

CITY OF NEWTON, MASSACHUSETTS

PURCHASING DEPARTMENT

purchasing@newtonma.gov

Fax (617) 796-1227

May 4, 2020

ADDENDUM #1 INVITATION FOR BID #20-55

BONDED WEARING COURSE PAVEMENT PRESERVATION

THIS ADDENDUM IS TO: Answer the following questions:

Q1. What is the MassDOT prequalification category and what is the project value?

A1. See attached April 24, 2020 MassDOT Prequalification Form.

Q2. For item 399.01 and 399.02, given the thin profile (less than 1 inch) of the surface treatment, will Protector Rings be necessary for structures raised less than 1 inch in height?

A2. Protector Rings have been removed from the project.

REMOVE page 85 and REPLACE with page “85 (Revised Addendum 1)”

Q3. For item 415.3, Pavement Micro Milling for applications of surface treatments as scoped in this project is typically used for depths of 1 inch or less. Will the city amend the minimum depth listed in the specification to reflect milling depths less than 1 inch?

A3. The minimum depth has been revised.

REMOVE page 118 and REPLACE with page “118 (Revised Addendum 1)”

Q4. For item 466.01, will the city confirm if the Asphalt Rubber Stress Absorbing Membrane Interlayer will be placed on the entire area of both Cherry Street and Parker Street? If not, will the city update the quantities to reflect the area to receive the treatment?

A4. The Asphalt Rubber Stress Absorbing Membrane Interlayer will be placed only on the entire area of Cherry Street. The quantity for Item 466.01 Asphalt Rubber Stress Absorbing Membrane Interlayer has been revised.

REMOVE page 86 and REPLACE with page “86 (Revised Addendum 1)”

Q5. For item 460.3, who will be responsible for pre-sweeping of the roadway prior to placement of the Bonded Wearing Course?

A5. All surface preparations shall be completed by the Contractor prior to applying the Bonded Wearing Course and shall be considered incidental to the Contract.

Q6. In past contracts of similar scope, a line item was included for Pavement Milling of smaller areas of 48 inches or less in width (i.e. keyways, intersecting roadways, driveway aprons, etc.). Can this item be added due to the anticipated quantities for the project?

A6. Item 415.3 Pavement Micro Milling shall be used for all milling regardless of scope, width, length, and/or location.

All other terms and conditions of this bid remain unchanged.

**PLEASE ENSURE THAT YOU ACKNOWLEDGE ALL ADDENDA ON YOUR
BID FORM. FAILURE TO ACKNOWLEDGE ALL ADDENDA COULD
RESULT IN REJECTION OF YOUR BID AS NONRESPONSIVE.**

Thank you.

A handwritten signature in black ink that reads "Nicholas Read". The signature is written in a cursive, slightly slanted style.

Nicholas Read
Chief Procurement Officer



City / Town & Other Awarding Authority (OAA) Prequalification Form

Check All Funding Program(s) that apply:

- Chapter 90 Program
- Complete Streets Program
- Municipal Small Bridge Program
- Utility Grants Program
- Mass-Works Program
- Municipality Funds
- Other _____

Name of City/Town or OAA: City of Newton

Description of Work: Bonded Wearing Course Pavement Preservation

Class of Work (determined by MassDOT Prequalification Committee): Asidoro D. Perez
4.24.20

Project Value: \$720,000.00 APPROVED =Pavement Surfacing (\$715,306.50)

Bid Opening Date: 5/7/2020

Award Date: TBD

Start Date: 6/1/2020

End Date: 12/31/2020

Contact Person: Lou Taverna

Telephone #: 617-796-1020 x1025

Email: Ltaverna@newtonma.gov

Required Attachments:

- Legal Advertisement or Central Registry Advertisement
- Engineer's Bid Estimate Items, Quantities & Values / Alternates or Optional extensions (Total Prequal. Project Costs)
- Detailed Scope of Work
- State Funding Approval Form or Letter

Please email or fax completed forms to:
Email: prequal.r109@dot.state.ma.us
Fax: (857) 368-0643
Main line: (857) 368-8660

For MassDOT Use Only

SAE Signature & Date

In accordance with M.G.L. c. 81, §8B, any Contractor or Prospective Bidder proposing to bid on any work, excepting the construction, reconstruction, repair, or alteration of buildings, to be awarded by the Department of Conservation and Recreation, aggregating \$50,000 or more, must be prequalified by the Highway Division of the Massachusetts Department of Transportation pursuant to 720 CMR 5.01, et seq. (cite 320 CMR 17.00, 17.02) in the specified class of work with a single contract class limit greater than or equal to the advertised project value.

