

Town of Orange, Connecticut
GENERAL CONDITIONS & SPECIFICATIONS
CLEARING AND GRUBBING
FRED WOLFE PARK
PLAYGROUND & ACCESS ROAD AREA
OAKVIEW DR & HOLLOW RD
ORANGE, CONNECTICUT

1.0 DESCRIPTION OF WORK

- 1.1 The work shall consist of furnishing labor and equipment necessary to clear the ground of trees, stumps, and brush, and light grading in accordance with these specifications or as directed by the Town Engineer.
- 1.2 Contractors are required to comply with the instructions contained in these Specifications, and to provide information where requested. Prices must be submitted upon the forms contained herein.

2.0 KEY EVENT DATES

- 2.1 Bid Advertised Wednesday, September 4, 2019
- 2.2 Mandatory Site walk thru Thursday, September 11, 2019 @ 9:30AM
- 2.3 Bid Opening at Orange Town Hall
Lower Level Meeting Room Friday, September 20, 2019 @ 10:00AM
617 Orange Center Rd, Orange CT 065477
- 2.4 Board of Selectman Approval Wednesday, October 9, 2019
- 2.5 Bid Award Thursday, October 10, 2019

3.0 BID FORMS AND SUBMISSION INSTRUCTIONS

- 3.1 Ditto marks are not considered writing; shall not be used; and can be reason for non-acceptance of a bid.
- 3.2 All bids must be submitted in a sealed envelope, clearly marked, - "CLEARING AND GRUBBING – FRED WOLFE PARK, TOWN OF ORANGE, CT" received in the Public Works office by the time of the bid opening defined in section 2.3 above. Bids, corrections and/or modifications received after the time Town officials open the first bid, will not be accepted.
- 3.3 The bid form must be signed by an authorized agent of the submitting company.
- 3.4 All information submitted, must be in ink or typewritten. Mistakes may be crossed out and corrections inserted. The person signing the bid form must initial corrections.

- 3.5 The inability to meet any specified requirement(s) shall be:
 - (a) stated in writing and attached to the bid form, or
 - (b) written on the bid form
- 3.6 At the time of opening the bids, bidders shall be presumed to have read, and be thoroughly familiar with all specifications in this document. Failure of any bidder to receive, or examine, any form, instruction or document, shall not relieve any bidder from obligations with respect to their bid.
- 3.7 The specifications listed are to be interpreted as meaning those acceptable to the Town of Orange. Substitutions that are “an approved equal,” will be considered.
- 3.8 The completed bid package shall be in conformance with all other requirements as stated herein.
- 3.9 **Bidders are responsible for checking the bid posting on the state contracting portal www.biznet.ct/gov/scp_search or the Town website for bid addendums and responses to bidders’ questions, up to the time of bid opening.**

4.0 **TIME REQUIREMENTS**

- 4.1 The Contractor shall commence work within 10 days of contract award.
- 4.2 Work to be completed within 4 weeks of starting.

5.0 **PAYMENT**

- 5.1 Shall be at the contract lump sum for clearing and grubbing and light grading, and to include all labor, materials, and equipment necessary to complete the work as proscribed.

6.0 **INSURANCE.**

The Contractor, before commencing any work shall furnish the Town with a certificate, or certificates of insurance, naming the Town of Orange as an additional insured on a primary and non-contributory basis. Insurance policies shall be issued by a company accredited and licensed by the State of Connecticut to provide such insurance, for the work specified herein, with the minimum types and limits as follows:

<u>Commercial General Liability:</u>	
a. Each Occurrence	\$1,000,000
b. General Aggregate	\$2,000,000
<u>Automobile Liability:</u>	
a. Each Accident	\$1,000,000
b. Uninsured Motorist	\$1,000,000
<u>Umbrella or Excess Liability:</u>	\$3,000,000
<u>Workers’ Compensation:</u>	Per Statute
<u>Employers’ Liability:</u>	
a. Each Accident or Disease	\$1,000,000
b. Policy Limit	\$1,000,000

All insurance shall be kept in effect by the Contractor throughout the terms of this Contract. Any lapse of coverage shall be deemed a material breach of Contract and cause for immediate termination. The Town shall be named as **additional insured** on all applicable policies. A waiver of subrogation shall apply in favor of the Town of Orange.

