

**RE:** Request for Proposals (RFP) – NEW RIDGEFIELD TOBACCO RETAIL OUTLET,  
COWLITZ RESERVATION

**FROM:** Amanda Lomasney, Programs Manager, 360-353-9936, alomasney@cowlitz.org

**PAGE(S):** Fourteen (14), including this cover sheet.

**DATE:** September 6, 2023

Transmitted herewith is Addendum No. 3. If the Addendum is **not** received in full, please contact Amanda Lomasney using contact information listed above. If all pages of the Addendum are received, please sign this sheet, and include this sheet in your bid package.

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Company's Name

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Company's Representative

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Date

ADDENDUM NO. 3  
September 6, 2023

Request for Proposals (RFP) – NEW RIDGEFIELD TOBACCO RETAIL OUTLET, COWLITZ RESERVATION

This document forms a part of and modifies the RFP as noted below. Offerors should acknowledge their receipt of this Addendum to the street address or email address listed below. Failure to do so may subject Offerors to disqualification.

FOR: Cowlitz Indian Tribe  
Public Works Department  
929 Fir Street  
Longview, Washington 98632  
Attention: Amanda Lomasney  
Email: [alomasney@cowlitz.org](mailto:alomasney@cowlitz.org)

The following corrections, clarifications and/or deletions to the RFP are hereby made a part of said documents.

This addendum consists of Fourteen (14) pages.

**ADDENDUM NO. 3**

**Owner is providing revised sheets in this Addendum.** Please see Dropbox link of revised sheets on Attachment C. on page 14.

**QUESTIONS AND ANSWERS**

1. Is there an estimate/budget range for this project?
  - A. \$2.5M - \$4.5M
2. Are you looking for other GCs to provide numbers on this project?
  - A. This project is publicly advertised and is open to qualified businesses that have experience doing this type of work.
3. May I get the list of interested contractors for the New Tobacco Outlet project in Ridgefield?
  - A. We are not keeping a list of interested contractors for this project.
4. Do you have a way of knowing which general contractors will be bidding this job?
  - A. We are not keeping a list of interested contractors for this project.

5. Are there prevailing wage requirements for the Cowlitz Tobacco Shop project?
  - A. Yes.
6. Can you confirm that this project does in fact require Prevailing Wages?
  - A. Yes the project does require Prevailing Wages.
7. Special instructions on the RFP state that bidders are to follow-up their hard copies of the bid with an email attachment sent the following morning. Would that be any time until 12:00 noon, or are they required to be emailed at an earlier time of day?
  - A. Owner will accept the follow-up emailed bids until 12:00 noon the next day.
8. Can the bid opening at 3:00pm on Tuesday, September 26<sup>th</sup>, 2023, be attended by bidders, or will the bid opening be shared via Zoom or another online meeting platform?
  - A. Yes, bid opening can be attended by bidders, but lowest price is only one element of this proposal. Owner will not be deciding on who is awarded until proposals can all be reviewed and evaluated. Owner will not be providing an Online platform for opening of proposals.
9. Is it possible to get an unsecured copy of the Non-Collusion Affidavit and the RFP Cover Sheet so they can be filled out electronically?
  - A. Yes. We will provide those documents as attachment to this addendum. See Attachment A. on pages 11-12 of this addendum.
10. Regarding contract item 13.1, we request that binding resolution be by arbitration.
  - A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
11. Regarding the general conditions item 15.4 we respectfully request the Resolution by Tribal Council Chairperson section be deleted.
  - A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
12. Is there much Sitework involved in this project?
  - A. No, but please review the project drawings and RFP narrative for a full description of the Sitework. Foundation excavation, sub-base rock, grading, site utility work, asphalt paving, and landscaping are needed for this project.

13. We would ask that CIT agree to binding arbitration through AAA with either Washington state or Federal governing Law, this will allow GC and subcontractors to have lien rights". Is this possible?
- A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
14. Ref AIA 101, 12.1.3 – we would ask the payment duration be reduced from 45 days to 20 days?
- A. We will amend the contract to allow for 30 calendar days for payment after the pay request has been approved.
15. Ref AIA 201, 3.18 – We would ask to delete the Architect performance for the party that we need to indemnify the Owner (we will not employ an architect on this project).
- A. Yes, the tribe is flexible on this language and is willing to delete the Architect indemnification requirement from the GC contract.
16. 7.1.4 – we have two related parties that will bid on the project. Their change order mark-up should be treated as subcontractors per 7.1.4.3 (15%)
- A. Yes, this is acceptable as long you define the scope of work clearly so that you can differentiate between direct and indirect work, which will both be subject to different markup percentages.
17. 9.10.2 last paragraph – we would request language be added that Contractor shall indemnify the Owner provided the Owner has paid the Contractor for the work performed.
- A. No, the tribe would prefer for the contract language to remain the same. Provisions for late payments are defined in the contract already, and a payment delay should not trigger an indemnity change.
18. A101, 6.1 – We would ask to clarify that Specht has authority to issue and approve changes under \$100k. Or if not Specht, then who does have the authority?
- A. No, the tribe would prefer for proposed language to remain. Owner will coordinate with Specht and approvals will not be unreasonably withheld.
19. A201, 9.7 – We would like to add a right to terminate after suspension lasting 30 days or longer?
- A. No change to 9.7 is required. Suspensions are dealt with in Sections 5.7 and Article 14.

20. For many of the projects that have been performed at ilani, a limited waiver of sovereign immunity has been included within each of the contracts and the dispute resolution has been via litigation in a court competent jurisdiction. If awarded, can you confirm that the same language related to sovereign immunity and dispute resolution will be incorporated into the agreement for the Tobacco Retail Outlet?
- A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
21. The RFP and/or sample agreement does not mention the project labor agreement (PLA) that is in place for the development. Can you clarify whether this project will fall under the PLA?
- A. This project is not subject to the PLA for ilani. The Owner is the Cowlitz Indian Tribe.
22. Confirm there is no requirements for GC to be a federally approved contractor?
- A. There are no federal funds being used. Therefore, there is no requirement for a contractor to be federally approved. However, the CIT will not contract with a GC that is listed on the Federal Debarment List.
23. We see that the tribe has invoked their sovereign immunity right in the RFP and in the example contract. Would the tribe be willing to waive this right in totality, or limit sovereign immunity to certain situations?
- A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
24. Are any federal funds applicable to the project? If so, are there any exclusions to 2 CFR 200 that come with the funding or are available to be applied for?
- A. No, there will not be federal funds going towards this project.
25. Please confirm if the GC is to carry construction contingency and if so if a set percentage is to be carried or if this is up the discretion of the GC?
- A. Yes, contingency is listed on the bid proposal form, and it is at the discretion of each proposing GC.
26. The schedule issued with the RFP notes a “FDOB” (assumed to be First Day of Business) as 6/5/24. Is this the hard completion date for this project?
- A. No, this is an engineer’s estimate of the proposed schedule. Each GC should propose their own schedule. The Owner will consider the detail and timing of

each GC's project schedule in their evaluation process prior to award.

27. Is union labor required? Confirm no PLA (project labor agreement) is required?

A. This project is not subject to the PLA for ilani. The Owner is the Cowlitz Indian Tribe.

28. Substitution request for air barrier – see additional documents.

A. The Soprema Stick VP request of substitution was approved. Please see Attachment B. on page 13 of this addendum.

29. Substitution request for HVAC 1, 2, and 3.

A. This substitution request for the HVAC is approved.

30. Please confirm if a performance and payment bond is required?

A. Yes, they will be required. The Bid Form in the Dropbox link provided in the RFP has been modified to accommodate the bond.

31. Please confirm if sales tax and business and operating tax for the state of Washington apply to this project? And/or define any/all tribal taxes that apply?

A. No, GC's do not need to include Sales Tax in their proposals. The Tribe will provide the Tax exemption documentation to the awarded GC.

32. Please confirm if the new 250 kW generator shown per E-501 is to be included in this bid or if this is existing from the previously completed Cannabis shop. Please confirm that a connection from the generator to the Cannabis shop are not in this scope.

A. Yes, the emergency generator should be included in this project. There will need to be coordination for this installation. Conduits are already in place to assist with this installation. There should be an Allowance for a connection from the generator to the Cannabis shop as it will backup both buildings.

33. Provide a specification for the (3) exterior drive-through transaction windows Type W1, see page A611/W01.

A. The basis of design for the exterior drive-through transaction window is as follows:

<https://www.quikserv.com/ifsc-4040/>

Quikserv / IFSC-4040 side sliding transaction window / Finish: Dark Bronze Anodized / Low-E, 1" insulated glazing.

34. Will the attached specs for slider window be an acceptable suggestion?
- A. The substitution request for the transaction window is approved.
35. Please confirm if requested contract revisions should be submitted with the bid? Or are these to be sent post-bid?
- A. The tribe will negotiate in good faith with the winning proposal team toward finalizing contract terms. Submissions must include a list of the contract provisions or issues sought to be addressed during those negotiations.
36. Specs reference mockups may be required, confirm what/where/temp/perm.?
- A. Work of integrated exterior mockups may include the following:
  - B. Masonry veneer.
  - C. Air and weather barriers.
  - D. Roofing system to air and weather barriers.
  - E. Thermal insulation.
  - F. Through-wall flashing.
  - G. Flashing and sheet metal trim.
  - H. Joint sealants.
  - I. Aluminum-framed entrances.
  - J. Aluminum-framed storefront.
  - K. Aluminum windows.
  - L. Glazing.
- A. These mock-ups will be permanent as part of the construction. Each should be reviewed by the owner's representative and the responsible subcontractor during construction.
37. Details call out a sill pan flashing. The storefront system has a subsill with end dams to create a pan flashing. Is the design to have (2) sill pans? See 1,5,8/A712.
- A. Yes, a separate sill pan should be included below the aluminum sub-sill that is typically part of the storefront system. The separate sill pan should be extruded aluminum to match the storefront finish.
38. Specification 074213.13- Formed metal wall panels, calls out a 2 coat Fluoropolymer finish (this is a standard paint finish, it's the most economical and stocked). 076200 Sheet metal flashing and trim calls out a 3 coat Fluoropolymer finish (this is a non-standard finish and is very costly and a non-stocked item with long lead times). Is the intent to use the 2-coat paint finish on all architectural sheet metal items?
- A. The standard paint finish was our intent for all sheet metal work.

39. For the signage – some of the signs are missing information, please provide the following: Sign 14
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
40. Is the face illuminated or the face and the backside for a halo effect?
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
41. Halo lit logo with opaque vinyl face? .063 return with .125 face, studs
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
42. Face lit channel logo with digital print, trim cap face?
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
43. Sign 5 Cigars, Interior non illuminated signs
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
44. What material are we to use and thickness?
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
45. Signs 15, 16, 17 Exterior Non -illuminated signage?
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
46. What material are we to use and thickness?
- A. Owner is obtaining Signage quotations separately and will negotiate with the winning GC to take over the contracting for this Work.
47. Please confirm if low voltage communications (phone/data), security and audio/video scope is to be included in the bid? There are no plans or specs (besides pathway and camera quantity) or basis-of-design provided in the bid documents. Please clarify the scope for each of these items.



- A. Low voltage work is included in the scope. low voltage communications, security and audio/video are included in the documents. The low voltage devices (data outlets, fire alarm devices, card readers, etc.) are shown on sheet E-301 except for camera locations that are to be determined by the owner. Also included are specifications for low voltage structured cable (271001), intrusion alarm and access control (281600), video surveillance CCTV (282300), and fire alarm (283100).
48. Please confirm if the building permit cost is to be included in the bid? If so, please clarify the justification that will be responsible for issuing this permit and the amount to be carried if applicable?
- A. No. Owner will carry these costs.
49. Please confirm if special inspection and geotechnical costs are to be carried / coordinated by the owner (not included in the bid)?
- A. No. Owner will carry these costs.
50. Please provide a revised bid form which includes the additive alternate shown on A-201 or provide direction on where to include this item.
- A. Owner has provided an editable bid form in the Construction Documents Dropbox. Please add any line items you will be including in your bid.
51. Regarding Low Voltage, is there a specific brand/model of plug/outlet you would like?
- A. If you are referring to power for the IT racks:  
-Each rack will need its own 120v 20a dedicated circuit.  
-Install a single gang 5-20r duplex receptacle for each rack.  
If you are referring to the data connections:  
-Multiport wall plate with Cat 6 socket.
52. Can you confirm the cable grade is Cat6?
- A. Cat6 is sufficient cable grade.
53. Can you confirm that running 3 cables to each location is needed?
- A. 3 cables run to each location will be ideal with the exception of the ceiling-mounted wireless access points which can be a single cable run.
54. Is there a specific model of IT rack that you would like?
- A. Looking at the purpose of the space and that it will be accessed by more than just IT, Owner wants one that can be secured. Note that the rack will need

anchored to the floor in order to be considered stable.

SmartRack 42U Standard-Depth Rack Enclosure Cabinet with Doors and Side Panels

<https://tripplite.eaton.com/42u-smartrack-standard-depth-server-rack-enclosure-cabinet-doors-side-panels~SR42UB>



