

TOWN OF ARLINGTON, MASSACHUSETTS

Bid #23-26

INVITATION FOR BID

The Town of Arlington invites SEALED bids, pursuant to the Uniform Procurement Act, Ch. 30B, for

SEASONAL PLANTINGS IN ARLINGTON CENTER

Bids will be received until **10:00 AM on April 27, 2023**, at the Office of the Town Manager, 730 Massachusetts Ave, Arlington, MA 02476, at which time and place they will be publicly opened and read aloud.

No bid will be accepted after the time and date specified. Bid documents are available for viewing and downloading on the Town's website at www.arlingtonma.gov/purchasing. Bids must be submitted on the forms provided and in a sealed envelope marked on the outside with the bidder's name and address and with the words **BID #23-26 SEASONAL PLANTINGS IN ARLINGTON CENTER**

The Town Manager reserves the right to accept or reject any and all bids, wholly or in part, and to make the award in the best interest of the Town of Arlington. The notification of the intent to award the bid will be made as soon as possible but no later than forty-five (45) days from date of the bid opening.

TOWN OF ARLINGTON

Sanford Pooler
Town Manager

April 13, 2023

END OF SECTION

GENERAL INFORMATION/BID SUBMISSION REQUIREMENTS

1. RECEIPT AND OPENING OF BIDS

Sealed bids, on forms furnished for that purpose, will be received at the Town Manager's Office/Purchasing Dept., 730 Massachusetts Ave., Arlington, MA 02476, until **10:00 AM on April 27, 2023**, at which time they will be publicly opened and read aloud. The Town may consider informal any bid not prepared and submitted in accordance with the provisions hereof and may waive any informalities in or reject any and all bids.

Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bidder may withdraw a bid within sixty (60) days after the actual date of the opening thereof.

2. PREPARATION OF BIDS

Each bid must be submitted on the bid form attached hereto. A Certificate of Non-Collusion form, and any and all additional forms provided herein must be attached to the sealed bid. All blank spaces for bid prices must be filled in, written in ink or typewritten, in both words and figures, and all of the foregoing forms and certifications must be fully completed and executed when submitted.

Each bid must be submitted in a sealed envelope bearing on the outside the name of the bidder, her/his address and the name and bid number of the project for which the bid is submitted. If forwarded by mail, the sealed envelope must be addressed as specified herein above.

3. QUALIFICATIONS OF BIDDER

The Town may make such investigations as it deems necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the Town all such information and data for this purpose as the Town may request. The Town reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

Each Bid **must include:**

- a. A list of any and all citations and/or violations issued by regulatory agencies and/or judgments against bidder from a court of law.
- b. A list of any and all assessed penalties or liquidated damages, and the project in which they occurred.
- c. A list of any and all contract terminations.
- d. At least three references.
- e. A list of the total number of supervisors and workers intended to be assigned to this project.

4. CONDITIONS OF WORK

Each bidder **must** inform herself/himself fully of the conditions relating to the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of her/his obligation to furnish all material, labor and equipment necessary to carry out the provisions of the contract.

5. ADDENDA AND INTERPRETATIONS

No oral interpretation of the meaning of the specifications or other pre-bid documents will be made to any bidder. Every request for such interpretation shall be in writing and emailed to **Mary Ellen De Natale, Purchasing Agent, at mdenatale@town.arlington.ma.us**, and to be given consideration must be received at least five (5) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be available on the Town's website at www.arlingtonma.gov/purchasing. Failure of any bidder to receive any such addenda or interpretation shall not relieve said bidder from any obligations under her/his bid as submitted. All addenda so issued shall become part of the bid and contract documents.

6. LAWS AND REGULATIONS

The bidder's attention is directed to the fact that all applicable State laws, municipal ordinances and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the contract throughout, and they will be deemed to be included in the contract the same as though herein written out in full.

