

ADDENDUM NO. 2

DATE: January 26, 2012

TO: All Planholders

FROM: Corey A. Kandow, P.E. *CAK*
Project Engineer

RE: City of St. Joseph
2012 CSO Projects
SRF # 5518-01
ACI Project No.: 11-0562

OWNER: City of St. Joseph
700 Broad Street
St. Joseph, MI 49085

The following items are changes to and/or clarifications of the drawings and specifications, and shall be included in the Bid Proposal. All of these items will be part of the Contract Documents. The Bidder will acknowledge receipt of this Addendum in the appropriate space provided on the Bid Form. Failure to do so may result in disqualification of the bid.

1. Section 00410 "Bid Forms" have been revised and shall replace the previous issued set. The updated set is indicated by "(Revised 01-26-2012)" on the cover page. Changes to this form are described below (or indicated in bold) and include:

Item No. 1: The maximum dollar amount for "Mobilization, Max." was never established. The maximum lump sum bid amount shall be **\$20,000**.

Item No. 5: The quantity for Dr. Structure, Rem. has been changed from 8 EA to **10 EA**. In addition to the structures currently called out for removal in the plans, EX STM (5) on sheet #5, and EX STM (32) on sheet #9, will also be removed.

Item No. 13: The quantity for Sewer Bulkhead, 12 inch has been changed from 3 EA to **2 EA**. The bulkheads requiring maintenance work (shown on the cover sheet and in the specifications) will be the only two bulkheads paid. The bulkheads shown on plan sheets #6 and #9 will not be paid per section 402.04.D of the 2012 MDOT Standard Specifications for Construction.

Item No. 14: The quantity for Dr. Structure Cover, Adj., Case 1 has been changed from 24 EA to **22 EA**. This change is due to the removal of EX STM (5) on sheet #5, and EX STM (32) on sheet #9.

Item No. 17: The quantity for Dr. Structure, 48 inch dia. has changed from 10 EA to **11 EA**. This change is due to the addition of proposed DR STR (6A) which will replace EX STM (32) on sheet #9.

Item No. 17A: A new pay item (Dr. Structure, 60 inch dia.) has been added to this contract. This change is due to the addition of proposed DR STR (1A) which will replace EX STM (5) on sheet #5.

2. A loose copy of the Non-Collusion Affidavit has been attached to the revised bid forms for use with bid submittal.
3. On page #2 of the plans, a new note has been added under the "Roadway" section. The note reads as follows:

All grading work required to place the 4 inches of aggregate base material in proposed concrete pavement replacement areas shall be included in the unit rate for "Aggregate Base, 4 inch".
4. Revised plans will be issued to the successful low bidder for their use during construction.

Please acknowledge receipt of this addendum by signing below and attaching to the bid forms.

Should you have any questions or comments, please feel free to contact our office.

DATE

BIDDING FIRM

AUTHORIZED REPRESENTATIVE

CAK



This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This document should be adapted to the particular circumstances of the contemplated Project and the controlling Laws and Regulations.

BID FORM (REVISED 01-26-2012) FOR CONSTRUCTION CONTRACTS

Prepared by

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and

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INTRODUCTION

This Suggested Bid Form for Construction Contracts (“Bid Form”) has been prepared for use with the Suggested Forms of Agreement between Owner and Contractor for Construction Contract (“Agreement”) (EJCDC C-520 or C-525, 2007 Editions), the Standard General Conditions of the Construction Contract (“General Conditions”) (EJCDC C-700, 2007 Edition) and the Suggested Instructions to Bidders for Construction Contracts (“Instructions to Bidders”) (EJCDC C-200, 2007 Edition). Their provisions are interrelated, and a change in one may necessitate a change in the others. See also the Guide to the Preparation of Supplementary Conditions (EJCDC C-800, 2007 Edition) and the Narrative Guide to the 2007 EJCDC Construction Documents (EJCDC C-001, 2007 Edition). EJCDC has not prepared a suggested form of advertisement or invitation to bid because such documents will vary widely in response to statutory requirements.

