

Hardy School Addition

ADDENDUM NO. 5

January 26, 2018

The attention of bidders submitting proposals for the above subject is called to the following addendum to the specifications and drawings. The items set forth herein, whether of omission, addition, substitution, or clarification are all to be included in and form a part of the proposal submitted.

NOTICE TO CONTRACTORS:

Bidders to review changes below.

CHANGES TO SPECIFICATIONS:

Section 002 Instructions to Bidders has been revised to:

Section 1.2.C Change the date to read 'Wednesday, January 31, 2018' in lieu of 'Tuesday, January 30, 2018'.

Section 003 Invitation to Bid has been revised to:

Change the General Bid date to 'WEDNESDAY JANUARY 31, 2018' in lieu of 'TUESDAY JANUARY 30, 2018'.

CHANGES TO DRAWINGS:

(None)

REQUEST FOR INFORMATION:

(None)

END OF ADDENDUM NO. 5

PROJECT MANUAL

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SECTION 002
INSTRUCTIONS TO BIDDERS

1.1 SCHEDULE OF DATES for SUB-CONTRACTOR BIDDERS

A. Bid Documents Available: December 20, 2017 at 2:00 PM EST at www.biddocsonline.com (may be viewed electronically and hard copy requested) or at Nashoba Blue, Inc. at 433 Main Street, Hudson, MA 01749 ([978-568-1167](tel:978-568-1167)).

B. An optional, but “recommended” site tour will take place for Trade Contractors at the school, located at 52 Lake St, Arlington, MA 02474, on ~~Thursday, January 4th at 11:00 AM.~~
Wednesday, January 10th at 11:00 AM. ADDENDUM #1- 01.04.18

C. Trade Contractor Bids for the Hardy Elementary School Project in Arlington, MA will be **received up until 2:00 PM on Wednesday, January 10, 2018 [ADDENDUM #1- 01.04.18] January 17, 2018, [ADDENDUM #2- 01.12.18] January 24, 2018** by the Awarding Authority c/o Vivian Varbedian, JLL 730 Massachusetts Ave, Arlington, MA 02476, and at that time will be publically opened and read aloud. Bids may be deposited at the office during regular business hours, between the hours of 8:00 AM and 4:00 PM. **and will be publicly opened forthwith online. THIS PROJECT IS BEING ELECTRONICALLY BID AND HARD COPY BIDS WILL NOT BE ACCEPTED.** Please review the instructions in the bid documents on how to register as an electronic bidder. The bids are prepared and submitted at www.biddocsonline.com. Tutorials and instructions on how to complete the electronic bid documents are available online (click on the ‘Tutorial’ tab at the footer). **ADDENDUM #3- 01.17.18.**

D. Questions and requests for interpretations may be submitted c/o JLL Attention: Vivian Varbedian via email Vivian.Varbedian@am.jll.com no later than **2pm on January 11, 2018.**

E. Addenda will be issued with interpretations as determined by the Architect.

1.2 SCHEDULE OF DATES for GENERAL CONTRACTOR BIDDERS

A. Bid Documents Available: **December 20, 2017 at 2:00 PM EST** at www.biddocsonline.com (may be viewed electronically and hard copy requested) or at Nashoba Blue, Inc. at 433 Main Street, Hudson, MA 01749 ([978-568-1167](tel:978-568-1167)).

B. An optional, but “recommended” site tour will take place for General Contractors at the school, located at 52 Lake St, Arlington, MA 02474, on ~~Thursday, January 4th at 11:00 AM.~~
Wednesday, January 10th at 11:00 AM. ADDENDUM #1- 01.04.18

C. General Contractor Bids for the Hardy Elementary School Project in Arlington, MA will be **received up until 2:00 PM on Wednesday, January 17, 2018 Tuesday, January 30, 2018 [ADDENDUM #2- 01.12.18] Wednesday, January 31, 2018 [ADDENDUM #5- 01.26.18]** by the Awarding Authority c/o Vivian Varbedian, JLL 730 Massachusetts Ave, Arlington, MA 02476, and at that time will be publically opened and read aloud. Bids may be deposited at the office during regular business hours, between the hours of 8:00 AM and 4:00 PM. **and will be publicly opened forthwith online. THIS PROJECT IS BEING ELECTRONICALLY BID AND HARD COPY BIDS WILL NOT BE ACCEPTED.** Please review the instructions in the bid documents on how to register as an electronic bidder. The bids are prepared and submitted at www.biddocsonline.com. Tutorials and instructions on how to complete the

