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APPENDIX A

Map of State-Owned Rest Areas

<https://informationcenter.vermont.gov/map>

State of Vermont
Agency of Transportation
219 North Main Street
Barre, VT 05641

AGENCY TRANSMITTAL / APPROVAL FORM
Memorandums of Understanding (MOU)
Memorandums of Agreement (MOA)
(see Vermont AOT Policy # 6008 – 01/09/1998)

A copy of a VTrans draft MOU **must** be attached and shall be considered part of this transmittal / approval form. (If there is a signed original this should be forwarded to Contract Administration for filing and a photocopy attached for review / signature purposes.

This form is required in addition to any internal forms used by the Divisions or Department of Motor Vehicles and must be completed for all MOUs.

AOT Agreement with (Legal Entity or Person): Vermont Agency of Administration
Vermont Department of Buildings & General Services
Short Description: Operation & Maintenance of VT Highway Rest Areas

1. Reviewed and Approved by: Contract Administration

Chief of Contract Administration: E-SIGNED by Maureen Parker on 2019-10-24 19:37:48 GMT October 24, 2019
(Div. of Finance & Administration) (Signature) (Date)

2. Reviewed and Approved by: AOT Project Manager

Project Manager: Tina Bohl E-SIGNED by Tina Bohl on 2019-10-24 19:45:27 GMT October 24, 2019
(Submitted by:) (Signature) (Title) (Date)

3. Reviewed and Approved by Program Manager:

Program Manager: Sue Scribner E-SIGNED by Susan Scribner on 2019-10-25 14:28:27 GMT October 25, 2019
(Submitted by:) (Signature) (Title) (Date)

4. Reviewed and Approved by: Division Director or Department Commissioner

Commissioner / Director: Wayne Symonds E-SIGNED by Wayne B. Symonds on 2019-10-28 18:52:55 GMT October 28, 2019
(Submitted by:) (Signature) (Title) (Date)

5. Reviewed and Approved for available funding (if applicable):

Budget Office: E-SIGNED by Leonard LeBlanc on 2019-10-28 18:55:23 GMT October 28, 2019
(Submitted by:) (Signature) (Title) (Date)

Federal Prog: E-SIGNED by Marv Kingsbury on 2019-10-31 14:38:29 GMT October 31, 2019
(Submitted by:) (Signature) (Title) (Date)

5. Reviewed and Approved by: Legal Section

Chief of Legal Section (Staff Attorney IV): E-SIGNED by Michelle Anderson on 2019-11-08 20:09:37 GMT November 08, 2019
(Signature) (Date)

The MOU is not valid until signed by all parties including the Secretary of Transportation. The original of the approved / signed agreement shall be routed to Contract Administration for filing. The Program/Project Manager shall arrange for execution by other parties as required.



STATE OF VERMONT
MEMORANDUM OF UNDERSTANDING AMENDMENT

It is hereby agreed by and between the State of Vermont, Agency of Transportation (VTrans), State of Vermont Agency of Administration, and State of Vermont, Department of Buildings & General Services (BGS) that the Memorandum of Understanding for Reconstruction, Renovation & Operation of Vermont Highway Rest Areas dated June 7, 2005, Contract #MU0262 (“Contract”), shall hereby be amended as follows:

I Attachment B, Project Development and Payment of Project Costs. The payment provisions are amended as follows:

Section “Payment of Project Costs” of Attachment B is hereby deleted in its entirety and replaced as set forth below:

Payment of Project Costs

BGS will receive, review, and remit all payments for consultant and contractor invoices pursuant to the contract terms.

BGS will submit reimbursement requests for consultant and contract invoices to VTrans within 10 working days of receipt of invoice. BGS payroll and employee expense reimbursements will be billed to VTrans on a quarterly basis for payroll and direct expenses incurred by BGS employees while working on rest area projects.

VTrans will reimburse BGS for eligible costs through interdepartmental transfer. Reimbursement requests will include all necessary documentation to comply with FHWA requirements. All billings will identify specific projects the BGS employee(s) worked on.

Except as modified by this Amendment #1, all provisions of the Contract remain in full force and effect.

[Remainder of Page Intentionally Left Blank]

The signatures of the undersigned indicate that each has read and agrees to be bound by this Amendment to the Contract.

