

SECTION 00101

INSTRUCTIONS TO BIDDERS

A. BID DATE:

Sealed proposals submitted by Pre-Qualified General Contractors will be received by the St. Johns River Community College Board of Trustees at the date, time and place so stated in the "Invitation to Bid" for all work herein. The bidder or his authorized representative is invited to be present at the bid opening.

B. PROJECT SITE LOCATION:

ATHLETICS FIELDS
ST. JOHNS RIVER COMMUNITY COLLEGE, PALATKA CAMPUS
PALATKA, FLORIDA

C. PROPOSALS:

All work on the project shall be included in the proposal for the General Construction. Proposals for bid items for this project shall be submitted *in duplicate* on the proposal form enclosed in this project manual. The proposal shall be sealed in an envelope and marked to indicate the project name, bid number and contractor's name. The envelope shall then be forwarded or delivered to the office of Beverly Barker, Director of Purchasing and Contract Administration, in the Administration Building at St. Johns River Community College, Palatka, Florida.

1. The bidder shall fill in their proposal completely and correctly sign the proposal. Proposals that show any omissions, alterations of the proposal, additions not authorized by the St. Johns River Community College Board, conditional bids, or irregularities of any kind, may be rejected.
2. Proposals shall be submitted in sufficient time for receipt by the St. Johns River Community College, prior to scheduled hour for receiving of proposals. Bids received after the scheduled bid date and time will not be considered. No changes will be permitted after bids have been submitted. All bidders shall be notified of the bid results.
3. No proposals may be withdrawn, after the schedule closing time for bids, for a period of sixty (60) days.
4. It is the intention of the St. Johns River Community College Board of Trustees to award a contract to a single bidder submitting the lowest proposal for the work. However, the Board reserves the right to reject any or all bids, to accept any bid submitted, to waive any informalities, and to negotiate with the low bidder or bidders on any changes which the Board considers necessary for their own interests, including but not limited to direct purchase of materials.

D. Completion:

Time of completion for this project is a condition of the contract and as such is not flexible. The time of completion is indicated in the specifications and no extension of time is anticipated. If the bidder cannot meet the construction schedule, they should not submit a bid.

E. Contractor's License:

All bidders shall be licensed as required by the State of Florida laws.

F. Site Investigation:

Each bidder shall, before submitting their proposal, examine the sites to determine the extent of the work involved and the conditions under which they must perform the work.

The submittal of a proposal will be construed as evidence that such examination has been made and no subsequent allowance will be made in this connection.

G. Permits, Fees and Taxes:

Cost of social security and other applicable state and federal government taxes and any sales taxes for which the bidder is liable shall be included in his proposal for the work. No local building permits are required for work on the campus. The College Building Inspector will issue the General Building Permit.

H. Performance and Payment Bond:

The successful bidder shall furnish a satisfactory performance and payment bond with a corporate surety authorized to do business in the State of Florida and acceptable to the College, within ten (10) days after notice of award. The bond shall be conditioned well and truly to perform the contract and pay all bills and invoices, for labor done and materials furnished in the performance of the work including guarantee period of one (1) year against faulty work, and be on **AIA Document Form A312**.

1. All bonds must be executed under corporate seal of the surety and countersigned on the part of the surety by a qualified resident agent of the company or an attorney in fact with proof of power attached.
2. In case of default on the part of the contractor, actions for all expenses incident to ascertaining and collecting losses under the bond including both architectural and legal services shall lie against bond.
3. Such bond shall be in the penal sum of 100% of the contract.
4. Premiums for the performance and payment bond shall be included in the bidder's proposal.

I. Bid Security:

Bid security will be required in an amount not less than five percent (5%) of the base bid amount and all alternates, in the form indicated in Section 00020, Invitation to Bid.

J. Interpretation of Drawings and Specifications:

Should a bidder find discrepancies or ambiguities in, or omissions, from the drawings and specifications, or should he be in doubt as to their meaning, the bidder shall at once notify the Design Professional for an interpretation in the form of an addendum. Addendum will be forwarded to all bidders and each bidder shall acknowledge the receipt of each addendum on his proposal in the spaces provided. Bidders should address all inquires for this project to:

CRG Architects/Palatka, Inc.
Robert Goodwin, Architect
216A St. Johns Avenue
Palatka, Florida 32177
Tel: 386/325-0213
Fax: 386/328-1401
Email: crgarchitects@comcast.net

K. Standard Basis for Bidding:

1. Equality: Where materials, etc., are referred to in the specifications as "equivalent to" or words of similar import, the Design Professional shall decide as to equality. In addition to data required under paragraph "Shop Drawings" and "Manufacturer's Description data", the contractor shall furnish other detailed data as required by the Design Professional for comparison if the product is mentioned by name. All data shall be submitted at least seven (7) days prior to the scheduled bid opening date. No extra will be allowed because of such substitution, if permitted, either for the article substituted or for revisions in other work affected by the substitution.
2. Substitutions: Where a particular system, product or material is specified by one or more trade names without the "equivalent" qualification, it shall be considered as a standard basis for bidding, and is most satisfactory for its particular purpose in the work. Substitutions for the named systems, products or materials and substitutions for any other product or material, which the bidder considered pertinent, will be considered under the following conditions only:

