

TO: All Potential Respondents to
TAPS RFP 2024-10 Ops Facility

FROM: Shellie White
General Manager



RE: Amendment #2 to RFP

DATE: April 18, 2024

cc:

NOTICE TO ALL POTENTIAL RESPONDENTS

The Request for Proposals (RFP) is amended as set forth in this Addendum. The original RFP Documents and any previously issued addenda remain in full force and effect, except as modified by this Addendum, which is hereby made a part of the RFP. Respondent shall take this Addendum into consideration when preparing and submitting its Response.

1. Deadline for Submittals is being changed from 2:00 p.m. on Tuesday, April 22, 2024 to 10:00 a.m. on Friday, April 26, 2024.

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Old Language

DEADLINE FOR SUBMITTALS

Proposals need to be mailed or delivered (faxes and email submittals will not be accepted) to arrive no later than **2:00 p.m. on Tuesday, April 22, 2024** to the attention of:

TAPS
ATTN: Shellie White
6104 Texoma Parkway
Sherman, TX 75090

Proposals shall be clearly marked with:
“TAPS RFP 2024-10”

SCHEDULE OF EVENTS BLOCK:

EVENT	DATE
Request for Proposal (RFP) Available	March 26, 2024; 2:00 p.m.
Pre-proposal Conference (not mandatory but recommended), 6104 Texoma Parkway, Sherman, TX 75090	April 3, 2024; 2:00 p.m.
Deadline for Proposal Questions	April 8, 2024; 2:00 p.m.
Responses to Questions Posted on Website	April 11, 2024; 2:00 p.m.
Proposals DUE at TAPS. Proposals received after this date and time will be returned unopened. There is NO PUBLIC OPENING.	April 22, 2024; 2:00 p.m.

New Language

DEADLINE FOR SUBMITTALS

“Proposals need to be mailed or delivered (faxes and email submittals will not be accepted) to arrive no later than **10:00 a.m. on Friday, April 26, 2024** to the attention of:”

TAPS
 ATTN: Shellie White
 6104 Texoma Parkway
 Sherman, TX 75090

Proposals shall be clearly marked with:
“TAPS RFP 2024-10”

SCHEDULE OF EVENTS BLOCK:

EVENT	DATE
Request for Proposal (RFP) Available	March 26, 2024; 2:00 p.m.
Pre-proposal Conference (not mandatory but recommended), 6104 Texoma Parkway, Sherman, TX 75090	April 3, 2024; 2:00 p.m.
Deadline for Proposal Questions	April 8, 2024; 2:00 p.m.
Responses to Questions Posted on Website	April 11, 2024; 2:00 p.m.
Proposals DUE at TAPS. Proposals received after this date and time will be returned unopened. There is NO PUBLIC OPENING.	April 26, 2024; 10:00 a.m.

2. DBE Goal is changed from 1% to 3.8%

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Old Language

SELECTION CRITERIA

- **Disadvantaged Business Enterprise (DBE) Participation:** Meet the DBE Goal of 1% of the total dollar value of the proposal (Total Proposal).

New Language

SELECTION CRITERIA

- **Disadvantaged Business Enterprise (DBE) Participation:** Meet the DBE Goal of 3.8% of the total dollar value of the proposal (Total Proposal).

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Old Language

“6g. Disadvantaged Business Enterprises (DBE). In connection with this solicitation and any resulting contract, TAPS has established the following goals for Disadvantaged Business Enterprise (DBE) participation: DBE Goal: 1.0% of the total dollar value of the proposal (Total Proposal). TAPS is committed to the utilization of DBEs on all TxDOT assisted projects. To achieve this goal TAPS has established a 1 percent (1.0%) DBE participation to comply with 49 CFR Part 26; Not discriminating on the basis of race, color, religion, national origin, sex, disability or age. It is the policy of TAPS to facilitate, and assure that each prime contractor and subcontractors participating on this contract identify their DBE participation by furnishing the names and addresses of DBE firms that will participate in the Contract by completing the Prime Contractor DBE Good Faith Effort form, Disadvantage Business Enterprise (DBE) Utilization form and the Disadvantage Business Enterprise (DBE) Letter of Intent (must be completed by all subcontractors). For guidance see 49 CFR 26 Appendix A: Guidance Concerning Good Faith Efforts.”

New Language

“6g. Disadvantaged Business Enterprises (DBE). In connection with this solicitation and any resulting contract, TAPS has established the following goals for Disadvantaged Business Enterprise (DBE) participation: DBE Goal: **3.8%** of the total dollar value of the proposal (Total Proposal). TAPS is committed to the utilization of DBEs on all TxDOT assisted projects. To achieve this goal TAPS has established a 3.8 percent **(3.8%)** DBE participation to comply with 49 CFR Part 26; Not discriminating on the basis of race, color, religion, national origin, sex, disability or age. It is the policy of TAPS to facilitate, and assure that each prime contractor and subcontractors participating on this contract identify their DBE participation by furnishing the names and addresses of DBE firms that will participate in the Contract by completing the Prime Contractor DBE Good Faith Effort form, Disadvantage Business Enterprise (DBE) Utilization form and the Disadvantage Business Enterprise (DBE) Letter of Intent (must be completed by all subcontractors). For guidance see 49 CFR 26 Appendix A: Guidance Concerning Good Faith Efforts.”

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Old Language

Disadvantaged Business Enterprise (DBE)

1. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. A separate contract goal of 00% DBE participation has been established for this procurement.
2. Bidders/offerers are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this contract is conditioned on submission of the following prior to award:
 - a. The names and addresses of DBE firms that will participate in this contract;
 - b. A description of the work each DBE will perform;
 - c. The dollar amount of the participation of each DBE firm participating;
 - d. Written documentation of the bidder/offeror’s commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;
 - e. Written documentation from the DBE that it is participating in the contract as provided in the prime contractor’s commitment; and
 - f. If the contract goal is not met, evidence of good faith efforts to do so. Bidders/Offerors must present the information required above prior to contract award (see 49 CFR 26.53(3)).
3. The contractor must promptly notify _____ whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the _____.
4. Prompt Payment (DBE and subcontractors) - The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 10 calendar days after the contractor’s receipt of payment for that work from the _____. In addition, the contractor is required to return any retainage payments to those subcontractors within 10 calendar days after the subcontractor’s work related to this contract is satisfactorily completed.

New Language

Disadvantaged Business Enterprise (DBE)

1. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. A separate contract goal of 3.8% DBE participation has been established for this procurement.

2. Bidders/offers are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Award of this contract is conditioned on submission of the following prior to award:

a. The names and addresses of DBE firms that will participate in this contract;

b. A description of the work each DBE will perform;

c. The dollar amount of the participation of each DBE firm participating;

d. Written documentation of the bidder/offers's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;

e. Written documentation from the DBE that it is participating in the contract as provided in the prime contractor's commitment; and

f. If the contract goal is not met, evidence of good faith efforts to do so. Bidders/Offerors must present the information required above prior to contract award (see 49 CFR 26.53(3)).

3. The contractor must promptly notify TAPS whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the TAPS.

4. Prompt Payment (DBE and subcontractors) - The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 10 calendar days after the contractor's receipt of payment for that work from the TAPS. In addition, the contractor is required to return any retainage payments to those subcontractors within 10 calendar days after the subcontractor's work related to this contract is satisfactorily completed.

ALL ELSE REMAINS THE SAME FOR TAPS RFP 2024-10 OPERATIONS FACILITY