

## **DIVISION 0 - SECTION 00050 - NOTICE TO BIDDERS**

Public Notice is hereby given that Sealed Bids will be received by the Kearny Board of Education, 100 Davis Avenue, Kearny, New Jersey on September 15, 2010, at 2:00 PM prevailing time for

### **Single Overall General Contractor**

for Aircraft Noise Abatement and Renovation work to be performed at

### **Kearny High School**

Located at: **336 Devon Street  
Kearny, New Jersey 07032**

### **AVAILABILITY OF PLANS & SPECIFICATIONS**

Plans and specifications will be available beginning Wednesday, August 18, 2010. Copies of the said bidding documents may be obtained as follows:

Go to [www.AECrepro.com](http://www.AECrepro.com)

Click on Plan Room Link

Find The Kearny High School Project, under The D.F. Gibson Architects company name. Input Bidders company data.

After step 4 is complete bidder will be able to review, and or order drawings for the Kearny H.S. project.

If there are any problems during the log on process, bidder can contact AEC customer service at (212) 624 9494 or call Christine Mear, D.F. Gibson Architects (212) 400-6210 x 18

### **TIME AND PLACE OF BIDDING**

Bids shall be received either in person, at the hour designated in the advertisement at the Office of the Board of Education, 100 Davis Avenue, Kearny, New Jersey 07032 OR previous hereto, by delivery or by mail to Kearny Board of Education, 100 Davis Avenue, Kearny, New Jersey, 07032 ahead of time for receipt to the designated location.

If bids are mailed in or delivered in person ahead of time, bid forms are to be inserted into a smaller bid envelope described above and sealed, and then the smaller envelope is to be inserted into a larger envelope for mailing or delivery. The Kearny Board of Education will not assume responsibility for bids not delivered in person. It is the bidder's responsibility to assure that bids are presented to the Kearny Board of Education on the hour and at the place designated. **NO BIDS SHALL BE RECEIVED IN PERSON OR BY MAIL AFTER THE HOUR DESIGNATED FOR RECEIPT.**

### **MANDATORY PRE-BID CONFERENCE WALK-THROUGH**

There will be a **MANDATORY** pre-bid conference and walk-through Kearny High School at the main entrance on Tuesday, August 31, 2010, at 10:00AM. At that time representatives of the Architect, Engineers, and the Kearny Board of Ed. will be present to show the building, explain what work will be done, construction sequences required to complete the project and what standard of quality will be expected. **FAILURE TO ATTEND THE WALK-THROUGH WILL RENDER CONTRACTOR'S BID VOID.**

**Contractor shall bring to the walk thru, to give to the Owner, a list of at least five (5) projects of similar scope and size as described in these plans and specifications completed within the last seven (7) years for municipalities or public school districts in the State of New Jersey as described in Section 00100 - Instructions to Bidders - Part 2 - paragraph 2.05**

### **BID FORMAT**

Bidders must use and complete fully the BID FORM provided in Section 00300 of the Project Manual as furnished by the Kearny Board of Education. Bids must be enclosed in sealed

envelopes bearing the name and address of the bidder; designating the name of the bid on the outside and addressed to Kearny Board of Education.

Bidders must comply with the requirement attached hereto including Certified Check, Cashier's Check or Bid Bond, in the amount not less than ten (10%) percent of the amount for which the bid is submitted, furnished by a Surety Company authorized to do business in the State of New Jersey.

### **BIDDER'S CHECKLIST - DOCUMENTS TO BE SUPPLIED WITH BID**

Bids for this project must be accompanied by the Forms noted below, which are made part of the Bid package and must be properly completed and submitted with the Bid Proposal.

1. ***Bid Form*** (See Section 00300)

Complete Bid Form in its entirety listing:

- A. Overall construction cost for the complete project followed by a breakdown of the total bid amount divided into separate dollar amounts for subcontracted work for Structural Steel; Heating, Ventilation & Air Conditioning; Plumbing; Sprinkler; Electrical and Hazardous Material Abatement;
- B. Alternate costs as called for on the Bid Form and outlined in Section 01030.

2. ***Bid Bond - AIA Document A-310*** - (See Section 00620) - or Certified check

Guaranteed payable to the Kearny Board of Education that the Bidder, if the Contract is awarded to him, will enter into a Contract thereof. Guarantee shall be in the amount of (10%) percent of the total amount of the bid, but not in excess of Twenty Thousand Dollars (\$20,000) and may be in the form of a certified check, cashier's check or Bid Bond.

3. ***Consent of Surety*** (See Section 00610) together with ***Surety Disclosure Statement*** (See Section 00640)

Certified from a surety company as per NJSA 18A: 18A-25, stating that it will provide the Bidder with a bond in such sum and form as required in the Specifications.

4. ***Non-Collusion Affidavit*** (See Section 00220)

5. ***Stockholder or Partnership Disclosure Statement*** (See Section 00240)

A statement setting forth the names and addresses of all stockholders owning 10% or more of the stock in the case of a corporation, or 10% or greater interest in the case of a partnership.

