

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

INSTRUCTION TO BIDDERS

**Lee County Bid Request No. 6120-01-21
Sanford, North Carolina**

Date Issued: October 14, 2020

Bid Opening Date: Tuesday, November 17, 2020 at 2:00 PM ET

To be considered, Bids must be made in accordance with these Instruction to Bidders. Scope of the project is to include all labor, materials, equipment, supervision, insurance, permits, inspections, taxes, disposal, and all other items necessary for the successful completion of the project.

PROJECT: Renovations to Bob E. Hales Center
Lee County Parks and Recreation Center
147 McIver Street
Sanford, North Carolina

IDENTIFICATION OF PARTIES; "Architect": Sherman Architecture PLLC and/or his designated representative; "Contractor": Bidder to whom the Contract for the performance of the work is awarded; "Owner": a designated representative of The Sanford-Lee County Parks and Recreation Center.

DOCUMENTS: General Contractors wishing to provide a bid may obtain a digital copy of the Drawings and Specifications from Sherman Architecture PLLC or download them as instructed.

EXAMINATION: Bidders shall carefully examine the documents and the construction site to obtain firsthand knowledge of existing conditions. Contractors will not be given extra payments for conditions which can be determined by examining the site and documents.

PRE-BID CONFERENCE: Attendance to an onsite inspection meeting and two online pre-bid meetings is part of the prequalification process. Any bid received by a Contractor not on the attendance sheet for these meetings will be rejected. **Due to current COVID-19 NC EO 121 Social Distancing guidelines, the mandatory on-site inspection meeting for interested contractors will be held at the site by individual appointment only,** the pre-bid conference will be broken out into mandatory virtual meetings and scheduled contractor site visits limited to two contractors at a time. The first virtual meeting will be a WebEx pre-bid meeting, held at Thursday, October 22, 2020 at 2:00 pm. The meeting will be hosted by Santiago Giraldo, Development Services Director for the County of Lee. Contact Mr. Giraldo concerning the particulars to access the WebEx pre-bid virtual meetings. Contractors will be able to visit the site the week of November 3rd through

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

the 5th, 2020. Site visits shall be scheduled with Tim Sherman. A final mandatory virtual WebEx meeting will be held Thursday, November 6, 2020 at 2:00 pm.

CONDITION OF WORK: Each bidder must inform himself fully of the conditions relating to the construction of the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of his obligation to furnish all material and labor necessary to carry out the provisions of his contract Insofar as possible, the contractor, in carrying out his work, must employ such methods or means as will not cause any interruption of or interference with work of any other contractor, or the activities of the Lee County Parks and Recreation System.

QUESTIONS: Submit all questions about the Drawings and Specifications in writing to Tim Sherman of Sherman Architecture PLLC. Questions may be emailed to tim@sherman-arch.com. Replies will be issued to all prime bidders of record as Addenda to the Drawings and Specifications and will become part of the Contract. The Architect, Designers of Record, and Owner will not be responsible for oral clarification. Questions received less than 48 hours before the bid opening will not be answered.

SUBSTITUTIONS: The base bid and alternates shall include all items as they are specified or detailed in the drawings or approved equals.

Manufacturers or trade names as used herein are intended to:

1. Establish a standard of quality, performance, or arrangement.
2. To reflect preference as to standard brands, maintenance procedure and repair stock and to establish dimensional standards in areas where space is limited by reason of building layout and structural features. Equipment and materials of equal merit, quality, space requirements and performance will be given consideration for approval in accordance with requirements herein. Where several manufacturers are listed for one use, the Contractors may select any of those specified. However, coordination of dimensions, mechanical connections, and relationship of aspects of the building shall be the responsibility of the Contractor.

A request for consideration of items other than those specified may be made to Tim W. Sherman of Sherman Architecture PLLC. The listed Designer's or Record will be responsible for approving substitutions relevant to their respective areas of design. An addendum will then be issued listing any materials which may have been approved. There will be no subsequent substitutions. Submittals for proposed substitutions shall include the following information:

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

1. Name, address and telephone number, website information of the manufacturer and supplier as appropriate.
2. Trade name, model or catalog designation
3. Product data, including performance and test data, reference standards, and technical descriptions of material, product or equipment. Include color samples and samples of available finishes as appropriate.
4. Detailed comparison with the specified products including performance capabilities, warranties, and test results.
5. Other pertinent data including any additional data required by the Designer of Record to confirm product equality.

