



Addendum #1

April 4, 2024

**NC Department of Health & Human Services
O'Berry Neuro-Medical Treatment Center
ELC-2 Air Handler Replacement
Goldsboro, North Carolina
SCO #22-25055-01A
SSME #22051**

Refer to the attached meeting minutes and attendance sign-in sheet from the Pre-Bid Conference held at O'Berry NMTC and the project site on Thursday, March 28, 2024.

The following addendum items shall be incorporated into the Contract Documents:

1. **Refer to Construction Documents – Specifications, Notice to Bidders:** The bid opening date has been changed to April 25, 2024, at 3:00 p.m. The bid opening location has been changed to the front conference room at the Ashby Building, NC DHHS campus, 2104 Umstead Drive, Raleigh NC 27603.
2. **Refer to Construction Documents – Specifications, Section 012100 “Allowances”:** Add the attached section 012100 in its entirety.
3. **Refer to Construction Documents – Specifications, Section 012200 “Unit Prices”:** Add the attached section 012200 in its entirety.
4. **Refer to Construction Documents – Specifications, Section 020760 “Removal and Disposal of Asbestos-Containing Thermal System Insulation”:** Add the attached section 020760 in its entirety.
5. **Refer to Construction Documents – Specifications, “Form of Proposal”:** Replace the Form of Proposal with the attached revised Form of Proposal in its entirety.

END OF ADDENDUM #1



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**NC Department of Health & Human Services
O'Berry Neuro-Medical Treatment Center
ELC-2 Air Handler Replacement
Goldsboro, North Carolina
SCO #22-25055-01A
SSME #22051**

Mandatory Pre-Bid Conference Meeting Minutes

Date/Time: March 28, 2024, 10:00 a.m.

Location: O'Berry NMTC Maintenance Shop Breakroom

A. Introduction

- 1) Distribution of sign-in sheets. See attached sign-in sheet for attendance contact information.
- 2) Attendee introductions were made.
- 3) Key Personnel and their roles on the project:
 - a. Owner/ Agency: NC Dept. of Health & Human Services
 - b. Owner's Rep./Project Manager: Greg Johnson, Project Manager – Div. of Property & Construction
 - c. Building Contact(s): Paul Askew, Maintenance Construction Supervisor – O'Berry NMTC
 - d. Design Team/Project Manager: David Stoops – Spring Stoops McCullen Engineering, PA
- 4) Reviewed bid opening date/time and construction duration per Contract Documents:
 - a. Bid/Date Time: Thursday, April 18, 2024 at 3:00 p.m.
 - b. Bid Location: Administration Building 700, Conference Room #2 at O'Berry NMTC, 400 Old Smithfield Road, Goldsboro, NC
 - c. Construction Duration: 365 consecutive calendar days from official Notice to Proceed (NTP)

B. Review of Owner's General Requirements/Comments

- 1) No need for workers to individually log in daily. Only superintendent needs to log in daily at the Maintenance Shop.
- 2) The ELC-2 building complex will be partially occupied during construction with only one wing at a time under construction (other 3 wings occupied).
- 3) Existing equipment and facilities in the project construction area are to be protected. Schedule all required shutdowns/outages with owner minimum of 72 hours in advance.
- 4) Normal work hours shall be limited to 7:30 a.m. to 5:00 p.m. Monday through Friday. Notify Designer and Owner of any deviations in advance.
- 5) Material laydown/staging area and waste disposal: Gravel surface parking lot across the road and north of project site is acceptable for conex and construction trailer. Grass area adjacent to surface lot for dumpster.

Mandatory Pre-Bid Conference Meeting Minutes
NC Department of Health & Human Services
O’Berry Neuro-Medical Treatment Center
ELC-2 Air Handler Replacement
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March 28, 2024
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C. Designer Overview/Comments

