

October 30, 2018

To: All Bidders

From: Kate Bailey

Director of Procurement

Re: **Addendum 1**

Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements

This Addendum No. 1 is issued to:

1. To provide the Federal Laws, Regulations, and Policies that apply to this project (attached to this Addendum 1)
2. Provide Project-specific instructions to bidders (attached to this Addendum 1)
3. Provide Special Conditions to the General Conditions (attached to this Addendum 1)
4. Provide a revised bid form which includes revised language in Section II, Bidder Responsiveness Section. (attached to this Addendum 1)

All other terms and conditions remain unchanged.

Bidders shall acknowledge receipt of this addendum by immediately faxing a copy of the completed acknowledgment to Kate Bailey at 215-426-6800 or email procurement@philaport.com



Philadelphia Regional Port Authority
3460 North Delaware Ave. 2nd Floor
Philadelphia, PA 19134

**ACKNOWLEDGMENT OF RECEIPT OF ADDENDUM NO. 1
Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements
Project 18-145.1**

Date _____

By _____

Company _____

Telephone _____

Fax _____

Email _____

FEDERAL LAWS, REGULATIONS AND POLICIES

APPLICABLE FEDERAL LAWS AND REGULATIONS

The United States Department of Transportation (USDOT) selected the Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements project for award as a project of national or regional significance under the Nationally Significant Freight and Highway Projects, or INFRA, program, codified at 23 U.S.C. § 117. As such, PhilaPort and the selected bidder for this project must comply with applicable federal laws, regulations, and policies."

With respect to compliance with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they to this project, applicable provisions include, but are not limited to, the following:

General Federal Legislation

- a. Davis-Bacon Act - 40 U.S.C. §§ 3141, et seq., as applicable under 23 U.S.C. 113
- b. Federal Fair Labor Standards Act - 29 U.S.C. §§ 201, et seq.
- c. Hatch Act - 5 U.S.C. §§ 1501, et seq.
- d. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title - 42 U.S.C. §§ 4601, et seq.
- e. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. § 470f
- f. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. § 469a through § 469c.
- g. Native American Graves Protection and Repatriation Act - 25 U.S.C. §§ 3001, et seq.
- h. Clean Air Act, P.L. 90-148, as amended 42 U.S.C 7401 et. seq.
- i. Section 404 of the Clean Water Act, as amended 33 U.S.C. §§ 1251, et seq.
- j. Section 7 of the Endangered Species Act, P.L. 93-205, as amended.
- k. Coastal Zone Management Act, P.L. 92-583, as amended.
- l. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. § 4012a
- m. Age Discrimination Act of 1975 - 42 U.S.C. §§ 6101, et seq.
- n. American Indian Religious Freedom Act, P.L. 95-341, as amended
- o. Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. §§ 1101, et seq.
- p. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, P.L. 91-616, as amended - 42 U.S.C. §§ 4541, et seq.

- q. Sections 523 and 527 of the Public Health Service Act of 1912, as amended, 42 U.S.C. §§ 290dd through 290dd-2
- r. Architectural Barriers Act of 1968 - 42 U.S.C. § 4151, et seq.
- s. Power Plant and Industrial Fuel Use Act of 1978, P.L. 100-42 - Section 403 - 42 U.S.C. § 8373
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. § 3701, et seq.
- u. Copeland Anti-kickback Act, as amended - 18 U.S.C. § 874 and 40 U.S.C. § 3145
- v. National Environmental Policy Act of 1969 - 42 U.S.C. §§ 4321, et seq.
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended - 16 U.S.C. §§ 1271, et seq.
- x. Federal Water Pollution Control Act, as amended - 33 U.S.C. §§ 1251-1376
- y. Single Audit Act of 1984 - 31 U.S.C. §§ 7501, et seq.
- z. Americans with Disabilities Act of 1990 - 42 U.S.C. § 12101, et seq.
- aa. Title IX of the Education Amendments of 1972, as amended - 20 U.S.C. § 1681 through § 1683, and § 1685 through § 1687
- bb. Section 504 of the Rehabilitation Act of 1973, as amended - 29 U.S.C. § 794
- cc. Title VI of the Civil Rights Act of 1964 - 42 U.S.C. §§ 2000d *et seq.*
- dd. Title IX of the Federal Property and Administrative Services Act of 1949 - 40 U.S.C. §§ 1101-1104 541, et seq.
- ee. Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions - 31 U.S.C. § 1352
- ff. Freedom of Information Act - 5 U.S.C. § 552, as amended
- gg. Magnuson-Stevens Fishery Conservation and Management Act - 16 U.S.C. § 1855
- hh. Farmlands Protection Policy Act of 1981 - 7 U.S.C. 4201
- ii. Noise Control Act of 1972 - 42 U.S.C. § 4901, et seq.
- jj. Fish and Wildlife Coordination Act of 1956 - 16 U.S.C. § 661
- kk. Section 9 of the Rivers and Harbors Act and General Bridge Act of 1946 - 33 U.S.C. § 401
- ll. Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303 and 23 U.S.C. § 138

mm. Resource Conservation and Recovery Act of 1976 (RCRA), as amended -- 42 U.S.C. §§ 6901, et seq.

nn. Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended --42 U.S.C. §§ 9601-9657

oo. Safe Drinking Water Act -- 42 U.S.C. §§ 300F-300J-6

pp. Wilderness Act -- 16 U.S.C. §§ 1131-1136

qq. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 -- 42 U.S.C. § 6901, et seq.

