NEW HANOVER COUNTY
REQUEST FOR BIDS
SAND PURCHASE AND DELIVERY
RFB # DEM 19-001

COUNTY COMMISSIONERS
JONATHAN BARFIELD, JR., CHAIRMAN
JULIA OLSON-BOSEMAN, VICE-CHAIRMAN
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Section 1 – Advertisement

NEW HANOVER COUNTY
REQUEST FOR BIDS
SAND PURCHASE AND DELIVERY
RFB # DEM 19-001

Sealed bids addressed to Kim Roane, Business Officer, 3002 US Highway 421 North, Wilmington, NC 28401 and marked “RFB# DEM 19-001 SAND PURCHASE AND DELIVERY” will be accepted until 10:00 a.m. Friday, February 1, 2019.

New Hanover County (NHC) is accepting bids for Sand Purchase and Delivery to the NHC Landfill facility located at 5210 U.S. Highway 421 North, Wilmington, NC 28401.

Instructions for submitting bids and complete requirements and information may be obtained by visiting the County’s website at https://www.nhcgov.com/business-nhc/bids or by contacting Kim Roane at kroane@nhcgov.com.

New Hanover County reserves the right to accept or reject any or all Bids and to make the Award which will be in the best interest of the County.

Released: Thursday, January 24, 2019
Section 2 – Instructions and General Conditions

2.1 – Schedule

<table>
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<tr>
<th>Date</th>
<th>Action</th>
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<tr>
<td>Thursday, January 24, 2019</td>
<td>RFB issued.</td>
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<tr>
<td>Friday, February 1, 2019, 10:00 a.m.</td>
<td>Deadline for receipt of SEALED bids.</td>
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2.2 – Preparation of Bid

2.2.1 Bidders are instructed to submit one (1) original bid in a sealed envelope. Bids should be clearly marked “RFB # DEM 19-001 Sand Purchase and Delivery.”

2.2.2 The bid shall be submitted by 10:00 AM Friday, February 1, 2019 and addressed to:

New Hanover County
Environment Management
Attn: Kim Roane, Business Officer
3002 U.S. Highway 421 North
Wilmington, NC 28401

2.2.3 Completion of Bid Form (Price Sheet): Bidders are expected to examine the specifications herein, the schedule and all instructions. Failure to do so will be at the bidder’s risk. Each bidder shall furnish the information required on the price sheet. Bids must be submitted on the price sheet contained in this bid package. Bids submitted that are not on the attached price sheet will be rejected. BIDS NOT SIGNED WILL BE DEEMED NONRESPONSIVE AND REJECTED.

All prices and notations shall be written in ink or typed. Discrepancies between words and numerals will be resolved in favor of words.

Changes or corrections made in the bid must be initialed by the individual signing the bid. No corrections will be permitted once bids have been opened.

2.2.4 No telephone, electronic or facsimile bids will be considered. Bids received after the time and date for closing will not be considered.

2.3 – Site Visits

Bidders wishing to visit the site may contact Sam Hawes, NHC Landfill Manager, at 798-4454.

2.4 – Questions

Questions concerning the specifications in this Request for Bids (RFB) should be directed to Kim Roane, Business Officer at kroane@nhcgov.com. Questions will be received until Tuesday, January 29, 2019, at 11:00 AM.
2.5 – Communication
Bidders may not have communications, verbal or otherwise, concerning this RFB with any personnel or boards from New Hanover County, other than the person(s) listed in this section which are Kim Roane, Business Officer email kroane@nhcgov.com or, solely for purpose of a site visit, Sam Hawes 798-4454. If any vendor attempts any unauthorized communication, the bid may be rejected.

2.6 – Intent to Submit
All Bidders who intend to submit a bid on this project should send an email to kroane@nhcgov.com including pertinent contact information. This will ensure that you receive any addenda issued for this RFB; if applicable. This is not a requirement, but is suggested.

