

Purchasing Office
191 South East St
Frederick, Maryland 21701
301-644-5209 phone
301-644-5213 fax



Kerrie Koopman CPPB, CPPO,
Purchasing Manager
**Kim Miskell, CSBO, Assistant Purchasing
Manager**
Bill Meekins CPPB, CPPO, CSBO, CPCP,
Purchasing Agent
Shane Ryberg, Purchasing Agent

RFQ NUMBER/BID NAME: 20C15, Security Vestibules for Green Valley Elementary and Kemptown Elementary Schools

ISSUE DATE: May 21, 2020

CONTRACT MANAGER: Kim Miskell, CSBO, Assistant Purchasing Manager, kim.miskell@fcps.org

CONTRACT ADMINISTRATOR: Tony Ray, Project Manager III, Construction Management, tony.ray@fcps.org

QUESTIONS: A pre-proposal meeting will not be held.
Questions due no later than 4:00 P.M., local time, on May 28, 2020.. Submit questions in writing to the Contract Manager listed above with a copy to the Contract Administrator.

OBTAINING RFQ DOCUMENTS: To view and/or download this solicitation package please visit our webpage at: www.fcps.org/bidlist. If you have problems downloading this bid or applicable addenda, contact: amy.beall@fcps.org

BONDS REQUIRED: NO

MBE REQUIREMENTS: YES - Green Valley Elementary School

RFQ DUE: 2:00 P.M., local time, on June 4, 2020.
Faxed or emailed bids are not acceptable.

BID SUBMISSION: Due to COVID-19, in order to protect our Vendors and Staff, the Purchasing Department will only be accepting on-line bid submissions via [ProcureNow](https://secure.procurenw.com/portal/fcps) <https://secure.procurenw.com/portal/fcps>

RFQ's will be opened and publicly read utilizing Skype Business:
(240) 236-6172 (FCPS) Conference ID: 7907906
Meeting URL: <https://meet.fcps.org/kimberly.miskell/D21WC0P9?sl=1>

Proposals must be properly marked with vendor's business name, address, bid name and number on the envelope or package. Do not return the following pages: cover page, table of contents, map, calendar, directory or terms and conditions.

TENTATIVE AWARD DATE: BOE Work Session, scheduled on: June 24, 2020

ELIGIBILITY TO BID: All Frederick County Public School vendors and or contractors interested in bidding on FCPS projects must register at eMaryland Marketplace Advantage www.procurement.maryland.gov. FCPS will no longer accept bidder's applications.

FACILITIES SERVICES DIVISION
CONSTRUCTION MANAGEMENT DEPARTMENT
191 South East Street
Frederick, Maryland 21701
301-644-5176 Phone
301-644-5027 Fax
www.fcps.org



Adnan Mamoon, Director
adnan.mamoon@fcps.org
Brad Ahalt, Senior Project Manager
Brian Staiger, Senior Project Manager
Tony Ray, Project Manager III
Vernon Beals, Project Manager III
Thomas Mulligan, Project Manager III

Request for Proposal

Date: May 21, 2020

To: Callas Contractors, Inc. – Attn. Tina Rhodes - trhodes@callascontractors.com

Keller Brothers, Inc. – Attn. Tom Hamilton – tom@kellerbrothers.com

Waynesboro Construction Co, Inc. - Attn. Danny VanGosen – dannv@waynesboroconstruction.com

Project: Kemptown Elementary School – Security Vestibule
Green Valley Elementary School – Security Vestibule

Proposal Due Date: June 4, 2020 by 4:00 pm

Project Summary / Description

FCPS Construction Management is requesting individual Lump Sum Proposals for each of the two (2) Security Vestibule Projects from the awarded RFP Bid #17MISC1 General Contractors listed above to provide all labor, materials, equipment, services and incidentals as necessary to provide the new Security Vestibule at Green Valley Elementary School and Kemptown Elementary School in accordance with the drawings and specifications prepared by FCPS and as per the direction contained in the RFP in accordance with FCPS RFP 17MISC1, Qualifications of General Construction Contractors for Minor Construction Projects..

Project Scope of Work

1. Provide all labor, materials, equipment, services and incidentals as necessary to provide the new Security Vestibule at Green Valley & Kemptown Elementary Schools to include the following activities as they pertain to the Base Bid and Alternate #1A and #1B:
 - a. General Conditions
 - b. Doors and Windows including the FCPS specified Hardware and Hollow Metal Frames
 - c. Finishes
 - d. Specialties
 - e. Electric
2. Drawings and Specifications - FCPS Green Valley & Kemptown Security Vestibule dated May 2020.
3. The Building Permits have NOT yet been obtained from the Frederick County.
4. These Security Vestibule Projects will be locally and state funded via the **FY 2020 School Safety Grant Program** and there will be a **2% MBE requirement for the Green Valley Elementary Project**. The anticipated value of each individual Project is not expected to require the Prevailing Wage requirements and the Bid Bond requirement is being waived.

Project Construction Schedule

- NOW May 2020 – August 10 2020

Please address all questions to Tony Ray at 301-644-5167 or Tony.Ray@fcps.org with a copy to Kim Miskell, kim.miskell@fcps.org

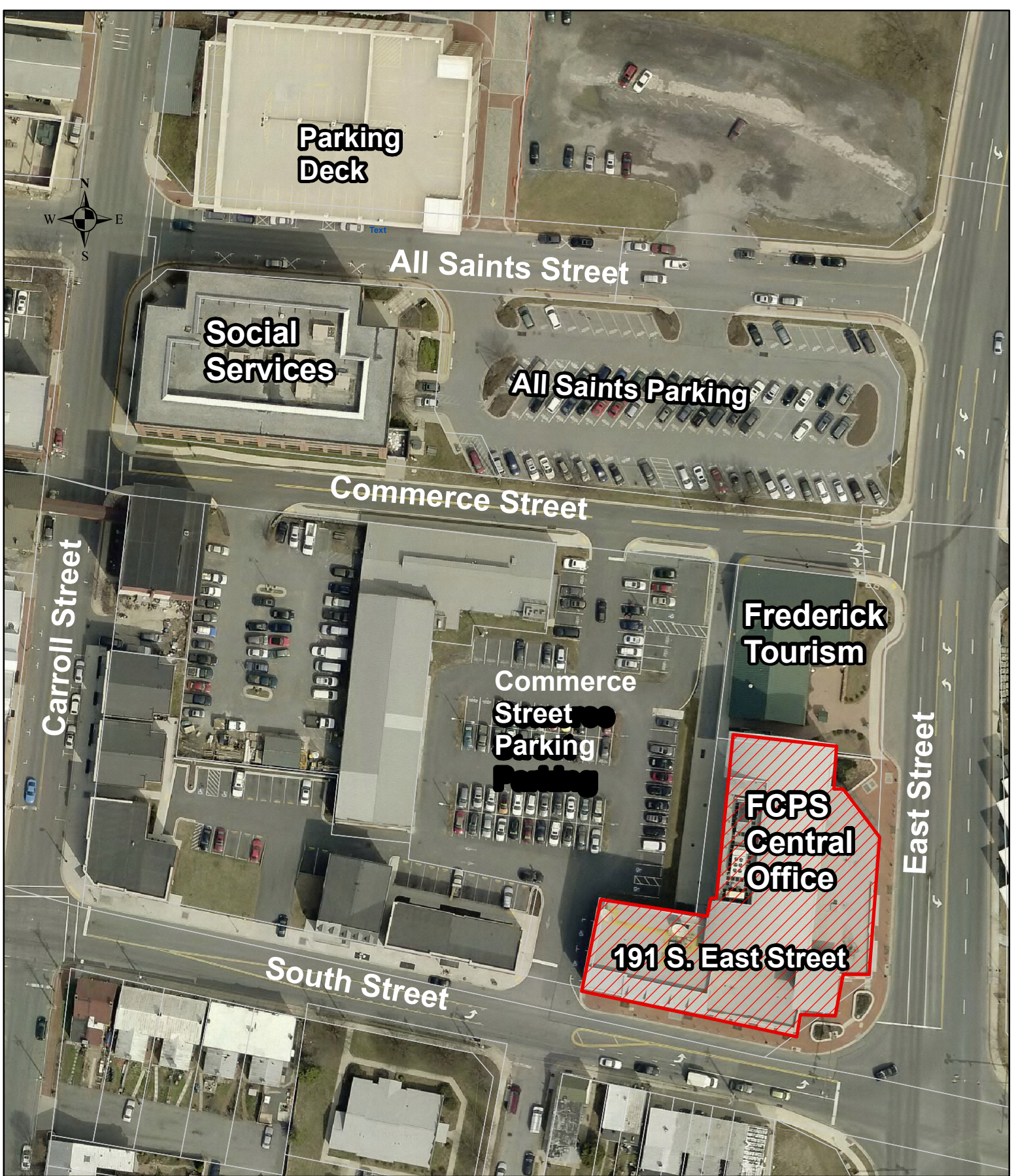
RFQ's are Due no later than, 2:00 P.M., local time, on June 4, 2020. Faxed or emailed bids are not acceptable. Due to COVID-19, in order to protect our Vendors and Staff, the Purchasing Department will only be accepting on-line bid submissions via ProcureNow <https://secure.procurennow.com/portal/fcps>

RFQ's will be opened and publicly read utilizing Skype Business: **(240) 236-6172 (FCPS) Conference ID: 7907906**

Meeting URL: <https://meet.fcps.org/kimberly.miskell/D21WC0P9?sl=1>

Thanks for your interest, cooperation and assistance.

Tony Ray Project Manager
FCPS Construction Management



Frederick County Public Schools, MD, School Year 2019-2020 Calendar

August 2019

23, 26-30 Fri, Mon-Fri Teacher Work Days

September 2019

02 Mon FCPS Closed: Labor Day

03 Tue First Day of School for Students

20 Fri Schools Closed: Fair Day

October 2019

08 Tue 2-Hour Early Dismissal for Students: Teacher Mid-Term Work Session

09 Wed Schools Closed: Yom Kippur.

23 Wed Elementary and Middle Schools Open 4 Hours Late for Evening Parent-Teacher Conferences; High Schools Are Full Day

24 Thu Elementary and Middle Schools Open 4 Hours Late for Evening Parent-Teacher Conferences; High Schools Are Full Day

25 Fri Elementary and Middle Students Dismissed 3.5 Hours Early for Afternoon Parent-Teacher Conferences; High Schools Are Full Day

November 2019

07 Thu End of Term 1

08 Fri Schools Closed for Students: Teacher Work Day

11 Mon Term 2 Begins

27, 28*, 29* Wed-Fri Schools Closed: Thanksgiving Break

December 2019

20 Fri 2-Hour Early Dismissal for Students: Teacher Mid-Term Work Session

23, 24*-31* Mon-Tue Schools Closed: Winter Break

January 2020

01* Wed Schools Closed: New Year's Day

20* Mon Schools Closed: Dr. Martin Luther King Jr. Day

28 Tue End of Term 2

29 Wed Schools Closed for Students: Teacher Work Day

30 Thu Second Semester and Term 3 Begin

February 2020

14 Fri 2-Hour Early Dismissal for Students: Teacher Work Session

17* Mon Schools Closed: Presidents' Day

March 2020

04 Wed 2-Hour Early Dismissal for Students: Teacher Mid-Term Work Session

April 2020

08 Wed 2-Hour Early Dismissal for Students: Teacher Work Session; End of Term 3

09 Thu Schools Closed for Students: Teacher Work Day

10*, 13* Fri-Mon Schools Closed: Spring Break

14 Tue Term 4 Begins

28* Tue Schools Closed: Primary Election Day

May 2020

25* Mon Schools Closed: Memorial Day

June 2020

22** Mon Last Day of School for Students /2-Hour Early Dismissal: Teacher Work Session. End of Term 4

23** Tue Last Day of School for Teachers

*State-Mandated Public Schools Holiday

**This calendar includes 8 days for snow or other emergency closings. If there are no days needed for emergency closings, the last day for students will be June 10. Subject to BOE revision, FCPS will make up emergency-closing days in the following sequence: June 11, 12, 15, 16, 17, 18, 19 and 22. The June two-hour early dismissal will occur on the last day of school for students.

Frederick County Public Schools, MD, School Year 2019-2020 Calendar

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23, 26-30 Fri, Mon-Fri Teacher Work Days

September 2019

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October 2019

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DIRECTORY OF SCHOOLS

ELEMENTARY

1. **Ballenger Creek** ♦ 240-236-2500
Ms. Kristen Canning, Principal
5250 Kingsbrook Drive
Frederick, MD 21703
Fax 240-236-2501
2. **Brunswick** ♦♦ 240-236-2900
Mr. Justin McConaughy, Principal
400 Central Avenue
Brunswick, MD 21716
Fax 240-236-2901
3. **Butterfly Ridge** ♦♦♦♦ 240-566-0300
Dr. Patricia Hosfelt, Principal
601 Contender Way
Frederick, MD 21703
Fax 240-566-0301
4. **Carroll Manor** ♦♦ 240-236-3800
Ms. Kimberly Robertson, Principal
5624 Adamstown Road
Adamstown, MD 21710
Fax 240-236-3801
5. **Centerville** 240-566-0100
Ms. Karen Hopson, Principal
3601 Carriage Hill Drive
Frederick, MD 21704
Fax 240-566-0101
6. **Deer Crossing** 240-236-5900
Ms. Amy Routzahn, Principal
10601 Finn Drive
New Market, MD 21774
Fax 240-236-5901
7. **Emmitsburg** ● 240-236-1750
Ms. Mary Ann Wiles, Principal
300 South Seton Avenue
Emmitsburg, MD 21727
Fax 240-236-1751
8. **Glade** ♦♦ 240-236-2100
Mr. Lorán ÓEithir, Principal
9525 Glade Road
Walkersville, MD 21793
Fax 240-236-2101
9. **Green Valley** 240-236-3400
Dr. Giuseppe Di Monte, Principal
11501 Fingerboard Road
Monrovia, MD 21770
Fax 240-236-3401
10. **Hillcrest** ♦♦♦♦ 240-236-3200
Mr. Karl Williams, Principal
1285 Hillcrest Drive
Frederick, MD 21703
Fax 240-236-3201
11. **Kemptown** 240-236-3500
Ms. Kathryn Golightly, Principal
3456 Kemptown Church Road
Monrovia, MD 21770
Fax 240-236-3501
12. **Lewistown** ♦ 240-236-3750
Ms. Dana Austin, Principal
11119 Hessong Bridge Road
Thurmont, MD 21788
Fax 240-236-3751
13. **Liberty** 240-236-1800
Ms. Jana Strohmer, Principal
11820 Liberty Road
Frederick, MD 21701
Fax 240-236-1801
14. **Lincoln** ♦♦♦♦ 240-236-2650
Mr. Eric Rhodes, Principal
200 Madison Street
Frederick, MD 21701
Fax 240-236-2651
15. **Middletown** 240-236-1100
Grades 3-5
Ms. Jan Hollenbeck, Principal
201 East Green Street
Middletown, MD 21769
Fax 240-236-1150
16. **Middletown Primary** ♦♦ 240-566-0200
Grades Pre-K-2
Ms. Sandra Fox, Principal
403 Franklin Street
Middletown, MD 21769
Fax 240-566-0201
17. **Monocacy** ♦♦♦ 240-236-1400
Mr. Troy Barnes, Principal
7421 Hayward Road
Frederick, MD 21702
Fax 240-236-1401
18. **Myersville** 240-236-1900
Ms. Kathy Swire, Principal
429 Main Street
Myersville, MD 21773
Fax 240-236-1901
19. **New Market** ♦ 240-236-1300
Mr. Jason Bowser, Principal
93 West Main Street
New Market, MD 21774
Fax 240-236-1301
20. **New Midway-Woodsboro**
Ms. Kimberly Clifford, Principal
A) **New Midway** 240-236-1500
Grades 3-5
12226 Woodsboro Pike
Keymar, MD 21757
Fax 240-236-1501
B) **Woodsboro** ♦ 240-236-3700
Grades Pre-K-2
101 Liberty Road
Woodsboro, MD 21798
Fax 240-236-3701
21. **North Frederick** ♦♦♦♦ 240-236-2000
Ms. Kimberly Seiss, Principal
1010 Fairview Avenue
Frederick, MD 21701
Fax 240-236-2001
22. **Oakdale** 240-236-3300
Ms. Leigh Warren, Principal
5830 Oakdale School Road
Ijamsville, MD 21754
Fax 240-236-3301
23. **Orchard Grove** ♦♦ 240-236-2400
Mr. Jay Corrigan, Principal
5898 Hannover Drive
Frederick, MD 21703
Fax 240-236-2401
24. **Parkway** 240-236-2600
Ms. Stephanie Brown, Principal
300 Carroll Parkway
Frederick, MD 21701
Fax 240-236-2601
25. **Sabillasville** 240-236-6000
Ms. Kate Krietz, Principal
16210-B Sabillasville Road
Sabillasville, MD 21780
Fax 240-236-6001
26. **Spring Ridge** ♦♦ 240-236-1600
Ms. DeVeda Coley, Principal
9051 Ridgefield Drive
Frederick, MD 21701
Fax 240-236-1601
27. **Thurmont** 240-236-0900
Grades 3-5
Ms. Debra O'Donnell, Principal
805 East Main Street
Thurmont, MD 21788
Fax 240-236-0901
28. **Thurmont Primary** ♦ 240-236-2800
Grades Pre-K-2
Dr. Michele Baisey, Principal
7989 Rocky Ridge Road
Thurmont, MD 21788
Fax 240-236-2801

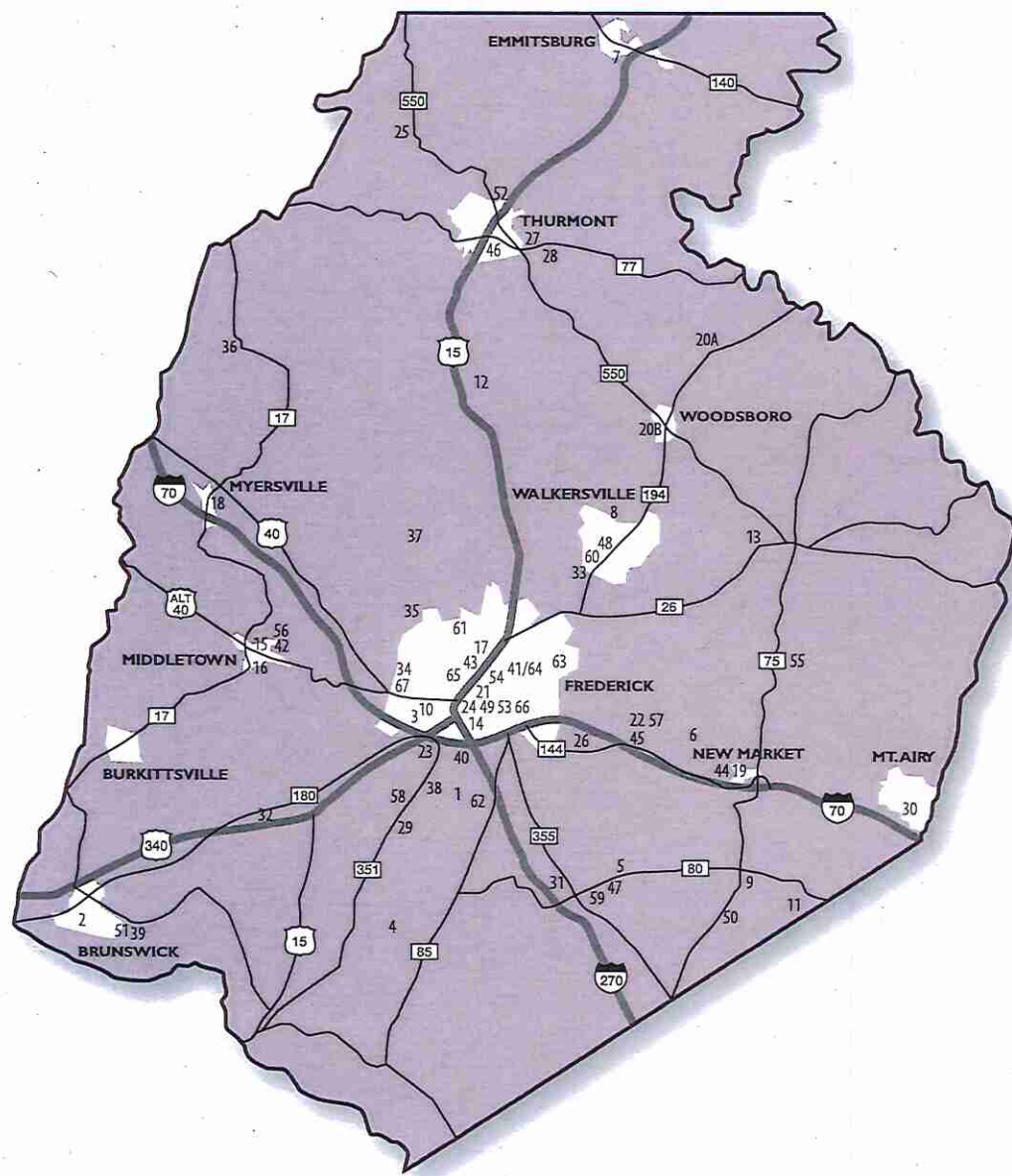
29. **Tuscarora** ● 240-566-0000
Dr. Kimberly Mazaleski, Principal
6321 Lambert Drive
Frederick, MD 21703
Fax 240-566-0001
30. **Twin Ridge** ♦ 240-236-2300
Ms. Heather Hobbs Michael, Principal
1106 Leafy Hollow Circle
Mt. Airy, MD 21771
Fax 240-236-2301
31. **Urbana at Sugarloaf** ♦ 240-566-0500
Ms. Tess Blumenthal, Principal
3400 Stone Barn Drive
Frederick, MD 21704
Fax 240-566-0501
32. **Valley** ♦ 240-236-3000
Ms. Tracy Poquette, Principal
3519 Jefferson Pike
Jefferson, MD 21755
Fax 240-236-3001
33. **Walkersville** ♦ 240-236-1000
Ms. Christina McKeever, Principal
83 West Frederick Street
Walkersville, MD 21793
Fax 240-236-1050
34. **Waverley** ♦♦♦♦ 240-236-3900
Dr. Allie Watkins, Principal
201 Waverley Drive
Frederick, MD 21702
Fax 240-236-3901
35. **Whittier** ♦♦ 240-236-3100
Ms. Amy Schwiegerath, Principal
2400 Whittier Drive
Frederick, MD 21702
Fax 240-236-3101
36. **Wolfsville** 240-236-2250
Ms. Megan Stein, Principal
12520 Wolfsville Road
Myersville, MD 21773
Fax 240-236-2251
37. **Yellow Springs** 240-236-1700
Ms. Sue Gullo, Principal
8717 Yellow Springs Road
Frederick, MD 21702
Fax 240-236-1701

MIDDLE

38. **Ballenger Creek** 240-236-5700
Mr. Jay Schill, Principal
5525 Ballenger Creek Pike
Frederick, MD 21703
Fax 240-236-5701
39. **Brunswick** 240-236-5400
Mr. Everett Warren, Principal
301 Cummings Drive
Brunswick, MD 21716
Fax 240-236-5401

HIGH

51. **Brunswick** 240-236-8600
Mr. Michael Dillman, Principal
101 Cummings Drive
Brunswick, MD 21716
Fax 240-236-8601
52. **Catoctin** 240-236-8100
Ms. Jennifer Clements, Principal
14745 Sabillasville Road
Thurmont, MD 21788
Fax 240-236-8101
53. **Frederick** 240-236-7000
Dr. David Franceschina, Principal
650 Carroll Parkway
Frederick, MD 21701
Fax 240-236-7015
54. **Governor Thomas Johnson** 240-236-8200
Dr. Dan Lippy, Principal
1501 North Market Street
Frederick, MD 21701
Fax 240-236-8201
55. **Linganore** 240-566-9700
Ms. Nancy Doll, Principal
12013 Old Annapolis Road
Frederick, MD 21701
Fax 240-566-9701
56. **Middletown** 240-236-7400
Mr. Bernard Quesada, Principal
200 Schoolhouse Drive
Middletown, MD 21769
Fax 240-236-7450
57. **Oakdale** 240-566-9400
Ms. Lisa Smith, Principal
5850 Eaglehead Drive
Ijamsville, MD 21754
Fax 240-566-9401
58. **Tuscarora** 240-236-6400
Mr. Christopher Berry, Principal
5312 Ballenger Creek Pike
Frederick, MD 21703
Fax 240-236-6401
59. **Urbana** 240-236-7600
Mr. David Kehne, Principal
3471 Campus Drive
Ijamsville, MD 21754
Fax 240-236-7601
60. **Walkersville** 240-236-7200
Ms. Tracey K. Kibler, Principal
81 West Frederick Street
Walkersville, MD 21793
Fax 240-236-7250