- 1) Scope of work: Replacement of four (4) existing multi-zone central station AHU’s with new constant volume AHU’s with duct-mounted zone reheat coils, and four (4) single zone blower coil units (BCU’s) serving the unit entries and dining spaces. Base bid includes AHU and BCU replacements in units 2.1, 2.2 and 2.3. Alternate #1 will include AHU replacement in unit 2.4. Work also includes related electrical, fire alarm, and general construction associated with AHU replacements.
- 2) Communication During Bid: All questions to be in writing via e-mail to SSME Attn: David Stoops. Answers and clarifications will be issued via addendum.
- 3) Bid Proposal Forms:
 - a. Only use standard form “Form of Proposal” included in backend of the Project Manual.
 - b. There are two (2) alternate bids on the bid form. Refer to Section 012300 of the Project Manual.
 - c. A bid bond (security) will be required.
 - d. Performance and payment bonds will be required.
- 6) Addendum: Last addendum will be issued no later than 5:00 p.m. seven (7) calendar days prior to the bid opening (currently Thursday, April 10, 2024).
- 7) Requests for Clarification During Bid Phase: Clarifications not requiring changes or revisions to bid documents will be issued no later than 5:00 p.m. three (3) calendar days prior to the bid opening (currently April 15, 2024).

D. Questions and Answers

- 1) Issues, questions and answers that came up in the meeting for SSME to provide clarifications and direction via addendum:
 - a. Asbestos Inspection Report (October 2000) included in the Project Manual indicates existing piping insulation contains ACM. Paul Askew (O’Berry Center) indicated that piping in the mechanical rooms has been previously abated and replaced with fiberglass. Floor tile in mechanical rooms has also been previously abated. Existing piping in crawlspace should be assumed to still contain asbestos. Allowances for abating asbestos will be added in Addendum #1.
 - b. An additional week for bidding was requested. The bid opening date will be changed via Addendum #1 to March 25, 2024 at 3 p.m. The bid opening location will also be changed from O’Berry NMTC to DHHS Property & Construction offices in Raleigh.

End of Minutes.

Pre-Bid Meeting Sign-In Sheet

Project: NC Dept. of Health & Human Services
O'Berry Neuro-Medical Treatment Ctr.
ELC-2 AHU Replacement
SCO #22-25055-01A

SSME Project #22051

Date: Thursday, March 28, 2024

Time: 10:00 A.M.

Location: O'Berry NMTC Maintenance Shop Breakroom



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Ben Hockaday		Hockaday Mechanical	(919) 277-0485	ben@hmcpr.com
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Jason Kepley		HM Kern	(336) 207-0733	estimating@hmkern.com
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SECTION 012100 - ALLOWANCES

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. Section includes administrative and procedural requirements governing allowances.
 - 1. Certain items are specified in the Contract Documents by allowances. Allowances have been established in lieu of additional requirements and to defer selection of actual materials and equipment to a later date when direction will be provided to Contractor. If necessary, additional requirements will be issued by Change Order.
- B. Types of allowances include the following:
 - 1. Quantity allowances.

1.3 UNIT-COST AND QUANTITY ALLOWANCES

- A. Allowance shall include cost to Contractor of specific products and materials ordered by Owner or selected by Architect under allowance.
- B. Based on the allowances, the contractor's contract shall be adjusted up or down depending on the use of the allowance quantity above or below the base bid amount equal to an amount as specified in the unit pricing.
- C. At Project closeout, credit unused amounts remaining in the allowance to Owner by Change Order.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION

3.1 SCHEDULE OF ALLOWANCES

- A. Allowance No. 1: Quantity Allowance: Include total of linear feet of asbestos insulation removal as follows:

- a. 80 linear feet of 3" chilled water pipe.
- b. 80 linear feet of 2" heating hot water pipe.

Coordinate quantity allowance adjustment with unit-price requirements in Section 012200 "Unit Prices." This allowance shall be included in the value of the Base Bid price of the contractor's bid.

END OF SECTION 012100

SECTION 012200 - UNIT PRICES

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. Section includes administrative and procedural requirements for unit prices.
- B. Related Requirements:
 - 1. Section 012600 "Contract Modification Procedures" for procedures for submitting and handling Change Orders.
 - 2. Section 014000 "Quality Requirements" for general testing and inspecting requirements.

1.3 DEFINITIONS

- A. Unit price is an amount incorporated in the Agreement, applicable during the duration of the Work as a price per unit of measurement for materials, equipment, or services, or a portion of the Work, added to or deducted from the Contract Sum by appropriate modification, if the scope of Work or estimated quantities of Work required by the Contract Documents are increased or decreased.