BASIS OF BID: All proposals must be made on forms provided by the Architect and included in the Specification booklet and hereto attached. Proposals must be legibly written in ink or by typewriter. No alterations in proposals by erasures or by interlineation will be permitted. A price must be submitted for each item in the proposal. All blank spaces for bid prices must be filled in. Each bid must be submitted in a sealed envelope bearing the name of the project, the name of the bidder, his address, and the general contractor's license number.

BID SECURITY: Each bid must be accompanied by a certified check of the bidder, or a bid bond prepared on the form of bid bond attached, or a bid bond form provided by a North Carolina registered surety company, and duly executed by the bidder as principal and having as surety thereon a surety company approved by the Owner in the amount of 5% of the bid. Such checks or bid bonds shall be returned to all except the three lowest bidders within three days after the opening of bids and the remaining checks, or bid bonds will be returned promptly after the Owner and the accepted bidder have executed the contract, or if no award has been made within 90 days after the date of the opening of bids, upon demand of the bidder at any time thereafter so long as he has not been notified of the acceptance of his bid.

NOTIFICATION AND WITHDRAWAL: No bids may be withdrawn after the scheduled closing time for receipt of bids for at least ninety (90) days, except that, if after bids are opened the low bidder claims he has made an appreciable error in the preparation of his bid and he can support such claim with evidence satisfactory to the Owner and the Architect, he will be permitted to withdraw his bid. The contractor will be disqualified from again bidding on the project in the event additional bids are requested. In such event, action on the remaining bids will be considered as though the withdrawn bid had not been received. Under no circumstances will a bidder claiming an error be permitted to alter his bid after the bids have been opened.

LIQUIDATED DAMAGES FOR FAILURE TO ENTER INTO A CONTRACT: The successful bidder, upon his failure or refusal to execute and deliver the contract and bonds required within ten (10) days after he has received notice of the acceptance of his bid, shall forfeit to the Owner, as liquidated damages for such failure or refusal, the security deposited with his bid.

DISQUALIFICATION: The Owner reserves the right to disqualify Bids, before or after opening, upon

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

evidence of collusion with intent to defraud or other illegal practices upon the part of the bidder. Lee County Government reserves the right to reject any or all bids, any part of a bid, and to waive informalities, minor irregularities and technicalities in the bidding procedure. No bid may be withdrawn for a period of thirty (30) days from the date of opening.

QUALIFICATIONS OF THE BIDDER: The Owner may make such investigations as he deems necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Owner that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

GOVERNING LAWS AND REGULATIONS: The Contractor shall keep himself fully informed of all existing and current ordinances and regulations of the City, County, State and National Laws, if any, limiting or controlling the construction of this project. He shall at all times observe and comply with all ordinances, laws, and regulations and shall protect and indemnify the Owner against any claims or liability arising from or based on any violations of the same.

Proposals must be submitted in compliance with requirements of the General Assembly of the State of North Carolina, and the state of North Carolina general contracting statues and laws.

SUBMITTAL: Submit Bid, in an opaque, sealed envelope. Identify the envelope with: (1) "Bid for Renovations to the Bob E. Hales Recreation Center", (2) name and address of bidder. (3) Contractor's license number and classification.

Bids will be received at the location listed below until the date and time listed:

LEE COUNTY FINANCE OFFICE
C/O PURCHASING AGENT
408 SUMMIT DRIVE
SANFORD, NORTH CAROLINA, 27330
Phone: 919 718-4600 – Finance Office
Phone: 919-718-4605 – County Managers Office
E-mail: sgiraldo@leecountync.gov

OPENING: Bids will be opened in public at 2:00 pm on November 17, 2020 at the Lee County Finance Office, 408 Summit Dr, Sanford, North Carolina 27330. Bids received after the announced time and date for submittal, whether by mail or otherwise, will be rejected. Bidders are responsible for ensuring their Bid is received before the deadline indicated. Bids submitted by telephone, email, text message, or facsimile shall not be accepted. Due to travel and meeting restrictions in place from the COVID-19 outbreak, Lee County is making the following changes to the bid opening:

1. It is the responsibility of all Bidders to select shipping/ delivery that will ensure the bids arrive by the 2:00 pm deadline on November 17, 2020.

