

November 16, 2012

**NC Aquarium Roanoke Island
Turtle Rehabilitation**
Manteo, North Carolina
MMPA Project No. 11007.01



**MOSER
MAYER
PHOENIX**
ASSOCIATES, PA

Addendum No. 1

This Addendum, applicable to work designated herein, shall be understood to be and is an Addendum and as such shall be a part of and included in the Contract.

Item No. One – General Information

A. Pre-Bid Conference Meeting Summary (November 7, 2012)

- 1. Attendees were as follows: (please note that the sign in sheet has been misplaced. Five General Contractors were present and will be identified in a future Addendum.)

Name	Organization	Email
Alan Cox	MMPA	alan@mmpa.com
Maylon White	NCARI	maylon.white@ncaquariums.com
Jill Pafford	NC Aquariums Division	jill.pafford@ncdenr.gov
Brian Dorn	NCARI	brian.dorn@ncaquarium.com

2. Items Discussed:

- a. Today's meeting is a pre-bid meeting, pursuant to the receipt of bids for the Turtle Rehabilitation Center to be added on to the NC Aquarium at Roanoke Island.
- b. Introductions were made as follows:
 - a. Alan Cox, Moser Mayer Phoenix Associates (Project Architect)
 - b. Maylon White, Director (NC Aquarium at Roanoke Island)
 - c. Jill Pafford, Project Manager (NC Aquariums Division)
 - d. Brian Dorn (NC Aquarium at Roanoke Island)
- c. General Contractors who were in attendance introduced themselves.
- d. The architect described the bidding requirements and procedures as follows:
 - 1) Bids will be received until 3:00pm on Thursday, November 29, 2012 in the Neptune Theatre located within the Aquarium. If bids are mailed in lieu of being hand delivered, please send to the NC Aquarium at Roanoke Island, 374 Airport Rd, Manteo, NC 27954, and Attn: Jill Pafford. The contractors shall be responsible to have their bids delivered at the appointed place and time. Contractors need not be present for the bid opening.
 - 2) Plans and specifications may be obtained from Moser Mayer Phoenix Associates for bona fide bidders for a deposit of \$150.00, which is refundable, as long as the plans and specifications are returned to the architect in good condition after the receipt of Bids.

Architecture
Engineering
Interior Design
Site Services

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- 3) Questions will be accepted by the architect until 5:00pm, Tuesday, November 20, 2012 in order for the last addendum to be issued not later than Wednesday, November 21, 2012. The last Addendum is required by state law to be issued not less than seven days before the bid opening.
- 4) A bid bond or certified check in the amount of 5% of the bid is required to be provided with the bid.
- 5) A Performance and Payment Bond will be required for the project equal to 100% of the contract amount.
- 6) The State of North Carolina has a goal of 10% for Hub Certified or Minority Business Participation for this project. This will be described later in detail.
- 7) Chapter 87, Article 1 of the General Statutes of NC, regarding the award of contracts will govern the process for award.
- 8) Contractors are to hold general contractor licenses for the State of North Carolina.
- 9) The Instructions to Bidders and General Conditions of the Contract are written by the State Construction Office, NC Department of Administration and are different in many ways from the standard AIA General Conditions and Instructions to Bidders. The contractors are encouraged to read the contents to become familiar with the requirements.
- 10) All questions that require answers, modifications, or other revisions in this scope of work will be issued by written addenda not later than seven days prior to the bid opening. This includes items being requested as substitutions or products whose characteristics need to be added to the work and approved beforehand. Substitutions after the bid are described in the specifications but are not allowed, except for specific conditions.
- 11) It is anticipated that immediately after the bid openings that an apparent low bidder will be identified and assuming that there are no anomalies the Owner intends to proceed with the award and construction of the project. Please note that the time of construction is 180 calendar days and liquidated damages in the amount of \$500.00 per day are associated with the work being completed late through no fault of the Owner.
- 12) It was highlighted that the term Substantial Completion does not apply to this project, but rather Final Inspection and Acceptance. This is described in Article 25; the 180 calendar day duration is from the beginning of construction until final acceptance. Please disregard any notes or any references to the term Substantial Completion.
- 13) The guidelines to recruitment and selection of minority businesses for participation in state construction contracts were described by the architect. There are four Affidavits A through D, one or more of which are to be included with the Bid, depending on the participation achieved during the bidding process. The scenarios for meeting the 10% goal, or not meeting the goal, and showing good faith efforts, is described under the Minority Business Subcontract Goals on page 6 of the guidelines. The contractors are encouraged to become familiar with this document and to ensure they comply with the requirements. If there are any questions, please contact the architect. For convenience, Addendum No. 1 includes the Affidavit for the contractor to print

rather than taking the documents bound in the back of the manual out for inclusion with their bid.