**electronic bid documents are available online (click on the ‘Tutorial’ tab at the footer).
ADDENDUM #3- 01.17.18. ADDENDUM #3- 01.17.18**

D. Questions and requests for interpretations may be submitted c/o JLL Attention: Vivian Varbedian via email Vivian.varbedian@am.jll.com no later than **2pm on January 18, 2018**.

E. Addenda will be issued with interpretations as determined by the Architect.

1.3 BIDDERS REPRESENTATION

A. Each Bidder by making a Bid represents that:

1. The Bidder has read and understands the Contract Documents and the Bid is made in accordance therewith.
2. The Bidder has visited the site and is familiar with the local conditions under which the work has to be performed.
3. The GC and MEP/FP Bidders shall utilize the Building Information Modeling (BIM) & clash detection software to identify potential conflicts prior to putting any Work in Place

1.4 REQUESTS FOR INTERPRETATION

A. Bidders shall promptly notify JLL of any ambiguity, inconsistency, or error which they may discover upon examination of the Contract Documents, the site, and local conditions.

B. Bidders requiring clarifications or interpretations of the Contract Documents shall make such request to JLL.

1.5 PREPARATION AND SUBMISSION OF BIDS

A. Bids for the Work are subject to the provisions of General Laws, Chapter 149, Section 8. Regulations governing bidding procedures as set forth in above mentioned General Laws must be followed.

B. In the event of any inconsistencies between any of the provisions of these Bidding Documents, and of the cited statute, anything herein to the contrary notwithstanding, the provisions of the said statute shall control.

C. Bids shall be submitted on-line at www.biddocsonline.com.

D. Where so indicated on the Bid Form, sums shall be expressed in both words and figures. Where there is a discrepancy between the Bid sum expressed in words and the Bid sum expressed in figures, the words shall control.

E. Bid Security shall be five (5%) percent of the highest possible bid amount, including all “add” alternates. They shall be made payable to the awarding authority and shall be either in the form of a bid bond issued by a surety licensed to do business in the Commonwealth of Massachusetts; a certified check, treasurer’s or cashier’s check issued by a responsible bank or trust company payable to the Town of Arlington. The bid deposit shall be satisfactory to the Awarding Authority and shall be conditioned upon the faithful performance by the Principal of the agreements contained in the bid.

F. Bid Securities of the three (3) lowest responsible and eligible Bidders shall be retained until the execution and delivery of the Owner/General Contractor Agreement.

G. Bids and Bid Securities shall be submitted with the following:

1. A Certificate of Eligibility issued by the Division of Capital Asset Management and Maintenance showing that the Bidder has been approved to bid on projects the size and nature of this project.

a. It is the Bidder's responsibility to obtain the necessary forms from the Division of Capital Asset Management and Maintenance and make application in sufficient time for evaluation of the application and issuance of a Certificate of Eligibility prior to bid.

2. A Contractor Update Statement, Division of Capital Asset Management and Maintenance Form CQ3.

b. The Contractor Update Statement is not a public record as defined in M.G.L. Chapter 149 Section 44D1/2 and will not be open to public inspection.

3. Bids will only be valid when accompanied by the Bid Deposit, Certificate of Eligibility, Affidavit of Prevailing Wage Compliance, Trade Contractor Bid Form, Certificate of Tax Compliance, Non-Collusion Certificate, Secretary's Certificate, Subcontractors Equal Employment Certified, and Contractor Update Statement, as outlined above.

H. Date and time for receipt of Bids is set forth in the invitation.

I. Timely delivery of a Bid at the location designated shall be the full responsibility of the Bidders. No Trade Contractor Bid received after the time, respectively established herein for the opening of Trade Contractor Bids, will be considered, regardless of the cause of the delay in the receipt of any such bid.