6. ***Bidder Certification and Consent Form*** - (See Section 00230)

Bidder, as well as their subcontractors for Structural Steel; Heating, Ventilation & Air Conditioning; Plumbing; Sprinkler; Electrical and Hazardous Material Abatement and as defined in NJSA 34: 11-56.48 et seq., shall be registered with the Department of Labor in accordance with NJSA 34: 11-56.48 et seq.

All entities named above shall submit the completed ***Bidder Certification and Consent Form*** found in Section 00230 with the following documents:

- a. ***Certificate of Registration*** - issued by the Department of Labor indicating compliance with "The Public Works Contractor Registration Act" N.J.S.A. 34:11-56.48.
- b. ***Certificate of Authority to Perform Work in New Jersey*** - issued by the Department of Treasury (NJSA 18A76-37)

- c. **Contractor or Trade License** - Current and valid license for any trade or specialty area in which the firm seeks to perform work as required under applicable New Jersey Law
  - d. **Affirmative Action Acknowledgment** - for compliance with Affirmative Action Regulations Exhibit "B". (See Section 00330)
7. **Pre-Qualification Affidavit** - (See Section 00210)
- Bidder, as well as subcontractors for Structural Steel; Heating, Ventilation & Air Conditioning; Plumbing; Sprinkler; Electrical and Hazardous Material Abatement shall be required to provide a Pre-Qualification Affidavit and the following documents:
- a. **Notice Of Classification** - issued by the State of New Jersey, Department of Treasury, Division of Property Management and Construction (DPMC)
  - b. **State of New Jersey Form (DBC 701)** - notarized, stating the total amount of uncompleted contracts
  - c. **NJEDA Classification** - required for school facilities projects issued by the State of New Jersey Economic Development Authority/New Jersey Schools Development Authority (NJEDA).
  - d. **Per Section 00100 Part 2 - paragraph 2.03** Bidder must furnish satisfactory evidence that he is qualified to perform the work outlined in the plans and specifications. Submit along with the bid a listing of sub contractors who will perform work on the project along with names and experience of key personnel associated with the bidder and his sub contractors.
  - e. **Per Section 00100 Part 2 - paragraph 2.05** Bidder must furnish at the time of the bid a list of at least three municipalities or public school districts in the State of New Jersey for which work of a similar nature as that described in the plans and specifications has been completed.
8. **Contractor's Qualification Statement** - (See Section 00205) - together with required attachments to be provided by the Bidder, as well as subcontractors for Structural Steel; Heating, Ventilation & Air Conditioning; Plumbing; Sprinkler; Electrical and Hazardous Material Abatement

**NOTE:**

**BIDDERS WHO FAIL TO FURNISH ALL DOCUMENTS LISTED ABOVE COMPLETE; SIGNED WHERE INDICATED; NOTARIZED WHERE INDICATED FOR THEMSELVES AND THEIR SUB CONTRACTORS FOR STRUCTURAL STEEL; HEATING, VENTILATION & AIR CONDITIONING; PLUMBING; SPRINKLER AND HAZARDOUS MATERIAL ABATEMENT WILL HAVE THEIR BIDS REJECTED BY THE BOARD OF EDUCATION AS BEING NON-COMPLIANT**

**FUNDING**

This project is being funded in addition to Kearny Board of Education monies by the State of New Jersey Schools Development Authority and the Federal Aviation Administration in conjunction with the Port Authority of New York and New Jersey and ALL Contractors and Subcontractors must follow the rules and regulations pertaining to these agencies.

**PA/FAA Aircraft Noise Abatement Funds**

This project is being funded in part by the Federal Aviation Administration (FAA) in conjunction with the Port Authority of New York and New Jersey (PA) as part of the PA/FAA's Aircraft Noise Abatement Program, a joint effort to eliminate aircraft noise in school classrooms.

All Contractors and Sub-Contractors engaged by the Kearny Board of Education to work on this project agree to be bound by the terms of the Agreement between the Board of

Education and the Port Authority as presently existing or as may be entered into, amended or supplemented in the future by the PA/FAA and the Board. The complete Agreement is available for review at the Kearny Board of Education Offices. Additionally, all Contractors and Sub-Contractors are bound by Federal Laws governing contracts utilizing federal monies and Department of Labor Prevailing Wages and Affirmative Action Rules as contained in these Specifications.

#### **EDA/NJSDA Funds**

This project is also being funded in part from the Economic Development Authority (EDA)/New Jersey Schools Development Authority (NJSDA), pursuant to the terms of an Agreement between the School District and the EDA/NJSDA. All Contractors and Subcontractors engaged by the Kearny Board of Education to work on these projects agree to be bound by the terms of this Agreement as presently existing or as may be entered into amended or supplemented in the future by the EDA/NJSDA and the Board. The complete Agreement is available for review at the Kearny Board of Education Offices.

