



December 03, 2024

TO: Holders List

SUBJECT: 071787 TOTE BEERTH MAINTENANCE DREDGE

Responses to Bid Questions # 01

1. BIDDER QUESTION (Q-002662 11/14/2024)

The plans and specs pdf files appear to be damaged and we are unable to open them. Can you please upload a new set?

[RESPONSE \(11/12/24\)](#)

[Documents have been re-uploaded.](#)

2. BIDDER QUESTION (Q- 002671 11/15/2024)

When is this project to take place? Start date? Physical Completion Date?

[RESPONSE \(12/2/24\)](#)

[The start date is contingent on the contractor's ability to submit pre-Notice to Proceed documents. The completion date is provided in the Contract Documents.](#)

3. BIDDER QUESTION (Q- 002701 11/19/2024)

Is it possible to allow virtual participation for the Pre-Bid conference being held on Thursday at 10am? If so, please provide a call-in number or video conference link.

[RESPONSE \(11/21/24\)](#)

[Not at this time.](#)

4. BIDDER QUESTION (Email 11/20/2024)

Is it possible to allow virtual participation for the Pre-Bid conference being held on Thursday at 10am? If so, please provide a call-in number or video conference link.

[RESPONSE \(11/21/24\)](#)

[No pre-bid conference is not mandatory.](#)

5. BIDDER QUESTION (Email 11/19/2024)

Is it possible to allow virtual participation for the Pre-Bid conference being held on Thursday at 10am? If so, please provide a call-in number or video conference link.

RESPONSE (11/21/24)

No we do not do them via phone or teams. In person only.

6. BIDDER QUESTION (Q-002730 11/25/2024)

Please confirm in the event of changes in laws or regulations taking effect after submission of Contractor's bid, Contractor shall be entitled to an equitable adjustment to the extent such change impacts Contractors' cost and/or time of performance.

RESPONSE (12/2/24)

No, the contract duration is extremely short. We are not aware of any new laws or regulations set to go into effect that could create an impact.

7. BIDDER QUESTION (Q-002729 11/25/2024)

The Contract Documents specify that the Port may perform other work at the Site with Port employees, or through contracts for such other work, and that Contractor must coordinate with such other work. Please confirm whether any such work is scheduled or anticipated during the period of this work.

RESPONSE (12/2/24)

There is no known work scheduled at this time, however, Port Maintenance or other contractor work that may become necessary will need to be coordinated with the work under this contract.

8. BIDDER QUESTION (Q-002728 11/25/2024)

What is the size of the existing riprap?

RESPONSE (12/2/24)

Unknown, Refer to the 1983 Construction set for additional information regarding rip rap on the slope and toe

9. BIDDER QUESTION (Q-002717 11/25/2024)

Section 35 20 23 Part 3.01.C indicates that the Contractor is required to clear all material above the required depth to the Port's satisfaction. It is not feasible to remove all high spots within the template with only a 6 inch maximum overdredge tolerance. Please consider amending the requirements to allow for increased tolerance and/or more flexible acceptance standards in the riprap toe area.

RESPONSE (12/2/24)

Per the documents the contractor is allowed a 2' over dredge. We have consciously tightened up the over dredge within the rock toe area to ensure that the stability of the slope armoring is not affected. Contractor shall be responsible to minimizing damage to the rip rap armoring on the slope and toe areas while ensuring that no high spots above elevation -40 exist when completed.

10. BIDDER QUESTION (Q-002718 11/25/2024)

Please confirm that sediments within the limits of required dredging are anticipated to be sloughed sediments which have accumulated since the dates of last dredging.

RESPONSE (12/2/24)

Based on bathymetric survey it appears that sediments to be dredged are the result of scouring at the site from ship berthing activities.

11. BIDDER QUESTION (Q-002719 11/25/2024)

The provided permits indicate that dredging is authorized to -42.0' MLLW. If dredging inadvertently exceeds the 6" tolerance in the riprap toe area is it considered a permit violation?

RESPONSE (12/2/24)

Obviously No, but if the slope becomes destabilized as a result of too much of the toe being removed it will be the contractor's responsibility to repair it.

