**December 30, 2020**

 **RFP PRDE(ER)-2020-01**

 **ADDENDA #1**

PRDE hereby issues Addenda #1 to RFP No. PRDE(ER)-2020-01 answering questions submitted to recovery@de.pr.gov. Additional answers may be publish at a later time. PRDE encourages all potential proposers to frequently visit [www.de.pr.gov](http://www.de.pr.gov) for updated RFP information.

1. **Inquiry No. 1.**
2. On Section VII, page 38, indicates that we need to provide an hourly rate schedule by category (project executive, project manager, etc.). Include overhead and profits, and identify all the federal and state taxes, fees and surcharges that apply to the proposed services. But the information provided in the Form 02 is not clearly. We need to include additional chart with all the items mentioned before? The chart on Form 02, is for monthly cost?

Please provide a more detailed explanation about the Form 02: Price Proposal and all the parts that I need to be considered and included on this RFP.

Answer: Under Section VII, paragraph 3, Tab 4 it is expressly stated that Proposers may, but are not required to use, the sample form in Appendix IV (Form 2). It is, however, recommended that Proposers include the hourly rate per category of personnel, average monthly rate and average yearly rate. It is strongly recommended that each hourly rate include all related costs (ie. Workmen’s comp, per diem, transportation, insurance, taxes, etc.).

1. On Section III, page 16, you show a conceptual organizational chart for the staff. All the staff mentioned on this organizational chart is requested for this RFP? We can add additional staff that we considered important?

Answer: The chart is illustrative of the offices PRDE believes is minimally required from Proposers. However, Proposers may provide alternate scenarios, including additional personnel.

1. Please indicate how many persons we need to be considered and how do you want us to break down the costs?

Answer: It is up to each Proposer to determine the personnel it deems necessary for the performance of work requested in the RFP.

1. The software that you are requesting is for the education department to keep or does the chosen person need to have some project management system?

Answer: The chosen Proposer must have a proven commercial project management electronic platform as specified in the RFP. PRDE must be given access to the project information kept by the proposer. Upon termination of the agreement, all data saved in the platform shall remain the property of PRDE.

**II: Inquiry No. 2**

1. On page 1 of 97; The RFP timeline does not reflect a Pre-Bid Meeting. Does PRDE intends to have a Pre-bid meeting?

Answer: At this time PRDE has no plans to have a Pre-bid meeting.

1. On page 37 of 97; PRDE is requesting proponents to provide: a. Bid Bond – Proposer must provide a bid bond in an account equal of 5% of the contract total. We suggest to use the establish fix amount of $250,000 as previously agreed on PRDE(ER)-2019-02, Addenda # 5. b. Performance Bond and Payment Bond equal to 100% of the contract total. Neither Performance Bond or Payment Bond are typically required for the type of Program Management Services requested on this RFP; usually these bonds are required from Construction Contractors. We suggest providing a Professional Liability Insurance instead with PRDE approval. Will PRDE allow submitting a Professional Liability Insurance in substitution ofthe Performance Bond and Payment Bond?

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. On page 26 of 97; The RFP mentions that “All existing consultants, contractors, and subcontractors of the Public-Private Partnership Authority (P3) and the COR3 are precluded from responding to the RFPs.” This wording seems restrictive; limiting participation for companies which currently provide services to other Agencies not related to this RFP and where no conflicts of interests are identified, expected or foreseen. Could PRDE re-evaluate this paragraph? We suggest the following wording: “All existing consultants, contractors, and CCC Joint Venture 1st RFI for RFP No. PRDE (ER)-2020-01 PMO Services December 11, 2020 subcontractors of the Public-Private Partnership Authority (P3) and the COR3 that participated from the preparation or are decision makers of this RFP are precluded from responding”.

Answer: Proposers and their contractors and subcontractors must abide by the federal and local regulations, including 2 CFR 200 provisions and the Puerto Rico Anticorruption Code of 2018.

As per the RFP, proposers must disclose in their proposals all past or present relations with Puerto Rico governmental entities, including COR3, and P3. Proposers should disclose the nature of those relations and if they, their contractors or subcontractors are presently presenting proposals under a procurement process to any other Puerto Rico governmental entity. PRDE will evaluate if there are any actual or potential conflicts of interests.

In addition proposers must disclose if they have a direct or indirect material interest in any of its subcontractors. Material interest is equivalent to 20% or more in ownership.

