

## **Elizabethtown Borough 2020 Concrete Contract**

### **Proposal, Instructions, Specifications and Provisions**

#### **INSTRUCTIONS**

1. All bids shall be submitted electronically ([aroda@etownonline.com](mailto:aroda@etownonline.com)) or hand delivered to Ann Roda at 600 South Hanover Street, Elizabethtown PA 17022. Bids will be accepted until 10:00 a.m. on Friday, February 14, 2020.
2. Bids shall be signed only by persons authorized to do so. All signatures must be written and in ink.
3. If more than one proposal on any project is submitted by any individual, firm or partnership, corporation or association under the same or different names, only one lowest proposal will be considered.
4. All questions about the meaning or intent of the bidding documents are to be submitted in writing via email to [jkinsey@etownonline.com](mailto:jkinsey@etownonline.com). Interpretations or clarifications considered necessary in response to such questions will be issued by Addenda. Addenda will be posted to the Elizabethtown Borough's website on the Request for Proposals and Bids webpage. Questions received less than five (5) days prior to the date for opening of Bids may not be answered. Only questions answered by Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
5. Completion of Bid Proposal Form:
  - A. To insure equitable bidding the municipality has completed columns labeled "Item", "Description" and "Approximate Quantities". The remainder of the form must be filled in by the contractor. If more space is needed, add note at the bottom of the page: "Continued on Attachment No. 1-A," and add additional sheet designated as Attachment No. 1-A, 1-B, etc. Repeat for each additional sheet required.

Note: the bid prices contained on the form shall include backfill, grading and seeding as necessary.
6. Bid security in the amount of ten percent (10%) of the bid shall be submitted. A certified check or bid bond, properly executed, must be enclosed with the bid proposal.
7. All bids must be accompanied by a fully executed Public Works Employment Verification Form.
8. Upon award of the contract, the successful bidder shall provide insurance coverage in the form of Property Damage and Bodily Injury Insurance as follows:

### PUBLIC LIABILITY

Each Occurrence .....\$1,250,000

Aggregate .....\$2,000,000

In addition, proof of Workers' Compensation insurance coverage must be provided.

Evidence of these coverages, in the form of a certificate of a qualified insurance company, must be submitted by the successful bidder within 20 days of the contract award. Failure to submit shall constitute grounds to cancel the contract.

9. Payment and Performance bonds are provided only by the successful bidder. Contracts under \$5,000 - bonds must be in 50% of the contract amount. Contracts in excess of \$5,000 - bonds must be in 100% of the amount of contract. Failure to submit the bonds shall constitute grounds to cancel the contract.
10. The Borough reserves the right to reject any or all Bids and reserves the right to waive all informalities in bids received.

### **SPECIFICATIONS**

1. The installation of curb, sidewalk and/or handicapped ramps and storm inlet tops shall be in accordance with Borough specifications and shall meet all conditions of the PennDOT permit, if required, for this job. A concrete sealer must be applied to freshly poured concrete.
2. Any work that is completed must include appropriate accommodations and/or requirements for current weather conditions.
3. When completing the Bid Proposal Form:
  - a. Item No. 1. This is the estimated footage of straight curb that the Borough may replace this year. Actual footage will be measured in the field.
  - b. Item No. 2. This is the estimated square yardage of regular (non-handicapped) sidewalk that the Borough may replace this year throughout the community.
  - c. Item No. 3. This is the estimated square yardage of handicapped ramps that the Borough may replace this year throughout the community. These ramps must conform to the most current set of standards of the *Americans with Disabilities Act as Amended* (ADAA).
  - d. Item No. 4. This is a miscellaneous catch-all category. It is for unknown quantities which might consist of simple footers, small retaining walls, steps, patios, etc. This bid will be on a "per cubic yard" basis, complete in place with backfilling, etc.
4. The price provided shall include all necessary work required for a "complete, in place"

proposal item, including excavation of existing material, backfilling with stone or dirt, top-soiling, and seeding. All blacktop work will be done by Elizabethtown Borough.

5. It shall be understood that the Borough is soliciting these prices based on estimates. Quantities and measurements indicated on the Bid Proposal Form are for bidding and contract purposes only. Quantities and measurements supplied or placed in the Work and verified by the Public Works Director shall determine payment.

## **PROVISIONS**

1. All bids shall be submitted electronically ([aroda@etownonline.com](mailto:aroda@etownonline.com)) or hand delivered to Ann Roda at 600 South Hanover Street, Elizabethtown PA 17022. Bids will be accepted until 10:00 a.m. on Friday, February 14, 2020. Bids shall be signed only by persons authorized to do so. All signatures must be written and in ink.
2. All bids must be accompanied by a Bid Guaranty or a Certified Check made payable to the Borough of Elizabethtown in an amount not less than 10 percent (10%) of the total bid. Bid Guaranties will be returned to all unsuccessful bidders after the award of the contract.
3. All bids must be accompanied by a fully executed non-collusion affidavit.
4. All bids must be accompanied by a fully executed Public Works Employment Verification Form.
5. A proposal may be withdrawn prior to the time set for opening bids upon presentation of a written request. No withdrawal of bids will be allowed after said time even though the bids may not have been opened.
6. The Borough will determine who the lowest responsible bidder is upon the basis of the bids received. The Borough reserves the right to reject any or all bids, or waive any informalities, or re-advertise, if the best interests of the Borough will thereby be served.
7. If a contract award is to be made, the Borough shall do so within fifteen (15) days after bids are opened. If an award is not made within this time period, then all bids will be rejected.
8. Claims because of mistakes or omissions in the bids will not be considered. In case a bidder finds discrepancies or omissions in the proposal or specifications, or is in doubt as to the meaning intended, he/she should notify the Director of Public Works at once.
9. The Borough agrees to make payment following delivery of satisfactory service and receipt of an invoice. The Borough pays bills the third Friday of every month. All invoices are due before the first Friday of the month for payment during that month.
10. The pricing included in this bid is intended to be used for general concrete work that is

needed by the Borough within the 2019 calendar year in addition to the work required for the paving program. Quantities contained in this contract are estimates. The quantities indicated on the bid proposal form are for work associated with the 2019 paving program, anticipated general concrete work and a downtown parklet project.

The price provided shall include all necessary work required for a “complete, in place” proposal item, including excavation of existing material, backfilling with stone or dirt, top-soiling, and seeding. All blacktop work will be done by Elizabethtown Borough.

11. If the actual Work requires more or fewer quantities than those quantities indicated, the contractor shall provide the required quantities at the unit or lump sum prices contracted.
12. When notified by the Borough of the specific work location, work must be performed within 2 weeks unless otherwise noted.
13. If all work is not completed on time, liquidated damages will be assessed at the rate of \$870 per additional working day.
14. The worksite shall remain neat and clean at the end of each day. Excess materials shall be hauled away.
11. The Borough agrees to make payments, based on monthly invoices, within thirty (30) days after receipt of each invoice. Invoices are due before the first Friday of the month for payment that month, as the Borough pays its bills monthly following the public meeting.
12. Protection of persons and property is of paramount importance. Adequate protection of persons and property must be maintained at all times. Adequate safety protection for motor vehicles is required at all times. The Public Works Director will be responsible for assuring that these measures are being properly met.
13. The successful contractor shall indemnify and save harmless, the Borough, its officers and employees from all lawsuits that may arise from the work performed.
14. The successful contractor shall guarantee, and agree to correct, any or all work performed under this contract for a period of one (1) year from the date of acceptance of the work. The successful contractor takes all responsibility for all concrete work to the complete finished product which will allow its intended use without marking or scoring the finish.