

ADDENDUM NO. 1

RAIL REHABILITATION
ADVANCED MATERIAL ORDER –
RAIL, TIES AND ACCESSORIES
PORT OF PALM BEACH DISTRICT
RIVIERA BEACH, FLORIDA

DATE: OCTOBER 20, 2021

PROJECT NO. 140678002

ENGINEER Kimley-Horn and Associates, Inc
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411

GENERAL:

- A. This Addendum modifies, changes from or adds to the Project Manual for the Invitation to Bid dated October 3, 2021 and shall become a part of the Bid.
- B. Bidder shall acknowledge receipt of this Addendum in the space provided on the Bid Form – Lump Sum. Failure to do so may be cause for disqualification of Offeror.

ADDENDUM ITEMS:

SPECIFICATIONS

Item No. 1: INVITATION TO BID: REPLACE Form dated October 3, 2021 with the attached Dated October 20, 2021. Changes are made in bold and under line for additions and bold and strikethrough for deletions.

Item No. 2: INSTRUCTION TO BIDDERS: REPLACE Form dated October 3, 2021 with the attached Dated October 20, 2021. Changes are made in bold and under line for additions and bold and strikethrough for deletions.

Item No. 3: PROPOSAL FORM – LUMP SUM: REPLACE Form dated October 3, 2021 with the attached Dated October 20, 2021. Changes are made in bold and under line for additions and bold and strikethrough for deletions.

DRAWINGS

NONE

QUESTIONS AND RESPONSES

The Questions and Answers are not for reference only. All responses are binding and shall be considered by all Bidders in the pricing of the Project. These are the only questions received as of October 19, 2021. Questions received after this date will be addressed in the next addendum.

QUESTION 1: New 90LB rail is not readily available, will Port of Palm Beach consider utilizing 100LB RE Rail which is available?

RESPONSE 1: For only the 90lb rail, relay rail is permitted to be provided. This variance is acceptable provided documentation can be provided that the rail meets the requirements of AREMA standards for Relay rail.

QUESTION 2: On Bid Form LF=Both Rails, please clarify. For example, Item 1.3 115LB Rail with a quantity of 2,028 LF does that include both rails or is the 2,028 the footage of track which would be 4,056 LF of rail.

RESPONSE 2: LF is equal to both rails. As a result, the 2,028 LF means both rails are included. This is equal to 1014 track feet of rail.

QUESTION 3: Do the rails need to be drilled or have blank ends?

RESPONSE 3: Rails shall be drilled.

QUESTION 4: Does this bid have Buy America(n) or any domestic restrictions?

RESPONSE 4: The products in this bid will be purchased using funds that require all products to be made and produced in America.

QUESTION 5: With respect to the steel ties (6,700 each) what rail size will be installed on the steel ties?

RESPONSE 5: The rails purchased as part of this bid will be placed on the ties being bid. As a result, the steel ties will received both 115 lb and 136 lb rail.

QUESTION 6: With respect to the bumping post, please specify the model, WCH has several models that are considered "heavy duty". The cost differences are significant between the different model bumping post.

RESPONSE 6: WA WCH

QUESTION 7: What size rail will the bumping post be installed on?

RESPONSE 7: The rails purchased as part of this bid will be the bumping posts being bid. As a result, the bumping post will be used with both 115 lb and 136 lb rail.

QUESTION 8: There is no bid item for joint bars for the rails, only comp bars.

RESPONSE 8: See Bid Item 1.10.

QUESTION 9: There is no bid item for track bolts or spring washers, are these required?

RESPONSE 9: See Bid Item 1.10.

