



PURCHASING

June 11, 2018

MEMO TO: Prospective Bidders

FROM: Francesca Cameron, Purchasing Agent

SUBJECT: **Addendum #2: ITB – Cumberland County Splash Pad Installation**
Fayetteville, North Carolina

DUE DATE AND TIME: June 19, 2018; 5:00 p.m.
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1. The Bid Documents are hereby modified per the attached Addendum #2 dated June 11, 2018. To include the following:
 - a. **The bid deadline has been extending to June 19, 2018 at 5:00 pm in the Cape Fear Room.**
 - b. **The City has provided answers to all the questions received by the questions deadline.**
 - c. **The City has attached all required forms below required to submit a bid on this project. Please note: the bid pricing schedule has been updated to include materials, services, permits etc that this installation work will require. You may add additional items if needed. There is additional space under each splash bad bid form if needed.**
 - d. **Final construction design plans have been uploaded into the digital dropbox, if you do not have access to this project's dropbox folder already you may email Francesca at NCameron@ci.fay.nc.us for dropbox access.**
2. The foregoing changes shall be incorporated in the Bid Documents, and a copy of the Addendum #2, signed by the Bidder, must accompany the Bid to indicate the Bidder's familiarity with the changes.

Bidder Acknowledgement:

Bidder Name (Print): _____

Bidder Signature: _____

Date of Signature: _____

CITY RESPONSES TO VENDOR QUESTIONS/CONCERNS

1. Are benchmark elevations currently available on site for each project? If so, where? If not, can they be provided along with the relative elevations for the pad for each site? This information would be helpful in determining proper grading and compaction requirements for each site.
City Response: This information has been uploaded to the dropbox. If you need access email, Francesca at NCameron@ci.fay.nc.us

2. May we have access to the equipment room on the Kiwanis Site for a brief look around? Would the office for the rec center be able to provide access or would we need to meet someone on site? Let us know what we need to do to make this happen and/or who we need to speak with.
City Response: A City Staff member can be made available by contacting Francesca at NCameron@ci.fay.nc.us

3. We did not discuss any of the SDBE Contract Provisions at the meeting yesterday. If we plan on including Affidavit B in our bid, do the other affidavits need to be included even though they would be non-applicable? Should they be included and marked as such? Is there specific information we should have been provided regarding this particular aspect of the contract? If so please provide.
City Response: Yes a checklist of all forms and information required with bid is provided below.

4. Will a checklist of required documents for the bid submittal be provided in expected addendum?
City Response: Yes.

5. Please verify that the General Contractor will be expected to include the following in their scope of work:
 - a. In the meeting it was expressed that benchmark elevations would be provided by CoF (City of Fayetteville), GC required to provide pad and feature elevations; paperwork states City Engineering Department would provide staking, please confirm.
City Response: The City of Fayetteville with perform all staking.
 - b. Grading and compaction of site GC's responsibility
City Response: Contractor
 - c. Pad slab includes 6" 4000 psi concrete with #5 rebar, 12" o.c.; pad to include sublayer of 4" #57 stone and backfill pad edges
City Response: Contractor
 - d. Excavation of tank location and set up (slab and backfill) as per plans (to be provided by CoF)
City Response: Contractor
 - e. Electrical hook up from equipment/controller to City provided panel
City Response: Yes City provided within 10'
 - f. Permitting to include Environmental Health approval and Inspections requirements
City Response: City
 - g. Material to include 80 SCH pipes and fitting, installation labor, and equipment as required
City Response: Contractor to supply.

6. Please verify that the City of Fayetteville will provide the following:
- Hauling of excavated spoils will be by City of Fayetteville
 - All Water Feature equipment to be supplied by City of Fayetteville. This includes all recirculation pumps, tank, bollard systems...etc.
 - Equipment room building supplied by the City
 - Is the City going to supply water hook up approximately 10' respectively from each site?

City Response: Yes, the City is responsible for all items (a-d) listed above.

7. Regarding the delivery of equipment- Will City of Fayetteville Departments be responsible for storing/housing equipment until such time as installation takes place or will GC be required to store equipment? Will packing slips be provided to GC to ensure proper receipt of all material?

City Response: Yes, the City will store equipment.

8. What is the timeline for this project?

City Response: 60 days for the installation of all 5 splash pads.

9. When does the City implemented Contract Duration timeclock start exactly? Does the timeclock begin with the Notice to Proceed is provided?

City Response: Once the notice to proceed is issued, time starts.

10. I am particularly concerned regarding the 60 day contract duration. This timeline seems highly unreasonable for anyone to complete five projects during on that timeline. Is permitting included or excluded from the contract duration? Is the timeline negotiable?