All proposers, contractors and subcontractors, including those of COR3 and P3 will be evaluated taking into consideration, among others, the following aspects:

* Did the proposer, its contractors or subcontractors have, directly or indirectly, due to their contractual relations with the Governmental entity, access to any information that would provide either of them a competitive advantage over other proposers, especially information related to reconstruction projects related to the disasters.
* Has the proposer rendered or currently renders the same or similar service to COR3 or P3 or any other government entity that could create a conflict of interest with the work to be performed under the RFP.
1. On page 62 of 97; PRDE Reference Questionnaire. RFP mentions that Proposers will be evaluated on three (3) completed reference questionnaires. Can this experience requirement include experiences within the past ten (10) years, to reflect the companies and the proposed staff successful school projects background? Not too many recent schools’ programs were developed locally on the last three years, limiting local firms with strong previous experience in education related projects.

Answer: Yes, after consideration of local conditions in the past three years, the PRDE will allow Proposers to include references for Puerto Rico school projects during the past ten years.

The last sentence of the third paragraph under Tab 8 on page 37 shall read as follows: “References outside the outside ten (10) years will also receive a score of zero (0) points.

1. On page 2 of 97: RFP states that, “…the PMO will work in collaboration with PRDE’s Architects/Engineers… in… building design per construction standards, including all design criteria selected for the new PRDE Safe Educational Facility requirements developed.” a. Please indicate who is the PRDE’s Architect/Engineer of Record. b. What, specifically, will the role of PRDE A/E be? c. Who will develop the new “design criteria”? d. Please indicate who are the Grant Resources and Consultants.
2. Early in 2021, PRDE will procure the services of Architects and Engineers of record.
3. The A&E firms will be assigned to assess school damages, design the construction, school repairs/replacements/improvements, etc. pursuant to applicable codes and standards. Determine the Scope of Work and Cost Estimates for each school, including the hazard mitigation, among other tasks.

1. PRDE with the collaboration of the PMO and the A&E teams.
2. PRDE will acquire said services pursuant to another procurement process.
3. On pages 2 & 9 of 97: RFP references work to be done regarding Earthquakes 4473 and COVID 4493 emergency declarations. Will any work regarding these two emergency declarations be postponed until a SOW agreement with FEMA is reached?

Answer: As of this date no SOWs for permanent work for the Earthquake or the COVID emergencies have been yet presented to FEMA for approval. Permanent work plans related to those two emergencies will be prepared once FEMA has obligated funds for them. However, the chosen Proposer may be required to participate in assessments and other activities related to the earthquakes and/or COVID19.

1. As part of the Design Guidelines, is the selected entity responsible for performing any schematic design work?

Answer: The selected Proposer will be responsible for the supervision of the development of any design work and will collaborate with PRDE and the A&E team in designing the schematic works on these design guidelines.

1. Will the required construction inspection work fall under the responsibility of the Program Manager?

Answer: Yes

1. On page 9 & 14 of 97: RFP reads: “…scope also includes the assistance in closeout of all contracts and grants.” Please confirm “scope” of assistance, and whether PMO is responsible for grant closeouts.

Answer: Yes, the PMO will be responsible for grant closeouts.

1. Page 11 of 97: In considering the “…Environmental and Historic preservation impact of each project…”, is the PMO responsible for undertaking any of the pre-design efforts typical of a reconstruction project (like an Environmental Site Assessment, or a consultation with SHPO)?

Answer: Yes, the PMO will be responsible for undertaking the pre-design efforts related to the construction projects.

1. Page 13 of 97: In coordinating and managing the “…relocation or occupancy efforts once construction is final…”, is the PMO responsible for the procuring and/or subcontracting of the moving companies?

Answer: Not at this time.

1. With respect to taxes, a. Will PMO subcontractors be exempt from the B2B tax? b. Will the PMO fees be subject to the Government of Puerto Rico’s 1-1/2% Special Tax (“Aportación Especial”) on professional services?

Answer: The PMO is responsible for compliance with all tax requirements imposed by the Puerto Rico Treasury Department. PRDE is not aware of any exemptions to the B2B tax and the 1 ½% Special tax on professional services.

**III: Inquiry No. 3**

1. Due to the short time frame provided for questions, we would like to know if an extension is possible.

Answer: An extension of time for proposals submittal has already been granted.

1. Due to the COVID19 pandemic, available space at the Puerto Rico Department of Education may be a constrain so we would like to know if proponents should provide office space for the resources involved in the project.

