

## INSTRUCTIONS TO BIDDERS

### PART 1 - GENERAL

#### 1.1 DEFINITIONS

- A. The Projects and Project Team consists of the following:
- The Project: Horace Mann Elementary School Building replacement and associated improvements
- The Project Address: 1300 9<sup>TH</sup> Street, Ogden, UT 84404
- The Owner: Ogden City School District
- The Construction Manager: BDK
- The Architect: MHTN Architects
- B. The Bidding Documents include:
1. Advertisement for Bid
  2. Instructions to Bidders
  3. The Preliminary Construction Schedule
  4. Contract/Bond Forms
  5. List of Subcontractors
  6. Non-Collusion Affidavit
  7. Proposal Forms
  8. Statement of Bidders' Qualifications
  9. District Policies Statement
  10. General Conditions of the Contract for Construction
  11. Supplementary Conditions
  12. The Specifications for the Project
  13. The Drawings for the Project
  14. Addenda, if any
- C. The Contract Documents include:
1. The Accepted Proposal
  2. Addenda
  3. The Drawings for the Project
  4. The Specifications for the Project
  5. List of Subcontractors
  6. Non-Collusion Affidavit
  7. District Policies Statement
  8. General Conditions of the Contract for Construction
  9. Supplementary Conditions
  10. Payment and Faithful Performance Bonds
- D. Bids are sums stipulated in Proposals for which Bidders propose to perform the Work of the project.
- E. Unit Prices are sums included in Proposals as Bids per unit measure of materials

and/or services, as required in the Bidding Documents.

- F. Proposals are complete, properly executed forms including all information requested by the Owner.
- G. Bidders are qualified General contractors who submit Proposals to the Owner for Work as Prime Contractors on the Project who have submitted the qualification form for review.
- H. Alternate Prices are lump sum prices included in the Proposals for labor, materials and/or services, which are not included in the base bid.

## **1.2 PRE-BID CONFERENCE**

- A. The date, time and location of the Pre-bid Open House Conference is November 22, from 2:30 to 3:30 PM at the District Maintenance and Technology building number 11 Training room, located 956 20<sup>th</sup> Street Ogden, Utah 84401.

## **1.3 BIDDING DOCUMENTS**

- A. Information regarding cost and location to obtain the Bidding Documents is found in the Advertisement for Bid, Document
- B. Bidders shall use complete sets of Bidding Documents in preparing proposals. Bidders are responsible for ascertaining that the Bidding Documents upon which their Proposals are based are complete sets.
- C. Requests from Bidders for clarification or interpretation of the Bidding Documents shall be directed to the Construction Manager in writing and received by the Construction Manager no later than seven (7) calendar days prior to the bid date. The Construction Manager will consult with the Architect who is solely responsible for clarification and interpretation. The Construction Manager will forward written clarifications to all known plan holders in the form of an Addendum. Only written requests for clarification/interpretation shall be accepted, and only with written replies shall be binding.
- D. Should a Bidder find discrepancies, ambiguities, inconsistencies, errors or omissions in the Drawings or Documents, or should there be any doubt as to their meaning, the Bidder should at once notify the Construction Manager in writing.
- E. Each Bidder shall acknowledge receipt of each Addendum on the Proposal form. Failure by the Bidder to acknowledge receipt of any document could result in the rejection of the bid.

## **1.4 LIQUIDATED DAMAGES**

- E. Liquidated damages shall be enforced at a daily rate of \$5000 for each and every work day following contract substantial completion date in which substantial completion is not satisfied. Liquidated damages shall be enforced at a daily rate

of \$2500 for each and every work day following the final completion date in which final completion is not satisfied.

### 1.5 BID SECURITY

- E. For bid security requirements for this Project refer to Document 004113.

### 1.6 PROPOSAL OPENING AND CONTRACT AWARDS

- E. Proposals will be opened publicly and read aloud at the District Maintenance and Technology building number 11 Training room, located 956 20<sup>th</sup> Street Ogden, Utah 84401 at 2:15 PM on December, 17<sup>th</sup> 2019. **Bids must be received by The Office of the Director of Support Services located at the Administration Building #1, Room 210 @ 1950 Monroe Blvd Ogden Utah 84401, by 2:00 PM, MDST, December 17, 2019 prior to bid opening.** At that time, the owner intends on reviewing the apparent two (2) lowest bids for responsiveness and responsibility. The bidders meeting this criteria will have twenty-four (24) hours from notification to provide a binding certified subcontractor list for owner review. If the work for any area is to be self-performed, the contractor shall list the amount of the bid in that area, and the name of the foreman leading the self-perform effort.
- F. The contract shall be awarded on the basis of the best qualified, lowest responsive and responsible bid. The Owner reserves the right to award a contract based on any combination of base bid and alternates in conjunction with the qualifications. The Owner intends to award the contract to the Bidder who submits a proposal in accordance with the requirements of the Bidding Documents. Award will be made in the Owner's best interest, to the extent authorized by law.
- G. The Owner reserves the right to waive any informality or irregularity in any Proposal.
- H. The Owner reserves the right to reject any and all proposals.