If any insurance coverage is provided on a "claims made" policy basis, an extended reporting period of at least 3 years after the date of project completion or final payment is made, whichever occurs later. These insurance requirements are not a limitation of liability and may be subject to change based on specific project cost and scope.

To the fullest extent permitted by law, Contractor will defend, indemnify and hold the Town of Orange and all of their employees and boards harmless from and against all claims, bodily injury and property damage, judgments and expenses, including attorney fees that arise from or are alleged to arise from the performance of this work.

7.0 **SUMMARY OF WORK**

7.1 **GENERAL:** The Contractor shall furnish all labor, materials and equipment necessary to perform the following work.

The work shall consist of clearing the ground of trees, stumps, and brush and light grading in accordance with these specifications or as directed by the Town Engineer.

Clearing limits are shown on the plans, and/or flagged in the field. Area approximately 7.5 acres.

Stumps are to be removed to a depth not less than 12" below grade.

Cut trees, logs, branches, and stumps shall be disposed of off-site by the Contractor, in a satisfactory manner.

Light grading shall consist of grading with a bulldozer or other approved equipment to fill holes and spread out any piles or sharp changes in grade so that the access road area is passable by vehicles and so that the playground area is capable of being mowed after seeding. Note: seeding will be performed by others. The contractor shall remove and dispose of all debris in the work area and any rocks protruding above grade.

The contractor shall install silt fence or hay bales for erosion control upgradient of the stone wall on the western and northern sides of the playground area.

8.0 **PLANS** See attached drawing.

9.0 **NOTICE TO CONTRACTOR**

The work is being conducted on the grounds of Fred Wolfe Park. The Contractor is responsible for maintaining safe operations to protect the public using the park.

10.0 **STATE LEGAL REQUIREMENTS:**

If checked, the following state legal requirements are expected to be applicable to this project:

____ Prevailing wages (> \$1 million new construction or > \$100,000 rehab/alter/repair)

____ Payment & Performance bonds (>\$100,000)

____ CT DAS Contractor Prequalification (>\$500,000 and state funding)

____ CHRO small & minority/women/disabled business set-asides (>\$50,000 and state funding)

END OF GENERAL CONDITIONS AND BID SPECIFICATIONS

Town of Orange, Connecticut

BID FORM

The following bid is being submitted to the Town of Orange, Connecticut, for supplying all labor, material and equipment to perform the work as specified in the bid documents.

“CLEARING AND GRUBBING – FRED WOLFE PARK – PLAYGROUND & ACCESS ROAD AREAS, TOWN OF ORANGE, CT.”

BID PRICE- LUMP SUM- “CLEARING AND GRUBBING – FRED WOLFE PARK PLAYGROUND & ACCESS ROAD AREAS, TOWN OF ORANGE, CT”

\$ _____

TOTAL LUMP SUM PRICE (IN WORDS) _____

The undersigned certifies that he/she has read and understood all of the provisions of the “BID DOCUMENTS”. Any exceptions to the “BID DOCUMENTS” are noted below and/or on a separate sheet of paper and made a part of this bid. The undersigned also certifies that this bid is being submitted without collusion with any individual or corporation and agrees, by virtue of submitting this bid, that if accepted by the Town of Orange, this forms a contractual obligation on the part of the bidder to provide all the labor, material and equipment as required.

SIGNATURE: _____

FOR: _____
(Bidder Name)

NUMBER & STREET: _____

TOWN/CITY: _____ STATE: _____ ZIP: _____

BY: _____ DATE: _____
(Title)

TEL NO. _____ EMAIL: _____
(Area Code)

(CHECK ONE)

No exceptions to the Specifications _____

Exceptions taken as noted below _____ or on separate sheet of paper _____

BIDDER'S QUALIFICATION STATEMENT

All bidders are required to submit this form, properly completed and signed. A Bidder's failure to answer any question or provide required information may be grounds for disqualification and rejection of Bid. If a question or request for information does not pertain to your organization in any way, use the symbol "NA" (Not Applicable). If needed, use additional 8 1/2" x 11" letterhead sheets to answer the questions herein.

