



ADDENDUM #2

DATE OF ISSUANCE: March 22, 2023

**Request for Interest
Solar Voltaic Power Panel System Installation
New Haven Parking Authority
New Haven, Connecticut
NHPA Project #23-049**

Responses Due April 11, 2023 at 3:00 p.m. EDT

Prospective Respondents and all concerned are hereby informed that the following is made a part of the Request for Interest Documents, which shall be amended accordingly:

Add the following provisions:

1. STATE OF CONNECTICUT PREVAILING WAGE RATES

The wages paid on this project shall be as per the State of Connecticut Labor Department “Prevailing Wage Rates”.

NOTE: For construction contracts with a value less than \$100,000, the Contractor and their subcontractors of any tier shall pay a minimum wage which shall be no less than the amount specified as the “Living Wage” for the City of New Haven as established by Article IX, Living Wage, of the City of New Haven Code of Ordinances. For contracts of \$100,000 or more, the minimum wage paid shall correspond to the State of Connecticut prevailing wages, or if applicable, the prevailing wages promulgated in accordance with the Federal Davis-Bacon Act, whether or not such wages rates are included in the Contract Documents, or the Living Wage, whichever is greater.

Pursuant to Connecticut General Statutes § 31-55a, the Contractor shall contact the State Labor Commissioner on or before July first of each year, for the duration of the Contract, to ascertain the prevailing rate of wage, on an hourly basis and the amount of payment or contributions paid or payable on behalf of each mechanic, laborer or worker employed upon the work contracted to be done, and shall make any necessary adjustments to such prevailing rate of wages and such payment or contributions paid or payable on behalf of each employee.

The prevailing wage rates applicable to the Contract are subject to annual adjustments each July 1st of each calendar year for the duration of the Contract. The Contractor shall pay the annual adjusted prevailing wage rate that is in effect each July 1st, as posted by the Department of Labor.

It is the Contractor's responsibility to obtain the annual adjusted prevailing wage rate increases directly from the Department of Labor's web site. The annual adjustments will be posted on the Department of Labor's web page: www.ctdol.state.ct.us. For those without internet access, contact the Contract Compliance Unit, Wage and Workplace Standards Division, Connecticut Department of Labor, 200 Folly Brook Boulevard, Wethersfield, CT 06109 at (860) 263-6790.

The City of New Haven Commission on Equal Opportunities locally administers Contractor compliance with prevailing wages, payroll reporting requirements, woman and minority workforce, and other matters related to City Ordinance Chapter 12 ½. Refer to City of New Haven/CEO website or call the Commission at 203-946-8160 for further information.

2. NHPA COMMUNITY SUBCONTRACTOR UTILIZATION

Respondents shall submit with their Response, on the form provided (or using additional sheets if necessary), the *Community Subcontractor Utilization Certificate* indicating:

- A. The name, address and contact person of each Subcontractor the Respondent will use.
- B. The name, address and contact person of each Supplier of Materials the Respondent will use in order to satisfy the requirement for use of the NHPA Community Subcontractor Utilization Program. (For Suppliers of Materials, only list those Suppliers of Materials for which the Respondent will use in order to satisfy the requirement for use of SBE/MBE/WBE/DisBE or having a place of business within the City of New Haven.)
- C. The categories of the Subcontractors and/or Suppliers of Materials utilized (i.e., SBE, MBE, WBE, DisBE, any other Subcontractors).
- D. The nature of the work to be undertaken by each Subcontractor or Supplier of Materials.
- E. The dollar value of each Subcontract or Supply of Materials.
- F. The percentage of Respondent's entire contract dollar amount to be expended for SBEs.
- G. The percentage of Respondent's entire contract dollar amount to be expended for MBEs, WBEs and DisBEs.
- H. The percentage of Respondent's entire contract value to be expended for businesses having a place of business within the City of New Haven limits.

Note: In the event the Respondent/Prime Contractor is a SBE, MBE, WBE or DisBE, its status as such does NOT contribute to the SBE, MBE, WBE and DisBE Subcontractor requirements.

Additional Note: If the Respondent has a place of business within the City of New Haven limits, then the relevant dollar amount is calculated by deducting from the Respondent's entire contract value, the value of the subcontracts and suppliers of materials who do not have a place of business within the City of New Haven.

Respondents shall also submit with their Response a brief description of the experience and ability of each of the subcontractors and suppliers of materials together with the names and telephone numbers of at least three (3) references for each subcontractor and suppliers of materials.

The Respondent agrees that if awarded a contract for the Response, it shall execute a contract with the subcontractor and supplier of materials listed, except for good cause. The term "good cause" shall mean a subcontractor's or supplier of materials: (1) Death or physical inability, if the listed subcontractor or supplier of materials is an individual; (2) dissolution, if a corporation or partnership; (3) bankruptcy; (4) inability to furnish any required performance and payment bonds or required insurance coverage; (5) inability to obtain, or loss of a license necessary for the performance of the particular category of work to be performed; (6) failure or inability to comply with a requirement of law applicable to contractors, subcontractors, or construction, alteration, or repair projects; (7) failure on behalf of the subcontractor or supplier of materials to timely execute and return to Respondent the subcontract as follows: The Respondent shall present such subcontract to the subcontractor or each supplier of materials within five (5) business days of the issuance of the Notice to Proceed. The subcontractor or supplier of materials must execute and return the subcontract to Respondent within five (5) business days of its presentation by the Respondent; or, (8) inability to perform the subcontract or supply of materials.

