

BARRY GLASSMAN
HARFORD COUNTY EXECUTIVE

BILLY BONIFACE
DIRECTOR OF ADMINISTRATION



KAREN D. MYERS, CPPB
DIRECTOR OF PROCUREMENT

INVITATIONS FOR BIDS NO. 16-074
COUNTRY WALK FACILITY 1B STORMWATER RETROFIT
ADDENDUM NO. 2

November 1, 2016

Ladies and Gentlemen:

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

PLEASE NOTE THAT THE DUE DATE FOR BIDS HAS BEEN EXTENDED. BIDS ARE DUE BY 1:00 PM ON FRIDAY, NOVEMBER 4, 2016.

THE BID FORM HAS BEEN REVISED AND IS ATTACHED. PLEASE USE THE REVISED BID FORM WHEN SUBMITTING YOUR BID.

Sincerely,



Fred M. DiMeo
Procurement Agent

FMD/kmd

cc: Betsy Collins, DPW/Construction Management

MARYLAND'S NEW CENTER OF OPPORTUNITY

410.638.3550 | 410.879.2000 | TTY Maryland Relay 711 | www.harfordcountymd.gov
220 South Main Street, Bel Air, Maryland 21014

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST

SUBMIT ORIGINAL AND ONE DUPLICATE SET OF BID FORMS

BID FORM

BID NO. 16-074

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 **must be** prequalified in all areas specified if applicable.
3. All bidders **must be** 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 are submitting one Original & one Duplicate Copy of the Bid Forms. Yes__ No__

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

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. 16-074
COUNTRY WALK FACILITY 1B STORMWATER RETROFIT**

ITEM NO.	DESCRIPTION OF ITEM	UNIT	APPROXIMATE QUANTITY	UNIT PRICE DOLLARS & CENTS	TOTAL PRICE DOLLARS & CENTS
101	Mobilization	LS	Lump Sum		
102	Clearing and Grubbing	LS	Lump Sum		
103	Construction Stakeout	LS	Lump Sum		
104	Temporary Orange Construction Fence	LF	1,164		
105	Maintenance of Traffic	LS	Lump Sum		
201	Excavation - Class 2	CY	852		

301	Type C End-wall (18" Pipe)	EA	1		
302	18" Corrugated Aluminum Pipe	LF	20		
303	Stabilized Construction Entrance	TON	55		
304	Sump Pit	EA	1		
305	Filter Bag	EA	1		
306	Super Silt Fence	LF	241		
307	Silt Fence	LF	83		

308	Maintenance of Stream Flow	LS	Lump Sum		
309	18" HDPE Diversion Pipe	LF	68		
310	Riprap Class I	SY	43		
311	Riprap Class II	SY	28		
312	Soil Stabilization Matting, Type A	SY	1,093		
313	Soil Stabilization Matting, Type D	SY	606		
314	Temporary Access Road	SY	372		

315	Permanent Access Road	SY	216		
316	66" Metal End Section	EA	1		
317	CIPP	LS	Lump Sum		
318	Temporary Access Bridge	EA	1		
601	Split Rail Fence	LF	421		
602	Access Gate	EA	1		
603	Type K End Treatment	EA	2		

701	4" Topsoil	SY	1,667		
702	Shrubs - 18"-24" Container	EA	48		
703	Trees - 1" - 1 1/2" B&B	EA	19		
704	Herbaceous Plantings	EA	2,173		
705	Turfgrass Establishment	SY	510		
706	Lowland Meadow Seed Mix	SY	51		
707	Upland Meadow Seed Mix	SY	974		

801	Contingent Temporary Seed and Mulch	SY	500		
802	Contingent Hot Mix Asphalt	TON	5		
803	Contingent Excavation Class 3 for Incidental Construction	CY	10		
804	Contingent Select Backfill	CY	15		
805	Contingent Silt Fence	LF	100		
901	As-built Survey	LS	Lump Sum		
TOTAL BID AMOUNT FOR ITEMS 101 THROUGH 901					\$

TOTAL CONTRACT AMOUNT BID IN WRITTEN WORDS FOR ITEMS 101 THROUGH 901 (IF NO CENTS, WRITE NO CENTS)

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

(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, Bengé, 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 hereby 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 _____