Please notify MassDOT of any changes of contact information, bid dates, project value(s), addendums, etc.



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



January 1, 2019

To: Massachusetts Cities / Towns & Other Awarding Authorities (OAA)

Re: Massachusetts Horizontal Construction Prequalification Process, per 720 CMR 5.00

Dear Colleagues:

The Massachusetts Department of Transportation through its Office of Construction Prequalification / Records & Procedures is providing this reminder of Horizontal Construction Prequalification requirements for publically bid projects in Massachusetts:

- (1) That involves the use of State funds where the cost exceeds \$50,000;
- (2) That involves work on State numbered roads & highways; or
- (3) That includes MassDOT Prequalification, as a requirement of the Advertisement and or bid documents, regardless of funding sources.
- (4) Requires MassDOT Prequalification as a condition for State Funding Reimbursement.

To eliminate confusion on future projects, we are providing this information so that all Awarding Authorities are aware of MassDOT's Horizontal Construction Prequalification process and the potential reasons for MassDOT to inquire into a City/Town or Other Awarding Authority (OAA) project advertised in the Central Register and either 100% or partially Funded by "OTHER" state funds such as the Chapter 90 Program, Complete Streets Program, Municipal Small Bridge Program, Utility Grants Program and Mass-Works Program.

The following criteria are routinely checked when performing project Prequalification reviews and/or sending Central Register (CR) Inquiries:

1. **Project Advertised (Central Register) requiring MassDOT Prequal.** If, regardless of funding sources, a City/Town or OAA elects to make MassDOT Prequalification a requirement of its procurement, then MassDOT will apply its same process as any other project requiring MassDOT prequalification. This includes review of documentation to determine class of work, determination of the "Total Project Value (including any added Alternates & Extension Option costs)", and issuance of approved prequalified Contractor lists for each contract advertised within 1 week of receiving the required documentation.
When City/Town or OAA projects are advertised as requiring MassDOT Prequalification, please be aware that Contractors seeking waivers to bid on such projects must be allowed to submit them to MassDOT's Prequal. Committee at least 1 week prior to the bid date to afford them the opportunity to appeal such decisions.
2. **Work on State Roads-** We confirm whether the work is being performed on state roads. Work on state roads triggers the Prequalification requirement, regardless of funding source; moreover, a District Access Permit to perform the work should be available with the bid documents. (see IG web-site reference below)
3. **State Funded Projects** - If 100% or partially funded by "OTHER" state funds such as, but not limited to, the 1. Chapter 90 Program (need approved copy of Ch. 90 Form), 2. Complete Streets Program (need copy of approval letter), 3. Municipal Small Bridge Program (need copy of approval letter), 4. Utility Grants Program (need copy of approval; and 5. Mass-Works Program(need copy of approval letter)
4. **Central Register (CR) weekly review of projects advertised** - We perform weekly reviews of the Central Register for projects that may have been inadvertently advertised requiring Prequal, when in fact it is not required; moreover, that may have not been advertised correctly and are "potential Prequal. Projects" meeting at least one of criteria 1 thru 4 above. We must inquire about these potential projects to confirm whether they in fact do or do not need MassDOT

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prequalification before bids are opened, as we have found several occurrences of both instances in the past 6 months that have prompted bid protests.

Note that the Office of the Inspector General has released a useful guide on public procurement. The full guide can be found at the following link, which also includes discussion of the prequalification requirements:

<https://www.mass.gov/files/documents/2018/07/13/Procurement%20Charts%202018.pdf? ga=2.148160116.291473291.1536681180-1497554904.1536681180>

Procurement/ Prequalification requirements for projects >\$50,000 under M.G.L. c. 30, § 39M, or M.G.L. c. 30B, § 5 – **PUBLIC WORKS (NON-BUILDING) CONSTRUCTION CONTRACTS (WITH LABOR):**

“7. Although M.G.L. c. 30, § 39M, does not mandate a contractor prequalification process, prequalification of bidders by the Massachusetts Department of Transportation is required for contracts of \$50,000 or more (1) if the awarding authority receives State Aid funds under M.G.L. c. 90, § 34; or (2) **the work is on a state road, regardless of whether the awarding authority receives State Aid funds under M.G.L. c. 90, § 34.**”