The Bid Form assumes use of a Project Manual that contains the following documentary information for a construction project:

- Bidding Requirements, which include the advertisement or invitation to bid, the Instructions, and the Bid Form that is suggested or prescribed, all of which provide information and guidance for all Bidders; and,
- Contract Documents, which include the Agreement, performance and payment bonds, the General Conditions, the Supplementary Conditions, the Drawings, and the Specifications.

The Bidding Requirements are not Contract Documents because much of their substance pertains to the relationships prior to the award of the Contract, and has little effect or impact thereafter, and because many contracts are awarded without going through the bidding process. (The definitions of terms used in this Bid Form, including “Bidding Documents,” “Bidding Requirements,” and “Contract Documents,” are set forth in Article 1 of the General Conditions).

The Bid Form itself ordinarily should not be included as one of the Contract Documents. In most cases the information contained in the Bid Form is repeated in the Agreement or elsewhere in the Contract Documents. However, there are situations where, to avoid errors incident to rekeying, it may prove wise to attach the Bid Form (or a reproduced copy of it) as an exhibit to the Agreement. The likelihood of such errors increases with many unit-price bid items. The Bid Form should not contain basic contractual provisions since it is only an offer to perform the Work as required by and in accordance with the Contract Documents.

Suggested provisions are accompanied by “Notes to User” to assist in preparing the Bid Form. The provisions have been coordinated with the other forms produced by EJCDC. Much of the language should be usable on most projects, but modifications and additional provisions often will be necessary. When modifying the suggested language or writing additional provisions, the user must check the other documents thoroughly for conflicts and coordination of terms and make appropriate revisions in all affected documents.

All parties involved in a construction project benefit significantly from a standardized approach in the location of subject matter throughout the documents. Experience confirms the danger of addressing the same subject matter in more than one location: doing so frequently leads to confusion and unanticipated

legal consequences. When preparing documents for a construction project, careful attention should be given to the guidance provided in the Uniform Location of Subject Matter (EJCDC N-122).

EJCDC has designated Section 00410 for the Bid Form. If this convention is used, the first page of the Bid Form would be numbered 00410-1. If CSI's MasterFormat 04™ is being used for the Project Manual, consult MasterFormat 04™ for the appropriate section number and number the pages accordingly.

For brevity, selected paragraphs of the General Conditions are referenced in the Notes to User with prefix "GC," those of the Supplementary Conditions with the prefix "SC," and those of the Instructions with the prefix "I."

NOTE:

EJCDC publications may be purchased from any of the organizations listed on the page immediately following the cover page of this document.

BID FORM
CITY OF ST. JOSEPH
2012 CSO PROJECTS
SRF # 5518-01
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ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

City of St. Joseph
700 Broad Street
St. Joseph, MI 49085

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
_____	_____
_____	_____
_____	_____

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities) that have been identified in SC-4.02 as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."

- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
1.	Mobilization, Max. \$20,000	LS	1	\$	\$
2.	Tree, Rem., 19 inch to 36 inch	EA	8	\$	\$
3.	Tree, Rem., 37 inch or Larger	EA	2	\$	\$
4.	Tree, Rem., 6 inch to 18 inch	EA	4	\$	\$
5.	Dr. Structure, Rem.	EA	10	\$	\$
6.	Sewer, Rem., Less than 24 inch	FT	124	\$	\$
7.	Sidewalk, Rem.	SYD	494	\$	\$
8.	Pavt., Rem., Modified	SYD	747	\$	\$
9.	Subgrade Undercutting, Type II	CYD	100	\$	\$
10.	Erosion Control, Inlet Protection, Fabric Drop	EA	7	\$	\$
11.	Aggregate Base, 4 inch	SYD	605	\$	\$
12.	Sewer, CIE, 12 inch, Tr. Det. B	FT	940	\$	\$
13.	Sewer Bulkhead, 12 inch	EA	2	\$	\$
14.	Dr. Structure Cover, Adj., Case 1	EA	22	\$	\$
15.	Dr. Structure Cover, Type K	EA	7	\$	\$
16.	Dr. Structure, 24 inch dia.	EA	2	\$	\$
17.	Dr. Structure, 48 inch dia.	EA	11	\$	\$
17A.	Dr. Structure, 60 inch dia.	EA	1	\$	\$
18.	Dr. Structure, Tap, 12 inch	EA	2	\$	\$
19.	Dr. Structure Cover, Type B, Modified	EA	7	\$	\$
20.	Dr. Structure Cover, Type Q, Modified	EA	24	\$	\$
21.	Conc. Pavt. with Integral Curb, Nonreinf., 8 inch	SYD	605	\$	\$
22.	Cement	TON	6.80	\$	\$

