

KANSAS CITY AREA TRANSPORTATION AUTHORITY

Invitation for Bids (IFB) #F22-5026-39A
KC Streetcar Trak Material Early Procurement

ADDENDUM #1

Issue Date: November 17, 2022

This Addendum is hereby made a part of the Invitation for Bid and Project Documents to the same extent as if it were originally included therein and is intended to modify and/or interpret the bidding documents by additions, deletions, clarifications, or corrections. The Contractor shall acknowledge receipt of this Addendum on the "Receipt of Addenda" form (herein attached) and shall include the form in their Bid Submittal documents.

PROCUREMENT SCHEDULE

The Closing Date for bid submittals is extended to December 2, 2022.

BIDDER QUESTIONS/REQUESTS FOR CLARIFICATION

1. Q: Are any 115 to 112 tram compromise rails required to be included in the turnouts?
A: All turnouts are located in 115 RE rail sections and do not need to have a transition rail included.
2. Q: Is any rail boot or encapsulation required on the outer restraining rail runs of the turnout (opposite the frog)? Typically, this is not included.
A: The turnout needs to meet the electrical isolation specifications throughout. Booting the outer restraining rail runs would be an acceptable means to accomplish this. Refer to Volume 1, Section 34 11 29, Part 4, Paragraph 3.26 for electrical test requirements.
3. Q: There are likely some possible conflicts regarding the flexive switch physical overall length and the frog overall length given the lead of the 25M/20M equilateral switch shown on Drawing K-908. The insulated joint between them adds additional complexity to the physical space requirements. Can the lead (point of switch to theoretical point frog) be lengthened to approximately 27'-9.1/2"?
A: No. The point of switch is placed 10' from an existing curve to allow room for the stock rails. Lengthening the lead to 27'-9.1/2" would potentially push the stock rails into that curve.
4. Q: If the lead of the 25M/20M equilateral switch shown on Drawing K-908 cannot be lengthened, please confirm that the following constraints are acceptable:
 - a) The flangebearing frog ramp length and possibly the traversing speed will likely need to be reduced (relative to a standard 25M turnout).

The design speed of the alignment entering the 20M side of the turnout is 5 MPH and the 25M side is 10 MPH. Please provide an estimate of the reduced ramp length to allow us to determine if it falls within an acceptable range.

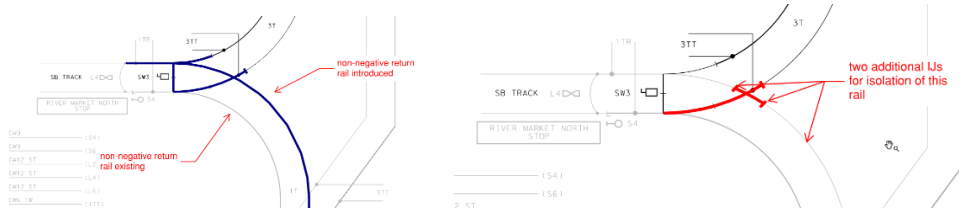
- b) The frog casting will likely need to be bolted directly to the heel of the switch.

This is acceptable.

- c) The insulated joint will likely need to be moved from in between the switch heel and the frog to another location.

Placing the insulated joint after the frog is acceptable with the condition that the existing negative return pathways are maintained through the curved section of rail.

The first is showing the introduction of non-negative return to the proposed condition, the last is the correction solution.



CORRECTIONS AND CLARIFICATIONS

Bid Book #1

1. The correct telephone number for Denise Adams is 816-346-0224.
2. Section 03.01.02, "Protests" (page 11): Correction as follows:

(e) *The KCATA Chief ~~Operating~~ Financial Officer will decide if the protest and the appeal (if any) have been given fair and reasonable considerations..."*

3. Section 5, "BID REPONSE FORM".

- A. Attachment A, "KCATA VENDOR REGISTRATION FORM". This form is no longer required. KCATA has migrated to an online vendor registration process:

All firms (prime contractors, subcontractors, and suppliers) doing business with KCATA must complete a vendor registration process. KCATA uses an online vendor management system (B2GNow). *Vendors that have previously registered with KCATA must now also complete the online process with updated information.*

To begin, you must set up an account at <https://kcata.diversitycompliance.com> where you will be given a temporary password. You will receive a confirmation email and be directed to change your password. You may follow the instruction guide to complete the process. B2GNow also conducts webinars that provide guided training on navigating the system and its available features.