7. METHOD OF AWARD - LOWEST QUALIFIED BIDDER

The Town intends to award the contract to the responsive and responsible bidder offering the lowest total price for Year 1 provided that, at the time this contract is to be awarded, the lowest bid submitted by a responsive and responsible bidder does not exceed the amount of funds available to finance the project. If such bid exceeds such amount, the Town may reject all bids.

The contractor will not be permitted to either assign or underlet the contract, nor assign either legally or equitably any monies hereunder, or its claim thereto, without the previous written consent of the Department of Public Works.

8. CONTRACT OBLIGATION

Any financial obligation of the Town is subject to an annual appropriation to cover the contract obligation.

9. CONTRACT TERM

The term of this contract will be for one year commencing July 1, 2023 and ending June 30, 2024. The Town may extend the contract for an additional two (2) years in one (1) year increments at its sole discretion. Contract extension is subject to annual appropriation.

10. PUBLIC SAFETY AND CONVENIENCE

The attention of all bidders is directed to the fact that the work on this project is to be performed on Town properties which are utilized by pedestrians. The selected contractor shall furnish, install, maintain, and move all warning devices, barricades, signs, flares, bridging materials, special apparel, and other safety measures and controls necessary for the protection of motorists, of pedestrians, and of her/his own personnel.

When, in the judgment of the Town of Arlington, construction operations constitute a hazard to traffic in the area, the contractor may be required to suspend operations during certain hours.

11. SALES TAX

Materials and equipment purchased for permanent installation in the project will be exempt from Massachusetts Sales and Use Tax. The exemption certificate number will be furnished to the selected contractor. Each bidder shall take this exemption into account in calculating her/his bid work.

12. NON-DISCRIMINATION IN EMPLOYMENT

Contract for work under this proposal will obligate the contractors and subcontractors not to discriminate in employment practices. Bidders must, if requested, submit a compliance report concerning their employment practices and policies in order to maintain their eligibility to receive the award of the contract.

13. INSURANCE

The contractor shall carry general liability insurance with an insurance company satisfactory to the Town so as to save the Town harmless from any and all claims for damages arising out of bodily injury to or death of any person or persons, and for all claims arising out of injury to or destruction of property caused by accident resulting from the use of implements, equipment or labor used in the performance of the contract or from any neglect, default or omission, or want of proper care, or misconduct on the part of the contractor or anyone in the contractor's employ during the execution of the contract.

GENERAL LIABILITY INSURANCE The selected contractor shall furnish to the Town certificates of insurance covering public liability in an amount not less than \$500,000, for bodily injury to any one person, and not less than \$1,000,000 on account of one accident.

WORKERS COMPENSATION INSURANCE The selected contractor shall furnish the Town with certificates of insurance showing that all her/his employees who shall be connected with this work are protected under workers compensation insurance policies.

Renewal certificates must be furnished by the contractor prior to the expiration date of any of the initial insurances.

14. SITE VISIT

All bidders should perform site visits prior to bidding.

END OF SECTION

SCOPE OF WORK

- A. The work involved in **Contract #23-26 Seasonal Plantings in Arlington Center** includes but is not necessarily limited to the tasks listed below. The work shall consist of furnishing all labor, equipment, supplies and materials necessary to do the work of this contract. The contract is subject to appropriation of yearly funding pending appropriate authorization.
- B. Furnish, install, and maintain colorful, complementary arrangements that are seasonally appropriate, tolerant of sunlight conditions and that deliver a cohesive, unified aesthetic for the Arlington Center streetscape. Once planted, the planters should appear lush and full to help beautify the area. Prior to installation of each seasonal arrangement, the Contractor shall notify the Town of Arlington of the proposed arrangement for the coming season for final approval.

