

BID SUBMISSION PACKET

1. Please ensure all proposal forms are complete. The following items are required as part of your submission:
 - Section 00 41 13 – Form for Bid
 - Section 00 43 13 – Bid Bond Form
 - 5% Bid Deposit
2. Bids shall be submitted on the Bid Forms furnished herein. The Bid shall be completely filled in, signed, enclosed in an envelope, sealed, and plainly marked with the Bidder's name, address, and telephone number and the name of the Project. Bids will be valid only when accompanied by a bid deposit in accordance with the requirements of Section 00 20 00, Article 5. The Bid shall be filed with the **Town of Topsfield at 8 W Common Street, Topsfield, MA 01983**, and addressed to the **Purchasing Agent, Debra Morong**. The Bid shall be filed before 2:00 PM on the date stipulated in the Advertisement. Bids received after precisely 2:00 PM will not be accepted and will be returned unopened.
3. Bids shall be for the complete work as specified. The Bidder shall be selected on the basis of such Bids.
4. Every Bid shall be accompanied by a bid deposit in the form and amount specified in Section 00 20 13, Article 5. This bid deposit shall become and be the property of the **Town** as liquidated damages if, after a contract is awarded, the bidder shall fail to enter into the required contract within ten (10) days, Saturdays, Sundays and Legal Holidays excluded, after such notice of award is received by him.
5. A performance bond and also a labor and materials payment bond, each of a surety company licensed by the Division of Insurance to do surety business in the Commonwealth of Massachusetts and included on the U.S. Treasury list of approved sureties (see Circular 570), and satisfactory to the **Town**, each in the sum of 100% of the Contract Price, will be required of the successful Bidder.
6. Subject to the provisions in paragraph 14.5.1, and the requirements of the Bidding Documents, if the **Town** elects to award the contract, the **Town** will award it to the lowest responsible and eligible Bidder who submits a Bid, without conditions or exceptions, which conforms in all material respects with the requirements of the Bidding Documents, as determined solely by the **Town's** and the **Designer's** evaluation of the Bid Form, Bid Form Attachments and Bidder-provided documents.
7. Determination of the lowest Bidder shall be on the basis of the sum of the Base bid and any alternates accepted by the **Town**.
8. Upon evaluation of the Bids of those Bidders remaining for consideration for the award, if the **Town** disqualifies any Bidder for the award, the **Town** will give written notice of the disqualification to that Bidder.
9. Except in circumstances leading to a determination obviously in error or inconsistent with the Bidding Documents, discrepancies or non-conformance on the Bid Form shall be resolved as follows: (a) between words and figures, the written words are binding on the Bidder, (b) between any sum, indicated by the Bidder, and the correct sum, the correct sum is binding on the Bidder; (c) between the product, indicated by the Bidder, of any quantity and bid unit price and the correct multiplication of the unit price times the quantity of Unit Price Work, the unit price bid is binding on the Bidder, and (d) if a Bidder fails or neglects to enter a Bid price in both words and figures, the Bid price entered, whether in words or figures, will be binding on the Bidder.

SECTION 00 41 13: FORM FOR BID

PROJECT TITLE: TOPSFIELD VILLAGE PARK

BIDDER: _____

BIDDER'S EMAIL ADDRESS: _____

TO THE AWARDING AUTHORITY, acting in the name and on behalf of the Town of Topsfield:

- A. The undersigned proposes to furnish all labor and materials required for the Project specified above, located in Topsfield, Massachusetts, in accordance with the accompanying Contract Documents, plans and specifications prepared by the Topsfield Purchasing Office and its Agent:

BIDDER: _____

(Name of Bidder/Legal Business Name)

for the Contract Price specified below, subject to additions and deductions, according to the terms of the Contract Documents.

- B. The bidder acknowledges the following addendum: _____

- C. The drawings in PDF format are the official documents to be used for bidding purposes. The bidder shall acknowledge the receipt of the bid documents in digital form. It is the responsibility of the bidder to review all bid documents included in digital form. It is the responsibility of the bidder to print the drawing set to scale. The contractor shall verify scale accuracy prior to bidding. Any discrepancies in the bid submission due to skewed drawing scales and other inaccuracies are the sole responsibility of the bidder.

