

**GENERAL INSTRUCTIONS TO BIDDERS  
FOR THE  
OLD LYME HAINS PARK BOATHOUSE**

**1. SUBMISSION OF BIDS:**

Bids must be made in accordance with the following instructions and format provided in the Bid Form, and must be fully completed.

**2. RECEIPT OF CONTRACT DOCUMENTS:**

Upon receipt of the Bid Package the bidder shall immediately check that all documents listed in item 4 of these instructions and all documents in the Plan and Specification List have been received. If an item(s) is missing contact the Town of Old Lyme Selectman's Office immediately.

**3. PRE-BID CONFERENCE:**

A mandatory Pre-Bid Conference/Site Walk will be held at 9:00 a.m. on June 8, 2016 at Hains Park, 166 Boston Post Road, Old Lyme, CT 06371. Agenda items include review of bidding procedure, bid format, site utilization, schedule, scope, questions and answers. Minutes will be forwarded to all plan holders and published on the Town's website.

**4. EXAMINATION OF SITE AND CONTRACT DOCUMENTS:**

- A. Before submitting a bid, the bidder is required to carefully examine the Contract Documents, visit the site, note existing facilities, conditions and limitations affecting the work to be performed under this Contract. Include all costs for same.
- B. By submitting a bid, the bidder agrees he has examined the Contract Documents, has visited the site, noted all conditions and limitations affecting the work and fully understands the nature of the work, general and local conditions, and accepts the AIA general conditions and contract form, a sample of which is included in the bid documents.
- C. By submitting a bid, the bidder agrees that he will not make any claim for damages or additional compensation because of lack of information, or because of any misunderstanding, or because of any misinterpretation of the requirements of the Contract.
- D. The Contract Documents (bid package) include the following:
  - 1. General Instruction to Bidders
  - 2. Bid Form
  - 3. Contract Between Owner and Contractor, AIA Document A101-1997
  - 4. General Conditions of the Contract for Construction, AIA Document A201-1997
  - 5. State of Connecticut Department of Labor Wage and Workplace Standards Division Minimum Rates and Classifications (when issued)
  - 6. CHRO Contract Compliance Regulations Notification to Bidders
  - 7. Drawings and Specifications as Listed
  - 8. Supplements (when issued)
  - 9. Pre-Bid Conference Meeting Minutes (when issued)

**5. SUBMISSION OF BIDS:**

- A. Submit one (1) original bid and one (1) copy of the bid, original signatures are to be on both bid forms, sealed in an envelope plainly marked in the upper left hand corner with the name of the bidder, the words "BID DOCUMENT". The project name, as well as the bid date and time shall be marked on the lower left hand corner of the envelope. If forwarded by mail or delivery service, the sealed envelope containing the bid must be enclosed in the delivery pouch addressed to:

First Selectman  
Old Lyme Town Hall  
52 Lyme Street  
Old Lyme, Connecticut 06371

- B. The bids must be received at the above office by the time and date stipulated on the Bid Form. Oral, telephonic, facsimile, or other electronically transmitted bids are not acceptable and will not be considered. Late bids will be rejected and returned unopened. At the discretion of the Town of Old Lyme, bids properly identified and received on time will be opened and publically read aloud shortly after the closure of the bid period.

**6. BID BOND:**

Each Bid shall be accompanied by a bid security in the form of a Bid Bond in an amount not less than Five Percent (5%) of the total amount of the base bid drawn in favor of the Town of Old Lyme. Said bond shall be issued by a surety that is licensed to do business in the State of Connecticut and is rated A-(VII) or better by A.M. Best. The Town of Old Lyme will have the right to retain the bonds of bidders to whom an award is being considered until either (a) the Contract has been executed and required payment and performance bonds have been furnished for the project, or (b) prior to the time and date designated for receipt of bids, the bidder's bid is withdrawn in writing signed by the bidder, or (c) all bids have been rejected.

**7. PREPARATION OF BIDS:**

- A. Bid Forms shall be complete without alterations, erasures, corrections or qualifications.
- B. Bids containing conditions, omissions, alterations, items not called for, or irregularities of any kind, may be rejected for failure to comply with the requirements stated herein.
- C. Include the full business address of the bidder. Signature shall be in longhand and your name typed. Partnerships must sign the bid. In case of a bid submitted by a Corporation, the bid shall be signed by an officer duly authorized to sign on behalf of the Corporation.

**8. EXPLANATION TO BIDDERS:**

- A. The bidder shall, in the event of any discrepancies, omissions or errors in the Contract Documents, or in the event of doubt on the part of a bidder as to their intent or meaning, direct inquiries by e-mail to [selectmansoffice@oldlyme-ct.gov](mailto:selectmansoffice@oldlyme-ct.gov) with the words "Questions for Boathouse Project" in the subject heading and type the question in the body of the email, do not attach a separate form. **The deadline for submission of questions is 4:30 p.m. on 10 Jun 2016.**

- B. Where appropriate, interpretations will be confirmed by bid Supplement to all plan holders. Information received from other than a published Supplement is not to be included in the bid response.
- C. Such bid supplements, issued during the bidding period, shall be acknowledged on the Bid Form and shall be included in the Contract at the time of award.
- D. Such supplements may or may not contain design document addenda issued by the project designers.