Many Cities, Towns and OAA presently utilize MassDOT’s prequalification process. There have been instances where consultants have requested “un-official” prequalification contractor lists, without submitting the required documentation prior to bids, which should never be used for awards. In other instances consultants have requested prequalified lists after bid opening, which are not advisable and problematic as it may result in a potential bid protest; furthermore, it may identify Prequalification violations. **Note that all qualified bidders must have a fair opportunity to bid on such projects.**

In order for MassDOT to issue a list of prequalified bidders prior to bid, the following forms or approvals are required:

- 1. City/Town or OAA application
- 2. Detailed Scope of work
- 3. Engineers Bid Estimate items with quantity & value / duration of project to arrive at Total Project Cost
- 4. Legal advertisement
- 5. Approved State Funding Source document

Once we receive this packet, our office will then determine the work classification & email a list of eligible bidders to you. Please forward all documentation to prequal.r109@dot.state.ma.us. Below is the link to our website for your convenience.

<https://www.mass.gov/how-to/citytown-and-other-awarding-authorities-prequalification-process>

We hope this provides more clarification to our process, what is required and by when.

Should you have any questions or concerns please do not hesitate to contact the PREQUALIFICATION HOT LINE at 857-368-8660 or me directly at 857-368-8784.

Isidoro DeJesus Perez

Director - Office of Construction Prequalification / Records & Procedures

Prequalification Committee Chairperson, MassDOT Construction Engineering

CC: Prequal Committee, M. McGrath, R109, T. Ward

ITEM DESCRIPTION & BID PRICE	EST. QTY*	UNIT	TOTAL COST
<p>ITEM 358.03: 6 INCH GATE BOX RISER</p> <p>THE SUM OF: _____ DOLLARS AND _____ CENTS (\$ _____) PER UNIT</p>	11	EA	\$ _____
<p>ITEM 399.01: PROTECTOR RING 10 INCHES</p> <p>ITEM REMOVED</p>			
<p>ITEM 399.02: PROTECTOR RING 28 INCHES OR 31 INCHES</p> <p>ITEM REMOVED</p>			
<p>ITEM 415.3: PAVEMENT MICRO MILLING</p> <p>THE SUM OF: _____ DOLLARS AND _____ CENTS (\$ _____) PER UNIT</p>	4,100	SY	\$ _____
<p>ITEM 460.01: HOT MIX ASPHALT LEVELING COURSE</p> <p>THE SUM OF: _____ DOLLARS AND _____ CENTS (\$ _____) PER UNIT</p>	100	TN	\$ _____
<p>ITEM 460.3: BONDED WEARING COURSE</p> <p>THE SUM OF: _____ DOLLARS AND _____ CENTS (\$ _____) PER UNIT</p>	24,120	SY	\$ _____

ITEM DESCRIPTION & BID PRICE	EST. QTY*	UNIT	TOTAL COST
<p>ITEM 466.01: ASPHALT RUBBER STRESS ABSORBING MEMBRANE INTERLAYER</p> <p>THE SUM OF: _____ DOLLARS</p> <p>AND _____ CENTS</p> <p>(\$ _____) PER UNIT</p>	7,690	SY	\$ _____
<p>ITEM 472: HOT MIX ASPHALT FOR MISCELLANEOUS WORK</p> <p>THE SUM OF: _____ DOLLARS</p> <p>AND _____ CENTS</p> <p>(\$ _____) PER UNIT</p>	25	TN	\$ _____
<p>ITEM 482.1: CRACK SEALANT</p> <p>THE SUM OF: _____ DOLLARS</p> <p>AND _____ CENTS</p> <p>(\$ _____) PER UNIT</p>	100	GAL	\$ _____
<p>ITEM 697.1: SILT SACK</p> <p>THE SUM OF: _____ DOLLARS</p> <p>AND _____ CENTS</p> <p>(\$ _____) PER UNIT</p>	63	EA	\$ _____
<p>ITEM 767.121: SEDIMENT CONTROL BARRIER</p> <p>THE SUM OF: _____ DOLLARS</p> <p>AND _____ CENTS</p> <p>(\$ _____) PER UNIT</p>	380	FT	\$ _____

