contract awarded pursuant to this solicitation must possess all of the licenses required by any federal, state, or local law to perform such work.

Insurance

The successful bidder must submit a copy of an endorsement and a certificate of insurance that references the solicitation number and names the State of Rhode Island as "certificate holder" and as "additional insured" upon the issuance of the tentative letter of award, on an annual basis during the term of the contract awarded pursuant to this solicitation, and from time to time upon request. The certificate of insurance must state that 30 days' advance notice of cancellation, nonrenewal, or material change in coverage (referencing the solicitation number) will be sent to: Rhode Island Department of Administration, Division of Purchases, One Capitol Hill, Providence, Rhode Island 02908-5855, fax # 401-574-8387, and provide evidence of the following specific types and amounts of insurance:

<u>Type of Insurance</u>	<u>Amount of Coverage</u>
Comprehensive General Liability	\$1 Million each occurrence (inclusive of both bodily injury and property damage)_ \$1 Million products and completed operations aggregate \$1 Million general aggregate

Comprehensive General Liability coverage shall include:

- Independent contractors
- Contractual (including construction "hold harmless" and other types of contracts or agreements in effect for insured operations)
- Completed operations
- Personal injury (with employee exclusion deleted)

Automobile Liability

Combined Single Limit	\$1 Million each occurrence
Bodily injury, property damage, including nonowned and/or hired vehicles and equipment	

Workers Compensation

Coverage B	\$100,000
Environmental Impairment ("pollution control")	\$1 Million or 5% of contract amount, whichever is greater
Builder's Risk	Contract amount

All insurance required by this solicitation, whether through a policy or an endorsement, shall include: (i) a waiver of subrogation, waiving any right the insurance company may have to recover against the State of Rhode Island; and (ii) a provision that the bidder's insurance coverage shall be primary in relation to any insurance, self-insurance, or self-retention maintained by the State of Rhode Island, and any insurance, self-insurance, or self-retention maintained by the State of Rhode Island shall be in excess of the bidder's insurance.

The State Purchasing Agent reserves the right to accept alternate forms and plans of insurance and/or to require additional or more extensive coverage.

Minority Business Enterprises

The Division of Purchases reserves the right to give additional consideration to bid proposals submitted by minority/women business enterprises certified by the Division of Purchases, Minority Business Office ("MBEs") provided that any such bid proposal is fully responsive to the terms and conditions of this solicitation, and the bid price is determined, in the discretion of the Division of Purchases, to be within a competitive range.

Any bidder who does not intend to perform all of the work with its own forces shall recruit and engage MBEs to perform at least 10% of the dollar value of the contract awarded pursuant to this solicitation. To reach that goal, the bidder may allocate up to 60% of its costs for materials and supplies obtained from MBE dealers or 100% of its costs for materials and supplies obtained from MBE manufacturers.

The successful bidder must submit a plan to meet this requirement for approval by the Division of Purchases, Minority Business Enterprise Compliance Office within the 21-day period following the tentative letter of award, identifying all MBEs, and must also demonstrate its good faith best efforts to meet these MBE goals. Information about this requirement and a directory of MBEs certified in Rhode Island is available at www.mbe.ri.gov or (401) 574-8670.

Equal Opportunity

The successful bidder must demonstrate a commitment to equal opportunity and submit an affirmative action plan for review by the Rhode Island Department of Administration State Equal Opportunity Office within 5 days following the tentative letter of award. Information about this requirement is available at www.diversity.ri.gov/eo/eoophagehome.htm or (401) 222-3090.

Drug-Free Workplace

The successful bidder shall comply, and require that its employees comply, with the State of Rhode Island Drug Free Workplace policy and provide a certificate of compliance within the 21-day period following the tentative letter of award.

Sprinkler Impairment

The successful bidder must comply with the requirements of the State of Rhode Island's insurance carrier for sprinkler impairment and hot work, accessible at the Division of Purchases website at www.purchasing.ri.gov.

Foreign Corporations

No foreign corporation or limited liability company may transact business in the State of Rhode Island until it shall have obtained a Certificate of Authority from the Rhode Island Secretary of State, and no foreign limited partnership may transact business in the State of Rhode Island until it shall have obtained a Certificate of Registration from the Rhode Island Secretary of State. The successful bidder, if a corporation or limited liability company, will be required to provide a Good Standing Certificate, and if a limited partnership, will be required to provide a Letter of Legal Existence, issued by the Rhode Island Secretary of State within the 21-day period following the tentative letter of award.

Campaign Finance

The successful bidder who has contributed, within the 24 months preceding the contract award, an aggregate amount of more than \$250.00 within a calendar year to any Rhode Island general officer, candidate for general office, any member of the general assembly, or any Rhode Island political party, must file a "Vendor Affidavit" with the State of Rhode Island Board of Elections. Information about "Vendor Affidavits" and electronic filing is available at www.elections.ri.gov or Board of Elections, Campaign Finance, (401) 222-2056.