The Town may make such investigations as it deems necessary to determine the ability of the Bidder to perform the work and, the Contractor shall furnish to the Town all such information and data needed for this purpose as the Town may request.

I COMPANY INFORMATION

A. Indicate, exactly, the name by which your organization is known, and your current business address

Name of Bidder: _____

Business Address: _____

Telephone No. _____ Email. _____

Cell Phone No. _____ Person with this No. _____

B. Bidder's Tax Identification Number: _____

C. How many years has this organization been in the business under its present business name? _____

D. The organization is a: _____ Corporation _____ Partnership
_____ Sole Proprietorship _____ Joint Venture _____ other

1. If a "Corporation:"

a. State Where Incorporated _____

b. Names and Titles of All Officers: _____

c. Fill out certificate of Incorporation at end of this form

2. If a "Sole Proprietorship" or a "Partnership."

a. Date when organization started _____

b. Names and home addresses of Partners or Owner(s)

c. City/Town in which trade name certificate is filed: _____

3. If a "Joint Venture:"

a. Name and business address of each joint venture participant:

(1) _____

(2) _____

(3) _____

b. Attach a copy of the executed Joint Venture Agreement to the Bid Package

4. If "Other:"

a. Type of organization: _____

b. Date when organization started: _____

c. Names and home addresses of principals:

E. How many years has this organization been in business as a General Contractor? _____

F. If this organization has not always been a General Contractor, list the trades that your firm customarily performed prior to the time you became a General contractor:

G. Attach resumes of all Principals at end of Bid Package

H. Attach resumes of Project Manager(s) and other Supervisory personnel who will be directly involved with the Project on which you are now a Bidder. Indicate the number of years of construction experience and number of years of construction supervisory experience

II. PROFESSIONAL EXPERIENCE/REFERENCES/PAST PERFORMANCE

A. How many years has your firm been performing, as General Contractor, the specific type of work involved in this Project? _____

B. List all sub-trades which your firm customarily performs with its own employees:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

C. List your General Contractor's License Number in the State of Connecticut: _____

D. List all other applicable trade license numbers held by your company in the State of Connecticut and list the trade for each license:

E. List all Construction Projects your company has in progress (use additional sheets if necessary):

1. Project Name & Location: _____
Contract Amount: _____
Percent Complete: _____
Contact Person/Tel. #: _____
Email: _____

2. Project Name & Location: _____
Contract Amount: _____
Percent Complete: _____
Contact Person/Tel. #: _____
Email: _____

3. Project Name & Location: _____
Contract Amount: _____
Percent Complete: _____
Contact Person/Tel. #: _____
Email: _____

4. Project Name & Location: _____
Contract Amount: _____
Percent Complete: _____
Contact Person/Tel. #: _____
Email: _____

F. List at Least three (3) projects of similar size and scope that your company has completed in the last five (5) years:

1. Project Name & Location: _____
Contract Amount: _____
Description: _____
Contact Person/Tel. #: _____
Date of Completion: _____
Email: _____

2. Project Name & Location: _____
Contract Amount: _____
Description: _____
Contact Person/Tel. #: _____
Date of Completion: _____
Email: _____

3. Project Name & Location: _____
Contract Amount: _____
Description: _____
Contact Person/Tel. #: _____
Date of Completion: _____
Email: _____

G. Trade References: Names, addresses and telephone numbers of at least three (3) major vendors, subcontractors, owners of firms with which your company has regular business dealings:

1. Name: _____
Address: _____
Contact Person/Tel #: _____
Email: _____

2. Name: _____
Address: _____
Contact Person/Tel #: _____
Email: _____

3. Name: _____
Address: _____
Contact Person/Tel #: _____
Email: _____

H. Provide a list of company-owned equipment that will be committed to this Project:

I. In the past five (5) years, has your organization failed to complete any work awarded to you? _____
If yes, provide details on when, where and why:

J. In the past five (5) years, has your organization had a contract terminated for failure to perform, or for failure to meet any terms of the contract? _____. If yes, provide details on when, where and why:

K. In the past five (5) years, have you or your organization been cited by the Connecticut Department of Labor, or by any other State Agency for any violations of State or Federal, labor laws, regulations or guidelines governing payment or payment of wages and/or benefits to your employees? _____. If yes, provide details of when, where and why:

L. Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers? _____ if yes, provide details:

M. In the past five (5) years, has your organization filed any lawsuits or requested arbitration with regard to construction contracts? _____ if yes, provide details:

N. Have you had an Affirmative Action Plan approved by the Commission on Human Rights and Opportunities within the past two (2) years? _____

If yes, list the expiration date for that Plan: _____

O. Have you received any notification from the commission on Human Rights and Opportunities of any non-compliance or violation of the terms and conditions of your approved Affirmative Action Plan? _____

If yes, please describe the nature of that non-compliance:

P. Please furnish a Bank Reference: _____

Q. Credit available: _____

R. Will you furnish, upon request, a detailed financial statement and any other information that may be required by the Town? _____

S. The undersigned hereby authorizes and requests any persons, firm or corporation to furnish information, requested by the Town in verification of the recitals comprising this statement of the Bidder's qualifications:

I (We), the undersigned, hereby certify that the information on the preceding pages is true and accurate and that the Town will rely on said information as a basis for determining the Bidder's qualifications for the project described. The undersigned further understands that any material misrepresentation or inaccuracy, above, will result in Bidder's disqualification, or if applicable, will constitute grounds for termination of the Contract.

Dated at _____ this _____ day of _____, 2019

(Name of Bidder)

By: _____

Title: _____

State of _____

County of _____

_____ being duly sworn,

deposes and says that he is _____ of

_____ and

that the answers to the foregoing questions and all statements therein are true and correct.

Subscribed and sworn to before me this _____ day of _____, 2019

(Notary Public)

My Commission Expires: _____

T. Certificate of Corporation – To be Filled Out if Bidder is Corporation:

I, _____, certify that I am
The Secretary of the Corporation named in the foregoing instrument; that I have been duly authorized to affix
The Seal of the Corporation to such papers as require the Seal; that _____
_____, who signed said instrument on behalf of the
Corporation, was then _____ of said corporation; that said instrument
Was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope
Of its corporation powers.

(Signature of Person Certifying)

C O R P O R A T E S E A L :

U. If the Bidder is a Corporation, attach a Statement of Authorization to submit a Bid Proposal from the
Governing Body of the Corporation.

TOWN OF ORANGE
ADMINISTRATIVE DIRECTIVE
BID SOLICITATION AND EXCEPTIONS

The bid policy of the Town of Orange as to matters under the control of the Board of Selectmen shall be as follows:

As a general rule, bids will be solicited for the purchase of any item costing \$5,000 or more. However, the Board of Selectmen may choose to determine on a case-by-case basis whether to solicit bids, and the method of doing so in each instance. Among the factors to be considered by the Board of Selectmen in making its decision shall be (1) the suitability of the product to acquisition by a bid method; (2) the degree and formality and method of bidding appropriate to the particular acquisition under consideration; (3) the suitability of varied models of the same product for town uses; and (4) the number and location of known, qualified vendors of the product.

NO PERSON OR AFFILIATE DELINQUENT IN THE PAYMENT OF TAXES, FEES, OR CHARGES TO THE TOWN OF ORANGE SHALL BE DEEMED A QUALIFIED BIDDER WITH REPECT TO ANY BIDS SOLICITED OR ENTERTAINED BY THE TOWN.

