

THIS IS A SMALL BUSINESS RESERVE PROCUREMENT.

Solicitation No:	BPM052979	Project No:	EC25-09022-36
Project Title:	Smallwood State Park - Replace Pavilion #2		
Location:	Smallwood State Park		
	2750 Sweden Point Road Marbury, MD 20658 in Charles County		
Procurement Officer:	Jacquelyn Truffer		
Email:	jacquelyn.truffer1@maryland.gov		
Project Manager:	Leroy Artis		

For this solicitation, the Instructions to Bidders have been supplemented by the following:

1. NOTICE TO BIDDERS:

- a. The bid due date for this solicitation is **Friday, November 07, 2025 at 5:00 PM.**
- b. A pre-bid conference/site visit is scheduled for Tuesday, October 21, 2025 at 11:00 AM.
You are strongly urged to attend the pre-bid conference to understand the scope of work.
 - i. Please email any reasonable ADA accommodation requested for attending the pre-bid conference directly to the Procurement Officer no later than Tuesday, October 14, 11:00 AM. (5 business days before the pre-bid conference date).
 - ii. If you cannot attend or need clarification of the specifications, please contact the Procurement Officer.
- c. Carefully review the **State of Maryland – DGS Instructions to Bidders for Construction Projects** dated July 1, 2022; as provided.
- d. Carefully review the **State of Maryland – Department of General Services General Conditions for Construction Contracts (DGS General Conditions)** dated July 1, 2022; which are incorporated herein, are available here:
(<https://dgs.maryland.gov/Documents/ofp/GeneralConditionsforConstruction2022.pdf>).
- e. The project classification for this solicitation is Class B (\$100,000 - \$500,000).
- f. Subcontractor Engagement:
 - i. Minority Business Enterprise (MBE):
The MBE Subcontract Participation Goal for this Solicitation is **20%**.
The MBE participation shall be a percentage of the TOTAL CONTRACT VALUE.

Please refer to the MDOT MBE Directory at <https://marylandmdbe.mdbecert.com/> to determine if a firm is certified with the appropriate North American Industry Classification System (“NAICS”) Code and the product/services description. Only those specific products and/or services for which a firm is certified in the MDOT Directory can be used for purposes of achieving the MBE participation goals.

If, for any reason, the apparent successful bidder is unable to achieve the contract goal for each certified MBE classification specified as having a subcontract goal or the overall MBE contract goal, the bidder will be contacted to document its waiver request as stated in the Minority Business Enterprise Attachment D – February 5, 2021.

Please review all MBE information carefully. Refer to the Minority Business Enterprise Attachment D – February 5, 2021 for further information.

ii. Veteran-Owned Small Business Enterprise (VSBE):

The VSBE Subcontract Participation Goal for this solicitation is **1%**.

The VSBE participation shall be a percentage of the TOTAL CONTRACT VALUE.

Confirmation of VSBE Program Certification – eMMA is the exclusive platform to use when verifying that a veteran vender is certified in the State’s VSBE program. The “VSBE Certification #” field must be populated and the “VSBE Expiration Date” must be valid.

Please review all VSBE information carefully. Refer to Attachment E – Veteran-owned Small Business Enterprise” for further information.

iii. Small Business Preference (SBP):

This procurement has been designated for a small business preference under COMAR 21.11.01.05. The Procurement agency will accept the most favorable responsive bid from a responsible small business (COMAR 21.01.02.01B(80))

If the bid received from a responsible bidder who is not a small business by: (1) more than 5%; (2) more than 7% for a veteran-owned small business; (3) more than 8% for a disabled-veteran-owned small business; or (4) the percentage otherwise identified in the solicitation as the small business preference.

- g. All questions pertaining to this project must be submitted in writing via email to the Procurement Officer. **Questions shall be submitted by Monday, October 27, 2025 at 5:00 PM.** Response to all questions will be loaded into the eMMA solicitation.

