BARRY GLASSMAN
HARFORD COUNTY EXECUTIVE

BILLY BONIFACE
DIRECTOR OF ADMINISTRATION

KAREN D. MYERS
DIRECTOR OF PROCUREMENT

INVITATION FOR BIDS

GUNPOWDER RIVER AND TAYLORS CREEK DREDGING PROJECT

BID NO. 16-265

ADDENDUM NO. 1

August 8, 2016

Ladies and Gentlemen:

The purpose of this addendum is to provide clarification (s) to all prospective bidders.

THE DEADLINE TO SUBMIT YOUR PREQUALIFICATION APPLICATION IS AUGUST 17, 2016.

PLEASE NOTE THAT A MAINTENANCE BOND IS NOT REQUIRED FOR THIS PROJECT.

CORRECTION BID FORM BF-5 TOTAL SHOULD READ AS FOLLOWS:

TOTAL BASE BID (ITEMS 1-6) AND CONTINGENT ITEMS (C1 & C2) WRITTEN IN WORDS *IF NO CENTS, WRITE NO CENTS

CORRECTION BID FORM BF-6 - ADD ALTERNATE BID ITEM SHOULD READS AS FOLLOWS:
Dredging of Taylors Creek (Sta. 32.46 to Sta. 53.31)

PLEASE USE THE ATTACHED REVISED, BID FORM DATED 8/8/16 WHEN SUBMITTING YOUR BID.

THE SIGNED PLANS WILL BE FORTHCOMING.

PERMITS ARE APPROVED. HARFORD COUNTY IS AWAITING ISSUANCE. THEY WILL BE TURNED OVER AT THE PRE-CONSTRUCTION MEETING.

HARFORD COUNTY HAS CONTRACTED WITH BAYLAND CONSULTANTS & DESIGNERS, INC. TO PROVIDE STAKE OUT, CONSTRUCTION SERVICES AND POST CONSTRUCTION SURVEY'S ASSOCIATED WITH THIS PROJECT.

QUESTION NO. 1: Regarding the above-referenced project we were reviewing the drawings, particularly drawing 9 of 9. It notes that the fill materials to be placed for the dike are to be compacted to the maximum density and that the contractor is to provide a description of the materials to be imported for the dike and provide proof that optimum density has been obtained. Can you provide what materials (texturally) are required for the dike and what is the compaction standard to be used is required for this project (e.g., 95% of the maximum dry density as determined by the Standard Proctor method, ASTM D-698). Also for the concrete to be placed,

there are no specifications for these materials either and do these concrete materials to be placed require observation (i.e. slump, temperature, batch to placement, etc...) and compressive strength testing?

ANSWER NO. 1: The Contractor shall understand Sheet 9 of 9 was intended to assist the Contractor in determining any necessary repairs or maintenance to the existing weir outfall structure (see note at bottom of sheet). Construction of the dike has already been completed and is not part of this project. The information provided on this sheet is for the Contractor's reference only. Additional specifications may be provided if found necessary to complete the intended repair.

QUESTION NO. 2: Taylors Creek and Gunpowder each have a Mobilization/Demobilization Bid Item. How will that line item be paid if Add Alternate for Taylors Creek is not accepted?

ANSWER NO. 2: There is work in Taylors Creek downstream of the boat ramp which will be paid for out of Bid Item #5. Mobilization/Demobilization for Taylors Creek Add Alternate (Sta. 32.46 to Sta. 53.31) should be included in that lump sum Bid Item price.

Should you have additional questions regarding this project, please do not hesitate to contact me at aehall@harfordcountymd.gov .

Sincerely,

Stacy Rapposo for AEH

Aaron E. Hall
Procurement Agent

AEH:KMD/kmd

cc: Dave Goodwin, P&R

SUBMIT <u>ORIGINAL AND ONE DUPLICATE</u> SET OF BID FORMS

BID FORM

BID NO. 16-265

GUNPOWDER RIVER AND TAYLORS CREEK
DREDGING PROJECT

TO: Director of Procurement
Harford County, Maryland
220 South Main Street
Bel Air, Maryland 21014

From: _____

_____

_____

Basis of Award:

1. Contract award may be based on the lowest responsive and responsible bidder. In addition to price, other considerations may be given when determining the lowest responsive and responsible bidder and what is in the best interest of Harford County, Maryland.