Binding Contract

The form of agreement the successful bidder will be required to execute is included in the solicitation. A binding contract between the State of Rhode Island and the successful bidder will be formed by the issuance of a Purchase Order from the Division of Purchases, *and only by the issuance of a Purchase Order, and only to the extent of available funds.* The binding contract will incorporate and be subject to the terms and conditions of the solicitation, including the Invitation to Bid, the Instructions to Bidders, the General Conditions, any Supplemental Conditions, the Plans and Specifications, the Bid Preparation Checklist, the Bid Form, the Bidder Certification Cover Form, the Agreement, and also the Purchase Order. The successful bidder shall be authorized to commence work only upon the issuance of the Purchase Order and, in addition, an authorization from the user agency.

MPA 1% Admin Fee

Master Price Agreements

Contract Administrative Fee - The "State Purchases Act", R. I. Gen. Laws § 37-2-12 (b) authorizes the Chief Purchasing Officer to establish, charge and collect from vendors listed on master price agreements ("MPA") a contract administrative fee not to exceed one percent (1%) of the total value of the annual spend against contracts awarded to MPA vendors. All contract administrative fees collected from MPA vendors shall be deposited into a restricted receipt account which shall be used for the purposes of implementing technology for the submission and processing of bids, online bidder registration, bid notification, and other costs related to State procurement. The contract administrative fee shall be applicable to all purchase orders issued relative to the within solicitation during the entire term of the MPA contract.

Compliance with Terms of Contract

Failure of the successful bidder to comply with the terms and conditions of any contract awarded pursuant to this solicitation may result in nonpayment, suspension or termination of the contract, suspension or debarment of the bidder, or any other necessary or appropriate remedy.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex

1511 Pontiac Avenue
Cranston, RI 02920-4407

TTY: Via RI Relay 711

Lincoln D. Chafee
Governor

Charles J. Fogarty
Director

STATE CONTRACT ADDENDUM

RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING

PREVAILING WAGE REQUIREMENTS (37-13-1 ET SEQ.)

The prevailing wage requirements are generally set forth in RIGL 37-13-1 et seq. These requirements refer to the prevailing rate of pay for regular, holiday, and overtime wages to be paid to each craftsmen, mechanic, teamster, laborer, or other type of worker performing work on public works projects when state or municipal funds exceed one thousand dollars (\$1,000).

All Prevailing Wage Contractors and Subcontractors are required to:

1. Submit to the Awarding Authority a list of the contractor's subcontractors for any part or all of the prevailing wage work in accordance with RIGL § 37-13-4;
2. Pay all prevailing wage employees at least once per week and in accordance with RIGL §37-13-7 (see Appendix B attached);
3. Post the prevailing wage rate scale and the Department of Labor and Training's prevailing wage poster in a prominent and easily accessible place on the work site in accordance with RIGL §37-13-11; posters may be downloaded at www.dlt.ri.gov/pw/Posters.htm .poster/htm or obtained from the Department of Labor and Training, Center General Complex, 1511 Pontiac Avenue, Cranston, Rhode Island;
4. Access the Department of Labor and Training website, at www.dlt.ri.gov on or before July 1st of each year, until such time as the contract is completed, to ascertain the current prevailing wage rates and the amount of payment or contributions for each covered prevailing wage employee and make any necessary adjustments to the covered employee's prevailing wage rates effective July 1st of each year in compliance with RIGL §37-13-8;
5. Attach a copy of this CONTRACT ADDENDUM and its attachments as a binding obligation to any and all contracts between the contractor and any

An Equal Opportunity Employer/Program./Auxiliary aids and services are available upon request to individuals with disabilities.

TTY via RI Relay 711



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex
1511 Pontiac Avenue
Cranston, RI 02920-4407

Telephone; (401) 462-8000
TTY; Via RI Relay 711

Lincoln D. Chafee
Governor
Charles J. Fogarty
Director

subcontractors and their assignees for prevailing wage work performed pursuant to this contract;

6. Provide for the payment of overtime for prevailing wage employees who work in excess of eight (8) hours in any one day or forty (40) hours in any one week as provided by RIGL §37-13-10;
7. Maintain accurate prevailing wage employee payroll records on a Rhode Island Certified Weekly Payroll form available for download at www.dlt.ri.gov/pw.forms/htm, as required by RIGL §37-13-13, and make those records available to the Department of Labor and Training upon request;
8. Furnish the fully executed RI Certified Weekly Payroll Form to the awarding authority on a monthly basis for all work completed in the preceding month.
9. For general or primary contracts one million dollars (\$1,000,000) or more, shall maintain on the work site a fully executed RI Certified Prevailing Wage Daily Log listing the contractor's employees employed each day on the public works site; the RI Certified Prevailing Wage Daily Log shall be available for inspection on the public works site at all times; this rule shall not apply to road, highway, or bridge public works projects. Where applicable, furnish both the Rhode Island Certified Prevailing Wage Daily Log together with the Rhode Island Weekly Certified Payroll to the awarding authority.
10. Assure that all covered prevailing wage employees on construction projects with a total project cost of one hundred thousand dollars (\$100,000) or more has a OSHA ten (10) hour construction safety certification in compliance with RIGL § 37-23-1;
11. Employ apprentices for the performance of the awarded contract when the contract is valued at one million dollars (\$1,000,000) or more, and comply with the apprentice to journeyman ratio for each trade approved by the apprenticeship council of the Department of Labor and Training in compliance with RIGL §37-13-3.1;
12. Assure that all prevailing wage employees who perform work which requires a Rhode Island trade license possess the appropriate Rhode Island trade license in compliance with Rhode Island law; and

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TTY via RI Relay 711



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Director

13. Comply with all applicable provisions of RIGL §37-13-1, et. seq;

Any questions or concerns regarding this CONTRACT ADDENDUM should be addressed to the contractor or subcontractor's attorney. Additional Prevailing Wage information may be obtained from the Department of Labor and Training at www.dlt.ri.gov/pw.