Answer: Proposers are expected to procure their own offices outside of the PRDE facilities, preferably close to PRDE’s Central Offices. PRDE will not be providing office space to the selected Proposer(s).

1. Is there is a specific education/experience requirement for each of the positions included in the conceptual organizational chart included in the RFP.

Answer: There are no specific education/experience requirement for each of the positions included in the conceptual organizational chart. However, Proposer must provide evidence of proficiency of each person occupying said positions. The persons should have proven and relevant education and/or experience for the specific work he/she shall be rendering.

1. It is our understanding that to comply with Law 173; the professional (engineer or architect) must have a valid professional engineer’s or architect license, please confirm.

Answer: Proposers are expected to use the services of licensed engineers or architects as may be required under Law 173 of 1988.

1. What are the experience requirements of these professionals (engineers, architects program managers, project managers, accountants / CPA’s)?

Answer: Again, there are o specific experience requirements for these professionals (except as may be required by Law 173 of 1988) but proposers must provide information on education and previous experience of this personnel.

1. Can we modify the Project Organization Chart to provide more details on the intended project approach and operations?

Answer: Yes.

1. Would the Puerto Rico Department of Education allow the status reporting to be bi-weekly and monthly; instead of weekly and monthly?

Answer: At this moment it is PRDE’s interest to have weekly and monthly reports. However, PRDE may agree to some other periodic schedule of reports with the chosen Proposer.

1. How can estimate the cost of the software to be used in the Project Management Platform since it has not been defined and approved by the Puerto Rico Department of Education? Would it be acceptable to provide a cost allowance for this software?

Answer: PRDE approval of the electronic platform will be in accordance with the evaluation criteria provided in the RFP. PRDE will consider and evaluate all cost alternatives presented by Proposers on this matter although hourly rates per staff (including all related costs) is encouraged.

1. If a commercial software is used for the Project Management Platform the vendor retains the ownership of the software but, will provide a license. Please confirm if that is the approach from the Puerto Rico Department of Education.

Answer: Proponents are free to suggest various alternatives related to the Project Management Platform, including commercially available platforms licensed by a provider.

**IV. Inquiry No. 4**

1. The RFP includes a requirement for audited financial statements. Is this required by a subcontractor or only the prime?

Answer: Audited financial statements are not required of subcontractors. However, in cases of joint ventures or proposals presented by various entities in conjunction, each prime or joint venture partner shall submit their audited financial statement. Please refer to *Section VII, article 3(Q)* *Tab 17: Financial Statements* of the RFP.

1. The RFP requires Bid, Performance and Payment bonds.  Bid Bonds and payment Bonds are typically furnished by General Contractors.  Please confirm that the Program Manager as an Owner’s Representative is required to furnish all three bonds.

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. Would the timing of payments to the Program Manager be subject to receiving funds from the Federal Government (FEMA and/or HUD)?

Answer: FEMA funds for these services are based on a reimbursement process. s

1. The RFP states that some Puerto Rico funds will be used for this contract in conjunction with FEMA or HUD funding. Would PRDE be open to offering milestone payments not tied to receipt of Federal Funding?

Answer: PRDE expects the chosen Proposer to invoice monthly for services rendered based on hourly rates. However, PRDE reserves the right to negotiate other terms with the chosen Proposer.

1. Would the proposed billing rate remain the same for Option years?

Answer: Ideally, the same rates should apply to the option years. However, Proposers may submit alternative rates for consideration.

1. Will PRDE consider a time extension given logistical challenges created by COVID and also due to the upcoming holidays?

Answer: An extension of time for proposals submittal has already been granted.

**V. Inquiry No. 5**

1. With the upcoming holiday season, we are concerned that many of our clients will be out on PTO for the holiday and unavailable to respond to the client reference form in time for the submittal deadline. Would PRDE consider a two-week extension to the RFP deadline to allow more time for these individuals who may be out of the office on vacation around the holidays?

Answer: An extension of time for proposals submittal has already been granted.

1. Please clarify how many members compose the PRDE “current staff” and provide an Organization Chart if available.

Answer: PRDE is in the process of establishing its internal Recovery and Reconstruction Office. The Office will have the following divisions: Office of the Director, Division of Grants Management, Division of Compliance, Division of Project Management, Division of Procurement, Division of Legal Affairs.

1. Have any projects to be managed by the selected vendor been approved by COR3 and/or FEMA? If so, please provide any details available regarding the approved projects.