2. All bidders **<u>must be</u>** prequalified in all areas specified if applicable.

3. All bidders **<u>must be</u>** registered to do business in the State of Maryland in accordance with the Annotated Code of Maryland Corporations and Associations Sec. 2-102 Formation generally, Sec. 7-202 Registration to do interstate and foreign* business, and/or Sec. 7-203 Qualification to do intrastate. For information on registering or qualifying a corporation, LLC, LLP or LP call the Maryland Department of Assessments and Taxation (SDAT) at (410) 767-1340.

Sole Proprietors and General Partnerships may call (410) 767-4991 or you may download the SDAT forms at: www.dat.state.md.us/sdatweb/sdatforms.html - entity or by calling at (410) 767-1340 or Toll Free (888) 246-5941.

*"a corporation, association, or joint-stock company organized under the laws of the United States, another state of the United States, a territory, possession, or district of the United States, or a foreign country." Sec. 1-101 Annotated Code of Maryland Corporations and Associations.

4. All bidders **must be** in good standing with Harford County, Maryland. Bidders must resolve any outstanding taxes, fees or accounts with Harford County.

5. **Award will only be made to the lowest responsive and responsible bidder who meets all requirements as specified in Numbers 1-4 above at time of award.**

6. Bid Checklist – Failure to meet requirements A-C below, will result in your bid being rejected as non-responsive:

   A. We are in good standing with State and Local Governments. Yes__ No__

   Dept. ID as recorded by Maryland Dept. of Assessments and Taxation: _____

   B. We are pre-qualified with Harford County in all stated areas (if applicable)? Yes__ No__ N/A__

   Date of Certificate Expiration:_____

   C. We are submitting the Bid Bond (If Applicable) Yes__ No__ N/A__

   D. We acknowledge all addenda (If Applicable). Yes__ No__ N/A__

   E. We are submitting one Original & one Duplicate Copy of the Bid Forms. Yes__ No__

IT IS THE BIDDER'S RESPONSIBILITY TO CHECK OUR WEBSITE (http://www.harfordcountymd.gov/158/Procurement) FOR ANY ADDENDA THAT MAY HAVE BEEN POSTED PRIOR TO THE DUE DATE OF THIS SOLICITATION. BE SURE TO ACKNOWLEDGE THIS INFORMATION ON THE TABLE BELOW. FAILURE TO DO SO MAY CAUSE YOUR SUBMITTAL TO BE NON-RESPONSIVE.

Addendum No.	Date of Addendum	Acknowledgement/Initials

BID NO. 16-265
GUNPOWDER RIVER AND TAYLORS CREEK DREDGING PROJECT

PART A. BASE BID ITEMS:

The Base Bid is divided as follows:

Item	Description	Unit Size	Estimated Quantity	Unit Price Dols/Cents	Total Price Dols/Cents
1	Install Blaze Orange Fence and Sediment Control Devices	LS	1	$	$
2	Mobilization & Demobilization for Gunpowder River	LS	1	$	$
3	Dredging of Gunpowder River	LS	1	$	$
4	Mobilization & Demobilization for Taylors Creek	LS	1	$	$
5	Dredging of Taylors Creek	LS	1	$	$
6	Restoration of Graded and Disturbed Areas	LS	1	$	$
				TOTAL	$

TOTAL BID SUBMITTED FOR BASE BID (ITEMS 1-6):

_____

TOTAL BID WRITTEN WORDS *IF NO CENTS, WRITE NO CENTS

PART B. SCHEDULE OF UNIT PRICES

The following contingent item unit prices, along with estimated quantities shall be applied in computing the value and amount of changes, additions, deletions, and substitutions which may be made in the work following award of the contract.