AGENCY OF ADMINISTRATION

By: E-SIGNED by Bradley Ferland on 2019-11-08 21:34:17 GMT

**For: Suzanne Young
Secretary of Administration**

Date: November 08, 2019

**DEPARTMENT OF BUILDINGS
& GENERAL SERVICES**

By: E-SIGNED by Chris Cole on 2019-11-08 20:21:04 GMT

**Chris Cole
Commissioner, Buildings & General
Services**

Date: November 08, 2019

AGENCY OF TRANSPORTATION

By: E-SIGNED by Joe Flynn on 2019-11-11 12:54:57 GMT

**Joe Flynn,
Secretary of Transportation**

Date: November 11, 2019

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Order by: Descending

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[VERMONT OFFICIAL STATE WEBSITE](#)

AGENCY OF ADMINISTRATION

Buildings and General Services[SEARCH](#)**DEBARMENT LIST**

The Agency of Administration shall ensure that the state and any of its subdivisions do not contract, directly or indirectly, with employers who are prohibited from contracting by the commissioner of labor pursuant to 21 V.S.A. Sec. 692, 708, and 1314a or the commissioner of banking, insurance, securities (Department of Financial Regulations), and health care administration pursuant to 8 V.S.A. Section 3661.

The Act also requires the Secretary of Administration to maintain a public list of businesses that have been debarred. The Department of Buildings and General Services has been designated by the Secretary of Administration to maintain a current list of employers that have been debarred.

Debarment List

BUSINESS NAME, ADDRESS	DEBARMENT PERIOD	REMOVAL DATE
DunwrightTaxi LLC 175 Pearl Street Essex Jct. VT	1 year	November 12, 2019
Robert J. Munger 1254 Delorm RD Leicester, VT 05733	1 year	March 20, 2020
Lorenzo de Coninck OBA LTD & Sons Property Maintenance 367 Old Route 8 Jamaica VT	2 years	November 12, 2020
Ptarmigan Outfitters LLC OBA Covery & Nye 39 Bonnet Street Manchester, VT 05255	1 year	April 1,2020
C& J Services, LLC 105 William Street PO Box 432 Londonderry, VT 05148	1 year	April 8, 2020
On the Rise Construction LLC 2912Vt, Rte.7a Arlington, VT 05250	1 year	May7,2020
Chez Pidgeon Inc. OBA Norton Restaurant 1282 VT Route 114 Norton, VT	1 year	August 19, 2020
New Horizons Embroidery & Screen Printing LLC 5 Laurette Drive Essex Junction, VT 05452	2 years	October 2, 2019

BUSINESS NAME, ADDRESS

| DEBARMENT PERIOD

| REMOVAL DATE

Names of businesses will automatically be removed from the Debarment List at the end of the debarment period.

Additional Information

For additional information pertaining to a debarment, please contact Vermont Department of Labor or Department of Financial Regulation using the information below.

J. Stephen Monahan (<mailto:stephen.monahan@vermont.gov>)

Vermont Department of Labor
P.O. Box488
Montpelier Vermont 05601-0488
Telephone: 802.828.2138

Stephanie Brackin (<mailto:stephanie.brackin@vermont.gov>)

Department of Financial Regulation
89 Main Street
Montpelier, VT 05620 - 3101
Telephone: 802.828.4872

Contact Us

Commissioner's Office
2 Governor Aiken Avenue
Montpelier, VT 05633-5801
(802) 828-3519

24/7 Statewide Security Phone
(802) 828-0777

24/7 Statewide Security Pager
(802) 240-0068

Public Records Requests & PublicRecords Database

**MEMORANDUM OF UNDERSTANDING
REGARDING
RECONSTRUCTION, RENOVATION AND OPERATION OF
VERMONT HIGHWAY REST AREAS**

THIS MEMORANDUM OF-UNDERSTANDING; made this 7th day of June, 2005, by and among the Vermont Agency of Administration; with its principal office at the Pavilion Office Building, 109 State Street, Montpelier, Vermont 05609-0201 ("ADM"), the Vermont Agency of Transportation, with its principal office at National Life Building, Drawer 33, 1 National Life Drive, -Montpelier, Vermont 05633-5001 ("VTrans".), and the Department of Buildings & General Services, with its principal office at 2 Governor Aiken Avenue, Drawer 33, Montpelier, Vermont, 05633-5802 ("BGS").

WITNESSETH

WHEREAS, the State of Vermont owns and operates a network of Welcome Centers-, Information Centers and Rest Areas along the Interstates and other state highways (hereinafter referred to as "Facilities"); and

WHEREAS, in April 1997, ADM, and VTrans entered into a Memorandum of Understanding (the "1997 MOU") regarding responsibilities for the planning, design, construction, renovation, maintenance, and operations of Vermont's rest areas; and

WHEREAS, ADM, and VTrans, now joined by BGS, desire to replace the 1997 MOU; and

WHEREAS, Sec. 39(3) OF Act 18 of 1999 authorized BGS to operate rest areas, information and welcome centers as state m-private. facilities; -

NOW, THEREFORE, the parties, agree as follows:

1. Scope. This MOU applies to the Facilities listed in Schedule A, which is attached hereto and made a part hereof.

2. Responsibilities Shared by all MOU Parties. The parties will share the following responsibilities:

(a) Creating a Rest Are Committee of no more than 7 persons (three (3) BOS, three (3) VTrans, one (1) Federal Highway-Administration (FHWA) to facilitate communications and the coordination of activities related to the administration of the Rest Area Program. BGS, as the lead agency, will chair this Committee which is expected to meet at least quarterly.

