

BID PROPOSAL

NHC PINE VALLEY LIBRARY

RFB # 18-0090



COUNTY COMMISSIONERS

WOODY WHITE, CHAIRMAN

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Section 1 - Advertisement

Pursuant to GS 143-129, sealed bids addressed to Lena Butler, Purchasing Supervisor, New Hanover County Finance Department, 230 Government Center Drive, Suite 165, Wilmington, NC 28403 and marked “**NHC PINE VALLEY LIBRARY: RFB # 18-0090**” will be accepted until **2:00 PM EST, Tuesday, September 14th, 2017** for the following work:

NHC Pine Valley Library: Construction of a new one story 16,213 sf (Base Bid) Type IIB, fully sprinklered public library to be constructed at 3802 S. College Rd, Wilmington, NC. The project also includes two alternates which would add 1,770 sf or 3,328 sf to the base building. The scope includes all site work, site demolition, building, plumbing, electrical, mechanical, etc. as detailed in the plans and specifications by Vines Architecture dated 8/14/2017.

The bids will be publicly opened and read aloud following the latest time for receipt of bids at New Hanover County Government Offices, 230 Government Center Drive, Conference Room 119 (behind the fish tank), Wilmington, North Carolina.

Bids will be received for a Single Prime Contract. Bidders must be properly licensed under Chapter 87 of the North Carolina General Statues.

All prime bidders on this project must be pre-qualified in accordance with New Hanover County’s Pre-qualification Ordinance in order to bid. Bids will not be accepted unless the bidder is pre-qualified. Pre-qualification applications may be obtained at the County Legal Department, 230 Government Center Drive, Suite 155, Wilmington, NC 28403 or by visiting the County’s website at <http://legalinsurance.nhcgov.com/contractors-approved-for-bidding/>.

Bidding Documents and Site Development Plans may be examined and/or obtained by contacting Copy Cat at info@copycatprintshop.com; Duncan Parnell at (877) 749-4178 (the drawings are on file at the Raleigh office but can be printed at any location); or by visiting <http://www.nhcgov.com/business-nhc/bids/>. Persons requesting shipment of documents shall bear the additional, non-refundable cost of shipment, if applicable.

The County will conduct a Mandatory Pre-Bid meeting at 2:00 PM on Tuesday, August 29th, 2017. The meeting will be held on the third floor of the NHC Main Library (Harnett Room), located at 201 Chestnut Street, Wilmington, NC 28401.

A Bid Bond Equal to 5% of the base bid price is required by all bidders. The successful bidder will be required to provide Performance and Payment bonds equal to one hundred percent (100%) of the contract price.

No Bid may be withdrawn thirty (30) days after bid opening date.

The bidder shall make good faith efforts, as defined in the bid specifications, to subcontract 10% of the dollar value of the single prime contract to businesses owned and controlled by minorities.

The County reserves the right to waive any informalities, to reject any or all bids, and to accept that Bid or Bids which is in the best interest of the County.

Section 2 Instructions to Bidders

2.1 SCHEDULE

Advertisement	Monday, August 14 th , 2017
Mandatory Pre-Bid Meeting	Tuesday, August 29 th , at 2:00 PM
Deadline for Questions	Tuesday, September 5 th , 2017 by 5:00 PM
Deadline for Receipt of Bids	Thursday, September 14 th , 2017 at 2:00 PM New Hanover County 230 Government Center Drive, Suite 165 Wilmington, NC 28403 (Bid Opening: Conference Room 119)
Board Meeting for Award	Monday, October 2 nd , 2017 at 4:00 PM

2.2

PRE-BID CONFERENCE

The County will conduct a **Mandatory Pre-Bid meeting at 2:00 PM on Tuesday, August 29, 2017. The meeting will be held on the third floor of the NHC Main Library (Harnett Room), located at 201 Chestnut Street, Wilmington, NC 28401.**

The purpose of this conference is to review project requirements and to respond to questions from prospective bidders and their subcontractors or material suppliers related to the intent of bidding documents.