KEY

- ▷ Half-day pre-kindergarten program available
- Full-day pre-kindergarten program available
- ◆ Special education pre-kindergarten available
- ★ STAR (Title I) Schools

FINDOUTFIRST EMAIL AND TEXTING: WWW.FCPS.ORG/FOF

Middle (continued)

40. **Crestwood** 240-566-9000
Mr. Neal Case, Principal
7100 Foxcroft Drive
Frederick, MD 21703
Fax 240-566-9001
41. **Governor Thomas Johnson** 240-236-4900
Ms. Maggie Gilgallon, Principal
1799 Schifferstadt Boulevard
Frederick, MD 21701
Fax 240-236-4901
42. **Middletown** 240-236-4200
Mr. Paul Fer, Principal
100 Martha Mason Street
Middletown, MD 21769
Fax 240-236-4250
43. **Monocacy** 240-236-4700
Dr. Stephanie Ware, Principal
8009 Opossumtown Pike
Frederick, MD 21702
Fax 240-236-4701
44. **New Market** 240-236-4600
Ms. T.C. Suter, Principal
125 West Main Street
New Market, MD 21774
Fax 240-236-4650
45. **Oakdale** 240-236-5500
Ms. Mita Badshah, Principal
5810 Oakdale School Road
Ijamsville, MD 21754
Fax 240-236-5501
46. **Thurmont** 240-236-5100
Mr. Daniel Enck, Principal
408 East Main Street
Thurmont, MD 21788
Fax 240-236-5101
47. **Urbana** 240-566-9200
Ms. Stacey Hiltner, Principal
3511 Pontius Court
Ijamsville, MD 21754
Fax 240-566-9201
48. **Walkersville** 240-236-4400
Mr. Frank Vetter, Principal
55 West Frederick Street
Walkersville, MD 21793
Fax 240-236-4401
49. **West Frederick** 240-236-4000
Ms. Pattie Barnes, Principal
515 West Patrick Street
Frederick, MD 21701
Fax 240-236-4050
50. **Windsor Knolls** 240-236-5000
Mr. Brian Vasquez, Principal
11150 Windsor Road
Ijamsville, MD 21754
Fax 240-236-5001

OTHER

61. **Career and Technology Center** 240-236-8500
Mr. Michael Concepcion, Principal
7922 Opossumtown Pike
Frederick, MD 21702
Fax 240-236-8501
62. **Carroll Creek Montessori Public Charter School *** 240-566-0600
Ms. Marilyn Horan, Principal
7215 Corporate Court
Frederick, MD 21703
Fax 240-566-0601
63. **Frederick Classical Charter School** 240-236-1200
Dr. Camille S. Bell, Principal
8445 Spires Way, Suite CC
Frederick, MD 21701
Fax 240-236-1201
64. **Frederick County Virtual School** 240-236-8450
(includes Flexible Evening High School)
Dr. Stacey Adamick, Principal
c/o GTJMS
1799 Schifferstadt Boulevard
Room 116
Frederick, MD 21701
Fax 240-236-8451
65. **Heather Ridge** 240-236-8000
Ms. Elizabeth Stiffler, Principal
1445 Taney Avenue
Frederick, MD 21702
Fax 240-236-8001
66. **Monocacy Valley Montessori Public Charter School *** 240-236-6100
TBD, Principal
217 Dill Avenue
Frederick, MD 21701
Fax 240-236-6101
67. **Rock Creek School** 240-236-8700
Ms. Katie Buckley, Principal
191 Waverley Drive
Frederick, MD 21702
Fax 240-236-8701

**For other useful numbers,
see next page**

**FREDERICK COUNTY PUBLIC SCHOOLS
PURCHASING DEPT.
191 SOUTH EAST STREET
FREDERICK, MD 21701
PHONE: 301-644-5208
FAX: 301-644-5213**

**RFQ 20C15, SECURITY VESTIBULE FOR GREEN VALLEY ELEMENTARY SCHOOL
FORM OF PROPOSAL**

We offer to perform the following Security Vestibule Project in strict accordance with the drawings and specifications prepared by FCPS dated May 2020 and as per the direction contained in the RFQ in accordance with FCPS RFP 17MISC1, Qualifications of General Construction Contractors for Minor Construction Projects.

Total Base Bid 1A:

\$ _____	_____
Total Lump Sum	Amount in Words

Alternate #1A:

\$ _____	_____
Total Lump Sum	Amount in Words

Total Base Bid 1B:

\$ _____	_____
Total Lump Sum	Amount in Words

Subcontractor Selection:

Aluminum Storefront Contractor: _____

Material Selection: _____

Aluminum Storefront Manufacturer: _____

Qualifications: Please complete the Form of Proposal and provide the cost information and the MBE information as requested in its entirety.

I/We certify that this bid/proposal is made without previous understanding, agreement, or connection with any person, firm, or corporation submitting a bid/proposal for the same goods/services and is, in all respects fair and without collusion or fraud; that none of this company's officers, directors, partners or its employees have been convicted of bribery, attempted bribery, or conspiracy to bribe under the laws of any state or federal government; and that no member of the Board of Education of Frederick County, Administrative or Supervisory Personnel or other employees of the Frederick County Public Schools, has any interest in the bidding company except as follows:

COMPANY: _____

dba: _____

REGISTERED MARYLAND CONTRACTOR NUMBER: _____

FEDERAL IDENTIFICATION: _____ DATE: _____

The undersigned has familiarized themselves with the conditions affecting the work, the specifications, and is legally authorized to make this proposal on behalf of the Contractor listed above.

NAME (please print): _____

SIGNATURE OF ABOVE: _____

TITLE: _____

ADDRESS: _____

TELEPHONE # _____ FAX # _____

E-MAIL ADDRESS (for correspondence): _____

E-MAIL ADDRESS (for receiving Purchase Orders): _____

(DO NOT COMPLETE THIS AREA IF YOUR COMPANY IS UNABLE TO RECEIVE PURCHASE ORDERS ELECTRONICALLY)

.....

ACKNOWLEDGMENT OF ADDENDA (if applicable)

The above-signed company/firm acknowledges the receipt of the following addenda for the above-referenced solicitation.

Date Received by Proposer/Bidder:

Addendum #1	_____	Addendum #2	_____
Addendum #3	_____	Addendum #4	_____
Addendum #5	_____	Addendum #6	_____
Addendum #7	_____	Addendum #8	_____

**FREDERICK COUNTY PUBLIC SCHOOLS
PURCHASING DEPT.
191 SOUTH EAST STREET
FREDERICK, MD 21701
PHONE: 301-644-5208
FAX: 301-644-5213**

**RFQ 19C5, SECURITY VESTIBULE FOR KEMPTOWN ELEMENTARY SCHOOL
FORM OF PROPOSAL**

We offer to perform the following Security Vestibule Project in strict accordance with the drawings and specifications prepared by FCPS dated May 2020 and as per the direction contained in the RFQ in accordance with FCPS RFP 17MISC1, Qualifications of General Construction Contractors for Minor Construction Projects.

Total Base Bid 1A:

\$ _____	_____
Total Lump Sum	Amount in Words

Alternate #1A:

\$ _____	_____
Total Lump Sum	Amount in Words

Total Base Bid 1B:

\$ _____	_____
Total Lump Sum	Amount in Words

Subcontractor Selection:

Aluminum Storefront Contractor: _____

Material Selection: _____

Aluminum Storefront Manufacturer: _____

Qualifications: Please complete the Form of Proposal and provide the cost information and the MBE information as requested in its entirety.

I/We certify that this bid/proposal is made without previous understanding, agreement, or connection with any person, firm, or corporation submitting a bid/proposal for the same goods/services and is, in all respects fair and without collusion or fraud; that none of this company's officers, directors, partners or its employees have been convicted of bribery, attempted bribery, or conspiracy to bribe under the laws of any state or federal government; and that no member of the Board of Education of Frederick County, Administrative or Supervisory Personnel or other employees of the Frederick County Public Schools, has any interest in the bidding company except as follows:

COMPANY: _____

dba: _____

REGISTERED MARYLAND CONTRACTOR NUMBER: _____

FEDERAL IDENTIFICATION: _____ DATE: _____

The undersigned has familiarized themselves with the conditions affecting the work, the specifications, and is legally authorized to make this proposal on behalf of the Contractor listed above.

NAME (please print): _____

SIGNATURE OF ABOVE: _____

TITLE: _____

ADDRESS: _____

TELEPHONE # _____ FAX # _____

E-MAIL ADDRESS (for correspondence): _____

E-MAIL ADDRESS (for receiving Purchase Orders): _____

(DO NOT COMPLETE THIS AREA IF YOUR COMPANY IS UNABLE TO RECEIVE PURCHASE ORDERS ELECTRONICALLY)

.....

ACKNOWLEDGMENT OF ADDENDA (if applicable)

The above-signed company/firm acknowledges the receipt of the following addenda for the above-referenced solicitation.

Date Received by Proposer/Bidder:

Addendum #1	_____	Addendum #2	_____
Addendum #3	_____	Addendum #4	_____
Addendum #5	_____	Addendum #6	_____
Addendum #7	_____	Addendum #8	_____

**RFQ 20C15, SECURITY VESTIBULES FOR GREEN VALLEY ELEMENTARY AND
KEMPTOWN ELEMENTARY SCHOOL
FREDERICK COUNTY PUBLIC SCHOOLS**

STATUTORY AFFIDAVIT AND NON-COLLUSION CERTIFICATION

Special Instructions: An authorized representative of the bidder needs to complete the following affidavit and insert an answer to paragraphs 1 and 3.

BIDDERS: The submission of the following Affidavit at the time of the bid opening is:

☒ requested to be completed but not required to be notarized.

☐ required to be completed and notarized.

I, _____, being duly sworn, depose and state:

1. I am the _____ (officer) and duly authorized representative of the firm of
the organization named _____ whose address is
(Name of Corporation)

_____ and that I

possess the authority to make this affidavit and certification on behalf of myself and the firm for which I am acting.

2. Except as described in paragraph 3 below, neither I, nor to the best of my knowledge, the above firm, nor any of its officers, directors, or partners, or any of its employees who are directly involved in obtaining or performing contracts with any public bodies has:
- a. been convicted of bribery, attempted bribery, or conspiracy to bribe, under the laws of any state or of the federal government;
 - b. been convicted under the laws of the state, another state, or the United States of: a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
 - c. been convicted of criminal violation of an antitrust statute of the State of Maryland, another state, or the United States;
 - d. been convicted of a violation of the Racketeer influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of bids or proposals for a public or private contract;
 - e. been convicted of any felony offenses connected with obtaining, holding, or maintaining a minority business enterprise certification, as prohibited by Section 14-308 of the State Finance & Procurement Article;
 - f. been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction under any of the laws or statutes described in Paragraph (a) through (e) above; or
 - g. been found civilly liable under an antitrust statute of this State, another state, or the United States for acts or omissions in connection with the submission of bids or proposals for a public or private contract.
3. The only conviction, plea, or admission by any officer, director, partner, or employee of this firm to involvement in any of the conduct described in Paragraph 2 above is as follows:

If none, write "None" below. If involvement, list the date, count, or charge, official or administrative body, the individuals involved, their position with the firm, and the sentence or disposition of the charge.

(you may attach an explanation if necessary)

4. I affirm that this firm will not knowingly enter into a contract with a public body under which a person or business debarred or suspended under Maryland State Finance and Procurement Title 16, subtitle 3, Annotated Code of Maryland, as amended, will provide, directly or indirectly, supplies, services, architectural services, construction-related services, leases of real property, or construction.
5. I affirm that this proposal or bid to the Board of Education of Frederick County is genuine and not collusive or a sham; that said bidder has not colluded, conspired, connived and agreed, directly or indirectly, with any bidder or person to put in a sham bid or to refrain from bidding and is not in any manner, directly or indirectly, sought by agreement of collusion or communication or conference, with any person to fix the bid prices of the affidavit or any other bidder, or to fix any overhead, profit or cost element of said bid price, or that if any bidder, or to secure an advantage against the Board of Education of Frederick County or any other person interested in the proposed contract; and that all statements in the proposal or bid are true. I acknowledge that, if the representations set forth in this affidavit are not true and correct, the Board of Education of Frederick County may terminate any contract awarded and take any other appropriate action.

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of this affidavit are true and correct, that I am executing this Affidavit in compliance with Section 16-311 of the State Finance and Procurement Article, Annotated Code of Maryland, and in compliance with requirements of the Board of Education of Frederick County, and that I am executing and submitting this Proposal on behalf of and as authorized by the bidder named below.

(Legal Name of Company)

(dba)

(Address)

(City)

(State)

(Zip)

(Telephone)

(Fax)

(Print Name)

(Title)

(Date)

(Signature)

(Title)

(Date)

We are/I am licensed to do business in the State of Maryland as a:

() Corporation

() Partnership

() Individual

() Other

If required to be notarized:

(Witness)

(Title)

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: _____

**RFQ 20C15, SECURITY VESTIBULES FOR GREEN VALLEY ELEMENTARY AND
KEMPTOWN ELEMENTARY SCHOOL
FREDERICK COUNTY PUBLIC SCHOOLS**

CERTIFICATION OF COMPLIANCE

1. All Contractors, subcontractors or vendors must abide by FCPS Board policies and regulations while working on FCPS property.
2. Maryland Law requires that any person who enters into a contract with a county board of education may not knowingly employ an individual to work at a school (or FCPS facility) if the individual is a registered sex offender. Please reference §11-113 of the Criminal Procedure Article of Maryland Code for penalty.
3. Be advised that individuals who are registered sex offenders are not eligible to work on any FCPS project. The Contractor 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.
4. In the event that a registered sex offender is discovered to be working on a FCPS project, whether through employment by the prime Contractor, subcontractor or vendor, the site superintendent will immediately remove the individual from the premises and permanently terminate his work assignment. FCPS may terminate this contract as a result if the Contractor is unable to demonstrate he has exercised care and diligence in the past in checking the Maryland registry.
5. Effective July 1, 2015, amendments to §6-113 of the Education Article of the Maryland Code further require that a contractor or subcontractor or vendor for a local school system may not knowingly assign an employee to work on school premises with direct, unsupervised, and uncontrolled access to children, if the employee has been convicted of, or pled guilty or nolo contendere to, a crime involving:
 - a. A sexual offense in the third or fourth degree under §3-307 or §3-308 of the Criminal Law Article of the Maryland Code.
 - b. Child sexual abuse under §3-602 of the Criminal Law Article of the Maryland Code or any other State; or
 - c. A crime of violence as defined in §14-101 of the Criminal Law Article of the Maryland Code or any other State
6. 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. See: [Maryland State Department of Education Website](#); [House Bill 486 Child Sexual Abuse and Sexual Misconduct Prevention](#); [MSDE Guidelines For MD. Code, Educ. 6113.2](#); and [Employment History Review Form for Child Abuse and Sexual Misconduct](#) for additional information.

In addition, there has been no change to the current FCPS requirement, that all contracted staff who have contact with students are required to be fingerprinted in order to obtain a criminal background check. Fingerprints and background check are still an enforced FCPS requirement.

7. Under recent amendments to §5-561 of the Family Law Article of the Maryland Code, each contractor, subcontractor, or vendor shall certify by signing this affidavit that any individuals in its work-force including sub-contractors, have undergone a criminal background check, including fingerprinting, if the individuals will work in a FCPS school facility in circumstances where they have direct, unsupervised, and uncontrolled access to children.

By my signature below, I affirm under penalties of perjury that the contents of this Certification of Compliance are true to the best of my knowledge, information and belief.

Signature_____Date_____

Print name and title of
signatory_____

Print name of
company_____

Vendor Conflict of Interest Disclosure Form

All vendors interested in conducting business with Frederick County Public Schools (FCPS) must complete and return the Vendor Conflict of Interest Disclosure Form, in order to be eligible to be awarded a contract with FCPS.

Please note that all vendors must comply with FCPS's conflict of interest certification, as stated below.

If a vendor has a relationship with a FCPS employee or an immediate family member (spouse, child (stepchild or adopted), parent, or sibling) of a FCPS employee, the vendor shall disclose the information required below.

Certification: I hereby certify, that to the best of my knowledge, there is no conflict of interest involving the vendor named below:

1. No FCPS employee or the employee's immediate family member has an ownership interest in the vendor's company, or is deriving personal financial gain from this contract.
2. No retired or separated FCPS employee who has been retired or separated from the organization for less than one (1) year has an ownership interest in the vendor's company.
3. No FCPS employee is contemporaneously employed or prospectively to be employed with the vendor.
4. The vendor did not provide any information or criteria in the drafting of the solicitation prior to it being advertised for competitive pricing.
5. Vendor hereby declares it has not, and will not provide gifts or hospitality of any dollar value, or any other gratuities to FCPS employee to maintain a contract.
6. Vendor hereby declares that in the process of preparing a quote/bid/proposal for FCPS, there have been no acts of bribery, extortion, trading, laundering of corrupt practices, and/or nepotism have transpired between FCPS employee and the vendor.
7. Please note any other exceptions below.

Vendor Name & Email	Vendor Address & Phone Number
Conflict of Interest Disclosure	
Name of FCPS employee or immediate family member with whom there may be a potential conflict of interest. <i>If no conflict of interest, write "N/A" and initial.</i>	Disclose the relationship to the employee or the immediate family member, their interest in the vendor's company, and any additional information

I certify that the information provided is true and correct by my signature below:

Signature of Vendor Authorized Representative/Date

Printed Name of Vendor Authorized Representative

Attachment A

**CERTIFIED MINORITY BUSINESS ENTERPRISE
UTILIZATION AND FAIR SOLICITATION AFFIDAVIT**

NOTE: You must include this document with your bid or offer. If you do not submit the form with your bid or offer, the procurement officer shall deem your bid non-responsive or your offer not reasonably susceptible of being selected for award.

* * * * *

Part I.

I acknowledge the:

- Overall certified MBE subcontract participation goal of 2 %. and
- The subgoals, if applicable, of:
 - 0 % for certified African American-owned businesses and
 - 0 % for certified Asian American-owned businesses.

I have made a good-faith effort to achieve this goal. If awarded the contract, I will continue to attempt to increase MBE participation during the project.

Part II.

Check ONE Box

NOTE: FAILURE TO CHECK ONE OF BOXES 1, 2, or 3 BELOW WILL RENDER A BID NON-RESPONSIVE OR AN OFFER NOT REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD

NOTE: INCONSISTENCY BETWEEN THE ASSERTIONS ON THIS FORM AND THE INFORMATION PROVIDED ON THE *MBE PARTICIPATION SCHEDULE* (ATTACHMENT B) MAY RENDER A BID NON-RESPONSIVE OR AN OFFER NOT REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD

- 1 ☐ I have met the overall MBE goal and MBE subgoals for this project. I submit with this Affidavit [Attachment A] the *MBE Participation Schedule* [Attachment B], which details how I will reach that goal.
- or**
- 2 ☐ After having made a good-faith effort to achieve the overall MBE goal and MBE subgoals for this project, I can achieve partial success only. I submit with this Affidavit [Attachment A] the *MBE Participation Schedule* [Attachment B], which details the MBE participation I have achieved.

I request a partial waiver as follows:

- Waiver of overall MBE subcontract participation goal: _____ %
- Waiver of MBE subcontract participation subgoals, if applicable:
 - _____ % for certified African American-owned businesses and
 - _____ % for certified Asian American-owned businesses.

Within 10 days of being informed that I am the apparent awardee, I will submit *MBE Waiver Documentation* [Attachment F] (with supporting documentation).

or

- 3 ☐ After having made a good faith effort to achieve the overall MBE goal and MBE subgoals for this project, I am unable to achieve any portion of the goal or subgoals. I submit with this Affidavit [Attachment A] the *MBE Participation Schedule* [Attachment B].

I request a full waiver.

Within 10 days of being informed that I am the apparent awardee, I will submit *MBE Waiver Documentation* [Attachment F] (with supporting documentation).

Part III.

I understand that if I am the apparent awardee or conditional awardee, I must submit **within 10 working days** after receiving notice of the potential award or within 10 days after the date of conditional award – whichever is earlier – the:

- *Outreach Efforts Compliance Statement* (Attachment C)
- *Subcontractor Project Participation Statement* (Attachment D)
- *Minority Subcontractors Unavailability Certificate* (Attachment E) (if applicable)
- Any other documentation the Procurement Officer requires to ascertain my responsibility in connection with the MBE participation goal and subgoals

I acknowledge that if I fail to timely return complete documents, the Procurement Officer may determine that I am not responsible and therefore not eligible for contract award. If the contract has been awarded, the award is voidable.

I acknowledge that the MBE subcontractors/suppliers listed in the *MBE Participation Schedule* and any additional MBE subcontractor/suppliers identified in the *Subcontractor Project Participation Statement* will be used to accomplish the percentage of MBE participation that I intend to achieve.

In the solicitation of subcontract quotations or offers, MBE subcontractors were provided the same information and amount of time to respond as were non-MBE subcontractors.

The solicitation process was conducted in such a manner so as to not place MBE subcontractors at a competitive disadvantage to non-MBE subcontractors.

I solemnly affirm under the penalties of perjury that this Affidavit is true to the best of my knowledge, information, and belief.

Bidder/Offeror Name

Address

Address (continued)

Affiant Signature

Printed Name & Title

Date

October 2017

**ATTACHMENT B
MBE PARTICIPATION SCHEDULE**

REVISED

This document must be included with the bid or offer. If the bidder or offeror fails to submit this form with the bid or offer as required, the procurement officer shall deem the bid non-responsive or shall determine that the offer is not reasonably susceptible of being selected for award.

1. Prime Contractor's Name			2. Prime Contractor's Address/Telephone Number																															
3. Project/School Name			4. Project/School Location																															
5. LEA Name: _____ PSC Number: _____			6. Base Bid Amount \$ _____ Acceptance Alternates \$ _____ Total \$ _____																															
7a. Minority Firm Name: _____ Minority Firm Address: _____ MDOT Firm Certification Number: _____ <input type="checkbox"/> African American <input type="checkbox"/> Asian American <input type="checkbox"/> Native American <input type="checkbox"/> Women <input type="checkbox"/> Hispanic <input type="checkbox"/> Disabled																																		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Subcontractor Firm (Select One)</th> <th style="width:20%;">Allowable Percentage</th> <th style="width:15%;">Percentage of Total Contract</th> <th style="width:20%;">Subcontractor Dollar Amount</th> <th style="width:20%;">Participation Amount</th> <th style="width:5%;"></th> </tr> <tr> <td>MDOT Certified Firm</td> <td align="center">100%</td> <td></td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td rowspan="2">MDOT Certified Prime Contractor</td> <td>50% of established goal OR</td> <td></td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td>100% of one subgroup contract subgoal</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>MDOT Certified Supplier, Wholesaler and Regular Dealer</td> <td align="center">60%</td> <td></td> <td>\$</td> <td>\$</td> <td></td> </tr> </table>						Subcontractor Firm (Select One)	Allowable Percentage	Percentage of Total Contract	Subcontractor Dollar Amount	Participation Amount		MDOT Certified Firm	100%		\$	\$		MDOT Certified Prime Contractor	50% of established goal OR		\$	\$		100% of one subgroup contract subgoal					MDOT Certified Supplier, Wholesaler and Regular Dealer	60%		\$	\$	
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8. MBE Total Amount			9. Total MBE Percent of Entire Contract																															
10. Form Prepared by: Name: _____ Title: _____ Date: _____			11. Reviewed and Accepted by Board of Edu. MBE Liaison Name: _____ Title: _____ Date: _____																															

Total MBE Participation:	\$ _____	_____ %	
Total African-American Participation:	\$ _____	_____ %	
Total Asian-American MBE Participation:	\$ _____	_____ %	
Total Other Participation:	\$ _____	_____ %	

FREDERICK COUNTY PUBLIC SCHOOLS	Reg. No. 200-08
Subject: MINORITY BUSINESS ENTERPRISE PROCEDURES	Issued: 6/7/85
Preparing Office: Office of the Superintendent	Amended: 12/22/17

I. Policy 202.5

II. Procedures

MBE PROCEDURES FOR STATE-FUNDED PUBLIC SCHOOL CONSTRUCTION PROJECTS

BACKGROUND

In 1978, the Maryland General Assembly passed legislation, which was signed into law to establish the State's Minority Business Enterprise Program. This new law set as a goal that at least 10 percent of each unit of State government's total dollar value of procurement contracts for purchases and/or contracts is awarded to minority business enterprises. This law was subsequently modified and the goal was increased to 14 percent. More recently, in 2001, the goal was increased to 25 percent with subcontracting sub-goals of 7 percent for certified African American-owned businesses and 10 percent for certified women-owned businesses.

