

TERMS AND REQUIREMENTS FOR BIDDING

Item Description: POOL DEMOLITION SERVICES

Date and Time to be opened: OCTOBER 21, 2013

Bids may be submitted up to 2:15 P.M. on the above meeting date at the <u>Department of the City Clerk. Room 311, City Hall.</u> At 2:15 P.M. all bids will be publicly opened and read at the Board of Contract Meeting. City Council Chambers, third floor City Hall

INSTRUCTIONS

- 1. Vendors must submit sealed bids in the bid envelope provided (or in an envelope clearly labeled with the above captioned item or work). The bid envelope and information relative to the bid must be addressed to the Board of Contract and Supply, Department of the City Clerk, City Hall, Providence, RI 02903. Communications to the Board of Contract and Supply that are not competitive sealed bids (i.e. product information/samples) should have "NOT A BID" written on the envelope or wrapper.
- 2. Bids must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
- 3. Bidder's responses must be in ink or typewritten, and all blanks on the bid form should be completed.
- The price or prices proposed should be stated both in WRITING and in FIGURES, and any proposal not so stated may be rejected.
- Bids SHOULD BE TOTALED. Do not group items: price each item individually. Awards may be made on the basis of total bid or by individual items.
- Each bidder is required to state in his proposal his full name and place of residence; and must state the names of all persons or firms with whom he is submitting a joint bid. All bids SHOULD BE SIGNED IN INK.



NOTICE TO VENDORS

- The Board of contract and Supply will make the award to the lowest responsible bidder who submits bid.
- No proposal will be accepted if made in collusion with any other bidder.
- A bidder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with R.I. General Laws (as amended). Sections 7-1.1-99, 7-1.1-105. 7-1.1-106
- The Board of Contract and Supply reserves the right to reject any and all bids(s)
- In determining the lowest responsible bidder, cash discounts for payment less than thirty (30) days will not be considered.
- Where prices are the same, the Board of Contract and Supply reserves the right to award to one bidder, or to split the award.
- Competitive prices may be obtained by all bidders attending formal bid opening. After a reasonable lapse of time, tabulation bids may be seen by applying in person at the Department of the City clerk, City Hall, Providence. Telephone or written requests for the above will not be honored.
- As the City of Providence is exempt from the payment of Federal Excise Taxes and Rhode Island Sales Tax, prices quoted are not to include these taxes.
- 9. In case of error in the extension of prices quoted, the unit price will govern.
- 10. The contractor will not be permitted to either assign or underlet the contract, nor assign either legally or equitably any moneys hereunder. Or its claim thereto without the previous written consent of the City Purchasing Director.
- Delivery dates must be shown in your bid. If no delivery date is specified, it will be assumed that an immediate delivery from stock will be made.
- A certificate of insurance may be required of a successful vendor.
- 13. Bids may be submitted on an "equal" in quality basis. We reserve the right to decide equality. Bidders must indicate brand or the make being offered and submit detailed specifications if other than brand requested.
- For contracts involving construction, alteration and/or repair work, the provisions of State Labor Laws concerning payment of prevailing wage rates apply (See R.I. General Laws Sec. 37-13-1 et seq. As amended)
- 15. No goods should be delivered or work started without a Purchase Order.
- 16. Please submit one original and three copies of your bid to the City Clerk.
- 17. Vendor must certify that it does not unlawfully discriminate on the basis of race, color, national origin, gender, sexual orientation and/or religion in its business and hiring practices and that all its employees are lawfully employed under all applicable federal, state and local laws, rules and regulations.



CERTIFICATION OF BIDDER

(Non-Discrimination/Hiring)

Upon behalf of			_(Bidder's Name),
l,		(Name of Person Making	Certification),
being its	(Ti	itle of Person Making Certification)), hereby certify that:
Bidder does not unlaw and/or religion in its be	fully discriminate on the basis our usiness and hiring practices.	of race, color, national origin, geno	der, sexual orientation
All of Bidder's employ and regulations.	ees have been hired in complia	nce with all applicable federal, sta	ite and local laws, rules
Witness my hand, duly author	ized on behalf of Bidder, on this	s day of	200
	Bidder's Name:		
	Ву:	(Printed Name)	
	Title:	•	



