

ADDENDUM NO. 2

January 18, 2019

The following portions of the Bid Documents have been revised:

Attachments:

- Responses to Bidder Set #4-6 Questions
- 'Information for Bidders' (*revised 012019*)
- Bid Bond Form

Any additional questions regarding the bid shall be submitted, in writing, to hwashburn@DADECITYFL.com and jdebono@DADECITYFL.com by **January 23, 2019**.

Question Set #4

1. The plans provided in the Contract Documents appear to be a scanned version. Will the City please provide a clean set of .pdf plans for the project?

Response: This was addressed in addendum #1; the plans are available on the City's website.

2. With this project having FDOT funds and specifications associated with the work; are bidders required to be prequalified by FDOT in order to bid this project?

Response: Bidders are not required to be prequalified by FDOT.

3. Will the City please provide an engineer's estimate and budget for this project?

Response: This was addressed in addendum #1, and will not be released.

Question Set #5

1. In the spec book regarding bid bonds it states, "Each bid must be accompanied by cash, certified check of the bidder, or a bid bond prepared on the form of bid bond attached hereto".

However, there is no bid bond form in the spec book.

Response: Bid bond form is attached.

2. Also, there is mention of several forms to be included in the bid, and none are provided, see below list:

- Equal Employment Opportunity
- Labor and Prevailing Wage Requirements
- Section 3 and Segregated Facilities

Response: This item has been revised, refer to the attached document.

Question Set #6

1. Item 6 indicates a Bid Bond Form is supplied in the Contract Documents, however we cannot locate the form. Please provide the form or advise if a Bid Bond Form from our Surety will be acceptable.

Response: Bid bond form is attached.

2. Item 8 indicates Contract Time is specified at 235 Calendar Days, however Section 4.02 of the Agreement specifies 365 Calendar Days to Substantial Completion. Please define Contract Time for Substantial and Final Completion, and confirm that liquidated damages are \$500 per calendar day for Substantial and Final Completion..

Response: This item has been revised, refer to the attached document.

3. CSX Permit:

The cover letter for CSX Agreements # CSX864943 & #CSX750524 state that the Agreement Holder is responsible for paying for CSX protection services and/or all support services, including all applicable surcharges (fees). Conversely, The FDOT Specifications Package, Section 7-11.4.1.1 states that..."Contractor is responsible for all CSXT fees associated with the work within CSXT right-of-way". Please define whether Owner or Contractor will be responsible for costs, and if Contractor is assigned responsibility, please provide a listing of all fees so a responsive bid may be produced.

Response: The City has already paid the Encroachment Fee noted in Section 2 of the agreement which allowed CSX to sign the agreement. The Contractor will be responsible for all future fees. The City provides the below response as an estimate of the fees however it is important that the bidders verify the accuracy of the following response as the City cannot take responsibility for the information and the contractor will be the City's Authorized Representative.

Estimated Costs of CSX Fees (Bidders should Verify with CSX) to Contractor

- Insurance Related (this is an indirect cost). See Section 10 of Agreement
- Licensee Costs. See Section 12 of Agreement. Based on our past experience with railroads, CSX will station a "Watchman" to observe construction, most certainly for work within 25' of each rail. The cost of the Watchman, whose hourly rate is not known by the City, would be charged to the contractor. So cost to the contractor would be approximately this hourly rate times the number of hours the Watchman is needed. See 7-11.4.3.1.1- there is a note that work can potentially be scheduled to minimize the need for protective services (Watchman) and therefore will reduce costs. On a telephone call on 01/18/2019 to CSX we were told "flagging" (watchmen) costs \$1,500± for a 10 hour day. Also, once the jack and bore begins, it must be continuous therefore plan on fees of CSX to be \$4,500± per each 24 hour continuous workday. Logistics of processing the CSX invoice will be addressed at the pre-construction meeting/process.
- A contractor's agreement between CSX and the awarded bidder will be required to be executed prior to Notice To Proceed.

INFORMATION FOR BIDDERS

1. Receipt and Opening of Bids

City of Dade City (herein called the "City"), invites bids on the form attached hereto, all blanks of which must be appropriately completed. Bids will be received by the City at the Building Department at 38020 Meridian Ave until ~~11:00 a.m.~~ **2:00 p.m. on Wednesday, January 30, 2019**, and then publicly opened and read aloud in Commission Chambers. The envelopes containing the bids must be sealed, addressed to **City of Dade City: Downtown Stormwater Capital Improvement Project, City of Dade City, 38020 Meridian Ave, Dade City, Florida 33525** and designated as a "Sealed Bid".

The City may consider informal any bid not prepared and submitted in accordance with the provisions thereof and may waive any informalities or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bidder may withdraw a bid within 30 days after the actual date of the opening thereof.