**9. ACCEPTANCE OR REJECTION OF BIDS:**

- A. At the discretion of the Town of Old Lyme, bids properly identified and received on time will be opened publically and read aloud shortly after the closing of the bid period.
- B. **AFTER REVIEW OF ALL FACTORS, TERMS AND CONDITIONS, INCLUDING PRICE, THE TOWN OF OLD LYME RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS, OR ANY PART THEREOF, OR WAIVE DEFECTS IN SAME, OR ACCEPT ANY PROPOSAL DEEMED TO BE IN THE BEST INTEREST OF AND MOST ADVANTAGEOUS TO THE TOWN OF OLD LYME.**
- C. The Town of Old Lyme reserves the right to award a contract to the bidder considered best qualified for the work. The Town of Old Lyme may make such investigations as they deem necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the Town of Old Lyme all such information and data for this purpose. The Town of Old Lyme reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Town of Old Lyme that such bidder is properly qualified to carry out the obligations of the Contract. In considering past performance the Town of Old Lyme shall evaluate the skill, ability and integrity of bidders in terms of the bidders' fulfillment of contract obligations and of the bidders' experience or lack of experience with projects within the past five (5) years of similar nature, size and scope. Submit the Statement of Relevant Experience with the Bid.
- D. Bidders, at the time the bid is submitted, must be prequalified with the State of Connecticut Department of Administrative Services (DAS) in accordance with C.G.S §4b-91. Bidders are advised that both the DEPARTMENT OF ADMINISTRATIVE SERVICES PREQUALIFICATION CERTIFICATE AND UPDATE (BID) STATEMENT must accompany the bid proposal for projects estimated to exceed Five Hundred Thousand Dollars (\$500,000.00) (C.G.S. 4b-91 as amended). Failure to supply them with the bid will result in rejection of the bid. Department of Administrative Services (DAS) Contractor Prequalification Program: <http://www.das.state.ct.us/cr1.aspx?page=10>. The Town of Old Lyme will require verification of all subcontract values. Subcontractors without the appropriate DAS prequalification will not be permitted to work on the project.

**10. FORM OF CONTRACT:**

The successful bidder is required to execute an AIA Document 101-1997 Standard Form of Agreement between the Owner and Contractor as modified by the Bid Form, see attached sample.

After the Owner notifies a bidder that he has been successful, that bidder shall submit, within five (5) days after receipt of such notice, the performance and payment bonds referenced herein, the appropriate insurance certificates, and the executed contracts. Failure to do so within five (5) days after receipt of notice of award may be considered default under the obligation of the bid bond.

**11. TAXES:**

The public project is sales tax exempt in accordance with the State of Connecticut General Statutes. Bids must include all applicable taxes (sales & use, payroll, etc.) in the bid amount.

**12. TAX BONDS:**

If applicable, the successful bidder must become a “verified contractor” with the State of Connecticut Department of Revenue Services (DRS) and provide a copy of the “Nonresident Contractor Notice of Verified Status” letter to the Owner. In accordance with C.G.S. Section 12-430(7), a nonresident successful bidder must: register for all applicable taxes with DRS; file all required tax returns with DRS; have no outstanding tax liabilities to DRS; submit a form AU-960; and, be verified by DRS to have met the preceding requirements; plus, either have been verified by DRS to have been registered for all applicable taxes with DRS for at least three years preceding the contract, or, post a surety bond with DRS in an amount equal to 5% of the total contract price. DRS has issued Form AU-964, which must be used to post that bond.

The Contractor must hold back an amount equal to 5% of the payments required to be made to any unverified subcontractor and provide notice of the requirement not later than the time of commencement of the Work. Such hold back is in addition to retainage. Amounts held back will be released to the unverified subcontractor(s) or remitted to DRS in accordance with Connecticut law.

**13. SECURITY FOR FAITHFUL PERFORMANCE:**

Bidders are to include the costs for a one hundred percent (100%) Performance Bond and a one hundred percent (100%) Labor, Equipment and Material Payment Bond in the bid price. The required bond forms are attached.

**14. PERMITS:**

The contractor will be responsible for securing all necessary permits, state and local, as required by the Town of Old Lyme. The Town will waive its application and permit fees for the Project. Each bidder shall include in his bid all costs for the State’s portion of the building permits as may be required for the work.

**15. INSURANCE:**

Reference General Conditions 11.1.2; Each bidder and sub-bidder must include in his proposal all cost associated with providing insurance coverage as follows with the Town and the State named as additional insured:

- Commercial General Liability \$1,000,000
- Automobile Liability \$1,000,000
- Excess/Umbrella Liability \$5,000,000
- Employer's Liability \$1,000,000
- Worker's Compensation must be provided in accordance with the Worker's Compensation Laws of Connecticut

Any variation must be shown on a certificate submitted with the proposal for review.

Certificates of Insurance shall be delivered to the Town of Old Lyme within five (5) calendar days, following receipt of the Notice of Award letter and Contracts.

