

# VVTA RFP 2022-07 ON-CALL GENERAL CONTRACTOR SERVICES ADDENDUM NO. 1

Friday, January 7, 2022

This addendum is provided to all known prospective proposers for clarification of the subject Request for Proposal (RFP).

It has been determined by VVTA that this solicitation is a Federally funded project through the Federal Transportation Administration (FTA). This decision requires the following items to be included with the RFP package:

Federal Clauses –

## **THE RESULTING CONTRACT FROM THIS RFP SHALL BE FINANCED WITH FEDERAL FUNDS**

The links below are attached to this RFP and are herein incorporated. By submitting a proposal, the PROPOSER agrees to compliance with all reference Federal Regulatory Requirements.

It is the responsibility of the Proposer to ensure compliance with all of the regulations that are applicable to this solicitation and resulting contract.

The federal regulations Check List – a listing by Contract Dollar amount showing the applicable regulations for any Federally Funded contract: [http://vvta.org/wp-content/uploads/2018/08/VVTA\\_PROCUREMENT\\_FEDERAL-CLAUSE-CHECKLIST\\_20180808.pdf](http://vvta.org/wp-content/uploads/2018/08/VVTA_PROCUREMENT_FEDERAL-CLAUSE-CHECKLIST_20180808.pdf)

The following is “Appendix A” of the Federal Procurement Best Practices Manual and includes the full text for all of the clauses included in the above checklist: [http://vvta.org/wp-content/uploads/2019/04/FTA\\_Required\\_Clauses\\_12.14.17.pdf](http://vvta.org/wp-content/uploads/2019/04/FTA_Required_Clauses_12.14.17.pdf)

**The following documents need to be included with your proposal when you submit it.**

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## **FTA CERTIFICATION REGARDING DEBARMENT,**

### **DEBARRED PROPOSERS' CERTIFICATION SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

For Contracts and Subcontracts in Excess of \$25,000.00

#### Instructions for Certification

1. By signing and submitting its bid or proposal, the prospective lower tier participant is providing the signed certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into; If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, VVTA may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to VVTA if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "persons," "principal," "proposal," and "voluntary excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 C.F.R. Part 29]. You may contact VVTA for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting its bid or proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized in writing by VVTA.
6. The prospective lower tier participant further agrees by submitting its bid or proposal that it will include the clause, set out below, titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method

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and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement List issued by U.S. General Service Administration.

8. Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, RT may pursue available remedies including suspension and/or debarment.

**“Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier covered Transaction”**

1. The prospective lower tier participant certifies, by submission of its bid or proposal, that neither it nor its “principals” [as defined at 49 C.F.R. §29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. When the prospective lower tier participant is unable to certify to the statement in this certification, such prospective participant shall attach an explanation to its bid or proposal.

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Signature of the Proposer’s Authorized Official

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Name and Title of the Proposer’s Authorized Official

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Company Name

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Date

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FTA CERTIFICATION OF RESTRICTIONS ON LOBBYING  
(For Proposals Over \$100,000)

I. \_\_\_\_\_, hereby certify on behalf of \_\_\_\_\_  
(Company Name) that:

1. No Federal or State appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any State or Federal agency, a Member of the State Legislature or the United States Congress, an officer or employee of the Legislature or Congress, or an employee of a Member of the Legislature or Congress, in connection with the awarding of any State or Federal contract, the making of any State or Federal grant, the making of any State or Federal loan, the entering into of any State or Federal cooperative agreement and the extension, continuation, renewal, amendment or modification of any State or Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, or an officer or employee of Congress, in connection with this contract, grant, loan or cooperative agreement, which is funded in whole or in part by Federal funds, the undersigned shall complete and submit Standard Form–LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for any subcontractor at any tier performing work under this Federal-Aid funded Contract and that all subcontractors of any tier shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by § 13 52, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of the Proposer’s Authorized Official

\_\_\_\_\_  
Name and Title of the Proposer’s Authorized Official

\_\_\_\_\_  
Company Name

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A question was raised during the job walk, today. What e-procurement system is VVTA using where bids can be submitted?

VVTA is currently using [www.publicprocurement.com](http://www.publicprocurement.com) for its online bidding platform. If you have problems using this website, please let Christine Plasting, Procurement Manager, know. [cplasting@vvta.org](mailto:cplasting@vvta.org) or 760-995-3583.

As stated in the RFP, all addenda must be acknowledged. Please use Attachment E of the RFP to acknowledge receipt of this addendum. Failure to acknowledge any addenda to this RFP may be cause to deem Bidder "Non-Responsive."

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END OF ADDENDUM NO. 1

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