CERTIFICATION

I hereby certify that I have reviewed this CONTRACT ADDENDUM and understand my obligations as stated above.

By: _____

Title: _____

Subscribed and sworn before me this ___ day of _____, 20__.

Notary Public
My commission expires: _____

*An Equal Opportunity Employer/Program, /Auxiliary aids and services are available upon request to individuals with disabilities.
TTY via RI Relay 711*



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex

1511 Pontiac Avenue

Cranston, RI 02920-4407

Telephone: (401) 462-8000

APPENDIX A

TITLE 37
Public Property and Works
CHAPTER 37-13
Labor and Payment of Debts by Contractors
SECTION 37-13-5

§37-13-5 Payment for trucking or materials furnished - Withholding of sums due. -A contractor or subcontractor on public works authorized by a proper authority shall pay any obligation or charge for trucking and material which have been furnished for the use of the contractor or subcontractor, in connection with the public works being performed by him or her, within ninety (90) days after the obligation or charge is incurred or the trucking service has been performed or the material has been delivered to the site of the work, whichever is later. When it is brought to the notice of the proper authority in a city or town, or the proper authority in the state having supervision of the contract, that the obligation or charge has not been paid by the contractor or subcontractor, the proper authority may deduct and hold for a period not exceeding sixty (60) days, from sums of money due to the contractor or subcontractor, the equivalent amount of such sums certified by a trucker or materialman creditor as due him or her, as provided in this section, and which the proper authority determines is reasonable for trucking performed or materials furnished for the public works.

APPENDIX B

TITLE 37

Public Property and Works

CHAPTER 37-13

Labor and Payment of Debts by Contractors

SECTION 37-13-7

§ 37-13-7 Specification in contract of amount and frequency of payment of wages.

-(a) Every call for bids for every contract in excess of one thousand dollars (\$1,000), to which the state of Rhode Island or any political subdivision thereof or any public agency or quasi-public agency is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the state of Rhode Island or any political subdivision thereof, or any public agency or quasi-public agency and which requires or involves the employment of employees, shall contain a provision stating the minimum wages to be paid various types of employees which shall be based upon the wages that will be determined by the director of labor and training to be prevailing for the corresponding types of employees employed on projects of a character similar to the contract work in the city, town, village, or other appropriate political subdivision of the state of Rhode Island in which the work is to be performed. Every contract shall contain a stipulation that the contractor or his or her subcontractor shall pay all the employees employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates not less than those stated in the call for bids, regardless of any contractual relationships which may be alleged to exist between the contractor or subcontractor and the employees, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of the accrued payments as may be considered necessary to pay to the employees employed by the contractor, or any subcontractor on the work, the difference between the rates of wages required by the contract to be paid the employees on the work and the rates of wages received by the employees and not refunded to the contractor, subcontractors, or their agents.

(b) The terms "wages", "scale of wages", "wage rates", "minimum wages", and "prevailing wages" shall include:

- (1) The basic hourly rate of pay; and
- (2)) The amount of:

(A) The rate of contribution made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

(B) The rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to employees pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the employees affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal, state, or local law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the director of labor and training insofar as this chapter of this title and other acts incorporating this chapter of this title by reference are concerned may be discharged by the making of payments in cash, by the making of contributions of a type referred to in subsection (b)(2), or by the assumption of an enforceable commitment to bear the costs of a plan or program of a type referred to in this subdivision, or any combination thereof, where the aggregate of any payments, contributions, and costs is not less than the rate of pay described in subsection (b)(1) plus the amount referred to in subsection (b)(2).

(c) The term "employees", as used in this section, shall include employees of contractors or subcontractors performing jobs on various types of public works including mechanics, apprentices, teamsters, chauffeurs, and laborers engaged in the transportation of gravel or fill to the site of public works, the removal and/or delivery of gravel or fill or ready-mix concrete, sand, bituminous stone, or asphalt flowable fill from the site of public works, or the transportation or removal of gravel or fill from one location to another on the site of public works, and the employment of the employees shall be subject to the provisions of subsections (a) and (b).

(d) The terms "public agency" and "quasi-public agency" shall include, but not be limited to, the Rhode Island industrial recreational building authority, the Rhode Island economic development corporation, the Rhode Island airport corporation, the Rhode Island industrial facilities corporation, the Rhode Island refunding bond authority, the Rhode Island housing and mortgage finance corporation, the Rhode Island resource recovery corporation, the Rhode Island public transit authority, the Rhode Island student loan authority, the water resources board corporate, the Rhode Island health and education building corporation, the Rhode Island higher education assistance authority, the Rhode Island turnpike and bridge authority, the Narragansett Bay water quality management district commission, Rhode Island telecommunications authority, the convention center authority, the board of governors for higher education, the board of regents for elementary and secondary education, the capital center commission, the housing resources commission, the Quonset Point-Davisville management corporation, the Rhode Island children's crusade for higher education, the Rhode Island depositors economic protection corporation, the Rhode Island lottery commission, the Rhode Island

partnership for science and technology, the Rhode Island public building authority, and the Rhode Island underground storage tank board.

