

INSTRUCTIONS TO BIDDERS

Each proposal shall be submitted in a sealed envelope on the printed form, or exact copies thereof, contained in the Contract Documents. These proposals shall be plainly marked:

"Town of Pembroke Stormwater Improvements"

The envelope shall also be marked with the Bidder's name, address, North Carolina **contractor license number**, and name and phone number of a contact person. **All bids shall include bid document Section 00200 through Section 00400, with applicable bidding information filled out. Do not remove sections and resubmit.**

If mailed or delivered, the envelope shall show the date and time of the Bid Opening in order to guard against premature opening of the Bid. Addresses for Delivery of Bids:

US Postal Service	Delivery
Attn: Tyler Thomas Town of Pembroke 98 Union Chapel Road Pembroke, NC 28372	Attn: Tyler Thomas Town of Pembroke 98 Union Chapel Road Pembroke, NC 28372

Bids submitted by facsimile or email shall not be accepted.

The Owner may consider non-responsive any Bid not prepared and submitted in accordance with the provisions hereof and may waive any informalities or reject any and all Bids.

Each proposal shall be accompanied by a Bid Bond payable to the Town of Pembroke for an amount of not less than five percent (5%) of the total amount bid; or in lieu of the Bid Bond, the bidder may offer a certified check in an amount of not less than five percent (5%) of the total amount bid. The Bids and bidder's bond or checks of all bidders may be held for a period of ninety (90) days pending award of the contract. Notification of award of contract shall be evidence of intent to contract and shall extend time for holding the contractor's bid surety for a time mutually agreed between the Town of Pembroke and the bidder.

Each proposal is required to have a page providing references to include the company name, address, phone number, e-mail and contact name and position and a brief description of the type of work completed.

AWARDING CONTRACT

"The Town of Pembroke, in accordance with the provisions of *Title VI of the Civil Rights Act of 1964* (78 Stat. 252) and the Regulations of the Department of Transportation (49 C.F.R., Part 21), issued pursuant to such act, hereby notifies all bidders that it will affirmatively insure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the ground of race, color, or national origin".

Evaluation of Bids

1. Project will be awarded as a lump sum unit price bid.
2. Materials quantities listed in the construction plans are based on Engineer's estimates and subject to verification by bidder.
3. Unit prices are requested for certain items as a contingency for unforeseen project conditions. All payments additional to lump sum contract are subject to Engineer's pre-approval before work is performed.

This contract shall be subject to the formal bidding rules of NCGS 143-129(a). An award, if made in the discretion of the Town of Pembroke, will be made to the lowest responsible responsive bidder taking into consideration quality, performance, and the time specified in these bidding documents.

The Owner will not consider any bid or award of Contract to any person, firm, or corporation who has defaulted in any obligation to the Owner or who, in the opinion of the Owner, failed to perform their work satisfactorily, either as to character or time.

Any bidder that is currently in litigation with the Town of Pembroke will be disqualified from bidding

A conditioned or qualified bid will not be accepted.

Requirements for the submittal information will vary based on the complexity and importance of the product to the project as a whole. Submittals should be prepared in a concise and straightforward manner. Submittals shall clearly identify variances from the specifications. Products that clearly do not meet the requirements of the specifications and plans should not be submitted. Unless noted, products shall be the manufacturer's standard offering, with standard options.

Incomplete submittals, or submittals received after the deadline, shall not be considered.

Submittals are to be delivered to the Engineer at the address indicated in the "Notice To Bidders". The Owner and Engineer shall review all submittals and

issue an Addendum to all document holders no later than 7 days prior to the bid opening date, listing the approved products.

Pre-approval of materials or equipment does not, in any manner, preclude the manufacturer from meeting the full requirements of the specifications, including any performance guarantees required, unless specific exceptions are noted in the pre-approval.

No Post-Bid substitutions shall be permitted except as herein provided.

A Performance Bond and a Payment Bond, each in the amount of one hundred percent (100%) of the contract price, with a corporate surety approved by the Town of Pembroke, will be required for the faithful performance of the contract. Bidders shall provide certification that performance and payment bond sureties are licensed in North Carolina.

END OF SECTION 00250