CONSTRUCTION AND SERVICE BID TERMS

- The Board of Contract and Supply will not consider any bid unless it is accompanied by a CERTIFIED CHECK FOR \$ NA to be deposited with the City Clerk as a guarantee that the Contract will be signed and delivered by the bidder; OR
- 2. The Board of Contract and Supply will not consider any bid not accompanied by a bid bond in the amount of 100 per centum (%) of the proposed total price, to be deposited with the City Clerk as a guarantee that the contract will be signed and delivered by the bidder; and in default thereof, the amount of such check or bid bond shall be retained for the use of the City as liquidated damages on account of such default. NA
- A performance and payment bond with a satisfactory surety company will be posted by the successful bidder in a sum equal to one hundred per centum (100%) of the awarded contract. Yes
- It is hereby mutually understood and agreed that no payment for extra work shall or will be claimed or made unless ordered in writing by the Board of Contract and Supply.
- Awards will be made within sixty (60) days of bid opening. All bid prices will be considered firm, unless qualified otherwise. Requests for price increases will not be honored.
- Failure to deliver within the time quoted or failure to meet specifications may result in default action in accordance with the general specifications. It is agreed that delivertes and/or completion are subject to strikes, lockouts, accidents and Acts of God.
- Only one shipping charge will be applied in the event of partial deliveries for blanket or term contracts.
- 8. The successful bidder shall, prior to commencing performance under the contract, attach and submit evidence that they have complied with the provisions of the Rhode Island Worker's Compensation Act Title 28, Chapter 29, Section 1, et seq. (R.I.G.L.). If the successful bidder is exempt from compliance under the Worker's Compensation Act, an officer of the successful bidder shall so state by way of sworn Affidavit, which shall accompany the signed contract.
- 9. The successful bidder shall prior to commencing performance under the contract attach and submit a certificate of insurance, in a form and in the amount satisfactory to the City by which the successful bidder will indemnify and hold harmless the City during the term of the contract from and against all loss or damages arising from the performance under the contract including all claims for personal injury or damages to property sustained by third persons, or their agents, servants and/or those claimed under them.



POOL DEMOLITION SERVICES

BIDDERS BLANK

Name of Company:

Agrees to bid on: Items(s) to be bid	POOL DEMOLITION SERVICES
Date of Award	NOVEMBER 4, 2013
Total Amount in Writing:	
Total Amount in Figures:	
Additional Bidding Detail	ils: INCLUDE \$2,000 IN YOUR BID FOR CAPPING EXISTING POOL DECK DRAINS. Provide unit price to F&I suitable fill: \$/cy
Federal ID# or Social Security #:	
Signature:	
Title of Person signing:	
Firm Name:	
Address:	·
Phone #:	
Delivery Date:	
Name of Surety Company	



DAVEY LOPES POOL ALTERATION

CITY OF PROVIDENCE

PROJECT LOCATION:

Davey Lopes Recreation Center, Dudley Street, Providence, RI; access to pool for trucks and equipment is via Tanner Street.

PROJECT CONTACT Elizabeth Charlebois or Robert McMahon, Providence Parks & Recreation

PROJECT TIMING

10/21

bids due

11/4

bid award

11/6

pre-construction meeting

11/12

begin work

12/7

complete work

BACKGROUND

The City of Providence intends build a water park in 2014 on the site of the current Davey Lopes Pool, Prior to that work, we are seeking a contractor to fill in the current pool.

POOL DIMENSIONS

As shown on Attachment 1, the Davey Lopes pool is 50' x 125' with a deep end of 12' and 4' depth in the rest of the pool.

SCOPE OF WORK

- F&I metal caps on pool fittings as designated by the owner.
- Cover existing pool floor drains with two layers of filter fabric.
- Jackhammer twelve 8" diameter holes in the existing pool floor approximately 10' apart along the centerline of the pool.
- Furnish and instatt one or more dirt ramps in the pool to allow contractor access to fill the pool.
- 5. F&I clean fill/common borrow; material to fill the pool. Suitable borrow from off-site sources to be utilized shall consist of soil with rocks no greater than 6" and no more than 30% passing the No. 200 sieve. Suitable fill shall be free from combustible, organic and frozen materials, loam, roots, top soil, wood, trash, snow, ice and other objectionable materials as identified by the owner. The contactor will show the fill to the owner in person.



- Approved suitable fill shall be installed in lifts no greater than 1' in the 4' end of the pool and in lifts no greater than 2' in the deep end of the pool. Lifts will be compacted by bob cats, skid steers, backhoes or portable compactors.
- The fill shall be placed to the level of the existing pool gutters (not to the top of curb) and fine graded to achieve a 1" slope from the centerline of the pool to the gutter edges.
- Final compaction shall be done by a minimum two ton roller for the entire fill area. A proctor test will be performed by an engineer hired by the contractor to determine if 95% compaction has been achieved.