rr. Migratory Bird Treaty Act 16 U.S.C. § 760c-760g

ss. The Federal Funding Transparency and Accountability Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Public Law 110-252)

tt. Cargo Preference Act of 1954 – 46 U.S.C. § 55305

Executive Orders

a. Executive Order 11246 - Equal Employment Opportunity

b. Executive Order 11990 - Protection of Wetlands

c. Executive Order 11988 - Floodplain Management

d. Executive Order 12372 - Intergovernmental Review of Federal Programs

e. Executive Order 12549 - Debarment and Suspension

f. Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

g. Executive Order 13166 - Improving Access to Services for Persons With Limited English Proficiency

h. Executive Order 13788 – Buy American and Hire American

General Federal Regulations

a. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – 2 C.F.R. Parts 200 and 1201

b. Non-procurement Suspension and Debarment – 2 C.F.R. Parts 180, 1200

c. Investigative and Enforcement Procedures - 14 C.F.R. Part 13

d. Procedures for predetermination of wage rates - 29 C.F.R. Part 1

- e. Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States - 29 C.F.R. Part 3
- f. Labor standards provisions applicable to contracts governing federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act) - 29 C.F.R. Part 5
- g. Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements) - 41 C.F.R. Parts 60, et seq.
- h. Contractor Qualifications - 48 C.F.R. Part 9
- i. New Restrictions on Lobbying – 49 C.F.R. Part 20
- j. Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 – 49 C.F.R. Part 21
- k. Uniform relocation assistance and real property acquisition for Federal and Federally assisted programs - 49 C.F.R. Part 24
- l. Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance - 49 C.F.R. Part 25
- m. Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance - 49 C.F.R. Part 27
- n. DOT's oversight of DOJ's ADA regulations for non-transit programs, including the ADA Accessibility Guidelines, required by the DOJ regulations at 28 C.F.R. Part 35
- o. Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation – 49 C.F.R. Part 28
- p. Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors - 49 C.F.R. Part 30
- q. Government wide Requirements for Drug-Free Workplace (Financial Assistance) – 49 C.F.R. Part 32
- r. DOT's implementing ADA regulations for transit, including the ADA Accessibility Guidelines in Part 37, Appendix A - 49 C.F.R. Parts 37 and 38
- s. Procedures for Transportation Workplace Drug and Alcohol Testing Programs – 49 C.F.R. Part 40
- t. Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs – 49 C.F.R. Part 26

Office of Management and Budget Circulars

- a. 2 C.F.R. 1201

b. Any applicable OMB Circular

Highway Federal Legislation

a. Highways – Title 23, U.S.C.

b. Brooks Act (for FHWA projects, this incorporates Title IX of the Federal Property and Administrative Services Act of 1949 (formerly 40 U.S.C. § 541, et seq)) - 40 U.S.C. §§ 1101-1104; 23 U.S.C. § 112(b)(2)

c. Highway Design and Construction Standards, 23 U.S.C. § 109

d. Prevailing Rate of Wage, 23 U.S.C. 113

e. Planning, 23 U.S.C. §§ 134 and 135

f. Tolls, 23 U.S.C. § 301 (to the extent the recipient wishes to toll an existing free facility that has received Title 23 funds in the past)

g. Size, Weight, and Length Limitations - 23 U.S.C. § 127, 49 U.S.C. § 31101 et seq.

h. Buy America Act – 23 U.S.C. § 313 (see https://www.fhwa.dot.gov/construction/contracts/buyam_ga.cfm)

i. Nondiscrimination – 23 U.S.C. § 140

Highway Federal Regulations

a. Planning 23 C.F.R. Part 450

b. National Highway System Design Standards – 23 C.F.R. Part 625

c. Manual on Uniform Traffic Control Devices – 23 C.F.R. Part 655

d. Environmental Impact and Related Procedures – 23 C.F.R. Part 771

e. Procedures for Abatement of Highway Traffic and Construction Noise -- 23 C.F.R. Part 772

f. Procedures Implementing Section 4(f) of the Department of Transportation Act – 23 C.F.R. Part 774

g. Permitting Requirements under the National Pollutant Discharge Elimination System – 40 C.F.R. Part 122

h. Required Contract Provisions – 23. C.F.R. Part 633 (Form 1273)

i. External Programs – 23 C.F.R. Part 230.

PROJECT- SPECIFIC INSTRUCTIONS TO BIDDERS

18-145.1 – Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements
Milestone Definitions and Durations

At Notice to Proceed, and at each subsequent milestone, a specific defined area will be available for access, staging, and construction activities. For defined area at each respective milestone, reference drawing numbers 001-G-1001 through 001-G-1005. Liquidated damages will be assessed for each Milestone for each calendar day that any work remains NOT substantially complete within the footprint of each designated area within that Milestone. The following table details when each defined area will be available to the successful bidder and the contract time for each respective area.

Availability to Successful Bidder	Activity/Construction Area	Milestone for Contract Completion	Contract Duration (Calendar Days from issuance of NTP)
Phase I NTP	Mobilization	-	30
	Restricted Paving Area - East	Milestone 1	50
	Shed 2A Demolition/Shed 2A Footprint Grading & Paving	Milestone 2	130
	Shed 2A Surrounding Yard Grading & Paving		
	SMP Filters		
	⁽¹⁾ Shed 1 Interim Wall Construction/Shed 1 Partial Demolition/Stage 1 Yard Grading & Paving	Milestone 3	405
	⁽¹⁾ Shed 1 Partial Demolition/Shed 1 Wharf Demo & Construction/Stage 1 Wharf Grading & Paving		
	^{(1) (2)} Stage 1 Wharf Demo & Construction/Stage 1 Wharf Grading & Paving		
	⁽²⁾ Stage 1 Yard Grading & Paving		
Milestone 2	⁽³⁾ Berths 1, 2, & 3 Electrical	Milestone 3	80
⁽⁴⁾ Phase II NTP	Restricted Paving Area - West	Milestone 4	30
	⁽¹⁾ Stage 2 Yard Grading & Paving	Milestone 5 (Project Completion)	370
	⁽¹⁾ Stage 2 Wharf Demo & Construction/Stage 2 Wharf Grading & Paving		

- (1) For the purposes of this bid, all in water work is restricted from March 1 until August 31. In the event that these dates are changed (at any point), the contract time will be adjusted day-for-day for each of the areas identified herein.
- (2) During the in-water work restriction, terminal operations will continue in Berths 1 & 2. Access to the berths from the waterside will NOT be granted to the contractor until the in-water work restriction has expired. Additionally, all work on the landside will be coordinated with operations (through the owner) prior to and during all construction activities in these areas.
- (3) The electrical work completed within the Stage II areas will be within an active operation area. All work within Stage II will be coordinated with operations (through the owner) prior to and during all construction activities. This area will remain accessible to the successful bidder following contract completion date. All electrical work required to provide full operational ability of Stage I must be complete by Milestone 3.
- (4) Phase II NTP will be issued within reasonable proximity to Milestone 3 completion. Stage 1 area will be fully operational prior to the issuance of NTP for Stage II. Additionally, no additional mobilization time will be provided. NTP will also be considered the Stage II mobilization completion date. This will be coordinated with the successful bidder, operations, and the owner during construction of Phase I.

