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and Wildlife
Conservation
Commission**

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Chief of Staff

850-487-3796
850-921-5786 FAX

DATE: JUNE 22, 2020

ADDENDUM NO.: 2

BID NO.: FWC 19/20-81C

BID TITLE: BUOY MAINTENANCE AGREEMENT REBID

UPDATE: ANSWERS TO SUBMITTED WRITTEN QUESTIONS

The enclosed addendum has been issued for consideration in the preparation of your response to the Florida Fish and Wildlife Conservation Commission's (FWC) Solicitation No. FWC 19/20-81, "BUOY MAINTENANCE AGREEMENT REBID".

All responses to the subject solicitation must be received no later than 1:30 PM (ET) on Wednesday, July 1, 2020.

A response received after the exact time specified will not be considered. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes (F.S.), or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Written notices, formal requests and proceedings must conform with the requirements set forth in Chapter 28-110, Florida Administrative Code (F.A.C.). Protests must be filed with the Purchasing Office, Fish and Wildlife Conservation Commission, 1875 Orange Avenue East, Tallahassee, Florida 32311-6160 within the time prescribed in Section 120.57(3), F.S. and Chapter 28-110, F.A.C.

Sincerely,

Brandon Brooks,

FWC Procurement Manager

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
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Hearing/speech-impaired:
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800 955-8770 (V)

MyFWC.com

BEGIN ADDENDUM

QUESTION #1

Are any new contractor required permits needed that you are aware of (or have seen required in the past) for this work?

ANSWER #1

The markers associated with this work have already been previously permitted by the US Coast Guard (USCG), Florida Department of Environmental Protection (DEP) and US Army Corp of Engineers (USACE). However, if a new marker was requested in a new location it would need additional permits from USACE, DEP, and USCG before placement. The contractor would need to get clearance from FWC project manager prior to the install of any new markers to ensure permits are in place. There may be local permits needed and utility clearances these are the responsibility of the contractor including all certifications for safety etc. as required by other agencies.

QUESTION #2

US Coast Guard and OSHA regulations require a 3-man commercial diving team as minimum requirements for this work. These divers must be certified and covered under the proper marine insurance. Will you confirm that FWC will require the successful bidder to meet these requirements and provide a copy to FWC of the marine insurance policies for USL&H and Diving Operations?

ANSWER #2

As you state these are requirements of the US Coast Guard and OSHA regulations. These are the entities that the contractor is responsible to have the required permits with. If a contractor is not in compliance it is the responsibility of those entities to uphold the requirement. Within state rule we have no requirement from our individual agency to have these requirements within our bids. However, within the Supplementary Terms and Conditions of this bid condition six (6) requires the contractor within 30 days from the Notice to Proceed to secure and pay for any required permits.

QUESTION #3

Was anyone besides FWC staff present at the Public Bid opening of the original bid, FWC 19/20-45C, on Dec 17, 2019?

ANSWER #3

No, only FWC staff were present at the Bid Opening for FWC 19/20-45C.

QUESTION #4

Were the bid results from FWC 19/20-45C disclosed at any time to anyone other than FWC staff: For instance, Suppliers, Contractors, bidders or non-bidders? And at any time after the Bid opening, were the results of the bid shared with anyone outside of FWC staff?

ANSWER #4

No, only FWC staff are aware of the results of FWC 19/20-45C.

QUESTION #5

What permitting does the Commission anticipate for marker maintenance? We expect that both State and Federal agencies are routinely aware of markers authorized under existing permit(s) and their corresponding need for routine maintenance.

ANSWER #5

These are all already existing markers with associated permits. However, if a new marker was requested in a new location it would need additional permits from USACE, DEP, and USCG before placement. The contractor would need to get clearance from FWC project manager prior to the install of any new markers to ensure permits are in place. There may be local permits needed and utility clearances these are the responsibility of the contractor including all certifications for safety etc. as required by other agencies.

QUESTION #6

If a new floating or fixed marker is proposed during the Agreement, who would take the lead for permitting?

ANSWER #6

FWC would take the lead in permitting for new markers.

QUESTION #7

If the need for additional work is identified while on the water, will verbal approval from the Project/Contract manager allow for the work to be completed prior to an official Change Order being executed and in hand?

ANSWER #7

No. Any additional work that is not included in the original plans/contract documents must be approved through a fully executed Change Order (Exhibit 16 of the General Terms & Conditions).

Per the Purchase Order Terms and Conditions, Section 10 C – Modification, “The Purchase Order may only be modified by a Change Order agreed to by the Commission and the Contractor. If a Purchase Order Change Order is required for

any portion of any job, the Contractor shall not commence to purchase materials for the amended work to be performed, nor proceed with the outlined duties described without prior written approval and receiving a revised copy of the approved Purchase Order in his/her possession. The Contractor shall request a Change Order in writing, outlining the reasons and the itemized costs required for the Change Order. The Parties agree to renegotiate this agreement if federal and/or state revisions of any applicable laws or regulations make changes in the Purchase Order necessary.”

In the event of an immediate danger to the public health or safety, immediately contact the Project/Contract Manager for direction.

END ADDENDUM