City Response: The permitting is in the 60 days

11. Best case scenario, when was the anticipated date for completion for the first Splash Pad expected?

City Response: The first two should be complete in two weeks.

Checklist for Bid Submission:

- Iran Divestment Act Certification
- E-Verify
- Bid Package
- List of Subcontractors
- Certification of Primary Participant Regarding Debarment, Suspension and Other Responsibility Matters
- SDBE Compliance Provisions

**Below are all of the forms required to submit a bid for
this project.**

(Please Sign Below and Attach to your Bid)

10. IRAN DIVESTMENT ACT CERTIFICATION

As mandated by N.C.G.S. 147-86.59(a), Bidder hereby certifies that it is not listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. Bidder further certifies that in accordance with N.C.G.S. 147-86.59(b) that it shall not utilize any subcontractor found on the State Treasurer's Final Divestment List. Bidder certifies that the signatory to this Invitation to bids is authorized by the Bidder to make the foregoing statement.

11. E-VERIFY

Contractor hereby acknowledges that "E-Verify" is the federal E-Verify program operated by the US Department of Homeland Security and other federal agencies which is used to verify the work authorization of newly hired employees pursuant to federal law and in accordance with Article 2, Chapter 64 of the North Carolina General Statutes. Contractor further acknowledges that all employers, as defined by Article 2, Chapter 64 of the North Carolina General Statutes, must use e-verify and after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS §64-26(a). Contractor hereby pledges, attests and warrants through execution of this Agreement that Contractor complies with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes and further pledges, attests and warrants that any subcontractors currently employed by or subsequently hired by Contractor shall comply with any and all E-Verify requirements. Failure to comply with the above requirements shall be considered a breach of this Agreement.

Contractor Name (Print)

Contractor Signature

Date of Signature

CITY OF FAYETTEVILLE
SPLASH PAD INSTALLATION
BID PACKAGE

In compliance with your Invitation to bids, the undersigned hereby proposes to furnish materials and perform the work for this project per the items listed herein in strict accordance with the Invitation to bids, Standard Specifications, contained in the bid documents for the consideration of prices quoted for the enclosed contract items.

THE CITY RESERVES THE RIGHT TO ELIMINATE OR ADD TO THIS CONTRACT.
ALL PRICES ARE TO INCLUDE NC SALES AND USE TAXES

This Bid Package is executed by:

Name _____

Company Name _____

Email Address: _____

Address _____

Phone No. _____

GC License # _____ Bid Total \$ _____

Base Bid Total (Written) _____

Signature _____

Title _____

The accompanying bid form(s) must be completed in blue or black ink or by typewriter. Discrepancies in the multiplication of units of work and unit prices will be resolved in favor of the correct multiplication of unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.

ACKNOWLEDGEMENT OF ADDENDA

The bidder has received, acknowledged, and used the following addenda in completing the Bid. (Initial and Date as appropriate)

Addendum No. 1 _____	Dated: _____
Addendum No. 2 _____	Dated: _____
Addendum No. 3 _____	Dated: _____
Addendum No. 4 _____	Dated: _____

BID PRICING SCHEDULE

UNIT PRICES

Unit prices quoted and accepted shall apply throughout the life of the contract, except as otherwise specifically noted. Unit prices shall be applied, as appropriate, to compute the total value of work completed and of changes in the scope of the work, all in accordance with the contract documents.

Please fill in quantity, price per unit and the extended pricing for each splash pad below. The City realizes this does not encompass all the services and materials required so feel free to provide whatever additional information included in your lump sum price per splash pad.

Item 1: Splash Pad Installation: Eastover Community Park 2721 Ballpark Rd, Eastover Complete cost of Mobilization, Grading, Splash Pad – Fully installed and functional, and Domestic waterline, sewer, and electrical installation.

\$ _____ Lump Sum per Splash Pad.

Description	Quantity	Unit of Measure	Price Per Unit	Extended Price
Mobilization		Yd.	\$	\$
Sand clay		Yd.	\$	\$
Top soil		Yd.	\$	\$
57 stone		ton	\$	\$
Pea gravel		ton	\$	\$
4000 psi concrete		Cu.yds.	\$	\$
3000 psi concrete		Cu.yds.	\$	\$
Equipment rentals		day	\$	\$
Permits		each	\$	\$
License plumber		hour	\$	\$
License election		hour	\$	\$
TOTAL PRICE				\$

Item 2: Splash Pad Installation: Godwin Town Park - 4924 Markham St, Godwin
 Complete cost of Mobilization, Grading, Splash Pad – Fully installed and functional, and Domestic
 waterline, sewer, and electrical installation.

\$ _____ Lump Sum per Splash Pad.