(b) Review the scope of improvements originally programmed by the Rests Area Improvement Program advisory committee to see if the projects can be scaled back in size and cost without adversely impacting service.

(c) Develop a Facilities Program comprised of the following elements:

(1) A listing of needed renovations or reconstruction of facilities. The parties will consider the needs of the traveling public for rest facilities and traveler information as well as the needs of commercial trucks in a cost-effective manner.

(2) A description of the proposed activities with a schedule for implementation as part of an annually updated-ten year capital facilities plan.

(3) An estimate of capital and operating costs per year projected over the ten year period, with identification of funding sources

(4) An outline of the operational requirements of the facilities. in terms of hours of operation and services offered:

(d) Recommending annual budget proposals to accomplish the program.

(e) Recognizing the role of the FHWA in overseeing development and implementation of the program.

3. BGS Responsibilities. The Department of Buildings & General Services will be responsible for the following:

(a) Managing design, permitting and construction activities of all legislatively approved projects in the Facilities program.

(b) Providing notice to VTrans, as early as practicable, of the possible need for additional right-of-way acquisitions:

(c) operating facilities in conformance with the requirements of the Facilities program, and ensuring that they are clean, safe and in good repair (for example - lawns, water supplies, wastewater facilities).

(d) Snow removal on walkways and sign plaza areas.

(e) Promoting the "Tours and Detours" program, developing public-private partnerships, and developing regional contracting arrangements for staffing when appropriate.

(f) Coordinating with ACCD to ensure that the goals of providing traveler services and developing community partnerships are realized.

(g) Providing VTrans with copies of all consultant and/or construction contracts executed by BGS as well as any subsequent 'amendments.

(h) Following the procedures described in Attachment B for outlining project development and payment of project costs.

(i) BGS shall prepare and present the operating budget for the entire Rest Area system VTrans will be copied on all budget submittals.

4. VTrans Responsibilities. The Vermont Agency of Transportation will be responsible for the following:

(a) Providing A VTrans Rest Area Program Manager for purposes of managing VTrans. responsibilities under the Vermont Rest Area Program.

(b) Working with FHWA and BGS to support the mission and goals of the State's Information Center Division's programs.

(c) Requesting project funding for building improvements and new construction in the annual budget proposal and keeping a separate accounting of these funds. Subject to legislative and FHWA approval of funding, VTrans will include the projects in the Statewide Transportation Improvement Program (STIP).and will provide the state and federal funds necessary to complete the projects.

(d) Providing, to the extent possible, administrative and legal support for right-of-way acquisitions needed to meet the legislatively approved project schedule.

(e) Snow removal on rest area drives and parking areas.

(f) Providing necessary repairs to guardrails, pavement markings; ramps, parking areas.

(g) Maintaining street lighting. VTrans will promptly address the repair or replacement of lighting when notified by BGS that safety and security are being compromised.

(h) Retaining access to rest areas for the purpose of conducting commercial vehicle enforcement activities. Where possible, VTrans agrees to use only the commercial vehicle parking areas. In those rest areas where separate parking is provided. Where separation of commercial vehicles and pleasure vehicles is not presently provided, due care and caution will be used to protect the safety of all users of the res.t areas during such enforcement activities.

(i) Seeking reimbursement from F'HWA of all project expenses eligible for participation of federal-aid funds.

(j) Processing payments to consultants and contractors upon receipt and review of approved bills from BGS. Turnaround time should be within 30 calendar days from the receipt of invoice or 20 days from the receipt of invoice from BGS.

(k) Utilizing the State's financial system for tracking contracts.

(l) Providing quarterly reports of costs by project summarizing current and life-to-date charges.

(m) Following the procedures outlining Project Processing and Payment of Project Costs as described in Attachment B.

5. Relationship to Prior Agreements. This agreement supersedes all previous agreements among the parties (or any of them) dealing with the same subject matter, including but not limited to the 1997 MOU.

6. Duration; Termination. This agreement shall remain in effect until any party gives six months' notice to the other parties of its intent to terminate.

IN WITNESS WHEREOF, the parties have caused this-instrument to be subscribed by their authorized representatives.

