



**Solicitation Information**  
**9/9/2020**

**RFP# 7608808**

**WYOMING UPPER RESERVOIR DAM REPAIRS**

**Submission Deadline: 10/2/2020 AT 2PM (Eastern Time)**

**PRE-BID/ PROPOSAL CONFERENCE:**

**MANDATORY: YES**

If YES, any Vendor who intends to submit a bid proposal in response to this solicitation must have its designated representative attend the mandatory Pre-Bid/ Proposal Conference. The representative must register at the Pre-Bid/ Proposal Conference and disclose the identity of the vendor whom he/she represents. A vendor's failure to attend and register at the mandatory Pre-Bid/ Proposal Conference shall result in disqualification of the vendor's bid proposals as non-responsive to the solicitation.

**DATE: 9/21/2020 AT 2PM**

**LOCATION: WYOMING UPPER RESERVOIR DAM, BRIDGE ST, HOPE VALLEY, RI-SEE  
ATTACHED FOR ADDITIONAL INFORMATION REGARDING PRE-BID CONFERENCE**

Questions concerning this solicitation must be received by the Division of Purchases at [DOA.PURQUESTIONS14@purchasing.ri.gov](mailto:DOA.PURQUESTIONS14@purchasing.ri.gov) no later than 9/24/2020 at 5PM(EST). Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP# on all correspondence. Questions received, if any, will be posted on the Division of Purchases' website as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

**BID SURETY BOND REQUIRED: YES**

**PAYMENT AND PERFORMANCE BOND REQUIRED: YES**

David A. Cadoret, Chief Buyer

**Note to Applicants:**

- Applicants must register on-line at the State Purchasing Website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov)
- Proposals received without a completed RIVIP Bidder Certification Cover Form attached may result in disqualification.

**THIS PAGE IS NOT A BIDDER CERTIFICATION COVER FORM**

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## **SECTION 1. INTRODUCTION**

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Rhode Island Department of Environmental Management ("DEM"), is soliciting proposals from qualified firms to provide all labor, skill, supervision, tools, construction plans, equipment, and materials, and perform all operations to properly complete contract work to repair the Wyoming Upper Reservoir Dam as shown on the Bid Drawings, as outlined in the Bid Specifications, and as evidently required, to the complete satisfaction of the Owner and the Engineer.

in accordance with the terms of this Request for Proposals ("RFP") and the State's General Conditions of Purchase, which may be obtained at the Division of Purchases' website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

The initial contract period will begin on the date of Purchase Order issuance. Substantial completion shall be 450 working days from the date of Purchase Order issuance and final completion shall be 600 working days from the date of Purchase Order issuance.

This is a Request for Proposals, not a Request for Quotes. Responses will be evaluated on the basis of the relative merits of the proposal, in addition to cost; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this solicitation, other than to name those offerors who have submitted proposals.

### **Instructions and Notifications to Offerors**

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this RFP are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP may be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP or for providing oral or written clarification of its content, shall be borne by the vendor. The State assumes no responsibility for these costs even if the RFP is cancelled or continued.
4. Proposals are considered to be irrevocable for a period of not less than 180 days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated in the proposal.
6. It is intended that an award pursuant to this RFP will be made to a prime vendor, or prime vendors in the various categories, who will assume responsibility for all aspects of the work. Subcontracts are permitted, provided that their use is

clearly indicated in the vendor's proposal and the subcontractor(s) to be used is identified in the proposal.

7. The purchase of goods and/or services under an award made pursuant to this RFP will be contingent on the availability of appropriated funds.
8. Vendors are advised that all materials submitted to the Division of Purchases for consideration in response to this RFP may be considered to be public records as defined in R. I. Gen. Laws § 38-2-1, *et seq.* and may be released for inspection upon request once an award has been made.

Any information submitted in response to this RFP that a vendor believes are trade secrets or commercial or financial information which is of a privileged or confidential nature should be clearly marked as such. The vendor should provide a brief explanation as to why each portion of information that is marked should be withheld from public disclosure. Vendors are advised that the Division of Purchases may release records marked confidential by a vendor upon a public records request if the State determines the marked information does not fall within the category of trade secrets or commercial or financial information which is of a privileged or confidential nature.

9. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
10. By submission of proposals in response to this RFP vendors agree to comply with R. I. General Laws § 28-5.1-10 which mandates that contractors/subcontractors doing business with the State of Rhode Island exercise the same commitment to equal opportunity as prevails under Federal contracts controlled by Federal Executive Orders 11246, 11625 and 11375.

Vendors are required to ensure that they, and any subcontractors awarded a subcontract under this RFP, undertake or continue programs to ensure that minority group members, women, and persons with disabilities are afforded equal employment opportunities without discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability.

Vendors and subcontractors who do more than \$10,000 in government business in one year are prohibited from engaging in employment discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability, and are required to submit an "Affirmative Action Policy Statement."