Description	Quantity	Unit of Measure	Price Per Unit	Extended Price
Mobilization		Yd.	\$	\$
Sand clay		Yd.	\$	\$
Top soil		Yd.	\$	\$
57 stone		ton	\$	\$
Pea gravel		ton	\$	\$
4000 psi concrete		Cu.yds.	\$	\$
3000 psi concrete		Cu.yds.	\$	\$
Equipment rentals		day	\$	\$
Permits		each	\$	\$
License plumber		hour	\$	\$
License election		hour	\$	\$
TOTAL PRICE				\$

Item 3: Splash Pad Installation: Grays Creek Middle School - 5151 Celebration Dr, Hope Mills
 Complete cost of Mobilization, Grading, Splash Pad – Fully installed and functional, and Domestic
 waterline, sewer, and electrical installation.

\$ _____ Lump Sum per Splash Pad.

Description	Quantity	Unit of Measure	Price Per Unit	Extended Price
Mobilization		Yd.	\$	\$
Sand clay		Yd.	\$	\$
Top soil		Yd.	\$	\$
57 stone		ton	\$	\$
Pea gravel		ton	\$	\$
4000 psi concrete		Cu.yds.	\$	\$
3000 psi concrete		Cu.yds.	\$	\$
Equipment rentals		day	\$	\$
Permits		each	\$	\$
License plumber		hour	\$	\$
License election		hour	\$	\$
TOTAL PRICE				\$

Item 4: Splash Pad Installation: Linden Little River Park - 5200-5224 Loop Rd, Linden
 Complete cost of Mobilization, Grading, Splash Pad – Fully installed and functional, and Domestic
 waterline, sewer, and electrical installation.

\$ _____ Lump Sum per Splash Pad.

Description	Quantity	Unit of Measure	Price Per Unit	Extended Price
Mobilization		Yd.	\$	\$
Sand clay		Yd.	\$	\$
Top soil		Yd.	\$	\$
57 stone		ton	\$	\$
Pea gravel		ton	\$	\$
4000 psi concrete		Cu.yds.	\$	\$
3000 psi concrete		Cu.yds.	\$	\$
Equipment rentals		day	\$	\$
Permits		each	\$	\$
License plumber		hour	\$	\$
License election		hour	\$	\$
TOTAL PRICE				\$

Item 5: Splash Pad Installation: Wade Community Park - 4060 Church Street, Wade
 Complete cost of Mobilization, Grading, Splash Pad – Fully installed and functional, and Domestic
 waterline, sewer, and electrical installation.

\$ _____ Lump Sum per Splash Pad.

Description	Quantity	Unit of Measure	Price Per Unit	Extended Price
Mobilization		Yd.	\$	\$
Sand clay		Yd.	\$	\$
Top soil		Yd.	\$	\$
57 stone		ton	\$	\$
Pea gravel		ton	\$	\$
4000 psi concrete		Cu.yds.	\$	\$
3000 psi concrete		Cu.yds.	\$	\$
Equipment rentals		day	\$	\$
Permits		each	\$	\$
License plumber		hour	\$	\$
License election		hour	\$	\$
TOTAL PRICE				\$

Total: \$ _____ For all 5 Splash Pads.
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LIST OF SUBCONTRACTORS

The Prime Contractor states that his Bid is based on quantities received from the following Subcontractors for the various categories of work listed which may exceed 5% of the Contract work; the Prime Contractor agrees that if he is the successful Bidder and if the listed Subcontractors are approved by the Owner's Representative, he shall contract with the approved listed Subcontractors for the performance of this work. The total amount of subcontracted work cannot exceed 49% of the Contract Amount.

Subcontractors Name	Type of Work	% of Contract Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

THIS FORM SHALL BE SUBMITTED WITH BID

COMPANY

BIDDER'S SIGNATURE

TITLE

**SPLASH PAD INSTALLATION
CERTIFICATION OF PRIMARY PARTICIPANT
REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY
MATTERS**

The Primary Participant, _____ (major third party contractor), certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. (If the primary participant is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.)

THE PRIMARY PARTICIPANT _____ CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET. SEQ. ARE APPLICABLE THERETO.

SIGNATURE

TITLE

PRINTED NAME

DATE

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**CITY OF FAYETTEVILLE
SDBE COMPLIANCE PROVISIONS**

SDBE CONTRACT PROVISIONS (CONSTRUCTION)

APPLICATION:

The requirements of the Small Disadvantaged Business Program for participation in the City of Fayetteville's construction contracts are hereby made a part of these contract documents. These requirements shall apply to all contracts regardless of ownership. Copies of the Program may be obtained from:

City of Fayetteville
Purchasing Division
433 Hay Street
Fayetteville, NC 28301
Phone: (910) 433-1942
Fax: (910) 433-1680
E-mail: NCameron@ci.fay.nc.us