The work consists of the following activities: removal and disposal of prior season's materials, addition of soil or amendments to existing soil as necessary, provision of starter fertilizer, sourcing and planting an assortment of plants as described below, periodic watering, weeding, deadheading, general tidying and removal of litter at the planters listed below per a seasonal schedule provided by the Town of Arlington. The work shall also include sourcing and replacing any living plant material that dies during a given season unless the planter is set for a seasonal change within seven (7) days.

1. Twelve (12) Planters located on Mass Ave Sidewalk

- Summer: plant an attractive, colorful mixture of flowering summer annuals
- Fall: plant an attractive, colorful mixture of flowering fall annuals
- Winter: fill planters with a display of freshly cut winter greens, pinecones, berries and seasonal accents/decorations.
- Spring: plant an attractive, colorful mixture of cold-hardy flowering spring annuals with seasonal accents/decorations

2. Two (2) Planters located on Mass Ave Median

- Summer: plant an attractive, colorful mixture of flowering summer annuals
- Fall: plant an attractive, colorful mixture of flowering fall annuals
- Winter: fill planters with a display of freshly cut winter greens, pinecones, berries and seasonal accents/decorations.
- Spring: plant an attractive, colorful mixture of cold-hardy flowering spring annuals with seasonal accents/decorations

3. Four (4) Planters located on Broadway Plaza

- Summer: plant an attractive, colorful mixture of flowering summer annuals
- Fall: plant an attractive, colorful mixture of flowering fall annuals

- Winter: fill planters with a display of freshly cut winter greens, pinecones, berries and seasonal accents/decorations.
 - Spring: plant an attractive, colorful mixture of cold-hardy flowering spring annuals with seasonal accents/decorations
- 4. Eleven (11) Planters located in Medford St. Parklet. These planters are 2'x1'x1' in dimension.**
- Summer: plant an attractive, colorful mixture of flowering summer annuals.
 - Fall: plant an attractive, colorful mixture of flowering fall annuals
 - Winter: *Not applicable. These planters are removed from the public right of way during winter.*
 - Spring: plant an attractive, colorful mixture of cold-hardy flowering spring annuals with seasonal accents/decorations. *These planters will need to be lined and filled with all new soil for spring planting as they are emptied for winter storage.*

QUALITY REQUIREMENTS

QUALIFICATIONS OF BIDDER

1. Minimum two (2) years of experience in similar gardening/planting work.
2. Bidder has successfully completed a contract for \$10,000 or more in the past three years.
3. Bidder has successfully managed multiple gardens or similar potted installations at multiple sites in a single season in the past three years.
4. Vendor shall be available to commence work as soon as weather conditions permit.
5. Subcontracting on contract will not be permitted.

DAMAGES

Damage to any site or any Town property or any private property by the contractor shall be reported to the Department of Public Works immediately after the damage occurs and not at the end of the workday. If the contractor causes damage to any irrigation system component, electrical installation, or other systems, it shall be the responsibility of the contractor to repair said damage after a submittal, detailing parts to be used and approved by the Department of Public Works. Any damage found at any site by the contractor's employees at the start of the workday shall be reported to the Department of Public Works immediately.

KEY LIAISON PERSON

The contractor shall designate one person to be the main contact with the Town of Arlington. This person shall be the supervisor or foreperson responsible for all crew functions and shall be accessible to the Town of Arlington by email or cell phone throughout the workday.

BID FORM

TO THE AWARDING AUTHORITY:

A. The undersigned proposes to furnish all labor and materials required for **#23-26 Seasonal Plantings in Arlington Center** in accordance with accompanying specifications subject to additions and deductions according to the terms of the specifications.

B. This bid includes addenda numbered: _____, _____, _____, _____

Award to be made on the total price for Year 1 contract (July 1, 2023–June 30, 2024)
Options to renew for a second and third year will be at the sole discretion of the Town.