Vendors with 50 or more employees and \$50,000 or more in government contracts must prepare a written "Affirmative Action Plan" prior to issuance of a purchase order.

- a. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation.
- b. Vendors further agree, where applicable, to complete the "Contract Compliance Report" (<http://odeo.ri.gov/documents/odeo-eeo-contract-compliance-report.pdf>), as well as the "Certificate of Compliance"

(<http://odeo.ri.gov/documents/odeo-eeo-certificate-of-compliance.pdf>), and submit both documents, along with their Affirmative Action Plan or an Affirmative Action Policy Statement, prior to issuance of a purchase order. For public works projects vendors and all subcontractors must submit a “Monthly Utilization Report” (<http://odeo.ri.gov/documents/monthly-employment-utilization-report-form.xlsx>) to the ODEO/State Equal Opportunity Office, which identifies the workforce actually utilized on the project.

For further information, contact Vilma Peguero at the Rhode Island Equal Employment Opportunity Office, at 222-3090 or via e-mail at [ODEO.EOO@doa.ri.gov](mailto:ODEO.EOO@doa.ri.gov).

11. In accordance with R. I. Gen. Laws § 7-1.2-1401 no foreign corporation has the right to transact business in Rhode Island until it has procured a certificate of authority so to do from the Secretary of State. This is a requirement only of the successful vendor(s). For further information, contact the Secretary of State at (401-222-3040).
12. In accordance with R. I. Gen. Laws §§ 37-14.1-1 and 37-2.2-1 it is the policy of the State to support the fullest possible participation of firms owned and controlled by minorities (MBEs) and women (WBEs) and to support the fullest possible participation of small disadvantaged businesses owned and controlled by persons with disabilities (Disability Business Enterprises a/k/a “DisBE”)(collectively, MBEs, WBEs, and DisBEs are referred to herein as ISBEs) in the performance of State procurements and projects. As part of the evaluation process, vendors will be scored and receive points based upon their proposed ISBE utilization rate in accordance with 150-RICR-90-10-1, “Regulations Governing Participation by Small Business Enterprises in State Purchases of Goods and Services and Public Works Projects”. As a condition of contract award vendors shall agree to meet or exceed their proposed ISBE utilization rate and that the rate shall apply to the total contract price, inclusive of all modifications and amendments. Vendors shall submit their ISBE participation rate on the enclosed form entitled “MBE, WBE and/or DisBE Plan Form”, which shall be submitted in a separate, sealed envelope as part of the proposal. ISBE participation credit will only be granted for ISBEs that are duly certified as MBEs or WBEs by the State of Rhode Island, Department of Administration, Office of Diversity, Equity and Opportunity or firms certified as DisBEs by the Governor’s Commission on Disabilities. The current directory of firms certified as MBEs or WBEs may be accessed at <http://odeo.ri.gov/offices/mbeco/mbe-wbe.php>. Information regarding DisBEs may be accessed at [www.gcd.ri.gov](http://www.gcd.ri.gov).

For further information, visit the Office of Diversity, Equity & Opportunity’s website, at <http://odeo.ri.gov/> and see R.I. Gen. Laws Ch. 37-14.1, R.I. Gen. Laws Ch. 37-2.2, and 150-RICR-90-10-1. The Office of Diversity, Equity & Opportunity may be contacted at, (401) 574-8670 or via email [Dorinda.Keene@doa.ri.gov](mailto:Dorinda.Keene@doa.ri.gov)

13. Bid Surety Bond – Vendors responding to this RFP 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 vendor’s cost proposal. 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 vendor 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 vendors until the earliest of: (i) the issuance of the Purchase Order; (ii) the 61st day following the proposal submission deadline; or (iii) the rejection of all proposals.

14. Payment and Performance Bond - The successful vendor 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.

## **SECTION 2. BACKGROUND**

The Wyoming Upper Reservoir Dam is a high hazard structure listed with an "Unsafe" status in the most recent DEM Annual Dam Safety Report. The dam is located in the Towns of Richmond and Hopkinton with access to the dam and impoundment near the intersection of Bridge St. and Nooseneck Hill Rd in Richmond, RI. The Dam is owned by the State of Rhode Island and is operated/maintained by RI DEM Division of Fish and Wildlife.

The Wyoming Upper Reservoir dam impounds water from the Wood River creating the reservoir, a resource used for public recreation such as fishing, boating, and sightseeing. The dam includes three embankment sections divided by a sluiceway and primary spillway structures. The embankment at the left end of the dam consists of an approximately 10-foot long area of earth fill retained by stone masonry walls along the upstream and right sides. The embankment in this area is approximately 100 feet wide. The center embankment consists of a stone masonry section with earth or rock fill roughly 15 feet long and 30 feet wide. The right embankment is an approximately 70-foot earthen section located from the right end of the spillway to the right abutment. The upstream side is retained by a variety of stone walls with some sections of slopes. The crest is an earthen surface of variable width. The downstream side includes stone masonry sections, concrete retaining wall sections, and former concrete foundation wall sections.