Specific Bid Instructions

1. The following pavement related items require separate invoicing:
 - a. SD.4; Y.1-a; Y.1-b; Y.1-c; Y.1-d; Y.2-a; Y.2-b; Y.2-c; Y.2-d; Y.3-a; Y.3-b; Y.3-c; Y.3-d
2. The following fender and bollard related items require separate invoicing:
 - a. W.1; W.21-a; W.21-b
3. By providing a bid price for unit price items, the bidder agrees with the stated quantities as they are depicted on the bid documents.

SPECIAL CONDITIONS TO THE GENERAL CONDITIONS

**18-145.1 – Packer Avenue Marine Terminal Berths 1-3 Infrastructure Improvements
Per Addendum 1**

SPECIAL CONDITIONS

These Special Conditions set forth in addendum 1 apply to the aforementioned Project.

Article VIII B.1. is replaced with the following language:

B. Liquidated Damages:

1. **Delay in completion of the Work.** The Contractor acknowledges and agrees that PhilaPort will incur substantial damages if the Work is not performed in accordance with the requirements of this Agreement. The parties agree that it would be extremely difficult and impractical under the presently known and anticipated facts and circumstances to ascertain and fix actual damages that PhilaPort would incur under these circumstances, and, accordingly, the parties agree that PhilaPort's remedy shall be to recover from the Contractor as liquidated damages, not as a penalty, Twenty thousand dollars (\$20,000) per day for each day the Work remains incomplete for the first fifteen calendar days and then Thirty Thousand Dollars (\$30,000) for (i) each calendar day substantial completion is not achieved for each milestone; and (ii) each calendar day thereafter the Work remains incomplete after work was to be completed. **Notwithstanding anything to the contrary, liquidated damages can only be assessed once for each calendar day of work there is an event PhilaPort is entitled to recover liquidated damages.** The liquidated damages identified in this Section relate solely to the Contractor's delay in completing the Work in accordance with the requirements of this Agreement and not to other breaches, actions or omissions of the Contractor. The liquidated damages identified in this Section shall not limit PhilaPort's remedies for other breaches, actions, or omissions of the Contractor, including termination for failure to complete the Work.

Article VIII B.2 is unchanged.



Philadelphia Regional Port Authority
3460 North Delaware Ave. 2nd Floor
Philadelphia, PA 19134

REVISED BID FORM

I. Monetary Section:

The undersigned, _____ (“Bidder”), having familiarized himself with the local conditions affecting the cost of the work and with the Bidding and Contract Documents, including (A) this Bid Form, which includes (i) the Monetary Section, (ii) the Bidder Responsiveness Section, (iii) the Bidder Responsibility Section, (iv) the Project Point of Contact Section, (v) the Acknowledgment of Disclaimers Section and (vi) the Representation and Authorization Section, (B) the Instructions to Bidders, (C) the Diversity Inclusion Plan Forms, (D) General Conditions, and (E) the Plans and Specifications, hereby proposes to perform the Work, and to provide and furnish all labor, material, necessary tools, equipment, and all utility and transportation services necessary to perform and complete in a workmanlike manner all of the Work required to be performed within (see performance period below), counting from the date of notice to proceed, for the following prices:

Period of performance:

There will be two NTP’s issued for this project – Stage I at contract award, Stage II upon completion of Stage I.

Stage I will be 405 calendar days after NTP.

Stage II will be 370 days after NTP. Stage II NTP will be issued upon actual completion date of Stage I.

Please see bid form on the following pages:

**PACKER AVENUE MARINE TERMINAL
BERTHS 1 -3 INFRASTRUCTURE IMPROVEMENTS**

NOTES:

1. Per the Contract General Conditions, Contractors should understand that by providing a bid price for Unit Price Items, the contractor agrees, acknowledges and accepts the bid quantities estimated in the Bid Form accurately depict quantities in the drawings and other contract documents.
2. PhilaPort will compensate Contractor for pavement related pay items and bollards/fenders each from a separate funding sources. Consequently, the Contractor should invoice labor and material separately for these items. Pavement items include pavement demo, grading, subgrade prep, milling and new pavement. Bollard/fender items include removal of existing bollards and fenders, procurement of new bollards, fenders, chains, pad eyes and other hardware including anchor bolts and all other related activities. The crane beam at fender locations (fender blocks) should not be invoiced with the separate invoicing for fenders& bollards.