For questions regarding this process, please contact Denise Adams.

- B. The following documents have been revised with updated reference to applicable regulations. The correct forms are attached.

- Attachment G-1 – Certification of Primary Participant Regarding Debarment & Suspension
- Attachment G-2 – Certification of Lower-Tier Participant Regarding Debarment & Suspension
- Attachment L-1 – Certification of Primary Participant Regarding Restrictions on Lobbying
- Attachment L-2 -- Certification of Lower-Tier Participant Regarding Restrictions on Lobbying

C. Attachments N-1 and N-2 “Certification Regarding Federal Tax Liability and Recent Felony Convictions” are required for both the Prime contractor and subcontractors. Forms are included in the Addendum.

BOOK #2

DELETE: A101 – 2017 Standard form of Agreement and A201 General Conditions to Contract (starting on page 5)

REPLACE: Updated A101 and A201 are provided with this Addendum (under separate cover)

ATTACHMENTS

- Attachment G-1: Attachment G-1 – Certification of Primary Participant Regarding Debarment & Suspension
- Attachment G-2: Certification of Lower-Tier Participant Regarding Debarment & Suspension
- Attachment L-1: Certification of Primary Participant Regarding Restrictions on Lobbying
- Attachment L-2: Certification of Lower-Tier Participant Regarding Restrictions on Lobbying
- Attachment N-1: Certification of Primary Participant Regarding Federal Tax Liability and Recent Felony Convictions
- Attachment N-2: Certification of Lower-Tier Participant Regarding Federal Tax Liability and Recent Felony Convictions
- Receipt of Addendum Form – to be returned with Bid Submittal documents

Documents under separate cover:

- AIA Document A101 – 2017 Standard Form of Agreement (DRAFT)
- AIA Document A201 – 2017 General Conditions of Contract (DRAFT) – this is in three parts

END OF ADDENDUM

ATTACHMENT G-1

**KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF PRIMARY PARTICIPANT
REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

The Primary Participant (applicant for an FTA grant or cooperative agreement, or potential Contractor for a major third-party contract), _____ certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/bid had one or more public transactions (Federal, State, or local) terminated for cause or default.

If the primary participant (applicant for FTA grant, or cooperative agreement, or potential third-party Contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

THE PRIMARY PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL CONTRACTOR FOR A MAJOR THIRD-PARTY CONTRACT), _____ CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 2 CFR PART 1200; 2 CFR PART 180; AND 49 CFR PART 29, SUPBART C ARE APPLICABLE THERETO.

Signature and Title of Authorized Official

Date

ATTACHMENT G-2

**KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF LOWER-TIER PARTICIPANTS REGARDING
DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY
AND VOLUNTARY EXCLUSION**

The Lower Tier Participant (potential sub-grantee or sub-recipient under an FTA project, potential third-party Contractor, or potential subcontractor under a major third-party contract) _____, certifies, by submission of this bid, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

If the Lower Tier Participant (potential sub-grantee or sub-recipient under an FTA project, potential third-party Contractor, or potential subcontractor under a major third-party contract) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this bid.

THE LOWER-TIER PARTICIPANT (POTENTIAL SUB-GRANTEE OR SUB-RECIPIENT UNDER AN FTA PROJECT, POTENTIAL THIRD PARTY CONTRACTOR, OR POTENTIAL SUBCONTRACTOR UNDER A MAJOR THIRD-PARTY CONTRACT), _____, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 2 CFR PART 1200; 2 CFR PART 180; AND 49 CFR PART 29, SUPBART C ARE APPLICABLE THERETO.