#### **BIDDERS ARE NOTIFIED AS FOLLOWS:**

- A. Addenda may be issued by the Architect in accordance with the provisions stated in Section 00100 Part 4 and the bidders are obligated on their own initiative to make an inquiry for examination of such addenda, if any.
- B. No Bid may be withdrawn after date of receipt.
- C. Bidders are notified that they must comply with provisions of NJSA 34:11 - 56.25 et seq. (Wages on Public Works) and that the contract to be awarded in this case shall contain a stipulation that the wage rate must be paid to workmen employed in the performance of the contracts shall not be less than the prevailing wage rate as determined by the Commissioner of the Department of Labor and Industry of the State of New Jersey.

Additionally, all contractors must comply with the U.S. Federal Davis Bacon Wage Rates as stated in Division 0 - Section 00402 - PREVAILING WAGE RATES – UNITED STATES DEPARTMENT OF LABOR. If there is a conflict between the wage rates as stipulated by the State of New Jersey and Federal Wage rates the contractor shall pay not less than the higher of the prevailing wage rates.

- D. Bidders are put on notice that the Kearny Board of Education is an exempt organization under the provisions of the New Jersey State Sales and Use Tax Act NJSA 54:32B-1 et seq. and is not required to pay sales tax.
- E. Bidders are put on notice that they are required to comply with the anti-discrimination provisions of NJSA 10:2-1 et seq., the New Jersey Law Against Discrimination, NJSA 10:5-1 et seq., NJAC 17:27-1.1 et seq. and NJAC 6:4-1.6 and all rules and regulations and orders promulgated by the State Treasurer pursuant to PL 1976, c 127.
- F. All Bidders are put on notice that portions of the work are being funded by grants from the Port Authority of New York and New Jersey and the New Jersey Economic Development Authority/New Jersey Schools Development Authority and Bidders will be required to meet the requirements of those agencies.
- G. Per NJSA 18A:18A-20, only manufactured and farm products of the United States, where available, shall be used in the Project.
- H. All Bidders must comply with the provisions listed in Division 0 - Section 00350 - "Federal Law Requirements for Bid Solicitations" and Section 9120 of the Aviation Safety and Capacity Expansion Act of 1990, Title 49 U.S.C. Chapter 501, AIP Program Guidance Letter 91-3.
- I. All contracts and subcontracts for construction or purchase of materials are subject to Section 3 of the Housing and Community Development Act of 1968 where to the greatest extent possible, opportunities for training and employment shall be given to lower income residents of the project area, and when possible, contracts shall be awarded to business concerns whose base of operation is within the geographical area of the project site.

- J. Small Businesses (SBE), Minority (MBE) or Women Owned Businesses (WBE) or Disadvantage Businesses (DBE) are encouraged to obtain contract documents specifications and compete for the contracts.
- K. Per Executive Order 11246, 41 CFR Parts 60 - 4, AC 150/5100-15, Para. 22.c. is made part of this Notice to Bidders. These requirements are in addition to those provisions that must be fulfilled during the period of this contract as set forth under CFR Title 49 by the Secretary of Transportation for the Federal Aviation Administration and administered through the Port Authority of New York and New Jersey as stipulated in Section 00360 – Disadvantaged Business Enterprises (DBE) Requirements
- L. NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION - 41 CFR PART 60-2
  - 1. The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
  - 2. The Bidder is also directed to Section 00360 – Disadvantaged Business Enterprises (DBE) Requirements for specific requirements, as set forth under CFR Title 49 by the Secretary of Transportation for the Federal Aviation Administration and administered through the Port Authority of New York and New Jersey that must be fulfilled during the period of this contract.
  - 3. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:
    - a. Participation Goal – Total Goal of 17%
      - Goal for minority participation for each trade (Race Conscious) - 4.8%
      - Goal for female participation in each trade (Race Neutral) - 12.2%

These goals are applicable to all of the contractor's construction work (whether or not it is Federal or federally-assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and non-federally involved construction.
- M. Bidders are required to comply with the requirements of the State of New Jersey relating to affirmative action requirements. Completed Form AA-201 "Initial Project Manning Report - Construction" must be submitted by the third (3rd) calendar day after the signing of the construction contract.
- N. The Kearny Board of Education reserves the right to reject any and all bids, and to waive immaterial informalities in any Bid in such a manner as shall be in the judgment of the School District, all in conformity with the law. The Owner reserves the right to reject any or all Bids and not award a contract for any portion of the project if the owner has not obtained the requisite approval for the project or any portion thereof from the appropriate State Agency. Any agreement entered into by the Board for any portion of the project is expressly conditioned upon the Owner obtaining the requisite approval for the project or any portion thereof. The Board reserves the right to terminate this agreement if the Owner has not obtained the requisite approval for the Project or any portion thereof from the appropriate State or Federal Agency.
- O. A PV System has been installed on the roofs. The successful bidder will be responsible for the temporary removal and re-installation of the solar panels and all electrical requirements in order to accommodate their needs to access the roof area and conduct the construction of the addition. In coordination with the Architect and MEP Engineers, the bidder will re-design the areas that will be affected by the shadows cast by the new addition and redistribute the affected panels throughout the roof.

**END OF SECTION 00050**