A **mandatory** pre-bid meeting will be held in Commission Chambers at 38020 Meridian Ave in Dade City on **Tuesday, January 8, 2019 at 2:00 p.m.**

2. Preparation of Bid

Each bid must be submitted on the prescribed form ~~and accompanied by a Certification by Bidder Regarding Equal Employment Opportunity, Certification by Bidder (Contractor) concerning Labor Standards and Prevailing Wage Requirements, and Certification of Bidder regarding Section 3 and Segregated Facilities.~~ All blank spaces for bid prices must be completed in ink or typewritten with, the total cost in both words and figures, ~~and the foregoing certifications must be fully completed and executed when submitted.~~

Each bid must be submitted in a sealed envelope bearing on the outside the bidder's name, address, and the name of the project for which the bid is submitted. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed as specified in the bid form.

~~3. Subcontracts~~

~~The bidder is specifically advised that any person, or other party to whom it is proposed to award a subcontract under this contract:~~

~~a. Must be acceptable to the owner after verification by the Department of Economic Opportunity of the current eligibility status; and~~

~~b. Must submit a Certification by Proposed Subcontractor Regarding Equal Employment Opportunity; Certification by Proposed Subcontractor Concerning Labor Standards and Prevailing Wage Requirements; and Certification of Proposed Subcontractor Regarding Section 3 and Segregated Facilities. Approval of the Proposed subcontract award cannot be given by the City unless and until the~~

~~proposed subcontractor has submitted the Certifications and/or other evidence showing that it has fully complied with any reporting requirements to which it is or was subject.~~

34. Method of Bidding

Sealed bids, in triplicate, must be submitted on the Bid Tender form and one electronic copy.

All required documents must be submitted to be considered.

45. Qualifications of Bidder

The City may make such investigations as necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the City all such information and data for this purpose as the City may request. The City reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the City 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.

56. Bid Security

Each bid must be accompanied by cash, certified check of the bidder, or a bid bond prepared on the form of bid bond attached hereto, duly executed by the bidder as principal and having as surety thereon a surety company approved by the City, in the amount of 5% of the bid. Cash, checks and bid bonds will be returned to all except the three lowest bidders within three days after the opening of bids. The remaining cash checks or bid bonds will be returned promptly after the City and the accepted bidder have executed the contract, or, if no award has been made within 30 days after the date of the opening of bids, upon demand of the bidder at any time thereafter, so long as notification of the acceptance of the bid has not taken place.

67. Liquidated Damages for Failure to Enter into Contract

The successful bidder, upon failure or refusal to execute and deliver the contract and bonds required within 10 days after receipt of notice of the acceptance of the bid, shall forfeit to the City, as liquidated damages for such failure or refusal, the security deposited with the bid.

78. Time of Completion and Liquidated Damages

The undersigned Bidder agrees to commence the work under this contract upon receipt of a Notice to Proceed from the Owner to achieve substantial completion of the work within three hundred sixty five calendar days and final completion within four hundred ten calendar days.

Failure of the Bidder to achieve substantial completion within the time specified will constitute violation of the terms of the contract and will result in an assessment of \$500.00 per day liquidated damages by the Owner.

~~Bidder must agree to commence work on date to be specified in a written "Notice to Proceed" of the City and to fully complete the project within 235 consecutive calendar days thereafter. Bidder must agree also to pay as liquidated damages, the sum of \$500.00 for each consecutive calendar day thereafter as hereinafter provided in the General Conditions.~~

89. Conditions of Work

Each bidder must inform oneself 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 their obligation to furnish all material and labor necessary to carry out the provisions of this contract. Insofar as possible the contractor, in carrying out the work, must employ such methods or means as will not cause any interruption of or interference with the work of any other contractor.

910. Addenda and Interpretations

No interpretation of the meaning of the plans, specification or other pre-bid documents will be made to any bidder orally. Every request for such interpretation should be in writing, addressed to Joe DeBono at jdebono@DADECITYFL.com **AND** Heather Washburn at hwashburn@DADECITYFL.com and, to be given consideration, must be received at least five days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be posted on the City's website <<http://www.dadecityfl.com/departments/government/BIDS/QUOTES/AUCTIONS.php>> not later than 72 hours prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under the bid as submitted. All addenda so issued shall become part of the contract documents.

1011. Security for Faithful Performance

Simultaneously, with delivery of the executed contract, the Contractor shall furnish a surety bond or bonds as security for faithful performance of this contract and 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 and bonds shall be a duly authorized surety company satisfactory to the City.

1112. Power of Attorney

Attorneys-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.

BID BONDS

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, _____
_____ as Principal, and _____
_____ as Surety, are hereby held and firmly bound
unto _____ as owner in the penal sum
of _____ for the payment of
which, well and truly to be made, we hereby jointly and severally bind ourselves, our
heirs, executors, administrators, successors and assigns.

Signed, this _____ day of _____, 20__.

The condition of the above obligation is such that whereas the Principal has submitted to
_____ a certain Bid, attached hereto and hereby made apart
hereof to enter into a contract in writing for the:

NOW, THEREFORE,

(A) If said Bid shall be rejected, or in the alternate,

(B) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said bid then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

_____ (L. S.)

SEAL

By: _____