12. BIDDER QUESTION (Q-002720 11/25/2024)

The Contract documents indicate that the Contractor is responsible for any damage to the existing riprap. Documents also indicate that the actual elevation and spatial extent of existing riprap has not been verified. How does the Port intend to verify existing conditions of the riprap prior to the start of dredging?

RESPONSE (12/2/24)

The Port has no intention to verify existing conditions. Please review Contract Documents and reference documents.

13. BIDDER QUESTION (Q-002721 11/25/2024)

It is understood that Tote expects vessels weekly on Wednesday and Friday from 1600 to 0200 which will take precedence over dredging operations. Other than vessel traffic within the Blair Waterway, what other inherent delays are expected to be included in the bid price?

RESPONSE (12/2/24)

None that are apparent at this time.

14. BIDDER QUESTION (Q-002722 11/25/2024)

It is understood that Tote expects vessels weekly on Wednesday and Friday from 1600 to 0200 which will take precedence over dredging operations. Can the Contractor expect that all other delays incurred as a result of Port or tenant operations will be covered under Bid Item #6?

RESPONSE (12/2/24)

Bid Item #6 is to be used in the event that there extenuating circumstances that would prevent the contractor from dredging for extended periods of time, ie a ship has to remain at berth for an extra day or two. This bid item is not meant to cover minimal delays that are Inherent in dredging activities.

15. BIDDER QUESTION (Q-002723 11/25/2024)

What is the minimum unit of measure for which Bid Item #6 will be measured and compensated for?

[RESPONSE \(12/2/24\)](#)

The answer to this is in the Contract Documents.

16. BIDDER QUESTION (Q-002724 11/25/2024)

Section 35 20 23 Paragraph 3.07.A. says, "The Contractor will be compensated for costs associated with handling and disposal of debris encountered during dredging through Bid Item #8 - Dredge Debris Removal Allowance." There is no Bid Item #8. Please confirm that the Contractor should not include any contingencies in bids for debris disposal and that all costs associated with removal and disposal of debris will be compensated for under Bid Item #5.

[RESPONSE \(12/2/24\)](#)

This will be addressed via addendum. Per the Contract Documents debris disposal is addressed in Bid Item 5

17. BIDDER QUESTION (Q-002725 11/25/2024)

Please provide all supporting documents listed in Table 1 of the Water Quality Certification including but not limited to the Joint Aquatic Resources Permit Application, the Biological Evaluation, the Draft Dredging Plan, and the Water Quality Monitoring and Protection Plan.

[RESPONSE \(12/2/24\)](#)

Documents will be provided in Addendum 1

18. BIDDER QUESTION (Q-002726 11/25/2024)

The question deadline is shown on the Port of Tacoma website as both 2:00 PM and 5:00 PM on 11/28/2024. Please clarify the cut-off time for submitting questions.

[RESPONSE \(12/2/24\)](#)

2:00 PM

19. BIDDER QUESTION (Q-002727 11/25/2024)

What are the requirements for Water Quality monitoring? Can the Contractor self-perform or does it need to be performed by a third party? At what frequency is sampling required?

[RESPONSE \(12/2/24\)](#)

Information provided in Documents that are noted in question 17 will provide responses to these questions.

20. BIDDER QUESTION (Q-002731 11/25/2024)

Since liquidated damages are assessed not as a penalty but as a reasonable pre estimate of probable damages when actual/direct damages are difficult to calculate, please confirm and update the contract documents to reflect that in the event of delayed performance, liquidated damages will be assessed in lieu of actual/direct and consequential damages.

[RESPONSE \(12/2/24\)](#)

As liquidated damages are only tied to attaining substantial and final completion dates and not to the operation of the facility the costs noted will remain as they represent the costs for additional overhead to manage the project.

21. BIDDER QUESTION (Q-002732 11/25/2024)

Please confirm whether this project will receive Federal financial assistance (it is funded in whole or in part by the U.S. Government). If it will, please identify the Federal agency providing the assistance, the grant or loan type, the date the grant or loan was awarded, and the applicable domestic product preference requirements (e.g. "Buy America" preference in BABA) and conform the contract documents.

[RESPONSE \(12/2/24\)](#)

It is not.

