

BOROUGH OF AVALON
CAPE MAY COUNTY, NEW JERSEY
INLET DRIVE BEACH STONE REMOVAL PROJECT
CONTRACT NO. M-117

NOTICE TO BIDDERS

NOTICE is hereby given that sealed bids will be received by the Borough of Avalon (hereinafter called the "Owner") for:

INLET DRIVE BEACH STONE REMOVAL PROJECT
CONTRACT NO. M-117

Sealed bids for the above named Contract, which comprises the removal of stone from the Inlet Drive Beach within the Borough of Avalon, Cape May County, New Jersey ("Owner"), will be received by the Borough Treasurer, Borough Hall, 3100 Dune Drive, Avalon, New Jersey 08202 on Wednesday, February 12, 2020 at 10:00 a.m. prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

The work includes the furnishing of all labor, materials and equipment necessary to complete the work as shown on the Drawings and as described in the Specifications. The work consists of the removal of stone of various sizes from the Inlet Drive Beach within the areas indicated on the plans. The work is located within the Inlet Drive beach located between Inlet Drive and Ocean Drive (CR 619) at the north end of the Borough of Avalon. The work shall be completed within 60 calendar days of the Contractor's receipt of written Notice to Proceed.

This Contract will be awarded as an open-end Contract pursuant to N.J.A.C. 5:30-11.1 et seq. since exact quantities of stone to be removed are not known. The unit prices bid for the removal of the stone shall apply to the range of quantities specified in the Contract Documents. For stone removed from Area "A" (as shown on the Contract Drawings), a minimum of 200 tons and a maximum of 1,000 tons shall be removed. For stone removed from Area "B" (as shown on the Contract Drawings), a minimum of 20 tons and a maximum of 150 tons shall be removed.

No bid will be received unless in writing on the forms furnished, and unless accompanied by bid security in the form of a bid bond, cashier's check, or a certified check made payable to the Borough of Avalon in an amount equal to 10% of the amount of the total bid, but not exceeding \$20,000.

The bid shall be accompanied by a Certificate of Surety on the form included in the Contract Documents, from a surety company licensed to do business in the State of New Jersey, which shall represent that the surety company will provide the Contractor with the required bonds in the sums required in the Contract Documents and in a form satisfactory to the Owner's Attorney and in compliance with the requirements of law.

Bidders must use the prepared bid form which is contained in the Contract Documents. Each individual proposal must be separately enclosed in a sealed envelope addressed to the Borough Treasurer, Borough Hall, 3100 Dune Drive, Avalon, New Jersey 08202 marked on the outside with the number of the contract(s) and name of the project being bid on.

No bids will be received after the time and date specified, and no bids will be received by mail. Bids shall be received by courier service (date and time recorded) or shall be hand delivered. The Owner shall award the Contract or reject all bids within 60 days of bid opening, except that the bids of any bidders who consent thereto may, at the request of the Owner, be held for consideration for such longer period as may be agreed.

The Owner will evaluate bids and any award will be made to the lowest, responsive, responsible bidder in accordance with N.J.S.A. 40A:11-4. The Owner reserves the right to reject any or all bids and to waive minor informalities or irregularities in bids received.

The qualification and reclassification of bidders will be subject to the statutory provisions contained in N.J.S.A. 40A:11-25 to 32 ("Local Public Contract Law").

All bid security except the security of the three apparent lowest responsible bidders shall be returned, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bids of the bidders whose bid security is returned shall be considered withdrawn.

Each bidder must submit with his bid a signed certificate stating that he owns, leases or controls all the necessary equipment required to accomplish the work shown and described in the Contract Documents. Should the bidder not be the actual owner or leasee of such equipment, his certificate shall state the source from which the equipment will be obtained and, in addition, shall be accompanied by a signed certificate from the owner or person in control of the equipment definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the Contract for which it is necessary. The bidder shall comply with the documentation requirements set forth in the Article of the Information for Bidders, entitled, "Bidder Submissions".

The successful bidder will be required to submit bonds and proof of insurance on or before execution of their respective Contracts as explained in the Contract Documents.

Bidders are required to comply with all relevant Federal and State Statutes, Rules and Regulations including but not limited to the applicable provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000D-4A), the discrimination and affirmative action provisions of N.J.S.A. 10:2-1 through 10:2-4, the New Jersey Law against Discrimination, N.J.S.A. 10:5-1, et seq., the rules and regulations promulgated pursuant thereto, the State requirement for bidders to supply statements of ownership (N.J.S.A. 52:25-24.2) and the State requirement for submission of the names and addresses of certain subcontractors (N.J.S.A. 40A:11-16).

The Contract Documents may be examined and obtained at the Office of the Engineer, Mott MacDonald, 211 Bayberry Drive, Suite 1A, Cape May Court House, New Jersey, between the hours of 8:00 a.m. and 4:45 p.m. The Contract Documents may be purchased by prospective bidders upon payment of a fee of one hundred dollars (\$100.00) for each set of full-sized drawings with specifications. Payment must be made by business check and shall be made out to Mott MacDonald. If requested by a prospective bidder, one complete set of the Contract Documents will be sent as follows:

- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of the Contract Documents plus thirty dollars (\$30.00) for handling and the bidder's bill-to account number;
- or
- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of Contract Documents plus sixty dollars (\$60.00) for shipping and handling.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of P.L. 1975 c. 127, NJAC 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement" and "Non-Collusion Affidavit" on the forms included in the Contract Documents.

Bidders and their subcontractors of any tier must comply with all applicable provisions of the Public Works Contractor Registration Act, P.L. 1999, c. 238 (N.J.S.A. 34:11-56.48) and the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25).

Pursuant to P.L. 2004, c.57 (N.J.S.A. 52:32-44) effective September 1, 2004, all business organizations that conduct business with a New Jersey government agency are required to be registered with the State of New Jersey. Bidders and their subcontractors must submit proof that at the time of the Bid they are registered with the New Jersey Department of Treasury, Division of Revenue by submitting a copy of their Business Registration Certificate prior to Contract award.

It is the purpose of this Notice to Bidders to summarize some of the more important provisions of the Contract Documents. Prospective bidders are cautioned not to rely solely on this summary, but to read the Contract Documents in their entirety.

By Order of the Borough of Avalon

Martin L. Pagliughi, Mayor

Publication Date: January 24, 2020