AGENCY OF ADMINISTRATION

By: *Signed*
Charles Smith
Secretary of Administration

Date: 6/7/2005

AGENCY OF TRANSPORTATION

By: *Signed*
For Dawn Terrill
Secretary of Transportation

Date: 6/3/05

-
**DEPARTMENT OF BUILDINGS &
GENERAL SERVICES**

By: *Signed*
R. Tasha Wallis
Commissioner of Buildings &
General Services

g:\wptext\MOU-BGS Rest Areas - JKD - RTF 05-31-2005 / 06/03/2005

SCHEDULE A

Town	Highway Route	Direction	Mile-marker	Name
Alburg	US 2	N/A	3.35	Lake Champlain Welcome Center at Alburg
Bennington	US7&VT9			Southwest VT Welcome Center at Bennington
Bradford	I-91	NB	100.062	Northeast Kingdom Welcome Center at Bradford
Derby	I-91	SB	176.344	Welcome Center at Derby Line
Fair Haven	VT4A	N/A	0.05	Vermont Welcome Center at Fair Haven
Georgia	I-89	NB	110.373	Northwestern Vermont Information Center at Georgia
Georgia	I-89	SB	110.942	Northwestern Vermont Information Center at Georgia
Guilford	I-91	NB	1.23	Vermont Welcome Center at Guilford
Hartford	I-91	NB	68.454	Hartford North Information Center
Hartford	I-91	SB	68.251	Hartford South Information Center
Highgate	I-89	SB	129.906	Vermont Welcome Center at Highgate
Lyndon	I-91	SB	140.83	Northeast Kingdom Information Center at Lyndon
Randolph	I-89	NB	34.441	Randolph North Information Center
Randolph	I-89	SB	33.291	Randolph South Information Center
Sharon	I-89	NB	8.822	Sharon North Information Center
Sharon	I-89	SB	8.522	Sharon South Information Center
Waterford	I-93	NB	1.275	Vermont Welcome Center at Waterford
Williston	I-89	NB	82.22	Williston North Information Center
Williston	I-89	SB	81.887	Williston South Information Center

(Attachment B)

Project Development and Payment of Project Costs

Budget Preparation

Based upon the project identification and scheduling process (the Program) identified in the Memorandum of Understanding (MOU), The Vermont Agency of Transportation's (VTrans) Rest Area Program Manager (VPM) and Buildings and General Service's (BGS) staff will work cooperatively to prepare a budget proposal for consideration by the Secretary of Transportation for inclusion in the succeeding State Fiscal Year. Budget will be broken down by Rest Area and Project Phases (Preliminary Engineering, Right of Way and Construction). The budget will also show the three years following the budget year for planning purposes. Order of priority for inclusion in the budget will be: 1. Continuation of construction activities; 2. Continuation of Preliminary Engineering and Right-of-Way activities; 3. Commencement of construction activities; and 4. Commencement of Preliminary Engineering and Right-of-Way activities.

State Transportation Improvement Plan (STIP)

Based upon the legislatively approved budget, VTrans will include the approved budget amounts for rest areas in the STIP.

Project Phase Initiation and Programming

BGS will submit a request to the VPM to initiate a project phase. The request will include the project location, the description of activities, and the amount of funds to be programmed. The VPM will initiate a project programming request to obligate federal funds and secure a project number.

Projects are divided into phases: Preliminary Engineering, Right of Way and Construction. All federal environmental permits must be secured before right of way is programmed. All Right of Way must be cleared and all plans, specifications and estimates must be complete and approved before construction funding can be programmed.

Project Development

Project Development starts with a process to define the scope of the project using information such as visitor usage, space requirements and limitations, program desires, resource limitations.

Permitting

Securing permits is the responsibility of BGS. Review of the adequacy and completeness of the permits is a joint responsibility of VTrans, BGS, and FHWA.

Federal Highway Administration (FHWA) Oversight

FHWA has full oversight on all rest area projects and accordingly requires involvement in many phases of development and construction. Many decisions regarding plans, procurement of consultants and contractors, changes in contracts and other major decisions require the concurrence of FHWA. VTrans will facilitate the communication between FHWA and BGS.

Contracts

BGS will use their procurement procedures in the procurement of consultants and in the bidding of projects. Development of RFPs and bid documents will be in consultation with VTrans and FHWA. The process for selection of consultants will include VTrans on the selection committee. The selection of a consultant must be approved by FHWA prior to issuance of a contract. The analysis of bids for construction work must receive the approval of FHWA prior to award of contract. Personal Services and Construction Contracts must comply with all pertinent state and federal regulations and audit requirements and will need approval by FHWA prior to advertisement and execution.

BGS will use their standard contract documents. Copies of all contract documents along with pertinent contract numbers will be provided to VTrans for use in invoice payments.

Change orders to contracts for consultants and contractors must be approved by FHWA and VTrans. BGS will monitor the amount of change orders in order to identify any that will exceed the amount set aside for contingency. Should the contingency amount be exceeded, a request accompanied with justification shall be made to VTrans for additional funds to be programmed.

Payment of Project Costs

Consultant and contractor invoices will be submitted to VTrans after approval by BGS. Payments will be made directly to the consultant or contractor on the basis of the contract provided by BGS to VTrans.

BGS payroll and expense reimbursements will be billed to VTrans on a quarterly basis for payroll and direct expenses incurred by BGS employees while working on rest area projects. Billings will identify projects worked upon.