1.6 ADDENDA

A. Acknowledge all addenda. Indicate the numbers of each and every addendum on the appropriate place on the Form for Trade Contractor Bid. Failure to acknowledge all addenda may result in disqualification of the Bid. It is the responsibility of each Bidder to ascertain the number of addenda issued during the Bidding period.

1.7 WITHDRAWAL OF BIDS

A. Any bid may be withdrawn prior to the time designated for receipt of bids on written or telegraphic request. Telegraphic withdrawal of bids must be confirmed over the Bidder's signature by written notice post-marked on or before the date and time set for receipt of bids.

B. Withdrawn bids may be re-submitted up to the time designated for the receipt of bids.

C. No bids shall be withdrawn within thirty days, Saturday, Sundays, and legal holidays excluded, after the opening of the bids. This applies to the Trade Contractor Bidders.

1.8 INTERPRETATION OF CONTRACT DOCUMENTS

A. No oral interpretation will be made to any Bidder.

B. Every interpretation requested shall be made in writing to JLL, no later than the dates and times listed in Para. 1.01 above. No such request after this date will be given consideration.

C. Every interpretation made to a Bidder will be in the form of an addendum to the Bidding Documents, which will be made available to all persons to whom Bidding Documents have been issued.

D. Failure of the Awarding Authority to send or of any Bidders to receive, any such addendum shall not relieve any Bidder from any obligation under his Bid as submitted.

E. All such addenda shall form a part of the Contract Documents and modify the Bidding Documents.

1.9 PURCHASE AND MAILING OF BIDDING DOCUMENTS

A. Bid Forms and Contract Documents will be available for pick-up at www.biddocsonline.com (may be viewed electronically and hard copy requested) or at Nashoba Blue, 433 Main Street, Hudson, MA 01749 (978-568-1167). There is a plan deposit of \$100 per set (maximum of 2 sets) payable to BidDocs ONLINE Inc. Additional sets may be purchased for \$100.00 per set (non-refundable).

B. Deposits may be electronically paid or must be a check. This deposit will be refunded for up to two sets for general bidders and for one set for sub-bidders upon return of the sets in good condition within thirty days of receipt of general bids. Otherwise the deposit shall be the property of the Awarding Authority.

Bidders requesting Contract Documents to be mailed to them shall include a separate check for **\$40.00** per set for UPS Ground (or \$65.00 per set for UPS overnight), payable to BidDocs ONLINE to cover mailing costs.

1.10 BID SECURITY

A. The Trade Contractor's Bid must be accompanied by a bid security in the amount of 5% of the total Bid amount including all "add" Alternates as applicable to the Bidder. At the option of the Bidder, the security may be a bond, certified check, treasurer's check or cashier's check issued by a responsible bank or trust company. No other type of bid security is acceptable.

B. Certified, treasurer's or cashier's checks shall be made payable to the Town of Arlington.

C. The bid security shall secure the execution of the Contract and the furnishing of performance and payment bonds by the successful Bidder.

D. Should any Bidder to whom an award is made fail to enter into a Contract therefore within five (5) days (Saturdays, Sundays and legal holidays excluded) after notice of award has been mailed to them or fail within such time to furnish a performance bond and also a labor and materials payment bond as required, the amount so received from such Bidder through their bid bond, certified check, treasurer's or cashier's check as bid security shall become the property of the Awarding Authority as liquidated damages; provided that the amount of the bid security which becomes the property of the Awarding Authority as liquidated damages shall not, in any event exceed the difference between the bid price and the bid price of the next lowest responsible and eligible Bidder, and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting the General Bidder, their bid security shall be returned to them.

E. Bid bonds, certified check, treasurer's or cashier's check, for the amount thereof, of the three lowest responsible and eligible Bidders may be held by the Awarding Authority during the time

stipulated for the execution of the Contract and the submission of performance and labor and material payment bonds, and may be disposed of in such a manner as will accomplish the purpose for which they are submitted. After the expiration of such period, bid guarantees not disposed of, or the amounts thereof, will be returned to such Bidders. The bid guarantees of the other Bidders will be returned within five (5) days (Saturdays, Sundays and legal holidays excluded) after the opening of Bids. Certified checks may be uncollected at Bidder's risk.