### 1.7 POST-BID INTERVIEWS

- A. Bidders in contention for contract awards may be asked to attend Post-Bid Interviews and submit Post-Bid Submittals in rough draft for review.

### 1.8 POST-BID SUBMITTALS

- A. Refer to Document

### 1.9 BONDS

- A. Refer to Document

#### **1.10 INSURANCE**

- A. Refer to Document

#### **1.11 CONTRACTORS' LICENSE**

- A. Bidders must be contractors, properly licensed to perform the work of this project with an active license in good standing as of the date of receipt of bids. License must be maintained in good standing throughout the term of the contract.

#### **1.12 SUBCONTRACTOR LISTING**

- A. Every Bidder shall in his bid set forth:
  - 1. The name and location of the place of business of each subcontractor.
  - 2. The portion of the work that will be done by each subcontractor. If the Bidder fails to specify a subcontractor for any portion of the work to be performed under the Contract in excess of one half (1/2) of one percent (1%) of the Bidder's total bid, he agrees to perform that portion himself. If the work for any area is to be self-performed, the contractor shall list the amount of the bid in that area, and the name of the foreman leading the self-perform effort. The successful Bidder shall not, without the written consent of the Owner, either:
    - a. Substitute any person as subcontractor in place of the subcontractor designated in the original bid.
    - b. Permit any subcontract to be assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the bid.
    - c. Sublet or subcontract any portion of the work in excess of one half (1/2) of one percent (1%) of the total bid as to which his original bid did not designate a subcontractor.

### **PART 2 - FORMS FOR BIDDING**

#### **2.1 PROPOSAL FORMS**

- A. Refer to Document 00 41 00.

### **PART 3 - PROCEDURES AND CONDITIONS FOR BIDDING**

#### **3.1 BIDDERS' REPRESENTATIONS & ACKNOWLEDGMENTS**

- A. In submitting a Proposal, each Bidder represents that:

1. The Bidder has read and understands the Bidding Documents.
2. The Proposal is made in accordance with the Bidding Documents.
3. The Bidder has visited the Project Site and is familiar with the local conditions under which the Work will be performed and acknowledges that failure to visit the site will not relieve the Bidder of the responsibility for observing and considering those conditions which a reasonable contractor would have observed and considered during a site visit, estimating properly the difficulty and cost of successfully performing the Work or proceeding to perform the work without additional cost to the Owner.

**END OF DOCUMENT**

**DOCUMENT 004100 - BID FORM**

BID FOR: Horace Mann Elementary Building Replacement and Associated Improvements

TO: Ogden City School District  
Purchasing Office, 1950 Monroe Blvd  
Ogden, UT, 84401

SUBMITTED BY: \_\_\_\_\_  
Name of Bidder

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_

Contractors, License No.: \_\_\_\_\_

License Expiration Date: \_\_\_\_\_

To Whom it may concern:

The undersigned has carefully examined the site, the proposed Contract Documents consisting of Drawings, Specifications, and all Addenda prepared by MHTN ARCHITECTS pertinent to the construction of the above referenced Project and further, being familiar with all other conditions affecting the Work, the undersigned hereby proposes and agrees to furnish and provide all labor, materials, supervision, transportation, tools, equipment, services and other facilities necessary and required for the expeditious completion of the Work included in the Bid Division indicated above, in strict conformity with said conditions and Contract Documents.

The undersigned has reviewed the work outlined in the Bid Division, fully understands the scope of work required in this Proposal, acknowledges that the Proposal includes the work of all trades within the Bid Division, understands the Construction Management function as described in the Contract Documents, understands that each bidder who is awarded a Contract shall be in fact a Prime Contractor, not a Subcontractor to the (District Name), and agrees that the proposal, if accepted by the Owner, will be the basis for a contract with the Owner to enter into such a contract in accordance with the intent of the Contract Documents.

The undersigned agrees to complete the work required within the Bid Division, within the time indicated in Contract Documents subject to liquidated damages as specified in the Contract Documents

Enclosed is a Bid Security for five percent (5%) of the amount of the Base Bid, made payable to the order of Ogden City District, to be left in escrow with the Owner as a guarantee that the undersigned will enter into a Contract and will furnish specified insurance and bonds.

The undersigned has notified the Construction Manager of any discrepancies or omissions, or of any doubt about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuing of any clarifying Addenda.

The undersigned further acknowledges receipt of the following Addenda:

NO.: \_\_\_\_\_ DATE: \_\_\_\_\_

NO.: \_\_\_\_\_ DATE: \_\_\_\_\_

NO,; \_\_\_\_\_ DATE: \_\_\_\_\_  
NO,; \_\_\_\_\_ DATE: \_\_\_\_\_  
NO,; \_\_\_\_\_ DATE: \_\_\_\_\_  
NO,; \_\_\_\_\_ DATE: \_\_\_\_\_

(Include All Addenda Received)

**BASE BID**

BID LINE ITEM: \_\_\_\_\_

The undersigned proposes to provide and construct the Work required for the above listed Bid Division,

in accordance with said Contract Documents for the lump-sum price of:

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_). INCLUDES ALL TAXES.  
(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words shall govern).