VTrans employees will also charge against rest area projects based-upon work performed.

Project Expense Reports

VTrans will provide monthly expense reports showing all charges against rest area projects broken down by rest area, activity and vendor.

The monthly project expense reports will be reviewed by VTrans and BGS.

Project Coordination

The VTrans Program Manager will coordinate the involvement of VTrans in all matters concerning rests areas such as development of a facilities program, reviews of project studies, budget matters, reviews of designs and construction activities.

Right of Way

VTrans will provide, to the extent possible, all right-of-way acquisitions, negotiation and litigation to meet the legislatively approved project schedule.

Completion of Consultant Contract

After the completion of a consultant contract, BGS will notify VTrans in order that the VTrans Audit section may complete a final review of the contract and associated expenditures.

Completion of Construction Contract

BGS is responsible for completion of the final acceptance letter, materials certifications and other project closeout activities upon completion of project. Advance notice will be given by BGS to VTrans and FHWA of upcoming punch list inspections, should they choose to participate in the inspections. BGS will provide VTrans with a copy of the as- built drawing at the conclusion of the project.

APPENDIX C

STATE OF VERMONT
AGENCY OF ADMINISTRATION

BULLETIN NO. 3.5

PROCUREMENT AND CONTRACTING PROCEDURES

ISSUED BY: Susanne Young, Secretary of Administration

EFFECTIVE DATE: July 1, 2016 (Major Release - 7.1.16_V1)

REVISION DATE: December 16, 2019

<https://aoa.vermont.gov/sites/aoa/files/Bulletins/3point5/3.5Rewrite121619FINAL.pdf>

APPENDIX D

State of Vermont Agency of Administration Bulletins

<https://aoa.vermont.gov/bulletins>

APPENDIX E

State of Vermont Buildings and General Services Forms

<https://bgs.vermont.gov/purchasing-contracting/form>

APPENDIX F

List of Eligible Work Activities

Eligible Activities

Description of Project	Eligible	Not Eligible
Exterior Wall System	X	
Exterior doors & hrdwe	X	
Roofing	X	
Elevators	X	
Heating System	X	
Air Handling System	X	
Cooling System	X	
Mechanical Controls	X	
Water Heaters	X	
Sewage Pumps & Controls	X	
Septic Tanks	X	
Leach Fields	X	
Well / Booster Pump	X	
Water Storage	X	
Generator	X	
Lighting & Controls	X	
Fire / Security Alarms	X	
Security Cameras & Equipment	X	
Fuel Tank	X	
Storm Drainage		X
Sprinkler System	X	
Flooring	X	
1 Emergency/Safety Issues	X	
2 Windows	X	
Walkway + Sidewalk	X	
Exterior Painting (structure preservation)	X	
Memorial Wall Cap*	X	
Living Machine (SOS)*		X
Pumping Service*		X

*Sharon NB only

- 1** This is eligible as long as it is for one of the eligible items listed above
- 2** This is not eligible for replacing one or two windows - it should be for all of them

APPENDIX G

Preventative Maintenance Program Summary State FY2021 – 2024

Description	State FY2021	State FY2022	State FY2023	State FY 2024	TOTAL
Exterior Wall System					\$ 0
Exterior doors & hrdwe				\$89,000	\$ 89,000
Roofing				\$65,000	\$ 65,000
Elevators					\$ 0
Heating System	\$40,000	\$220,000			\$ 260,000
Air Handling System					\$ 0
Cooling System			\$7,000		\$ 7,000
Mechanical Controls	\$50,000				\$ 50,000
Water Heaters			\$34,000		\$ 34,000
Sewage Pumps & Controls			\$68,000		\$ 68,000
Septic Tanks					\$ 0
Leach Fields			\$45,000		\$ 45,000
Well / Booster Pump			\$20,000		\$ 20,000
Water Storage					\$ 0
Generator			\$540,000	\$50,000	\$ 590,000
Lighting & Controls				\$12,000	\$ 12,000
Fire / Security Alarms					\$ 0
Security Cameras & Equipment					\$ 0
Fuel Tank				\$225,000	\$ 225,000
Sprinkler System					\$ 0
Flooring			\$60,000		\$ 60,000
Emergency/Safety Issues					\$ 0
Windows				\$199,000	\$ 199,000
Memorial Wall Cap	\$120,000				\$ 120,000
Walkway & Sidewalk	\$90,000	\$293,000			\$ 383,000
preservation)	\$40,000	\$80,000			\$ 120,000
Upgrade water & sewer systems	\$100,000	\$500,000			\$ 600,000
TOTAL:	\$440,000	\$1,093,000	\$774,000	\$640,000	\$ 2,947,000

Appendix H

Vermont SEP-14 Alternative Contracting for Rest Areas – DBE Requirements

The following steps will be taken to ensure that opportunities are made available to Disadvantaged Business Enterprise (DBE) firms and that DBEs are not excluded from any of the simplified bidding and contracting procedures under this SEP-14 Work Plan.