2.7 - Cost of Preparation of Response
Costs incurred by prospective Bidders in the preparation of the response to this Request for Bids are the responsibility of the Bidder and will not be reimbursed by The County.

2.8 – Bid Opening
The public bid opening will be **Friday, February 1, 2019, at 10:00 a.m., EST** in the conference room of the New Hanover County Department of Environmental Management, 3002 U.S. Hwy 421 N., Wilmington, NC 28401.

2.9 – Award
Award “shall be made to the lowest responsive responsible bidder taking into consideration quality, performance, and the time specified in the bid for the performance of the contract.”

The County may also consider other factors such as past performance, financial stability, and availability of equipment in the consideration of award.

2.10 – Ownership of Documents
All bids and accompanying documentation will become the property of New Hanover County at the time the bids are opened and as such will not be returned to the bidder.

2.11 - Trade Secret Confidentiality
Upon receipt of your bid by New Hanover County, your bid is considered a public record except for material which qualifies as "trade secret" under N.C. General Statute 132-1.2. After opening, your bid will be provided to County staff and others who participate in the evaluation process, and to members of the general public who submit public records requests.

To properly designate material as trade secret under these circumstances, each Bidder must take the following precautions: (a) any trade secrets submitted by a Bidder must be submitted in a separate, sealed envelope marked "Trade Secret - Confidential and Proprietary Information - Do Not Disclose Except for the Purpose of Evaluating This Bid," and (b) the same trade
secret/confidentiality designation must be stamped on each page of the trade secret materials contained in the envelope.

**Do not attempt to designate your entire Bid as a trade secret, and do not attempt to designate pricing information as a trade secret.** Doing so will result in your Bid being disqualified.

In submitting a Bid, each Bidder agrees that the County may reveal any trade secret materials contained in such response to all County staff and County officials involved in the selection process, and to any outside consultant or other third parties who assist the County in the selection process. Furthermore, each Bidder agrees to indemnify and hold harmless the County and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material, which the Bidder has designated as a trade secret.

### 2.12 - 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 ninety (90) days.

### 2.13 - Equal Opportunity

The non-discrimination clause contained in Section 202 (Federal) Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor, are incorporated herein.

The Bidder agrees not to discriminate against any employees or applicant for employment because of physical or mental handicap in regard to any position for which the employees or applicant is qualified. The Bidder agrees to take affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices.

Pursuant to GS 143-48, New Hanover County encourages small, minority, physically handicapped, and women firms to submit bids in response to this RFB.

### 2.14- Indemnity

The successful Bidder shall indemnify and hold the County, its agents and employees, harmless against any and all claims, demands, causes of action, or other liability, including attorney fees, on account of personal injuries or death or on account of property damages arising out of or relating to the work to be performed by the Successful Bidder hereunder, resulting from the negligence of or the willful act or omission of the Bidder, his agents, employees and subcontractors.
2.15 – E-Verify
Pursuant to Session Law 2013-418, Contractor shall fully comply with the U.S. Department of Homeland Security employee legal status E-Verify requirements for itself and all its subcontractors. County requires an affidavit attesting to Contractor’s compliance. Violation of the provision, unless timely cured, shall constitute a breach of contract.

2.16 - Addendum
The bid package constitutes the entire set of instructions to the bidder. The County shall not be responsible for any other instructions, verbal or written, made by anyone. Any changes to the specifications will be in the form of an Addendum which will be sent to all known Bidders who are listed with the Finance Office and posted on the County’s website.

You may visit our website at http://www.nhcgov.com/Finance/Pages/CurrentBids.aspx, or email kroane@nhcgov.com to check for the issuance of any addenda before submitting your bid.

2.17 - 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/bid.

2.18- Successful Bidder
The Bidder who is not currently set up as a vendor in The County’s vendor file will be required to submit a completed Vendor Application, W-9 and EFT form in order to be entered into the County’s vendor database.