GENERAL ITEMS AND CLARIFICATION

1. All questions requiring clarification or interpretation of the Bid Documents including Addenda shall be made in writing and shall reach the Engineer by 5:00 PM Eastern time on Tuesday, October 28, 2021. Unless otherwise determined by Engineer to address, any questions received after this time will not be addressed. Do not contact Owner with questions. Direct all requests to the attention of Mr. J. Casey Long, PE, at Kimley-Horn and Associates. casey.long@kimley-horn.com and copy the Owner's Engineer Ron Coddington at rcoddington@portofpalmbeach.com.
2. It is anticipated that a final Addendum will be issued by Monday November 2, 2021 (if required) with clarifications and adjustments to the certain aspects of the Bid to address questions and review comments made by others. No extension in time will be offered to the bid Period.
3. The Board Meeting anticipated for award of this project will be in the November 18, 2021.

END OF ADDENDUM NO. 1

ATTACHMENTS:

Bid Form Lump Sum – Addendum No. 1 – October 20, 2021
Invitation to Bid – Addendum No. 1 – October 20, 2021

INVITATION TO BID

**RAIL REHABILITATION
ADVANCED MATERIAL ORDER – RAIL, TIES AND ACCESSORIES
PORT OF PALM BEACH DISTRICT
RIVIERA BEACH, FLORIDA**

1. Sealed bids for RAIL REHABILITATION ADVANCED MATERIAL ORDER – RAIL, TIES AND ACCESSORIES at the Port of Palm Beach will be received by the Owner, PORT OF PALM BEACH DISTRICT, until 12:00 p.m., local time on Tuesday, November ~~2~~ **2**, 2021 at One East 11th Street, Riviera Beach, Florida 33404, 6th Floor Conference Room. Bids received after this time will be returned unopened. As applicable, the Purchasing Department is no longer holding public/bid openings due to the provisions of Section 119.071 (1) (b) F.S., the Florida Public Records Law. Therefore, the Port is not required to provide information until the earlier of the Port providing notice of an intended decision, or until thirty (30) days after opening the bids. Further, if the intended decision is to reissue the solicitation, the Port is not required to provide information until notice of an intended decision concerning the reissued solicitation or until the reissued solicitation is withdrawn.
2. Project consists of the fabrication, supply and delivery ~~and offloading~~ of joint bars, track bolts, transition rails, ties, turnouts, switch stands and other accessories freight on board (FOB) to the Port of Palm Beach, Riviera Beach, Florida.
3. Electronic Bid Documents will be available for download no later than **Monday, October 4, 2021** from the Port of Palm Beach District website: <http://www.portofpalmbeach.com/bids.aspx>.
4. Bid Documents may be examined at the Port of Palm Beach District offices at One East 11th Street, Riviera Beach, 6th Floor, during regular business hours through the closing of the bid period. Contact number is (561) 842-4201 for the Port Engineer.
- ~~5. Each Bid shall be accompanied by Bid Security in the form of a surety company Bid Bond, cashiers or certified check, drawn upon any State or National Bank in Florida, payable to the Port in an amount not less than five percent (5%) of the amount of the Rail Rehabilitation Advanced Material Order – Rail Ties and Accessories Bid Amount. Any Bid received without Bid Security will be rejected and returned. Bid Security will be returned to all except the three lowest Bidders within **seven (7) days** after the opening of Bids, and the remaining Bid Securities will be returned within **seven (7) days** after the Port and the awarded Bidder have executed the Contract, or if no Contract has been awarded, **within ninety (90) days** after the date of opening of Bids, or upon demand of Bidder at any time thereafter, so long as it has not been notified of acceptance of its Bid. The Bond executed by the Bidder shall be issued by a Surety Company licensed to do business in the State of Florida. If the Bid to whom the Contract is awarded does not execute the Contract and furnish the required documentation within **ten (10) days** of the date of Notice of~~

~~Award, the Bid Security shall be paid to the Port as liquidated damages. The Bidder agrees with the Port that the amount of Bid Security fairly and reasonably represents the amount of damages the Port will suffer due to the failure of the Bidder to fulfill its obligations required herein.~~