The bidder acknowledges the above statement: _____

- D. The proposed Contract Price is (written in words): _____

_____ DOLLARS (\$ _____)

<u>FOR ALTERNATE NO.</u>	<u>ADD</u>
1 – Perform all work necessary to	\$ _____ Written: _____ _____ _____
2 – Perform all work necessary to	\$ _____ Written: _____ _____ _____
3 – Perform all work necessary to	\$ _____ Written: _____ _____ _____

4 – Perform all work necessary to	\$ _____ Written: _____ _____
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E. The Supplemental Unit Prices set forth herein shall be used to determine any equitable adjustment of the Contract Price in connection with the changes or extra work performed under this Contract as directed by the Town. It is mutually understood and agreed that such Unit Prices include all items of costs, equipment, taxes and insurance of every kind, overhead, and profit for the Contractor and they shall be used uniformly, without modification for addition and deductions. Prices listed under ADDITIONS are to be the complete total price billed to and paid by the Town therefor.

ITEM DESCRIPTION	UNIT	ADDITIONS	O w n e r A p p r o v a l
1. Unclassified excavation below normal depth:			
a. On-site disposal, excavation by hand	C.Y.	\$	
b. On-site disposal, excavation by machine	C.Y.	\$	
c. Off-site disposal, excavation by hand	C.Y.	\$	
d. Off-site disposal, excavation by machine	C.Y.	\$	
2. Ledge excavation (pneumatic hammer) including disposal off-site, including replacement with equal volume of gravel:	C.Y.	\$	
3. Trench excavation by machine; material left on site as directed:	C.Y.	\$	
4. Trench excavation by machine; material removed from site:	C.Y.	\$	
5. Rock excavation in trenches and for piers, using explosives; material removed from site:	C.Y.	\$	
6. Rock excavation in trenches and for piers where explosives are prohibited; material removed from site:	C.Y.	\$	
7. Boulder excavation including disposal off site:	C.Y.	\$	
8. Gravel in place, excluding excavation:	C.Y.	\$	
9. Sand in place, excluding excavation:	C.Y.	\$	
10. Loam in place, excluding excavation:	C.Y.	\$	
11. Crushed stone in place, excluding excavation:	C.Y.	\$	
12. Formwork for foundation per Contract area including stripping:	S.F.	\$	
13. Formwork for footings:	S.F.	\$	
14. Reinforcing steel in place, not including forms or reinforcing	L.B.	\$	
15. Concrete for foundations in place, not including forms or reinforcing:	C.Y.	\$	
16. Concrete for slabs and similar work, not including forms or reinforcing:	C.Y.	\$	
17. 4 1/2" bituminous concrete pavement with gravel and dense graded crushed stone base seal coated:	S.Y.	\$	
18. 6" concrete pavement with welded wire mesh, gravel and dense graded crushed stone base:	S.Y.	\$	
19. Dry set prick pavers with gravel and dense graded crushed stone base:	S.Y.	\$	
19. Deciduous Shrub, 2 1/2 -3', B&B:	EA	\$	
20. Evergreen Shrub, 2 1/2 -3', B&B:	EA	\$	
21. Deciduous Tree, 3- 3 1/2" Caliper, B&B:	EA	\$	
22. 6" PVC schedule 40 conduit:	L.F.	\$	
23. 6" Vertical Granite Curb:	L.F.	\$	

F. The undersigned agrees that if s/he is selected as the Contractor, s/he will within ten (10) days, Saturday, Sunday and legal holidays excluded, after presentation thereof by the **Awarding Authority**, execute a Contract in accordance with the terms of this Bid and furnish a performance bond and also a labor and materials payment bond, each of a surety company licensed to do business under the laws of the Commonwealth; appearing on the U.S. Treasury List of Approved Sureties; satisfactory to the **Awarding Authority**; and each in the sum of one hundred percent (100%) of the Contract Price, the premiums for which are to be paid by the Contractor and are included in the Contract Price.

G. The undersigned hereby certifies that s/he is able to furnish labor that can work in harmony with all elements of labor employed or to be employed on the Work; that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least ten (10) hours in duration at the time the employee begins work and who shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and that s/he will comply fully with all laws and regulations applicable to awards made subject to M.G.L. 30, §39M.