A "PERSON" FOR THE PURPOSES OF THIS POLICY SHALL MEAN ANY INDIVIDUAL, SOLE PROPRIETORSHIP, PARTNERSHIP, JOINT VENTURE, TRUST, UNINCORPORATED ORGANIZATION, ASSOCIATION, CORPORATION, INSTITUTION, ENTITY OR PARTY.

AN "AFFILIATE" FOR THE PURPOSES OF THIS POLICY SHALL MEAN A PERSON DIRECTLY, INDIRECTLY, OR BENEFICIALLY CONTROLLING, CONTROLLED BY, OR UNDER COMMON CONTROL WITH ANY OTHER PERSON; OR, IN THE CASE OF AN INDIVIDUAL, A MEMBER OF THAT PERSON'S IMMEDIATE FAMILY, MEANING PARENT, SPOUSE OR CHILD. A PERSON SHALL BE DEEMED TO BE "CONTROLLING" ANY OTHER PERSON IF SUCH PERSON OWNS, DIRECTLY OR INDIRECTLY, THROUGH ONE OR MORE INTERMEDIATES, A FIVE PERCENT (5%) IN THE OTHER PERSON; BUT OWNERSHIP OF ANY DEGREE IS NOT A PREREQUISITE TO ESTABLISH CONTROL AND OTHER EVIDENCE CAN BE USED TO ESTABLISH SUCH CONTROL AS REFERRED TO ABOVE.

PERSONS WHOSE BIDS ARE REJECTED UPON RECEIPT BECAUSE OF A PAYMENT DELINQUENCY SHALL HAVE THE OPPORTUNITY TO PAY THE DELINQUENT SUMS AND RESUBMIT THE BID IF THEY CAN DO SO WITHIN THE ORIGINAL TIME LIMITS REQUIRED FOR BID SUBMISSION.

After bids are submitted, the board of Selectmen may analyze whether vendors have submitted bids on the same product; that is, whether the bids are comparable and meet the requirements called for. In reviewing the bids, the board may consider the past performance, financial responsibility, and sales and service experience of the vendors, all as known to the Town and based upon objective criteria.

If the Board of Selectmen finds it in the best interest of Orange to do so, it may reject all bids or choose to make purchases other than strictly in accordance with price considerations.

In those instances when it is determined by the Board of Selectmen that the leasing of equipment without bids is in the best interest of the Town, the negotiation of a lease may be delegated to the First Selectman, provided the following would apply: (1) the annual cost of the lease would be less than \$2,000; (2) the term of the lease would be 60 months or less; and (3) the vendor or manufacturer would agree to carry the leases as lessor and to provide service on the leased equipment by its own service people.

Any proposed lease not meeting the above criteria must be approved by the Board of Selectmen. In determining whether to solicit bids for such a lease, the second paragraph of the Policy shall be followed.

December 21, 1982 – First adopted by the Board of Selectmen
December 15, 1991 – First Amendment adopted by the Board

NON-COLLUSIVE AFFIDAVIT OF PRIME BIDDER

State of _____

County of _____

_____ being first duly sworn deposes that:

1. (He, She) is (Owner, Partner, Officer Representative or Agent) of _____
_____ the bidder that has submitted the attached Bid;
2. (He, She) is fully informed respecting the thee preparation and contents of the attached bid and all of all pertinent circumstances respecting such Bid;
3. Such Bid is genuine and is not collusive or a sham Bid;
4. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham bid in connection with the Contract for which the attached Bid is submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement, collusion, communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement, any advantage against the Town or any person interested in the proposed Contract;
5. The price, or prices, quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the art of the Bidder or any of its agents, representatives, owners, employees or parties in interest, including this affiant; and
6. That no employee or person whose salary is payable in part by the Treasury of the Town in which the Project is located, is directly or indirectly interested in the Bid, or its supplies, materials, equipment, work or labor to which it relates, or in any profits thereof.

(Signed) _____

(Title) _____

Subscribed and sworn to before me this _____ day of _____

(Signed) _____

(Title) _____

My Commission Expires: _____