2.19 – Federal Uniform Guidance
If the source of funds for this contract is federal funds, the following federal provisions apply pursuant to 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II (as applicable):

2.20 – Estimated Activation Period
Time is of the essence, and the work must begin within two (2) days of notification of the bid award/notice to proceed.
2.21 – Contract Compliance Requirements

Contractor shall sign and return NHC Environmental Management Contractor Compliance Requirements document with the bid.

2.22 - Right to Reject Bids

New Hanover County reserves the right to accept or reject any or all bids and to make the award which will be most advantageous to the County.
Section 3 – Scope of Services

1.0 GENERAL

1.01 The BIDDER shall comply with all applicable Federal, State and Local codes, ordinances and requirements of all agencies having jurisdiction. The BIDDER will be responsible for obtaining all necessary licenses to complete the scope of work.

1.02 Performance: The quality of workmanship concerning the services provided for Sand Purchase and Delivery must reflect professional work and conduct.

2.0 SCOPE OF SERVICES

Sand Purchase and Delivery
Contractor shall provide clean sand fill and transportation to the New Hanover County Landfill working face on Sundays. The work will be accomplished in approximately 3-6 consecutive Sundays, depending upon how much fill sand is able to be hauled each day (logistics). Drivers will be directed by new Hanover County heavy equipment operators on where to dump the sand fill. Hours of operation will be 7:00 a.m. – 5:00 p.m. It is estimated, but not guaranteed, that approximately 12,000-17,000 tons of material will be needed. Only quad axle dump trucks are suitable for the work due to site conditions. A minimum of 5 (five) trucks shall haul material continuously throughout the day. The site is a landfill and it is possible that the contractor may experience flat tires and other minor damage to trucks. All bidders must make themselves aware of this prior to submitting a bid.

3.0 PRICE SCHEDULE

3.1 The contract will be based upon $/per ton unit pricing. No minimum or maximum quantity is implied or inferred by this bid document.

3.2 All bids must be submitted using the attached Price Sheet/Bid Form.

4.0 BIDDER SAFETY REQUIREMENTS

4.1 BIDDER shall comply with all local, state and federal safety rules and regulations and shall sign and return NHC Environmental Management Contractor Compliance Requirements document (attached to the contract).

4.2 The BIDDER shall be solely responsible for maintaining safety at all work sites. The BIDDER shall take all reasonable steps to insure safety for both workers and visitors to include traffic control.
NEW HANOVER COUNTY
SAND PURCHASE AND DELIVERY
Price Sheet/Bid Form
RFB # DEM 19-001

TO: Kim Roane, Business Officer
    New Hanover County
    3002 Hwy. 421 North
    Wilmington, NC 28401

DATE: ____________________    CONTRACTOR: ____________________________
OFFICE PHONE: ________________    CELL PHONE: __________________________
ADDRESS: ______________________________
EMAIL ADDRESS: ______________________________

The undersigned, having carefully examined the Instructions to Bidders, New Hanover County
RFB # DEM 19-001 – Sand Purchase and Delivery, including the following addenda;

ADDENDUM #___________________    DATED: __________________________
as well as the premises and conditions affecting the work, proposes to furnish all services,
labor, materials and equipment called for to complete the delivery of sand in accordance with
the bid documents for the following unit price amounts.

Sand Price:

       $_____/ton (all inclusive)

_________________________________________       ___________________________
Signature                                           Title

_________________________________________
State of Incorporation
Introduction

The safety and health of all contractors, customers, and employees of the New Hanover County Department of Environmental Management is of primary importance. As a result, the prevention of occupationally induced injuries and illnesses will be given precedence over operating productivity whenever necessary.

Our goal is to maintain a safety and health program conforming to all applicable OSHA standards and to lead in safety program management within our industry. To be successful will require contractor cooperation in all safety and health matters.