22. BIDDER QUESTION (Q-002733 11/25/2024)

If this project will receive Federal financial assistance, please confirm that OMB Memorandum M-24-02 dated October 25, 2023, and the guidance in Title 2 of the Code of Federal Regulations Part 184 apply to this project and conform the contract documents.

[RESPONSE \(12/2/24\)](#)

It will not.

23. BIDDER QUESTION (Q-002734 11/25/2024)

If this project will receive Federal financial assistance and OMB M-24-02 and 2 CFR part 184 do not apply, please provide documentation from the Federal funding agency whether the project is 1) subject to the Trade Agreements Act; and 2) whether the legacy test for what qualifies as domestic (50% component test, COTS exception, no consideration of predominantly iron and steel) will apply; and 3) if not, what test will apply, and conform the contract documents.

[RESPONSE \(12/2/24\)](#)

It will not.

24. BIDDER QUESTION (Q-002735 11/25/2024)

Please confirm Contractor is responsible only for hazardous materials brought to the Project site and/or generated by the Contractor, and will not be responsible for any pre-existing materials containing substances classified as hazardous, potentially hazardous, infectious, toxic or dangerous under applicable law, which shall be disposed of in strict compliance with all regulations as directed by Owner/Port. With respect to any such pre-existing materials, Owner/Port is the generator.

RESPONSE (12/2/24)

Please review the Contract Documents as they address hazardous materials.

25. BIDDER QUESTION (Q-002736 11/25/2024)

Sections 9.01 (A) and (B) make Contractor responsible for preventing deterioration of the Work during a Suspension and for the costs to correct or restore the deteriorated Work. However, dredging is subject to natural forces that are entirely outside of the control of the Contractor and Contractor in no way represents, guarantees or warrants that any dredging or excavation will stay open, dredged, or excavated for any period of time whatsoever. Please modify the Contract Documents to state that "Prior to any Owner/Port directed Suspension of the Work, the Owner/Port will inspect the Work and advise Contractor of Owner's/Port's acceptance of the completed portions of Work. Once the Suspension is lifted and immediately prior to resuming the Work, the Owner/Port will inspect the Work to see if any deterioration has occurred during the Suspension. If the Owner's/Port's inspection reveals deterioration in the Work occurred during the period of Suspension, Contractor shall be entitled to an equitable adjustment to the Contract Time and Contract Sum for any additional Work necessary to restore any deteriorated condition."

RESPONSE (12/2/24)

Cannot respond as no Contract Document section is referenced.

26. BIDDER QUESTION (Q-002737 11/25/2024)

Please modify General Condition 9.02(B) by deleting the language that allows the Port to take possession of Contractor's materials and equipment. It is not appropriate to have any third party take possession of Contractor's highly specialized marine tools and equipment.

RESPONSE (12/2/24)

The General Conditions will not be modified.

27. BIDDER QUESTION (Q-002738 11/25/2024)

Please modify the Contract Documents to provide that Contractor is solely responsible for damage to known utilities and will not be responsible for damage to utilities not shown on the plans and specifications or identified by the utility locator service. The Contractor should not be required to bear the costs associated with unknown, unidentified utilities not reasonably discoverable.

RESPONSE (12/2/24)

As the area has been previously dredged the Port is reasonably certain that there are no utilities that will be affected by this Maintenance Dredge, however, the Contractor must complete due diligence to ensure that no utilities exist.

28. BIDDER QUESTION (Q-002739 11/25/2024)

Unlike land-based construction, completed dredging activities are subject to natural forces that are entirely outside the control of the Contractor. To clarify the intent of the warranty, please include the following warranty provision: "The warranty provisions herein do not apply to the dredging portion(s) of the work. With respect to dredging, upon Contractor's advising Owner/Port that the dredging has been completed, Owner/Port shall inspect the Work and, if acceptable, shall advise Contractor of Owner's/Port's acceptance thereof. Contractor in no way represents, guarantees or warrants that any dredging or excavation will stay open, dredged or excavated for any period of time whatsoever."

RESPONSE (12/2/24)

There are no warranty provisions required for this project. Information will be included in Addendum 1.