- 14) The bid form is included with Addendum No. 1 for the contractors to copy and use rather than taking the document from the project manual.
- e. Concurrent with the Turtle Center Addition will be a pier construction project, located on the sound immediately behind the Turtle Center. This project is currently out to bid and is intended to be awarded to the successful general contractor early in December. The time of construction is approximately 168 days; therefore the pier project will be completed before the Turtle Center. The contractors for both projects will share lay-down areas along the main sidewalk between the sound and the building. Please refer to an annotated site plan showing the anticipated lay-down areas for each of the two contractors. Several modifications are required to the Turtle Center drawings to properly accommodate and coordinate the two projects. Those items will be identified in a separate item within Addendum No. 1.
 - f. Successful general contractors will need to be set up as vendors for the E Procurement System, as the State of NC has changed from writing checks to pay vendors to a direct deposit. This is a formality and easy to accomplish, but the contractors need to be aware of this.
 - g. The facility will be open for the contractors work seven days a week, from 7:00am-6:00pm
 - h. The contractors are welcome visit the site again prior to the bid, but need to call ahead and ask for security to be notified as of the time of their visit. Security personnel will need to accompany visitors if the visitation requires being inside the building, otherwise after checking in with security the contractors may access the site without this accompaniment.
 - i. The group observed the area where the addition and renovation is to take place as follows:
 - 1) The existing Turtle Rehab Gallery requires a doorway to be cut into the back wall of the facility and the rearranging of some of the exhibits, some of which is described on the drawings as being by the Owner. This work will need to be coordinated closely with the Owner and the scheduling for access in this gallery will be determined with the Owner. It is possible that the Owner may elect to have a doorway cut to the new Turtle Center either at the beginning or the end of the project. The contractor will be requested to schedule this particular task with the Owner. The exterior site was observed including locations of sidewalks.
 - 2) The extent of the construction fence and lay down areas, and access to the construction area for the Pier Project and Turtle Center Project were identified. Some modifications and clarifications will be made, including the type of fencing, barriers for safety, scope of storm sewer work, fence removal and connection to the new building, and other similar revisions. Please refer to another item within Addendum One for additional information.

Item No. Two – Architectural Items

A. Nail Board Insulation on Roof

1. Refer to spec section 073113 Asphalt Shingles
 - a. Disregard requirements for the nail base insulation to be ventilated. Insulation and nailable surface shall be continuous over metal deck.

B. Roof Warranty – TPO System

1. Refer to spec section 075423 Thermo Plastic Polyolefin Roofing
 - a. Warranty shall be 15 years in lieu of 20 years as listed in the specifications.

C. Overhead Door Glass Thickness

1. Refer to spec section 083323 Overhead Coiling Doors
 - a. The glass thickness shall be a minimum of ½” thick, or as required by the manufacturer to meet the performance requirements