6. Bidders will be permitted to withdraw their Bids at any time prior to Bid opening and/or delivery.
- ~~7. The Port will not award a Contract to any Bidder who cannot prove to the satisfaction of the Port that they have a minimum of five (5) years of experience in the manufacturing of rail materials.~~
8. Sealed Bids shall be addressed to the Port of Palm Beach District and plainly marked "RAIL REHABILITATION ADVANCED MATERIAL ORDER – RAIL, TIES AND ACCESSORIES" on the outside of the envelope. The Bidder's name and address shall also be included on the outside of the envelope.
9. The Bidder agrees that the Bid shall be good, and may not be withdrawn for a period ending the later of ~~ninety (90)~~ **thirty (30) calendar days** after Bid Opening, or the execution of the Contract between the successful Bidder and the Port.
10. The Port reserves the right to waive any technicalities/irregularities and/or to reject any and/or all Bids. The Port further reserves the right to award a contract to that Bidder whose submittal best serves the interests of the Port, in the sole discretion of the Port.

END OF INVITATION TO BID

BID FORM - LUMP SUM

Proposal of _____
(Name)

(Address)

(Phone) (E-Mail)

to furnish all materials, equipment, and labor to perform all Work in accordance with the Bid Documents for the RAIL REHABILITATION ADVANCED MATERIAL ORDER – RAIL, TIES AND ACCESSORIES, located at the Port of Palm Beach in Riviera Beach.

To: Port of Palm Beach District (Owner)
One East 11th Street
Riviera Beach, FL 33404
Mr. Manuel Almira, Executive Director

Dear Mr. Almira:

The undersigned Bidder has carefully examined the Bid Documents and the Site of the proposed Work and is familiar with the nature and extent of the Work and any local conditions that may in any manner affect the Work to be done.

The undersigned Bidder agrees to do all the Work and furnish all materials called for by the Bid Documents for RAIL REHABILITATION ADVANCED MATERIAL ORDER – RAIL, TIES AND ACCESSORIES in the manner prescribed therein and to the standards of quality and performance established in the technical specifications for the lump sum prices stated herein.

1. BASE BID:

Bidder (Supplier) shall:

- Supply all Rail Components materials - rail, joint bars, track bolts, transition rails, ties, turnouts, switch stands, other accessories and related appurtenances (Product).
- Deliver Product freight on board (FOB) to the Port of Palm Beach, Riviera Beach, Florida; and

Upon delivery, ~~offloading and placement~~ the Owner will receive, inspect, and accept Product (if in compliance). Owner will then offload the Product in an Owner designated yard. ~~Once offloaded and accepted the~~ Owner will then take possession of the materials.

Bidder shall be responsible to provide all labor and equipment necessary to furnish the material and all labor and equipment necessary for procurement, supplying and shipping, ~~offloading and~~

~~placement in~~ a storage yard as required to ~~furnish the product to~~ at the Port of Palm Beach in Riviera Beach, FL

Bidder shall be responsible to repair any damage to product due to shipping and, delivery, ~~offloading and placement in the storage yard.~~

Bidder shall provide Product and items listed above in accordance with the technical specification sections and sketches as follows for the products in this Bid Document.

- Rail Component Specifications
- Rail Exhibit Option 9 and 12 – For Reference Only. Quantities may vary.

For the above scope of work, Bidder shall indicate the Cost and Time required below. The undersigned Bidder agrees that its Bid shall be good and may not be withdrawn for a period of thirty (30) ~~90~~ days after the scheduled closing time for receiving bid.

Cost (Lump Sum)

Bidder is to fill in all blanks below. All cost below shall exclude applicable taxes as defined in the attached Consumer Certificate Exemption #85-8012646126C-7 from the State of Florida but include all other fees and taxes applicable to this type of work.