The spillway consists of three approximately 60-foot long sections with roughly 30-degree bends between each section. The crest of the spillway is approximately 6 feet wide and is constructed of sloping concrete apron with a timber weir at the upstream edge. Beyond the apron the downstream face of the spillway consists of a vertical stone masonry wall. A low level outlet is apparently present within the right third of the spillway section. The current condition of the outlet is unknown.

At the time of last inspection (2014), the following assessment of the dam structure was reported:

1. Sinkholes and displaced soil behind the walls of all three embankments
2. Masonry walls and structures in need of repointing and resetting
3. Eroded areas along the upstream sides of the embankments
4. Possible leakage at the spillway
5. An inoperable low level outlet

It is DEM's intent to repair the Wyoming Upper Reservoir Dam in accordance with the bid construction documents to return the dam to a "Not Unsafe" status.

## **SECTION 3: SCOPE OF WORK AND REQUIREMENTS**

### **Scope of Work**

Provide all labor, skill, supervision, tools, construction plans, equipment, and materials, and perform all operations to properly complete contract work to repair the Wyoming Upper Reservoir Dam as shown on the Bid Drawings, as outlined in the Bid Specifications, and as evidently required, to the complete satisfaction of the Owner and the Engineer.

### **General Activities / Tasks**

All work shall be performed in accordance with the project plans, specifications, and permits.

1. Mobilize to the project site; establish site access and staging areas.
2. Install and maintain erosion controls.
3. Clear, grub, and strip all vegetation to the limits shown on the plans.
4. Install Phase I upstream cofferdam.
  - A. Complete center embankment, sluiceway and spillway improvements
  - B. Remove cofferdam water control and divert flow through sluiceway.
  - C. Drawdown impoundment by allowing flow through sluiceway, per DEM Dam Safety permit stipulations.
5. Install Phase II cofferdam.
  - A. Construct new low-level outlet chamber and install new conduit/gates and controls.
  - B. Abandon the existing low-level outlet.
  - C. Complete right embankment improvements.
  - D. Remove Phase II cofferdams.
6. Install Phase III cofferdam (if necessary).
  - A. Install sluice gates/controls if not available during Phase I.
  - B. Remove Phase III cofferdam.
7. Remove erosion controls, dispose of unsuitable materials, and restore site conditions.
8. Demobilize from the site.

## **SECTION 4: PROPOSAL**

### **A. Technical Proposal**

Narrative and format: The proposal should address specifically each of the following elements:

1. **Staff Qualifications** – Provide staff resumes/CV and describe qualifications and experience of key staff who will be involved in this project, including their experience in the fields of water control, earthwork, and dam repair.
2. **Capability and Qualifications of the Vendor**- Please provide a detailed description of the Vendor's experience as a civil and environmental construction contractor, specifically including any experience with earthwork, masonry, water control work, dam modifications, and other pertinent skill sets. Please identify a minimum of three (3) projects that are similar to the proposed project which have been successfully completed within the last five (5) years. Provide a brief

description of each project, including the complexity of the project, size and dollar amount of project, completion date of project, and references for each of the projects. Reference information shall include the name and phone number of the owner or owner's representatives for the particular projects.

3. **Approach/Work Plan** - Please describe in detail, the framework within which requested work will be performed. The following elements should be included:

- 1) description of how the individual tasks will be completed, as well as a schedule for the overall project. Provide evidence that adequate management effort, support staff, technical compliance, and resources will be committed to the timely completion of the project.
- 2) description of project management methods (e.g. on-site management approach, software/templates used to track submittals, schedules, etc.);
- 3) identification of major elements of the construction work requiring a subcontractor;

### **B. Cost Proposal**

Detailed Budget and Budget Narrative:

Provide a base bid and base bid breakdown using the incorporated template.

### **C. ISBE Proposal**

See Appendix A for information and the MBE, WBE, and/or Disability Business Enterprise Participation Plan form(s). Bidders are required to complete, sign and submit these forms with their overall proposal in a sealed envelope. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.

## **SECTION 5: EVALUATION AND SELECTION**

Proposals shall be reviewed by a technical evaluation committee ("TEC") comprised of staff from State agencies. The TEC first shall consider technical proposals.

Technical proposals must receive a minimum of 60 (85.7%) out of a maximum of 70 points to advance to the cost evaluation phase. Any technical proposals scoring less than 60 points shall not have the accompanying cost or ISBE participation proposals opened and evaluated. The proposal will be dropped from further consideration.