Item No. Two – Mechanical

A. Approved Manufacturers

1. Refer to Specification Section 238126, Paragraph 2.1
 - a. Addison is approved as a compatible product manufacturer.

Item No. Three – Site Work

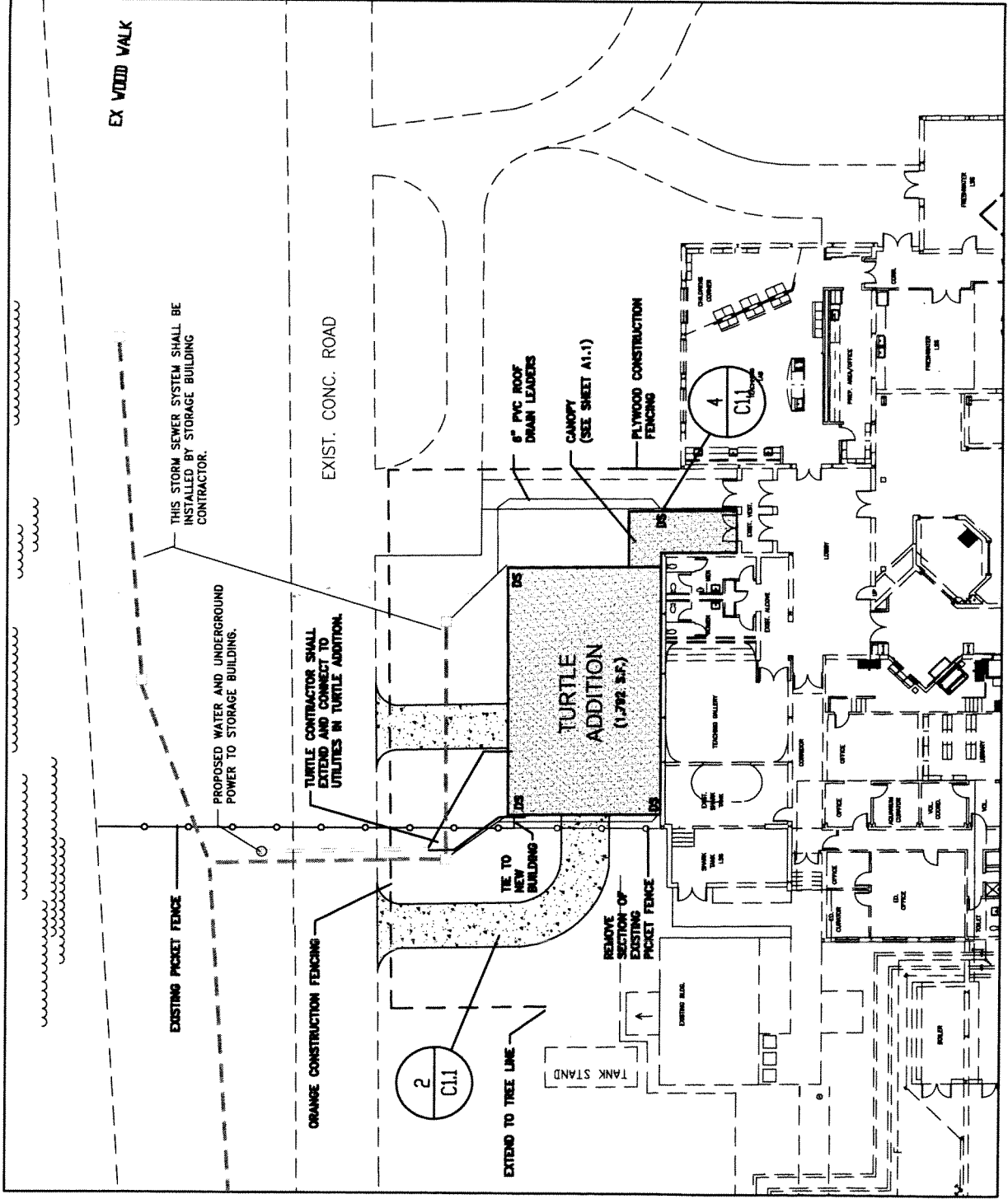
A. Site Work

1. Refer to Drawing Supplemental Drawing SD C-1 (attached)
 - a. Two inlets and associated storm piping shown on drawing shall now be installed by others and are not to be included in this project. GC shall connect new storm drainage from the Turtle Center to the drop inlets provided by others.
 - b. Plywood and orange plastic safety fencing shall be installed as indicated on the Supplemental Drawing. Plywood portion shall be 8’ tall. Orange fencing shall be approximately 48” in height. Mesh opening shall be nominally 55%.
 - c. Contractor shall provide signage to keep public out of construction area and to direct them to the exit way from the existing vestibule.
 - d. A portion of existing picket fencing shall be removed by the contractor. Use salvage fencing section to tie back into the new building as indicated.
 - e. Temporary power source is being evaluated with Dominion Power and may be modified in a future Addendum.

Attachments: Form of Proposal, MB Participation Forms (Affidavits A-D), SD C-1

End of Addendum No. 1

SUPPLEMENTAL DRAWING



TURTLE REHAB CENTER

374 AIRPORT ROAD
MANTEO, N CAROLINA



**MOSER
MAYER
PHOENIX**
ASSOCIATES, PA

COMPLETE
FACILITIES
SOLUTIONS

328 E. Market Street
Suite 200
Greensboro, N. C. 27401
Telephone 336-373-9800
Fax 336-373-9877

SCALE N.T.S.
DATE 11-15-2012
SD C.1

FORM OF PROPOSAL

Turtle Rehabilitation Center Contract: _____
NC Aquarium at Roanoke Island Bidder: _____
SCO ID# 10-08584-01A
Code: 41016 Item: 4L4A Date: _____

The undersigned, as bidder, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this proposal or in the contract to be entered into; that this proposal or in the contract to be entered, that this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith without collusion or fraud. The bidder further declares that he has examined the site of the work and the contract documents relative thereto, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees if this proposal is accepted, to contract with the North Carolina Aquariums, in the form of contract specified below, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the Turtle Rehabilitation Center Addition to the NC Aquarium on Roanoke Island, in full and complete accordance with the plans, specifications and contract documents, to the full and entire satisfaction of the State of North Carolina and the NC Aquariums Division and Moser Mayer Phoenix Associates, with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and the contract documents, for the sum of:

SINGLE PRIME CONTRACT: _____

Base Bid: _____

Dollars (\$) _____

Plumbing Subcontractor: _____ Lic _____

Mechanical Subcontractor: _____ Lic _____

Electrical Subcontractor: _____ Lic _____

Fire Protection Subcontractor: _____ Lic _____

MINORITY BUSINESS PARTICIPATION REQUIREMENTS:

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

NOTE: A contractor that performs all of the work with its own workforce may submit an Affidavit (**B**) to that effect in lieu of the participation form and Affidavit (**A**) required above.