BID FORM - BASE BID UNIT COST ITEMS

GEN		General Items			
ITEM	DESCRIPTION	QTY	UNIT	UNIT \$	TOTAL
GEN.1-a	Mobilization includes Project Setup - Field Office for Resident Engineer, Project Manager, contractor temporary offices, utilities, etc.	1	LS	\$	\$
GEN.1-b	Demobilization: Includes Project Breakdown including removal of all equipment of site, restoration, and resolution of debts and liens.	1	LS	\$	\$
GEN.2	Insurance: Insurance premium for Contractor provided insurance coverage for the contract duration.	1	LS	\$	\$
GEN.3	Performance and Payment Bonds: Cost for Contractor provided bonds.	1	LS	\$	\$
GEN.4	Soil Erosion & Sediment Control: including all work associated with installation, maintenance, and removal of soil erosion and sediment control measures shown on the drawings and as may be required by the PADEP.	1	LS	\$	\$
GEN.5	Survey: including new topographic survey, and all work necessary to layout and install new construction to the proposed lines and grades within the specified tolerances.	1	LS	\$	\$
GEN.6	Quality Control: Contractor independent quality control program as per Specifications.	1	LS	\$	\$
GEN.7	As-Built Drawings: Furnish one set of as-built drawings of the completed work.	1	LS	\$	\$
GEN.8	Pile Dynamic Analysis Tests: includes all setup and reporting	22	EA	\$	\$
GEN.9	Pile Static Load Test - Compressive - 24" Piles: includes test set-up , and reporting	1	EA	\$	\$
GEN.10	Pile Static Load Test - Compressive - 20" Piles: includes test set-up , and reporting	1	EA	\$	\$
GEN.11	Pile Static Load Test - Compressive - 14" Piles: includes test set-up , and reporting	1	EA	\$	\$
GEN.12	All Remaining Work: Not otherwise identified on the bid form.	1	LS	\$	\$

BUILDINGS		Shed 1 and Shed 2A Demolition & Shed 1 Interim Wall Construction				
SD.1	Demolition of Shed 2A: All work needed to remove Shed 2A and associated loading docs, and foundations. Excavation, Removal, and offsite disposal of pavement and demolition debris within Shed 2A. Includes utility terminations	100,000	SF	\$	\$	
SD.2	Partial Demolition of Shed 1: All work needed to remove Shed 1 to the limits shown, including utility terminations, removal of foundations, and offsite disposal of demolition debris.	1	LS	\$	\$	
SD.3	Shed 1 Salvage and Protection: All work needed to remove, store and protect appliances as shown during demo of Shed 1 (Heating Units, Vents, Security lighting, Security Cameras, Antenna, Doors, Metal Stair Units, Forklift Charging Stations etc.).	1	LS	\$	\$	
SD.4	Shed 1 Pavement Demo: Excavation and Removal and offsite disposal of paving in Shed 1 partial demo footprint	6,670	SY	\$	\$	
SC.1	Shed 1 Closure: All work needed to install wall to enclose remaining Shed 1 including reinforcement of existing columns, new foundation wall, new structural elements, Shed skin, roof closure, and new wall and roof at utility room. Includes utility capping and relocation.	1	LS	\$	\$	
SC.2	Shed 1 Overhead Doors: All work needed to frame openings and install overhead doors.	1	EA	\$	\$	
SC.3	Shed 1 Personnel Doors: All work needed to frame openings and install personnel egress doors.	3	EA	\$	\$	
SC.4	Shed 1 Ventilation: All work needed to provide roof ventilators including equipment, framing as shown.	1	LS	\$	\$	
SC.5	Shed 1 Electrical - All work needed to provide conduit, wiring, circuit panels, forklift charging stations, and fixtures as shown. Includes all forklift charging station work.	1	LS	\$	\$	
SC.6	Shed 1 Plumbing and Fire Protection - All work needed to provide piping, fixtures as shown, Including Hydrants, Hydrant Corrals, Bollards and Bollard Foundations for Building Areas.	1	LS	\$	\$	
SC.7	New Communication/Security Pole(s): All work needed to install and energize high mast light pole provided by Owner. Contractor responsible to obtain shop drawings for installation up to but not limited to bolt pattern, wiring plans, mounting brackets.	1	EA	\$	\$	