Solicitation Title: RIVMC Columbarium Plaza Expansion

BID FORM

To:

The State of Rhode Island Department of Administration
Division of Purchases, 2nd Floor
One Capitol Hill, Providence, RI 02908-5855

Bidder:

Legal name of entity

Address (street/city/state/zip)

Contact name Contact email

Contact telephone Contact fax

1. BASE BID PRICE

The Bidder submits this bid proposal to perform all of the work (including labor and materials) described in the solicitation for this Base Bid Price (*including the costs for all Allowances, Bonds, and Addenda*):

\$ _____
(base bid price *in figures* printed electronically, typed, or handwritten legibly in ink)

(base bid price *in words* printed electronically, typed, or handwritten legibly in ink)

- **Allowances**

The Base Bid Price ***includes*** the costs for the following Allowances:

Five thousand dollars (\$ 5,000.00) for Testing and Inspections

- **Bonds**

The Base Bid Price ***includes*** the costs for all Bid and Payment and Performance Bonds required by the solicitation.

Solicitation #:
Solicitation Title:

- **Addenda**

The Bidder has examined the entire solicitation (including the following Addenda), and the Base Bid Price **includes** the costs of any modifications required by the Addenda.

All Addenda must be acknowledged.

Addendum No. 1 dated: _____

Addendum No. 2 dated: _____

Addendum No. 3 dated: _____

Addendum No. 4 dated: _____

Addendum No. 5 dated: _____

Addendum No. 6 dated: _____

2. ALTERNATES (Additions/Subtractions to Base Bid Price)

NO ALTERNATIVES REQUIRED

The Bidder offers to: (i) perform the work described in these Alternates as selected by the State in the order of priority specified below, based on the availability of funds and the best interest of the State; and (ii) increase or reduce the Base Bid Price by the amount set forth below for each Alternate selected.

Check "Add" or "Subtract."

N/A

Solicitation #:
Solicitation Title:

3. UNIT PRICES NO UNIT PRICES REQUIRED

The Bidder submits these predetermined Unit Prices as the basis for any change orders approved in advance by the State. These Unit Prices include all costs, including labor, materials, services, regulatory compliance, overhead, and profit.

N/A

4. CONTRACT TIME

The Bidder offers to perform the work in accordance with the timeline specified below:

Start of construction: Late Summer / Fall 2020

Substantial completion: September 15, 2021

Final completion: December 20, 2021

5. LIQUIDATED DAMAGES

The successful bidder awarded a contract pursuant to this solicitation shall be liable for and pay the State, as liquidated damages and not as a penalty, the following amount for each calendar day of delay beyond the date for substantial completion, as determined in the sole discretion of the State: \$1,200.

This bid proposal is irrevocable for 60 days from the bid proposal submission deadline.

If the Bidder is determined to be the successful bidder pursuant to this solicitation, the Bidder will promptly: (i) comply with each of the requirements of the Tentative Letter of Award; and (ii) commence and diligently pursue the work upon issuance and receipt of the purchase order from the State and authorization

Solicitation #:
Solicitation Title:

from the user agency.

The person signing below certifies that he or she has been duly authorized to execute and submit this bid proposal on behalf of the Bidder.

BIDDER

Date: _____

Name of Bidder

Signature in ink

Printed name and title of person signing on behalf of Bidder
#

Bidder's Contractor Registration Number



**RI Department of Labor and Training
 Workforce Regulation and Safety Division
 Professional Regulation - Prevailing Wage**

General Contractor Apprenticeship Certification Form

This form **MUST** be completed and submitted at the time of bidding and is available on the Department of Labor and Training's Website at www.dlt.ri.gov, under Workforce Regulation and Safety, Prevailing Wage, Publications and Forms.

Bid/RFP Number: _____

Bid/RFP Title: _____

RIVIP Vendor ID#: _____

Vendor Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Contact Person and Title: _____

_____ (Company Name & Address) (hereafter "bidder") hereby certifies that bidder meets the general contractor apprenticeship requirements of R. I. Gen. Laws § 37- 13- 3.1 because bidder meets one of the following qualifications (check):

- A. Bidder sponsors a current and duly approved Rhode Island Department of Labor and Training Apprenticeship Program and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing on the contract (attach apprenticeship program standards and apprenticeship agreement);
- B. Bidder sponsors a current and duly registered Rhode Island Department of Labor and Training reciprocal apprenticeship program pursuant to R. I. Gen. Laws § 28-45-16 and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach apprenticeship program standards, apprenticeship agreement and Rhode Island Department of Labor and Training Reciprocal Apprenticeship Program Approval);

- C. _____ Bidder has entered into a current collective bargaining agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the collective bargaining agreement, will employ at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of collective bargaining agreement and signature page);
- D. _____ Bidder has entered into a current labor agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the labor agreement, will employ at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of labor agreement and signature page);
- E. _____ Bidder will not perform work on the awarded contract except through subcontractors (non performance);
- F. _____ Bidder has received approval from the Rhode Island Department of Labor and Training that it satisfies the general contractor requirements of R. I. Gen. Laws §37-13-3.1 for purposes of a particular bid (attach Rhode Island Department of Labor and Training correspondence).