1.4 PROCEDURES

- A. Unit prices include all necessary material, plus cost for delivery, installation, insurance, applicable taxes, overhead, and profit.
- B. Measurement and Payment: See individual Specification Sections for work that requires establishment of unit prices. Methods of measurement and payment for unit prices are specified in those Sections.
- C. Owner reserves the right to reject Contractor's measurement of work-in-place that involves use of established unit prices and to have this work measured, at Owner's expense, by an independent surveyor acceptable to Contractor.
- D. List of Unit Prices: A schedule of unit prices is included in Part 3. Specification Sections referenced in the schedule contain requirements for materials described under each unit price.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION

3.1 SCHEDULE OF UNIT PRICES

A. Unit Price No. 1: Asbestos removal of thermal insulation system.

1. Description: Removal of asbestos insulation piping and proper disposal off site as required, according to Section 020760 "Removal and Disposal of Asbestos-Containing Thermal System Insulation."
2. Unit of Measurement: Lineal Feet of Pipe.
3. Quantity Allowance: Coordinate unit price with allowance adjustment requirements in Section 012100 "Allowances."
4. The unit price per linear foot shall be used in determining additional asbestos above and beyond that included in the Base Bid and also with determining the amount to be refunded to the Owner should less asbestos containing material be encountered than stated in the allowance. If no asbestos is encountered, the full allowance amount shall be given back to the Owner.

END OF SECTION 012200

SECTION 020760 – REMOVAL AND DISPOSAL OF ASBESTOS-CONTAINING THERMAL
SYSTEM INSULATION

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 01 Specification Sections, apply to this Section.

1.2 QUALITY ASSURANCE

- A. All work shall comply with the State of North Carolina, Department of Administration – State Construction Office “Asbestos Abatement Guidelines and Policies”, 1996. This document is available at the State Construction Office (SCO) web site at www.nc-sco.com. under the Resources/ Forms and Documents / Design Review section.
- B. The project must be conducted in strict accordance with the rules and regulations administered by the NC OSHA and the North Carolina Asbestos Rules, Regulations and Procedures as administered by the NC DHHS, Division of Public Health, Health Hazards Control Unit (HHCU) or their successor agencies.
- C. All work is to be performed by a N.C accredited asbestos Contractor and conform to the requirements of the NC Department of Health and Human Services Health Hazards Control Unit (HHCU). Obtain all required permits before commencing work.

1.3 SUBMITTALS

- A. The Contractor must provide for review and approval by the Engineer the approved Asbestos Permit from the HHCU and documentation that every project participant is currently valid on their asbestos accreditation, medical approval and respiratory fit test.
- B. Submit the Material Safety Data Sheets (MSDS), or equivalent, in accordance with OSHA Hazard Communication Standard (29 CFR 1910.1200) for each surfactant and encapsulating material proposed for use on the Work. Include a separate attachment for each sheet indicating the specific worker personal protective equipment (PPE) proposed for use with the material indicated.
- C. Prior to the approval of the final invoice, the Contractor must submit two (2) copies of a Completion Report consisting of the following:
 - 1. Daily log sheets.

2. OSHA personnel exposure results.
3. Reports of unusual incidents.
4. Documentation including but not limited to photographic evidence and abatement logs indicating quantities of asbestos containing insulation that was abated.
5. HHCU waste disposal documentation.

PART 2 - EXECUTION

2.1 GENERAL

- A. The Contractor shall remove the following asbestos containing material (ACM) specified on the Drawings and in the Specifications:

TYPE OF MATERIAL	LOCATION	TYPE OF ASBESTOS AND PERCENTAGE	ESTIMATED QUANTITY*
Thermal System Insulation (TSI)	Crawlspace Directly Below Mechanical Rooms	Assumed Asbestos	80' of 3" chilled water pipe (total quantity for project) 80' of 2" heating hot water pipe (total quantity for project)

*See specification section 012100 "Allowances."

2.2 PROCEDURES FOR REMOVAL OF ACM

- A. Asbestos-containing thermal system insulation shall generally be removed using glove-bag removal methods where specified or cut and cap as required by the contractor. Removal shall be performed by two-man teams. There shall be a separate water source for each asbestos team in the work area.
- B. Provide a remote decontamination unit with three-stage unit for workers to change their clothing or put protective equipment and cleanup before leaving the site. Isolate work area with barrier tapes, signs as required under OSHA regulations.
- C. Prior to asbestos abatement, the Contractor's equipment, work area and decontamination unit(s) will be inspected and approved by the Air Monitor on site.
- D. Procedures for Material Removal Utilizing Glove Bag Methods:
1. For asbestos-containing material/insulation (generally thermal pipeline insulation), the ends of insulation that remains must be wrapped with canvas lag-cloth and required encapsulating material to leave remaining material in safe condition. Wet the donut

- shaped pieces of wettable cloth and place it over the exposed ends of the insulation remaining on the pipe.
2. Attach the glovebag as per the manufacturer's recommendation(s). Ensure that each bag is properly installed and sealed. The Air Monitor shall inspect the installation of each glovebag prior to the Contractor being permitted to commence the work. The Contractor shall provide smoke tube to be used to ensure that each glovebag is properly attached and sealed.
 3. Perform proper glove-bag procedure as per manufacturer's recommendations and complete the required abatement and clean the work area and the pipe.
 4. Evacuate contaminated air from the glovebag through a HEPA-equipped vacuum.
 5. Carefully remove the glovebag(s) from the pipeline, seal and place each glovebag in a waste disposal bag and "gooseneck" seal each bag. Insert only one seal glovebag in each waste disposal bag to prevent breakage.
- E. The Air Monitor will provide a visual clearance for every removal. This clearance will be for the areas of piping where asbestos insulation was removed, the integrity of the lag-cloth applications and the absence of debris suspect for asbestos within the work area.
- F. All floor poly, tape, cleaning material, clothing, and any other disposable material or items used in the work area shall be packed into sealable plastic bags (6-mil minimum). Each bag shall be individually sealed and placed in containers, at a minimum a second waste disposal bag, suitable for transport to the landfill.
- G. All material shall be double-bagged and the outside bag and container shall be clean before leaving the waste decontamination Unit. Contaminated materials such as panels, pipe, etc., may be wrapped in at least two (2) layers of properly labeled polyethylene sheeting, as an alternative to using plastic bags. The bags and containers shall be labeled per OSHA, NESHAP, DOT and state and local regulations. All waste may be inspected by the Owner's representative prior to disposal.
- H. Contaminated materials such as cut piping must be wrapped in at least two (2) layers of properly labeled polyethylene sheeting, as an alternative to using plastic bags. The bags and containers shall be labeled as per OSHA, NESHAP, DOT, State and local regulations. All waste may be inspected by the Building Owner's representative prior to disposal.

2.3 GENERAL REQUIREMENTS FOR DISPOSAL OF ACM

- A. All asbestos-containing waste materials and miscellaneous debris shall be properly bagged, sealed and protected. The loadout vehicle/dumpster shall be locked at all times, while located on the site. Bagged waste shall then be transported to a pre-designated disposal site, in accordance with 40 CFR 61.150 and DOT 49 CFR Parts 100-399.
- B. An enclosed container will be used to haul waste material to the disposal site. No rental vehicles or trailers shall be used. Vehicle selection, vehicle covers and work practices shall

assure that no asbestos becomes airborne during the loading, transport and unloading activity, and that material is placed in the waste site without breaking any seals.

- C. Waste disposal polyethylene bags (6-mil) and containers, non-porous (steel/plastic) drums or equivalent, with labels, appropriate for storing asbestos waste during transportation to the disposal site shall be used. In addition to the OSHA labeling requirements, all containers shall be labeled with the name of the waste generator and the location at which the waste was generated.
- D. The Abatement Contractor shall transport the containers and bags of waste material to the approved waste disposal site. The sealed plastic bags shall be placed into the burial site unless the bags have been broken or damaged. Upon the landfill's approval damaged bags shall be left in the non-porous containers and the entire contaminated package shall be buried. Uncontaminated containers may be reused.
- E. Workers loading and unloading the asbestos shall wear respirators and disposable clothing when handling material. Asbestos warning signs shall be posted during loading and unloading of asbestos waste.
- F. The Abatement Contractor shall use the HHCU's Waste Shipment Record for disposal records as per 40 CFR 61.150 and distribute a copy of all waste shipment records to the Designer after the completion of the Project.
- G. All metallic waste can be wrapped with two layers of 6-mil polyethylene and properly labeled for proper disposal; or all asbestos contamination shall be removed, wiped clean, and inspected by the air monitor before disposal.

2.4 PROCEDURES FOR WASTE DISPOSAL OF ACM

- A. Transportation to the Landfill:
 - 1. Once containers or bags (polyethylene or burlap) or wrapped components (two individual layers of 6-mil polyethylene sheeting) have been removed from the Work Area, they shall be loaded into an enclosed truck for transport to the landfill.
 - 2. The enclosed cargo area of the truck shall be free of debris and lined with 6-mil polyethylene sheeting to prevent contaminated materials from leaking or spilling into the cargo area. Floor sheeting shall be installed first and extend up the sidewalls. Wall sheeting shall be overlapped and taped into place.
 - 3. All containers shall be placed on level surfaces in the cargo area and packed tightly together to prevent shifting and tipping. Large components shall be secured to prevent shifting and bags placed on top. Do not throw containers into truck cargo area.
 - 4. Workers loading asbestos-containing waste shall be protected by disposable clothing including head, body and foot protection and, at a minimum, half-face, air-purifying, dual cartridge respirators equipped with HEPA filters.

5. Any debris or residue observed on containers or surfaces outside of the work area resulting from cleanup or disposal activities shall be immediately cleaned up using HEPA filtered vacuum equipment and/or wet cleaning methods, as appropriate.

B. Disposal at the Landfill:

1. Upon reaching the landfill, trucks are to approach the dump location as closely as possible for unloading of the asbestos-containing waste.
2. Bags, drums and components shall be inspected as they are off-loaded at the disposal site. Damaged containers shall be very carefully taped shut and re-packed into drums or bags, as applicable.
3. Waste containers shall be placed on the ground at the disposal site, not pushed or thrown out of trucks (weight of wet material could rupture containers).
4. Personnel off-loading containers at the disposal site shall wear protective equipment consisting of disposable head, body and foot protection and, at a minimum, half-face, air-purifying, dual cartridge respirators equipped with HEPA filters.
5. Following the removal of all containerized waste, the truck cargo area shall be decontaminated using HEPA vacuums and/or wet methods to meet the no visible residue criteria. Polyethylene sheeting shall be removed and discarded along with contaminated cleaning materials and protective clothing, in bags or drums, at the disposal site.

END OF SECTION 020760

FORM OF PROPOSAL

O'Berry Neuro-Medical Treatment Center

Contract: _____

ELC-2 Air Handler Replacement

NC Dept. of Health & Human Services

Bidder: _____

SCO ID #22-25055-01A

Date: _____

The undersigned, as bidder, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this proposal or in the contract to be entered into; that this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith without collusion or fraud. The bidder further declares that he has examined the site of the work and the contract documents relative thereto, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed. The bidder further declares that he and his subcontractors have fully complied with NCGS 64, Article 2 in regards to E-Verification as required by Section 2.(c) of Session Law 2013-418, codified as N.C. Gen. Stat. § 143-129(j).

The Bidder proposes and agrees if this proposal is accepted to contract with the State of North Carolina through the Department of Health and Human Services in the form of contract specified below, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the construction of:

Replacements/upgrades of existing air handling units (AHU's) in the ELC-2 building complex including associated ductwork, piping, DDC controls, electrical, fire alarm devices and interior finish upgrades. Replacements/upgrades consist of replacing four (4) multi-zone central station AHU's with new constant air volume AHU's with zone reheat coils, and four (4) single zone blower coil units serving the unit entry and dining spaces,

in full in complete accordance with the plans, specifications and contract documents, to the full and entire satisfaction of the State of North Carolina, and the Department of Health and Human Services – Division of Property & Construction and Spring Stoops McCullen Engineering, PA with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and the contract documents, for the sum of:

SINGLE PRIME CONTRACT:

Base Bid:

_____ Dollars(\$)

General Subcontractor:

Electrical Subcontractor:

_____ Lic _____

_____ Lic _____

GS143-128(d) requires all single prime bidders to identify their subcontractors for the above subdivisions of work. A contractor whose bid is accepted shall not substitute any person as subcontractor in the place of the subcontractor listed in the original bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be non-responsible or non-responsive or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or (ii) with the approval of the awarding authority for good cause shown by the contractor.

ALTERNATES:

Should any of the alternates as described in the contract documents be accepted, the amount written below shall be the amount to be "added to" or "deducted from" the base bid. (Strike out "Add" or "Deduct" as appropriate.)

Alternate No. 1: All work related to the demolition of existing air handling unit in Mechanical Room 2.4-16 including associated ductwork, air distribution, piping, electrical and general construction; and installation of new air handling unit "AHU-2.4" and blower coil unit "BCU-2.4" including associated ductwork, air distribution, piping, electrical and general construction

(Add) (Deduct) _____ Dollars(\$) _____.

PREFERRED ALTERNATES:

Should any of the alternates as described in the contract documents be accepted, the amount written below shall be the amount to be "added to" or "deducted from" the base bid. (Strike out "Add" or "Deduct" as appropriate.)

Alternate No. 2: For the Owner's preferred brand of building automation control system (BAS) as manufactured by Allerton Controls

(Add) (Deduct) _____ Dollars(\$) _____.

The bidder further proposes and agrees hereby to commence work under this contract on a date to be specified in a written order of the designer and shall fully complete all work thereunder within the time specified in the Supplementary General Conditions Article 23. Applicable liquidated damages amount is also stated in the Supplementary General Conditions Article 23.

UNIT PRICES

Unit prices quoted and accepted shall apply throughout the life of the contract, except as otherwise specifically noted. Unit prices shall be applied, as appropriate, to compute the total value of changes in the base bid quantity of the work all in accordance with the contract documents.

MECHANICAL CONTRACT:

No. 1 Asbestos removal of thermal insulation per Linear Foot Unit Price (\$) _____

Proposal Signature Page

The undersigned further agrees that in the case of failure on his part to execute the said contract and the bonds within ten (10) consecutive calendar days after being given written notice of the award of contract, the certified check, cash or bid bond accompanying this bid shall be paid into the funds of the owner's account set aside for the project, as liquidated damages for such failure; otherwise the certified check, cash or bid bond accompanying this proposal shall be returned to the undersigned.

Respectfully submitted this day of _____

(Name of firm or corporation making bid)

WITNESS:

By: _____
Signature

(Proprietorship or Partnership)

Name: _____
Print or type

Title: _____
(Owner/Partner/Pres./V.Pres)

Address: _____

ATTEST:

By: _____

License No.: _____

Title: _____
(Corp. Sec. or Asst. Sec. only)

Federal I.D. No.: _____

Email Address: _____

(CORPORATE SEAL)

Addendum received and used in computing bid:

Addendum No. 1 _____ Addendum No. 3 _____ Addendum No. 5 _____ Addendum No. 7 _____

Addendum No. 2 _____ Addendum No. 4 _____ Addendum No. 6 _____ Addendum No. 8 _____

MINORITY BUSINESS PARTICIPATION REQUIREMENTS

Provide with the bid - Under GS 143-128.2(c) the undersigned bidder shall identify **on its bid** (Identification of Minority Business Participation Form) the minority businesses that it will use on the project with the total dollar value of the bids that will be performed by the minority businesses. **Also** list the good faith efforts (Affidavit **A**) made to solicit minority participation in the bid effort.

NOTE: A contractor that performs all of the work with its own workforce may submit an Affidavit (**B**) to that effect in lieu of Affidavit (**A**) required above. The MB Participation Form must still be submitted even if there is zero participation.

After the bid opening - The Owner will consider all bids and alternates and determine the lowest responsible, responsive bidder. Upon notification of being the apparent low bidder, the bidder shall then file within 72 hours of the notification of being the apparent lowest bidder, the following:

An Affidavit (**C**) that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the 10% goal established. This affidavit shall give rise to the presumption that the bidder has made the required good faith effort and Affidavit **D** is not necessary;

*** OR ***

If less than the 10% goal, Affidavit (**D**) of its good faith effort to meet the goal shall be provided. The document must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations and other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

Note: Bidders must always submit **with their bid** the Identification of Minority Business Participation Form listing all MB contractors, vendors and suppliers that will be used. If there is no MB participation, then enter none or zero on the form. Affidavit A **or** Affidavit B, as applicable, also must be submitted with the bid. Failure to file a required affidavit or documentation with the bid or after being notified apparent low bidder is grounds for rejection of the bid.