WHARF		Wharf Improvements - Demo & Construction of Wharf and Wharf Features				
W.1	Removal of Existing Fenders and Bollards: Removal and staging of existing fenders and bollards from Stage 1 Area	1	LS	\$	\$	
W.2	Demolition and Removal of Waterside Crane Beam and Frontal Beam: Removal and disposal of waterside crane beam to limits shown.	1,749	LF	\$	\$	
W.3	Demolition and Removal of Train Rail and Ties: Removal and disposal of train rail and ties to limits shown.	2,241	LF	\$	\$	
W.4	Removal of 83'-8" Gage Landside Crane Rail: Removal and disposal of landside crane rail	1,069	LF	\$	\$	
W.5	Removal of Existing Crane Stops: Removal and disposal of crane stops at north end of existing crane rails.	2	EA	\$	\$	
W.6-a	Waterside 24" Diameter Pipe Piles (Closed Ended): Driven to ultimate capacity. Includes all shop and field splices to fabricate pile to approved length as determined during testing program, preaugering, coating, reinforcement, and concrete fill.	23,355	LF	\$	\$	
W.6-b	Landside 24" Diameter Pipe Piles (Closed Ended): Driven to ultimate capacity. Includes all shop and field splices to fabricate pile to approved length as determined during testing program, preaugering, coating, reinforcement, and concrete fill.	1,429	LF	\$	\$	
W.7-a	Waterside 20" Diameter Pipe Piles (Open Ended): Driven to ultimate capacity. Includes all shop and field splices to fabricate pile to approved length as determined during testing program, preaugering, coating, reinforcement, and concrete fill.	12,846	LF	\$	\$	
W.7-b	Landside 20" Diameter Pipe Piles (Closed Ended): Driven to ultimate capacity. Includes all shop and field splices to fabricate pile to approved length as determined during testing program, preaugering, coating, reinforcement, and concrete fill.	802	LF	\$	\$	
W.8	Landside 14" Diameter Pipe Piles (Closed Ended): Driven to ultimate capacity. Includes all shop and field splices to fabricate pile to approved length as determined during testing program, preaugering, coating, reinforcement, and concrete fill.	27,682	LF	\$	\$	
W.9-a	Pile (Field) Splice 24" Dia Pipe Piles - Pile Splices as directed by Owner's Representative. Does not include splices required to manufacture and prepare piles to approved length as determined during testing program.	1	EA	\$	\$	
W.9-b	Pile (Field) Splice 20" Dia Pipe Piles - Pile Splices as directed by Owner's Representative. Does not include splices required to manufacture and prepare piles to approved length as determined during testing program.	1	EA	\$	\$	
W.9-c	Pile (Field) Splice 14" Dia Pipe Piles - Pile Splices as directed by Owner's Representative. Does not include splices required to manufacture and prepare piles to approved length as determined during testing program.	1	EA	\$	\$	
W.10-a	Pile Jacketing of Pipe Piles - Includes all activities to install pile jackets on existing piles where indicated. Jacket length on each pile extends from EL. -4.10' (NAVD 88) to bottom of crane beam.	51	EA	\$	\$	
W.10-b	Pile Jacketing of H-piles - Includes all activities to install pile jackets on existing H-piles where indicated. Jacket length on each pile extends from EL. -3.0' (NAVD 88) to bottom of crane beam.	41	EA	\$	\$	
W.10-c	Pile Wrapping of Pipe Piles - Includes all activities to install pile wraps on existing pipe piles where indicated. Length of wrap on each pile extends from EL. -4.0' (NAVD 88) to bottom of crane beam.	20	EA	\$	\$	
W.11-a	Waterside Crane Beam, Frontal Beam and Fender Blocks: All work needed to construct frontal beam and waterside crane beam, including excavation, formwork, reinforcement, cable tray and cover. Excludes new piles.	5,133	CY	\$	\$	
W.11-b	Waterside Crane Beam Hoyt Street Sewer Crossing: All work needed to construct the composite girder over the Hoyt Street Sewer at the Waterside Crane Beam. Excludes new piles.	1	LS	\$	\$	
W.11-c	Waterside Crane Beam Transco Gas Line Crossing: All work needed to construct the composite girder over the Transco pipeline at the 100' LS Crane Beam. Excludes new piles.	1	LS	\$	\$	
W.12	Cable Tray and Cover: All work needed to construct cable tray and cover.	1,739	LF	\$	\$	
W.13	90' Landside Crane Beam: All work needed to construct 90' landside crane beam, including excavation, connection to existing beam, formwork, reinforcement. Excludes new piles.	466	CY	\$	\$	
W.14-a	100' Landside Crane Beam: All work needed to construct 100' landside crane beam, including excavation, formwork, reinforcement. Includes extension of tie-beams to the 90' beam. Excludes new piles.	1,931	CY	\$	\$	
W.14-b	Landside Crane Beam Hoyt Street Sewer Crossing: All work needed to construct the composite girder over the Hoyt Street Sewer at the 100' LS Crane Beam. Excludes new piles.	1	LS	\$	\$	
W.14-c	Landside Crane Beam Transco Gas Line Crossing: All work needed to construct the composite girder over the Transco pipeline at the 100' LS Crane Beam. Excludes new piles.	1	LS	\$	\$	
W.15-a	Select Repair to Existing Concrete Crane Beams and Tie Beams: Includes select demolition, exposure of adjacent rebar, splices, forming, and concrete restoration for areas not otherwise identified and as directed by the Engineer.	50	CY	\$	\$	
W.15-b	Additional Reinforced Concrete as needed for New Crane Rail Beams, and other structures, including formwork, splices, finishing.	300	CY	\$	\$	

WHARF Wharf Improvements - Demo & Construction of Wharf and Wharf Features (Continued)						
W.16	Waterside and Landside Crane Rails: All work needed to construct crane rails including anchor bolts, rail plates, and connecting hardware. Includes installation of transition rail to connect with existing Stage 1 rail until construction of Stage 2 rail.	3,696	LF	\$	\$	
W.17-a	Interim Rail Realignment: All work needed for realignment of the transition rail between Stage 2 and Stage 1 within Phase 2. Includes all labor and materials needed for realignment of the crane rail and associated anchor bolts, rail plates, and connecting hardware.	100	LF	\$	\$	
W.17-b	Final Rail Realignment: All work needed for permanent realignment of the transition rail between Phase 1 and Phase 2 upon completion of Phase 2. Includes Crane Rail anchor bolts, rail plates, and connecting hardware.	150	LF	\$	\$	
W.18	New Crane Stops: All work needed to construct crane stops at Waterside and 90' Crane Rail. No Crane stop at the 100' Crane Rail	2	EA	\$	\$	
W.19-a	Crane Tie-Down Locations: All work needed to construct two waterside and landside tie-down pits at locations as shown. Line item price includes hardware, additional concrete, reinforcing steel, and anchor bolts.	28	EA	\$	\$	
W.19-b	Crane Stow Sockets: All work needed to construct each stow pin socket pair, at locations shown. Line item price includes hardware, additional concrete, reinforcing steel, and anchor bolts for each pair.	39	PAIR	\$	\$	
W.21-a	Stage 1 Bollards: All work needed to install new 100 ton bollards, including anchor bolts, concrete fill and grout.	48	EA	\$	\$	
W.21-b	Stage 1 Fenders: All work needed to install new fenders, including anchor bolts, Fenders, chains, and associated hardware.	24	EA	\$	\$	
W.22-a	Crane Power 13.2 kV Manhole: All work needed to install electrical manhole, including grounding, excavation, structure, casting, and backfill.	1	EA	\$	\$	
W.22-b	Crane Power Interface Pit: All work needed to crane power pit including cable horn, cable drum anchors, turnout box, Fiber Optic Xconnect boxes, MV loadbreak junctions, ground check system, grounding system, and cover.	1	EA	\$	\$	
W.22-c	Electrical Manholes: All work needed to install electrical manholes, including grounding, excavation, structure, casting, and backfill.	5	EA	\$	\$	
W.22-d	Electrical Handholes: All work needed to install electrical handholes for crane power, including grounding, excavation, structure, casting, and backfill.	10	EA	\$	\$	
W.22-e	Fiber Optic Handholes: All work needed to install electrical handholes, including grounding, excavation, structure, casting, and backfill.	1	EA	\$	\$	
W.23	Cold Ironing Stations: All work needed to construct cold ironing stations at wharf as shown including pads, and conduit	5	EA	\$	\$	
W.24-a	2x4" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	650	LF	\$	\$	
W.24-b	10x6" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	600	LF	\$	\$	
W.24-c	6x4" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	1,250	LF	\$	\$	
W.24-d	10x2" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	80	LF	\$	\$	
W.24-e	5x2" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	175	LF	\$	\$	
W.24-f	4x2" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	725	LF	\$	\$	
W.24-g	1x2" 2x2" & 3x2" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	1,050	LF	\$	\$	
W.24-h	3x4" Duct Bank: All work needed to install duct bank including excavation, conduits, concrete, and grounding.	600	LF	\$	\$	
W.25-a	LV Cable Installation: All work needed to install LV Cable as shown into Duct Banks. Duct Banks included as a separate line item	5,900	LF	\$	\$	
W.25-b	MV Cable Installation: All work needed to install MV Cable as shown into Duct Banks. Duct Banks included as a separate line item	3,800	LF	\$	\$	
W.26	Crane Receptacles: All work needed to provide 480-V crane receptacles at stow locations including housing fabrications and installation, receptacles, and equipment.	9	EA	\$	\$	
W.27-a	Crane Power Stage 1: All work needed to energize crane-receptacles in Stage 1 including cabling, switch gear, and connections 3-pole breakers, and NEMA 4X Pull Boxes.	1	LS	\$	\$	
W.27-b	Crane Power Stage 2: All work needed to energize crane receptacles in Stage 2 including cabling, switch gear, and connections 3-pole breakers, and NEMA 4X Pull Boxes.	1	LS	\$	\$	