Technical proposals scoring 60 points or higher will have the cost proposals evaluated and assigned up to a maximum of 30 points in cost category bringing the total potential evaluation score to 100 points. After total possible evaluation points are determined ISBE proposals shall be evaluated and assigned up to 6 bonus points for ISBE participation.

The Division of Purchases reserves the right to select the vendor(s) or firm(s) ("vendor") that it deems to be most qualified to provide the goods and/or services as specified herein; and, conversely, reserves the right to cancel the solicitation in its entirety in its sole discretion.

Proposals shall be reviewed and scored based upon the following criteria:



Criteria	Possible Points
Staff Qualifications	10 Points
Capability and Qualifications of the Vendor	30 Points
Approach/Work Plan	30 Points
<b>Total Possible Technical</b>	<b>70 Points</b>
<b>Points</b>	
Cost proposal*	30 Points
<b>Total Possible Evaluation Points</b>	<b>100 Points</b>
ISBE Participation**	6 Bonus Points
<b>Total Possible</b>	<b>106 Points</b>
<b>Points</b>	

**\*Cost Proposal Evaluation:**

The vendor with the lowest cost proposal shall receive one hundred percent (100%) of the available points for cost. All other vendors shall be awarded cost points based upon the following formula:

$$(\text{lowest cost proposal} / \text{vendor's cost proposal}) \times \text{available points}$$

For example: If the vendor with the lowest cost proposal (Vendor A) bids \$65,000 and Vendor B bids \$100,000 for monthly costs and service fees and the total points available are thirty (30), Vendor B's cost points are calculated as follows:

$$\$65,000 / \$100,000 \times 30 = 19.5$$

**\*\*ISBE Participation Evaluation:**

a. Calculation of ISBE Participation Rate

1. ISBE Participation Rate for Non-ISBE Vendors. The ISBE participation rate for non-ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of non-ISBE vendor's total contract price that will be subcontracted to ISBEs by the non-ISBE vendor's total contract price. For example if the non-ISBE's total contract price is \$100,000.00 and it subcontracts a total of \$12,000.00 to ISBEs, the non-ISBE's ISBE participation rate would be 12%.
2. ISBE Participation Rate for ISBE Vendors. The ISBE participation rate for ISBE vendors shall be expressed as a percentage and shall be calculated by dividing the amount of the ISBE vendor's total contract price that will be subcontracted to ISBEs and the amount that will be self-performed by the ISBE vendor by the ISBE vendor's total contract price. For example if the ISBE vendor's total contract price is \$100,000.00 and

it subcontracts a total of \$12,000.00 to ISBEs and will perform a total of \$8,000.00 of the work itself, the ISBE vendor's ISBE participation rate would be 20%.

b. Points for ISBE Participation Rate:

The vendor with the highest ISBE participation rate shall receive the maximum ISBE participation points. All other vendors shall receive ISBE participation points by applying the following formula:

$$\begin{aligned} & (\text{Vendor's ISBE participation rate} \div \text{Highest ISBE participation rate} \\ & \quad \times \text{Maximum ISBE participation points}) \end{aligned}$$

For example, assuming the weight given by the RFP to ISBE participation is 6 points, if Vendor A has the highest ISBE participation rate at 20% and Vendor B's ISBE participation rate is 12%, Vendor A will receive the maximum 6 points and Vendor B will receive  $(12\% \div 20\%) \times 6$  which equals 3.6 points.

General Evaluation:

Points shall be assigned based on the vendor's clear demonstration of the ability to provide the requested goods and/or services. Vendors may be required to submit additional written information or be asked to make an oral presentation before the TEC to clarify statements made in the proposal.

## SECTION 6. QUESTIONS

Questions concerning this solicitation must be e-mailed to the Division of Purchases at [doa.purquestions14@purchasing.ri.gov](mailto:doa.purquestions14@purchasing.ri.gov) no later than the date and time indicated on page one of this solicitation. No other contact with State parties is permitted. Please reference **RFP # 7608808** on all correspondence. Questions should be submitted in writing in a Microsoft Word attachment in a narrative format with no tables. Answers to questions received, if any, shall be posted on the Division of Purchases' website as an addendum to this solicitation. It is the responsibility of all interested parties to monitor the Division of Purchases website for any procurement related postings such as addenda. If technical assistance is required, call the Help Desk at (401) 574-8100.