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

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

OR

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

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

Proposal Signature Page

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

Respectfully submitted this ____ day of _____ 2012.

(Name of firm or corporation making bid)

WITNESS:

By: _____
Signature

(Proprietorship or Partnership)

Name: _____
Print or type

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

Address: _____

ATTEST:

By: _____

License No. _____

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

Federal I.D. No. _____

(CORPORATE SEAL)

Addendum received and used in computing bid:

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

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

Identification of HUB Certified/ Minority Business Participation

I, _____
(Name of Bidder)

do hereby certify that on this project, we will use the following HUB Certified/ minority business as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #

Work Type

*Minority
Category

**HUB
Certified
(Y/N)

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

** HUB Certification with the state HUB Office required to be counted toward state participation goals.

The total value of minority business contracting will be (\$) _____.

State of North Carolina AFFIDAVIT A – Listing of Good Faith Efforts

County of _____

(Name of Bidder)

Affidavit of _____

I have made a good faith effort to comply under the following areas checked:

Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- 1 – (10 pts)** Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2 --(10 pts)** Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3 – (15 pts)** Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4 – (10 pts)** Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 – (10 pts)** Attended prebid meetings scheduled by the public owner.
- 6 – (20 pts)** Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7 – (15 pts)** Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 – (25 pts)** Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 – (20 pts)** Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 - (20 pts)** Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

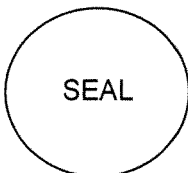
The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

State of North Carolina --AFFIDAVIT B-- Intent to Perform Contract with Own Workforce.

County of _____

Affidavit of _____
(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____ contract.
(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

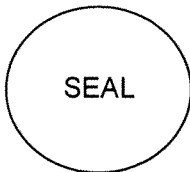
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement. The Bidder agrees to make a Good Faith Effort to utilize minority suppliers where possible.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20__

Notary Public _____

My commission expires _____

Do not submit with bid Do not submit with bid Do not submit with bid Do not submit with bid

State of North Carolina - AFFIDAVIT C - Portion of the Work to be Performed by HUB Certified/Minority Businesses

County of _____

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the portion of the work to be executed by HUB certified/minority businesses as defined in GS143-128.2(g) and 128.4(a),(b),(e) is equal to or greater than 10% of the bidders total contract price, then the bidder must complete this affidavit.

This affidavit shall be provided by the apparent lowest responsible, responsive bidder within **72 hours** after notification of being low bidder.

Affidavit of _____ I do hereby certify that on the _____
(Name of Bidder)

Project ID# _____ Amount of Bid \$ _____
(Project Name)

I will expend a minimum of _____% of the total dollar amount of the contract with minority business enterprises. Minority businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. Attach additional sheets if required

Name and Phone Number	*Minority Category	**HUB Certified Y/N	Work Description	Dollar Value

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

** HUB Certification with the state HUB Office required to be counted toward state participation goals.

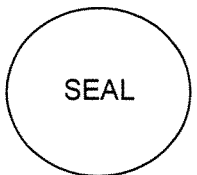
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____
Notary Public _____
My commission expires _____

State of North Carolina AFFIDAVIT D – Good Faith Efforts

County of _____

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 10% participation by HUB Certified/ minority business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of _____ I do hereby certify that on the
(Name of Bidder)

_____ (Project Name)
Project ID# _____ Amount of Bid \$ _____

I will expend a minimum of _____% of the total dollar amount of the contract with HUB certified/ minority business enterprises. Minority businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. (Attach additional sheets if required)

Name and Phone Number	*Minority Category	**HUB Certified Y/N	Work Description	Dollar Value

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

** HUB Certification with the state HUB Office required to be counted toward state participation goals.

Examples of documentation that may be required to demonstrate the Bidder's good faith efforts to meet the goals set forth in these provisions include, but are not necessarily limited to, the following:

- A. Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.
- I. Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

Do not submit with the bid Do not submit with the bid Do not submit with the bid Do not submit with the bid Do not submit with the bid

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____