YARD Yard Improvements: Grading, Paving and Storm Drainage at Wharf & Yard Areas Incl. Shed Demo Footprints						
Y.1-a	Restricted Paving Areas - Grading, Subgrade Prep: All work needed to demo paving, grade site, prepare subbase. Includes T&D of excess fill	3,194	SY	\$	\$	
Y.1-b	Restricted Paving Areas - Install DGA: All work needed to place, compact, and testing of DGA course	3,194	SY	\$	\$	
Y.1-c	Restricted Paving Areas - Install New Pavement Base Course: All work needed to place and roll 4" HMA pavement binder course section atop DGA base course	3,194	SY	\$	\$	
Y.1-d	Restricted Paving Areas - Install New Pavement Overlay: All work needed to place and roll 2" HMA pavement wearing course section. Includes milling. Includes binder course to level for wearing course. Includes tack coat.	7,681	SY	\$	\$	
Y.2-a	Wharf and Yard - Grading, Subgrade Prep: All work needed to demo paving, grade site, prepare subbase. Includes T&D of excess fill.	23,947	SY	\$	\$	
Y.2-b	Wharf and Yard - Install DGA: All work needed to place, compact, and testing of DGA course.	23,947	SY	\$	\$	
Y.2-c	Wharf and Yard - Install New Pavement Base Course: All work needed to place and roll 4" HMA pavement binder course section atop DGA base course.	23,947	SY	\$	\$	
Y.2-d	Wharf and Yard - Install New Pavement Overlay: All work needed to place and roll 2" HMA pavement wearing course section. Includes milling. Includes binder course to level for wearing course. Includes tack coat.	44,709	SY	\$	\$	
Y.3-a	Shed 2A Footprint and Surrounding Yard Area Pavement - Grading, Subgrade Prep: All work needed to demo paving, grade site, prepare subbase. Includes T&D of excess fill. Does not include Restricted Paving areas	19,156	SY	\$	\$	
Y.3-b	Shed 2A Footprint and Surrounding Yard Area Pavement - Install DGA: All work needed to place, compact, and testing of DGA course. Does not include Restricted Paving areas.	19,156	SY	\$	\$	
Y.3-c	Shed 2A Footprint and Surrounding Yard Area - Install New Pavement Base Course: All work needed to place and roll 4" HMA pavement binder course section atop DGA base course. Does not include Restricted Paving areas.	19,156	SY	\$	\$	
Y.3-d	Shed 2A Footprint and Surrounding Yard Area - Install Pavement Overlay: All work needed to place and roll 2" HMA pavement wearing course section. Includes milling. Includes binder course to level for wearing course. Includes tack coat. Does not include Restricted Paving areas.	19,156	SY	\$	\$	
Y.4	SMP Manholes: All work needed to provide and install manholes at SMP Filter locations as shown. Includes excavation, bedding, piping, tie ins to Catch basins/Manholes, backfill and paving	6	EA	\$	\$	
Y.5	SMP Filters: All work needed to install Aquafilter AF-7.13	1	EA	\$	\$	
Y.6	SMP Filters: All work needed to install Aquafilter Aqua-Filter AF-5.6	1	EA	\$	\$	
Y.7	SMP Storm drains: All work needed to provide storm drains at SMP Filter locations including excavation, bedding, piping, tie ins to Catch basins/Manholes, backfill and Paving	76	LF	\$	\$	
Y.8	Stormwater Catch Basins at Shed 2A Footprint & Berth 3 Yard: All work needed to provide and install catch basins including excavation, structures, castings and backfill.	4	EA	\$	\$	
Y.9	Adjust Exist. Catch Basins at Berth 2 & 3 Yard: All work needed to realign catch basins as shown including excavation, structures, castings and backfill.	4	EA	\$	\$	
Y.10	Stormwater Manholes at Berth 3 Yard: All work needed to provide and install manholes including excavation, structures, castings and backfill.	1	EA	\$	\$	
Y.11	New Storm drains in Yard including Shed 2A Area & Yard at Berth 3: All work needed to provide storm drains in area of former Bldg 2 footprint, including excavation, bedding, piping, tie ins to Catch basins/Manholes and backfill.	648	LF	\$	\$	