 Printed Name and Title of Authorized Representative

 Date

 Signature of Authorized Representative



**RI Department of Labor and Training
Workforce Regulation and Safety Division
Professional Regulation • Prevailing Wage**

Subcontractor Apprenticeship Certification Form

This form MUST be completed and submitted to the General Contractor BEFORE any work commences on the project. This form is available on the Department of Labor and Training's website at www.dlt.ri.gov, Workforce Regulation and Safety, Prevailing Wage, Publications and Forms.

Bid/RFP Number: _____

Bid/RFP Title: _____

RIVIP Vendor ID#: _____

Vendor Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Contact Person and Title: _____

_____ (CompanyName & Address) (hereafter "subcontractor") hereby certifies that it meets the apprenticeship requirements of R. I. Gen. Laws §37-13-3.1 because subcontractor meets one of the following qualifications (check):

- A. Subcontractor sponsors a current and duly approved Rhode Island Department of Labor and Training Apprenticeship Program and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing on the contract (attach apprenticeship program standards and apprenticeship agreement);
- B. _____ Subcontractor sponsors a current and duly registered Rhode Island Department of Labor and Training reciprocal apprenticeship program pursuant to R. I. Gen. Laws § 28-45-16 and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach apprenticeship program standards, apprenticeship agreement and Rhode Island Department of Labor and Training Reciprocal Apprenticeship program Approval);

- C. _____ Subcontractor has entered into a current collective bargaining agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the collective bargaining agreement, will employ at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of collective bargaining agreement and signature page);
- D. _____ Subcontractor has entered into a current labor agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the labor agreement, will employ at least one apprentice per trade/ occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of labor agreement and signature page);
- E. _____ Subcontractor will not perform work on the awarded contract except through subcontractors (non performance);
- F. _____ Subcontractor has received approval from the Rhode Island Department of Labor and Training that it satisfies the subcontractor requirements of R. I. Gen. Laws §37-13-3.1 for purposes of a particular bid (attach Rhode Island Department of Labor and Training correspondence).

_____(Company Name & Address)(hereafter "Subcontractor") hereby certifies that its subcontractor(s) meet the apprenticeship requirements of R. I. Gen. Laws § 37-13 -3.1.

Printed Name and Title of Authorized Representative

Date

Signature of Authorized Representative



**RI Department of Labor and Training
Workforce Regulation and Safety Division
Professional Regulation - Prevailing Wage**

General Contractor Apprenticeship Re-
Certification and Certification Form

This form MUST be completed and submitted at the time the contract is awarded and is available on the Department of Labor and Training's website at www.dlt.ri.gov, Workforce Regulation and Safety, Prevailing Wage, Publications and Forms.

Bid/RFP Number: _____

Bid/RFP Title: _____

RIVIP Vendor ID#: _____

Vendor Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail: _____

Contact Person and Title: _____

Part A

_____ (Company Name & Address) (hereafter "General Contractor") hereby re-certifies that it meets the apprenticeship requirements of R. I. Gen. Laws § 37-13-3.1 because General Contractor meets one of the following qualifications (check):

- A. General Contractor sponsors a current and duly approved Rhode Island Department of Labor and Training Apprenticeship Program and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing on the contract (attach apprenticeship program standards and apprenticeship agreement);

- B. General Contractor sponsors a current and duly registered Rhode Island Department of Labor and Training reciprocal apprenticeship program pursuant to R. I. Gen. Laws § 28-45-16 and currently employs at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach apprenticeship program standards, apprenticeship agreement and Rhode Island Department of Labor and Training Reciprocal Apprenticeship Program Approval);

- C. General Contractor has entered into a current collective bargaining agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the collective bargaining agreement, will employ at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of collective bargaining agreement and signature page);
- D. _____ General Contractor has entered into a current labor agreement with a duly approved Rhode Island Department of Labor and Training Apprenticeship Program sponsor and, pursuant to the terms of the labor agreement, will employ at least one apprentice per trade/occupation, who will obtain "on the job training" experience in the apprentice's trade by performing work on the contract (attach relevant section of labor agreement and signature page);
- E. ___ General Contractor will not perform work on the awarded contract except through subcontractors (non performance);
- F. General Contractor has received approval from the Rhode Island Department of Labor and Training that it satisfies the general contractor requirements of RIGL §37-13-3.1 for purposes of a particular bid (attach Rhode Island Department of Labor and Training correspondence).

_____(Company Name & Address) (hereafter "General Contractor") hereby certifies that its subcontractor(s) meet the apprenticeship requirements under R. I. Gen. Laws §37-13-3.1.