1.11 BID FORMS

A. Trade Contractor Bids shall be submitted on the "Form for Trade Contractor Bid" enclosed. Erasures or other changes must be explained or noted over the signature of the Bidder.

B. Bid forms must be completely filled in. Bids which are incomplete, conditional or obscure, or which contain additions not called for, will be rejected.

C. Bidders shall submit one set of executed bid forms to the Awarding Authority.

D. Acknowledge all addenda. Indicate the numbers of each and every addendum in the appropriate place on the Form for Bid. Failure to acknowledge all addenda may result in disqualification of the Bid. It is the responsibility of each Bidder to ascertain the number of addenda issued during the Bidding period.

1.12 CONTRACT AWARD

A. "Award" means the determination and selection of the lowest, responsible and eligible Bidder, by the Owner.

B. The words "lowest responsible and eligible Bidder" shall mean the Bidder whose Bid is the lowest of those Bidders demonstrably possessing the skill, ability and integrity necessary for the faithful performance of the Work and who meets the requirements set forth in M.G.L. Chapter 149, Section 44A-J and not debarred from bidding under M.G.L. Chapter 149, Section 44C; and who shall certify that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work. Essential information in regard to such qualifications shall be submitted in such form as the Awarding Authority may require.

C. The Contract shall be awarded to the "lowest responsible and eligible General Bidder" on the basis of competitive bids in accordance with the procedures set forth in the provisions of Section 44A-J, of Chapter 149 of the General Laws of the Commonwealth of Massachusetts.

D. The Owner will award the contract to the lowest responsible and eligible Bidder within sixty (60) days (Saturdays, Sundays, and legal holidays excluded) after the opening of Bids.

E. The Owner reserves the right to waive any informality in or to reject any or all Bids if it be in the public interest to do so.

F. The Owner also reserves the right to reject any Bid if it determines that such Bid does not represent the Bid of a person competent to perform the work as specified or if less than three (3) Bids are received.

1.13 FORMS REQUIRED AT CONTRACT APPROVAL

A. Upon award, the Bidder shall complete the following forms to ensure prompt contract validation. These forms are provided in the Project Manual. Submit three (3) originals of each form.

1. Owner/Contractor Agreement
2. Form of Corporate Vote (If Applicable)
3. Form of Certification of Payment of state Taxes and Non-Collusion Affidavit
4. Form of Payment Bond (See Conditions)
5. Form of Labor and material Payment Bond (See Condition)

B. Insurance Certificates for the General Contractor in the amount of the coverage required must be submitted prior to contract validation. General Contractors must indicate on Builder's Risk Insurance if stored materials are covered.

1.14 PERMITS AND INSPECTION FEES

A. A building permit and other municipal permits, as applicable, are required. It is the policy of the Town of Arlington that Trade Contractors shall apply for and obtain all building and other required permits in full accord with the General Laws and the applicable codes.

1.15 WAGES OF LABOR

A. In conformity with the provisions of the Labor Laws of the Commonwealth of Massachusetts, the minimum wages for a day's work paid to craftsmen, teamsters, mechanics and laborers shall be not less than those established by a schedule which has been prepared by the Department of Labor and Industries and which is included in the contract conditions. The Owner and Architect assume no responsibility for the accuracy of the rates set forth in this schedule and no claims for additional compensation will be considered because of any inaccuracy in the rates set forth herein.

1.16 PAYMENTS TO CONTRACTOR

A. Payments to the Trade Contractor shall be made in accordance with the provisions of Section 39K of Chapter 30 of the General Laws and as specified hereinafter in the attachments.

1.17 CONTRACT COMPLETION

A. The selected Trade Contractor must agree to commence the Work under this Contract in conformance with the Contract Documents and to substantially complete the Work no later than **March November 2018. ADDENDUM #2- 01.12.18**

B. In the event when work is not completed within the time specified, as per the Owner-Construction Manager at Risk Agreement, the Trade Contractor is liable for, not as a penalty but as liquidated damages, the sum of Two Thousand Dollars (\$2000.00) for each calendar day after which completion was required, up to and including the date of Substantial Completion.