In 1979, the Rules, Regulations, and Procedures for the Administration of the School Construction Program were revised by the Board of Public Works to require each local board of education to adopt procedures to attempt to include minority business enterprises in State funded school construction projects. The State law was revised and now states: "The Interagency Committee on School Construction (IAC) shall require each local board of education to adopt procedures consistent with this chapter before obtaining funds for public school construction projects".

In May 2007, the Rules, Regulations, and Procedures were replaced by formal state regulations. The regulations concerning project procurement (COMAR 23.03.03) indicate that the State's minority business enterprise goals and procedures apply to all State funded projects, irrespective of procurement method.

In July 2011, a Sub-Goal Directive was issued by the Governor's Office of Minority Affairs (GOMA). This Directive established the process for setting contract by contract sub-goals. Sub-goals consistent with demonstrated underrepresentation were pre-established within the Directive.

OVERVIEW

This Minority Business Enterprise (MBE) procedure document was originally developed in response to a requirement set forth in the Rules, Regulations, and Procedures for the Administration of the School Construction Program. The MBE requirement was initially established under House Bill (HB) 64, which was passed in the 1978 session of the Maryland General Assembly and signed into law as Chapter 575 of the Acts of 1978.

Since the Board adopted its original Minority Business Enterprise Procedures, there have been changes in State statutes, regulations adopted by the Board of Public Works, procedural requirements, project eligibility requirements and the sub-goals to be set for school construction projects. This revised procedure is consistent with current legislation and the changes to the Code of Maryland Regulations (COMAR) requirements.

The revised procedures issued by GOMA in July 2011 provide guidance for establishing overall goals that are contract-specific and reasonable, and for setting sub-goals only on contracts that actually have subcontracting opportunities. The procedures for setting overall MBE goals have not changed, however once the overall goal is decided by the Procurement Review Group (PRG), the sub-goal analysis must be completed for contracts that have a total potential MBE participation over a minimum threshold amount, as defined for specific Major Industry Categories.

All activities funded through the Public School Construction Program (PSCP) fall within Construction in the Major Industry Categories. In place of the original goals of 7 percent for African American-owned businesses and 10 percent for certified women-owned businesses, the sub-goals for construction are now 7 percent for African American-owned businesses and 4 percent for Asian American-owned businesses. Sub-goals are not to be set for other minority groups which may be represented in the overall contract goal.

1.0 PURPOSE

The purpose of these procedures is to fulfill the intent of the law and the guidelines issued by GOMA by setting appropriate goals for minority business enterprise participation in every contract that includes State funding through the PSCP. Local Educational Agencies (LEAs) shall attempt to achieve the result that a minimum of 25 percent of the total dollar value of all construction contracts is made directly or indirectly with certified minority business enterprises when State PSCP funds are utilized, with a minimum of 7 percent from certified African American-owned businesses, a minimum of 4 percent from certified Asian American-owned businesses, and the balance from any certified minority business enterprises. All general contractors, including certified MBE firms, when bidding as general or prime contractors are required to attempt to achieve the MBE subcontracting goals from certified MBE firms.

2.0 EFFECTIVE DATE

These procedures have been adopted for use in Frederick County and supersede previously utilized MBE procedures, in accordance with Title 14, §3, State Finance and Procurement Article.

Note: All current attachments required for MBE participation can be found on the Public School Construction website: <http://www.pscp.state.md.us/programs/mbe/mbeindex.cfm>

3.0 DEFINITIONS

1. **Certification** means the determination that a legal entity is a minority business enterprise consistent with the intent of Subtitle 3 of the State Finance and Procurement Article.
2. **Certified Minority Business Enterprise** means a minority business that holds a certification issued by the Maryland State Department of Transportation (MDOT).
3. **Corporation**, as defined by MDOT, is an artificial person or legal entity created by or under the authority of the laws of any state of the United States, the District of Columbia or a territory or commonwealth of the United States and formed for the purpose of transacting business in the widest sense of that term, including not only trade and commerce, but also manufacturing, mining, banking, insurance, transportation and other forms of commercial or industry activity where the purpose of the organization is profit. For eligibility for certification, disadvantaged and/or minority individuals must own at least 51 percent of the voting stock and at least 51 percent of the aggregate of all classes of stock that have been issued by the corporation. (Note: stock held in trust is not considered as stock held by the disadvantaged businesspersons when computing the business person(s) ownership.)
4. **Managerial Control**, as defined by MDOT, means that a disadvantaged or minority owner(s) has the demonstrable ability to make independent and unilateral business decisions needed to guide the future and destiny of a business. Control may be demonstrated in many ways. For a minority owner to demonstrate control, the following examples are put forth, but are not intended to be all inclusive:
 - a. Articles of Incorporation, Corporate Bylaws, Partnership Agreements and other agreements shall be free of restrictive language which would dilute the minority owner's control thereby preventing the minority owner from making those decisions which affect the destiny of a business;
 - b. The minority owner shall be able to show clearly through production of documents the areas of the disadvantaged business owner's control, such as, but not limited to:
 - 1) Authority to sign payroll checks and letters of credit;
 - 2) Authority to negotiate and sign for insurance and/or bonds;
 - 3) Authority to negotiate for banking services, such as establishing lines of credit; and

- 4) Authority to negotiate and sign for contracts.
- c. Agreements for support services that do not lessen the minority owner's control of the company are permitted as long as the disadvantaged or minority business owner's authority to manage the company is not restricted or impaired.
5. **Minority Business Enterprise (MBE)** means any legal entity, except a joint venture, that is (a) organized to engage in commercial transactions, and (b) at least 51 percent owned and controlled by one or more individuals who are socially and economically disadvantaged including: African Americans; American Indian/Native Americans; Asians; Hispanics; Physically or mentally disabled individuals; or, Women.
6. **Minority Business Enterprise Liaison** means the employee of the LEA designated to administer the Minority Business Enterprise Procedures for State funded public school construction projects.
7. **Operational Control, as defined by MDOT**, means that the disadvantaged or minority owner(s) must possess knowledge necessary to evaluate technical aspects of the business entity. The primary consideration in determining operational control and the extent to which the disadvantaged or minority owner(s) actually operates a business will rest upon the specialties of the industry of which the business is a part. The minority owner should have a working knowledge of the technical requirements needed to operate in his/her industry. Specifically, in the construction industry and especially among small (one to five person firms) contractors, it is reasonable to expect the disadvantaged or minority owner(s) to be knowledgeable of all aspects of the business. Accordingly, in order to clarify the level of operational involvement which a minority owner must have in a business for it to be considered eligible, the following examples are put forth, but are not intended to be all inclusive:
 - a. The minority owner should have experience in the industry for which certification is being sought; and
 - b. The minority owner should demonstrate that basic decisions pertaining to the daily operations of the business are independently made. This does not necessarily preclude the disadvantaged or minority owner(s) from seeking paid or unpaid advice and assistance. It does mean that the minority owner currently must possess the knowledge to weigh all advice given and to make an independent determination.
8. **Ownership**, as defined by MDOT, means that:
 - a. The minority owner(s) of the firm shall not be subject to any formal or informal restrictions, which limit the customary discretion of the owner(s). There shall be no restrictions through, for example, charter requirements, by-law provisions, partnership agreements, franchise or distributor agreements or any other agreements that prevent the minority owner(s), without the cooperation or vote of any non-minority, from making a business decision of the firm.
 - b. This means that the disadvantaged or minority persons, in order to acquire their ownership interests in the firm, have made real and substantial contributions of capital, expertise or other tangible personal assets derived from independently owned holdings without benefit of a transfer of assets, gift or inheritance from non-minority persons. Examples of insufficient contributions include a promise to contribute capital, a note payable to the firm or its owners who are not minority persons or the mere participation as an employee rather than as a manager. If the ownership interest held by a disadvantaged or minority person is subject to formal or informal restrictions, such as options, security interests, agreements, etc., held by a non-minority person or business entity, the options, security interests, agreements, etc., held by the non-minority person or business entity must not significantly impair the disadvantaged or minority person's ownership interest.
9. **Partnership** means an unincorporated association of two or more persons to carry on as co-owners of a business for profit. For a partnership to be deemed eligible for certification under the MDOT Program, the disadvantaged or minority person's interest must be at least 51 percent of the partnership capital.

10. **Disadvantaged Business Enterprise (DBE)** means a citizen or lawfully admitted permanent resident of the United States who is socially disadvantaged and economically disadvantaged. The law establishes the level of personal net worth at \$1,500,000, adjusted annually for inflation according to the Consumer Price Index (CPI); above this net personal worth figure, an individual may not be found to be socially and economically disadvantaged. The current personal net worth (PNW) figure can be found on the MDOT website at: <http://www.mdot.maryland.gov/Office%20of%20Minority%20Business%20Enterprise/Resources%20Information>.
11. **Sole Proprietorship**, as defined by MDOT, is a for-profit business owned and operated by a disadvantaged or minority person in his or her individual capacity. For a sole proprietorship to be deemed eligible for certification under the DBE/MBE Program, the disadvantaged or minority person must be the sole proprietor.
12. **Days** mean business days unless otherwise specified. Business days are defined as Monday through and including Friday, with the exception of Nationally or State recognized holidays.
13. **Regular Dealer** is defined to be a firm that owns, operates, or maintains a store, warehouse, or any other establishment in which materials, supplies, articles, or equipment are of the general character described by the specifications required under the contract and are bought, kept in stock, or regularly sold or leased to the public in the usual course of business. A "regular dealer" does not include a packager, broker, manufacturer's representative, or any other person that arranges or expedites transactions.

4.0 MBE GOAL SETTING PROCEDURES

1. General
 - a. The overall MBE goal and the sub-goals, if appropriate, are established on a per-contract basis for the purposes of solicitation.
 - 1) Where a project consists of more than one contract, the individual contract goals and sub-goals, if appropriate, should reflect the overall project goal and sub-goals.
 - 2) The words "if appropriate" and "if applicable" throughout this document reflect the understanding that for some solicitations, no African American or Asian American sub-goals should be established.
 - b. The MBE program requires that all race-neutral measures be considered before making use of race-based measures. Using a combination of race-neutral and race-based measures for each specific school construction project will help ensure that certified MBE firms are afforded the opportunity to submit bids and be utilized to the greatest extent possible.
 - 1) *Race-neutral measures* include any action taken by the LEA to make it easier for all contractors, including MBEs, to compete successfully for public school construction project contracts. These might include widespread advertising of bidding opportunities, job fairs, and similar publicity events.
 - 2) *Race-based measures* include setting an overall MBE goal and MBE sub-goals, if appropriate, based upon race, gender, ethnicity, etc., for a specific contract.
2. General Considerations for Setting MBE Goal and Sub-goal. The overall MBE goal and the sub-goals, if appropriate, should be set for each specific project contract, considering but not limited to, the following factors:
 - a. The extent to which the work to be performed can reasonably be segmented to allow for MBEs to participate in the project contract;
 - b. A determination of the number of certified MBEs that potentially could perform the identified work;

- c. The geographic location of the project in relationship to the identified certified MBEs;
 - d. Information obtained from other state and local departments/agencies related to establishing a MBE goal and/or sub-goals for similar construction projects or work in the jurisdiction;
 - e. A State agency may apply only 60% of the cost of materials and supplies provided by a regular dealer that is a certified MBE toward achieving an MBE contract goal. For materials or supplies purchased from a certified MBE that is neither a manufacturer nor a regular dealer, only the fees, commissions, or transportation charges related to the purchase can be counted toward achieving the MBE contract goal, if the agency determines that they are reasonable and not excessive; the actual cost of materials and supplies cannot be counted toward the MBE contract goals.
 - f. Information obtained from other state and local departments/agencies related to MBE participation in similar construction projects or work in the jurisdiction; and
 - g. Any other activities or information that may be identified as useful and productive.
 - h. Procurement agencies may not use quotas.
 - i. Procurement agencies may not use any project goal-setting process that:
 - 1) Solely relies on the State's overall percentage goal, or any other jurisdiction's overall percentage goal; or
 - 2) Fails to incorporate an analysis of:
 - The potential subcontract opportunities available in the prime procurement contract;
 - The availability of certified MBEs to respond competitively to the potential subcontract opportunities;
 - Guidelines established by GOMA; and
 - Other factors that contribute to constitutional goal setting.
3. MBE Sub-goal Setting Procedure:
- a. Once an overall MBE participation goal is set for a project contract, each unit shall determine the appropriate contract sub-goals.
 - b. If the expected value of the procurement is not equal to or in excess of \$200,000, the Sub-goal process is discretionary.
 - c. All State funded public school construction is classified as Construction in the Major Industry Category schedule established by regulation.
 - 1) Accordingly, sub-goals for school construction projects receiving State funding participation apply to the following Subgroups:
 - African American: 7%
 - Asian American: 4%
 - 2) Dually certified firms are to be counted as being owned by a member of the relevant ethnic Subgroup, not as a woman-owned business.
 - d. Sub-goals shall only be set when the overall goal is greater than or equal to the sum of the sub-goals listed in subsection 3.c.1 of this section, plus two percent (2%), i.e., the overall goal must be at least 13%; otherwise, no sub-goals may be established for the contract.
 - e. A sub-goal may not be set if the number of certified firms in the Subgroup is less than three (3).

- f. If the Subgroup has three (3) or more certified firms available to perform the work, the Recommended Sub-goal should be set at the number specified above, unless a basis is provided in the Procurement Review Group documentation for not applying the specified sub-goal.
 - g. For each procurement that has an overall goal, the MBE Program Sub-goal Worksheet (Appendix I) shall be completed and signed by the LEA Procurement Officer and MBE Liaison.
4. The Superintendent or designee shall establish one or more procurement review groups (PRG). The PRG must include at a minimum the MBE liaison and the Procurement Officer (PO) or a representative from the procurement office. The PRG could also include a capital improvement project manager, the project architect, the cost estimator, the Construction Manager, and/or other individuals selected by the Superintendent or designee.
- a. The PRG should communicate and/or meet as needed to consider the subcontracting goal and sub-goals, if applicable, for individual projects or groups of projects.
 - b. The PRG should consider the factors cited in 4.0, subsection 2, when establishing the MBE goal and sub-goals, if applicable, for each project or segmented piece of a project that are reasonable and attainable.
 - c. The PRG must complete and submit a written analysis for each state funded school construction project with an estimated cost that is expected to exceed \$200,000.
 - 1) For state-funded projects that required review of construction documents, the written analysis and the MBE Program Worksheet (Appendix I) shall be submitted with the construction documents to the Department of General Services (DGS), and will be reviewed by the DGS for submission, appropriate signatures and correspondence between the goal and sub-goals, if applicable, indicated in the analysis and those of the procurement documents.
 - 2) For state-funded projects that do not require review of construction documents, the written analysis and the MBE Program Worksheet shall be submitted to the PSCP, and will be reviewed for submission and appropriate signatures.
 - 3) For locally funded projects that are anticipating to be requested for state approval of planning and funding, the written analysis and the MBE Program Worksheet shall be submitted with construction documents to the Maryland State Department of Education (MSDE), and will be reviewed for submission, appropriate signatures, and correspondence between the goal and sub-goals, if applicable, indicated in the analysis and those of the procurement documents. Submission of the documents is a pre-condition for recommendation for state approval of planning and funding when submitted in an annual CIP.
 - 4) If the project cost is estimated to exceed \$200,000 then a copy of the written analysis shall also be sent to GOMA at the same time that the written analysis is submitted to the DGS or the PSCP
 - d. For projects estimated to cost between \$50,000 and \$200,000 the same analysis form is to be completed and submitted. This could be a responsibility of the PRG, but could be performed by others as well.
 - 1) For state-funded projects that require review of construction documents, the written analysis and the MBE Program Worksheet shall be submitted with the construction documents to the DGS, and will be reviewed for submission, appropriate signatures, and correspondence between the goal and sub-goals, if applicable, indicated in the analysis and those of the procurement documents.
 - 2) For state-funded projects that do not require review of construction documents, the written analysis and the MBE Program Worksheet shall be submitted to the PSCP and will be reviewed for submission and appropriate signatures.
 - e. The PRG should consult with local counsel for the Board of Education as needed.

5. It is recognized that by utilizing the factors cited in Section 4.0, subsection 2, the MBE goal and/or sub-goals, if applicable, for a specific project or portion thereof may be significantly higher than the overall goals of the program (25% overall, with 7% from African American-owned businesses and 4% from Asian American-owned businesses). It is also recognized and possible that there will be MBE goals set that are lower than those stated above or even that no MBE goal and/or sub-goals will be set for a specific project or the segmented piece of the project.
6. Assistance in reviewing the factors cited above and setting a goal and/or sub-goals, if applicable, for specific projects or a segmented piece of a project can be obtained by contacting the PSCP and/or GOMA.

5.0 IMPLEMENTING PROCEDURES - \$50,000 OR LESS

For construction projects estimated to cost \$50,000 or less, the following procedures will be utilized:

1. A MBE goal and/or MBE sub-goals are not required to be set for contracts that are anticipated to be for \$50,000 or less.
2. All advertisements, solicitations, and solicitation documents shall include the following statement:
 - a. "Certified Minority Business Enterprises are encouraged to respond to this solicitation."
3. To encourage greater MBE participation, the staff of the LEA should send out notices of potential projects and a specific project to MBEs to solicit bids or proposals directly from minority business enterprise contractors that are certified.
4. A copy of the solicitation notice, preferably electronically, shall be sent to GOMA at the same time the advertisement for the solicitation is released.
5. When a pre-bid or pre-proposal conference or meeting is held, the MBE liaison or designated representative shall explain that all bidders or offerors are encouraged to utilize certified MBEs for this project or segments of the project.
6. FCPS provides current solicitation packages on the FCPS website: <http://www.fcps.org/bidlist>. Large solicitation packages that contain drawings are available thru a third party electronic plan room.
7. Minority Business Enterprise forms identified in Section 6.0 of this procedure for projects over \$50,000, are not required to be submitted for these projects (\$50,000 or less).
8. The names of prime contractors obtaining drawings and specifications will be shared with certified MBEs and MBE associations, upon request.
9. At the time of the contract award, the MBE Liaison or a designated person will record any anticipated certified minority business enterprise participation data made available from the successful contractor.
10. A business that presents itself as a minority business may participate in a project but may not be counted toward MBE participation until it is a certified minority business enterprise. If the MBE is not certified at the time of contract award, it may not be counted at that time. Only the funds paid after MDOT certification can be counted as MBE participation in the project. If a certified MBE fails to meet the standards specified in State Finance and Procurement Article 14-301 (F) and (J), Annotated Code of Maryland, the payments made to the MBE can be recorded and counted under a contract entered into when the MBE was eligible and certified. Ineligibility of an MBE to participate in the MBE program may not be the sole cause of the termination of the MBE contractual relationship for the remainder of the term of the contract.
11. The contractor will complete the Standard Monthly Contractor's Requisition for Payment (IAC/PSCP Form 306.4), specifically page 3 of 16, Minority Business Enterprise Participation, with each requisition submitted for payment. If certified MBE firms are known at the time of contract award, their names and other appropriate information should be entered on page 3 of the first and all subsequent requisitions for payment. Any MBEs identified during the life of the project should be added as soon as the contractor engages them after approval by the LEA.

12. Upon completion of the project, the contractor will provide a summary of the total of all funds paid to certified MBE firms. This should be within the contractor's final requisition for payment. The summary shall be forwarded to the PSCP with the close-out paperwork.

6.0 IMPLEMENTING PROCEDURES - Over \$50,000

For construction projects estimated to cost in excess of \$50,000, the following procedures will be utilized:

1. All advertisements, solicitations, and solicitation documents shall include the following statements:
 - a. "Certified Minority Business Enterprises are encouraged to respond to this solicitation notice."
 - b. "The contractor or supplier who provides materials, supplies, equipment and/or services for this construction project shall attempt to achieve the specific overall MBE goal of ___ percent established for this project. All prime contractors, including certified MBE firms, when submitting bids or proposals as general or prime contractors, are required to attempt to achieve this goal from certified MBE firms."
 - c. If sub-goals have been established for this project then one of the following should be included:
 - 1) "The sub-goals established for this project are ___ percent from African American-owned businesses and ___ percent from Asian American-owned businesses."
 - 2) "The sub-goal established for this project is ___ percent from African American-owned businesses."
 - 3) "The sub-goal established for this project is ___ percent from Asian American-owned businesses."
 - d. "The bidder or offeror is required to submit with its bid or proposal a completed form "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" as described in the solicitation documents.
 - e. If there are no overall MBE goal or MBE sub-goals established for the project, then only 1.A. above is to be included.
2. Other Advertisement and Outreach Requirements:
 - a. To encourage greater MBE participation the staff of the LEA should send out notices of potential projects to MBEs or solicit bids or proposals directly from minority business enterprise contractors that are certified.
 - b. A copy of the solicitation notice, preferably electronically, shall be sent to GOMA at the same time the advertisement for the solicitation is released.
 - c. FCPS provides solicitation packages on the FCPS website: <http://www.fcps.org/bidlist>. Large solicitation packages that contain drawings are available thru a third party plan room.
 - d. When a pre-bid or pre-proposal conference is held, the MBE Liaison or designated representative shall explain the MBE goal and sub-goals, if applicable; the MBE provisions of the solicitation; the documentation required at the time of submission; its relationship to the responsiveness of the bidder or offeror; how to complete the required schedules, and additional information and supporting documentation that may be required after the bid or proposal opening. All contractors who attend the pre-bid or pre-proposal conference should receive a list or information explaining how to obtain a listing of certified MBE firms who could perform the work or have expressed an interest in performing the school construction work required for the specific project in the jurisdiction.
 - e. The names of prime contractors obtaining drawings and specifications will be shared with certified MBEs and MBE associations, upon request.

- f. The MBE liaison, in conjunction with the procurement officer or project staff, should respond to all applicable questions and concerns relating to the project's MBE requirements, completely and in a timely fashion, to ensure that all potential contractors and subcontractors can compete effectively.
3. All Solicitation Documents Shall Include the Following:
 - a. "Certified Minority Business Enterprises are encouraged to respond to this solicitation notice". "All contractors, including certified MBE firms, when submitting bids or proposals as prime contractors are required to attempt to achieve the MBE goal and sub-goals, if applicable, established for the project from certified MBEs".
 - b. "The contractor or supplier who provides materials, supplies, equipment and/or services for this construction project shall attempt to achieve the result that a minimum of ___ percent of the total contract value is with certified Minority Business Enterprises, with a minimum of ___ percent from certified African American-owned businesses, a minimum of ___ percent from certified Asian American-owned businesses, and the balance from any certified Minority Business Enterprises. All contractors, including certified MBE firms, when submitting bids or proposals as prime contractors, are required to attempt to achieve the MBE goal and sub-goals, if applicable, from certified MBEs". Note: see 6.1.C. above for variations that may be required.
 - c. Each bid or offer submitted, including a submittal from a certified minority business enterprise in response to this solicitation, shall be accompanied by a completed "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" and a completed "MBE Participation Schedule". These two forms must be accurate and consistent with each other.
 - 1) The forms shall be submitted with the sealed bid price or proposal at a place, date, and time specified in the solicitation document.
 - 2) As an alternative, and at the discretion of the school system, the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" could be submitted with the sealed bid price or proposal at a place, date, and time specified in the solicitation document. The sealed bids or proposals received by the time specified could be held, unopened for a maximum of 30 minutes. Within that time (30 minutes) each bidder or offeror must submit the "MBE Participation Schedule" in a separate sealed envelope. The sealed price envelopes from each bidder or offeror who submits both the sealed bid or proposal and the envelope with "MBE Participation Schedule" will then be opened and reviewed and recorded as a viable submission. Any contractor that fails to submit the second envelope, with the "MBE Participation Schedule", prior to the specified time allowed (30 minutes) after the submittal of the sealed bid or proposal will be deemed non-responsive and the sealed bid or proposal will not be opened or considered.
 - d. The submittal of a completed and signed "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" and a completed and signed "MBE Participation Schedule" indicates the bidder's or offeror's recognition and commitment to attempt to achieve the MBE goal and/or MBE sub-goals, if applicable, for the specific project.
 - 1) The bidder or offeror recognizes that their efforts made to initiate contact, to solicit, and to include MBE firms in this project will be reviewed carefully and evaluated based upon the actions taken by them prior to and up to 10 business days before the bid or proposal opening. Follow-up actions taken by the bidder or offeror within the 10 business days prior to the bid opening will also be considered.
 - 2) Based upon this review and evaluation it will be determined, by the MBE liaison, procurement officer, or a designated person, if a good faith effort was made by the apparent low bidder or apparent successful offeror.