- **Bidding and Contracting Documents and Procedures:** The approved Work Plan identifies a number of documents that must be included in all contracts, including FHWA 1273 and the Non Collusion Statement. In addition to any other required documents, the Agency's DBE Policy Contract Requirements (CA-110) shall be referenced in all bidding documents and included in all contracts and subcontracts (copy attached). Bidding and contracting documents shall also include applicable USDOL Davis Bacon wage decisions (highway and/or building rates). Links to some of these mandatory documents are listed below.

FHWA 1273: <https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>

USDOL Vermont Highway Wage and Building Wage Decisions: <https://beta.sam.gov/>

VTrans CR Contractor and Labor Compliance website: <https://vtrans.vermont.gov/civil-rights/compliance>

- **Marketing to DBEs:** Every effort shall be made to ensure that DBEs are made aware of and encouraged to participate in all bidding and contracting opportunities associated with the Rest Area projects. As each individual project is advertised and published on the Vermont Bid Board and/or the VTrans Contract Administration website, VTrans and BGS shall cooperate to market the bidding opportunities to all currently certified VTrans DBEs and potential DBEs (women and minority owned businesses) through the use of their respective directories, as well as the online Vermont Business Registry. VTrans Office of Civil Rights (CR) will also use Constant Contact to provide all VTrans certified DBEs with bidding and contracting information during the advertisement period of each individual or bundled Rest Area projects. Links to the various online business directories described above are listed below.

VTrans DBE Directory: <https://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/directory>

BGS Directory of Minority & Women Owned Business Enterprises:

<https://bgs.vermont.gov/sites/bgs/files/files/purchasing-contracting/Publications/Copy%20of%20MWBE%20DIRECTORY%2002.12.2021.xlsx>

Vermont Business Registry:

<https://www.vermontbusinessregistry.com/BusinessSearch.aspx?s=Search&type=S>

- **Oversight and Compliance Monitoring:** As with other FHWA funded projects that have been developed by BGS, the VTrans CR will provide oversight and compliance monitoring of the Rest Area project(s). BGS will keep VTrans CR notified of all bidding advertisements and contract awards, and coordinate with VTrans to include their attendance and participation in all pre-construction meetings. VTrans will provide technical assistance and guidance to the BGS Clerks of the Works, contractors, and sub-contractors working on all Rest Area projects, and make periodic site visits and inspections where appropriate. BGS will ensure that all required federal posters meet FHWA poster requirements on site, or, as noted in the Work Plan, for projects with anticipated construction duration of less than one month, jobsite posters will be posted at the contractors' offices or at the jobsite and workers will be given copies. A link to the federal poster package on VTrans website is listed below.

Required Federal Poster Package:

<https://vtrans.vermont.gov/civil-rights/doing-business/contractors-center/poster-packages>

- **Tracking and Reporting DBE Participation:** BGS will cooperate with VTrans CR to ensure that all contractors and subcontractors working on the Rest Area project(s) are in compliance with all DBE prompt payment reporting requirements, and that all subcontractors are being paid for work that is satisfactorily completed and accepted within seven days of the prime (general) contractor being paid for those work items, in accordance with state statute requirements. A Subcontract Payments Manual Reporting Form should be included in all bidding and contracting documents and referenced at all pre-construction meetings (copy attached). Use of the form will enable VTrans CR to ensure that prompt payment requirements are being met and provide them with the information they need to track and report DBE participation semi-annually to FHWA.