**ATTACHMENT A CONT.  
COVER PAGE**

<b>REQUEST FOR PROPOSAL (RFP)</b>		
<b>RFP Title: Title: The Cowlitz Indian Tribe Tobacco Outlet Build</b>		
<b>RFP Response Due Date and Time:</b> 3:00 P.M. PST, Sep 26 <sup>th</sup> , 2023	<b>Number of Pages in RFP packet (including cover and all Attachments):</b> 13	<b>Issue Date:</b> August 14 <sup>th</sup> , 2023
<b>ISSUING AGENCY INFORMATION</b>		
<b>Cowlitz Indian Tribe (CIT)</b> 1055 9 <sup>th</sup> Avenue, Longview, WA 98632  <b>Single Point of Contact (SPOC):</b> Amanda Lomasney, CIT Programs Manager, Tel. (360) 353-9936 x2735, email <a href="mailto:alomasney@cowlitz.org">alomasney@cowlitz.org</a>		
<b>INSTRUCTIONS TO BIDDERS</b>		
<b>Submit Sealed Proposal to:</b>	<b>Mark Face of Sealed Envelope/Package with:</b>	
Amanda Lomasney Programs Manager Cowlitz Indian Tribe 929 Fir Street Longview WA. 98632 <a href="mailto:alomasney@cowlitz.org">alomasney@cowlitz.org</a>	“RFP Response - Title: The Cowlitz Indian Tribe Tobacco Outlet Build”	
<b>Special Instructions:</b> Two hard copies of the RFP response proposal must be submitted in sealed envelope by RFP Response Due Date and Time listed above. Additionally, an electronic copy must be emailed to <a href="mailto:alomasney@cowlitz.org">alomasney@cowlitz.org</a> the following morning. Emailing electronic copies of proposals prior to Due Date and Time will disqualify the entire bidding process for this RFP solicitation. <b><u>Do not email</u></b> RFP response proposals prior to Response Due Date and Time.		
<b>FIRMS MUST COMPLETE THE FOLLOWING</b>		
<b>Firm Name/Address:</b>		
	(Name and Title)	
	(Signature)	
	Print name and title and sign in ink. By submitting a response to this RFP, offeror acknowledges they understands and will comply with the RFP specifications and requirements	
<b>Type of Entity (e.g., corporation, LLC, etc.)</b>	<b>Phone Number:</b>	
<b>E-mail Address:</b>	<b>Fax Number:</b>	
<b>FIRMS MUST RETURN THIS COVER SHEET WITH RFP RESPONSES</b>		



Advancement  
of Construction  
Technology

ATTACHMENT B  
WEATHER BARRIER SUBSTITUTION APPROVAL FORM

**SUBSTITUTION  
REQUEST**  
(During the Bidding Phase)

Project: Cowlitz Tobacco Outlet Substitution Request Number: 1  
From: Jeff Forell  
To: KMB Design Architects Date: August 21, 2023  
A/E Project Number: \_\_\_\_\_  
Re: Substitution Request for Soprema Stick VP Contract For: \_\_\_\_\_

Specification Title: Non-bituminous self-adhering sheet air barriers Description: Self-Adhered Air & Vapor Barrier  
Section: 07 27 15 Page: 3 Article/Paragraph: 2.3.A.1.a

Proposed Substitution : Soprema Sopraseal Stick VP  
Manufacturer: SOPREMA Address: 310 Quadral Dr. Wadsworth, OH Phone: 503-476-6425  
Trade Name: Stick VP Model No.: \_\_\_\_\_

Attached data includes product description, specifications, drawings, photographs, and performance and test data adequate for evaluation of the request; applicable portions of the data are clearly identified.

Attached data also includes a description of changes to the Contract Documents that the proposed substitution will require for its proper installation.

The Undersigned certifies:

- Proposed substitution has been fully investigated and determined to be equal or superior in all respects to specified product.
- Same warranty will be furnished for proposed substitution as for specified product.
- Same maintenance service and source of replacement parts, as applicable, is available.
- Proposed substitution will have no adverse effect on other trades and will not affect or delay progress schedule.
- Proposed substitution does not affect dimensions and functional clearances.
- Payment will be made for changes to building design, including A/E design, detailing, and construction costs caused by the substitution.

Submitted by: Jeff Forell PNW Sales Rep for SOPREMA  
Signed by: Jeff Forell  
Firm: SOPREMA  
Address: 310 Quadral Drive Wadsworth, Ohio 44281  
Email: jforell@soprema.us  
Telephone: 503-476-6425

A/E REVIEW AND ACTION

- Substitution approved - Make submittals in accordance with Specification Section 01330.
- Substitution approved as noted - Make submittals in accordance with Specification Section 01330.
- Substitution rejected - Use specified materials.
- Substitution Request received too late - Use specified materials.

Signed by: Craig McCall

Date: 8/22/23

Supporting Data Attached:  Drawings  Product Data  Samples  Tests  Reports  \_\_\_\_\_

**ATTACHMENT C  
REVISED DRAWING SHEETS**

Dropbox Link to Revised Drawing Sheets:

<https://www.dropbox.com/scl/fo/gsn67nitwkd0hwk0zvxb0/h?rlkey=1xyuyajs39lztqxuqt4aouv1t&dl=0>

All other terms and conditions of this RFP remain the same.  
END OF ADDENDUM NO. 3