Printed Name and Title of Authorized Representative

Date

Signature of Authorized Representative

Vendors wishing to bid on non-DOT public works projects estimated at \$1,000,000 or higher must be prequalified by the Division of Purchases prior to bid. View information and resources at: <https://www.ridop.ri.gov/prequalification/>

Prequalification of Public Works Vendors

Notice to Vendors : Please take note that amendments have been made to the Procurement Regulations requiring that all vendors who wish to bid on non-Department of Transportation (DOT) public works projects with an estimated value of \$1,000,000 or higher **must be prequalified by the Division of Purchases prior to bid**. For the sake of convenience and with the understanding that the prequalification requirements are new, the Division of Purchases intends to invoke 220-RICR-30-00-4.6(A)(1)(c) (the Purchasing Agent may "specify in the Solicitation that vendors who are not prequalified may bid on a public works project but the vendor must be prequalified prior to the issuance of the award") for Solicitations posted from November 28, 2019 until November 28, 2020. While this allowance will be in place for approximately one year, the Division still encourages all vendors who intend to bid on non-DOT public works projects with an estimated value of \$1,000,000 or higher to submit prequalification packages at their earliest opportunity. Note that prequalification is general and not associated with any particular bid. A full copy of the regulation text can be found at: <https://rules.sos.ri.gov/regulations/part/220-30-00-4>

For your convenience, the Vendor Prequalification Guidance Document (including helpful FAQs) and the Vendor Prequalification Packet Form are accessible below:

-  [Vendor Prequalification Guidance Document](#)
-  [Vendor Prequalification Packet Form](#)
-  [FAQs- Refer to Vendor Prequalification Guidance Document](#)

Packages should be submitted to:

Rhode Island Division of Purchases
Attn: Nancy McIntyre, State Purchasing Agent
One Capitol Hill, 2nd Floor
Providence, RI 02908

Questions should be submitted by email to:  MaryRose.Pellegrino@doa.ri.gov



Vendor Prequalification

Guidance Document Relating to: 220-RICR-30-00-4

This Guidance Document applies to the “Vendor Prequalification” regulation (220-RICR-30-00-3). Pursuant to R.I. Gen. Laws §§ 42-35-1(a)(9) and 42-35-12.2, this Guidance Document states the agency’s current approach to and interpretation of the “Vendor Prequalification” regulation. This Guidance Document is not a regulation and creates no new legal obligations, it is a tool to assist the public’s compliance with the regulation. Note that this Guidance Document should be read *with* the entirety of 220-RICR-30-00-4 and participants are required to abide by all regulatory requirements even if not mentioned in this Guidance Document.

Note that a webpage has been established (<https://www.ridop.ri.gov/prequalification/>) where updates will continue to be posted as they arise. Please submit any questions to Mary-Rose Pellegrino, Esq. at maryrose.pellegrino@doa.ri.gov.

Where should the prequalification packet and supporting documentation be sent?

You can send the pre-qualification packet and supporting documentation to:

Rhode Island Division of Purchases
Attention: Nancy McIntyre, State Purchasing Agent
One Capital Hill, 2nd Floor
Providence, RI 02908

How many copies of the prequalification packet and supporting documentation should be submitted?

Please submit one copy. Hard copies or submissions on a C.D. will be accepted.

What should a vendor submit in response to the requirement set forth in 220-RICR-30-00-4.6(D)(4)(d) (“All vendors must provide subcontractor lien releases for all projects performed within the past five (5) years.”)?

As it relates to the requirement set forth in 220-RICR-30-00-4.6(D)(4)(d), please submit: (1) The fifty (50) subcontractor final lien releases most recently received by your company and (2) a list of all subcontractors hired to work on the projects identified in the lien releases that you provide. Please also note that pursuant to the regulatory language, the Purchasing Agent in her discretion may request additional lien releases prior to prequalification.

What should a vendor submit in response to the requirement set forth in 220-RICR-30-00-4.6(D)(1)(g) (requiring “information on and evidence of the vendor’s compliance record with respect to minority business enterprise and women business enterprise inclusion goals and workforce inclusion goals, if applicable on public works projects within the past five (5) years”)?

As it relates to the requirement set forth in 220-RICR-30-00-4.6(D)(1)(g), please submit: a list of the vendor’s ten (10) most recent public works projects within the past five (5) years, the MBE/WBE



Vendor Prequalification

Guidance Document Relating to: 220-RICR-30-00-4

inclusion goal for projects listed, and the percentage of the goal met by the vendor. Please also note that pursuant to the regulatory language, the Purchasing Agent in her discretion may request additional information regarding compliance prior to prequalification.

What should a vendor submit in response to the requirement set forth in 220-RICR-30-00-4.6(D)(1)(e) (requiring a “list of any legal proceedings where the vendor was a named entity for the past five (5) years”)?

220-RICR-30-00-4.6(D)(1)(e) disclosures should include all legal or administrative proceedings (including mediation/arbitration) which relate to the procurement or performance of any public or private construction contract. Workers Compensations proceedings do not need to be disclosed.

What should a vendor submit in response to the requirement set forth in 220-RICR-30-00-4.6(D)(3) (that states, “Vendors who do not maintain permanent workforces, or who propose to subcontract a disproportionate percentage of project work shall be considered unqualified”)?

Vendors should provide information describing vendor’s permanent workforce and describing percentage of subcontractors utilized to complete public works projects. Vendors may for example, may provide an average percentage of work self-performed (performed by its own permanent workforce) on its five (5) most recent projects. Please also note that pursuant to the regulatory language, the Purchasing Agent in her discretion may request additional information regarding permanent workforces prior to prequalification.