1.18 INSURANCE

A. Reference is made to Division 00 – Procurement and Contracting Requirements for provisions pertaining to insurance.

1.19 MASSACHUSETTS SALES TAX

A. The Massachusetts Sales Tax does not apply to materials purchased for contracts with the United States, the Commonwealth of Massachusetts, or any political subdivision thereof, or their respective agencies.

1.20 EQUAL OPPORTUNITY, AFFIRMATIVE ACTION REQUIREMENTS

A. The Town of Arlington is an equal opportunity, affirmative action employer and encourages participation of minority-owned and women-owned businesses.

1.21 OSHA TRAINING CERTIFICATION

A. Each employee of the Trade Contractor and Subcontractors that will be present on the project site must have the state required OSHA training certification.

B. A copy of each employee's certification card must be readily available and on site throughout construction activities.

C. The Trade Contractor is responsible for ensuring that all employees and Subcontractors comply with all OSHA regulations.

1.22 CORI FORMS

A. Each employee of the Trade Contractor and Subcontractors that will be present on the project Site post occupancy must fill out a CORI form and present in person the form with a valid and legal picture identification card to the authorized CORI representative at the school for a criminal background check to be performed.

B. The CORI representative will provide the Trade Contractor with forms of identification for each employee of the Trade Contractor and Subcontractors that are cleared and authorized to be on site.

C. A copy of each employee's identification card must be readily visible at all times throughout construction activities.

D. No employee of the Trade Contractor or Subcontractors shall have any contact with any student at any time while on school premises.

1.23 MCAS SUBJECT AREA TEST DATES

A. A two hour period during the normal school day between the hours of 8:00 am and 3:00 pm during the months **of April 2, 2018 through May 25, 2018** will require quitter work to be performed during the designated two hour window in order for the school to maintain the testing schedule.

END OF SECTION

TOWN OF ARLINGTON
MASSACHUSETTS

SECTION 003
INVITATION TO BID

BID #17-61

THIS PROJECT IS BEING ELECTRONICALLY BID AND HARD COPY BIDS WILL NOT BE ACCEPTED. Please review the instructions in the bid documents on how to register as an electronic bidder. The bids are to be prepared and submitted at www.biddocsonline.com. Tutorials and instructions on how to complete the electronic bid documents are available online.

The Town of Arlington invites sealed bids from General Bidders and Sub-Bidders for the construction of the addition to the Hardy Elementary School, 52 Lake St, Arlington, Massachusetts 02474, in accordance with bid documents prepared by Finegold Alexander Architects, Inc., 77 North Washington Street, Boston, MA 02114.

The project consists of a new 3-story, addition onto the existing Hardy Elementary School including site work and minimal landscaping. The addition is approximately 5,550 sf to the existing school. The project includes six classrooms. The project is to meet the Stretch Code.

Estimated Construction Cost: \$2,800,000.00

General Bids due: ~~WEDNESDAY TUESDAY JANUARY 24 30~~ WEDNESDAY JANUARY 31, 2018 2:00 P.M. at that time will be publicly opened forthwith online. [**ADDENDUM #3 01.17.18**]
[**ADDENDUM #5 01.26.18**]

Filed Sub Bids due: WEDNESDAY JANUARY 17 24, 2018 2:00 P.M. at that time will be publicly opened forthwith online. **ADDENDUM #3 01.17.18**

PRE-BID SITE VISIT WILL BE HELD ON ~~THURSDAY JANUARY 4, 2018~~ WEDNESDAY, JANUARY 10, 2018 AT 11:00 A.M. AT THE HARDY ELEMENTARY SCHOOL, 52 LAKE SREET, ARLINGTON MA. ALL PROSPECTIVE BIDDERS ARE ENCOURAGED TO ATTEND.
ADDENDUM #1- 01.04.18

DCAM CERTIFICATION: GENERAL BUILDING CONSTRUCTION

Each General Bidder and each Filed Sub-Bidder shall submit with his bid, a Certificate of prequalification issued by the DCAM, all as required by M.G.L. C.149, s 44A-J inclusive. Applicable sections of MGL Chapter 30, MGL Chapter 674 of the acts of 1981, and "Construction Reform" amendments continued in MGL Chapter 193 of the Acts of 2004.