H. Names and addresses of all persons interested in this bid, as principals other than the undersigned, are as follows:

I. The Bidder is (a/an) _____
(Indicate: Individual, Partnership, Corporation, Joint Venture, or Trust)

1. If the Bidder is a Partnership, state names and residential addresses of all partners:

2. If Bidder is a Corporation, complete the following:

Corporation is incorporated in the State of _____

President: _____

Treasurer: _____

Place of Business: _____
(Street, Town, and State)

(a) If the Bidder is a Foreign Corporation, also complete the following:

The Power of Attorney required by M.G.L. Laws, Chapter 181, Section 4, was filed on:

The Certificate and copy of its Charter, Articles of Incorporation required by M.G.L. Chapter 181, Section 4, were filed on:

3. If the Bidder is a Joint Venture, state the names and business addresses of each person, firm, or company

that is party to the joint venture:

A copy of the Joint Venture Agreement will be delivered to the Award Authority on request, and is on file at:

4. If the Bidder is a Trust, state the names and residential addresses of all Trustees:

The Trust Documents will be delivered to the Town on request, and are on file at:

5. List here, or attach a separate sheet listing all ongoing projects, and projects completed within the past three years on which you served as General Contractor, and the name of the Designer or Owner's Representative:

Project	Designer/Owners Rep.	Tel. No.	Contract Amount
			\$
			\$
			\$
			\$

6. References:

Notice to Bidder: Failure to provide the following information will result in a non-responsive bid. Attach additional sheets as needed.

List three or more contracts on which you served as General Contractor within the past three (3) years (unless a lesser or greater period is specified by the Official) for work of similar size and scope to this project as required in the Specifications in this Invitation For Bids. **INSERT ADDITIONAL QUALIFICATION LANGUAGE PERTINENT TO PROJECT**

Reference 1

Scope of Contract: _____

Company or Entity _____

Contact Name & Phone # _____

Amount of Contract: _____

Reference 2

Scope of Contract: _____

Company or Entity _____

Contact Name & Phone # _____

Amount of Contract: _____

Reference 3

Scope of Contract: _____

Company or Entity _____

Contact Name & Phone # _____

Amount of Contract: _____

7. Bank References: _____

8. If the business is conducted under any title other than the real name of the owner, state the time when and place where the Certificate required by M.G.L. Chapter 110, Section 5, was filed:

9. The Federal Social Security Identification Number of the Bidder (the number used on Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941) is:

J. The undersigned offers the following information as evidence of his/her qualifications to perform the work as bid upon according to all requirements of the plans and specifications:

1. Have been in business under present business name _____ years.

2. Ever failed to complete any work awarded? _____ Explain: _____

3. Has your organization been restructured or operated under a different name in the past three (3) years?

a. What was the name of the company? _____

b. What was the reason for the restructuring or name change? _____

c. If your company was restructured due to financial hardships or challenges, please explain the circumstances:

4. _____ Is your organization currently involved in any lawsuits with a municipality or public agency? _____

Explain: _____

The undersigned further certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity. The undersigned further certifies under penalty of perjury that the said undersigned is not presently debarred from doing public construction work in the Commonwealth under the provisions of M.G.L. Chapter 29, Section 29F, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated there under.

Date: _____

Name of Bidder: _____

Signature: _____
(Name of Individual Signing Bid and Title)

Business Address: _____

Business Phone: _____ Home Phone: _____

Do you have any answering service: Yes _____ No _____

**END OF SECTION 00 41 13
FORM FOR BID**

SECTION 00 43 13: BID BOND FORM

TOWN OF TOPSFIELD PARKS AND RECREATION DEPARTMENT

KNOW ALL PERSONS BY THESE PRESENTS

That _____
of _____, as
PRINCIPAL, and _____,

a _____ Corporation, as **SURETY**, are held firmly bound unto the Town of Topsfield, acting by and through its Parks and Recreation Department, as **OBLIGEE** in the sum of

_____ Dollars (\$ _____), for the payment of which sum, well and truly to be made, the **PRINCIPAL** and **SURETY** bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS the **PRINCIPAL** has submitted a bid for _____

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION is such that if the bid of the aforesaid **PRINCIPAL** shall be awarded the Contract for the above-cited project, the **PRINCIPAL** will enter into a Contract with the **OBLIGEE** in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, then this **OBLIGATION** shall be null and void. **OTHERWISE**, the **PRINCIPAL** and **SURETY** will pay unto the **OBLIGEE** the difference in money between the amount of the bid of the said **PRINCIPAL** and the amount for which the **OBLIGEE** legally contracts with another party to perform the work covered by said bid, if the latter amount be in excess of the former, but in no event shall liability exceed the penal sum hereof.

IN WITNESS WHEREOF, the parties have signed, sealed and delivered this instrument at Topsfield, MA this _____ day of _____, 20_____.

(Name of **PRINCIPAL**) (Affix Corporate Seal HERE)

(Signature/Title of **PRINCIPAL**)

(Name of **SURETY**) (Affix Corporate Seal HERE)

(Attorney-in-Fact)

[Attach Power of Attorney to this page]

**END OF SECTION 00 43 13
BID BOND FORM**