Davey Lopes Pool

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ATTACHMENT J.

To see all the datalis that are visible on the

Google Tanver STREET

POOL SITE



MINORITY AND WOMEN'S BUSINESS ENTERPRISE PROGRAM

BIDDER INFORMATION AND FORMS:

Contracting Agency:			
Contract Title:			
The MBE goal is	_10% of total bid	(20% total applied)	
The WBE goal is	_10% of total bid	(2070 total appro-)	

Bid Requirements:

Bid must include a commitment to utilize MBEs and WBEs at a percentage that equals or exceeds the contract goals stated above. Bidder must submit the following completed documents with the bid:

- 1) MBE and WBE participation Disclosure Forms (Part B1 and Part B2)
- 2) Statement of intent Forms (Part C)
- 3) MBE/WBE Participation Affidavit (Part D)
- MBE/WBE Participation Waiver Request form (Part E) & Information on unsuccessful MBE/WBE contract, if applicable.
- 5) Subcontractor utilization form (Part F), if applicable.

Verifying Certification:

Each bidder is responsible for verifying that all MBEs and WBEs that the bidder intends to use on a contact are certified by the Minority Business Enterprise Compliance office. A directory of certified MBEs & WBEs is available online at www.mbe.ri.gov (click "Directory Search" then search by "Produce or Service"). For questions, please call (401) 421-7740 Ext. 397 or Ext. 250.

The current MBE/WBE directory is also available at the State of RI MBE office, One Capitol Hill, 2nd Floor, Providence, RI 02903. Please call (401) 574-8253 to verify certification, expiration dates and services that the MBE/WBE is certified to provide.

NOTE: Companies identified as Portuguese are <u>not</u> included in the City of Providences MBE/WBE Program.

Contract Requirements:

During the term of the contract, any unjustified failure to comply with the MBE/WBE participation requirements is a material breach of contract. Before a contract is signed, the contractor must submit the Subcontractor Utilization Form with its final payment request. The Subcontractor Utilization Form will include a list of the names of all subcontractors utilized on the contract, both MBE/WBE and non-MBE/WBE, the total amount paid to each subcontractor, and the owner's race/ethnicity and sex.

NOTE: If a bidder fails to provide the requested information the bidder will be deemed to be unresponsive.

Waiver Requests:

If a bidder is unable to comply with a contract goal, the bidder may submit a waiver request with the bid. The waiver request must be made on the MBE/WBE Participation Waiver Request Form. No waiver will be granted unless the waiver request includes documentation that demonstrates that the bidder has made good faith efforts to comply.

Participation of MBE/WBE:

The total dollar value of a contract with a company certified as both MBE and WBE (M/WBE) may be counted towards either MBE or the WBE goal, but not both. The bidder must choose the goal to which the contract value is applied.

Non-affiliation:

A bidder MAY NOT use an MBE or WBE to meet a contract goal if:

- The bidder has a financial interest in the MBE or WBE.
- 2. The bidder has an interest in the ownership or control of the MBE or WBE.
- 3. The bidder is significantly involved in the operation of the MBE or WBE.

A bidder that is an MBE or WBE MAY NOT use itself to meet a contract goal.

Commercially Useful Function:

The bidder may count toward the contract goals only expenditures to MBEs and WBEs that perform a commercially useful function in the execution of the contract. Commercially useful function means the performance of real and distinct work for which the business enterprise has the skill, expertise, and responsibility to perform manage and supervise.

Subcontracting by MBE or WBE:

A bidder <u>MAY NOT</u> count toward its contract goal any agreement with a certified MBE or WBE subcontractor who intends to subcontract more than 10% of the dollar amount of the services to be performed under its agreement with the bidder. This restriction does not apply to an MBE's or WBE's Contracts for the purchase of materials, equipment, or supplies incidental to the performance of services under its agreement with the bidder.

Manufacturers:

A bidder may count toward the contract goal its entire expenditure to a certified MBE or WBE manufacturer.

Supplier:

Manufacturers -A bidder may count towards the contract goal 100% of its expenditure to a certified MBE or WBE supplier who manufactured the goods supplied.

Non-Manufacturers - A bidder may count 100% of its expenditure to a certified MBE or WBE supplier who is a wholesaler warehousing the good supplied or who is a manufacturer's representative. (However, only 10% of each contract goal may be attained by expenditure to MBEs or WBEs that are non-manufacturing suppliers.)