Is the requirement set forth in 220-RICR-30-00-4.6(D)(4)(b) (requiring that “vendors who are seeking prequalification for purchase orders over \$20,000,000 must provide Audited Financial Statements”) per project or cumulative to projects over a set number of years?

Vendors who wish to be prequalified to bid on any single solicitation with an estimated value of over \$20,000,000 must submit an Audited Financial Statement. Please note that vendors who wish to be prequalified to bid on a solicitation under \$20,000,000 (and over \$1,000,000) must provide a Reviewed Financial Statement, as required by 220-RICR-30-00-4.6(D)(4)(a).

What do I do if a Solicitation is posted that my company would like to bid on, but I just learned of the new Prequalification requirements, enacted on November 28, 2019?

For the sake of convenience and with the understanding that the prequalification requirements are new, the Division of Purchases intends to invoke 220-RICR-30-00-4.6(A)(1)(c) (the Purchasing Agent may “specify in the Solicitation that vendors who are not prequalified may bid on a public works project but the vendor must be prequalified prior to the issuance of the award”) for Solicitations posted from November 28, 2019 until November 28, 2020.

While this allowance will be in place for approximately one year, the Division strongly encourages all vendors who intend to bid on non-DOT public works projects with an estimated value of \$1,000,000



Vendor Prequalification

Guidance Document Relating to: 220-RICR-30-00-4

or higher to submit prequalification packages at their earliest opportunity. Note that prequalification is general and not associated with any particular bid.

Is there a particular form that I should submit to be considered for prequalification?

Use of a specific form is not required, so long as the vendor provides the information and documentation required by the regulatory language. However, for the sake of convenience, the Division of Purchases has created a "Rhode Island Division of Purchases Vendor Prequalification Packet" form that vendors may utilize. It can be found at:

<https://www.ridop.ri.gov/prequalification/>

Revision Date: January 22, 2020

Rhode Island Division of Purchases Vendor Prequalification Packet

Instructions: Vendors must be prequalified by the Division of Purchases prior to bidding on (non-DOT) state public works projects with an estimated value of over one million dollars. A vendor who wishes to be prequalified must submit a prequalification packet at least once every two years, providing all information in support of the evaluation categories listed in Procurement Regulation 220-RICR-30-00-4(D) entitled “Vendor Prequalification”. All vendors are advised to review the provisions related to confidentiality within the General Conditions of Purchase, 220-RICR-30-00-13(D) and to properly identify privileged or confidential documents as outlined therein. If there is a substantial change in the information provided in a vendor’s prequalification packet within the two-year prequalification period, the vendor has an affirmative duty to supplement the information provided to the Division so that the Division may determine whether the vendor may remain at prequalified status. “Substantial Change” means any change which a reasonable person would believe would affect the classifications or amount of work of which the vendor has been prequalified by the Division to perform. Failure to supply material information will result in revocation of prequalification and vendor suspension not less than one (1) year. Vendors must review all of 220-RICR-30-00-4 which contains all prequalification requirements.

Note: Many vendor frequently asked questions may be answered in the Vendor Prequalification Guidance Document which can be found on both the Division of Purchases website and the Secretary of State’s website.

I. Management Experience 220-RICR-30-00-4.6(D)(1)

<u>Regulatory Citation</u>	<u>Regulatory Requirement</u>	<u>Provide information below or indicate if information is attached on a separate sheet.</u>
§ 4.6(D)(1)(a)	Business Owners: the name, title, years with the vendor of the owner(s) of the business	
§ 4.6(D)(1)(b)	Management Personnel: The names, title, education and experience, years with vendor, and list of projects completed by all management personnel. Vendors shall have staff that are qualified and competent in the area of estimating, scheduling, project management, field supervision, and safety.	
§ 4.6(D)(1)(c)(1)	Public Works Experience: Years of experience performing public works projects (including municipal, state and federal public works projects). At least three (3) years of public works project experience is required for prequalification. Work as a subcontractor on public works projects may be considered.	

Rhode Island Division of Purchases Vendor Prequalification Packet

§ 4.6(D)(1)(c)(2)	Public Works Experience: A list of all public works projects performed in the past five (5) years, including the project name, brief description and owner contact person.	
§ 4.6(D)(1)(c)(3)	Public Works Experience: A list of the three (3) largest public works projects performed in the last five (5) years including: the project name, description, original contract sum, final contract sum with explanation, date of substantial completion and date of final completion. If no public works projects have been completed by the vendor, provide the above information for the three largest projects performed in the last five (5) years for a private entity.	
§ 4.6(D)(1)(d)	Terminations: A list of all projects (private or public works projects) where the vendor's contract was terminated prior to completion, including the project name, description, original contract sum, and explanation for termination.	
§ 4.6(D)(1)(e)	Legal Proceedings: A list of any legal proceedings where the vendor was a named entity for the past five (5) years.	
§ 4.6(D)(1)(f)	Safety Record: The five (5) year history of the vendor's workers' compensation experience modifier.	
§ 4.6(D)(1)(g)	Compliance Record: Information on and evidence of the vendor's compliance record with respect to minority business enterprise and women business enterprise inclusion goals and workforce inclusion goals, if applicable on public works projects within the past five (5) years.	