Answer: No. The FEMA appropriation or obligation of funds took place in September 2020. As per FEMA regulations, PRDE must submit its initial Recovery Plan within 90 days of the obligation of the funds (December 22, 2020). Updates to the plan must be made every 90 days. Before any specific projects can be approved by COR3 and FEMA, PRDE must have presented to FEMA a final Master Recovery Plan. Thereafter, specific projects (SOWs) can be presented to FEMA for approval. The chosen PMO will actively participate in drafting the Master Recovery Plan and the development of all projects thereunder. Please refer to FEMA’s FAASt SOP.

1. **P. 7, section 6:** Are resumes, cover letter, and financial statements included in the 50 page maximum?

Answer: Proposals (including any attachments or appendixes but excluding REQUIRED appendixes) should not exceed 50 one sided pages. Required appendixes are those forms listed in the Submittal Checklist of Appendix IV (Form 1 through 10). **PLEASE REFER TO APPENDIX IV TO SEE REQUIRED APPENDIXES WHICH ARE NOT COUNTED IN THE 50 PAGE MAXIMUM.**

1. **Pg. 9:** Is available funding restricted only to damages caused by Hurricanes Irma and Maria? If so, will the contract potentially be amended to include additional work related to the more recent emergency events (earthquakes, pandemic)? If additional funding is assigned for earthquake damages, will the PMO office also manage these?

Answer: Although at present only funds for damages caused by the hurricanes have been obligated by FEMA, PRDE is working with FEMA on the damage assessment caused by the earthquakes. The PMO will be expected to manage projects for damages and expenses incurred both for the earthquakes and the COVID19 emergencies. Each disaster has its own budgetary funds. The PMO is expected to operate the disasters ensuring that every transaction related to a specific disaster is tied to their respective funding.

1. Will the PMO be responsible for managing work for those schools not currently operating (open)?

Answer: Since the hurricane 250 schools have been closed. However, from those 250 schools, some 75 schools are being retained for other administrative activities. These too are eligible for recovery work and will be part of the work to be performed.

1. Is the $2B budget for work in all 1,109 schools?

Answer: Yes, but final use will be subject to FEMA regulations and approvals.

1. Are administrative/regional offices to be included in the management/repair/construction plans?

Answer: Schools that are used as administrative offices or for other administrative purposes are included in the recovery plans. However, final plans will be determined by the PRDE with the Planner under the PMO. Please refer to 428 Guidance for Alternative Projects.

1. **Pg.9:** How many of the 1,109 schools have already undergone the inspection process?

Answer: Inspections are part of the required work to be completed as a requirement of school design for the reconstruction/repair/ replace work.

1. **Pg.9:** Will existing inspection reports be available to the selected vendor? If so, are these reports based on a visual inspection or were they more detailed in nature?

Answer: Assessment work will be required. There is some data that will be made available to the selected Proposer.

1. **Pg. 9:** “A number of Improved / Alternate Projects are also part of the scopes and costs to be develop” - Are these already defined or do they exist as a list?

Answer: The Improved/Alternate Projects will be defined by PRDE with the assistance of the Planner provided by the PMO. Please refer to 428 Guidance for Alternative Projects.

1. **P. 10, Section A:** Has the development of the Master Plan started?

Answer:Development of the Master Plan has not started yet.

1. **p. 10, Section A:** Please define “assessment” requested on all structures referenced. Is the assessment referenced a damage assessment or a structural engineering assessment, or a different type of assessment?

Answer: Assessments are expected to cover general damages, structural damages and any other features or items that may be deemed necessary as agreed by PRDE, the PMO and its Planner.

1. **Pg. 10:** For the GIS information expected to be gathered by the PM, is there a currently operational database to which this information will be added or will the PM be expected to build and maintain a GIS platform exclusive to the efforts contained within this RFP?

Answer: The chosen Proposer will be expected to provide and maintain a GIS platform.

1. **Pg. 14:** Are there other facilities not included in the FEMA project worksheet for which the PMO will be expected to manage? If so, is there a separate funding source for those?

Answer: This will be decided by the PRDE with the assistance of the Planner/PMO.

1. **P. 17, Bonds Required:** Given this is a professional services contract and not a construction contract, would alternate forms of insurance covering 100% of the contract value/total be acceptable in lieu of a payment and performance bond?

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. **p. 36, Proposal (Bid) Bond:** If a proposer is not awarded a contract, will the bid bond be cancelled?