Item	Description	Unit Size	Estimated Quantity	Unit Price Dols/Cents	Total Price Dols/Cents
C1	Saw Cut and Remove Asphalt Pavement to Stone Base and Furnish and Place 3.5" of HMA Paving	SY	250		
C2	Excavate and Remove Stone Base and Furnish and Place 7" GA Base	SY	250		
				TOTAL	$

TOTAL CONTINGENT ITEMS (ITEMS C1 & C2):

_____

TOTAL CONTINGENT ITEMS C1 AND C2 WRITTEN IN WORDS *IF NO CENTS, WRITE NO CENTS

TOTAL BASE BID (ITEMS 1-6) AND CONTINGENT ITEMS (ITEMS C1 & C2) $_____

_____

TOTAL BASE BID (ITEMS 1-6) AND CONTINGENT ITEMS (ITEMS C1 & C2) WRITTEN IN WORDS *IF NO CENTS, WRITE NO CENTS

ADD ALTERNATE BID ITEM:
1. DREDGING OF TAYLORS CREEK (STA. 32.46 TO STA. 53.31)

_____DOLLARS ($_____)

Discount of Terms of Payment may be considered in determining the award at the sole discretion of the County. Any other considerations for the award will be stated on the specifications and proposal.

Payment Terms: The payment terms shall be considered net 30 days unless otherwise indicated below by the bidder.

Payment Terms: _____% net _____

(Example, 2% net 15 days. A 2% discount if Harford County pays in 15 days).

If a discounted payment is not applicable to your bid, please initial here to confirm that a discount does not apply. _____

This bidder, in compliance with the above-captioned Invitation for Bids has examined the plans, specifications and related documents, and the site of the proposed work (as applicable), is familiar with all the conditions surrounding the proposed project including materials, supplies and services to complete the project in accordance with the contract documents.

Bidder agrees to perform all work described in this Invitation for Bids, for the prices set forth on the Bid Form.

Within 10 days after receiving notice of acceptance of this bid, Bidder will execute the formal contract and deliver it to the Harford County Department of Procurement, with the bonds (if applicable) as required by the General Instructions.

The Bid Deposit attached (if applicable) in the sum of five percent (5%) of the total bid amount becomes the property of the County in the event the contract and bonds are not executed and delivered within the time set forth above, as liquidated damages for the delay and additional expense to the County caused thereby.

BID/PROPOSAL AFFIDAVIT

A. AUTHORIZED REPRESENTATIVE

I HEREBY AFFIRM THAT:

I am the (title) _____ and the duly authorized representative of (name of business) _____ and that I possess the legal authority to make this Affidavit on behalf of myself and the business for which I am acting.

B. CERTIFICATION REGARDING COMMERCIAL NONDISCRIMINATION

The undersigned bidder or proposer hereby certifies and agrees that the following information is correct:

In preparing its bid or proposal on this project, the bidder or proposer has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in the State Finance and Procurement Article of the Annotated Code of Maryland. "Discrimination" means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or commercial treatment of a vendor, subcontractor, or commercial customer on the basis of race, color, religion, ancestry, or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendors, supplier's or commercial customer's employees or owners. "Discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination". Without limiting any other provision of the solicitation on this project, it is understood that, if the certification is false, such false certification constitutes grounds for the State to reject the bid or proposal submitted by the bidder or proposer on this project, and terminate any contract awarded based on the bid or proposal. As part of its bid or proposal, the bidder or proposer herewith submits a list of all instances within the past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the state of Maryland that the bidder or proposer discriminated against subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that determination, including any remedial action taken. Bidder or Proposer agrees to comply in all respects with the State's Commercial Nondiscrimination Policy as described under the State Finance and Procurement Article of the Annotated Code of Maryland.

C. AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies (as is defined in the State Finance and Procurement Article of the Annotated Code of Maryland), has been convicted of, or has had probation before judgment imposed pursuant to the Annotated Code of Maryland, or has pleaded *nolo contendere* to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows:

(Indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

_____

_____

D. AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity, except as follows:

(List each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the debarment or suspension)

_____

_____

E. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT:

(1) The above business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to Sections 16-101, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland; and

(2) The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business, except as follows: (Indicate the reasons why the affirmation cannot be given without qualification):

_____

_____

F. AFFIRMATION REGARDING COLLUSION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the agents, servants and/or employees of the above business have:

(1) Agreed, conspired, connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or proposal that is being submitted;

(2) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or proposal price of the bidder or proposer or contractor or of any competitor, or otherwise taken any action in restraint of free competition in connection with the contract for which the accompanying bid or proposal is submitted.