Signature and Title of Authorized Official

Date

ATTACHMENT L-1
KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF PRIMARY PARTICIPANTS
REGARDING RESTRICTIONS ON LOBBYING

I, _____ (Name and Title of Grantee Official or Potential Contractor for a Major Third-Party Contract), hereby certify on behalf of _____
_____ (Name of Grantee or Potential Contractor) that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352, 2 CFR § 200.450, 2 CFR Part 200 Appendix II (J) and 49 CFR Part 20. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____ 2022.

By _____
Signature of Authorized Official

ATTACHMENT L-2

**KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF LOWER-TIER PARTICIPANTS
REGARDING RESTRICTIONS ON LOBBYING**

I, _____ (Name and Title of Grantee Official or Potential Subcontractor under a Major Third-Party Contract), hereby certify on behalf of _____
(Name of Grantee or Potential Subcontractor) that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352, 2 CFR § 200.450, 2 CFR Part 200 Appendix II (J) and 49 CFR Part 20. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____, 2022.

By _____
Signature of Authorized Official

Title of Authorized Official

ATTACHMENT N-1

**KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF PRIMARY PARTICIPANT
REGARDING FEDERAL TAX LIABILITY AND RECENT FELONY CONVICTIONS**

The Primary Participant (name of applicant for an FTA grant or cooperative agreement, or potential Contractor for a major third-party contract), _____ certifies to the best of its knowledge and belief, that:

1. Do not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and if there is a federal tax liability that it is being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability;
2. Was not convicted of the felony criminal violation under any Federal law within the preceding 24 months; and
3. Have not more than 90 days prior to certification been notified of any unpaid federal tax assessment for which the liability remains unsatisfied.

Contractor is described as any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association.

If the primary participant (applicant for FTA grant, or cooperative agreement, or potential third-party Contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

The Contractor agrees to include these requirements in all subcontracts at all tiers, regardless of value, and to obtain the same certification and disclosure from all subcontractors (at all tiers).

THE PRIMARY PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL CONTRACTOR FOR A MAJOR THIRD-PARTY CONTRACT), _____ CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 48 CFR PARTS 1, 22 AND 52 ARE APPLICABLE THERETO.

Signature and Title of Authorized Official

Date

ATTACHMENT N-2

**KANSAS CITY AREA TRANSPORTATION AUTHORITY
CERTIFICATION OF LOWER-TIER PARTICIPANT
REGARDING FEDERAL TAX LIABILITY AND RECENT FELONY CONVICTIONS**

The Lower-Tier Participant (name of applicant for an FTA grant or cooperative agreement, or potential Subcontractor for a major third-party contract), _____ certifies to the best of its knowledge and belief that:

1. The Contractor does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and if there is a federal tax liability that it is being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability;
2. Was not convicted of the felony criminal violation under any Federal law within the preceding twenty-four (24) months; and
3. Have not more than ninety (90) days prior to certification been notified of any unpaid federal tax assessment for which the liability remains unsatisfied.

Contractor is described as any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association.

If the Lower-Tier Participant (applicant for FTA grant, or cooperative agreement, or potential third-party Subcontractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.

THE LOWER-TIER PARTICIPANT (APPLICANT FOR AN FTA GRANT OR COOPERATIVE AGREEMENT, OR POTENTIAL SUBCONTRACTOR FOR A MAJOR THIRD-PARTY CONTRACT), _____
_____ CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 48 CFR PARTS 1, 22 AND 52 ARE APPLICABLE THERETO.

Signature and Title of Authorized Official

Date

KANSAS CITY AREA TRANSPORTATION AUTHORITY (KCATA)

Invitation for Bids (IFB) #F22-5026-39A
KC Streetcar Track Material Early Procurement

RECEIPT OF ADDENDA

Proposers shall return this form when submitting their Bid Submittal. The form shall be signed and dated by an authorized representative of the firm. Failure to submit this form may deem the Bidder non-responsive. As additional addenda are issued, please notate date received below.

We hereby acknowledge that the Addenda noted below was received all information has been incorporated into the Bid as required.

Addendum #1 dated November 17, 2022 Date Received _____

Addendum #2 dated _____ Date Received _____

Addendum #3 dated _____ Date Received _____

Company Name _____ Date _____

Address/City/State/Zip _____

Authorized Signature _____ Printed Name _____

Telephone _____ Fax _____ Email _____