TOTAL BASE BID AMOUNT BY CATEGORY		
<u>CATEGORY / ITEM</u>	<u>DESCRIPTION</u>	<u>TOTAL BID AMOUNT (US \$)</u>
GENERAL ITEMS BASE BID AMOUNT	<u>General Items Total Bid Amount</u>	\$
	TOTAL BID AMOUNT IN WORDS:	
BUILDINGS BASE BID AMOUNT	<u>Shed 1 and Shed 2A Demolition & Shed 1 Interim Wall Construction</u>	\$
	TOTAL BID AMOUNT IN WORDS:	
WHARF BASE BID AMOUNT	<u>Wharf Improvements: Demo & Construction of Wharf and Wharf Features</u>	\$
	TOTAL BID AMOUNT IN WORDS:	
YARD BASE BID AMOUNT	<u>Yard Improvements: Grading, Paving and Storm Drainage at Wharf & Yard Areas Incl. Shed Demo Footprints</u>	\$
	TOTAL BID AMOUNT IN WORDS:	
<u>GRAND TOTAL BID FOR PAMT BERTH 1-3 INFRASTRUCTURE IMPROVEMENTS</u>		\$
<u>GRAND TOTAL BID AMOUNT IN WORDS:</u>		

II. Bidder Responsiveness Section:

A. The Bidder certifies to the best of his knowledge, information and belief that:

- i. That for the Bidder and his Subcontractors required to be disclosed or approved by PhilaPort, and as of the date of its execution of this Bid, neither the Bidder, nor any such Subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Bidder cannot so certify, then it agrees to submit, along with its Bid, a written explanation of why such certification cannot be made and why the Contract should nonetheless be awarded to Bidder.
- ii. That as of the date of its execution of this Bid, the Bidder has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.
- iii. That the Bidder possesses all required business, contracting and trade licenses required to perform the Work.
- iv. That the Bidder possesses all the technical qualifications and resources, including equipment, personnel and financial resources, to perform the Work.
- v. (1) That the Bidder (or the labor force) participates at the time of the bid submission in an approved Apprenticeship Program as defined in the General Conditions for each craft or trade of the labor force contemplated to perform the work, (2) that such Program is currently registered with the Pennsylvania Apprenticeship and Training Council and (3) that such Program has apprentices and trainees currently participating.
- vi. That the information provided in connection with PhilaPort’s Diversity Inclusion Plan Forms is accurate and the mandatory information on form is filled out completely.
- vii. That the Bidder shall perform on the site and with HIS own organization at least 20 percent of the total amount of Work to be performed under this contract.

B. The Bidder shall perform the following Work:

Percentage of Work to be performed by my organization _____% Estimate cost of Work to be performed by my organization

\$ _____

III. Bidder Responsibility Section:

A. The Bidder certifies that:

- i. He has a satisfactory record of past contract performance and past law compliance that demonstrates a solid history of both technical competency and business integrity sufficient to justify receiving a Port PhilaPort contract; and
- ii. He currently possesses all qualifications, skills, resources, equipment personnel, financial resources and other required performance capabilities needed to successfully complete the prospective contract it is seeking to perform; and
- iii. He will comply with all relevant security requirements;
- iv. He will have sufficient workforce that possess Transportation Worker Identification Credentials to gain access and properly perform the Work by the date of Notice to Proceed with the Work.
- v. He will utilize labor enrolled in approved Apprenticeship Programs as defined in the General Conditions for the full duration of the contract Work.

B. The Bidder certifies the following responses to the questions posed to assist PhilaPort in its determination of Bidder Responsibility:

1. Has the Bidder been suspended and/or debarred or voluntarily agreed not to bid as a result of an action by any federal, state or local government agency or authority in the past three years?

Yes No

2. Has any officer, director, owner or managerial employee of the Bidder been convicted of a felony relating to construction, maintenance, service or repair contracting industries?

Yes No

3. Has the Bidder defaulted on any project in the past three years?

Yes No

4. Has the Bidder had any type of business, contracting or trade license revoked or suspended by any government agency or authority in the past three (3) years?

Yes No

5. Has the Bidder been found in violation of any other law relating to its contracting business, including, but not limited to antitrust laws, licensing laws, tax laws, wage or hour laws, environmental or safety* laws, by a final decision of a court or government agency authority in the past three (3) years?

Yes No

*For purposes of this question, violations of safety laws may be limited to serious or willful safety violations.

6. Has the Bidder been the subject of voluntary or involuntary bankruptcy proceedings at any time in the past three years?

Yes No

C. Bidder's Vendor Data Management Unit Number is: _____

IV. Bidder's Point of Contact Section:

Contact Information for the Bidder on this project (for purposes of affirming bid price, issuing notice to proceed, insurance information, diversity information, etc.):

Name: _____

Title: _____

Phone: _____

Email: _____

V. Acknowledgment and Disclaimers Section:

It is understood that the right is reserved by PhilaPort to reject any or all bids and to waive any informalities in the Bid, as may be provided in the Instructions to Bidders.

Submission of false or misleading information or statements in connection with this Certification shall render the Bidder ineligible to perform work for PhilaPort and/or shall be considered a material breach of any contract entered and entitle PhilaPort to all applicable remedies available at law or in equity.

Further, in the event Contractor fails to gain entry or cannot perform Work due to noncompliance, the Authority reserves the right to provide escorts to be billed to the Contractor with no increase in cost under the contract or terminate the contract for failure

to perform.

VI. Representation and Authorization Section:

By making this Bid, Bidder understands, represents, acknowledges and certifies:

- a) That the foregoing representations regarding the past performance and present qualifications of the undersigned Bidder are true and correct;
- b) The Bidder has read and understands the terms and conditions of the Invitation for Bids and this Bid is made in accordance with those terms and conditions;
- c) The item(s) offered in the Bid will be in conformance with the specifications referenced in the Instructions for Bids without exceptions;
- d) The price(s) and amount of the Bid have been arrived at independently and without consultation, communication, or agreement with any other contractor, bidder or potential bidder;
- e) Neither the price(s) nor the amount of the Bid, and neither the approximate price(s) nor the approximate amount of the bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed prior to the bid opening;
- f) No attempt has been made or will be made to induce any firm or person to refrain from bidding on the contract, or to submit a bid higher than the bid, or to submit an intentionally high or noncompetitive bid or other form of complementary bid;
- g) The Bid is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive bid;
- h) This bid has been completed by an authorized representative of the Bidder that the sufficient knowledge and information to address all matter addressed herein;
- i) If an award is made to the Bidder, the Bidder agrees that it intends to be legally bound to the contract that is formed between PhilaPort and the Bidder; and
- j) If an award is made to the Bidder, the Bidder will enter into and execute a contract based upon this bid, without delay, upon notice of award of contract, and will not withdraw this bid in accordance with the Instructions to Bidders and Applicable Law.