- e. The bidder or offeror must check one of the three boxes on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" which relates to the level of MBE participation achieved for the project. The bidder's or offeror's signature indicates that in the event that they did not meet the MBE goal or sub-goals, if applicable, that:
 - 1) They are therefore requesting a waiver, and
 - 2) Documentation of their good faith efforts will be provided to the school system staff within 10 business days of being notified that they are the apparent low bidder or apparent successful offeror.
 - f. The bidder or offeror must submit the "MBE Participation Schedule" (as and when described above), which lists and provides information related to each certified MBE firm that the bidder or offeror will utilize on this project. A completed and accurate "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" is required. All of the work specified to be performed by each MBE firm, MDOT certification number, minority type, and percentages must be correct.
 - g. The "MBE Participation Schedule" should be completed and submitted with all calculations utilizing the base bid or offer only. A revised "MBE Participation Schedule" should be submitted by the successful bidder or offeror once a determination is made as to the acceptance and/or rejection of any alternates.
 - h. If a request for a waiver has been made, the appropriate box on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" has been checked and the form signed, then the LEA should obtain and review the apparent low bidder's or successful offeror's supporting documentation of the good faith efforts to justify the granting of the waiver, prior to submitting the contract award for approval to the board of education.
 - i. The following documentation shall be considered as part of the contract, and shall be furnished by the apparent low bidder or successful offeror to the MBE Liaison or designated person, within ten (10) business days from notification that the firm is the apparent low bidder or successful offeror:
 - 1) A completed and signed "Outreach Efforts Compliance Statement" and "Minority Business Enterprise Subcontractor Project Participation Statement". One "Minority Business Enterprise Subcontractor Project Participation Statement" shall be completed and signed by the prime contractor and each MBE firm listed on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit".
 - 2) Notification for purposes of this procedure means the earliest of the following methods of communication: orally in person, orally by telephone, orally by a telephone message, a faxed communication, a letter by date received or an electronic communication.
 - 3) The ten (10) business days do not include the day the notification is received, weekends or holidays (State or Federal), but the material submitted must be received by the close of business on the tenth day.
 - 4) The requirement to submit the above-listed documentation within the time frame specified will be considered by the IAC in its review of the request for contract award for the project. Failure to submit the required documentation within the time frame specified may result in a delay of the approval of the award of the contract, or the materials being returned without the approval of the award of the contract.
4. Waiver Procedures:
- a. If the apparent low bidder or successful offeror has determined that they are unable to meet the overall MBE goal or sub-goals, if applicable, for the project at the time of submission of a bid or offer, they must check either of the three boxes on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit". The signature recognizes and acknowledges that a request for a waiver is being made. The apparent low bidder or successful offeror will therefore be required

to submit information and substantiating documentation that will be reviewed to justify the granting of a waiver.

- b. If the apparent low bidder or successful offeror is unable to achieve the overall MBE contract goal and/or the MBE sub-goals, if applicable, from certified African American-owned businesses and/or from certified Asian American-owned businesses, the apparent low bidder or successful offeror shall submit, within 10 working days from notification that the firm is the apparent low bidder or successful offeror, a completed "Outreach Efforts Compliance Statement", "Minority Subcontractors Unavailability Certificate" and "MBE Waiver Documentation" which shall include the following:
 - 1) A detailed statement of the efforts made by the bidder or offeror to identify and select portions of the work proposed to be performed by subcontractors in order to increase the likelihood of achieving the stated goal;
 - 2) A detailed statement of the efforts made by the bidder or offeror prior to and at least ten (10) days before the bid or proposal opening to solicit minority business enterprises through written notices that describe the categories of work for which subcontracting is being solicited, the type of work to be performed and specific instructions on how to submit a bid or proposal;
 - 3) Follow-up actions taken by the bidder or offeror within the 10 days prior to the bid or proposal opening will also be considered;
 - 4) A detailed statement of the contractor's efforts to make personal contact with MBE firms identified for item (2) above;
 - 5) A record of the name, address, telephone number and dates contacted for each MBE identified under items (2) and (3) above;
 - 6) A description of the information provided to MBEs regarding the drawings, specifications and the anticipated time schedule for portions of the work to be performed;
 - 7) Information on activities to assist minority business enterprises to fulfill bonding requirements or to obtain a waiver of these requirements;
 - 8) Information on activities to publicize contracting opportunities to minority business enterprises, attendance at pre-bid meetings or other meetings scheduled by the MBE Liaison or designated representative; and
 - 9) As to each MBE that placed a subcontract quotation or offer which the apparent low bidder or successful offeror considers not to be acceptable, a detailed statement of reasons for this conclusion.
- c. In addition, to any waiver documentation, the apparent low bidder or successful offeror shall submit one completed "Minority Business Enterprises Subcontractor Project Participation Statement" for each MBE firm that will participate in the project consistent with the information previously provided at the time of the submission of the "MBE Participation Schedule" or the revised "MBE Participation Schedule".
- d. A waiver of an MBE contract goal or sub-goal, if applicable, may be granted by the LEA only upon receipt of "Outreach Efforts Compliance Statement", "Minority Subcontractor Unavailability Certificate" and "MBE Waiver Documentation" as described above in 4. b. items 1 through 9.
 - 1) The MBE Liaison will review and accept or reject the minority business enterprise material that is submitted, and could obtain legal advice or assistance from their attorney.

- 2) The MBE waiver request may not be considered unless all of the documentation specified above has been submitted in a timely fashion by the apparent low bidder or successful offeror.
- 3) Assistance in the review of a request for a waiver (the documentation and justifications) may be requested from the Public School Construction Program and/or the Governor's Office of Minority Affairs.
- 4) If a determination is made that the apparent low bidder or successful offeror did make a good faith effort, based upon a review of the documentation submitted, then the waiver must be granted. The award of contract shall then be made. The material and information submitted including the LEA's review and analysis notes and conclusion shall be retained in the project file.
- 5) If a determination is made that the apparent low bidder or successful offeror did not make a good faith effort, based upon a review of the documentation submitted, then the waiver should not be granted. The material and information submitted including the LEA's review and analysis notes and conclusion shall be retained in the project file. The award of contract shall then be made to the next lowest bidder or offeror, who meets the contractual requirements, including the MBE requirements.
- 6) When a waiver is granted, a copy of "MBE Waiver Documentation" accepted and signed by a LEA representative and with the reasons for the determination, shall be forwarded to the Governor's Office of Minority Affairs and the Public School Construction Program within 10 days after approval of the contract award by the Board of Education. Failure to submit the required documentation within the time frame specified may result in delayed approval of the award of contract by the IAC.

5. All Contracts Shall Include The Following:

- a. *The contractor shall perform the contract in accordance with the representations made in the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" and the "MBE Participation Schedule" submitted as part of the bid or proposal.*
- b. *Failure to perform the contract as specified and presented in the bid or proposal submission without prior written consent of the owner shall constitute a violation of a material term of the contract.*
 - 1) The contractor shall structure his/her operations for the performance of the contract to attempt to achieve the MBE goals as stated in the solicitation document.
 - 2) The contractor agrees to use his/her best efforts to carry out these requirements consistent with the efficient and effective performance of the contract.
 - 3) The contractor must ensure that all certified MBEs shall have the maximum practical opportunity to compete for additional subcontract work under the contract, even after the award of the contract.
 - 4) The contractor shall submit monthly to the MBE Liaison or the s LEA's designated representative a report listing any unpaid invoices, over 30 days old, received from any certified MBE subcontractor, the amount of each invoice and the reason payment has not been made.
 - 5) The contractor shall include in its agreements with its certified MBE subcontractors, a requirement that those subcontractors submit monthly to the MBE Liaison or appropriate representative a report that identifies the prime contract and lists all payments received from the contractor in the preceding 30 days, as well as any outstanding invoices, and the amount of those invoices.

- 6) The contractor shall cooperate in any reviews of the contractor's procedures and practices with respect to minority business enterprises, which the MBE Liaison, the PSCP, and/or GOMA may, from time to time, conduct.
- 7) The contractor shall maintain such records as are necessary to confirm compliance with its MBE participation obligations. These records must indicate the identity of certified minority and non-minority subcontractors employed on the contract, the type of work performed by each, and the actual dollar value of work performed. Subcontract agreements documenting the work performed by all MBE participants must be retained by the contractor and furnished to the MBE Liaison and or appropriate representative on request.
- 8) All records concerning MBE participation must be retained by the contractor for a period of five years after final completion of the contract, and will be available for inspection by the MBE Liaison, representatives from the PSCP and/or other designated official entities.
- 9) At the option of the MBE Liaison, or appropriate agency representative, upon completion of the contract and before final payment and/or release of retainage, the contractor shall submit a final report in affidavit form and under penalty of perjury, of all payments made to, or withheld from MBE subcontractors.
- 10) If at any time after submission of a bid or proposal and before execution of a contract, the apparent successful bidder or offeror determines that a certified MBE listed on its "MBE Participation Schedule" has become or will become unavailable, then the apparent successful bidder or offeror shall immediately notify the procurement officer and provide such officer with a reason(s) why the change has occurred. Any desired change in the "MBE Participation Schedule" shall be approved in advance by the procurement officer and shall indicate the contractor's efforts to substitute another certified MBE subcontractor to perform the work. Desired changes occurring after the date of contract execution may occur only upon written approval by the agency head and subsequently by contract amendment.
- 11) A business that presents itself as a minority business may participate in a project but the contract value may not be counted toward the MBE goal or sub-goals, if applicable, until the business is certified by MDOT. If it is not certified at the time of contract award it may not be counted toward the goal or sub-goals, if applicable, at that time. Only the funds paid after MDOT certification can be counted toward meeting the MBE goal or sub-goals, if applicable. If a certified MBE fails to meet the standards specified in State Finance and Procurement Article.14-301.1, Annotated Code of Maryland, the payments made to the MBE can be recorded and counted under a contract entered into when the MBE was eligible and certified. Ineligibility of an MBE to participate in the MBE program may not be the sole cause of the termination of the MBE contractual relationship for the remainder of the term of the contract.
- 12) Contractors are encouraged to seek additional MBE participation in their contracts during the life of the project. Any additional MBE participation from certified MBEs should be reported to the MBE liaison prior to initiation and should be included in subsequent monthly requisitions for payment.
- 13) The contractor shall complete the Certified Minority Business Participation Standard Monthly Contractor's Requisition for Payment (IAC/PSCP Form 306.4), specifically page 3 of 16, Minority Business Enterprise Participation, with each requisition submitted for payment this submittal should accurately reflect the payments to be made that month to MBEs and the cumulative total for the period specified. Any and all MBE firms that are identified on the "MBE Participation Schedule" should be included on page 3 of the first and all subsequent requisitions for payment. Any MBEs identified during the life of the project should be added as soon as the contractor engages them.

- 14) At the completion of the project the contractor shall prepare a written summary of the final certified MBE participation in the contract as compared to the proposed participation at the time of contract award. This should include the name of each certified MBE, the percentage and amount that was anticipated to be paid at the time of contract award, the percentage and amount actually paid, and an explanation of any differences that have occurred. Special attention should be given to any situations where the final payments to any MBE were below the level of commitment at the time of contract award. The summary shall be forwarded to the LEA with the final requisition. The LEA shall include this documentation with the submittal of the close-out paperwork to the PSCP.

6. Projects Utilizing a Construction Manager Delivery Method

This section of the procedure has been prepared based upon the utilization of Construction Manager Agency method of delivery. If another alternative method of project delivery is being considered, then these procedures would need to be adapted in consultation with the PSCP before proceeding.

- a. For projects that are being designed and solicited utilizing a Construction Manager Agency delivery method with multiple prime contracts, the LEA can structure its procedures to attain the overall MBE goal and sub-goals, if applicable, for the project as presented below:
- b. The MBE liaison and other LEA staff should work with the project's construction manager, cost estimator, and architect, along with any other individuals who could provide assistance, to determine the overall MBE utilization strategy for the work required, appropriate bid packages, and an appropriate overall MBE goal and sub-goals, if applicable, for each specific bid or proposal package.
- c. The overall MBE goal and sub-goals, if applicable, for the project shall represent the aggregate of the individual goals and sub-goals, if applicable, set for each bid or proposal package.
- d. In setting the specific goals and sub-goals, if applicable, for each solicitation package consideration should be given to the potential for MBE participation to the maximum extent possible. The information and procedures provided in section 4.0 MBE Goal Setting Procedures should be consulted and followed for these types of projects.
- e. Prior to submitting the construction documents for State review and authorization to solicit bids or proposals, the LEA's representative will prepare a complete list of the individual solicitation packages and indicate the MBE goal and sub-goals, if applicable, for each solicitation package. This would include the overall MBE goal and sub-goals, if applicable, established in the solicitation documents, the estimated cost for each solicitation package, and the estimated MBE dollar amounts for each solicitation package. A copy of this list should be submitted with the construction documents. The list should be retained as a record by the LEA for comparison to the actual contracts awarded with MBE participation, and the final actual MBE participation at the completion of the project.
- f. Contractors submitting bids or proposals for solicitation packages that do not include a MBE goal and sub-goals, if applicable, would not be required to submit any of the MBE schedules that are otherwise required nor would they be required to indicate that they are requesting a waiver. The LEA representative would, however, request information from the contractor at the completion of the project to determine if any certified MBE firms had participated in the contract.
- g. All other submittals of MBE materials and reporting requirements are applicable for the project, including the submittal of the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" and "MBE Participation Schedule" as described above in section 6.0. This includes the documentation for a request for a waiver, if applicable and appropriate.

7. Projects Utilizing an Indefinite Delivery/Indefinite Quantity (IDIQ) or Job Order Contracting (JOC) Method of Delivery:

- a. The solicitation should be prepared and the overall MBE goal and sub-goals, if applicable, established based upon the type of work that is anticipated to be specified or performed under the contract and the availability of certified MBEs. This could include an analysis of the percentages of the different types of work, the estimated dollar value in the entire contract, and the availability of MBEs.
 - b. If an overall goal and sub-goals, if applicable, are set the bidders or offerors would be required to submit "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" in which they could indicate their anticipated MBE participation based upon the entire contract amount and the types of work specified. The award of contract can be made based upon their estimate of MBE participation since there is no specific task order or description of work to be performed and subcontractors have not been identified or engaged through any type of commitment or subcontract.
 - c. Since MBE participation is only anticipated in a general sense as an objective and specific contracts to MBEs have not been signed, then the contract award would not be included in any reporting to the PSCP or subsequent reporting to GOMA.
 - d. However, as the contract proceeds and individual task orders and/or purchase orders are issued, the contractor should submit the "MBE Participation Schedule" for any and all projects or work where MBE subcontractors and/or suppliers might reasonably be utilized. Discussions between the contractor or offeror and the LEA as the task orders and/or purchase orders are being developed should address this aspect of the contract requirements.
 - e. Any MBE participation should be recorded by the MBE liaison and reported to the PSCP as the task orders and/or purchase orders are approved.
 - f. The contractor shall complete the Certified Minority Business Participation Standard Monthly Contractor's Requisition for Payment (IAC/PSCP FORM 306.4), specifically page 3 of 16, Minority Business Enterprise Participation, with each requisition submitted for payment. This submittal should accurately reflect the payments to be made that month to MBEs, and the cumulative total for the period specified. Any and all MBE firms that are identified on the "MBE Participation Schedule" should be included on page 3 of the first and all subsequent requisitions for payment. Any MBEs identified during the life of the project should be added as soon as the contractor engages them.
 - g. At the completion of the contract period or the full utilization of the contract's value a report should be prepared by the LEA MBE Liaison and submitted to the PSCP summarizing the MBE participation in each and all of the task orders or purchase orders issued under the contract. This should include the anticipated MBE participation prior to the issuance of the solicitation, the MBE participation anticipated at the time of contract award and the actual MBE participation at the completion of the contract. The summary shall be forwarded to the LEA with the final requisition. The LEA shall include this documentation with the submittal of the close-out paperwork to the PSCP.
8. Projects Utilizing the Design/Build Delivery Method:
- a. The solicitation is for both A/E services and the actual construction of a public school project. The solicitation should be prepared and the MBE goal and sub-goals, if applicable, established for the construction work that is anticipated for the project. The goal setting procedures described in Section 4.0 above should be utilized for these types of projects.
 - b. The bidders or offerors should be required to submit "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" on which they would indicate their anticipated MBE participation based upon the construction work anticipated and their understanding of the MBE goal and sub-goals, if applicable, the types of work involved, and the availability of certified MBEs for the project. Since there are no detailed plans or designs for the project and there are no contracts or subcontracts for the actual construction work there is no need to submit any other MBE schedules, at this time.

- c. If the bidder, or offeror, who is to be awarded this contract has indicated that they do not anticipate achieving the overall MBE participation goal and sub-goals, if applicable, for this project on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" then they are in effect requesting a waiver. They will be required to submit documentation at a later date to justify this request.
- d. As the project proceeds through the design phase and the project is nearing the completion of the construction documents for submission to the State to review, the Design/Build Team (team) in consultation with LEA representatives should discuss the opportunities and potential for certified MBEs to participate in the project.
- e. The team should begin to identify potential contractors and subcontractors, opportunities to segment the project, and MBEs that could participate in the project.
- f. At a point in time that is approximately 30 days prior to the anticipated construction document submission to the State; the team should complete and submit a revised "MBE Participation Schedule" to the LEA for their review and approval.
- g. If the team had indicated on the original "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" that they would meet the goals and the information on the "MBE Participation Schedule" indicates that they did meet the goals then the team should proceed with the construction of the project.
- h. If the team had indicated on the "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit" that they did not anticipate meeting the overall MBE goal and sub-goals, if applicable, or only a portion of the goal and sub-goals, if applicable, then the "MBE Participation Schedule" should be reviewed by the LEA. The team should, at this time, submit their documentation in support of the waiver requested.
- i. The proposed MBE participation should be reviewed and a determination made as to whether the team has made a good faith effort to meet the MBE goals and sub-goals, if applicable, established for the project and as stated on the revised "Certified Minority Business Enterprise Utilization and Fair Solicitation Affidavit".
- j. If a request for a waiver is made and approved, "MBE Waiver Documentation" should be signed by a LEA representative and submitted to the PSCP and GOMA.
- k. Since there was no MBE participation reported at the time of the award of the Design/Build contract, the LEA would submit the entire package of information, including all of the MBE related schedules to the PSCP within ten (10) days of the team being directed to proceed with the actual construction work.
- l. All other submittals of MBE materials and reporting requirements are applicable for the project, as described above in Section 5.0.

7.0 RECORDS AND REPORTS

1. The MBE Liaison shall maintain such records as are necessary to confirm compliance with its Minority Business Enterprise Procedures and activities. The records shall be maintained until the project is audited by the PSCP. These records shall include by project:
 - a. The contractor report submitted at the completion of the project;
 - b. The identity of the minority contractors employed on the project;
 - c. The type of work performed;
 - d. The actual dollar value of the work, services, supplies or equipment; and

- e. The MBE percentage of the total contract.
- 2. The MBE Liaison will maintain a record of all waivers approved for each project or solicitation package where the prime contractor was unable to achieve the established overall goal or sub-goals, if applicable. The MBE Liaison will, however, report to the PSCP all MBE participation by MDOT certified firms who are prime contractors, subcontractors, suppliers, or otherwise making an economically viable contribution to each project. This information shall be reported to PSCP within ten (10) days after approval of the award of the contract by the board of education.
- 3. The LEA shall submit the "Certified Minority Business Enterprise Participation Standard Monthly Contractor's Requisition for Payment" (IAC/PSCP Form 306.4 page 3 of 16, located in the Administrative Procedures Guide), to the PSCP Director of Fiscal Services as part of the regular monthly request for payment for the project.
- 4. The LEA shall submit the "Close-Out Cost Summary" (IAC/PSCP Form 306.6 located in the Administrative Procedures Guide), along with the "Certified Minority Business Enterprise Participation Standard Monthly Contractor's Requisition for Payment" (IAC/PSCP Form 306.4) to the PSCP Director of Fiscal Services within 180 days of completion of the project.
 - a. All final MBE payments should be verified by the LEA MBE Liaison before submission to the PSCP.
- 5. Each quarter and at the end of each fiscal year end, the LEA will submit to the, PSCP Fiscal Services a report "Payments Made to Contractors during The Fiscal Year" and maintain such records as are necessary to confirm compliance with its minority business enterprise procedures and activities.
- 6. Each fiscal year end, PSCP Fiscal Services will create a report "Projects Completed during the Fiscal Year" and maintain such records as are necessary to confirm compliance with its Minority Business Enterprise Procedures and activities. This report will compare the overall MBE goal and sub-goals, if applicable, for each specific project with the MBE participation anticipated at the time of contract award and the actual MBE participation at the completion of the project.

8.0 MONITORING

- 1. The LEA's procurement personnel or project staff shall verify that the certified MBE's listed in the MBE participation schedule are actually performing the work.
- 2. The LEA's procurement personnel or project staff shall ensure that MBE subcontractors are receiving compensation as set forth in the "MBE Participation Schedule" by ensuring that the contractor submits monthly reports, listing any unpaid invoices over 30 days old received from any certified MBE subcontractor, the amount of each invoice, and the reason payment has not been made.
- 3. PSCP Fiscal Services will:
 - a. Compile data on projects completed during the fiscal year;
 - b. Confirm that all MBE subcontractors listed in the "MBE Participation Schedule" have received payment; and
 - c. Maintain such records as are necessary to confirm compliance with its Minority Business Enterprise Procedures and activities.
- 4. The MBE Liaison and/or the PSCP will conduct reviews as deemed necessary to confirm compliance with the minority business enterprise participation requirements.
- 5. The MBE Liaison will maintain appropriate records, and shall assist the PSCP in on-site or post-audit reviews upon request.
- 6. Auditors from the PSCP will have access to and the ability to audit MBE participation for specific projects, information retained by the LEA, and/or submitted to the IAC in reports/forms filed by the LEA as referenced above.

9.0 MINORITY BUSINESS ENTERPRISE LIAISON

1. The Superintendent shall designate an individual to be identified as the MBE Liaison for the school system.
2. The MBE Liaison will be the contact person who will work with the PSCP and GOMA to implement the Minority Business Enterprise Program for the school system and the State of Maryland.
3. The Superintendent will immediately notify the PSCP if there is a change in the MBE Liaison for the school system.

10.0 PAYMENT/REIMBURSEMENT FOR ALL PSCP FUNDED PROGRAMS

1. Use IAC/PSCP Form 306.4 Page 3. ("Certified Minority Business Enterprise Participation Standard Monthly Contractor's Requisition for Payment")
2. The Prime Contractor must complete this Form and submit it with each Monthly Requisition/Invoice for Payment for each project in which they are seeking payment from either the Local Education Agency (LEA) or State of Maryland Public School Construction Program. If no MBE Sub-Contractors were utilized on a project (i.e., no MBE goals were set for the project and/or full waiver was granted), this Form must still be submitted by the Prime Contractor.
 - a. IAC/PSCP Form 306.4 Page 3 must be PROJECT specific – If one bid/contract covers multiple projects (either different schools or scopes of work), this Form must be calculated and submitted by the Prime Contractor on an individual project basis.
 - b. IAC/PSCP Form 306.4 Page 3 must be Prime Contractor/Trade Package specific – If the IAC recognized multiple Prime Contractors and/or Trade Packages, this Form must be completed by each Prime/Trade Contractor recognized by the IAC and submitted.
3. All ORIGINAL MBE Sub-Contractors must be listed on this Form with their full company name, MDOT Certification Number, MDOT Classification and ORIGINAL Contract Amount as stated on the "MBE Participation Schedule" and "Minority Business Enterprises Subcontractor Project Participation Statement". (ONLY MDOT Certified companies should be listed on this Form.)
4. Any additional MBE Sub-Contractors utilized on a project must be listed on this Form with their full company name, MDOT Certification Number, MDOT Classification and total contract amount. (ONLY MDOT Certified companies should be listed on this Form.)
5. The Prime Contractor should fill in the amount they intend to pay each MBE Sub-Contractor for the current requisition as well as all money paid to date. By signing this Form, the Prime Contractor is certifying their intent to pay the "Amount to be Paid This Requisition". They are also certifying the distribution of money listed under the "Total Paid to Date" column.
6. The LEA MBE Liaison shall verify each month with the MBE Sub-Contractors that all money listed under the "Total Paid to Date" column has been received from the Prime Contractor. By signing this Form, the LEA MBE Liaison is certifying all MBE Sub-Contractors have been paid all money due to them by the Prime Contractor.
7. The MBE Liaison should also be comparing the current Form with the prior month(s) to make sure information is not being duplicated and/or repeated. Payments to MBE Sub-Contractors should be progressive and recorded.
8. If for any reason, an amount the Prime Contractor listed on the Form as intending to pay the MBE Sub-Contractor was not made, or if the payment amount changed, the LEA MBE Liaison should be inquiring about the change in payment or non-payment to the MBE Sub-Contractor.