Rhode Island Division of Purchases Vendor Prequalification Packet

II. References 220-RICR-30-00-4.6(D)(2)

<u>Regulatory Citation</u>	<u>Regulatory Requirement</u>	<u>Provide information below or indicate if information is attached on a separate sheet.</u>
§ 4.6(D)(2)(a)	Project References: A list of references from owners, contractors (as applicable), architects (as applicable), engineers (as applicable) from projects that the vendor has performed within the past five (5) years. At least three references must be provided from at least two (2) different projects that the vendor has performed within the past five (5) years. The list of references must include, at a minimum, project names and the names of the reference with a current address, telephone and e-mail address	
§ 4.6(D)(2)(b)	Credit References: A list of a minimum of five credit references, including the current telephone number and e-mail address of a contact person from key suppliers, vendors and banks.	
§ 4.6(D)(2)(c)	Public Works Project Record: A list of all completed public works projects during the past five (5) years with owner's name, current address, telephone and fax number and a contact person for each. The vendor's past work with the State of Rhode Island will be considered, including the quality of past work performed for the State of Rhode Island.	

Rhode Island Division of Purchases Vendor Prequalification Packet

III. Ability to Complete Work 220-RICR-30-00-4.6(D)(3)

<u>Regulatory Citation</u>	<u>Regulatory Requirement</u>	<u>Provide information below or indicate if information is attached on a separate sheet.</u>
§ 4.6(D)(3)(a)	<p>Vendors who do not maintain permanent workforces, or who propose to subcontract a disproportionate percentage of project work shall be considered unqualified.</p> <p>(Provide information describing vendor's permanent workforce and describing percentage of subcontractors utilized to complete public works projects listed in response to § 4.6(D)(2)(c), above.)</p>	

IV. Financial Capacity 220-RICR-30-00-4.6(D)(4)

<u>Regulatory Citation</u>	<u>Regulatory Requirement</u>	<u>Provide information below or indicate if information is attached on a separate sheet.</u>
§ 4.6(D)(4)(a)	Reviewed Financial Statement prepared by a licensed Certified Public Accountant.	
§ 4.6(D)(4)(b)	Vendors who are seeking prequalification for purchase orders over \$20,000,000 must provide Audited Financial Statements.	
§ 4.6(D)(4)(c)	Revenue: A vendor must provide its revenue under contract for the next three (3) fiscal years.	
§ 4.6(D)(4)(d)	Prompt payment of subcontractors: All vendors must provide subcontractor lien releases for all projects performed within the past five (5) years.	

NOTE: The Purchasing Agent may require supplementary prequalification examinations pursuant to 220-RICR-30-00-4.6(E).

Rhode Island Division of Purchases Vendor Prequalification Packet

Vendor requests prequalification to bid on projects with an estimated value up to: \$ _____.

Vendor requests prequalification to bid on the following categories of work:

- Horizontal Construction: Road or parking lot construction and rehabilitation.
- Vertical Construction (Design-Bid-Build): Vendor acting as prime contractor for the construction of buildings (including new construction and/or renovations).
- Exterior building envelope projects including roofing, window installation/repair, exterior wall work, masonry, or any combination thereof.
- HVAC/Plumbing: Projects where the work primarily encompasses the disciplines of plumbing, fire protection, heating, ventilating and air conditioning (HVAC), and building control systems.
- Electrical: Projects which have a primary focus on electrical and low voltage systems including but not limited to: electrical distribution, emergency power generation, lighting, low voltage distribution, and devices.
- Site Work & Utility Work: Clearing, grubbing, removal of tree stumps, shrubs, site preparation, mass earth excavation, silt fence, erosion/sedimentation control, gabions, erosion control, rock crushing/recycling, screening topsoil and other aggregates. Sewer and water mains, pipe jacking, storm drainage, sewer rehabilitation, sewage pumping stations.
- Painting (Interior or exterior)
- Landscaping/Environmental Improvements: Landscaping roadside, including seeding, hydro seeding, mulching, sodding, and ground cover planting, topsoil application, and other construction related thereto. Site Landscaping including topsoil application, including planting of trees, shrubs, and all ground covers on various types of sites, selective tree removal, trimming, seeding, insecticide application, weed control, liming, soil binder & soil supplements, irrigation, Wetland mitigation, creation, plantings and removal of invasive species.
- Environmental: Environmental/hazardous waste removal, stockpile, sewage pumping stations. The containment, cleanup, removal and disposal of debris, hazardous, controlled/toxic materials, including water.
- Marine repairs, construction or salvaging.
- Construction Manager at Risk (CMAR) as defined in § 8.11(C)(4) of the Procurement Regulations and R.I. Gen. Laws §§ 37-2-7, 37-2-27.2, 37-2- 27.3, and 37-2-27.4.
- All work categories listed above.

Rhode Island Division of Purchases Vendor Prequalification Packet

The person signing below represents, under penalty of perjury, that he or she is fully informed regarding the preparation and contents of this Prequalification Packet (including all attachments) and has been duly authorized to execute and submit this Prequalification Packet (including all attachments) on behalf of _____.

Vendor Name

Sign Name

Date

Print Name and Title