23.	Joint, Contraction, Crg	FT	70	\$	\$
24.	Joint, Expansion, Erg	FT	195	\$	\$
25.	Driveway, Nonreinf. Conc., 6 inch	SYD	68	\$	\$
26.	Curb, Conc., Det. E2	FT	50	\$	\$
27.	Detectable Warning Surface	FT	137	\$	\$
28.	Sidewalk Ramp, Conc., 6 inch	SFT	772	\$	\$
29.	Sidewalk, Conc., 4 inch	SFT	4,011	\$	\$
30.	Sidewalk, Conc., 6 inch	SFT	150	\$	\$
31.	Maintaining Traffic	LS	1	\$	\$
32.	Riprap, Heavy	SYD	50	\$	\$
33.	Mulch Blanket	SYD	1,050	\$	\$
34.	Slope Restoration	SYD	1,050	\$	\$
35.	Water Main, DI, 8 inch, Tr Det G	FT	120	\$	\$
36.	Water Serv	EA	1	\$	\$
37.	Water Serv, Long	EA	1	\$	\$
38.	Gate Well, 60 inch dia	EA	1	\$	\$
39.	Polyethylene Encasement	FT	120	\$	\$
40.	Live Tap, 6 inch x 6 inch	EA	1	\$	\$
41.	Watermain, Abandon	LS	1	\$	\$
Total of All Bid Prices					\$

Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

6.01 Bidder agrees that the Work will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement and within the Progress Clause.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

7.01 The following documents are submitted with and made a condition of this Bid:

- A. Required Bid security in the form of _____;
- B. List of Proposed Subcontractors;

- C. List of Project References;
- D. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
- E. Required Bidder Qualification Statement with Supporting Data;
- F. Certificate regarding Debarment, Suspension, and other responsibility matters;
- G. MDEQ DBE Good Faith Efforts worksheet

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____
(Individual’s signature)

Doing business as: _____

A Partnership

Partnership Name: _____

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: _____ (SEAL)

State of Incorporation: _____

Type (General Business, Professional, Service, Limited Liability): _____

By: _____
(Signature -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____
(CORPORATE SEAL)

Attest _____

Date of Qualification to do business in [State where Project is located] is
____/____/____.

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address _____

Phone No. _____ Fax No. _____

E-mail _____

SUBMITTED on _____, 20____.

State Contractor License No. _____ . *[If applicable]*

**CITY OF ST. JOSEPH
2012 CSO PROJECTS**

NON-COLLUSION AFFIDAVIT

STATE OF _____

COUNTY OF _____

The undersigned bidder or agent, being duly sworn, on oath says that he will not, nor will any other member, representative, or agent of the firm, company, corporation, or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that his bid is made without reference to any other bid and without any agreement, understanding, or combination with any other person in reference to such bidding in any way or manner whatever.

Bidder or Agent

FOR: _____
Firm or Corporation

Subscribed and sworn to before me this _____ day of _____, 20_____.

My commission expires: _____
Date Notary Public