Appendix I

CONTRACTING PROCEDURES CHECKLIST

Project Name and Number _____

Project Location/Description _____

Project Cost Estimate _____

	Applicable	Not Applicable
1. Project Monetary Threshold		
A. Sole Source Contract amount \$10,000 or Less	<input type="checkbox"/>	<input type="checkbox"/>
B. Contract Amount Up to \$100,000	<input type="checkbox"/>	<input type="checkbox"/>
C. Contract Amount Greater Than \$100,000	<input type="checkbox"/>	<input type="checkbox"/>
2. Disadvantaged Business Enterprise Requirements (see page 6)		
3. Contract Method		
A. Sole Source	<input type="checkbox"/>	<input type="checkbox"/>
a. Official written explanation for selecting contractor in file	<input type="checkbox"/>	<input type="checkbox"/>
B. Simplified Bid Process	<input type="checkbox"/>	<input type="checkbox"/>
a. Specific and Detailed statement of work	<input type="checkbox"/>	<input type="checkbox"/>
b. Solicited written price quotations from at least three (3) vendors	<input type="checkbox"/>	<input type="checkbox"/>
i. In addition to soliciting price quotations from at least three (3)Vendors, also need to notify DBE's		
C. Standard Bidding Process	<input type="checkbox"/>	<input type="checkbox"/>
a. Bid documents (Request for Proposal)	<input type="checkbox"/>	<input type="checkbox"/>
b. Public notice	<input type="checkbox"/>	<input type="checkbox"/>
4. Contractor Selection and Documentation	<input type="checkbox"/>	<input type="checkbox"/>
A. Selection	<input type="checkbox"/>	<input type="checkbox"/>
a. Most Responsive Bid	<input type="checkbox"/>	<input type="checkbox"/>
b. Public Notification of Decision on Electronic Bulletin Board	<input type="checkbox"/>	<input type="checkbox"/>
B. Documentation for Contract file	<input type="checkbox"/>	<input type="checkbox"/>
a. Bid documents	<input type="checkbox"/>	<input type="checkbox"/>
b. Vendors solicited	<input type="checkbox"/>	<input type="checkbox"/>
c. Price Quotations	<input type="checkbox"/>	<input type="checkbox"/>
d. Bids Received	<input type="checkbox"/>	<input type="checkbox"/>
e. Written Selection Justifications	<input type="checkbox"/>	<input type="checkbox"/>
f. Basis for Ranking Bidder's Qualifications (if using QBS)	<input type="checkbox"/>	<input type="checkbox"/>

- | | | |
|-------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| C. Apparent Conflict of Interest Documentation, if necessary | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Bidding | | |
| A. Pre-Bid conference, if large or complex project | <input type="checkbox"/> | <input type="checkbox"/> |
| a. Responses to Questions Posted on BGS web-site and/or Blueprints | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Bidding Requirements | | |
| a. Invitation to Bidders | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Instructions to Bidders | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Required Contract Provisions for Federal Aid | | |
| i. Construction Contract – FHWA 1273 | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Executive Order 1126 including CA-26 | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Disadvantaged Business Enterprise (DBE) Policy; | | |
| i. Contract Requirements (CA-110 updated March 2011) | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Contractors EEO Certification Form (CA-109) – | | |
| i. Incorporated in Bid Proposal | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Debarment and Non-Collusion Affidavit (CA-91) – | | |
| i. Incorporated in Bid Proposal | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Electronic Distribution of Plans to Bidders (Blueprints) | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Bid Proposal | <input type="checkbox"/> | <input type="checkbox"/> |
| j. Worker’s Compensation; State Contract Compliance Requirement - Incorporated in Bid Proposal | <input type="checkbox"/> | <input type="checkbox"/> |
| k. Minimum Labor and Truck Rates (CA-101) | <input type="checkbox"/> | <input type="checkbox"/> |
| l. US DOL Davis-Bacon Wage Rates | <input type="checkbox"/> | <input type="checkbox"/> |
| m. Prompt Pay: Subcontract Payments Manual Reporting Form | <input type="checkbox"/> | <input type="checkbox"/> |
| n. US DOT Order 1050.2 Standard Assurances Appendix A & E | <input type="checkbox"/> | <input type="checkbox"/> |
| o. 46 CFR 381.7 (a)-(b) Cargo Preference Language | <input type="checkbox"/> | <input type="checkbox"/> |
| p. Jobsite Posters | <input type="checkbox"/> | <input type="checkbox"/> |
| q. Buy America Provisions – 23 U.S.C. 313 and 23 C.F.R. 635.410 | <input type="checkbox"/> | <input type="checkbox"/> |
| r. Instructions Regarding Bonds | <input type="checkbox"/> | <input type="checkbox"/> |
| s. Bid Bond Form | <input type="checkbox"/> | <input type="checkbox"/> |
| t. Performance Bond Form | <input type="checkbox"/> | <input type="checkbox"/> |
| u. Payment Bond Form | <input type="checkbox"/> | <input type="checkbox"/> |
| v. Guaranty Bond Form | <input type="checkbox"/> | <input type="checkbox"/> |
| w. Certificate as to Corporate Principal | <input type="checkbox"/> | <input type="checkbox"/> |
| x. Environmental Clearance Memo (from VTrans) | <input type="checkbox"/> | <input type="checkbox"/> |
| y. Right-of-Way Certificate (from VTrans) | <input type="checkbox"/> | <input type="checkbox"/> |
| z. Utility Clearance (from VTrans) | <input type="checkbox"/> | <input type="checkbox"/> |
| aa. Railroad Clearance (from VTrans) | <input type="checkbox"/> | <input type="checkbox"/> |
| bb. PS&E Approval to Go Out to Bid (from VTrans via email) | <input type="checkbox"/> | <input type="checkbox"/> |
| C. Bid Opening Date _____ | | |
| a. Public Bid Opening for Contract over \$100,000 | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Untimely Bids Returned to Bidder Unopened | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Non-Compliance Waiver Approved, if appropriate | <input type="checkbox"/> | <input type="checkbox"/> |
| D. Pre-Qualified Bidding | | |

