



COMMISSION PACKAGE

ACTION REQUESTED:

Purpose of Commission Package: This Commission Package requests approval of Change Order No. 1 to Ft. Myer Construction Corporation in their Contract Option Term 1 of Contract No. 7168 for Street Repair Services. Change Order 1 adds \$5,000,000 to the Option Term.

The original base contract was approved by the Commissioners in May 2017 and Option Term 1 was subsequently exercised with the Commissioners' approval on April 15, 2020 in the amount of \$50.6M. The option term expires on June 30, 2021.

Basis of Award: N/A

PROJECT OVERVIEW:

This contract provides paving and restoration services following construction and maintenance projects including removal and repaving of concrete and bituminous roadways, driveways, curbs, gutters, shoulders, and sidewalks at various Commission work sites within Montgomery and Prince George's Counties.

AWARDEE INFORMATION:

AWARDEE:	FT. MYER CONSTRUCTION CORPORATION			
CHANGE ORDER AMOUNT:	\$5,000,000.00 CUMULATIVE: \$26,100,000.00			
PAST PERFORMANCE:	<input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> NO PAST PERFORMANCE			
MBE/SLBE PREFERENCE: 18.00% SUBCONTRACTING REQUIREMENT				
<input type="checkbox"/> AFRICAN AMERICAN		<input type="checkbox"/> ASIAN AMERICAN	<input type="checkbox"/> NATIVE AMERICAN	
<input type="checkbox"/> HISPANIC AMERICAN		<input type="checkbox"/> WOMEN OWNED	<input checked="" type="checkbox"/> WSSC-SLBE APPROVED	
SUBCONTRACTORS (OSDI APPROVED SUBCONTRACTING PLAN)		PROFFERED PERCENTAGE	CLASSIFICATION	SUMMARY OF SERVICES
Royale Construction, Inc.		18.00%	SLBE	Hauling, Asphalt, Gravel

OPTION TERM NO. 1 CHANGE ORDER HISTORY:

CHANGE ORDER NO.	AMOUNT OF CHANGE	CUMULATIVE AMOUNT
CURRENT CONTRACT VALUE		\$21,100,000.00
CHANGE ORDER No. 1	\$5,000,000.00	\$26,100,000.00
CUMULATIVE TOTAL OF CHANGE ORDERS	\$5,000,000.00	\$26,100,000.00

☐ Denotes Commission Approval Required

STATEMENT OF DETERMINATION AND FINDINGS

BASED UPON A THOROUGH REVIEW AND ANALYSIS OF THE CONTRACTOR'S PROPOSAL AND ALL OTHER SUPPORTING DOCUMENTATION SUBMITTED BY THE CONTRACTOR, AND IN CONJUNCTION WITH THE DUE DILIGENCE PERFORMED BY THE PROCUREMENT OFFICE, I CERTIFY THAT THE AWARD OF CHANGE ORDER NO. 01 TO CONTRACT NO. 7168 IS RELEVANT, FAIR AND REASONABLE, AND IN THE BEST INTEREST OF THE COMMISSION. TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL APPLICABLE REGULATORY AND STATUTORY PROVISIONS WERE ADHERED TO WHEN DETERMINING AWARD. THOMAS CARNEY TC **BUYER INITIALS**

COMMITTEE REVIEW & APPROVAL
--

DocuSigned by:

Michael Harmer

/ May 6, 2021 | 11:46 AM EDT

8DC2D14E73E54B5...
Michael Harmer
 Chief Engineer

Date

DocuSigned by:

Courtney J. Edmonds

/ May 6, 2021 | 12:13 PM EDT

528DA92DF6F343E...
Courtney J. Edmonds
 OSDI Director

Date

DocuSigned by:

Caprecia M. Poole-Williams

/ May 6, 2021 | 12:17 PM EDT

A42FEDB2C45741D...
Caprecia M. Poole-Williams
 Chief Procurement Officer

Date

DocuSigned by:

James Price

/ May 6, 2021 | 12:43 PM EDT

F21E19A7E79B467...
James A. Price
 Deputy General Manager

Date

DocuSigned by:

Carla Reid

/ May 6, 2021 | 1:34 PM EDT

B234F1D881E346D...
Carla A. Reid
 General Manager/CEO

Date

-
- ☐ This is to certify that the Washington Suburban Sanitary Commission on this date voted to approve the above action.
- ☐ This is to certify that the Washington Suburban Sanitary Commission on this date voted to approve the above action with the following stipulations:
- _____
- _____

- ☐ This is to certify that the Washington Suburban Sanitary Commission on this date voted not to approve the above action.