## SECTION 7. PROPOSAL CONTENTS

A. Proposals shall include the following:

1. One completed and signed RIVIP Bidder Certification Cover Form (included in the original copy only) downloaded from the Division of Purchases website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov). *Do not include any copies in the Technical or Cost proposals.*
2. One completed and signed Rhode Island W-9 (included in the original copy only) downloaded from the Division of Purchases website at [/documents/Forms/Misc Forms/13 RI Version of IRS W-9 Form.docx](#). *Do not include any copies in the Technical or Cost proposals.*
3. Two (2) completed original and copy versions, signed and sealed Appendix A. MBE, WBE, and/or Disability Business Enterprise Participation Plan. Please complete separate

forms for each MBE/WBE or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation. *Do not include any copies in the Technical or Cost proposals.*

4. Technical Proposal - describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation. The technical proposal is limited to four (4) pages (this excludes any appendices and as appropriate, resumes of key staff that will provide services covered by this request).
  - a. One (1) Electronic copy on a CD-R, marked "Technical Proposal - Original".
  - b. One (1) printed paper copy, marked "Technical Proposal -Original" and signed.
  - c. Four (4) printed paper copies
5. Cost Proposal - A separate, signed and sealed cost proposal reflecting the hourly rate, or other fee structure, proposed to complete all of the requirements of this project.
  - a. One (1) Electronic copy on a CD-R, marked "Cost Proposal -Original".
  - b. One (1) printed paper copy, marked "Cost Proposal -Original" and signed.
  - c. Four (4) printed paper copies

B. Formatting of proposal response contents should consist of the following:

- A. Formatting of CD-Rs – Separate CD-Rs are required for the technical proposal and cost proposal. All CD-Rs submitted must be labeled with:
  - a. Vendor's name
  - b. RFP #
  - c. RFP Title
  - d. Proposal type (e.g., technical proposal or cost proposal)
  - e. If file sizes require more than one CD-R, multiple CD-Rs are acceptable. Each CD-R must include the above labeling and additional labeling of how many CD-Rs should be accounted for (e.g., 3 CD-Rs are submitted for a technical proposal and each CD-R should have additional label of '1 of 3' on first CD-R, '2 of 3' on second CD-R, '3 of 3' on third CD-R).

Vendors are responsible for testing their CD-Rs before submission as the Division of Purchase's inability to open or read a CD-R may be grounds for rejection of a Vendor's proposal. All files should be readable and readily accessible on the CD-Rs submitted with no instructions to download files from any external resource(s). If a file is partial, corrupt or unreadable, the Division of Purchases may consider it "non-responsive". USB Drives or any other electronic media shall not be accepted. Please note that CD-Rs submitted, shall not be returned.

B. Formatting of written documents and printed copies:

- a. For clarity, the technical proposal shall be typed. These documents shall be single-spaced with 1" margins on white 8.5"x 11" paper using a font of 12 point Calibri or 12 point Times New Roman.
- b. All pages on the technical proposal are to be sequentially numbered in the footer, starting with number 1 on the first page of the narrative (this does not include the cover page or table of contents) through to the end, including all forms and attachments. The Vendor's name should appear on every page, including

attachments. Each attachment should be referenced appropriately within the proposal section and the attachment title should reference the proposal section it is applicable to.

- c. The cost proposal shall be typed or written using the formatting shown on the provided template.
- d. Printed copies are to be only bound with removable binder clips.

## **SECTION 8. PROPOSAL SUBMISSION**

Interested vendors must submit proposals to provide the goods and/or services covered by this RFP on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases, shall not be accepted.

Proposals should be mailed or hand-delivered in a sealed envelope marked “**RFP# 7608808**” to:

RI Dept. of Administration  
Division of Purchases, 2nd floor  
One Capitol Hill  
Providence, RI 02908-5855

NOTE: Proposals received after the above-referenced due date and time shall not be accepted. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time shall be determined to be late and shall not be accepted. Proposals faxed, or emailed, to the Division of Purchases shall not be accepted. The official time clock is in the reception area of the Division of Purchases.

## **SECTION 9. CONCLUDING STATEMENTS**

Notwithstanding the above, the Division of Purchases reserves the right to award on the basis of cost alone, to accept or reject any or all proposals, and to award in the State’s best interest.

Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further.

If a Vendor is selected for an award, no work is to commence until a purchase order is issued by the Division of Purchases.

The State’s General Conditions of Purchase contain the specific contract terms, stipulations and affirmations to be utilized for the contract awarded for this RFP. The State’s General Conditions of Purchases can be found at the following URL: <https://rules.sos.ri.gov/regulations/part/220-30-00-13>