Joint Ventures:

A bidder may count toward the contract goals the portion of its expenditure to a joint venture that is equal to the percentage of the MBE or WBE participation in the joint venture. The MBE or WBE member of the joint venture must have an interest in the control, management and operation of the joint venture commensurate with the member's percentage of ownership. The MBE or WBE that is a member of the joint venture must be responsible for a clearly defined portion of the work to be performed, equal to its share in the ownership, control, and management of the joint venture.

Insurance Companies and Travel Agents:

A bidder may count toward the contract goals only 10% of its expenditure to a MBE or WBE insurance company or travel agent.

Financial Institutions:

A bidder may count towards the contract goals only the fees charged and earned by an MBE or WBE company.



MINORITY AND WOMEN'S BUSINESS ENTERPRISE PROGRAMS

MBE AND WBE PARTICIPATION REQUIRED FORMS

Name of Bidder:				-	
Address:					
Phone Number(s):					
					Contract (Project Title):
,					
Bid Due Date:				_	
Goals: MBE		WBE	%		
THIS PACKAGE O	F MBE AND WBE	PARTICIPATION	FORMS IS DUE WITH TH	HE BID.	
FOR MORE INFOR	MATION OR ASSI	STANCE WITH T	HESE FORMS, CONTAC	T:	

Ernesto Figueroa
Purchasing Officer/ MBE/WBE Coordinator,
Purchasing Department
25 Dorrance Street
Providence, Rhode Island 02903
(401) 421-7740 Ext. 663
efigueroa@providenceri.com



Part A:

(See Note on Page 6.)

INSTRUCTIONS:

The instructions clarify the requirements of RIGL §37-14.1. Failure of any Bidder, Contractor or Subcontractor to comply with RIGL §37-14.1 shall be a material breach of contract.

The following Forms are included with this packet:

Part A: Instructions

Part B1: MBE Participation Disclosure Form.

Part B2: WBE Participation Disclosure Form.

Part C: Prime Contractor's Statement of intent Form - This statement shall be completely

executed for each and every MBE and WBE named in Part E.

Part D: MBE / WBE Participation Affidavit – to be completed by Bidder.

Part E: MBE / WBE Participation Waiver Request Form. If you are unable to meet the MBE

and WBE participation goals for this contract, the law requires you to submit a waiver request with the bid. You must also submit "Information on Unsuccessful MBE/WBE

Contact" Form.

Part F: Subcontractor Utilization Form.

ALL FORMS MUST BE INCLUDED AND SUBMITTED ALONG WITH THE BID



Part B1:

MBE PARTICIPATION DISCLOSURE FORM

Use this form to list Minority Business Enterprises that you will use to meet the MBE Participation Goal. Please be reminded that:

• The same Subcontractor may <u>no</u>	ot be used to meet	both the MB	E and WBE go	als.
Prime Contractor's Name:				
Prime Contractor's Address:				
Prime Contractor's Phone Number(s)	:			
Contract Number & Title:				
MBE SUBCONTRACTORS				
Name	Project Vendor Number		\$ Amount of Subcontract	
Total Dollar Amount of Contract	\$		_	
Total Dollar Amount of MBE Subcontracts \$				
				`
TOTAL MBE PERCENTAGE OF	ENTIRE CONTR	RACT	_%	
Form Prepared by:				



Name & Title

Phone

Date

NOTE: Bidders who fail to supply the above information will be considered Non -Responsive.

Part B2:

WBE PARTICIPATION DISCLOSURE FORM

Use this form to list Minority Business Enterprises that you will use to meet the WBE Participation Goal. Please be reminded that:

 The same Subcontractor may no 	ot be used to meet	both the MB	E and WBE goa	us.
Prime Contractor's Name:				
Prime Contractor's Address:			•	
Prime Contractor's Phone Number(s)	:			
Contract Number & Title:				
WBE SUBCONTRACTORS				
Name	Project Vendor Number		\$ Amount of Subcontract	
Total Dollar Amount of Contract	\$		_	
Total Dollar Amount of WBE Subcor	ntracts \$_	,	-	
TOTAL WBE PERCENTAGE OF	ENTIRE CONTR	RACT	_%	
Form Prepared by:				



Name & Title	Phone	Date
NOTE: Bidders who fail to supply the above inf	formation will be c	onsidered Non -Responsive.
Part C: MBE/WBE AND PRIME CONTR	ACTOR'S STAT	EMENT OF INTENT
Complete a separate Form for each MBE and WE	3E identified in Par	t B.
Contract Name and Number:		
Name of Prime Contractor:		
Prime Contractor's Phone Number(s):		N
Name of MBE or WBE:		
MBE or WBE Certification Number:		
Work / Service to be performed by MBE or WBI		
Materials / Supplies to be furnished by MBE or V		
Subcontract Amount: \$ (If this is a may be omitted).	requirements cont	ract, the subcontract dollar amount
Subcontract percentage of total contract:	<u>%</u>	

The undersigned prime contractor and subcontractor agree to enter into a contract for the work / service indicated above for the dollar amount or percentage indicated, subject to the prime contractor's execution of a contract with the City of Providence for the above referenced contract number. The undersigned subcontractor is currently certified as an MBE or WBE with the City of Providence Minority and Women's Business Opportunity Office.