9. NO REQUESTS FOR PAYMENT/REIMBURSEMENT SHOULD BE SUBMITTED TO PSCP UNTIL THE PROCEDURES ABOVE HAVE BEEN COMPLETED.

11.0 CLOSE-OUT SUMMARY SUBMISSION

1. Use IAC/PSCP Form 306.6 ("Close Out Cost Summary").
2. The Prime Contractor must complete this Form and submit it with the FINAL Requisition (IAC/PSCP Form 306.4) to the LEA or upon LEA request. If no MBE Sub-Contractors were utilized on a project (i.e. no MBE goals were set for the project and/or a full waiver was granted), this Form must still be submitted by the Prime Contractor.
 - a. IAC/PSCP Form 306.4 Page 3 must be PROJECT specific – If one bid/contract covers multiple projects (either different schools or scopes of work), this Form must be calculated and submitted by the Prime Contractor on an individual project basis.
 - b. IAC/PSCP Form 306.4 Page 3 must be Prime Contractor/Trade Package specific – If the IAC recognized multiple Prime Contractors and/or Trade Packages, this Form must be completed by each Prime/Trade Contractor recognized by the IAC and submitted.
3. All ORIGINAL MBE Sub-Contractors must be listed on this Form with their full company name, MDOT Certification Number, MDOT Classification and ORIGINAL Contract Amount as stated on the "MBE Participation Schedule" and "Minority Business Enterprises Subcontractor Project Participation Statement" (ONLY MDOT Certified companies should be listed on this Form.)
4. Any additional MBE Sub-Contractors utilized on a project must be listed on this Form with their full company name, MDOT Certification Number, MDOT Classification and total contract amount. (ONLY MDOT Certified companies should be listed on this Form.)
5. The Final Form 306.4 should reflect ALL money paid to each MBE Sub-Contractor. There is a column on the Form to answer "Yes" or "No" for the MBE Sub-Contractor being paid in full. There is also a column on the Form for the Prime Contractor to state a brief reason if a MBE Sub-Contractor was paid less than the original contract amount stated on the "MBE Participation Schedule" and "Minority Business Enterprises Subcontractor Project Participation Statement". By signing this Form, the Prime Contractor is certifying the MBE Sub-Contractors have been paid in full for this project.
6. The LEA MBE Liaison shall verify with the MBE Sub-Contractors that all money listed under the "Total Paid to Date" column has been received and no additional money is owed to them by the Contractors have been paid in full by the Prime Contractor for this project.
7. NO CLOSE-OUT COST SUMMARY SHOULD BE SUBMITTED TO PSCP UNTIL THE ABOVE PROCEDURES HAVE BEEN COMPLETED.

Additional Submission Requirements Applicable to All State Funded Projects

1. If an ORIGINAL MBE Sub-Contractor listed on the "MBE Participation Schedule" and "Minority Business Enterprises Subcontractor Project Participation Statement" is not paid in full and/or not utilized on a project, the Prime Contractor shall submit in writing an explanation for either the reduction in contract amount/payment or why the MBE Sub-Contractor was not utilized.
2. It is the responsibility of the LEA MBE Liaison to contact the MBE Sub-Contractor to verify the explanation provided by the Prime Contractor. Any correspondence between the LEA MBE Liaison and both the Prime Contractor and MBE Sub-Contractors should be kept by the LEA and be made available to PSCP upon request or audit.
3. If an MBE Sub-Contractor originally listed on the "MBE Participation Schedule" and "Minority Business Enterprises Subcontractor Project Participation Statement" becomes unavailable and/or is not going to be utilized. This information should be communicated to the PSCP MBE Program Manager and the PSCP Finance Department by the LEA immediately.

4. If additional MBE Sub-Contractors are hired after the “MBE Participation Schedule” and “Minority Business Enterprises Subcontractor Project Participation Statement” have been submitted to PSCP, the LEA MBE Liaison must submit this information to the PSCP MBE Program Manager and the PSCP Finance Department immediately.

12.0 LIQUIDATED DAMAGES PROVISION FOR CONTRACTS CONTAINING MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS

Chapter 154, Laws of Maryland 2012 required the Board of Public Works (BPW) to promulgate a regulation that included a requirement that all contracts containing minority business enterprise participation goals contain a liquidated damages provision that applies in the event that the contractor fails to comply in good faith with the provisions of the Subtitle 11 of Title 21 or the pertinent terms of the applicable contract. See § 14-303(b) (5), State Finance and Procurement Article, Maryland Annotated Code (SFP).

The regulation promulgated by the BPW, effective May 13, 2013, states that: “All contracts containing certified MBE participation goals shall contain a liquidated damages provision that applies if the contractor fails to comply in good faith with the provisions of State MBE laws or the pertinent terms of the procurement contract.” Code of Maryland Regulations (COMAR) 21.11.03.10(E).

Approved:

original signed by

Theresa R. Alban
Superintendent of Schools

Outreach Efforts Compliance Statement

****Complete and submit this form within 10 business days of notification of apparent award ****

In conjunction with the bid or offer submitted in response to Frederick County Public Schools for the solicitation for _____ project, PSC# _____, I affirm the following:

1. Bidder/Offeror identified opportunities to subcontract in these specific work categories (extend list as needed):

a. _____	d. _____
b. _____	e. _____
c. _____	f. _____
2. Attached to this form are copies of written solicitations (with bidding instructions) used to solicit certified MBEs for these subcontract opportunities.
3. Bidder/Offeror made the following attempts to contact personally the solicited certified MBEs (extend list as needed):

a. _____
b. _____
c. _____
4. _____
Select ONE of the following:
 - a. ☐ This contract does not involve bonding requirements.**OR**
 - b. ☐ Bidder/Offeror assisted certified MBEs to fulfill or seek waiver of bonding requirements (*describe efforts*).
5. _____
Select ONE of the following:
 - a. ☐ Bidder/Offeror did/did not attend the pre-bid/proposal conference.**OR**
 - b. ☐ No pre-bid/proposal conference was held.

_____ Bidder/Offeror Printed Name	By: _____ Signature: _____ Title: _____ Date: _____ Address: _____ _____ _____
--------------------------------------	--------------------------------------------------------------------------------------------------

October 2017

MINORITY BUSINESS ENTERPRISES SUBCONTRACTOR PROJECT PARTICIPATION STATEMENT

PROJECT/ SCHOOL NAME: _____

PROJECT/ SCHOOL LOCATION: _____

LEA: _____

NAME OF PRIME CONTRACTOR: _____

NAME OF MBE SUBCONTRACTOR: _____

MDOT Certification Number

NAICS Code

1. Work/Services to be performed by MBE Subcontractor: _____

2. Subcontract Amount: \$ _____ Participation Amount \$ _____

3. Bonds - Amount and type required of Subcontractor if any: _____

4. MBE Anticipated or Actual Commencement Date: _____ Completion Date: _____

5. This MBE subcontract represents the following percentage of the total contract cost: _____

6. This is an African American Firm: Yes _____ No _____

7. This is an Asian American Firm: Yes _____ No _____

8. This is a Native American, Hispanic or Disabled Firm: Yes _____ No _____

(Circle One)

The undersigned subcontractor and prime contractor will enter into a contract for the work/service indicated above upon the prime contractor's execution of a contract for the above referenced project with the Board of Education. The undersigned subcontractor is a MDOT certified Minority Business Enterprise. The terms and conditions stated above are consistent with our agreements.

Signature of Subcontractor: _____

Date: _____

The term and conditions stated above are consistent with our agreements.

Signature of Prime Contractor: _____

Date: _____

1. It is hereby certified that the firm of _____
(Name of Minority firm)
located at _____
(Number) (Street)

(City) (State) (Zip)
was offered an opportunity to bid on the _____ school project
in _____ County by _____
(Name of Prime Contractor's Firm)

2. _____ (Minority Firm), is either unavailable for the
work/service or unable to prepare a bid for this project for the following reason(s):

Telephone #

To the best of my knowledge and belief, said Certified Minority Business Enterprise is either unavailable for the work/service for this project, is unable to prepare a bid, or did not respond to a request for a price proposal and has not completed the above portion of this submittal.

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Attachment F

MBE WAIVER DOCUMENTATION

Project Name: _____ **PSC No.** _____

Base Contract Amount \$ _____

Plus Accepted Alternates \$ _____

Equals Total Contract Amount \$ _____

I have previously requested that a waiver be granted to the overall MBE goal for this project of _____ percent, with a minimum of _____ percent from certified African American-owned businesses, a minimum of _____ percent from certified Asian American-owned businesses, and the balance from all certified minority business enterprises, if applicable. This would include the total dollar value of all materials, supplies, equipment, and services, including construction services directly or indirectly, from Minority Business Enterprises (MBE) which are currently certified by the Maryland Department of Transportation (MDOT).

I _____, hereby certify that my position is
(Name of Company Representative)

_____, and I am the duly authorized representative of
(Position Title)

_____.
(Company Name)

I further certify that I have submitted a *Schedule for Participation of Certified Minority Business Enterprises* which reflects the percentage and dollar value of certified Minority Business Enterprise participation which my company expects to achieve for this contract. Therefore, the request for the waiver is as follows:

Summary MBE Participation Schedule from Attachment B

Minority Group	MBE GOAL		Actual MBE Participation		Request For Waiver	
	Dollar Value of Total Contract*	Percent of Total Contract	Dollar Value	Percent of Total Contract	Dollar Value	Percent of Total Contract
a. Sub Goal African American						
b. Sub Goal Asian American						
c. Other * in Sub Goal group a/b above						
TOTALS						

* with accepted/rejected alternates

To support this request for a waiver, I include the following information as attachments which I certify to be true to the best of my knowledge.

1. A detailed statement of the efforts made by the contractor to identify and select portions of the work proposed to be performed by subcontractors in order to increase the likelihood of achieving the stated goal;
2. A detailed statement of the efforts made by the contractor prior to and up to 10 days before the bid opening to solicit minority business enterprises through written notices that describe the categories of work for which subcontracting is being solicited, the type of work to be performed, and specific instructions on how to submit a bid;
3. A detailed statement of the contractor's efforts to make personal contact with MBE firms identified for Item 2. above;
4. A record of the name, address, telephone number, and dates contacted for each MBE identified under items 2. and 3. above;
5. A description of the information provided to MBE's regarding the plans, specifications and the anticipated time schedule for portions of the work to be performed;
6. Information on activities to assist minority business enterprises to fulfill bonding requirements, or to obtain a waiver of these requirements;
7. Information on activities to publicize contracting opportunities to minority business enterprises, attendance at pre-bid meetings, or other meetings scheduled by the MBE Liaison or designated representative;
8. As to each MBE that placed a subcontract quotation or offer which the apparent low bidder or successful offeror considers not to be acceptable, a detailed statement of reasons for this conclusion; and
9. A list of minority subcontractors found to be unavailable. This shall be accompanied by a Minority Subcontractor Unavailability Certificate signed by the minority business enterprise or from the apparent low bidder or successful offeror indicating that the minority business did not provide the written certification.

Signature _____ Date _____
(Company Representative Name)

Sworn and subscribed before me this _____ day.

of _____ in the year _____ Notary Public _____

Reviewed and accepted by the _____ County Board of Education MBE
Liaison. (County Name)

Signature _____ Date _____
(County Representative Name)

Attachment G

CERTIFIED MINORITY BUSINESS ENTERPRISE PARTICIPATION
STANDARD MONTHLY CONTRACTOR'S REQUISITION FOR PAYMENT

LEA: _____

DATE: _____

FACILITY NAME:

PSC NO:

SCOPE OF WORK: _____

REQ NO: _____

Name of MBE Sub-Contractor	MDOT Certification Number and Classification	TOTAL MBE Contract Amount	Amount to be Paid THIS Requisition	TOTAL Paid to Date	MBE has Received FINAL Payment?	If amount paid is LESS than TOTAL MBE Contract Amount, EXPLAIN VARIANCE
	TOTAL:	\$	\$	\$		

MDOT Certification Number and Classification can be located at <http://mbe.state.md.us/directory/>

MBE Classification :

African American = AA

African American/Women = AAW

Hispanic American = H

Hispanic American/Women = HW

Native American = N

Native American/Women = NW

Asian American = A

Asian American/Women = AW

Women = W

I certify that the figures and information presented above represent accurate and true statements that timely payments have been and will be, made to suppliers and subcontractors on the project, as requisitioned payments are received, and in accordance with our contracts.

Name of Contractor Firm

Authorized Contractor Signature/Date

Contractor Federal Tax ID#

Contractor MBE Classification # (if applicable)

Name of LEA MBE Liaison (Printed)

Signature of LEA MBE Liaison/Date

Attachment H

IAC/PSCP FORM 306.6

CLOSE-OUT COST SUMMARY

LEA: _____

DATE: _____

SCHOOL NAME: _____

PSC # : _____

	<u>Public School Construction</u>			<u>Local and Other</u>						
Allocation:	_____			_____						
Cash Disbursements:	_____			_____						
	Approved Contracts	Expenditures	Balance	Approved Contracts	Expenditures	Total Expenditures				
Construction			\$0			.				
A/E			\$0			\$0				
Related Costs			\$0			\$0				
Total	\$0	\$0	\$0	\$0	\$0	\$0				
<p>I hereby certify that the data shown hereon is correct and request this project be closed.</p> <p style="text-align: right; margin-top: 20px;">_____ Signature of LEA Representative</p>										
FOR STATE USE ONLY										
ADJUSTMENTS:										
Allocation:	_____			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Initials</td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center;">Date</td> <td></td> </tr> </table>			Initials		Date	
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Revised 7/1/00										

MBE PROGRAM SUBGOAL WORKSHEET – Appendix I

This Worksheet must be completed for all procurements that have an overall goal. It requires the approval of the Procurement Officer and the MBE Liaison, who also must sign the Worksheet. Each unit must maintain a copy of the Worksheet as a part of the Procurement Review Group (PRG) documentation for the procurement.

Agency/Unit:	
Project Description:	Solicitation No.
<p>Approvals:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%; text-align: center;"> _____ Signature of Procurement Officer </div> <div style="width: 35%; text-align: center;"> _____ Date </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%; text-align: center;"> _____ Signature of MBE Liaison </div> <div style="width: 35%; text-align: center;"> _____ Date </div> </div>	
1. What is the expected value of the procurement (excluding options)?	\$ _____
2. Does the expected value of the procurement equal or exceed \$200,000?	() Yes () No
<input checked="" type="checkbox"/> If YES , completion of the rest of this Worksheet to determine the appropriate subgoals, if any, is mandatory. <input checked="" type="checkbox"/> If NO , the unit may, at its discretion, determine that subgoals will not be set for the procurement. If, however, the unit determines that subgoals should be set, the rest of this Worksheet must be completed to determine the appropriate subgoals, if any.	
3. Select, from Table 1 below, the Major Industry Category for the procurement based on the definitions in COMAR 21.01.02.01.	
4. What is the Combined Industry Category, from Table 1 below, based on the Major Industry Category selected for the procurement in Step 3?	
TABLE 1 – INDUSTRY CATEGORY CONVERSION CHART	
Major Industry Category Architectural & Engineering Construction Construction Related Services Human, Cultural, Social & Educational Services IT Services IT Supplies & Equipment Maintenance Services Supplies & Equipment	Combined Industry Category AE-CRS Cons AE-CRS Serv IT IT Main Serv CSE

5. Check the appropriate column for the Combined Industry Category in Table 2 below based on the answer to Step 4.								
6. What is the Subgoal Total Plus 2% Margin shown in the last line of Table 2 below for the Combined Industry Category?						%		
7. What is the overall MBE participation goal for the procurement?						%		
8. Does the overall MBE participation goal for the procurement equal or exceed the Subgoal Total Plus 2% Margin? (Compare Steps 6 and 7)						() Yes () No		
<input checked="" type="checkbox"/> If YES , proceed with the remaining steps in this Worksheet. <input checked="" type="checkbox"/> If NO , do not set any subgoals for the procurement.								
9. For Column 9 in Table 2, insert the number of certified firms available to perform the work of the procurement for each Subgroup that has a Recommended Subgoal. (NOTE: For purposes of determining the number of certified firms in a Subgroup, count dually certified firms as being owned by a member of the relevant racial or ethnic Subgroup, not as a woman-owned firm.)								
10. For column 10 in Table 2, insert a "Y" (for Yes) or "N" (for No) to indicate whether the number of certified firms in a Subgroup that has a Recommended Subgoal equals or exceeds 3 firms.								
TABLE 2 – RECOMMENDED SUBGOALS								
Combined Industry Category (Check appropriate column per Step 5.)			Cons	AE-CRS	Main	IT	Serv	CSE
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. # of Firms	10. ≥ 3 Y/N	Subgroups						
		African American	7%	6%	8%	7%	7%	6%
		Hispanic American	—	2%	3%	2%	—	—
		Asian American	4%	—	3%	—	4%	5%
		Women	—	9%	—	8%	12%	10%
Subgoal Total			11%	17%	14%	17%	23%	21%
*Subgoal Total Plus 2% Margin			13%	19%	16%	19%	25%	23%
*The Subgoal Total Plus 2% Margin is the sum of the Recommended Subgoals plus 2%.								
<input checked="" type="checkbox"/> Refer to Table 2 above. If there are 3 or more certified firms in a Subgroup for the work of the procurement (indicated by a "Y" in Column 10), the Recommended Subgoal for the Combined Industry Category in Table 2 should be set for that Subgroup unless an explanation is provided in Step 11. <input checked="" type="checkbox"/> A subgoal may not be set if the number of certified firms in that Subgroup is less than 3 (indicated by an "N" in Column 10).								
11. The following Recommended Subgoals have not been set because:								

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New Security Vestibule for:

Green Valley Elementary School, Monrovia Maryland 21770 & Kemptown Elementary School,
Kemptown, Maryland 21770

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01 23 00 Alternates
01 40 50 Cutting and Patching

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Not Used

DIVISION 4 MASONRY

Not Used

DIVISION 5 METALS

05 40 00 Cold Formed Metal Framing

DIVISION 6 WOOD AND PLASTIC

Not Used

DIVISION 7 THERMAL & MOISTURE PROTECTION

07 90 00 Joint Sealers

DIVISION 8 DOORS & WINDOWS

08 14 00 Wood Doors
08 71 00 Finish Hardware
08 80 00 Glazing

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09 25 00 Gypsum Wallboard
09 90 00 Coatings

DIVISION 10	SPECIALTIES Not Used
DIVISION 11	EQUIPMENT Not Used
DIVISION 12	FURNISHINGS Not Used
DIVISION 13	SPECIAL CONSTRUCTION Not Used
DIVISION 14	CONVEYING SYSTEMS Not Used
DIVISION 26	Electrical

SECTION 01 10 00

GENERAL REQUIREMENTS

SECTION 01 10 00 - GENERAL REQUIREMENTS

PART 1 – GENERAL

1.1 SUMMARY OF WORK

Furnish all labor, materials, equipment, and services necessary for, incidental to, the construction of a Security Vestibule at the interior of Green Valley & Kemptown Elementary Schools. All work shall be bid as lump sum as indicated on the drawing and specifications as prepared by FCPS. Work shall be coordinated with the Owner. Work is to be completed at a time frame dictated by the Owner's Representative when the area will be available for work. Work is further described as follows:

A. The existing school building consists of a single story structure.

Work includes removal of interior hollow metal doors/frames and windows and partial removal of non-bearing masonry walls as shown on the drawings. The new vestibule compartment will be constructed with 20 ga. metal studs, 5/8 fire board drywall and safety glazing systems and wood doors with borrowed lights in the doors. Work associated with secondary finishes systems such as minor modifications to gypsum board on metal studs, flooring, painting, and acoustical ceilings will also be included as required by the demolition work.

Work also includes installation of access control door hardware and associated security devices.

Additional Structural and Masonry work is not required.

B. All work is indicated on the contract documents and is limited to Architectural work with some minor Mechanical and Electrical work.

1. Contractor shall provide a detailed schedule of values for all work included in the project broken down by trade.

C. The Owner will continue to conduct limited operations in this facility during construction and renovation. The General Contractor shall coordinate all phasing aspects with the owner to ensure that existing public areas and egress components can be used to the greatest extent possible during construction operations, and to maintain building security.

1.2 LOCAL CONDITIONS

A. The contractor shall check, measure and verify all site conditions and be responsible for familiarizing themselves with the nature, extent and quantity of the work. Where drawings or specifications conflict with existing field conditions, Contractor shall

notify the Owner's Representative. The Owner will then give written directions and or clarifications on how to proceed.

- B. The Contractor is responsible for verification of all utility locations and the repair of same if damaged during construction. The Contractor shall restore to the original condition all damages due to construction.

1.3 APPLICABLE CODES AND STANDARDS

- A. All work shall conform to all applicable local, state or federal building codes, regulations and 2010 A.D.A. regulatory requirements.

1.4 INQUIRIES

- A. All inquiries pertaining to this project shall be made to Mr. Tony Ray Project Manager III for FCPS Construct Management Dept, Frederick County Public Schools, phone 301-644-5167. Email: tony.ray@fcps.org

1. Mr. Tony Ray will serve as the Owner's Representative.

- B. The site is available for inspection prior to bid by calling the Project Manager to make arrangements to coordinate a site visit that doesn't interfere with business activities.

1.5 OPENING

- A. Proposals will be opened as announced in the "Invitation to Bid."

1.6 AWARD OF BID

- A. The Contract will be awarded as stated in the "Instructions to Bidders."
In addition, Frederick County Public Schools reserves the right to accept or reject any or all proposals for any reason whatsoever and will not be responsible for any charges incurred by contractors.

1.7 SCHEDULE OF WORK

- A. Demolition/construction work to begin on or about June 25, 2020 with substantial completion of base bid work by August 1, 2020. Final completion date of base bid work is August 15, 2020.
- B. The contractor has full access to the building as necessary during the above timeline 7 days a week and as allowed by local ordinances. Once staff return for the fall term access will be restricted to comply with the instructional schedule.
- C. FCPS is on 4 day 10 hour work week over the summer recess; there will be no staff on site Friday, Saturday or Sunday from mid-June to Mid-August however FCPS will make accommodations for access during those days as necessary.

1.8 LIQUIDATED DAMAGES

- A. Liquidated damages in the amount of \$475.00 per day for each calendar day beyond completion date of August 15, 2020 will be assessed by the Owner.

1.9 SPECIAL CONDITIONS

- A. Asbestos- Containing Buildings:
Although, most Frederick County Public School buildings contain asbestos, it is not anticipated that any ACM's (Asbestos Containing Materials) will be encountered as part of this work. At the pre-construction meeting a detailed procedure of asbestos removal (should any be encountered in the building) will be given to the contractor.
- B. Protect the structure, furnishings, finishes, and adjacent materials not indicated or scheduled to be removed. Use adequate but reasonable precautions to prevent the spread of dust, dirt and noise to adjacent areas.

1.10 PERMITS AND INSPECTIONS

- A. If applicable, the Owner shall obtain and pay for the primary building permit for this project. However, the Contractor shall obtain and pay for all secondary trade permits and inspection fees required for all local, state or federal applicable codes.
- B. The Contractor shall supply the Owner with a copy of all permits and inspection reports.

1.11 CUTTING AND PATCHING

- A. Saw-Cut to fit, patch to match all existing surfaces which are cut for installation of new materials and equipment or the demolition of existing materials. No cutting or patching of utilities or other structures shall be done without the specific permission of the Owner.

1.12 PROJECT COORDINATION AND MEETINGS

- A. Coordination: Coordinate activities included in various Sections to assure efficient and orderly installation of each component. Coordinate operations included under different Sections that are dependent on each other for proper installation and operation.
- B. Meetings:
 - 1. A pre-bid meeting will be held at the Kemptown Elementary and Green Valley Elementary Schools as described in the invitation for bids.
 - 2. A pre-construction meeting will be held after the project is awarded and before construction begins.
 - 3. Progress meetings will be held as deemed necessary by the Owner but not less than one meeting every two weeks.

1.13 SUBMITTALS

- A. General: Coordinate submittal preparation with performance of construction activities, and with purchasing or fabrication, delivery, other submittals and related activities and as noted in other sections of these specifications. Transmit in advance of performance of related activities to avoid delay. No extension of time will be authorized because of failure to transmit submittals sufficiently in advance of the Work to permit processing.
 - 1. All submittals shall include, but not be limited to, name and address of contractor, name and address of subcontractor, name and address of supplier and name of manufacturer. If applicable all submittals shall show compliance with recognized trade association standards and recognized testing agency standards with appropriate labels and seals.
- B. Shop Drawings: The Contractor shall submit for approval three (3) copies of shop drawings or submittals for all phases of construction and materials to be used.
- C. Product Data: Collect Product Data into a single submittal for each element or system. Mark each copy to show applicable choices and options. Where Product Data includes information on several products, some of which are not required, mark copies to indicate the applicable information.
- D. Samples: Submit two (2) samples of each system component.