## **APPENDIX A. PROPOSER ISBE RESPONSIBILITIES AND MBE, WBE, AND/OR DISABILITY BUSINESS ENTERPRISE PARTICIPATION FORM**

### **A. Proposer's ISBE Responsibilities (from 150-RICR-90-10-1.7.E)**

1. Proposal of ISBE Participation Rate. Unless otherwise indicated in the RFP, a Proposer must submit its proposed ISBE Participation Rate in a sealed envelope or via sealed electronic submission at the time it submits its proposed total contract price. The Proposer shall be responsible for completing and submitting all standard forms adopted pursuant to 105-RICR-90-10-1.9 and submitting all substantiating documentation as reasonably requested by either the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to the names and contact information of all proposed subcontractors and the dollar amounts that correspond with each proposed subcontract.
2. Failure to Submit ISBE Participation Rate. Any Proposer that fails to submit a proposed ISBE Participation Rate or any requested substantiating documentation in a timely manner shall receive zero (0) ISBE participation points.
3. Execution of Proposed ISBE Participation Rate. Proposers shall be evaluated and scored based on the amounts and rates submitted in their proposals. If awarded the contract, Proposers shall be required to achieve their proposed ISBE Participation Rates. During the life of the contract, the Proposer shall be responsible for submitting all substantiating documentation as reasonably requested by the Using Agency's MBE/WBE Coordinator, Division, ODEO, or Governor's Commission on Disabilities including but not limited to copies of purchase orders, subcontracts, and cancelled checks.
4. Change Orders. If during the life of the contract, a change order is issued by the Division, the Proposer shall notify the ODEO of the change as soon as reasonably possible. Proposers are required to achieve their proposed ISBE Participation Rates on any change order amounts.
5. Notice of Change to Proposed ISBE Participation Rate. If during the life of the contract, the Proposer becomes aware that it will be unable to achieve its proposed ISBE Participation Rate, it must notify the Division and ODEO as soon as reasonably possible. The Division, in consultation with ODEO and Governor's Commission on Disabilities, and the Proposer may agree to a modified ISBE Participation Rate provided that the change in circumstances was beyond the control of the Proposer or the direct result of an unanticipated reduction in the overall total project cost.

### **B. MBE, WBE, AND/OR Disability Business Enterprise Participation Plan Form:**

Attached is the MBE, WBE, and/or Disability Business Enterprise Participation Plan form. Bidders are required to complete, sign and submit with their overall proposal in a sealed envelope. Please complete separate forms for each MBE, WBE and/or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ADMINISTRATION  
ONE CAPITOL HILL  
PROVIDENCE, RHODE ISLAND 02908**

**MBE, WBE, and/or DISABILITY BUSINESS ENTERPRISE PARTICIPATION PLAN**

Bidder's Name: \_\_\_\_\_

Bidder's Address: \_\_\_\_\_

Point of Contact: \_\_\_\_\_

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

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

Solicitation No.: \_\_\_\_\_

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

This form is intended to capture commitments between the prime contractor/vendor and MBE/WBE and/or Disability Business Enterprise subcontractors and suppliers, including a description of the work to be performed and the percentage of the work as submitted to the prime contractor/vendor. Please note that all MBE/WBE subcontractors/suppliers must be certified by the Office of Diversity, Equity and Opportunity MBE Compliance Office and all Disability Business Enterprises must be certified by the Governor's Commission on Disabilities at time of bid, and that MBE/WBE and Disability Business Enterprise subcontractors must self-perform 100% of the work or subcontract to another RI certified MBE in order to receive participation credit. Vendors may count 60% of expenditures for materials and supplies obtained from an MBE certified as a regular dealer/supplier, and 100% of such expenditures obtained from an MBE certified as a manufacturer. This form must be completed in its entirety and submitted at time of bid. **Please complete separate forms for each MBE/WBE or Disability Business Enterprise subcontractor/supplier to be utilized on the solicitation.**

Name of Subcontractor/Supplier:			
Type of RI Certification:	<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Disability Business Enterprise		
Address:			
Point of Contact:			
Telephone:			
Email:			
Detailed Description of Work To Be Performed by Subcontractor or Materials to be Supplied by Supplier:			
Total Contract Value (\$):		Subcontract Value (\$):	ISBE Participation Rate (%):
Anticipated Date of Performance:			

I certify under penalty of perjury that the forgoing statements are true and correct.

<b>Prime Contractor/Vendor Signature</b>	<b>Title</b>	<b>Date</b>
<b>Subcontractor/Supplier Signature</b>	<b>Title</b>	<b>Date</b>



# **Division of Purchases**

**One Capitol Hill | Providence, RI 02908 | (401) 574-8100**  
**Nancy R. McIntyre, State Purchasing Agent**

**RFP 7608808**  
**WYOMING UPPER RESERVOIR DAM REPAIRS**  
**ADDITIONAL INFORMATION REGARDING MANDATORY PRE-BID**  
**CONFERENCE**

**Pre-Bid Conference Requirements:**

It is mandatory that the pre-bid conference for solicitation 7608808 be conducted in compliance with all State and local social distancing guidelines, including but not limited to all executive orders imposed by the State of RI and all guidelines outlined by the CDC.

All participants taking part in the pre-bid must cover mouth and nose with a cloth face covering. Keep space between you and others. Groups may be separated to accommodate social gathering requirements in place at that time.

Please be prepared and allow extra time for delays due to possibilities of multiple walkthroughs with limited number of people in small groups in order to comply with crowd gathering in place at that time.