YEAR 1: July 1, 2023 – June 30, 2024

- 1. Twelve (12) Planters located on Mass Ave Sidewalk \$ _____
- 2. Two (2) Planters located on Mass Ave Median \$ _____
- 3. Four (4) Planters located on Broadway Plaza \$ _____
- 4. Eleven (11) Planters located in Medford St. Parklet. \$ _____

TOTAL PRICE YEAR 1

\$ _____

OPTION YEAR 2: July 1, 2024 – June 30, 2025

- 1. Twelve (12) Planters located on Mass Ave Sidewalk \$ _____
- 2. Two (2) Planters located on Mass Ave Median \$ _____
- 3. Four (4) Planters located on Broadway Plaza \$ _____
- 4. Eleven (11) Planters located in Medford St. Parklet. \$ _____

TOTAL PRICE YEAR 2

\$ _____

BID FORM, continued

OPTION YEAR 3: July 1, 2025 – June 30, 2026

- 1. Twelve (12) Planters located on Mass Ave Sidewalk \$ _____
- 2. Two (2) Planters located on Mass Ave Median \$ _____
- 3. Four (4) Planters located on Broadway Plaza \$ _____
- 4. Eleven (11) Planters located in Medford St. Parklet. \$ _____

TOTAL PRICE YEAR 3

\$ _____

BID FORM, continued

AUTHENTICATION

The undersigned agrees that, if selected as the contractor for the above bid items, s/he shall be obligated to provide those services in accordance with the terms of these specifications at the bid price upon receipt of a Contract or Purchase Order signed by the Awarding Authority.

Date _____

(Company Name of Bidder)

Signed: _____

(Printed Name and Title of Signatory)

Business Street Address

City, State, Zip Code

Business Telephone/FAX / _____

Contact Person/Email Address

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of person signing bid or proposal

Name of Business

THIS FORM MUST BE ATTACHED TO AND SUBMITTED WITH BID FORM

TAX COMPLIANCE SHEET

NAME OF BIDDER _____

ADDRESS _____

TELEPHONE NO. _____

SIGNATURE OF RESPONSIBLE OFFICER _____

TITLE OF RESPONSIBLE OFFICER _____

DATE _____

Pursuant to M.G.L. c. 62C, Sec. 49A, I certify under the penalties of perjury that, to my best knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Social Security Number or
Federal Identification Number

Signature of Individual or Corporate Name

Corporate Office (if applicable)

THIS FORM MUST BE ATTACHED TO AND SUBMITTED WITH BID FORM

**QUALIFICATIONS AND REFERENCE FORM
(must be attached to and submitted with bid form)**

Please type or print legibly. **All blanks must be filled in.** If necessary, attach additional sheets. This information will be utilized by the Town of Arlington for purposes of determining bidder responsiveness and responsibility with regard to the requirements and specifications of this contract. This form must be attached by the bidder to her/his completed bid form.

Bidder: _____

IFB Title: **#23-26 Seasonal Plantings in Arlington Center**

1. List any and all citations and/or violations issued by regulatory agencies and/or judgments against bidder from a court of law. **Type N/A if none.**

2. List any and all assessed penalties or liquidated damages, and the project in which they occurred. **Type N/A if none.**

3. List any and all contract terminations. **Type N/A if none.**

4. Indicate number of years bidder has been engaged in work similar in nature to the work of this contract.

5. List total number of supervisors and workers intended to be assigned to this project.

6. **References** On the following sheet(s), provide at a minimum three references for completed projects, one of which must have been completed in the past three years and with a contract price of at least \$10,000, and one of which encompassed managing plantings on multiple sites. Attach additional sheets if necessary.

QUALIFICATIONS AND REFERENCE FORM, continued

Owner Name:

Owner Address:

Contact Name:

Phone:

Email:

Description and date(s) of supplies and/or services provided:

Owner Name:

Owner Address:

Contact Name:

Phone:

Email:

Description and date(s) of supplies and/or services provided:

Owner Name:

Owner Address:

Contact Name:

Phone:

Email:

Description and date(s) of supplies and/or services provided: