

Chain of Lakes City
Centennial



Celebration
1911 - 2011

April 4, 2011

ADDENDUM # 1

ITB-11-35

Sixth Street Phase II Project

The following is provided as a clarification for the bid documents for the above referenced Invitation to Bid:

1. Under "Project Description" and also under City of Winter Haven Supplemental Terms and Conditions, item number 2, page 2, "Bonding and Prequalification", a clarification for the requirement that the contractor must be an FDOT Certified Contractor:

After further consulting with FDOT, it was clarified that this requirement is applicable only if the project is located on the National or State Highway system and if the contract or estimated cost is over \$ 250,000. Given that this project is anticipated to be over \$ 250,000 but is not located on a National or State Highway System, this provision is not applicable to this contract.

2. Under City of Winter Haven Supplemental Terms and Conditions, item number 32, page 19, "Subcontracting", the contract document states that a prime contractor must perform with his own organization work amounting to not less than 30% of the total Contract amount. Included in the total contract amount is the cost of materials and manufactured component products and their transportation to the project site. Owner will not consider off-site commercial production of materials and manufactured component products that the contractor purchases, or their transportation to the project, as subcontracted work.

After further consulting with FDOT, the prime contractor must perform at least 30% of the overall contract amount. With that said, the way in which a prime contractor achieves that overall 30% may be through the purchase of materials, pre-manufactured items, and transportation of these items to the project site. The

prime contractor may count all of these items into their overall 30%, however may not utilize any of these items as “subcontractors” if claiming them as a portion of their 30% of work.

The person(s) signing this proposal and bid form shall certify under oath on the attached Certification Form (**Attachment A**) that the information contained in the Proposal is true and accurate. Each bidder understands, by submitting a Proposal and Bid Form that the City will rely in part on such certification in selecting the successful bidder.

3. Waiving of the requirement for bidders to attend the “Mandatory” pre-bid meeting:

Based on the above mentioned clarifications, and as the previously advertised requirements may have prevented some interested bidders from attending the pre-bid meeting under the assumption that they are not qualified to participate in this ITB, the City hereby, waives the requirement of attending the pre-bid meeting. Thus the previously held pre-bid meeting on March 30, 2011 is hereby retroactively declared a “non-mandatory” pre-bid meeting.

4. Replacing Bid Form page PBF-1

Replace Proposal and Bid Form page PBF-1 with the attached Proposal and Bid Form page PBF-1a.

All of the other original terms and conditions of this ITB remain unchanged including, but not limited to, the bid closing time and date and the final date for submitting any questions.

ATTACHMENT A

BIDDER'S INFORMATION / CERTIFICATION

- 1. Legal Name of Bidder. Indicate if the Bidder is a Corporation, Joint Venture, Partnership, etc:

- 2. Name/title of contact person for the Bidder: _____
- 3. Local business and mailing address: _____
- 4. Primary business and mailing address: _____
- 5. Telephone number: (____) _____ FAX: (____) _____

The above-named Bidder affirms and declares:

- A. That the Bidder understands all requirements of this ITB and states that as a serious Bidder they will comply with all the stipulations included in the ITB package.
- B. That the Bidder is of lawful age and that no other person, firm or corporation has any interest in this Bid or in the contract proposed to be entered into except as expressly stated below.
- C. That this bid proposal is made without any understanding, agreement, or connection with any other person, firm or corporation making a bid proposal for the same purpose, and is in all respects fair and without collusion or fraud except as expressly stated below.
- D. That the bidder will be performing with his own organization work amounting to net less than 30% of the total contract amount; as clarified under item number 2 of Addendum 1.
- E. That the Bidder has received and carefully examined all Addenda issued prior to Opening.
- F. All statements made by the Bidder in the bid proposal are true and accurate as of the Bid submittal date.

IN WITNESS WHEREOF, this Bid Proposal is hereby signed and sealed as of the date indicated.

ATTEST:

PROPOSER:

Witness

BY: _____(SEAL)
(Authorized signature in ink)

Witness

(Printed name of signer)

(Printed Title of signer)

CORPROATE SEAL
(Where appropriate)

(Date signed)

**PROPOSAL AND BID FORM
ITB-11-35**

Proposal to furnish all labor, materials, equipment, plant and supervision necessary for the Sixth Street Phase II Project, in accordance with the Invitation To Bid, Scope of Work, Terms and Conditions, and any other documents prepared for this project.

ARTICLE 1

The Invitation To Bid, Terms and Conditions, and any other Contract documents prepared for this bid, and any addenda issued during the bidding period, are a part of this Proposal and Bid Form.

The Bidder received the following addenda during the bidding period:

Addendum Number _____ Date _____
Addendum Number _____ Date _____

The Bidder agrees to complete this project in accordance with the Contract Documents.

ARTICLE 2

The Bidder declares that he makes this proposal in good faith without collusion and without connection with any other person or persons bidding on this project.

The Bidder declares he has examined the bid documents, visited the site of this project, and fully acquainted himself with all conditions which may affect completion of this project.

ARTICLE 3

The Bidder enclosed with these duplicate copies of this Proposal and Bid Form a certified check, a cashier's check, U.S. government bond (at par value), or a bid bond payable to the City of Winter Haven in an amount not less than five percent (5%) of the base bid (if bid amount is \$25,000 or more).

ARTICLE 3

The successful Bidder shall commence work on this project after written Notice to Proceed is received from the City. Project shall be completed within 90 calendar days after receipt of Notice To Proceed for all items or forfeit \$566.00 per calendar day if bid is less than \$500,000.00, as liquidated damages, or forfeit \$\$1,148.00 per day if bid is \$500,000.00 or more, for each day after the contract completion time the work remains unfinished. The timeframes specified include holidays. No additional days will be allowed for holidays within the contract duration.