

## **SUPPLEMENT A TO THE INSTRUCTIONS TO BIDDERS**

1. ADD NEW PARAGRAPHS BETWEEN ITEM NO. 3 AND ITEM NO. 4 AS FOLLOWS:

**3A. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM POLICY STATEMENT**

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of UAHuntsville to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification and other applicable provision as noted in the request for bids/proposals. These requirements apply to all bidders/offers, including those who qualify as a DBE. A DBE contract goal of 1.3 percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (Attachment 6), to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (6) if the contract goal is not met, evidence of good faith efforts. [Reference: 49 CFR Part 26.53]

**3B. E-VERIFY GENERAL CONTRACTORS AND SUBCONTRACTORS**

All General Contractors and Subcontractors who are successful, low bidders for award of contract, will be required to be enrolled in E-Verify.

2. PREPARATION AND DELIVER OF BIDS (ITEM NO. 8), add Paragraph d. as follows:

**d. Delivery of List of Subcontractors**

- (1) Each Contractor submitting a bid shall submit a List of Subcontractors, indicating a single named Subcontractor for each element of work, within twenty-four (24)

hours of time set for receipt of bids. List of Subcontractors shall be a part of bid proposal, and shall not be changed following the receipt of bids.

- (2) Delivery of List of Subcontractors shall be submitted via email or hand delivery by each bidder. Confirmation of receipt by Owner's Representative is responsibility of Bidder.
- (3) Bids received without accompanying List of Subcontractors with each category containing a single name of Subcontractor within the prescribed time limit of twenty-four hours of time set for receipt of bids, shall be basis for bid rejection.
- (4) The Owner shall have the right to request changes to the List of Subcontractors, should the Owner have experience with the named Subcontractor which is negative to Project work. Such a request shall be made in writing, shall allow the General Contractor to select the closest, next low bidder, and shall allow the General Contractor to adjust his bid by the amount substantiated by written evidence between the two bidders.
- (5) Contractor shall not change any listed Subcontractor from List submitted, without condition of item 4 above, through the execution of work on this Project. The only exception to this requirement is where extenuating circumstance(s) during the course of Project (after execution of contract and work is initiated) may cause a request to be made in writing to the Owner of Subcontractor's inability to perform based upon documented evidence acceptable to the Owner. In this exception, if approved by Owner, change shall be made via formal change order to contract.

3. AWARD OF CONTRACT (ITEM NO. 17), modify paragraph b., (1):

1. Award of contract by Awarding Authority – 60 calendar days after the opening of bids.