If you feel sick or have any symptoms related to COVID-19 please do not attend. People that attend and show visible signs of COVID related symptoms, the State reserves the right to have those individuals excused and asked to leave.

Solicitation #:7608808\_\_\_\_\_

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

## BID FORM

To: The State of Rhode Island Department of Administration  
Division of Purchases, 2<sup>nd</sup> 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**

NONE

- **Bonds**

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

- **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.*



Solicitation #:7608808\_\_\_\_\_

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

Addendum No. 1 dated: \_\_\_\_\_

Addendum No. 2 dated: \_\_\_\_\_

Addendum No. 3 dated: \_\_\_\_\_

**2. BASE BID BREAKDOWN**

NOTE: The sum of the price of all Base Bid Breakdown Items should equal the Total Proposed Base Bid Price and shall include all work required in the Contract Documents. In case of a conflict the Proposed Base Bid Price shall govern.

Solicitation #:7608808\_\_\_\_\_

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID ITEM PRICE
1.	Contract Bonds	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
2.	General Requirements	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
3.	Mobilization and Demobilization	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
4A.	Erosion and Sediment Controls	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
4B.	Turbidity Barrier	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
5A.	Control of Water	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
5B.	Flood Restoration Contingency	EA	2	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					
6A.	Clear, Grub and Strip Vegetation and Stockpile Topsoil	LS	1	_____	_____
TOTAL BID ITEM PRICE IN WORDS: _____					

CARRIED FORWARD \_\_\_\_\_

Solicitation #:7608808\_\_\_\_\_

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BROUGHT FORWARD \_\_\_\_\_

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID ITEM PRICE
6B.	Demolish Stone Masonry Walls, Segregate/Stockpile Stone for Reuse	LS	1	_____	_____

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

7A.	Spillway Face Reconstruction	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

7B.	Masonry Walls Repointing	SF	1000	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

7C.	Masonry Walls/Spillway Face Re-Chinking	SF	3130	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

8A.	Concrete Spillway Apron - Demolition & Disposal	TON	100	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

8B.	Concrete Spillway Apron - Non-Structural Concrete Infill	CY	20	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

CARRIED FORWARD \_\_\_\_\_

Solicitation #:7608808\_\_\_\_\_

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BROUGHT FORWARD \_\_\_\_\_

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BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID ITEM PRICE
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8C.	Concrete Spillway Apron - Form, Reinforce, Anchor, Pour, Cure, & Finish Concrete	CY	60	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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9A.	Spillway Cutoff Wall – Excavation and Backfill	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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9B.	Spillway Cutoff Wall – Upland Disposal of Excess Or Unsuitable Dredge Material	TON	225	_____	_____
-----	--	-----	-----	-------	-------

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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9C.	Spillway Cutoff Wall – Disposal of Excess or Unsuitable Excavated Material	TON	225	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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10.	Abandon the Existing Low-Level Outlet	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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11A.	Sluiceway Bridge & Control Structure Demolition & Disposal	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

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CARRIED FORWARD \_\_\_\_\_

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

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BROUGHT FORWARD \_\_\_\_\_

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID ITEM PRICE
11B.	Sluiceway Bridge Construction	LS	1	_____	_____

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

11C.	Sluiceway Gate Fabrication And Installation	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

12A.	Center Embankment Grouting - Mobilization & Demobilization	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

12B.	Center Embankment Grouting - Grout Hole Drilling LF		350	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

12C.	Center Embankment Grouting - Grout Mixing & Installation	GAL	1350	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

13A.	Right Embankment - Excavation and Backfill	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

CARRIED FORWARD \_\_\_\_\_

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

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BROUGHT FORWARD \_\_\_\_\_

BID ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT BID PRICE	TOTAL BID ITEM PRICE
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13B.	Right Embankment – Rock Removal	CY	100	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

13C.	Right Embankment – Disposal of Unsuitable Materials	TON	1750	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

13D.	Right Embankment – Dental Grouting	CY	20	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

13E.	Right Embankment – Form, Reinforce, Anchor, Pour, Cure, & Finish Concrete	CY	210	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

13F.	Right Embankment – Incidentals	LS	1	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

14A.	Import Engineered Fill	TON	2200	_____	_____
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TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_

CARRIED FORWARD \_\_\_\_\_

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

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

NOTE: THE TOTAL BID ITEM PRICE FOR EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

BROUGHT FORWARD \_\_\_\_\_

-----  
BID ITEM    DESCRIPTION                      UNIT            QUANTITY                      UNIT BID PRICE            TOTAL BID ITEM PRICE  
-----

14B.    Import Armor Stone                      TON            90                      \_\_\_\_\_            \_\_\_\_\_

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_  
-----

14C.    Import Riprap                              TON            180                      \_\_\_\_\_            \_\_\_\_\_