Answer: Yes

1. **p. 42 and 55**: Can you please clarify, between the Tabs listed in *Section VII Proposal Format and Submittal Requirements* and *Appendix IV. Proposal Submittal Checklist*. Should the tabs be called *Tab 14: Bidders Registry – Eligibility Certificate* and *Tab* 15: W-9 Taxpayer Identification Number and Certification (IRS) as they are on page 42?

Answer: Yes, Tab 14 is reserved for the Bidders Registry and tab 15 is for the W-9 form. If Proposers have the Bidders Registry Eligibility Certificate they can submit it with their proposal. If a Proposer is selected by PRDE and does not have the Eligibility Certificate they have to register with the Puerto Rico GSA and obtain before contract signature.

1. **P. 46, Evaluation Criteria F:** “Platform must have at least a five-year history of successfully supporting requirements related to construction program/project management and be approved by the PRDE.” Can you please explain the approval process with PRDE? Is there a list of approved platforms?

Answer: Please refer to the evaluation criteria for the platform that can be found in the RFP. PRDE has no list of approved platforms. Platforms must perform as requested in the RFP.

**VI. Inquiry No. 6**

1. Page 1. Article I: About the Puerto Rico Department Of Education Page 1 of the RFP states, “Each original proposal must be addressed and hand-delivered by proposer or by U.S. mail or courier.” Puerto Rico’s COVID-19 protocol requires travelers to provide proof of negative molecular tests (nasal or throat swabs) for COVID-19 from 72 hours prior to landing. Can the Puerto Rico Department of Education allow the electronic submission due date to remain as 1/7/2021 and extend hand-delivered submission to 1/11/2021?

Answer: An extension of time for proposals submittal has already been granted.

1. Page 64. Appendix IV: Proposal Submittal Checklist—Proposal Submittal Form 5: Proposer References (3 Required) The Reference Questionnaire on page 64 states, “Proposers may contact the RFP Lead prior to the RFP closing date to verify receipt of references.” Please identify the RFP Lead and provide the appropriate contact information.

Answer: The PRDE Lead is Alejandro Olmedo, Director PRDE Office of Recovery and Reconstruction. You may reach him at recovery@de.pr.gov

1. Page 32. Section VI, No. 10: Specific Terms and Conditions- Key Personnel and Subcontractors. The Specific Terms and Conditions- Key Personnel and Subcontractors section on page 32 states “Proposer shall not allow any contact of its employees or subcontractors to have direct regular contact with Department student until the Proposer shall have obtained certifications of good conduct and negative certifications of good conduct and negative certifications from the sexual offender’s registry for said employees or subcontractors”. Which circumstances if any, employees, agents or subcontractors may have direct regular contact with the students under this scope of work?

Answer: Construction work may, at times, especial in schools with little to no damage, take place in schools where classes are being offered during working hours.

1. Page 19. Section V, No. 2, General Terms and Conditions – Document SignaturesWill electronic signatures through signature software such as DocuSign be acceptable? DocuSign would be helpful if references do not have access to a printer/scanner to manually sign the Reference Questionnaire.

Answer: The above referred to section applies to proposers not to reference questionnaires. Signatures in the proposals should adhere to the RFP provisions.

1. Pages 42 & 55. Appendix IV: Proposal Submittal Checklist Page 42 states Bidder Registry is Tab 14; however, Tab 14 in the Proposal Submittal Checklist table is designated for W-9 (IRS) and Tab 15 is missing from the chart. Can the Department provide clarification on the tabs and their corresponding description to ensure proper organization of the proposal?

Answer: The answer has been provided elsewhere in this document.

1. Page 21. Table of Contents. Page 21 states, “Minimum Contract Requirements: Conditions Required Under Federal and Puerto Rico Laws: By submitting a proposal under this RFP, Proposal acknowledges and represents it is or will be able to comply with the minimum requirements in Appendix VI.” Please provide clarification on the location of Appendix VI.

Answer: The correct appendix is Appendix V.

1. Page 94. APPENDIX V – Required Clauses The RFP ends at page 94; however, the footer indicates the document is 97 pages long. Additionally, Form 10 does not have a signature page.

Answer: The last page is 94. Form 10 does have a signature space for the authorized official of the proposer as well as a space for the name and title of the proposer’s authorized official and a space for the date of signature.

