

BOROUGH OF AVALON
CAPE MAY COUNTY, NEW JERSEY
RECONSTRUCTION OF VARIOUS BULKHEADS
CONTRACT NO. M-121

NOTICE TO BIDDERS

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

RECONSTRUCTION OF VARIOUS BULKHEADS
CONTRACT NO. M-121

Sealed bids for the above named Contract, which comprises the reconstruction of Various Bulkheads 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 **September 29, 2020, at 10:00 a.m.** prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

**SPECIAL REQUIREMENTS FOR PUBLIC BIDS DURING THE COVID-19 PANDEMIC
AND UNTIL FURTHER NOTICE**

In accordance with Local Finance Notice ("LFN") 2020-10, Governor Murphy's Executive Orders 107, 122, and 142 and Administrative Order 2020-4, as subsequently amended and supplemented, the following shall govern the receipt of bids by the Borough of Avalon during the COVID-19 State of Emergency and until further notice:

1. The Borough has opted for in-person bid openings with attendance limited to a maximum of 10 persons, exclusive of Borough personnel required to be in attendance at all bid openings. Non-Borough personnel will be admitted on a first come basis. The bid opening will occur in the Council meeting room on the date of bid opening. However, access to Borough Hall by the public will continue to be restricted in order to observe social distancing requirements. Those entering the building will be required to wear face masks and may be subject to temperature checks. This is in lieu of opening bids in an outdoor forum.
2. All attendees must wear face masks and maintain social distancing requirements during the bid opening. Staggered seating will be enforced. No one will be admitted to the bid opening without a face mask unless the wearing of such mask poses a threat to the individual's health or safety. Anyone unable to wear a face mask is encouraged to participate by audio as provided herein.
3. It is strongly recommended that all bids should be submitted by mail – either certified mail or other carrier such as Federal Express. Hand delivery of bids is discouraged during the COVID-19 crises. In the event that a bid must be hand delivered, then it should be placed in a marked drop box which is located outside of the Borough Hall at the Dune Drive entrance to receive said proposals.
4. For additional accessibility to bidders and/or the public, the bid opening will also be broadcast and recorded via telephonic means during which time the public may participate through use of a conference line and passcode. The phone number and conference passcode are as follows:

Phone Number (US/Canada Toll Free): (877) 510-2588
Conference Passcode: 139 589.

There will be no video recording of the bid opening process.

5. Following the bid opening, the Borough will post, at a minimum, the apparent three lowest bidders on the Borough's website promptly following the bid opening with the other bids to be posted within 24 hours (or sooner if possible).

THE BOROUGH RESERVES THE RIGHT TO REFUSE ADMITTANCE TO ANY PERSON WHO IS ILL OR WHO MANIFESTS SYMPTOMS OF ILLNESS OR WHO, IN THE EXERCISE OF REASONABLE JUDGMENT BY BOROUGH OFFICIALS, APPEARS SYMPTOMATIC OF COVID-19.

THE COVID-19 CONDITIONS SPECIFIED ABOVE SHALL CONTROL THIS BID NOTWITHSTANDING THAT COVID-19 RESTRICTIONS MAY BE RELAXED BY GUBERNATORIAL EXECUTIVE ORDER OR BY ADMINISTRATIVE ORDER ISSUED BY THE STATE DIRECTOR OF EMERGENCY MANAGEMENT AT ANY TIME PRIOR TO THE SCHEDULED DATE FOR RECEIPT OF BIDS.

The work consists of the construction of two vinyl bulkheads with returns, one steel bulkhead with a return, the removal of existing piles, wales, and sheeting, stormwater outfall removal and installation of new ductile iron pipe, landscape restoration, and site restoration. The work is located at the westerly street ends of 80th Street and 26th Street, and the 22nd and Sixth Avenue street end in the Borough of Avalon. The work shall be completed within **150 calendar days** of the Contractor's receipt of written Notice to Proceed.

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. All Bid Proposals shall be either mailed or dropped off in person at the Borough Hall, 3100 Dune Drive, Avalon, NJ 08202 in a sealed envelope with the bidder's name and address and clearly marked on the outside of envelope with the contract name, number and the name and address of the bidder that is submitting the proposal. For those that desire to drop their bid proposals off in person, a marked drop box is located outside of the Borough Hall at the Dune Drive entrance to receive said proposals.

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 in accordance with public law.

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 reviewed online at no cost at www.bidset.com/mott.

The Contract Documents may be obtained by any prospective bidder upon payment of the fee of forty-six dollars (\$46.00) for each set of full-sized drawings with specifications by calling 1-877-424-3738 or by online request. Shipping charges are additional and variable depending upon the pick-up or delivery option selected by the purchaser. Bid documents cannot be obtained at the Borough's Office or at Mott MacDonald's office. The printing cost is not refundable.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of N.J.A.C. 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement" and is requested to submit with his bid the "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 (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 N.J.S.A. 52:32-44, 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 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: September 1, 2020