1.14 QUALITY CONTROL

- A. Responsibilities: The Contractor is to provide inspections and tests specified or required by governing authorities, and as indicated in other sections of these specifications. Costs are included in the Contract.
- B. Retesting: The Contractor is responsible for retesting where results prove unsatisfactory and do not indicate compliance with Contract Documents.
- C. Coordination: The Contractor is responsible for scheduling inspections, tests, and similar activities.
- D. Submittals: The Contractor shall submit a certified written report of each inspection and test in duplicate.

1.15 CONTRACTOR USE OF PREMISES

- A. Limit use of the premises to construction activities in areas indicated; allow for Owner occupancy and use by the public.
- B. Confine operations to areas within contract limits indicated. Portions of the site beyond areas in which construction operations are indicated are not to be disturbed.

- C. Keep driveways and entrances clear at all times. Do not use these areas for parking or storage of materials. After completion date of August 1, 2020 no materials will be stored at the site.
- D. Use of the Existing Building: Maintain the existing building in an operational condition throughout construction. Repair damage caused by construction operations. Take precautions necessary to protect the building and occupants during the construction period.
- E. Full Owner Occupancy: The Owner will occupy the site and existing building during construction. Cooperate with the Owner to minimize conflicts and facilitate Owner usage. Perform the work so as not to interfere with the Owner's operations.

1.16 RECORD AND OPERATIONS & MAINTENANCE DATA

- A. If not indicated in other parts of these specifications provide the following as indicated. Record Document Submittals, Record Drawings, Record Specifications, Maintenance Manuals, Operating and Maintenance Instructions and As-Built Drawings.
 - 1. Record Document Submittals: Do not use Record Documents for construction purposes; protect from loss in a secure location; provide access to Record Documents for the Owner's reference.
 - 2. Record Drawings: ("As-Built") Maintain a clean, undamaged set of blue or black line white-prints of Contract Drawings and Shop Drawings. Mark-up these drawings to show the actual installation. Mark whichever drawing is most capable of showing conditions accurately. Give particular attention to concealed elements that would be difficult to measure and record at a later date.
 - a. Organize record drawing sheets into manageable sets, bind with durable paper cover sheets, and print suitable titles, dates and other identification on the cover.
 - 3. Additional Record Drawings:
At the completion of the project, the Contractor shall obtain an AutoCAD drawing file (i.e. floor plan, site plan) from the Engineer and update the file from the "as-built" drawings. The updated AutoCAD file shall be returned to the Engineer for his review, then released to the Owner at the completion of the project.
 - 4. Record Specifications: Maintain one copy of the Project Manual, including addenda. Mark to show variations in actual Work performed in comparison with the Specifications and modifications. Give particular attention to substitutions, selection of options and similar information on elements that are concealed or cannot be readily discerned later by direct observation. Note related record drawing information and Product Data.

5. Maintenance Manuals: Organize maintenance data into three (3) sets of manageable size. Bind in individual heavy-duty 2-inch, 3-ring vinyl-covered binders, with pocket folders for folded sheet information. Mark identification on front and spine of each binder. This shall include but is not limited to the following information:
 - Emergency instructions.
 - Spare parts list.
 - Copies of warranties.
 - Wiring diagrams.
 - Inspection procedures.
 - Shop Drawings and Product Data.
6. Operating and Maintenance Instructions: Arrange for the Manufacturer's Representative and Installer of equipment that requires regular maintenance to meet with the Owner's personnel to provide instruction in proper operation and maintenance. This shall include but is not limited to a detailed review of the following:
 - Maintenance manuals.
 - Spare parts and materials.
 - Control sequences.
 - Hazards.
 - Warranties and bonds.
 - Maintenance agreements and similar continuing commitments.

- B. As part of instruction for operating equipment, demonstrate the following procedures:
 - Start-up and shutdown.
 - Emergency operations.
 - Safety procedures.

1.17 WARRANTY

- A. In submitting a proposal, each bidder thereby represents that he will, upon award of the contract, guarantee in writing all materials and workmanship for a period of Two (2) years from date of substantial completion. During the guarantee period the Contractor will be required, within a reasonable length of time after receipt of written notice by the Owner, to make good any defects in materials or workmanship which may have developed and to make good any damage to other work caused by such defects or the repairing of the same, at his own expense and without cost to the Owner.
- b. If a bidder cannot guarantee any material, construction and equipment that is shown or specified, or if he cannot furnish any surety bond that may be required, then it shall be so stated in his proposal, and unless this is done, it shall be understood that the bidder accepts all of the guarantee conditions called for, and he shall be bound thereto upon award of the contract. If the Owner should consent to waive any requirements in this respect, then it shall have effect only if such waiver is expressly set forth in the signed contract agreement.

PART 2 – PRODUCTS

2.1 MATERIALS AND EQUIPMENT

- A. "Products" are items purchased for incorporation in the Work, whether purchased for the Project or taken from previously purchased stock.
- B. "Materials" are products that are shaped, cut, worked, mixed, finished, refined or otherwise fabricated, processed, or installed to form a part of the Work.
- C. "Equipment" is a product with operational parts, whether motorized or manually operated, that requires service connections such as wiring or piping.
- D. Product Delivery, Storage, and Handling: Deliver, store and handle products in accordance with manufacturer's recommendations, using methods that will prevent damage, deterioration and loss.
- E. Materials Storage and On-Site-Work: The Contractor shall maintain the site in a clean, neat and orderly manner at all times. Materials may be stored at the school in a designated site agreed to by both the Contractor and the Owner's project manager.
- F. Installation of Products: Comply with manufacturer's instructions and recommendations for installation of products. Anchor each product securely in place, accurately located and aligned with other Work. Clean exposed surfaces and protect to ensure freedom from damage and deterioration at time of Substantial Completion.
- G. Removal of Existing Products, Materials or Equipment: The Contractor shall "Remove" all existing products, materials or equipment as designated in the summary of work and as indicated in other sections of these specifications. The contractor shall be responsible for the disposal of these items at no cost to the owner.

PART 3 – EXECUTION

3.1 PROJECT CLOSEOUT

- A. Substantial Completion: Before requesting inspection for certification of Substantial Completion, complete the following:
 - 1. Submit specific warranties, workmanship bonds, maintenance agreements, final certifications and similar documents.
 - 2. Submit record drawings, maintenance manuals, final project photographs, damage or settlement survey, property survey, and similar record information.
 - 3. Change-over permanent locks and transmit keys to the Owner.
 - 4. Complete start-up testing of systems, and instruction of the Owner's personnel. Remove temporary facilities from the site, along with construction tools, mock-ups, and similar elements.

5. Complete final clean up. Touch-up and repair and restore marred exposed finishes.
6. Upon completion of the Work, submit record Specifications to the Engineer for the Owner's records.

B. Site Restoration:

1. The Contractor shall be responsible for repairs to the grounds, building and/or blacktop due to traffic and/or the storage of materials. Repairs shall be made to the satisfaction of the Owner's representative and shall equal the original conditions.

C. Final Cleaning: Employ experienced workers for final cleaning. Clean each surface to the condition expected in a commercial building cleaning and maintenance program. Complete the following before requesting inspection for certification of Substantial Completion:

1. Remove labels that are not permanent labels.
2. Clean transparent materials.
3. Clean exposed hard-surfaced finishes to a dust-free condition, free of stains, films and similar foreign substances. Restore reflective surfaces to their original reflective condition. Leave concrete floors broom clean. Vacuum carpeted surfaces.
4. Wipe surfaces of mechanical and electrical equipment. Remove excess lubrication. Clean plumbing fixtures to a sanitary condition. Clean light fixtures and lamps. Clean the site of rubbish, litter and other foreign substances. Sweep paved areas; remove stains, spills and other foreign deposits. Rake grounds that are neither paved nor planted, to a smooth even-textured surface.

D. Removal of Protection: Remove temporary protection and facilities.

E. Compliance: Comply with regulations of authorities having jurisdiction and safety standards for cleaning. Remove waste materials from the site and dispose of in a lawful manner.

(END OF SECTION)

SECTION 01 23 00

ALTERNATES

PART 1 - GENERAL

1.1 DESCRIPTION OF REQUIREMENTS

- A. Definitions and Explanations: "Alternates" are defined as alternate products, materials, equipment systems, methods, units of work for major elements of construction, which may, at Owner's option be selected for work in lieu of corresponding requirements of Contract Documents.
 - 1. Alternates may or may not change scope and general character of work substantially.
- B. Accepted Alternates: Refer to Owner-Contractor Agreement and subsequent modifications thereof (if any) for determination of which alternates listed have been accepted, and are, therefore, in full force and effect as though originally included in Contract Documents for base bid.
- C. Notification: Immediately following award of contract, prepare and distribute to each entity or person to be involved in performance of work, notification of status of each alternate scheduled and including those subsequently added by notification during bidding. Indicate which alternates have been: 1) accepted, 2) rejected, and deferred for consideration at later date as indicated. Include full description of negotiated modifications to alternates, if any.
- D. Requirements of the General Conditions, Supplementary Conditions and Division I of these specifications apply to this section.
- E. The work under these Alternates shall be performed in accordance with the applicable Sections of these specifications.

1.2 GENERAL ALTERNATE REQUIREMENTS

- A. General: Description for each alternate is recognized to be incomplete and abbreviated but implies that each change must be complete for scope of work affected. Refer to applicable sections (Divisions 2 through 16) and to applicable Drawings for specific requirements of each alternate. Coordinate related requirements among sections of Specifications as required. Modify surrounding work as required to integrate with work of each alternate.

1.3 ALTERNATE DESCRIPTIONS

- A. Alternate No. 1A to the Base Bid –Provide The following materials to the Owner.
 - a) Green Valley - Hoffman Enclosure model #A24N24BLP & Hoffman Mounting Plate model #A24N24MPP. FCPS obtains these from Capital Tristate
 - b) Green Valley - iPhone, JP AI phone series with remote cameras
 - c) Green Valley - LNL-1320 Interphase Module, Dual Reader @ \$ 598.03
 - d) Green Valley - 1,000 spool of 18-8 plenum rated shielded wire.
 - e) Green Valley - Provide two (red light) LED Exit lights with emergency light
- B. Alternate No. 1B to the Base Bid – At Green Valley in addition to Alt #1A, provide an electrician to install the items provided to the Owner in 1A as identified above. This alternate will require an electrical permit, electrical Contractor, connection and installation of the electrified door hardware to the FCPS security access system and installation of the Ai Phone connected to the remote cameras as well as interphased to the FCPS security access system
- C. Alternate No. 2A to the Base Bid –Provide The following materials to the Owner.
 - a) Kemptown - iPhone, JP AI phone series with remote cameras
 - b) Kemptown - LNL-1320 Interphase Module, Dual Reader @ \$ 598.03
 - c) Kemptown - 1,000 spool of 18-8 plenum rated shielded wire.
 - d) Kemptown - Provide two (redlight) LED Exit lights (emergency lighting from FCPS generator)

- D. Alternate No. 2B to the Base Bid – At Kemptown Elementary in addition to Alt #1A, provide an electrician to install the items provided to the Owner in 1A as identified above. This alternate will require an electrical permit, electrical Contractor, connection and installation of the electrified door hardware to the FCPS security access system and installation of the Ai Phone connected to the remote cameras as well as interphased to the FCPS security access system

– END OF SECTION 01 23 00 –

SECTION 01 04 50

CUTTING AND PATCHING

PART 1 - GENERAL

1.1 Scope:

1. This Section establishes general requirements pertaining to cutting, fitting and patching of the Work required to:
 1. Make the several parts fit properly;
 2. Uncover work to provide for installing, inspecting, or both, of ill-timed work;
 3. Remove and replace work not conforming to requirements of the Contract Documents; and
 4. Remove and replace defective work.
 5. Remove and patch existing construction for the completion of contract work.

1.2 Related work:

1. Documents affecting work of this Section include, but are not necessarily limited to, the General Conditions and Sections in Division 1 of these Specifications.
2. In addition to other requirements specified, upon the Architect's request uncover work to provide for inspection by the Architect of covered work, and remove samples of installed materials for testing, to verify conformance with the Contract Documents.
3. Do not cut or alter work performed under separate contracts without the Architect's written permission.

1.3 Quality Assurance:

1. Use adequate numbers of skilled workmen who are thoroughly trained and experienced in the necessary crafts and who are completely familiar with the specified requirements and the methods needed for proper performance of the work of this Section.
2. Avoid unnecessary or excessive cutting. Where cutting of a finished surface is required, make cuts neatly along true lines so they will be concealed by finished work and where they will be least conspicuous.

1.4 Submittals:

1. Request for Architect's consent:
 1. Prior to cutting which effects structural safety, submit a written request to the Architect for permission to proceed with cutting. Also obtain written approval from the local building officials, if required by the local building code.
 2. Should conditions of the Work, or schedule, indicate a required change of materials or methods for cutting and patching, so notify the Architect and secure his written permission and the required Change Order prior to proceeding.

Notices to the Architect:

3. Prior to cutting and patching performed pursuant to the Architect's instructions, submit cost estimate to the Architect. Secure the Architect's approval of cost estimates and type of reimbursement before proceeding with cutting and patching.
4. Submit written notice to the Architect designating the time the Work will be uncovered, to provide for the Architect's observation.

PART 2 - PRODUCTS

- 2.1 For replacement of items removed, use materials complying with pertinent Sections of these Specifications and closely matching the aesthetic value of the existing material.

PART 3 - EXECUTION

3.1 Payment of Costs:

1. The Owner will reimburse the Contractor for cutting and patching performed pursuant to a written Change Order, after claim for such reimbursement is approved by the Owner. The Contractor shall perform other cutting and patching needed to comply with the Contract Documents at no additional cost to the Owner.
2. Payment of costs for cutting and patching performed due to ill-timed or defective work will be at no additional cost to the Owner.

3.2 Surface Conditions:

1. Inspection:
 1. Inspect existing conditions, including elements subject to movement or damage during cutting, excavating, patching and backfilling.
 2. After uncovering the work, inspect conditions affecting installation of new Work.
2. Discrepancies:
 1. If uncovered conditions are not as anticipated, immediately notify the Architect and secure needed directions.
 2. Do not proceed until unsatisfactory conditions are corrected.

3.3 Preparation Prior to Cutting:

1. Provide required protection including, but not necessarily limited to, shoring, bracing, and support to maintain structural integrity of the Work.

3.4 Performance:

1. The Contractor shall be responsible for any cutting, fitting and patching that may be required to complete his Work except as otherwise specifically provided in the Contract Documents. The contractor shall not endanger any Work of any other Contractor except with the written consent of the Architect.

2. Perform fitting and adjusting of products to provide finished installation complying with the specified tolerances and finishes.
- 3.5 Cleanup:
1. Remove all debris, rubbish, and materials resulting from cutting and patching operations. Transport materials and legally dispose of off site.

END OF SECTION

SECTION 02 11 00

SELECTIVE DEMOLITION

A. GENERAL

1. DESCRIPTION:

1.1 Requirements of the General Conditions, Supplementary Conditions and Division 1 of these specifications apply to this Section.

1.2 Include all labor, materials, appliances and services necessary to complete all demolition work required by the drawings and/or described in this specification.

1.3 Demolition includes the complete removal of building materials, as indicated on the drawings, and proper disposal, off site, of all demolished materials except where noted. Where noted, some materials may be salvaged for reuse on the project and Owner is entitled to a right of first refusal for all materials identified to be demolished.

1.3.1 See Division 15000 for Mechanical portion, and Division 16000 for Electrical portion of demolition.

2. QUALITY ASSURANCE:

2.1 All work of this Section shall be carefully executed without damage to adjacent construction shown to remain for post construction occupancy.

2.2 All materials scheduled to be relocated or reinstalled shall be removed, cleaned, and stored in such manner that they are not damaged. This includes but is not limited to cabinets and counter tops, interior doors, and interior windows.

2.3 All equipment removed as part of this Contract, and selected by the Owner to be stored for future use by the Owner, shall be delivered to the Owner's storage area.

2.4 Maintain all legal means of egress for adjacent and affected occupied areas during all demolition activities.

3. CONDITION OF STRUCTURES:

3.1 The Owner assumes no responsibility for the actual condition of structures to be demolished.

3.2 Conditions existing at the time of inspection for bidding purposes will be maintained by the Owner insofar as practicable. However, variations within the structure may occur due to work completed by the construction of earlier phases of this Project, and/or by Owner's removal and salvage operations prior to the start of the demolition work.

3.3 The Owner will be removing furnishings as required to make the work area accessible for operations.

B. EXECUTION

4. GENERAL:

4.1 Perform demolition in a systematic manner, in accordance with approved submittals.

4.2 Where required to install new finishes. Remove existing materials in a manner to accommodate new finishes including removal of all coatings, grouts, adhesives, and other bonding agents.

4.3 Where existing finishes are to remain and abut adjacent new construction, cut and remove existing materials in a neat fashion with straight edges without chipping or cracking.

5. TRAFFIC:

5.1 Conduct demolition operations and the removal of debris to ensure minimum interference with roads, streets, walks, and other adjacent occupied or used facilities. Do not close or obstruct streets, walks or other occupied or used facilities without permission from the Owner. Provide alternate routes around closed or obstructed traffic ways if required by governing regulations.

6. PROTECTION:

6.1 Provide fenced passageways, as required, to ensure the safe passage of persons around the area of demolition. Conduct operations to prevent damage by falling debris or other cause to adjacent buildings, structures, landscaping and other facilities as well as persons.

6.2 Provide dust-tight barriers as required to separate construction/demolition areas from building areas occupied by the Owner during the construction period.

6.3 Cover and protect furnishings that will remain in place during the course of construction.

6.4 Cover and protect floor finishes that will remain in place during the course of construction.

6.5 Provide a weather tight and secure barrier immediately upon removal of items from exterior walls such as louvers, doors, and windows.

7. DAMAGES:

7.1 Promptly repair damages caused to adjacent facilities by demolition operations, as directed by the Architect and at no cost to the Owner.

8. UTILITY SERVICES:

8.1 Maintain existing utilities, indicated to remain, keep in service, and protect against damage during demolition operations.

8.2 Do not interrupt existing utilities serving occupied or used facilities, except when authorized by the Architect. Provide temporary services during interruptions to existing utilities, as acceptable to the Architect.

9. POLLUTION CONTROLS:

9.1 Use water sprinkling, temporary enclosures, and other suitable methods as necessary to limit the amount of dust and dirt rising and scattering in the air, to the lowest level of air pollution practical for the condition of work. Comply with the governing regulations.

9.2 Clean adjacent structures and improvements of all dust, dirt and debris caused by demolition operations, as directed by the Architect. Return areas to condition existing prior to the start of the work.

10. REMOVAL:

10.1 General: Remove from the site all debris, rubbish and other materials resulting from demolition operations. Storage or sale of materials will not be permitted on the site.

10.2 Burning: Burning of removed materials from demolished structures will not be permitted on the site.

- 10.3 Removal: Transport all materials, not scheduled to be delivered to the Owner, removed from demolished structures and disposed of off the site.
- 10.4 Recycling: Ceiling Tile shall be recycled by the original manufacturer (Armstrong) to the greatest extent possible.

- End of Section -

SECTION 05 40 00

COLD FORMED METAL FRAMING

PART 1 - GENERAL

1.1 SECTION INCLUDES

- A. Non-structural wall and floor framing on interior of building
- B. Metal furring strips

1.2 RELATED SECTIONS

- A. Section 09260 – Gypsum Board Systems

1.3 QUALITY ASSURANCE:

- A. All work shall be in compliance with the Standard Specifications for Structural Steel for Building, and the Code of Standard Practice, adopted by the American Institute of Steel Construction. All metal stud work engaging architectural finishes shall be straight, plumb and true, and shall in no way interfere with the installation of such finishes.

1.4 SUBMITTALS:

- A. Submit manufacturer's literature for all materials and installations.

1.5 WEATHER CONDITIONS

- A. Comply with manufacturer's recommendations.

PART 2 - PRODUCTS

2.1 MATERIALS:

A. Metal Framing:

1. Cold Formed (light gauge) Metal Framing (in non-structural locations): Materials shall conform to ASTM A1003, dimensions as indicated on the supplier's approved shop drawings, galvanized per ASTM A1003 with a minimum G40 coating. Wall framing is to be a minimum 20 gage at a maximum spacing of 16" on center. Provide bridging, accessories and fasteners as required by job conditions and the supplier's engineered shop drawings. Gage and strength to be determined by supplier as required for conformance with structural and building code requirements.
2. See structural notes and drawings for additional product requirements.

B. Metal Furring:

1. Roll formed, hat-shaped sections of minimum 20 gauge galvanized steel, size 0.875" x 2.75"

PART 3 - EXECUTION

3.1 INSTALLATION:

- A. Install metal framing as indicated on the drawings and in compliance with manufacturer's instructions, securely attaching track to structure as indicated on the drawings, and studs to track at 16" on center, unless otherwise noted. Provide deflection track as required.
- B. Finished surfaces shall be smooth, uniform and ready to receive architectural finishes and decoration. Protect finished surfaces, and repair damaged work to the satisfaction of the Architect.

3.2 CLEAN-UP:

- A. At the completion of the job, remove all excess materials from the site.

- END OF SECTION 05 40 00 -

SECTION 07 90 00

JOINT SEALERS

PART 1 GENERAL

1.1 SECTION INCLUDES

- A. Preparing substrate surfaces.
- B. The required applications of sealants include, but are not limited to, the following general locations in new work, or in areas disturbed by the work of this project:
 - 1. Interior:
 - a. Metal Door and window frames.
 - b. Joints at all surfaces to receive opaque finish.
 - c. Joints between steel columns and masonry walls.
 - d. Joints between all dissimilar materials unless otherwise noted.
 - e. Other as indicated.

1.2 RELATED SECTIONS

- A. Section 08 80 00: Sealants required in conjunction with glazing methods.

1.3 REFERENCES

- A. ASTM C790 - Use of Latex Sealing Compounds.
- B. ASTM C804 - Use of Solvent-Release Type Sealants.
- C. ASTM C834 - Latex Sealing Compounds.
- D. ASTM C920 - Elastomeric Joint Sealants.
- E. ASTM D1565 - Flexible Cellular Materials - Vinyl Chloride Polymers and Copolymers.
- F. SWRI (Sealant, Waterproofing and Restoration Institute) - Sealant and Caulking Guide Specification.

1.4 SUBMITTALS

- A. Submit under provisions of Division 1.
- B. Product Data: Provide data indicating sealant chemical characteristics, performance criteria, substrate preparation, limitations and color availability.
- C. Samples: Submit two samples illustrating sealant colors for selection.
- D. Manufacturer's Installation Instructions: Indicate special procedures, surface preparation and perimeter conditions requiring special attention.

1.5 QUALITY ASSURANCE

- A. Perform work in accordance with sealant manufacturer's requirements for preparation of surfaces and material installation instructions.

- B. Specified work shall be installed by skilled tradesmen, experienced in the application of the types of materials.

1.6 QUALIFICATIONS

- A. Manufacturer: Company specializing in manufacturing the Products specified in this section with minimum three years documented experience.
- B. Applicator: Company specializing in performing the work of this section with minimum five years documented experience.

1.7 ENVIRONMENTAL REQUIREMENTS

- A. Maintain temperature and humidity recommended by the sealant manufacturer during and after installation. Apply compound prior to final coat of paint.

1.8 PRODUCT DELIVERY, HANDLING AND STORAGE

- A. Deliver all materials to job site in factory sealed and labeled containers; label shall show: Manufacturer, Type, Date of Manufacture, Shelf Life, Curing Time at 70 degrees F, Color and Manufacturer's Instructions.

1.9 COORDINATION

- A. Coordinate the work with all sections referencing this section.

1.10 WARRANTY

- A. Provide five year warranty under provisions of Division 1.
- B. Warranty: Include coverage for installed sealants and accessories which fail to achieve air tight seal, water tight seal and exhibit loss of adhesion or cohesion, or do not cure.

PART 2 PRODUCTS

2.0 MANUFACTURERS:

- A. Sika Corporation
- B. Pecora Corporation
- C. Sonneborn – Chemrex
- D. Tremco, Inc.