G. FINANCIAL DISCLOSURE AFFIRMATION

I FURTHER AFFIRM THAT:

I am aware of, and the above business will comply with, the provisions of the State Finance and Procurement Article of the Annotated Code of Maryland, which require that every business that enters into contracts, leases, or other agreements with the State of Maryland or its agencies during a calendar year under which the business is to receive in the

aggregate $100,000 or more shall, within 30 days of the time when the aggregate value of the contracts, leases, or other agreements reaches $100,000, file with the Secretary of State of Maryland certain specified information to include disclosure of beneficial ownership of the business.

H. POLITICAL CONTRIBUTION DISCLOSURE AFFIRMATION

I FURTHER AFFIRM THAT:

I am aware of, and the above business will comply with the provisions of Article 33, Sections 30-1 through 30-4 *et seq.* of the Annotated Code of Maryland, which require that every person that enters into contracts, leases, or other agreements with the State of Maryland, including its agencies or a political subdivision of the State, during a calendar year under which the person receives in the aggregate $100,000 or more shall, on or before February 1, of the following year, file with the Secretary of State of Maryland certain specified information to include disclosure of political contributions in excess of $500 to a candidate for elective office in any primary or general election.

I. CERTIFICATION OF CORPORATION REGISTRATION AND TAX PAYMENT

I FURTHER AFFIRM THAT:

(1) The business named above is a (Check one) ____ Maryland (domestic) corporation
____ foreign (non-Maryland) corporation

registered in accordance with the Corporations and Associations Article, Annotated Code of Maryland, and that it is in good standing and has filed all of its annual reports, together with filing fees, with the Maryland State Department of Assessments and Taxation, and that the name and address of its resident agent filed with the State Department of Assessments and Taxation is:

Name: _____

Address: _____

(If not applicable, so state).

(2) Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Employment Security Administration, as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

J. CONTINGENT FEES

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee or agent working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee or agent, any fee or any other consideration contingent on the making of the Contract.

K. TROPICAL HARDWOOD AND TROPICAL HARDWOOD PRODUCTS

Acknowledging §41-19.1 of the Harford County Code, which prohibits the County from making or renewing a contract that requires the use of the tropical hardwoods and tropical hardwood products except in cases where the Director of Procurement determines (1) that there is no acceptable non-tropical hardwood equivalent; or (2) tropical hardwood is required for restoration of a structure designated as historic under federal, state or county law, and requires that any bid or proposal that does not contain this certification be rejected,

I FURTHER AFFIRM THAT:

No tropical hardwoods or tropical hardwood products (Acapu, Afrormosia, Almon, Amaranth, Amazaque, Aningeria Apitong, Blasa, Banak, Bella Rosa, Benge, Boire, Bubinga, Cativor, Chenchen, Concobolo, Cordia, Ebony, Gaboon, Iroko, Koa, Koto, Red Lauan, White Lauan, Tanguile, Limba, Louro, Africa Mahogany, American Mahogany, Makore, Movingui, African Padauk, Angola Padauk, Peroba, Purpleheart, Ramin, Rosewook, Sapele, Sonora, Teak, Tigerwood, Wenge, or Zebrawood) shall be supplied to the County or used in connection with the Contract, except as specifically approved by the Director of Procurement.

L. ACKNOWLEDGEMENT

I ACKNOWLEDGE THAT this Affidavit is furnished to the Purchasing Agent and that nothing in this Affidavit or in any contract arising from this bid or proposal shall be construed to supersede, amend, modify or waive the exercise of any statutory right or remedy with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: _____ By_____

(Authorized Representative and Affiant)

Federal Employer Identification Number (FEIN): _____

The undersigned acknowledges they have read the Invitation for Bids and all addenda including those posted on the County's website and herby submits the above Bid.

BID SUBMITTED BY:

ENTITY NAME (Must be entity name as registered with Maryland State Department of Assessments & Taxation)	TELEPHONE NUMBER
REPRESENTATIVE & TITLE (TYPE OR PRINT)	FAX NUMBER
REPRESENTATIVE & TITLE (SIGNATURE)	E-MAIL ADDRESS
ADDRESS	MD. CONTRACTOR'S LICENSE NO.
DATE	DATE AND PLACE OF ISSUE

Per Section 1(h) of the General Instructions, if company is unincorporated, list below the names and addresses of individuals composing the firm.

Name _____ Address _____

Name _____ Address _____