- a. Public Notice Includes Restriction Limiting Bidding
- b. To Pre-Qualified Bidders Only
- E. Qualifications-Based Selection
- a. Contract for Engineering and Design Services
- b. Contract is for \$100,000 or More
- c. Services Relate Directly to a Highway Construction Project
- F. Exceptions and Waivers
- a. Sole Source
- i. Emergency Repair
- Contract and justification forwarded to Secretary of Administration and AGO within 10 business days of Contract execution
- ii. Only Contractor Capable of Providing Service
- iii. Contract \$10,000 or less
- Appointing Authority approval
 - contract, notice of intent to execute, and justification needed for Contract File
- iv. Contract Greater Than \$10,000 (non-emergency)
- Secretary of Administration Approval Received

6. Contract Drafting

- A. General Contract Restrictions
- B. Standard State Contract Forms
- a. Attachment A – Statement of Work
- i). Statement of Work
 - ii). Contract Compliance Monitoring
- b. Attachment B – Payment Provisions
- i). Payment Amounts and Frequency
 - ii) Performance Measures and Accountability
 - iii). Retainage
 - iv). Liquidated Damages
 - v). Reimbursable Travel Expenses
- c. Attachment C – Standard Stet Provisions for Contracts and Grants
- d. Attachment D – Approved Modifications to Attachment C, if necessary
- e. Additional Attachments may be lettered as necessary
- C. Standard Contract Elements
- a. Parties to the Contract
- b. Contract Duration
- c. Maximum Amount
- d. Total Number of Pages
- D. Insurance Coverage Limits
- E. Intellectual Property Ownership
- F. Confidential Information

G. Change Order Process

7. Contract Routing and Approvals

A. Contract Package and Routing

- a. Contract Package
- b. Content and Order of Package Documents
 - i. Completed Form AA-14
 - ii. Internal review or routing document by requesting Agency
 - iii. ADS Review Verification Sheet (if applicable)
 - iv. Cover memo or other document summarizing or justifying the requested Contract or Contract Amendment
 - v. Proposed Contract or Contract Amendment, including all Attachments
 - vi. Contact Amendment includes the original Contract, all prior Amendments and the corresponding AA-14s in appropriate order

B. Required Prior Approvals

- a. Attorney General (AGO) Review
 - i. Contract valued at \$25,000 or more
 - ii. Contract valued at \$25,000 or more must be reviewed and approved "As to Form"
 - iii. Regardless of dollar amount a Contract for Service must be reviewed and approved "As to Form" for contracts including a Change Order process
- b. Secretary of Administration
 - i. Construction Contract over \$500,000
 - ii. Sole Source Contract over \$10,000
 - iii. Contracts which include Change Order process
 - iv. Waiver requests other than Sole Source
 - v. All contracts which AGO has declined to approve "As to Form"

8. Contract File and Records

- a. Documents on File at Least 3 Years After Contract Term Expires
 - i. Official Contract Filed is required for all Requests for Information, Requests for Proposal and all Contracts awarded regardless of type of bid
 - ii. Download the Contract File Checklist detailing all required documentation for the official contract file to ensure compliance with the documentation for public records and audits

9. Contract Amendments

- a. Appointing Authority must approve all contract amendments
- b. Approval in advance from Attorney General and Secretary of Administration
 - i. Originally procured as a Sole Source
 - ii. Competitively procured using simplified bid or RFP if cumulative effect of amendment and all prior amendments increase the contract price by 25% or more

Disadvantaged Business Enterprise Requirements

1. Bidding and Contracting Documents and Procedures

Documents that need to be included in all contracts

- A. VTrans DBE Contact Requirements (CA-110)
- B. Applicable USDOL Davis Bacon Decisions (highway and/or building rates)
- C. Subcontract Payments Manual Reporting Form included

2. Marketing to DBEs

- A. Utilize BGS and VTrans DBE directories and online Vermont Business Registry
- B. Coordinate with VTrans Office of Civil Rights(CR) to use Constant Contact to provide information to all VTrans certified DBE's
- C. Coordinate with VTrans CR to use Constant Contact to provide information to certified DBE's in neighboring states
- D. Coordinate with VTrans CR to use Constant Contact to provide information to DBE's self-certified in the BGS program but not yet certified in the VTrans program

3. Oversight and compliance Monitoring

- A. VTrans CR is notified of all bidding advertisements and contract awards
- B. Coordinate with CR regarding attendance at all pre-construction meetings
- C. Ensures all required federal posters meet FHWA requirements or as noted in the Work Plan

4. Tracking and Reporting DBE Participation

- A. Comply with DBE prompt payment reporting requirements
- B. All subcontractors paid for satisfactorily completed and accepted work within seven days of the prime contractor being paid for those work items