2.1 SEALANTS

- A. Back-up Materials: Flexible closed cell, expanded polystyrene or polyethylene round rodding, with diameter 1.333 times width of joint
- B. Interior Sealant: Acrylic Emulsion Latex Type C: ASTM C834, single component; color as selected by the Architect

- C. Interior Walls/Floors (Ceramic Tile): Pecora Urexpan NR-201, one part, self-leveling, moisture curing polyurethane sealant, designed for horizontal joints, Fed. Spec. TT-5-00230C, Type I, ASTM C920, color as selected by the Architect
- D. Primers, Cleaners and Bond Breaker Tape: Provide as recommended by sealant manufacturer's installation instructions for the conditions and locations indicated on the drawings.
- E. All sealants and sealant primers must meet or exceed Bay Area Air Quality Management District Reg. 8, Rule 51.

2.2 ACCESSORIES

- A. Primer: Non-staining type, recommended by sealant manufacturer to suit application.
- B. Joint Cleaner: Non-corrosive and non-staining type, recommended by sealant manufacturer; compatible with joint forming materials.
- C. Joint Backing: ASTM D1056; round, closed cell polyethylene foam rod; oversized 30 percent larger than joint width; manufactured by Dow Chemical, Sonneborn or approved equivalent.
- D. Bond Breaker: Pressure sensitive tape recommended by sealant manufacturer to suit application.

PART 3 EXECUTION

3.1 EXAMINATION

- A. Verify that substrate surfaces and joint openings are ready to receive work.
- B. Verify that joint backing and release tapes are compatible with sealant.

3.2 PREPARATION

- A. Remove loose materials and foreign matter which might impair adhesion of sealant.
- B. Clean and prime joints in accordance with manufacturer's instructions.
- C. Perform preparation in accordance with ASTM C804 for solvent release and ASTM C790 for latex base sealants.
- D. Protect elements surrounding the work of this section from damage or disfiguration.

3.3 INSTALLATION

- A. Perform installation in accordance with ASTM C804 for solvent release and ASTM C790 for latex base sealants.
- B. Measure joint dimensions and size materials to achieve required 2:1 width/depth ratios.
- C. Install joint backing to achieve a neck dimension no greater than 1/3 of the joint width.
- D. Install bond breaker where joint backing is not used.
- E. Install sealant free of air pockets, foreign embedded matter, ridges, and sags.

F. Apply sealant within recommended application temperature ranges. Consult manufacturer when sealant cannot be applied within these temperature ranges.

G. Tool joints concave.

3.4 CLEANING

A. Clean adjacent soiled surfaces.

3.5 PROTECTION OF FINISHED WORK

A. Protect finished installation under provisions of Division 1.

B. Protect sealants until cured.

- END OF SECTION 07 90 00 -

SECTION 08 14 16
FLUSH WOOD DOORS

PART 1 GENERAL

1.1 SECTION INCLUDES

- A. Flush wood doors; flush configuration; fire rated, non-rated, and acoustical.

1.2 RELATED REQUIREMENTS

- A. Section 08 80 00 - Glazing.

1.3 REFERENCE STANDARDS

- A. ASTM E413 - Classification for Rating Sound Insulation.
- B. ASTM E1408 - Standard Test Method for Laboratory Measurement of the Sound Transmission Loss of Door Panels and Door Systems.
- C. AWI/AWMAC (QSI) - Architectural Woodwork Quality Standards Illustrated; Architectural Woodwork Institute and Architectural Woodwork Manufacturers Association of Canada.
- D. ITS (DIR) - Directory of Listed Products; Intertek Testing Services NA, Inc..
- E. NFPA 80 - Standard for Fire Doors and Other Opening Protectives.
- F. UL (BMD) - Building Materials Directory; Underwriters Laboratories Inc..
- G. UL 10C - Standard for Positive Pressure Fire Tests of Door Assemblies.
- H. WDMA I.S.1-A - Architectural Wood Flush Doors; Window and Door Manufacturers Association.

1.4 SUBMITTALS

- A. See Section 01 30 00 - Administrative Requirements for submittal procedures.
- B. Product Data: Indicate door core materials and construction; veneer species, type and characteristics.
- C. Specimen warranty.
- D. Test Reports: Show compliance with specified requirements for the following:
 - 1. Sound-retardant doors and frames; sealed panel tests are not acceptable.
- E. Shop Drawings: Illustrate door opening criteria, elevations, sizes, types, swings, undercuts required, special beveling, special blocking for hardware, factory machining criteria, factory finishing criteria, identify cutouts for glazing and louvers.
- F. Samples: Submit two samples of door veneer, 12 x 12 inch in size illustrating wood grain, stain color, and sheen.
 - 1. Full size door in selected color to be sent to job site for final approval by Architect prior to fabrication of the remaining doors for the project. If approved, door can be used in the Work and will be used as a representative sample.
- G. LEED Submittals:
 - 1. Product data for Credit MR 4: For products having recycled content, documentation indicating percentages by weight of pre-consumer and post-consumer recycled content. Include statement indicating cost of each product with recycled content.
 - 2. Product data for Credit MR 7: For all new wood, submit vendor invoices. For FSC certified new wood, submit FSC Chain-of-Custody certificates indicating compliance with forest certification requirements and vendor invoice indicating Chain-of- Custody

3. Product Data for Credit EQ 4.4: For adhesives and composite wood products, documentation indicating that product contains no added urea formaldehyde.

H. Warranty, executed in Owner's name.

1.5 QUALITY ASSURANCE

- A. Installed Fire Rated Door Assembly: Conform to NFPA 80 for fire rated class as indicated.

1.6 DELIVERY, STORAGE, AND HANDLING

- A. Package, deliver and store doors in accordance with specified quality standard.
- B. Accept doors on site in manufacturer's packaging. Inspect for damage.
- C. Protect doors with resilient packaging sealed with heat shrunk plastic. Do not store in damp or wet areas; or in areas where sunlight might bleach veneer. Seal top and bottom edges with tinted sealer if stored more than one week. Break seal on site to permit ventilation.

1.7 PROJECT CONDITIONS

- A. Coordinate the work with door opening construction, door frame and door hardware installation.

1.8 WARRANTY

- A. See Section 01 78 00 - Closeout Submittals for additional warranty requirements.
- B. Interior Doors: Provide manufacturer's warranty for the life of the installation.
- C. Include coverage for delamination of veneer, warping beyond specified installation tolerances, defective materials, and telegraphing core construction.

PART 2 PRODUCTS

2.1 MANUFACTURERS

- A. Wood Veneer Faced Doors:
- B. Eggers Industries: www.eggersindustries.com.
- C. Marshfield DoorSystems, Inc: www.marshfelddoors.com.
- D. Algoma Hardwoods, Inc. .
- E. Oshkosh Architectural Door Company.
- F. VT Industries, Inc.

2.2 DOORS

- A. All Doors: See drawings for locations and additional requirements.
 1. Quality Level: Premium Grade, in accordance with AWI/AWMAC Architectural Woodwork Quality Standards Illustrated, Section 1300.
 - a. Grade A faces.
 2. Wood Veneer Faced Doors: 5-ply unless otherwise indicated.
 3. Faces are bonded to core using a hot press.
 4. Provide wood doors made from wood harvested from forests certified by an FSC-accredited certification body. All non-FSC wood in assemblies with FSC-certified wood shall meet the FSC Controlled Wood (CW) criteria.
 5. Provide doors assembled with glues containing no added urea-formaldehyde.
- B. Interior Doors: 1-3/4 inches thick unless otherwise indicated; flush construction.

1. Provide solid core doors at all locations .
2. Fire Rated Doors: Tested to ratings indicated on drawings in accordance with UL 10C or UBC Standard 7-2-97 ("positive pressure"); UL or WH (ITS) labeled without any visible seals when door is open.
3. Sound Retardant Doors: Minimum STC of 42 or better, calculated in accordance with ASTM E413, tested in accordance with ASTM E1408.
 - a. Provide doors specifically designed for sound transmission control with a high density core and damping.
 - b. Refer to hardware specification for required hardware items.
4. Wood veneer facing with factory transparent finish .

2.3 DOOR AND PANEL CORES

- A. Non-Rated Solid Core and 20 Minute Rated Doors: Type particleboard core (PC), plies and faces as indicated above.
- B. Fire Rated Doors: Mineral core, Type FD, plies and faces as indicated above; with core blocking as required to provide adequate anchorage of hardware without through-bolting.
- C. Sound Retardant Doors: Equivalent to Type PC construction with core as required to achieve rating specified; plies and faces as indicated above.
- D. Recycled Content: Provide particleboard cores with minimum 80 percent recycled content; provide mineral cores with minimum 20 percent recycled content.

2.4 DOOR FACINGS

- A. Wood Veneer Facing for Transparent Finish: White Maple, veneer grade as specified by quality standard, plain sliced, book veneer match, running assembly match; unless otherwise indicated.
 1. Vertical Edges: Any option allowed by quality standard for grade.
 2. Pairs: Pair match each pair; set match pairs within 10 feet of each other when doors are closed.
 3. Room Match: Match door faces within each separate room or area of building. Corridor door faces do not need to match where they are separated by 20 feet or more.

2.5 ACCESSORIES

- A. Glazing Stops: Wood, of same species as door facing, butted corners; prepared for countersink style tamper proof screws.

2.6 DOOR CONSTRUCTION

- A. Fabricate doors in accordance with door quality standard specified.
- B. Cores Constructed with Bonded Stiles and Rails:
 1. Provide solid blocks at lock edge for hardware reinforcement.
 2. Provide solid blocking for other throughbolted hardware.
- C. Fit door edge trim to edge of stiles after applying veneer facing.
- D. Factory machine doors for hardware other than surface-mounted hardware, in accordance with hardware requirements and dimensions.
- E. Factory fit doors for frame opening dimensions identified on shop drawings, with edge clearances in accordance with specified quality standard.
- F. Provide edge clearances in accordance with the quality standard specified.

- G. Composite Wood, Agrifiber Products and Laminating Adhesives (shop and field applied):
Contain no added urea formaldehyde resins.

2.7 FACTORY FINISHING - WOOD VENEER DOORS

- A. Factory finish doors in accordance with specified quality standard:
 - 1. Transparent Finish: Transparent catalyzed polyurethane, Premium quality, TR-6, satin sheen.
 - 2. Stain Color: A selected by Architect from manufacturers full range.

PART 3 EXECUTION

3.1 INSTALLATION

- A. Install doors in accordance with manufacturer's instructions and specified quality standard.
 - 1. Install fire-rated doors in accordance with NFPA 80 requirements.
- B. Factory-Finished Doors: Do not field cut or trim; if fit or clearance is not correct, replace door.
- C. Use machine tools to cut or drill for hardware.
- D. Coordinate installation of doors with installation of frames and hardware.
- E. Coordinate installation of glazing.

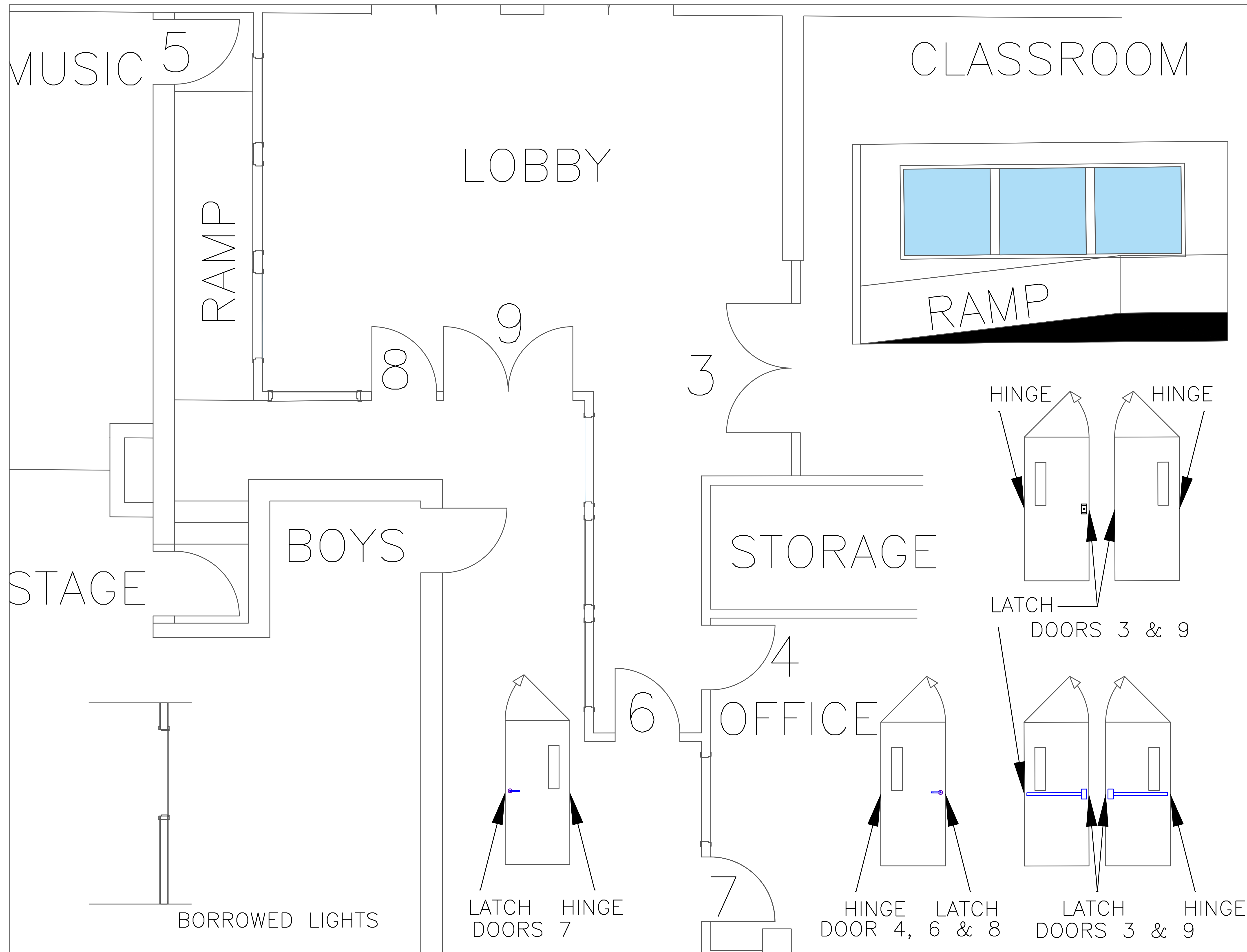
3.2 TOLERANCES

- A. Conform to specified quality standard for fit and clearance tolerances.
- B. Conform to specified quality standard for telegraphing, warp, and squareness.

3.3 ADJUSTING

- A. Adjust doors for smooth and balanced door movement.
- B. Adjust closers for full closure.

END OF SECTION 08 14 16



General Notes

Frederick County Public Schools
Reach. Challenge. Prepare.

1	Door & Hardware Changes	3/2020
No.	Revision/Issue	Date

Firm Name and Address

FREDERICK COUNTY PUBLIC SCHOOLS
OPERATIONS DIVISION
Capital Programs
FREDERICK, MARYLAND 21701-5918
PHONE 301-644-5176

Project Name and Address

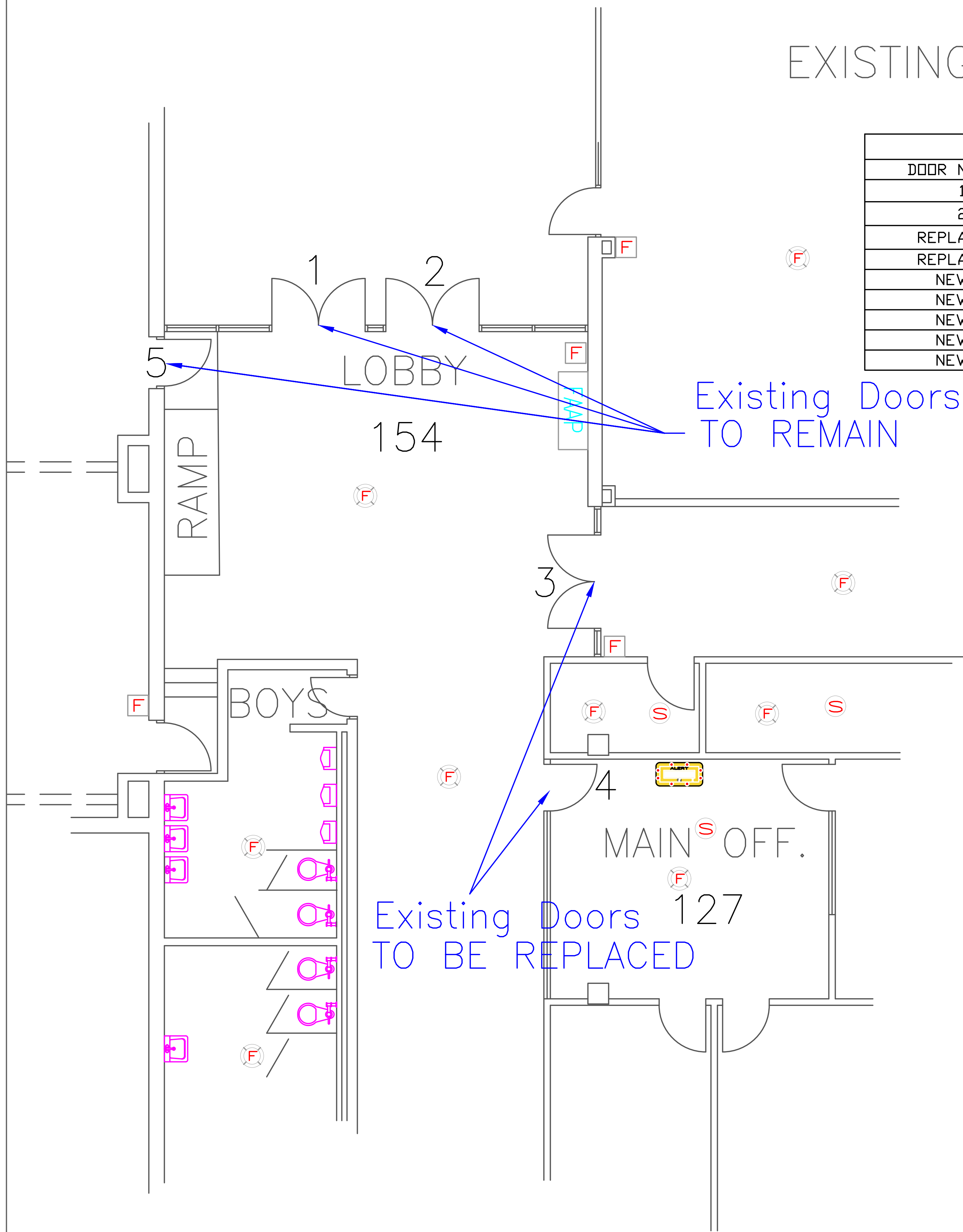
Green Valley Elementary (Building)

11501 Fingerboard Road

Monrovia, MARYLAND 21770

Project Security Vestibule	Sheet
Date 3/12/2020	2 of 4
Scale 1/4" = 1'	

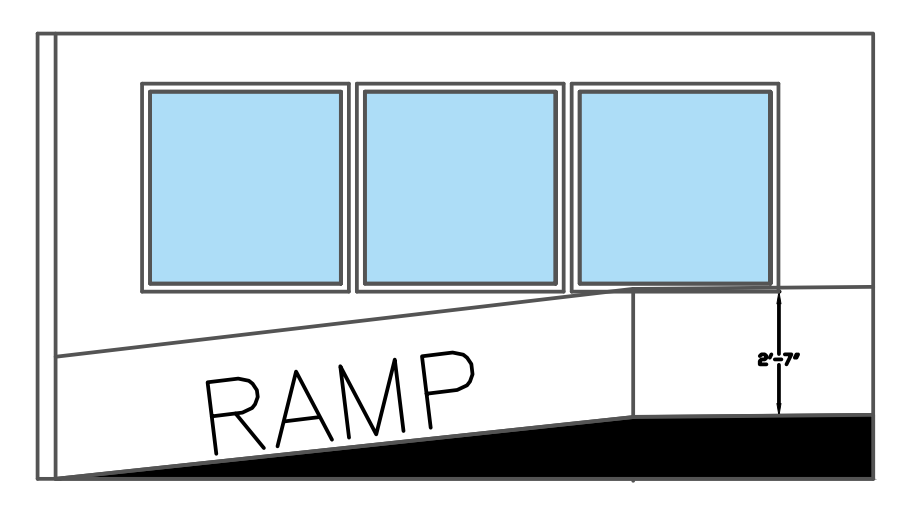
EXISTING CONDITIONS



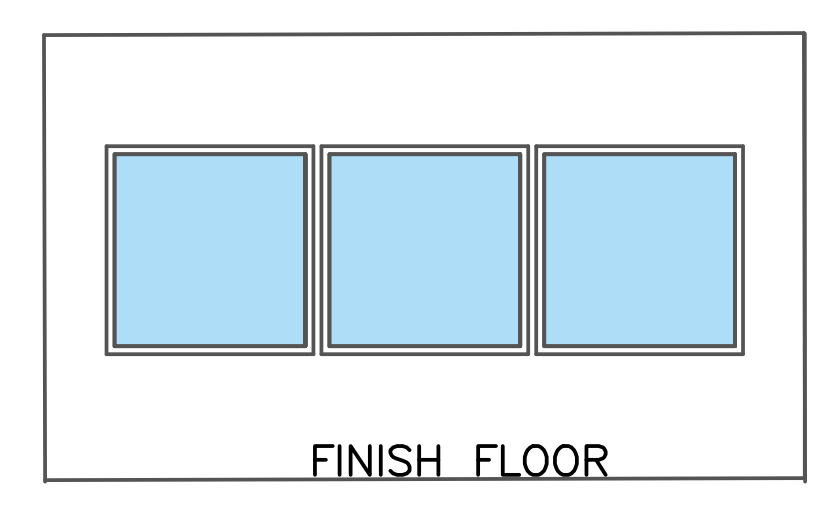
DOOR SCHEDULE GREEN VALLEY ELEMENTARY		
DOOR NUMBER	CONDITION	REQUIRED
1	EXISTING TO REMAIN	
2	EXISTING TO REMAIN	
REPLACE 3	NEW DOUBLE 3'0" X 6'8"	ADD ACCESS SYSTEM READER
REPLACE 4	NEW SINGLE 3'0" X 6'8"	ADD ACCESS SYSTEM READER
NEW 5	EXISTING TO REMAIN	
NEW 6	NEW SINGLE 3'0" X 6'8"	
NEW 7	NEW SINGLE 3'0" X 6'8"	
NEW 8	NEW SINGLE 3'0"X6'8"	
NEW 9	NEW DOUBLE 3'0" X 6'8"	ACCESS SYSTEM READER