SDBE COMPLIANCE REQUIREMENTS

1. The Bidder shall provide, **with the bid**, the SDBE CONTRACT PROVISIONS (CONSTRUCTION), properly executed which signifies that the Bidder understands and agrees to the incorporated SDBE contract provisions.
2. The Bidder shall provide **with the bid**:
 - Affidavit B – INTENT TO PERFORM CONTRACT WITH OWN WORKFORCE, in making this certification the Bidder states that the Bidder does not customarily subcontract elements of this type project and will perform all elements of the work with his/her own current work forces; **and**
 - IDENTIFICATION OF SMALL DISADVANTAGED BUSINESS PARTICIPATION – This certifies that on this project listed small disadvantaged business enterprises will be used as construction subcontractors, vendors, suppliers, or providers of professional services. Enter zero dollars indicating no SDBE's are being used with this project; or
 - Affidavit A – LISTING OF GOOD FAITH EFFORTS **AND** IDENTIFICATION OF SMALL DISADVANTAGED BUSINESS PARTICIPATION, as certification that those small disadvantaged businesses listed will be used on this project.
3. Upon being named apparent low Bidder, The Bidder shall provide:
 - Affidavit C – PORTION OF WORK TO BE PERFORMED BY SMALL DISADVANTAGED FIRMS, if the portion of the work to be executed by SDBE's is **equal to or greater** than 10% of the Bidders total contract price; or,
 - Affidavit D – GOOD FAITH EFFORTS, if the goal of 10% participation by SDBE's **is not** achieved.

All written statements, certifications or intentions made by the Bidder shall become part of the agreement between the Contractor and the City of Fayetteville for performance of this Contract. Failure to comply with any of these statements, certifications or intentions, or with the SDBE compliance provisions shall constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the City of Fayetteville whether to terminate the contract for breach.

Subcontractor Payment Requirements:

North Carolina General Statutes 143-134.1 (N.C.G.S.) states that the percentage of retainage on payments may by the prime contractor to the subcontractor shall not exceed the percentage of retainage on payments made by the City of Fayetteville to the prime contractor. Failure to comply with this provision shall be considered a breach of contract, and the contract may be terminated in accordance with the termination provisions of the contract.

The Contractor shall provide an itemized statement of payments to each SDBE subcontractor before final payment is processed.

Date: _____

(Name of Company)

(Signature)

Attest: _____

(Above Name Typed or Printed)

(Title)

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City of Fayetteville
Affidavit A – Listing of the Good Faith Efforts

Affidavit of _____
(Name of Bidder)

I have made a good faith effort to comply under the following areas checked:
(A minimum of 50 value points must be checked in order to have achieved a “good faith effort”)

- (1) Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 1 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. **Value = Ten (10) points.**
- (2) Making the construction plans, specification and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due. **Value = Ten (10) Points.**
- (3) Breaking down or combining elements of work into economically feasible units to facilitate minority participation. **Value = Fifteen (15) points.**
- (4) Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment or minority businesses. **Value= Ten (10) points.**
- (5) Attending any pre-bid meetings scheduled by the public owner. **Value = Ten (10) points.**
- (6) Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors. **Value = Twenty (20) points.**
- (7) Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing. **Value = Fifteen (15) points.**
- (8) Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder’s suppliers in order to help minority businesses in establishing credit. **Value = Twenty-five (25) points.**
- (9) Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible. **Value = Twenty (20) points.**
- (10) Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands. **Value = Twenty (20) points.**

In accordance with GS143-128.2 (d) the undersigned will enter into a formal agreement with the firms listed in the Identification of Small Disadvantaged Business Participation schedule conditional upon execution of a contract with the Owner. Failure to abide by this statutory provision will constitute a breach of the contract. The undersigned hereby certifies that he or she has read the terms of the Small Disadvantaged Business Commitment and is authorized to bind the Bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____



State of North Carolina, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public

My commission expires _____

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Bid

**CITY OF FAYETTEVILLE
SDBE COMPLIANCE PROVISIONS
AFFIDAVIT B
Intent to Perform Contract with Own Workforce
Affidavit of**

(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____

contract.

(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type of project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and will complete all elements of this project without the use of subcontractors, materials suppliers or providers of professional services.

The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of North Carolina, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public

My commission expires _____

Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid
Bid

**CITY OF FAYETTEVILLE
SDBE COMPLIANCE PROVISIONS**

Identification of Small Disadvantaged Business Participation

I, _____
(Name of Bidder)

do hereby certify that on this project, we will use the following small disadvantaged business enterprises as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone No.	Description	*SDBE Category

*SDBE categories: Black-African Americans (B), Hispanic-Americans (H), Asian-Americans (A), Native-Americans (I), Women (F), Socially/Economically Disadvantaged (D)

The total value of small disadvantaged business contracting will be (\$) _____.