COMMISSION

/ _____
Date



Memorandum

April 22, 2021

To: Commissioners

Thru: Carla A. Reid
General Manager/CEO

Thru: Joseph F. Beach
Deputy General Manager for Administration

From: Courtney J. Edmonds, Director
Office of Supplier Diversity & Inclusion

Subject: Review of Request for Concurrence with Change Order No. One (1) to Option Term One (1) for Contract No. 7168/128325 for Street Repair Services

The Office of Supplier Diversity & Inclusion ("OSDI") has reviewed the request for concurrence with Change Order No. One (1) to Option-Term One for Contract No. 7168/128325 for Street Repair Services. In accordance with MBE SP 11-01 and SLBE SP 12-01, this Contract was awarded in the total amount of \$135,000,000.00, with an eighteen percent 18.00% (\$24,300,000.00) MBE/SLBE subcontracting requirement. The contract was awarded to three (3) firms: M. Luis Construction, Inc., a certified-MBE (MDOT #11-402, Hispanic American, Female/Woman-Owned) firm located in Silver Spring, Maryland in the amount of \$42,000,000.00; Fort Myer Construction Corporation, located in Washington, DC, in the amount of \$42,000,000.00; and M.T. Laney Company Inc., located in Eldersburg, Maryland, in the amount of \$51,000,000.00.

In 2018 the Commission approved transferring the geographical zones serviced by M. Luis Construction to M.T. Laney Company, Inc. and Fort Myer Construction Corporation.

The contract value for Option Term One (1) for Fort Myer Construction Corporation is \$21,100,000.00. Option Term One (1) commenced on July 1, 2020 and will expire on June 30, 2021.

Change Order No. One (1) for Option Term One (128325) for Fort Myer Construction Corporation will have a net increase of \$5,000,000.00. This will increase the contract limit for Option Term One (1) to \$26,100,000.00 and increase the completion time by ninety (90) non-compensable calendar days with a work completion date of September 28, 2021.

The chart below reflects Change Orders to date for Option Term One (1) for Contract No. 7168/128325 for Fort Myer Construction Corporation:

Change Order No.	Action Required	Date of Change	Increased Contract Amount	Decreased Contract Amount	Total Contract Price Per Change Order
1	<ul style="list-style-type: none"> Provide continued contractual coverage for Fort Myer Construction Corporation 	4/5/2021	\$5,000,000.00		\$26,100,000.00
	Original Option Term One (1) Contract Amount				\$21,100,000.00
	Total for Change Order No. 1		\$5,000,000.00	\$0.00	\$5,000,000.00
	New Option Term One (1) Contract Amount				\$26,100,000.00

To date, according to WSSC Water's Web-Based compliance system, Fort Myer Construction Corporation has been paid \$10,999,616.64 of which 23.17% (\$2,548,358.10) has been paid to its subcontractor.

The chart below reflects the current Subcontracting Requirement, Performance-to-Date and Summary of Services for Contract No. 7168/128325 for Fort Myer Construction Corporation:

Subcontractor	Option Term One (1) Subcontracting Requirement (128325)	Option Term One (1) Performance-to-Date (128325)	Summary of Services
Royale Construction Inc (MDOT #09-249, Female/Woman-Owned) Bowie, Maryland	18.00%	23.17%	Concrete Services, hauling, asphalt patch work, and paver work
Total Subcontracting:	18.00%	23.17%	

The Commission fully expects Fort Myer Construction Corporation to meet its subcontracting requirement of 18.00% (\$4,698,000.00) of the Contract value of \$26,100,000.00. All payments to subcontractors for ongoing work must be logged and validated in WSSC Water's Web-Compliance System.

Please note that the subcontracting requirement must be met. The Project Manager should monitor this contact to ensure that the subcontracting requirement is met.

The Office of Supplier Diversity & Inclusion concurs with Change Order No. One (1) to Option Term One (1) for Contract No. 7168/128325 for Street Repair Services.

Should you have any questions, please contact the Office of Supplier Diversity & Inclusion at (301) 206-8800.

CJE/ag/ljm

Cc: Procurement