It is requested that prospective Bidders review the bidding documents and submit their questions to Jeff Schroeder by emailing jschroeder@vinesarc.com no later than 5:00 PM on Tuesday, September 5, 2017.

2.3 PREQUALIFICATION REQUIRED

All prime bidders on this project must be pre-qualified in accordance with New Hanover County's Pre-qualification Ordinance in order to bid. Bids will not be accepted unless the bidder is pre-qualified. Pre-qualification applications may be obtained at the County's Legal Department, 230 Government Center Drive, Suite 155, Wilmington, NC 28403 or by visiting the County's website <http://legalinsurance.nhcgov.com/contractors-approved-for-bidding/>.

2.4 PROPOSAL

Proposals shall be made in strict accordance with the "Bid Proposal Package" provided herein, and all blank spaces for bids, alternates and unit prices shall be properly filled in. When requested alternates are not bid, the proposal may be considered incomplete. Any modifications to the "Bid Proposal Package" (including alternates and/or unit prices) may disqualify the bid and cause the bid to be rejected.

The Bidder agrees that the "Bid Proposal Package" detached from specifications will be considered and will have the same force and effect as if attached thereto. Photocopied or faxed proposals will not be accepted. Numbers shall be stated both in writing and in figures for the base bids and alternates.

Unit prices quoted in the "Bid Proposal Package" shall include overhead, profit and taxes and shall be the full compensation for the Bidder's cost involved in the work.

Proposals may be rejected if they show omissions, alterations of form, additions not called for, conditional bids, or irregularities of any kind.

Bidder shall identify on the bid, the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts or an affidavit indicating work under contract will be self-performed, as required by G.S. 143-128.2(c) and G.S. 143-128.2(f). Failure to comply with these requirements is grounds for rejection of the bid.

2.5 EXAMINATION OF CONDITIONS

By submitting a bid, the Bidder is affirming that he has carefully examined all documents pertaining to the work, the location, accessibility and general character of the site of the work and all existing buildings and structures within and adjacent to the site, and has satisfied himself as to the nature of the work, the condition of existing buildings and structures, the conformation of the ground, the character, quality and quantity of the material to be encountered, the character of the equipment, machinery, plant, and any other facilities needed preliminary to and during prosecution of the work, the general and local conditions, the construction hazards, and all other matters, including but not limited to the labor situation which can in any way affect the work under the contract, and including all safety measures required by the Occupational Safety and Health Act of 1970 and all rules and regulations issued pursuant thereto.

The Bidder further affirms by submitting a proposal that he has satisfied himself as to the feasibility and meaning of the plans, drawings, specifications, and other contract documents for the construction of work and that he accepts all the terms, conditions and stipulations contained therein, and that he is prepared to work in cooperation with other Contractors performing work on the site.

Reference is made to contract documents for the identification of those surveys and investigative reports of subsurface or latent physical conditions at the site or otherwise affecting performance of the work which have been relied upon by the Designer/owner in preparing the documents. The County will make copies of all such surveys and reports available to the Bidder upon request. Each Bidder may, at his own expense, make such additional surveys and investigations as he may deem necessary to determine his bid price for the performance of the work. Any on-site investigation shall be done at the convenience of the County. Any reasonable request for access to the site will be honored by the County.

2.6 FAMILIARITY WITH LAWS

The bidders are assumed to have made themselves familiar with all laws, ordinances, and regulations which in any manner affect those engaged or employed in the work or the materials or equipment used in or upon the work, or in any way affects the conduct of the work.

2.7 CODES AND STANDARDS

Wherever reference is given to codes, standard specifications or other data published by regulating agencies including, but not limited to, national electrical codes, North Carolina state building codes, federal specifications, ASTM specifications, various institute specifications, etc., it shall be understood that such reference is to the latest edition including addenda published prior to the date of the contract documents.

