

BOROUGH OF KEYPORT
MONMOUTH COUNTY, NEW JERSEY
SANITARY SEWER SYSTEM UPGRADES
INFLOW & INFILTRATION REDUCTION PROGRAM
PHASES III / IV
CONTRACT NO. 3

NOTICE TO BIDDERS

NOTICE is hereby given that sealed bids will be received by the Borough of Keyport (hereinafter called the "Owner") for:

SANITARY SEWER SYSTEM UPGRADES
INFLOW & INFILTRATION REDUCTION PROGRAM
PHASES III / IV
CONTRACT NO. 3

Sealed bids for the above named Contract, which includes the inspection, rehabilitation, repair and/or replacement of sanitary sewer collection and conveyance system infrastructure within the Borough of Keyport, Monmouth County, New Jersey ("Owner"), will be received at the Borough Hall, 70 West Front Street, Keyport, New Jersey 07735 on **August 16, 2011 at 11:00 a.m.** prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

The work includes the furnishing of all labor, materials and equipment necessary to complete the work as shown on the Drawings and as described in the Specifications. The work consists of but is not limited to the inspection, cleaning, repair, rehabilitation and/or replacement of sanitary sewer lines and sanitary manholes; sewage pump station upgrades; water distribution system upgrades; inclusive of trench and roadway restoration and reconstruction, site restoration; and furnishing, delivery and testing of a new sewer jet-vactor truck complete with inspection and cleaning equipment. The work is located throughout the Borough of Keyport and includes utility work, site work and general construction within Municipal, County and State-owned right-of-ways. The overall contract consists of a Base Bid and Supplemental Bids A through D, and shall be completed within a maximum of 300 calendar days of the Contractor's receipt of written Notice to Proceed.

No bid will be received unless in writing on the forms furnished, and unless accompanied by bid security in the form of a bid bond, cashier's check, or a certified check made payable to the Borough of Keyport in an amount equal to % of the amount of the total bid .

The bid shall be accompanied by a Certificate of Surety on the form included in the Contract Documents, from a surety company licensed to do business in the State of New Jersey, which shall represent that the surety company will provide the Contractor with the required bonds in the sums required in the Contract Documents and in a form satisfactory to the Owner's Attorney and in compliance with the requirements of law.

Bidders must use the prepared bid form which is contained in the Contract Documents. Each individual proposal must be separately enclosed in a sealed envelope addressed to the **Borough Clerk, 70 West Front Street, Keyport, New Jersey 07735** marked on the outside with the number of the contract and name of the project being bid on.

No bids will be received after the time and date specified, and no bids will be received by mail. Bids shall be received by courier service (date and time recorded) or shall be hand delivered. The Owner shall award the Contract or reject all bids within 60 days of bid opening, except that the bids of any bidders who consent thereto may, at the request of the Owner, be held for consideration for such longer period as may be agreed.

The Owner will evaluate bids and any award will be made to the lowest, responsive, responsible bidder in accordance with N.J.S.A. 40A:11-6.1. A copy of N.J.S.A 40A:11-6.1 is included in Section entitled Local Public Contract of this specification. The Owner reserves the right to reject any or all bids and to waive minor informalities or irregularities in bids received.

The qualification and reclassification of bidders will be subject to the statutory provisions contained in N.J.S.A. 40A:11-25 to 32 ("Local Public Contract Law"). A copy of N.J.S.A. 40A:11 25 to 32 is included in the Section entitled "Local Public Contract Law" of this specification.

All bid security except the security of the three apparent lowest responsible bidders shall be returned, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bids of the bidders whose bid security is returned shall be considered withdrawn.

Each bidder must submit with his bid a signed certificate stating that he owns, leases or controls all the necessary equipment required to accomplish the work shown and described in the Contract Documents. Should the bidder not be the actual owner or leasee of such equipment, his certificate shall state the source from which the equipment will be obtained and, in addition, shall be accompanied by a signed certificate from the owner or person in control of the equipment definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the Contract for which it is necessary. The bidder shall comply with the documentation requirements set forth in the Article of the Information for Bidders, entitled, "Bidder Submissions".

The successful bidder will be required to submit bonds and proof of insurance on or before execution of their respective Contracts as explained in the Contract Documents.

Bidders are required to comply with all relevant Federal and State Statutes, Rules and Regulations including but not limited to the applicable provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000D-4A), the discrimination and affirmative action provisions of N.J.S.A. 10:2-1 through 10:2-4, the New Jersey Law against Discrimination, N.J.S.A. 10:5-1, et seq., the rules and regulations promulgated pursuant thereto, the State requirement for bidders to supply statements of ownership (N.J.S.A. 52:25-24.2) and the State requirement for submission of the names and addresses of certain subcontractors (N.J.S.A. 40A:11-16).

This contract is expected to be funded in whole or in part using funds from the American Recovery and Reinvestment Act (ARRA). Section 1605 of the ARRA prohibits the use of these funds unless all iron, steel, and manufactured goods are produced in the United States. All iron and steel manufacturing processes must take place in the United States, except for metallurgical processes involving refinement of steel additives. There is no requirement for the origin of components and subcomponents of manufactured goods. Products listed at 48 CFR 25.104(a) have been determined to be unavailable in the United States and if required for the project may be purchased from foreign sources. No unauthorized use of foreign iron, steel and/or manufactured goods will be allowed on this project.

The Contract Documents may be examined and obtained at the Office of the Engineer, Hatch Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07728, between the hours of 8:00 a.m. and 4:45 p.m. The Contract Documents may be purchased by prospective bidder upon payment of a fee of two hundred (\$2000) for each set of full-sized drawings with specifications or \$150.00 per set of reduced-size drawings with specifications, if reduced-size drawings are available. Individual full-sized sheets of drawings will be available at \$2.50 per sheet on forty-eight (48) hours notice. Payment must be made by business check and shall be made out to Hatch Mott MacDonald. If requested by a prospective bidder, one complete set of the Contract Documents will be sent as follows:

- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of the Contract Documents plus fifty dollars (\$50.00) for handling and the bidder's bill-to account number;
- or*
- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of Contract Documents plus one hundred dollars (\$100.00) for shipping and handling.

If the Contract is awarded, no refunds will be given. If for any reason the Contract is not awarded, refunds will be made to bidders pursuant to N.J.S.A. 40A:11-24(b) when the Contract Documents are returned in reasonable condition within 90 days of notice that the Contract has not been awarded.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of P.L. 1975 c. 127, N.J.A.C. 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement" and "Non-Collusion Affidavit" on the forms included in the Contract Documents.

Bidders and their subcontractors of any tier must comply with all applicable provisions of the Public Works Contractor Registration Act, P.L. 1999, c. 238 (N.J.S.A. 34:11-56.48) and the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25).

Pursuant to P.L. 2004, c.57 (N.J.S.A. 52:32-44) effective September 1, 2004, all business organizations that conduct business with a New Jersey government agency are required to be

registered with the State of New Jersey. Bidders and their subcontractors must submit proof that at the time of the Bid they are registered with the New Jersey Department of Treasury, Division of Revenue by submitting a copy of their Business Registration Certificate prior to Contract award.

It is the purpose of this Notice to Bidders to summarize some of the more important provisions of the Contract Documents. Prospective bidders are cautioned not to rely solely on this summary, but to read the Contract Documents in their entirety.

By Order of the Borough of Keyport
Valerie Tornick Heilweil, RMC
Borough Clerk