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

2. Bidders are encouraged to ship their bids to the above address via UPS, FedEx or DHL to facilitate tracking by bidders.
3. Bidders may alternatively hand deliver their bids to the above address. The County Finance Department and County Managers Office will be available to receive bids delivered by hand. Please contact us by phone or e-mail at sgiraldo@leecountync.gov or 919-718-4605 ext. 5517, so we can alert staff to anticipate your arrival.

AWARD: The Contract will be awarded on the basis of low bid, unit prices, and quality of past work undertaken by the contractor in question.

EXECUTION OF CONTRACT: The Owner reserves the right to accept any Bid, and to reject any and all Bids, or to negotiate the Contract terms with the various Bidders, when such is deemed by the Owner to be in his best interest. The Owner reserves the right to waive any informalities or irregularities that may appear with in the bid proposal.

Each Bidder will be prepared, if so requested by the Owner, to submit a financial statement, experience records, and an equipment schedule. Financial statement must reflect true financial conditions of Bidders within three months prior to date of bidding.

Notwithstanding any delay in the preparation and execution of the formal contract Agreement, each Bidder shall be prepared, upon written notice of bid acceptance, to commence work immediately following receipt of official written order of the Owner to proceed, or date stipulated in such order.

The accepted bidder shall assist and cooperate with the Owner in preparing the formal Contract Agreement, and within 7 calendar days following its presentation shall execute same and return it to the Owner.

SECURITY FOR FAITHFUL PERFORMANCE: Simultaneously with his delivery of the executed contract, the Contractor shall furnish a surety bond as security for faithful performance of this contract, and a surety bond as security for the payment of all persons performing labor on the project under this contract and furnishing materials in connection with this contract, as specified in the General Conditions included herein. The surety on such bond or bonds shall be a duly authorized surety company satisfactory to the Owner.

POWER OF ATTORNEY: Attorney's in fact who sign bid bonds or contract bonds must file with each bond a certified and effectively dated copy of their power of attorney.

TIME OF COMPLETION AND LIQUIDATED DAMAGES: The bidder must agree to commence work on or before the date to be specified in a written "Notice To Proceed" and to fully complete the project within the time frame noted on the bidder's bid proposal and included in the "Notice to Proceed". Bidder must also agree to pay as liquidated damages the sum of Five Hundred, and 00/100 Dollars (\$500) for each consecutive calendar day thereafter in which the work has not been completed.

LEE COUNTY PARKS AND RECREATION DEPARTMENT- BOB E. HALES REC. CENTER
SANFORD, NORTH CAROLINA

END OF SECTION

**MINORITY BUSINESS CONSTRUCTION CONTRACT
PROVISIONS INSTRUCTIONS FOR BIDDING PACKETS**

APPLICATION:

The Outreach Plan and Guidelines for Recruitment and Selection of Minority Owned Businesses for participation in Lee County contracts are hereby made a part of these contract documents.

MINORITY BUSINESS SUBCONTRACT GOALS:

The goal for participation by minority firms as subcontractors on this project has been set at 10%.

The bidder must identify on its bid the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit (Affidavit A) listing good faith efforts or affidavit (Affidavit B) of self-performance of work, if the bidder will perform work under contract by its own workforce, as required by N.C.G.S. 143-128.2(c) and 143-128.2(f).

In addition, the lowest responsible, responsive bidder must do one of the following:

1. Provide Affidavit C that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal.

Or

2. If the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, is less than the applicable goal, provide Affidavit D as well as documentation of good faith efforts.

Or

3. Provide Affidavit B, which includes sufficient information for the Owner to determine that the bidder does not customarily subcontract work on this project.

Non-Compliance by any Prime Contractor shall be grounds for declaring their submitted bid as “nonresponsive”, the above information must be provided as required. Failure to submit these documents is grounds for rejection of the bid.

Lee County Development Services
408 Summit Drive.
Sanford, NC 27330