2.8 PREPARATION OF PROPOSAL

The bidder must submit their bid proposal on the form herewith provided, and prices must be given both in writing and in figures (if requested). The bidder shall sign the bid proposal. **Bids not signed will be rejected.**

2.9 SUBMISSION OF BID FORM

2.9.1 Bid Bond: Each bid shall be accompanied by a deposit of cash, or a cashier's check, or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation in an amount equal to not less than five percent (5%) of the proposal. In lieu of making the cash deposit as above provided, such bidder may file a bid bond executed by a corporate surety licensed under the laws of North Carolina to execute such bonds, conditioned that the surety will upon demand forthwith make payment to the obligee upon said bond if the bidder fails to execute the contract in accordance with the bid bond. This deposit shall be retained if the successful bidder fails to execute the contract within 10 days after the award or fails to give satisfactory surety as required herein. **(Bidders providing a bid bond in lieu of the cash deposit must use the attached bid bond form).**

2.9.2 Addressee: Bids must be on the form contained in this bid package and must be submitted in a sealed envelope properly marked “**NHC PINE VALLEY LIBRARY: RFB # 18-0090**” and shall be addressed to County at the following address:

New Hanover County Finance Office
Attn: Lena Butler, Purchasing Supervisor
230 Government Center Drive, Suite 165
Wilmington, NC 28403

2.9.3 Unacceptable Bids: Bids submitted via telegraph, facsimile (FAX), telephone, and electronic means, including but not limited to e-mail, in response to the Request for Bids will not be acceptable.

2.10 LICENSING

The successful Contractor must be properly licensed to do the work in accordance with the North Carolina General Statutes (Chapter 87, Article 1). Upon request, bidders shall show evidence of proper license type and limitation.

2.11 LATE BIDS

Late bids will not be accepted. It is the responsibility of the Bidder to have his/her bid in the office specified in the Request for Bids by the time and date of the opening.

2.12 COMMUNICATION

After the bid issue date, all communications between the County and prospective Bidders regarding this bid request shall be in writing. Any inquires, requests for interpretation, technical questions, clarification, or additional information shall be directed to **Jeff Schroeder, Vines Architecture** by emailing jschroeder@vinesarc.com. All questions concerning this bid shall reference the bid number, section number and paragraph. Questions and responses affecting the specifications of the bid will be provided by issuance of an Addendum to all known bidders of record. Questions related to this Request for Bids shall be received no later than **5:00 P.M., EST, Tuesday, September 5, 2017**.

2.13 TIME OF BID OPENING

Bids shall be opened and read aloud. After the opening of bids, no bid may be withdrawn, except under the provisions of General Statute 143-129.1, for a period of thirty (30) days unless otherwise specified. Should the successful bidder default and fail to execute a contract, the contract may be awarded to the next lowest and responsible bidder. **Bids will be publicly opened and read aloud on Thursday, September 14th, 2017 at 2:00 PM** in Conference Room 119 (behind the fish tank) located within the New Hanover County Government Offices, 230 Government Center Drive, Suite 165, Wilmington, NC 28403.

2.14 WITHDRAWAL OF BIDS

Bidders may withdraw or withdraw and resubmit their bid at any time prior to the closing time for receipt of bids. No bid may be withdrawn after the scheduled closing time for receipt of bids for a period of thirty (30) days except as provided under G.S. 143-129.1 which allows a bidder to withdraw his/her bid from consideration after the bid opening without forfeiture of his/her bid security if the price bid was based upon a mistake, which constituted a substantial error, provided the bid was submitted in good faith, and the bidder submits credible evidence that the mistake was clerical in nature as opposed to a judgment error, and was actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, apparatus, supplies, materials, equipment, or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective

evidence drawn from inspection of the original work papers, documents or materials used in the preparation of the bid sought to be withdrawn.

2.15 AWARD OF CONTRACT

The award of any contract resulting from this bid will be made to the lowest responsible bidder, taking into consideration quality, performance and time specified in the bid for the performance of the contract. In the event the lowest responsible, responsive bid is in excess of the funds available for the project, the County may enter into negotiations with the lowest responsible, responsive bidder and may make reasonable changes in the plans and specifications to bring the price within the funds available for the project and award the bid. If such negotiations prove to be unsuccessful, the County will re-advertise the project after making such changes in the plans and specifications as may be necessary to bring the cost of the project within the funds available.