**SCHEDULE OF UNIT PRICES**

The following unit prices shall prevail should it become necessary to change quantities of work items from those as specified or as shown on the drawings. Price quoted shall include full compensation for labor, materials, tools, equipment, and incidentals required for a complete installation:

- A. Removal and replacement of 100 sf of asphalt \$ \_\_\_\_\_ /100 sq ft
- B. Removal and replacement of 10 lf of curb and gutter: \$ \_\_\_\_\_ /10 lf
- C. Removal and replacement of 10 lf of valley gutter. \$ \_\_\_\_\_ /10 lf
- D. Removal and replacement of 10 lf of sprinkler line. \$ \_\_\_\_\_ /10 lf
- E. Additional chain link fencing with 2 installed posts 10 lf \$ \_\_\_\_\_ /10 lf
- F. Additional decorative fencing with 2 installed posts 10 lf \$ \_\_\_\_\_ /10 lf
- G. Removal and replacement of 100 square feet of specified Sod \$ \_\_\_\_\_ /100 sq ft
- H. Removal and replacement of 100 square feet of playground surface. \$ \_\_\_\_\_ /100 sq ft
- I. Additional (1) specified pedestrian gate \$ \_\_\_\_\_ /Each
- J. Removal and replacement of unsatisfactory soil \$ \_\_\_\_\_ /cu. yd.
- K. Additional 10 lf of 6 ft wide sidewalk \$ \_\_\_\_\_ /10 lf

**SCHEDULE OF ALTERNATES**

Total Alternate No. 01

\_\_\_\_\_ Dollars (\_\_\_\_\_)

Additive Bid Alternate No. 01: Is to include all associated Site, Utility, Building, Mechanical and Electrical work as shown and detailed on the Contract Documents.

Total Alternate No. 02

\_\_\_\_\_ Dollars(\_\_\_\_\_)

Deductive Bid Alternate No. 02: Is to include all associated Site, Utility, Building, Mechanical and Electrical work as shown and detailed on the Contract Documents.

Total Alternate No. 03

\_\_\_\_\_ Dollars(\_\_\_\_\_)

Deductive Bid Alternate No. 03: Is to include all associated Site, Utility, Building, Mechanical and Electrical work as shown and detailed on the Contract Documents.

**AGREEMENT**

It is understood and agreed that if written notice of the Owner's acceptance of this proposal is mailed, emailed, or delivered to the undersigned after the opening of the bid, and within Ninety (90) days, or at any time thereafter before this bid is withdrawn, the undersigned will execute and deliver to the Owner a Contract in accordance with the bid as accepted, and will also furnish and deliver to the Owner the Payment Bond, Performance Bond and Certificate of Insurance as specified, all within ten (10) working days after receipt of notification of award, and that the work under the Contract shall be commenced by the undersigned bidder, if awarded the Contract, on the date to be stated in a Notice to Proceed, issued to the Contractor and shall be completed by the Contractor in the time specified in the Contract Documents. In the event the bidder to whom an award is made fails or refuses to execute the Contract within the specified time frame, the Owner may declare the bidder's bid security forfeited as damages caused by the failure of the bidder to enter into the Contract.

Enclosed herewith is a listing of subcontractors, or scope of work being self-performed. If notified by the Construction Manager, Bidder must provide a binding certified copy of this list within twenty-four (24) hours of the notification. Failure to include this list in the bid or provide the certified list as described in the bidding instructions may result in a rejection of Bid.

The undersigned acknowledges the fact that the Owner reserves the right to accept or reject any and all proposals, to waive any informality in receipt of this proposal, with or without cause or reason, and award the Contract on the basis stated in the Instructions to Bidders.

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth below, together with the signatures of authorized officers or agents; if bidder is a partnership, the true name of the firm shall be set forth below together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his signature shall be placed below.



LIST OF SUBCONTRACTORS

PROJECT: Horace Mann Elementary Building Replacement and Associated Improvements

Pursuant to the provisions as set forth in Instructions to Bidders, and the General Conditions, the above named Contractor hereby designates below the names and locations of the place of business of each subcontractor. District may request subcontractor license number

SUBCONTRACTOR (IF SELF PERFORM LIST)	BUSINESS ADDRESS	SCOPE OF WORK /(AMOUNT IF SELF PERFORM)
_____	_____	_____
_____	_____	_____
_____	_____	_____
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Horace Mann Elementary School  
Ogden School District

MHTN Project No. 2019505  
Construction Documents - 21 Nov 2019


\_\_\_\_\_  
Contractor Name

**END OF DOCUMENT**