1. On page 26 in the section 27. CONFLICT OF INTEREST, the RFP states, “All existing consultants, contractors, and subcontractors of the Public-Private Partnerships Authority (“P3”) and the COR3 are precluded from responding to the RFPs. P3 Authority and COR3 consider that it is important to avoid any perceived and/or real unfair advantages or conflicts.” Do this preclude an entity from being a ‘subcontractor’ of the proposer for this work?

Answer: This question is addressed elsewhere in this document.

VII. **Inquiry No. 7**

1. Is there residual work outside of the Section 428 grant that the selected vendor will be responsible for?

Answer: That will be determined by PRDE with the assistance of the Planner provided by the PMO. Please refer to 428 Guidance for Alternative Projects.

1. Does the prime contractor have to be a Puerto Rico licensed engineering firm?

Answer: No. Engineers performing work under the RFP who require a license must comply with Puerto Rico Law 73 of 1988.

1. Does the design oversight elements have to be performed by a Puerto Rico Licensed engineering firm?

Answer: Design oversight elements have to be performed by a licensed engineer in compliance with the Puerto Rico Law 73 of 1988.

**VIII. Inquiry No. 8**

1. V General Terms and Conditions, Item 5: Bonds are usually required for construction services. Would the PRDE consider eliminating such requirements (bid bond, performance bond and payment bond) for professional services to be rendered as described in the RFP?

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. Is it expected that the PMO be responsible to provide grant management services to the PRDE, including preparation of Requests for Reimbursements (RFR) and Requests for Advance (RFA)?

Answer: No. PRDE will engage the services of a Grants Manager. However, the PMO is expected to interact extensively with the Grants Manager and to supervise their activities.

1. Page 10, section A. Program Management Services: please clarify the acronym MRFP

Answer: The acronym MRFP is the Master Recovery Future Plan (Master Plan or Master Recovery Plan).

1. Page 4, section 1. Objectives indicates: *“The objective of this RFP is to select one(1) Proposer to provide program management services.*” However, other sections of the RFP indicates that one (1) or more proposers are to be selected. Please clarify.

Answer: If deemed in the best interest of PRDE, there may be multiple awards. Please see Section II, article 4 (12) of the RFP.

1. After a careful evaluation of the RFP we have concluded that the dateline for submitting the proposal on January 7, 2021 makes it extremely difficult to submit a responsive proposal.  To produce and compile the information requested in the RFP such as bonds, detailed pricing and audited financial statements require more time then allowed in the RFP.  In addition, the holidays imposes additional constraints to produce an adequate response.  We suggest the due date be extended at least 30 days.

Answer: An extension of time for proposals submittal has already been granted.

**IX. Inquiry No. 9**

1. Section V General Term and Conditions, Item 5 BONDS REQUIRED - BID, PERFORMANCE AND PAYMENT BOND; Page 17; States the requirement for a Payment and Performance Bond for 100% of contract total.

40 USC 3131 states, "Before any contract of more than $100,000 is awarded for the construction, alteration, or repair of any public building or public work of the Federal Government, a person must furnish to the Government [payment and performance] bonds, which become binding when the contract is awarded" Since the United States Code doesn't require the furnish of Payment and Performance Bonds and the consulting business also doesn't require these such bonds.

Since the 40 USC 3131 requires Payment and Performance Bonds  for the construction, alteration, or repair of any public building or public work of the Federal Government; can this requirement be waived?

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. Section V General Term and Conditions, Item 5 BONDS REQUIRED - BID, PERFORMANCE AND PAYMENT BOND; Page 17; States the requirement for a Payment and Performance Bond for 100% of contract total. Can the Payment and Performance Bond be on a per-annum basis and prorated to the yearly expected spend rate?

Answer: PRDE has decided that a Bid Bond for the fixed amount of $250,000 will be required in lieu of the 5% contract total. The chosen Proposer(s) will submit a Performance Bond and a Payment Bond for 20% of the total contract price up to the amount of $5M.

1. PROPOSAL SUBMITTAL FORM 2 – SAMPLE PRICE PROPOSAL FORM has a 3-column table price proposal form. Are the rates included in this table inclusive of any workmen's comp, insurance, taxes, or mobilization costs or are the proponents allowed to include these as separate lump sum costs? What line items are allowed to be billed in this manner?

Answer: PRDE strongly encourages Proposers to include all costs (Workmen’s comp, insurance, taxes, mobilizations, per diem, etc.) in the hourly rates proposed.