Bidder may submit a bid for individual and select line items at the Bidder’s discretion and Bidder is not required to bid all items listed below. For items not being bid, Bidders shall mark the items with “no bid” in the Total Price Column. Item 2.0 must be bid and addressed by all bidders and for no reason or instants shall any bidder opt out of shipping their product to the Port. Multiple awards may be provided by the Port to different suppliers to ensure that all parts and product elements are purchased by the Port to obtain the full list of materials needed.

Item	Description	Qty.	Unit	Unit Price	Total Price
1.0	Trackwork – Yard Tracks				\$
1.1	Steel Ties (M10UE Ties)	6700	EA	\$	\$
1.2	90LB Rail (LF=Both Rails)	195	LF	\$	\$
1.3	115LB Rail (LF = Both Rails)	2,028	LF	\$	\$
1.4	136LB Rail (LF=Both Rails)	19,812	LF	\$	\$
1.5	#8 115LB Turnouts on Steel Ties (Hand Throw)	2	EA	\$	\$
1.6	#8 136LB Turnouts on Steel (Hand Throw)	8	EA	\$	\$

1.7	Transition Rail (136 to 115)	8	EA	\$	\$
1.8	Comp Bar (115 to 90)	2	EA	\$	\$
1.9	Bumping Post	6	EA	\$	\$
1.10	OTM Items (Joint Bars, Bolts, Etc.)	450	EA	\$	\$
<i>Subtotal - Item 1.0</i>					\$
2.0	Delivery / Shipping to Port of Palm Beach	1	LS	\$	\$
3.0	Offloading at Port of Palm Beach	1	LS	\$	\$
TOTAL (Items 1 - 2)					\$

Base Bid Cost Total-Written Out (Lump Sum):

_____ Dollars and _____ Cents

Time

Proposer shall identify as part of this Proposal the following:

- Number of Calendar Days from date of Purchase Order to deliver, offload and place in the storage yard all Product other than the turn outs to the Port of Palm Beach. _____ days
- Number of Calendar Days from date of Purchase Order to deliver, offload and place in the storage yard the turn outs to the Port of Palm Beach. _____ days

3. ~~BID SECURITY~~

~~Accompanying this Proposal is a certified or cashier's check or a Bid Bond in the amount of 5 percent of the Total Base Proposal, made payable to the Owner, which may be forfeited as liquidated damages if, in the event this proposal is accepted, the undersigned fails to execute the Construction Contract with the Owner within three (3) business days after acceptance of the Proposal; otherwise said certified or cashier's check or Bid Bond will be returned to the undersigned as more specifically defined in the Request for Proposals Invitation.~~

~~The Port reserves the right to waive any technicalities/irregularities and/or to reject any and/or all Proposals. The Port further reserves the right to award a contract to that Proposer whose submittal best serves the interests of the Port, in the sole discretion of the Port.~~

3. ATTACHMENTS TO BIDS

The following documents are to be attached to and made a condition of this Bid:

- ~~— Required Bid security in the form of Bid bond.~~
- List of Proposed Suppliers and shipping agents.
- Narrative of proposed fabrication locations, method of shipping, ~~method of offloading and method of placing the Product in~~ to the storage yard **at the Port of Palm Beach.**
- Cut Sheets and Product data required in Rail Component Specification including but not limited to historical testing results and proof of material meeting the material specifications.
- General description to better explain your Bid **including what products are included in the bid, what products are not being provided (if Bidder is only providing a portion of the bid items in the bid), and any exceptions being proposed by Bidder. This summary must be clear to help the Port determine what items are being provided and what items are not being provided by Bidder.**
- Additional narrative and attachments to clarify the Bidder's Bid as required if any deviations are proposed or alternate delivery options **other than truck** are suggested.

5. ADDENDA

Proposer acknowledges the receipt of Addendum numbers:

1. _____, 2. _____, 3. _____, 4. _____, 5. _____.

Dated this _____ day of _____, 20__.

NAME OF BIDDER: _____

ADDRESS OF BIDDER: _____

[CORPORATE SEAL] BY: _____

TITLE: _____

END OF BID FORM