A Certificate of Insurance must be supplied to the Owner prior to any work commencing in the field.

**16. TEMPORARY ON-SITE FACILITIES:**

Each bidder must include in his bid all costs for installation, maintenance and removal of temporary sheds, field offices, telephone services, drinking water, temporary toilet facilities and dumpsters he may require.

**17. ENGINEERING/LAYOUT:**

Each bidder must include in his bid all costs for engineering, surveying and field measurements which will be required to complete the work.

**18. LABOR STANDARDS - EEO:**

The Contractor and all Suppliers employed on this project are required to implement an Equal Opportunity Program within their organization. Proper steps shall be taken to establish non-discrimination because of race, color, creed, sex, or national origin. The President's Executive Order No. 11246 and modifications thereto, as well as all other existing Federal and State Legislation and Executive Orders on Equal Employment Opportunities will be adhered to in the carrying out of the Contract.

**19. SMALL/MINORITY/WOMEN OWNED BUSINESS ENTERPRISES:**

This contract is funded in part by a STEAP Grant administered by the Connecticut DEEP.

The contractor who is selected to perform this State project must comply with CONN. GEN. STAT. §§ 4a-60, 4a-60a, 4a-60g, and 46a-68b through 46a-68f, inclusive, as amended by June 2015 Special Session Public Act 15-5.

State law requires a minimum of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification from the Connecticut Department of Administrative Services ("DAS") under the provisions of CONN. GEN. STAT.

§ 4a-60g. (25% of the work with DAS certified Small and Minority owned businesses and 25% of that work with DAS certified Minority, Women and/or Disabled owned businesses.) The contractor must demonstrate good faith effort to meet the 25% set-aside goals.

For municipal public works contracts and quasi-public agency projects, the contractor must file a written or electronic non-discrimination certification with the Commission on Human Rights and Opportunities. Forms can be found at:

[http://www.ct.gov/opm/cwp/view.asp?a=2982&q=390928&opmNav\\_GID=1806](http://www.ct.gov/opm/cwp/view.asp?a=2982&q=390928&opmNav_GID=1806)

Bidders must complete, sign, and submit the “CHRO Contract Compliance Regulations Notification to Bidders” form with their bid. Bids not including this form shall be considered incomplete and will be rejected. This form is attached and can be found at:

<http://www.ct.gov/chro/lib/chro/pdf/notificationtobidders.pdf>

Bidders should refer to the Checklist for Contractors on Municipal Public Works Contracts, Effective October 1<sup>st</sup>, 2015, and available at:

[http://www.ct.gov/chro/lib/chro/CHECKLIST\\_modified\\_for\\_Legislature\\_FOR CONTRACTORS FOR MUNICIPAL PROJECTS15.pdf](http://www.ct.gov/chro/lib/chro/CHECKLIST_modified_for_Legislature_FOR_CONTRACTORS_FOR_MUNICIPAL_PROJECTS15.pdf)

**20. PAYROLLS:**

The prevailing wage rates for the Project are subject to annual adjustment in accordance with §31-55a of the Connecticut General Statutes. Bidders shall anticipate and include all annual adjustments to the prevailing wages rates within the lump sum bid price. Subsequent to Contract award the Contractor will be required to submit certified payrolls monthly, in accordance with Connecticut law, on the forms provided by the Connecticut Department of Labor as a condition for payment.

**21. DEBARMENT:**

Bidders are to identify if they or any proposed subcontractors have been debarred in the past or are currently debarred from participating in any public works project, for the local, state or federal governments. Is so, provide details of such debarment. Contractors and subcontractors who are currently debarred are unacceptable.

**22. RETAINAGE**

In accordance with Connecticut State law, retainage shall be five percent (5%).

**23. EXPERIENCE MODIFICATION RATING**

The bidder’s Workers Compensation Experience Modification Rating (EMR) must be 1.0 or lower. Bidders with an EMR higher than 1.0 are permitted to submit a bid for this project, however, the Town of Old Lyme reserves the right to reject any or all bids from bidders with an EMR higher than 1.0. The 1.0 EMR limitation also applies to all subcontractors for the project. Each Bidder shall include a copy with the bid of their most recent NCCI worksheet showing the current EMR. The successful bidder is required to comply with all applicable federal, state and local law governing safety, health, and sanitation. The Contractor will be responsible for assuring that all safeguards, safety devices, and protective equipment are provided. The Contractor will take all reasonable actions necessary to protect the life and health of all persons on the job and the

safety of the public, and to protect property in connection with the performance of the work on the project.

**24. PROJECT MILESTONE SCHEDULE**

The following Project Milestone Dates are currently anticipated, subject to change required to accommodate final bid date:

Anticipated Contract Award	6 Jul 16
Commence Work on Site	8 Aug 16
Boat Bays Ready for Rack Installation (by Others)	31 Oct 16
2 Boat Bays Ready for Use by Owner	14 Nov 16
Final Completion	1 Dec 16

**24. LIQUIDATED DAMAGES**

Reference 4.3.10 of the General Conditions: Liquidated damages in the amount of \$100 per day will be assessed for failure to meet the 31 Oct or 14 Nov Milestone dates.