II. BID FORMS:

1. The bidder shall submit a bid including the following forms and all line items listed on the eMMA solicitation.
 - a. The Bid Response Package with acknowledges of all addenda;
 - b. Attachment A – Bid/Proposal Affidavit;
 - c. Attachment C – Bid Bond, *if applicable*;
 - d. Attachment D – MBE Forms
 - e. Attachment E – VSBE Forms
 - f. Attachment F – Bidder/Offeror Information Sheet;
 - g. Attachment I – Conflict of Interest Affidavit;
 - h. Attachment O – Payment of Employee Healthcare Expenses Certificate
 - i. Attachment P – List of All Subcontractors; and
 - j. Attachment U – Contract Affidavit.
2. The bid form(s) shall be completed in ink or typed. Any erasures and/or alterations shall be initialed in ink by the signor.
3. The bid response package, if submitted by an individual, shall be signed by the individual; if submitted by a partnership, it shall be signed by such member or members of the partnership as having authority to bind the partnership; if submitted by a corporation, it shall be signed by an officer, and attested by the corporate secretary or an assistant corporate secretary. If not signed by an officer, as aforesaid, there must be attached a copy of that portion of the By-Laws or a copy of a Board resolution, duly certified by the corporate secretary, showing the authority of the person so signing on behalf of the corporation.
4. Any contractor calling itself a “joint venture” shall be, as between the contractor and the State, an ordinary partnership, whose partners are liable to the State as provided in Corporations and Associations Article §9-307 of the Annotated Code of Maryland.

III. BID SUBMISSION:

1. Bid response packages submitted in response to this solicitation must be uploaded via eMMA (<https://emma.maryland.gov>)
2. Prices shall be submitted via eMMA digital line items, referencing the Bid Response Package and Project Manual. Duplicate bid submissions will not be accepted.

3. Incomplete bid response packages and digital line items may result in the rejection of the contractor's bid.

IV. LICENSES AND CERTIFICATES:

1. If the State of Maryland or other regulatory body requires a license or certificate to perform the services required, please provide the copy of license number and date of issuance in submission with other required documentation. A physical copy must be provided upon the Procurement Officer's request.

V. COMPLETION TIME AND LIQUIDATED DAMAGES:

1. The Contractor agrees that the price will be firm for a time period of one hundred twenty (120) calendar days from the bid opening date to execution of the contract by the State. The work shall be completed within 180 calendar days from the date of notice to proceed. If the work is not completed within the time period specified, the contractor will be liable for liquidated damages of \$150.00 per calendar day as specified in the "General Conditions".

VI. AWARD AND EXECUTION OF THE CONTRACT:

1. The basis of the award will be to the lowest responsive and responsible bidder submitting the lowest Total Bid amount excluding any unit prices and alternates. All Unit Prices listed will be evaluated and awarded.
2. If notified by the Procurement Officer of "Intent to Award", the following must be provided to the Department of Natural Resources via email.
 - a. Certificate of Insurance
 - b. Current W-9
 - c. Contract Affidavit (unless submitted with bid response)

Failure to submit these documents within 10 days of the notification of "Intent to Award" may result in the rejection of the bid.

3. Upon review and approval of the Department and/or the Board of Public Works an executed contract will be mailed to the Contractor. The Contract issued as a result of the Bid Solicitation and any subsequent amendments, modifications or options issued relevant to the Bid Solicitation or Contract, shall comply with all of the terms,

conditions and specifications issued with the Bid Solicitation and are incorporated in and made part of the Contract.

VII. ALL NON-RESIDENT BIDDERS:

1. Provide information with your bid as required by Section 12 of the DGS Instruction to Bidders.

VIII. BID BOND, PERFORMANCE and PAYMENT BOND

1. Bid Bond, Performance Bond and Payment Bonds are required when the amount of the contract award, including base bid, unit prices and any alternates awarded, is more than \$100,000.00.

IX. PAYMENT TO CONTRACTORS:

PAYMENT OF STATE OBLIGATIONS:

1. Payments to the Contractor pursuant to this Contract shall be made no later than 30 days after the State's receipt of a proper invoice from the Contractor. Charges for late payment of invoices, other than as prescribed by Title 15, Subtitle 1, of the State Finance and Procurement Article, Annotated Code of Maryland, or by the Public Service Commission of Maryland with respect to regulated public utilities, as applicable, are prohibited.

X. DETAILED SPECIFICATIONS:

1. See Project Manual EC25-09022-36 dated July 7, 2025.