*[Signature pages to follow; select the page that is appropriate
to your form of business organization.]*

[SIGNATURE PAGE FOR INDIVIDUAL BIDDER]

Name of Bidder (Printed)

Signature of Individual

Trading and doing business as:

Business Address:

Tax Identification Number:

**If fictitious or trade name is employed in conduct of business, complete, by deletion as appropriate, the following statement:*

[Foregoing fictitious or trade name (has) (has not) been registered by the individual proprietorship under Pennsylvania Law.]

[SIGNATURE PAGE FOR PARTNERSHIP BIDDER]

Name of Partnership

Name of General Partner (Printed)

By: _____
(Signature of General Partner)

Witness: _____

Business Address:

Tax Identification Number:

The partners constituting the partnership herein named are:

Partner: _____

Address: _____

Partner: _____

Address: _____

Add additional lines for the names and addresses of additional Partners, if there are more than four Partners in the Partnership, by attaching an additional page or pages to this Bid.

*If fictitious or trade name is employed by the partnership in conduct of its business, insert name here:

Next, complete, by deletion as appropriate, the following statement:

[Foregoing fictitious or trade name (has) (has not) been registered by the partnership under Pennsylvania Law.

[SIGNATURE PAGE FOR CORPORATE BIDDER]

Name of Corporation

Attest:

Signature of Secretary, Assistant Secretary
Treasurer, Assistant Treasurer or
other authorized representative**

By:

Signature of President, Vice President or
other authorized representative*

(Print Name of Representative)

(Print Name of Representative)

** If a representative other than the President or a Vice President of the Corporation signs this Bid on its behalf, then attach a valid corporate resolution or other appropriate proof, dated prior to or as of the date of the Bid, evidencing authority to execute this Bid on behalf of the Corporation.*

*** If a representative other than the Secretary, an Assistant Secretary, the Treasurer or an Assistant Treasurer attests to the signature of the corporate representative, then attach a valid corporate resolution or other appropriate proof, dated prior to or as of the date of the Bid, evidencing authority to attest to the execution of this Bid on behalf of the Corporation.*

Tax Identification Number:

(1) Complete the following statement: The Corporation has been organized and is existing under laws of the State/Commonwealth of: _____.

(2) *If Corporation has been organized under laws of a State other than those of the Commonwealth of Pennsylvania, complete, by deletion as appropriate, the following statement:*
[The Corporation (has) (has not) been granted a certificate of authority to do business in the Commonwealth of Pennsylvania under applicable laws.]

(3) *If Corporation has been organized under laws other than those of the Commonwealth of Pennsylvania and has NOT been granted a certificate of authority, complete, by deletion as appropriate, the following statement:*
[The Corporation (has) (has not) applied for a certificate of authority to do business in the Commonwealth of Pennsylvania and (has) (has not) attached a copy of the pending application to this Bid.]

[SIGNATURE PAGE FOR A LIMITED LIABILITY COMPANY (LLC) BIDDER]

Name of Limited Liability Company

Attest:

Signature of an Authorized Representative*

(Print Name of Representative)

By:

Signature of Authorized Representative**

(Print Name of Representative)

** The individual attesting verifies and represents that the person whose signature is affixed to this Bid on behalf of the Limited Liability Company (LLC) is duly authorized in accordance with the representations hereafter set forth.*

*** Check the box which applies to this Bid:*

_____ *The Certificate of Organization provides that LLC is to be managed by managers, and this Bid has been executed by a Manager fully authorized by the Certificate, by the Operating Agreement and by Resolutions of the LLC. Copies of the relevant documents are provided with the Bid or can be provided upon request within three (3) working days.*

_____ *The Certificate of Organization does not provide that LLC is to be managed by managers, and this Bid has been executed by a Member fully authorized by the Certificate, by the Operating Agreement and by Resolutions of the LLC. Copies of the relevant documents are provided with the Bid or can be provided upon request within three (3) working days.*

_____ *This Bid has been executed by a representative of the LLC who is not a Manager or a Member of the LLC, and instead who holds the office of _____ (insert title), and the execution of this Bid is fully authorized by the Certificate, by the Operating Agreement and by Resolutions of the LLC. Copies of the relevant documents are provided with the Bid or can be provided upon request within three (3) working days. The Bidder and the individuals signing and attesting to the execution of this document further represent that (1) execution of the Bid is carrying on business in the usual way; (2) the LLC authorizes the execution of this Bid even if execution and submission of this Bid is not carrying on business in the usual way for the LLC; and (3) to the best of the individuals' information and belief, the Owner has no knowledge of the Member's or the Manager's lack of actual authority, or of any applicable and relevant restriction on his or her authority.*

Tax Identification Number:

(1) Complete the following statement: The LLC has been organized and is existing under laws of the State/Commonwealth of _____.

(2) If the LLC has been organized under laws of a State other than those of the Commonwealth of Pennsylvania, complete, by deletion as appropriate, the following statement:

[SIGNATURE PAGE FOR A LIMITED LIABILITY COMPANY (LLC) BIDDER]

[The LLC (has) (has not) been granted a certificate of authority to do business in the Commonwealth of Pennsylvania under applicable laws.]

(3) If the LLC has been organized under laws other than those of the Commonwealth of Pennsylvania and has NOT been granted a certificate of authority, complete, by deletion as appropriate, the following statement:

[The LLC (has) (has not) applied for a certificate of authority to do business in the Commonwealth of Pennsylvania and (has) (has not) attached a copy of the pending application to this Bid.]