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_  
-----

14D.    Import Bedding Stone                      TON            90                      \_\_\_\_\_            \_\_\_\_\_

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_  
-----

14E.    Geotextile Fabric                              SY            605                      \_\_\_\_\_            \_\_\_\_\_

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_  
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15.    Loam and Seed                              LS            1                      \_\_\_\_\_            \_\_\_\_\_

TOTAL BID ITEM PRICE IN WORDS: \_\_\_\_\_  
-----

TOTAL BASE BID PRICE \_\_\_\_\_

TOTAL BASE BID PRICE IN WORDS \_\_\_\_\_

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

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

**4. CONTRACT TIME**

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

- Start of construction: Date of Purchase Order
- Substantial completion: 450 Working Days from Start of Construction
- Final completion: 600 Working Days from Start of Construction

**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: \$ 800.00.

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

Solicitation Title: Wyoming Upper Reservoir Dam Repairs-Hopkinton/Richmond, RI

**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 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



**Contract Terms and Conditions**

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## **Terms and Conditions**

### **BID STANDARD TERMS AND CONDITIONS**

### **TERMS AND CONDITIONS FOR THIS BID**

#### **DELIVERY PER AGENCY**

DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY.

#### **LICENSE REQUIREMENTS**

VENDOR (OWNER OF COMPANY) IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. A COPY OF LICENSE/PERMIT SHOULD BE SUBMITTED WITH THIS BID. IN ADDITION TO THESE LICENSE REQUIREMENTS, BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.

#### **WAGE REQUIREMENTS**

BIDDERS ARE ADVISED THAT ALL PROVISIONS OF TITLE 37 CHAPTER 13 OF THE GENERAL LAWS OF RHODE ISLAND APPLY TO THE WORK COVERED BY THIS REQUEST, AND THAT PAYMENT OF THE GENERAL PREVAILING RATE OF PER DIEM WAGES AND THE GENERAL PREVAILING RATE FOR REGULAR, OVERTIME, AND OTHER WORKING CONDITIONS EXISTING IN THE LOCALITY FOR EACH CRAFT, MECHANIC, TEAMSTER, OR TYPE OF WORKMAN NEEDED TO EXECUTE THIS WORK IS A REQUIREMENT FOR BOTH CONTRACTORS AND SUBCONTRACTORS. THE PREVAILING WAGE TABLE MAY BE OBTAINED AT THE RI DIVISION OF PURCHASES HOME PAGE BY INTERNET at [www.purchasing.ri.gov](http://www.purchasing.ri.gov). SELECT "BIDDING INFORMATION", THEN "GENERAL INFORMATION", AND THEN SELECT "PREVAILING WAGE TABLES". PRINTING THE ENTIRE DOCUMENT AVERAGES APPROXIMATELY ONE MINUTE PER PAGE - YOU MAY WANT TO PRINT ONLY THE PAGES APPLICABLE TO YOUR BID. BIDDERS NOTE: IN THE EVENT THIS BID SPECIFIES PRICE OFFERS ON A TIME-AND-MATERIALS BASIS, i.e., AN HOURLY RATE, ANY OR ALL BIDS SUBMITTED IN AN AMOUNT LESS THAN THE PREVAILING RATE IN EFFECT FOR THE WORK COVERED BY THIS REQUEST AS OF THE DATE OF BID ISSUANCE SHALL BE REJECTED BY THE DIVISION OF PURCHASES.

#### **SURETY REQUIREMENTS**

BIDDER IS REQUIRED TO PROVIDE A BID SURETY IN THE FORM OF A BID BOND, OR A CERTIFIED CHECK PAYABLE TO THE STATE OF RHODE ISLAND, IN THE AMOUNT OF A SUM NOT LESS THAN FIVE PERCENT (5%) OF THE BID PRICE. BID SURETY MUST BE ATTACHED TO THE BID FORM. THE SUCCESSFUL BIDDER WILL ALSO BE REQUIRED TO FURNISH PERFORMANCE AND LABOR AND PAYMENT BONDS AT TIME OF TENTATIVE CONTRACT AWARD.

#### **READING VENDOR NAMES ONLY**

DUE TO LENGTH OF BID AND TIME CONSTRAINTS, THE STATE WILL ONLY ACKNOWLEDGE RECEIPT AND READ THE NAMES OF VENDORS SUBMITTING PROPOSALS. NO EXAMINATION OF DOCUMENTS OR PRESENTATION OF INFORMATION CONTAINED IN PROPOSALS WILL BE MADE AVAILABLE AT THE BID OPENING; HOWEVER, INSTRUCTIONS

TO OBTAIN THE TABULATION OR SUMMARY OF BID RESPONSES WILL BE MADE  
AVAILABLE AT THE RI DIVISION OF PURCHASES WEBSITE AT [WWW.PURCHASING.RI.GOV](http://WWW.PURCHASING.RI.GOV)