2.16 SUBSTITUTIONS

In accordance with the provisions of G.S. 133-3, material, product, or equipment substitutions proposed by the bidders to those specified herein can only be considered during the bidding phase until ten (10) days prior to the receipt of bids when submitted to the Designer/owner with sufficient data to confirm material, product, or equipment equality. Proposed substitutions submitted after this time will be considered only as potential change order.

Submittals for proposed substitutions shall include the following information:

- a. Name, address, and telephone number of manufacturer and supplier as appropriate.
- b. Trade name, model or catalog designation.
- c. Product data including performance and test data, reference standards, and technical descriptions of material, product, or equipment. Include color samples and samples of available finishes as appropriate.
- d. Detailed comparison with specified products including performance capabilities, warranties, and test results.
- e. Other pertinent data including data requested by the Designer/owner to confirm product equality.

If a proposed material, product, or equipment substitution is deemed equal by the Designer/owner to those specified, all bidders of record will be notified by Addendum.

2.17 PERFORMANCE BOND

Each contractor shall furnish a performance bond executed by a surety company authorized to do business in North Carolina. The bonds shall be in the full contract amount. Bonds shall be executed in the form included with these specifications. The bond shall be countersigned by an authorized agent of the bonding company who is licensed to do business in North Carolina.

2.18 PAYMENT BOND

Each contractor shall furnish a performance bond executed by a surety company authorized to do business in North Carolina. The bonds shall be in the full contract amount. Bonds shall

be executed in the form included with these specifications. The bond shall be countersigned by an authorized agent of the bonding company who is licensed to do business in North Carolina.

2.19 ADDENDA

Any addenda to specifications issued during the time of bidding are to be considered covered in the proposal and in closing a contract they will become a part thereof. It shall be the bidder's responsibility to ascertain prior to bid time the addenda issued and to see that his bid includes any changes thereby required.

Should the bidder find discrepancies in, or omission from, the drawings or documents or should he be in doubt as to their meaning, he shall at once notify Jeff Schroeder by emailing jschroeder@vinesarc.com who will send written instructions in the form of addenda to all bidders. Notification should be no later than seven (7) days prior to the date set for receipt of bids. Neither the owner nor the designer/owner will be responsible for any oral instructions.

All addenda should be acknowledged by the bidder(s) on the Bid Proposal Form. However, even if not acknowledged, by submitting a bid, the bidder has certified that he has reviewed all issued addenda and has included all costs associated within his bid.

2.20 LIQUIDATED DAMAGES

Since actual damages for any delay in the completion of the work which the contractor is required to perform under this contract are or will be difficult to determine, Bidders and his /her sureties shall be liable for and shall pay to the Owner the sum of **\$500** as fixed and agreed as liquidated damages, and not as penalty for each calendar day of delay from the date stipulated for completion, or as modified in accordance with the terms of this agreement until such work is satisfactorily completed and accepted. Said liquidated damages may be deducted from any payments owed to the contractor by the Owner or collected from the sureties, whichever is deemed expedient by the Owner.

2.21 COMPLIANCE WITH BID REQUIREMENTS

Failure to comply with these provisions or any other provisions of the General Statutes of North Carolina will result in rejection of bid.

2.22 E-VERIFY

Pursuant to N.C.G.S. § 143-48.5 (Session Law 2014-418), Contractor shall fully comply and certify compliance of each of its subcontractors with Article 2 of Chapter 64 of the N.C. General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system. County shall be provided affidavits attesting to Contractor's and

subcontractor's compliance or exemption. Violation of the provision, unless timely cured, shall constitute a breach of Contract.

2.23 RIGHT TO REJECT BIDS

The County reserves the right to waive any or all informalities, to reject any or all bids, and to accept that Bid or Bids which is in the best interest of the County.