Existing Doors
TO REMAIN

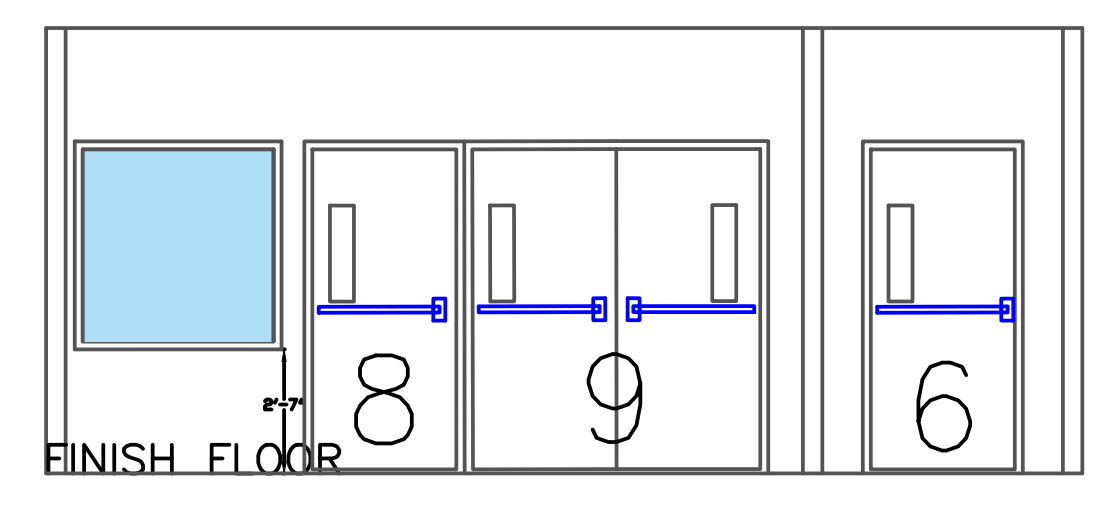
PROPOSED BORROW LIGHT
& HOLLOW METAL FRAMES



AT RAMP

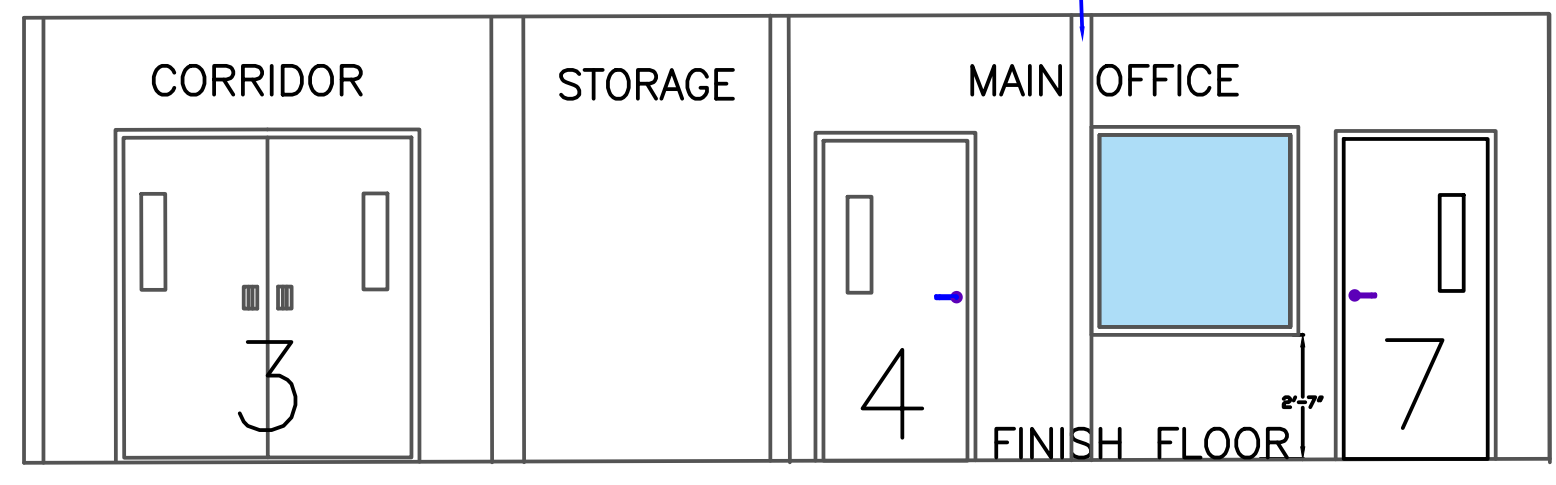


OUTSIDE OFFICE



TO VESTIBULE FROM SCHOOL

SECURITY VESTIBULE WALL & DOOR OUT SIDE OFFICE



VESTIBULE

OFFICE

General Notes

1 Door & Hardware Changes 3/2020

No. Revision/Issue Date

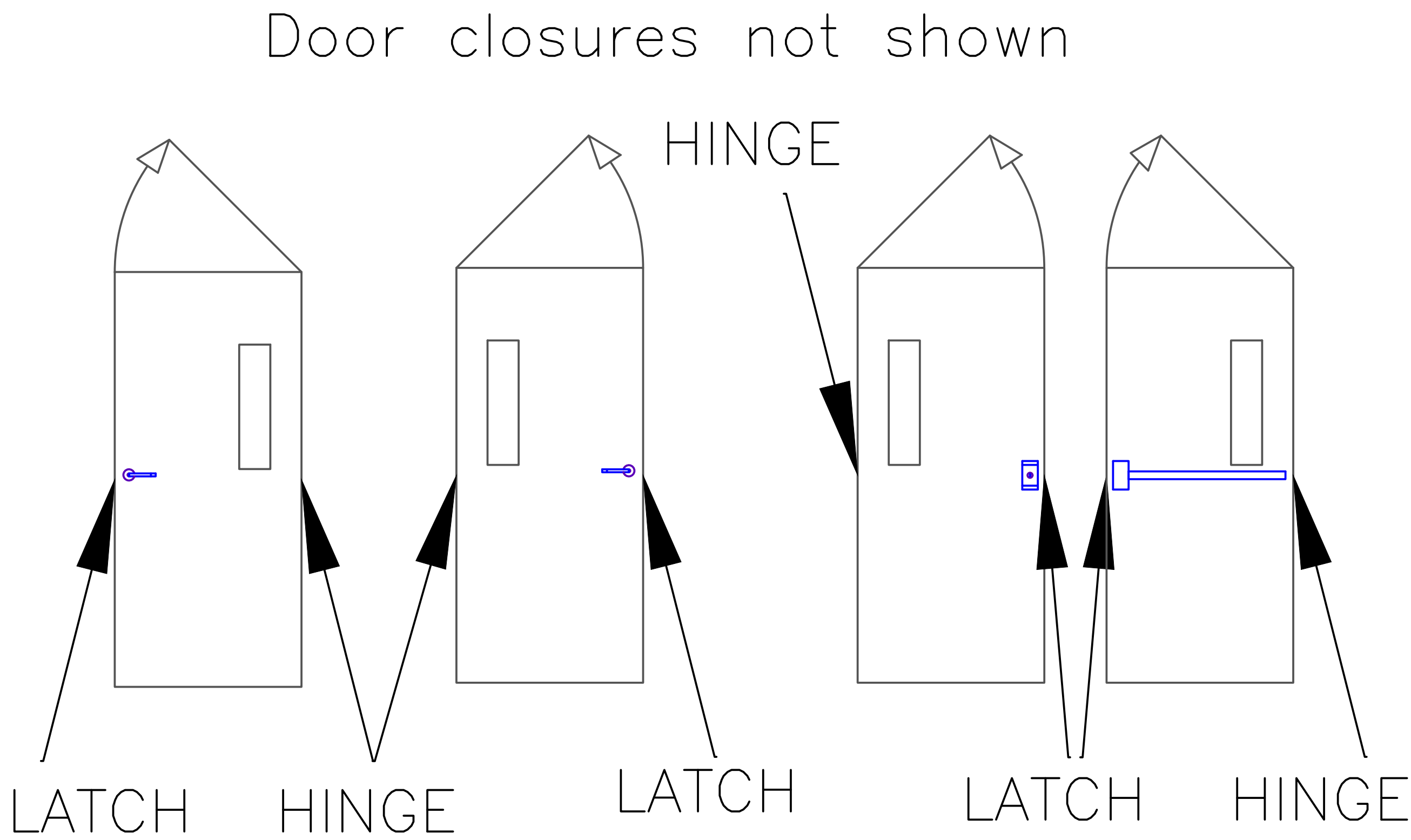
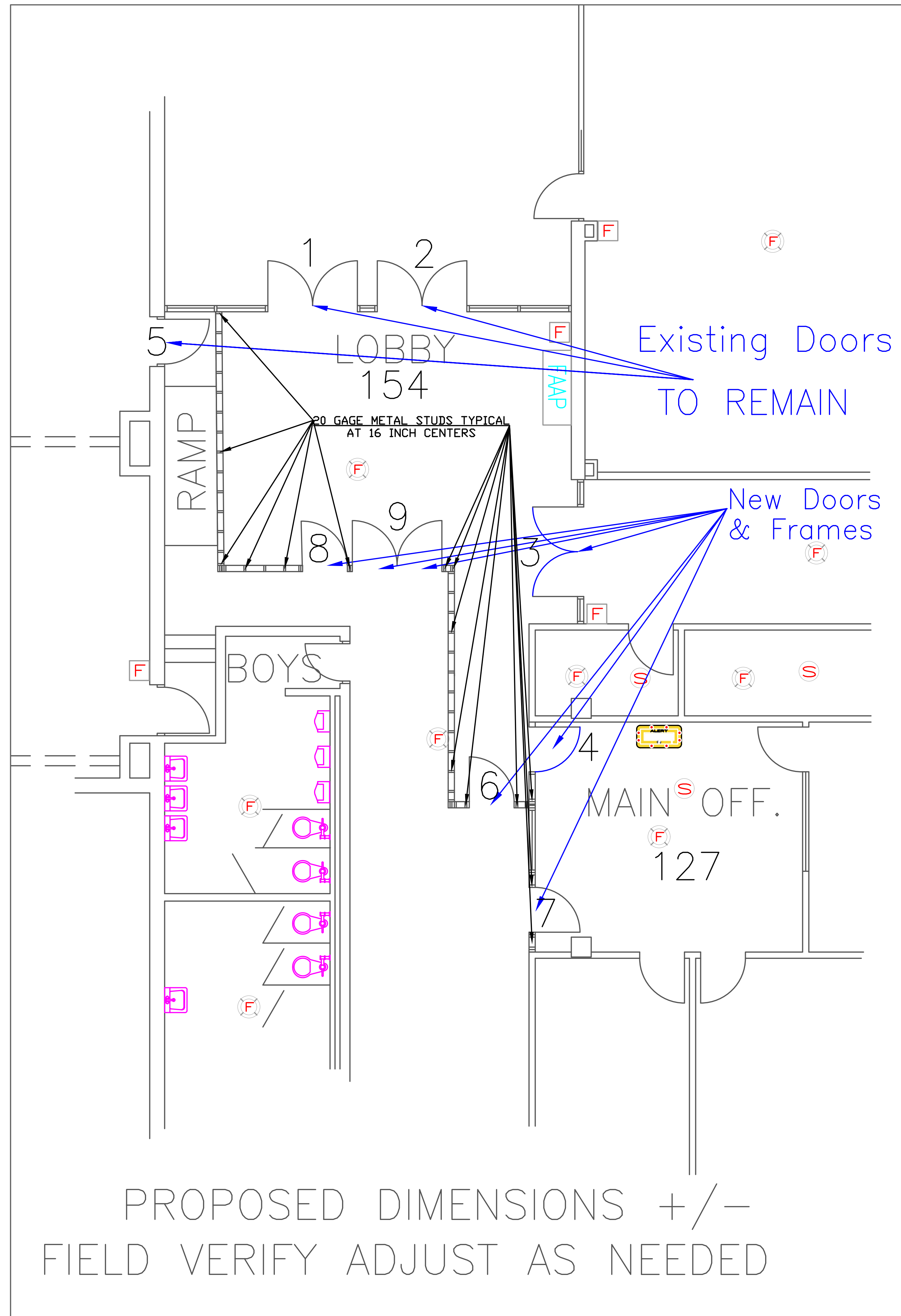
Firm Name and Address
FREDERICK COUNTY PUBLIC SCHOOLS
OPERATIONS DIVISION
Capital Programs
FREDERICK, MARYLAND 21701-5918
PHONE 301-644-5176

Project Name and Address
Green Valley Elementary (Building)

11501 Fingerboard Road

Monrovia, MARYLAND 21770

Project Security Vestibule	Sheet
Date 3/12/2020	3 of 3
Scale 1/4" = 1'	



DOOR SCHEDULE GREEN VALLEY ELEMENTARY		
DOOR NUMBER	CONDITION	REQUIRED
1	EXISTING TO REMAIN	
2	EXISTING TO REMAIN	
3	NEW FRAME & DOUBLE DOORS 3'0" X 6'8"	ADD ACCESS SYSTEM READER, VON DUPRIN KEYED REMOVABLE MULLION KR4954X154 STABILIZERS.
4	NEW FRAME & SINGLE DOOR 3'0" X 6'8"	ADD ACCESS SYSTEM READER
5	EXISTING TO REMAIN	
6	NEW FRAME & SINGLE DOOR 3'0" X 6'8"	
7	NEW FRAME & SINGLE DOOR 3'0" X 6'8"	
8	NEW FRAME & SINGLE DOOR 3'0" X 6'8"	
9	NEW FRAME & DOUBLE DOORS 3'0" X 6'8"	VON DUPRIN KEYED REMOVABLE MULLION KR4954X154 STABILIZERS.
HARDWARE FOR DOORS		
DOOR NUMBER	HARDWARE	
3 & 9	RIGHT DOOR Requires - Von Duprin Electric Panic Hardware QELA-99-EO-US26D-3'-299-PBT-US32D. Von Duprin Pull VR910NL-630 with Rim Cylinder 80-129-626. Continuous Hinge 12XY-626, Von Duprin Electric Power Transfer Hinge EPT-10-628. LEFT DOOR Requires: Panic Hardware LD-99-EO-US26D. Continuous Hinge 12XY-626. Von Duprin Keyed Removable Mullion KR4954X154 with Mortise Cylinder 12E72S2-RP-626 Stabilizers. Two Closures LCN 4040XP-689, Credential Reader 910NNNEK2037P and Remote Release/Intercom Station.	
4	Stanley Best Office Lockset 9K37-15-D, Von Duprin Electric Strike 6400-630, Continuous Hinge 12XY-626, Closer LCN 4040XP-689, IVE Wall Stop WS4060CCV, Credential Reader 910NNNEK2037P, PROVIDE Remote Release/Intercom Station	
6 & 8	Von Duprin Panic Hardware LD-99-EO-US26D. CONTINUOUS HINGE 12XY-626. Von Duprin Pull Handel VR910NL with 80-129-626 rim cylinder, Closer LCN 4040XP-689, Door 6 with IVE Wall stop WS4060CCV.	
7	Stanley Best Office Lockset 9K37-15-AB, Continuous Hinge 12XY-626, Closer LCN 4040XP-689, IVE Wall Stop WS4060CCV	

PROPOSED WORK REQUIRED

General Notes

1	Door & Hardware Changes	3/2020
No.	Revision/Issue	Date

Firm Name and Address

FREDERICK COUNTY PUBLIC SCHOOLS
OPERATIONS DIVISION
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FREDERICK, MARYLAND 21701-5918
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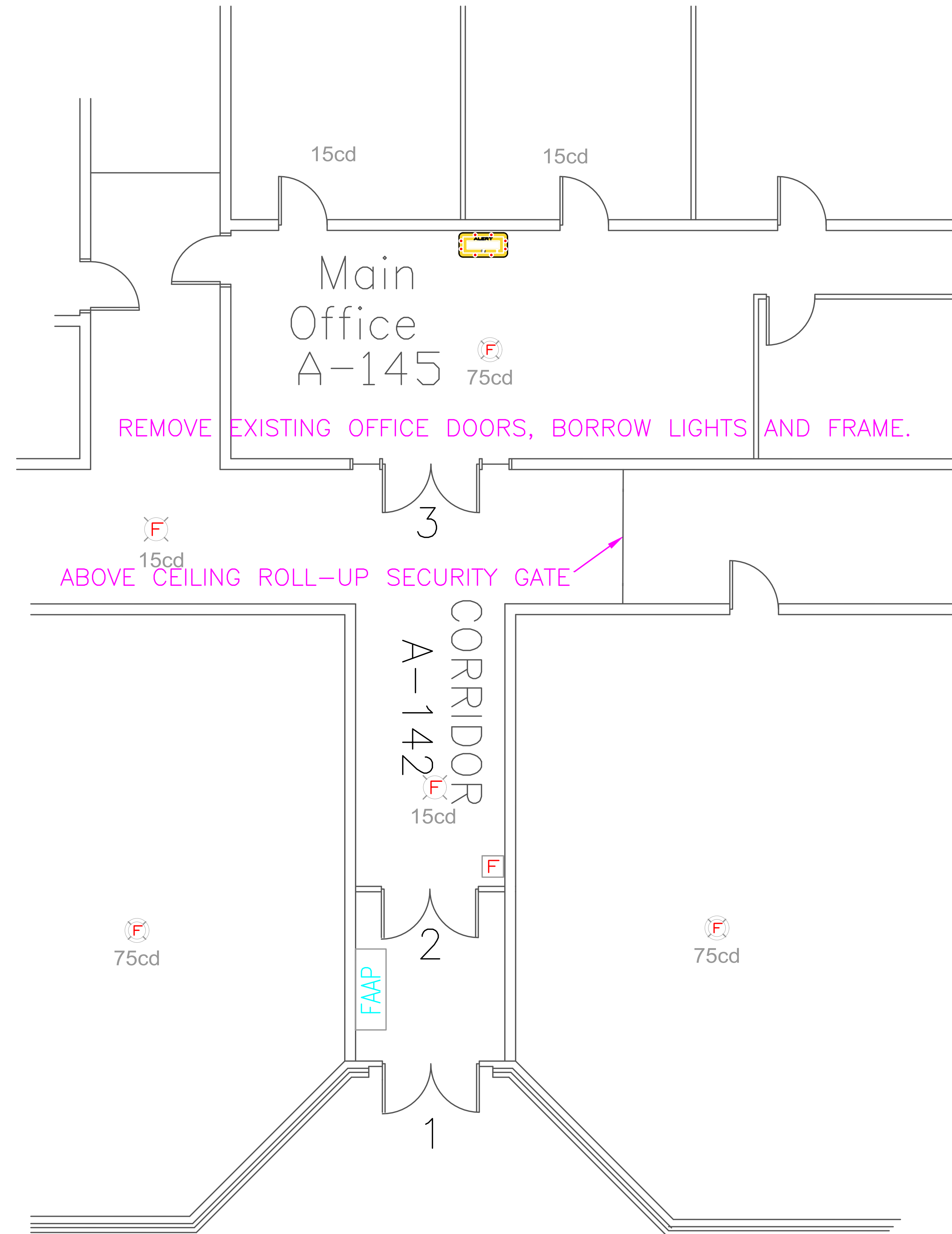
Project Name and Address

Green Valley Elementary (Building)

11501 Fingerboard Road

Monrovia, MARYLAND 21770

Project	Sheet
Security Vestibule	4 of 4
Date	3/12/2020
Scale	1/4" = 1'



EXISTING CONDITIONS

General Notes



1	Door & Hardware Changes	3/2020
No.	Revision/Issue	Date

Firm Name and Address
FREDERICK COUNTY PUBLIC SCHOOLS
OPERATIONS DIVISION
Capital Programs
FREDERICK, MARYLAND 21701-5918
PHONE 301-644-5176

Project Name and Address
Kemptown Elementary (Building)

3456 Kemptown Church Road

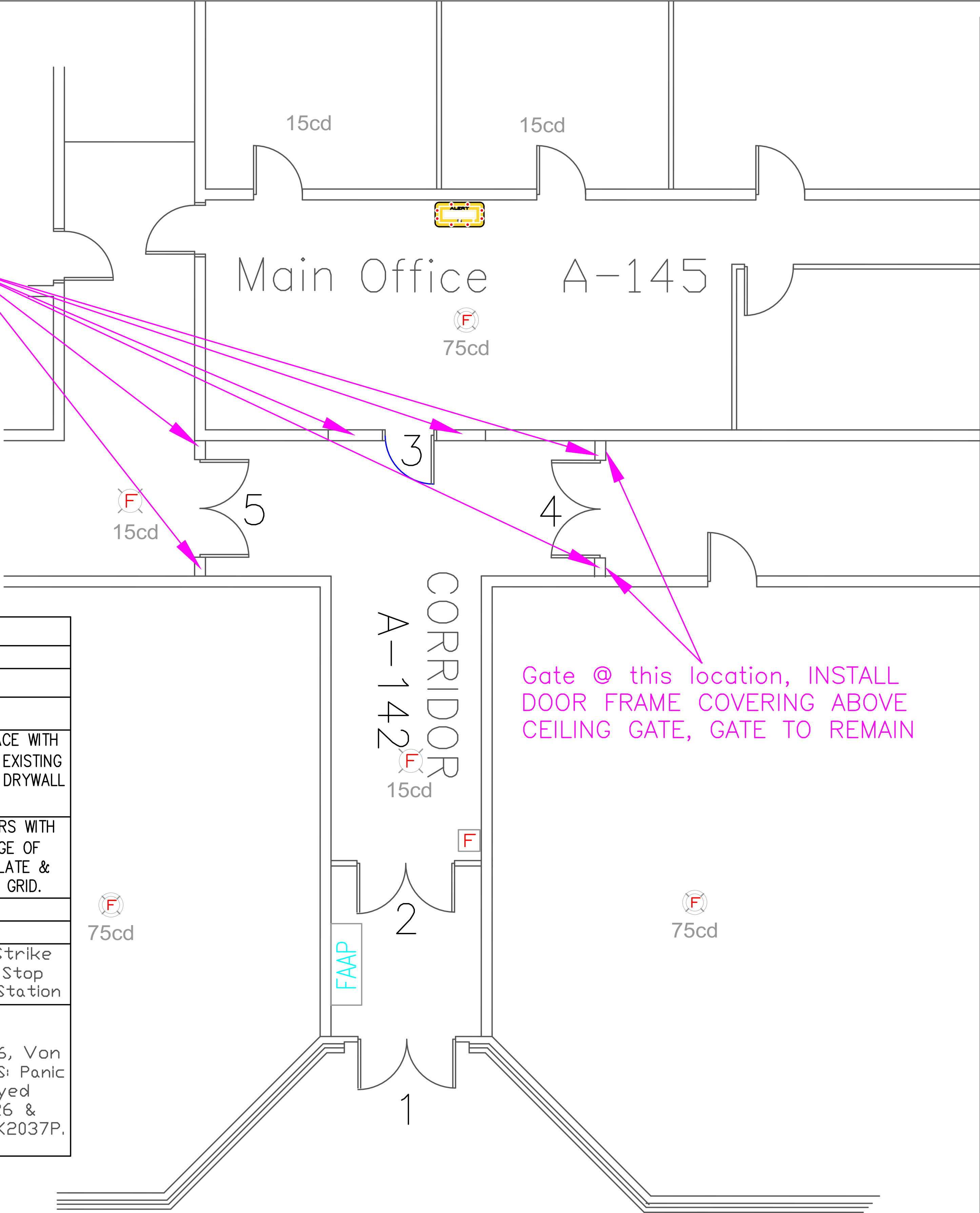
Monrovia, MARYLAND 21770

Project Sec Vestibule Details	Sheet
Date 02/27/2020	2 of 3
Scale 1/4" = 1'	

6" METAL STUDS,
INSULATED WITH DRYWALL,
PAINT & COVE BASE


Gate @ this location, INSTALL
DOOR FRAME COVERING ABOVE
CEILING GATE, GATE TO REMAIN

DOOR SCHEDULE KEMPTOWN ELEMENTARY		
DOOR NUMBER	CONDITION	REQUIRED
1	EXISTING TO REMAIN	NO CHANGE
2	EXISTING TO REMAIN	NO CHANGE
3	REMOVE DOUBLE DOORS & BORROW LIGHTS. REPLACE WITH 3'0" X 6'8" SOLID WOODEN DOOR WITH 4 X 24 BORROW LIGHT 6 INCHES OFF HINGE EDGE OF DOOR	REMOVE FRAME, BORROWED LIGHTS & DOOR. REPLACE WITH SINGLE 3'0"x6'8" DOOR WITH BORROW LIGHT, INFILL EXISTING ROUGH OPENING WITH METAL STUDS, INSULATE AND DRYWALL
4	NEW SOLID WOODEN DOUBLE 3'0" X 6'8" INSTALL BELOW OVER HEAD GATE	INSTALL NEW HOLLOW METAL FRAME, WOODEN DOORS WITH 4"x 24" BORROW LIGHT 6 INCHES OFF HINGE EDGE OF DOORS, INFILL CORRIDOR WITH METAL STUDS INSULATE & DRYWALL. ATTACH METAL STUD WALL TO CEILING GRID.
5	NEW SOLID WOODEN DOUBLE 3'0" X 6'8"	
HARDWARE FOR DOORS		
DOOR NUMBER	HARDWARE	
3	Stanley Best Storeroom Lockset 9K37-15-D, Von Duprin Electric Strike 6400-630, Continuous Hinge 12XY-626, Closer LCN 4040XP-689, IVE Wall Stop WS4060CCV, Credential Reader 910NNNNEK2037P, Remote Release/Intercom Station	
4	Right Door REQUIRES - Von Duprin Electric Panic Hardware QELA-99-ED-US26D-3'-299-PBT-US32D, Von Duprin Pull Handle VR910NL-630 WITH RIM CYLINDER 80-129-626, Continuous Hinge 12XY-626, Von Duprin Electric Power Transfer Hinge EPT-10-628, Left Door REQUIRES: Panic Hardware LD-99-ED-US26D, Continuous Hinge 12XY-626, Von Duprin Keyed Removable Mullion KR4954X154 with Mortise Cylinder 12E72S2-RP-626 & Stabilizers. Two Closures LCN, 4040XP-689 Credential Reader 910NNNNEK2037P, and Remote Release/Intercom Station	
5		



PROPOSED WORK REQUIRED

General Notes



Frederick County Public Schools
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1	Door & Hardware Changes	3/2020
No.	Revision/Issue	Date

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Project Name and Address

Kemptown Elementary (Building)

3456 Kemptown Church Road

Monrovia, MARYLAND 21770

Project Sec Vestibule Details	Sheet
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Scale 1/4" = 1'	