As a contractor you will be required, as part of your contract, to take an active role in the Department of Environmental Management safety and health program. The following contractor safety and health requirements, when adhered to, will ensure safety for contractors, customers, and County employees. Additionally, potential damage to equipment and property will be avoided. It is impossible to document all possible situations or to provide precise guidance for every contingency a contractor may encounter in the course of their work. However, adherence to the rules as written and the desire to apply safe work practices will result in the highest level of safety.
General Requirements

1. All contractor employees shall abide by the Department of Environmental Management safety and health rules and regulations at all times. The DEM Safety Manual is available for copy or review in each of the Department’s offices.

2. The contractor and all contracted employees are required to follow the procedures for signing in and out. Procedures may differ depending on the section of the department the contractor is working in; they will be explained fully before the work begins.

3. The contractor shall have a competent individual in charge at the job site to supervise the job, conduct an adequate accident prevention program, and ensure compliance to OSHA and DEM rules.

4. All accidents or injuries shall be reported immediately to the DEM Project Manager or Safety Manager.

5. Contractor employees are not allowed to enter areas other than the work site, unless it is required for the performance of their job.

6. The contractor shall inform the Project Manager of any known hazardous conditions that exist, due to the contract work being done, in areas where Departmental employees may be exposed to the known hazards.

7. The contractor shall provide Material Safety Data Sheets for all containers of hazardous substances brought onto DEM property.

8. The contractor shall sign the “Contractor Hold Harmless” waiver form in order to use any Department equipment.

9. Periodic job site inspections will be conducted by the DEM Project Manager or Safety Manager to ensure that the job is proceeding safely in accordance with safety rules.

10. Smoking is prohibited on all construction projects at the Landfill.

11. Violation of these rules is grounds for immediate termination of contract work.
Standards of Conduct

The Department of Environmental Management has established standards to ensure the smooth, safe, and efficient operations of the Department. Violation of these standards is considered serious and may lead to termination of the contract. The following are prohibited:

1. Willful damage to any Departmental property, customer property, or the property of Department employees.

2. Possession, use, or distribution of alcohol, narcotics, or illegal drugs on Department property.

3. Possession of firearms, ammunition, concealed weapons, or explosives (unless properly authorized).

4. Abusive or threatening language, harassment, disrespectful behavior, workplace violence, or interfering with the work of Department employees.

5. Theft or attempted theft from the Department or Department employees.

6. Refusal to perform contracted work or refusal to obey instructions.

7. Sleeping on the job.

8. Negligence or conduct which could result in injury or damage to property.

Contractor Safety Training

Please place a check by each of the following categories in which one or more of your employees has been trained. It is understood that not all contractors will have employees who are trained in all of the areas listed.

___ Personal Protective Equipment
___ First Aid and CPR
___ Lockout/Tagout
___ Confined Space Entry
___ Respiratory Protection
___ Hazardous Communication
___ Material Safety Data Sheets
___ Fire Prevention and Protection
___ Fall Protection
___ Scaffolding
___ Heavy Equipment Training/Certification (includes bulldozer, loader, forklift, excavator, grader, roller, backhoe, bobcat)
___ Welding, Cutting, and Brazing
___ Electrical Safety
___ Trenching/Excavation
___ Other ________________________________
___ Other ________________________________

* If the contracting company has ten (10) or more employees, they will be required to present OSHA 300 Logs, at a minimum for the past three calendar years, along with their bid.
The Department of Environmental Management reserves the right to ask for any training records from the categories that were checked above. The County reserves the right to reject the bid of any firm that cannot document proper safety training as it relates to conducting the work included in the contract.

**Contractor Agreement to Comply**

I, __________________________, a representative of ___________________________ do hereby acknowledge that my company has received a copy of the guidelines governing contract work being performed on New Hanover County Department of Environmental Management property. It is agreed that as part of the contract my company and its employees will comply with these guidelines and all the written programs which apply to the work being performed.

Signed ____________________        Date ____________________

(Contractor)

Please return this signed page to the designated Department of Environmental Management Project Manager. A copy of the signed form will be kept in the Safety Officer’s files.