- a. To insure a uniform basis for bidding, the bidder shall base his proposal on the particular system, product or material named in the specifications.
 - b. The bidder shall attach to his form of proposal at the time of submission, a separate sheet upon which he shall list the particular system, product or material that he wishes to substitute and directly opposite each such item, the amount that he will add to or deduce from his base bid, if such substitution is approved by the College and the Design Professional previous to the signing of the contract.
 - c. If no addition or deduction to the base estimate is allowed by the bidder for such substitutions, it shall be so stated opposite the item involved on the sheet attached. Substitutions so submitted shall include any and all adjustments of that or any other work affected by the substitution. Such substitutions shall be permitted and adopted only upon the written approval of the Design Professional.
 - d. Any proposal submitted that does not conform to the above requirements shall be considered as informal and unfair to other bidder's submitted proposals, and will not be accepted.
3. Adjustments Because of Substitutions: In general, the drawings have been prepared, based upon sizes, loads and requirements of specific items of equipment, products or materials. In the event the contractor elected to use other than the item or items for which designs have been prepared and included in the drawings, and, if because of such substitutions or changes from the conditions shown, the Design Professional is required to revise the drawings or is caused added expense therefore, the Design Professional and the College shall be equitably reimbursed by the contractor for such costs.
- a. No changes in the amount of bid appearing on the outside of the bid envelope will be considered. Only the amount shown inside the envelope will be considered. All changes, corrections and erasures must be initially by the person signing the bid.
4. Subcontractors and Shop Fabricators:
- a. Bidders shall furnish with their bids and prior to the opening of bids, the names and the class of work to be performed by fabricators when the amount to be paid each subcontractor exceeds 5 percent of the total price.
 - b. The successful bidder shall employ the subcontractors listed in the bidder's proposal along with the class of work to be performed by each. This list shall not be modified in any way whatsoever without the written consent of the College by Change Order to ensure those subcontractors shall be utilized for the specified class of work.
 - c. Modifications to the listed subcontractors by Change Order may be granted by the College only in those instances where the bidder presents written evidence that use of the listed subcontractor would not be in the best interest of the College.

L. Equivalents:

1. In these specifications where one certain kind, type or brand of material manufacturer is named, it shall be regarded as the required minimum standard of quality. Substitutions lowering the performance, quality, method of assembly or installation, or in general, not in keeping with the details and specifications will not be permitted. It is understood that when a bid is submitted, the bidder is aware of the requirements, and that the materials within his bid are equal to or better on such items and that prior approval of substitutions has been obtained.
2. No time extensions will be permitted, to revise or redesign a product found not to comply, and that evidence of noncompliance shall automatically classify the bid as having been informal and rejected.
3. Since time is of the essence, the College cannot be expected to delay the award of bid, and their decisions shall be in strict accordance to the details and specifications, these items should be brought to the attention of the Design Professional of the project and of the College prior to submitting a bid proposal.

M. Disqualification of Bidders:

1. Only one proposal from an individual, firm, partnership, or corporation, under the same or different names will be considered.
2. Should there be any reasonable grounds for the College Board, believing that a collusion or combination exists between bidders, all proposals may be rejected and all such bidders or participants in such combination or collusion will not be considered in the future proposal for the same work.
3. No proposal or bid will be considered unless accompanied by a proposal guarantee or good faith deposit in the amount in the form specified in the Invitation to Bid and/or Advertisements for Bid.
4. Proposals that are incomplete or not signed by the bidder may be rejected.
5. Proposals that are submitted without the sub-bidders listing completed as required in this section and indicated on Section 00300, Proposal Form may be rejected.

N. Return of Proposal Guarantees:

All proposal guarantees and good faith deposits will be returned immediately after the tabulation and analysis of the bids, except for the three (3) lowest bidders; these will be returned within fifteen (15) days following award of the contract.

O. Contract Award:

It is the intention of St. Johns River Community College to award a contract to a single qualified Bidder submitting the lowest total base bid and for any bid alternate proposals contingent upon availability of funding. The College reserves the right to make the award in part or whole and to make the award in its best interests.

P. Execution of Contract:

1. Within the (10) days after Notice of Award, the successful bidder shall enter into a formal contract. The contractor will provide a guarantee period of one (1) year against faulty work and be on the form as provided by the College.
2. Failure to execute the contract as provided in these documents within ten (10) days from the date of the notification of award shall be just cause and the College may annul and void the award and declare forfeiture of the proposal guarantee or good faith deposit in liquidation of all damages sustained.
 - a. Award may then be made to the next lowest responsible bidder, or the work may be re-advertised.
3. No award will be binding upon the College until the construction contract has been executed.
4. The construction contract shall be signed in triplicate by the College and the Contractor.

Q. Bid Protests:

Bid protests pursuant to Florida Statutes §120.57 shall be served on Melissa C. Miller, Executive Vice President, SJRCC/Palatka, 5001 St. Johns Avenue, Palatka, Florida 32177 with a copy to SJRCC Board Counsel Joe C. Miller II, 97 Orange Street, St. Augustine, Florida 32084, both via certified mail. Bid protests may be preliminarily filed, if followed by a certified mail original, via facsimile transmittal to Melissa C. Miller at 386/312-4229 and Mr. Joe Miller at 904/824-3857. Bid protests must be accompanied by a cost deposit of five thousand dollars (\$5,000.00) or one percent of the total contract price, whichever is greater.

In the event the protesting party is not the prevailing party, as a result of final agency action taken by pursuant to §120.57, said cost deposit shall be retained by the College to defray its costs, expenses and fees, including reasonable attorney's fees with respect to their participation in the bid protest process.

Furthermore, the unsuccessful protester shall be responsible to the College for all other and additional reasonable fees, expenses and costs, in the event the deposit which the College retains pursuant to this paragraph is insufficient to reimburse the College for all costs and fees incurred.

- R. A **Mandatory Pre-Bid Conference** will be held on **June 28, 2010** at **10:00 a.m.** in the Administration Building, Room A-154, at St. Johns River Community College, Palatka Campus, 5001 St. Johns Avenue, Palatka, Florida. All qualified bidders or their representatives **must** attend in order to be eligible to bid.

END OF SECTION