All Bids should be submitted electronically online at www.biddocsonline.com and received no later than the date and time specified above.

Bid Forms and Contract Documents will be available for pick-up at www.biddocsonline.com (may be viewed electronically and hardcopy requested) or or at Nashoba Blue, Inc. at 433 Main Street, Hudson, MA 01749 (978-568-1167).

There is a plan deposit of **\$100** per set (maximum of 2 sets) payable to BidDocs Online Inc.

Deposits may be electronically paid or must be a check. This deposit will be refunded for up to two sets for general bidders and for one set for sub-bidders upon return of the sets in good condition within

thirty days of receipt of general bids. Otherwise the deposit shall be the property of the Awarding Authority.

Additional sets may be purchased for **\$100**.

Bidders requesting Contract Documents to be mailed to them shall include a separate check for **\$40.00** per set for UPS Ground (or \$65.00 per set for UPS overnight), payable to BidDocs ONLINE, Inc., to cover mail handling costs.

General bids and sub-bids shall be accompanied by a bid deposit that is not less than five (5%) of the greatest possible bid amount (considering all alternates), and made payable to the "Town of Arlington". No bidder may withdraw his bid for a period of thirty (30) days, Saturdays, Sundays and legal holidays excluded, after the date set for the opening of the General Bids.

The Filed Sub-Bids for this work are: Masonry, Waterproofing, Dampproofing & Caulking, Roofing & Flashing, ~~Metal Window~~, Glass & Glazing, Acoustical Ceilings, Resilient Flooring, Fire Protection Plumbing, HVAC, Electrical. **ADDENDUM #2 01.12.18**

Attention is called to the fact that minimum wage rates and health and welfare and pension fund contributions are established for this contract and are a part of the specifications.

The conditions of employment as set forth in Sections 26 to 27D and 27F of Chapter 149 of the General Laws, as amended, shall prevail in the execution of the work under this contract.

All bids for this project are subject to applicable bidding laws of Massachusetts, including General Laws Chapter 149, Section 44A to 44J inclusive, as amended as well as guidelines established by the Deputy Commissioner of the Division of Capital Asset Management Regulations 810 CMR 4.00. Sections 29, 34, 34A, and 44A through 44J of chapter 149 of the General Laws of the Commonwealth of Massachusetts are incorporated herein by reference, as well as Sections 39F through 39P of chapter 30 of the General Laws of the Commonwealth of Massachusetts and all other provisions of the General Laws applicable to public construction on this Project. Any inconsistency between the Advertisement For Bids, Instructions to Bidders, Bid Forms, General Conditions, or any other Contract Document or potential Contract Document and these statutes, or any other applicable statutes, by-laws, or regulations existing on the date on which a bid is submitted, shall not be grounds for invalidating the bidding procedure, but where required by law, such statute, by-law, or regulation shall be deemed to govern.

Attached By-Law of the Town of Arlington, Title I, Article 16, concerning Construction Projects which exceed \$200,000.00 is part and parcel of the bid.

Bids to receive consideration must be in the hands of the Purchasing Agent or his authorized representative not later than the day and hour above mentioned. The Awarding Authority reserves the right to waive any informalities and to reject any or all general bids. Performance and labor and materials payment bonds by a company authorized to do business in Massachusetts and satisfactory to the Awarding Authority, each in the amount of 100% of the Contract Price will be required of the successful General Bidder. Upon the return of Plans and Specifications in good condition and within sixty (30) days after the receipt of General Bids, plan deposit will be returned by the Awarding Authority.

Contract Documents are on file for Contractors' inspection at:

Office of the Town Manager/Purchasing Agent, Town of Arlington
Town Hall, 730 Massachusetts Avenue, Arlington, MA

END OF DOCUMENT

INVITATION TO BID
SECTION 003