In the event the successful Respondent seeks to substitute a subcontractor or supplier of materials for good cause, the successful Respondent shall file a written statement with/to the Chief Engineer, which statement shall include, but is not limited to:

- A. The name, address, telephone number and contact person of the original subcontractor or supplier of materials.
- B. The "good cause" claimed for such substitution.
- C. In the event the successful Respondent is claiming the good cause for such substitution is the failure of the subcontractor or supplier of materials to timely execute the subcontract, the dates of presentation of the subcontract to the subcontractor and the manner of delivery of the presentation (e.g. courier service, U.S. mail, etc.).
- D. In the event the good cause claims to be based on the inability of the subcontractor or supplier of materials to perform the subcontract, the grounds upon which the successful Respondent believes the subcontractor or supplier of materials will be unable to perform the subcontract.

- E. The names, address, telephone number and contact person of the proposed substitute subcontractor or supplier of materials and the information and documents required elsewhere in these Request for Interest Documents as to the submittals for subcontracts. The Respondent (or its agents) shall sign the written statement under oath. Upon receipt of the written statement, the Chief Engineer or his representative shall send or deliver a copy of the statement to the subcontractor or supplier of materials as named in the statement submitted.

Upon request by NHPA, the Respondent shall submit signed contracts or letters of commitment with the SBE, MBE, WBE and/or DisBEs Subcontractors and Suppliers of Materials that the Respondent intends to use. Each SBE, MBE, WBE, and DisBE Subcontractor and Suppliers of Materials must be registered with and certified as such by the State of Connecticut Department of Administrative Services pursuant to State of Connecticut General Statutes § 4a-60g.

Refer to *New Haven Parking Authority Community Subcontractor Utilization Program* for additional information (which is included in the attachments for this Request for Interest on the Park New Haven website page <https://parknewhaven.com/request-for-bids/>.)

The minimum requirements are:

- a. The set-aside use of DAS-certified Small Business Enterprises (“SBE”) as **subcontractors and/or suppliers of materials** for a requirement of at least **30% of the Respondent’s entire contract value**;
- b. The set-aside use of DAS-certified Minority Owned Business Enterprises (“MBE”), Women Owned Business Enterprises (“WBE”) and/or Disabled Owned Business Enterprises (“DisBE”) as **subcontractors and/or suppliers of materials** for a requirement of at least **25% of the Respondent’s entire contract value**. Please note that the MBE, WBE, and/or DisBE are **part of** the DAS-certified Small Business Enterprises; and
- c. Independent of the SBE/MBE/WBE/DisBE requirements herein, a minimum of **ten percent (10%) of the Respondent’s entire contract value must include businesses having a place of business within the City of New Haven limits**. If the Respondent has a place of business within the City of New Haven limits, then the relevant percentage is calculated by deducting all of the subcontracts and suppliers of materials who do not have a place of business within the City of New Haven.

If a Respondent is unable to meet these minimum community participation requirements, then the Response shall be deemed non-responsive. However, in the event that a Respondent has met these minimum community participation requirements, the Respondent may be required to submit to NHPA its efforts concerning compliance, upon request by NHPA.

The following is a link to the Small Business Directory to search for small and minority business enterprises registered with the State of Connecticut Department of Administrative Services (DAS): <https://biznet.ct.gov/SDSearch/SDSearch.aspx>.

The City's Office of Small Contractor Development Program can assist you in finding SBEs, MBEs and WBEs. The following is a link to the City of New Haven's Small Contractor Development Program: <https://www.newhavenct.gov/government/departments-divisions/small-contractor-development#ad-image-7> .

The Minority Construction Council, Inc. can also assist you in finding MBEs. Their contact information is:

Headquarters: 151 New Park Avenue – Suite 121

Hartford, CT 06106

Phone: (860) 882.0675

470 James Street – Suite 106

New Haven, CT 06513

Programming

Development

Advocacy

Technical Assistance

Contact: Jennifer Little-Greer, Executive Director

jlittle-greer@mccforct.org

General Inquiries

Contact: info@mccforct.org

3. MINORITY AND WOMEN EMPLOYMENT WORKFORCE REQUIREMENTS

In accordance with Chapter 12½ of the Code of Ordinances of the City of New Haven, the following minimum minority and women workforce employment percentages are required, unless otherwise approved by the City of New Haven Commission on Equal Opportunity:

Minority workforce requirement: 25%

Women workforce requirement: 6.9%

Apprentice workforce requirement 15% (50% of which must be 1st year apprentice)

Additional information on minority and women employment requirements and resources is available from the *City of New Haven Commission on Equal Opportunities*, 200 Orange Street, New Haven, CT 06510, telephone 203-946-8160. Contact *New Haven Works* at newhavenworkspipeline.org, telephone 203-562-9000, for construction worker employment resources. Copies of the Code of Ordinances Chapter 12 ½ are available from the are available from the City / Town Clerk, the Commission on Equal Opportunities or by the following link: https://www.newhavenct.gov/gov/depts/equal_opportunities/about/ordinance.htm .

Attachments:

- **Community Subcontractor Utilization Certificate**

END OF ADDENDUM #2