

ADDENDUM

April 2, 2020

ADDENDUM # 3

Bid 20C11, Relocation of Multi-Classroom Portable Unit from Centerville Elementary School to Monocacy Elementary School

REVISED DUE DATE: FCPS Main Lobby, Tuesday, April 21, 2020, prior to and time stamped no later than 2:00 P.M.

This addendum is being issued to provide additions, corrections, clarifications and answers to certain questions raised referencing the original proposal packages and any resultant contracts for the above bid.

1. Please be advised of the following date/time changes:
 - Questions Due: ~~Friday, April 3, 2020~~ **Thursday, April 16, 2020, 4:00 p.m.**
 - Due Date/Time: ~~Wednesday, April 15, 2020, prior to and time stamped no later than 3:00 P.M~~ **Tuesday, April 21, 2020, prior to and time stamped no later than 2:00 p.m.**
2. Please be advised that photos and videos will be posted to FCPS website by Friday, April 3, 2020:
<http://www.fcps.org/bidlist>
3. Frederick County Public Schools continues to request and receive bids for school construction projects. Many questions have been asked by bidders about delays in availability and delivery of products, and labor, which can influence starting and completing the projects.

At this time, FCPS will not consider modifying the Standard Contract Language for the upcoming bids. However, FCPS understands that there are uncertainties in both labor, and material markets due to the ongoing COVID-19 Pandemic. Bidders are required to bid what is requested in FCPS bid documents, with the information available to the bidders at the time of bid. FCPS will evaluate situations, and claims arising due to labor, and/or material shortage as a direct result of the Pandemic. This will be done on a project-by-project basis. Contractors will be required to provide detailed documentation of any potential claims for additional time for FCPS review, and approval.

4. Revised language to Supplemental Instructions to Bidders, #29 Employment of Child Sex Offenders and Person with Uncontrolled Access to Students, Page 47:

29. EMPLOYMENT OF CHILD SEX OFFENDERS AND PERSONS WITH UNCONTROLLED ACCESS TO STUDENTS

- a. Be advised that individuals who are registered sex offenders are not eligible to work on any FCPS' project. The awarded supplier(s) must initially check the Maryland Department of Public Safety & Correctional Services' Maryland Sex Offender Registry and search for the name of any employee to be assigned to work on this project. This applies to subcontractors and material/equipment suppliers as well. For projects lasting more than a few months, the supplier will periodically re-check the names of workers against the registry to ensure ongoing compliance. In the event that a registered sex offender is discovered to be working on a FCPS project, whether through employment by the supplier, subcontractor or equipment or material supplier, FCPS will notify the site superintendent to immediately remove the individual from the premises and permanently terminate his work assignment. FCPS may terminate this contract at no additional costs, as a result if the supplier is unable to demonstrate they have exercised care and diligence in the past in checking the Maryland registry.

- b. Contracted service providers who have regular, direct and unsupervised access to children cannot begin service without undergoing the same process as new employees per FCPS Regulation 300-33. If required, an awarded supplier(s) is responsible for payment of the full cost of the criminal background check. Additional information regarding this requirement will be found in Section II – FCPS Specific Terms and Conditions.
- c. The awarded supplier(s), or subcontractor(s), may not knowingly assign an employee to work on FCPS school premises with direct, unsupervised, and uncontrolled access to children, if the employee has been convicted of a crime identified as a crime of violence.
- d. The awarded supplier(s) will not assign employees who has been convicted of an offense under § 3-307 or § 3-308 of the Criminal Law Article or an offense under the laws of another state that would constitute a violation of § 3-307 or § 3-308 of the Criminal Law Article if committed in the state.
- e. An awarded supplier will not assign employee who has been convicted of a crime of violence as defined in § 14-101 of the Criminal Law Article, or an offense under the laws of another state that would be a violation of § 14-101 of the Criminal Law Article if committed in this state.
- f. With the passing of Maryland Law MD. Code, Educ. 6-113.2, employers of all contracted staff must obtain background information relating to child sexual abuse or sexual misconduct. This means that all contracted staff having direct contact with students must meet all of the FCPS and Maryland State Department of Education (MSDE) requirements before doing business with FCPS. For additional information, visit:
 - [Maryland State Department of Education Website](#);
 - [House Bill 486 Child Sexual Abuse and Sexual Misconduct Prevention](#);
 - [MSDE Guidelines For MD. Code, Educ. 6113.2](#);
 - [Employment History Review Form for Child Abuse and Sexual Misconduct](#)

Effective immediately, we will not fingerprint staff provided to FCPS by contractors or staffing agencies. Based on recent procedural review and guidance received from the state of Maryland, it is confirmed that the fingerprint records from the state's Criminal Justice Information System (CJIS) are to be processed and kept by employers only. This means that the contractors providing staff to FCPS are responsible to perform the CJIS fingerprint check since they are the employers of staff being provided to FCPS under various agreements. The fingerprint check required by FCPS and all Maryland school districts is the Adam Walsh Act background transaction (commonly referred to as the Child Care background check).

Thank you for your interest in bidding with Frederick County Public Schools and we apologize for any inconvenience this may have caused.

Sincerely,

Bill Meekins

Bill Meekins CPPB, CPPO, CSBO, CPCP
Purchasing Agent

BM/ab

cc: Tony Ray, Project Manager III, Construction Management