Signature of Prime Contractor (Required)	Printed Name	Date
Signature of MBE or WBE (Required)	Printed Name	Date



Part D:

MBE/WBE PARTICIPATION AFFIDAVIT

The undersigned authorized representative of contractor does hereby make the following

Affidavit:	,
Contractor acknowledges the MBE goal of <u>10</u>	0% and the WBE goal of 10% for contract
No./Title	with the City of Providence.
My firm will make best efforts to achieve the M contract. I understand that, if awarded the contract, m Women's Business Coordinator at MBE/WBE office of the WBE firm being utilized to achieve the participation Laws. I understand that these documents must be subsequented to achieve the participation of the Laws. I understand that, if awarded the contract, my form canceled checks and any other documentation and repopular terly basis verifying payments to the MBE and W I understand that if I am awarded this contract WBEs identified in my statements of Intent, I must subset the participation goals. I understand that I may my written approval of the MBE/WBE Office. I understand that, if awarded this contract, authors may examine, from time to time, the books records and is relevant to a determination of whether my firm is correquirements of this contract.	MBE and WBE participation goals for this y company must submit to the Minority and copies of all executed agreements with the MBE in goals and other requirements of the RI General mitted prior to the issuance of a notice to proceed firm must submit to the MBE/WBE Office orts required by the MBE and WBE Office on a BE finally utilized on the contract. and I find that I am unable to utilize the MBEs or obstitute other certified MBE and WBE firms to not make a substitution until I have obtained the morized representatives of the City of Providence d files of my firm to the extent that such material amplying with the MBE and WBE participation talty of perjury that the contents of the foregoing
Contractor Company Name	Signature
Address	Print Name and Title
Sworn and subscribed before me this day of	, in the year
•	
Notary Public	



Part E:

Revised as of Sept. 2011

MBE / WBE PARTICIPATION WAIVER REQUEST FORM

Name of Bidder:
Address:
Phone Number(s):
Contracting Agency:
Contract Number: Bid Due Date:
Goals on this contract:% MBE% WBE
I have achieved% MBE% WBE
I am requesting a waiver of% MBE% WBE
I have contacted the M/WBE Office for assistanceYesNo (check one)
Number of MBE Firms Contacted: (Attach a list of names)
Number of WBE Firms Contacted:(Attach a list of names)
Explain why a waiver is being requested:
Attach documentation of your good faith efforts to contact, negotiate and secure MBEs and WBEs, including:
 The reasons why your company is unable to secure sufficient MBE/WBE participation to meet the stated goals.
2. The efforts made by your company to select portions of the contract to be performed by MBEs and WBEs.
For each MBE or WBE that placed a bid that you consider to be unacceptable, a statement that explains the basis for that conclusion.
4. Submit this form to the City of Providence MBE/WBE Office for signature and approval by either to MBE/WBE Compliance Officer or the MBE/WBE Coordinator. All requests must be made at least four (4) days prior to the bid opening date.
Signature of M/WBE Officer or MBE/WBE Coordinator Date
Printed Name:
11



Part F:

SUBCONTRACTOR UTILIZATION FORM

THIS FORM MUST BE INCLUDED WITH REQUEST FOR FINAL PAYMENT

Prime Contractor's Name:	
Contract Title:	·
Contract Number:	
Total Contract Amount: \$	
Provide the following information for EACH AN MBE/WBE companies used on this contract. (D	ND EVERY Subcontractor, both MBE/WBE and Non- uplicate this page, if necessary.)
Name of Subcontractor	Goods or Services Provided on Subcontract
Race / ethnicity and sex of subcontractor's owner	Dollar amount of subcontract
Dollar amount paid to date	If amount paid is less than subcontract dollar amount, explain why.
Name of subcontractor	
Name of subcontractor	

Note: please list the race or gender of MBE/WBE only.



INFORMATION ON UNSUCCESSFUL MBE/WBE CONTACT

Minority Business Enterprise Requirements

Additional copies of this information form shall be prepared by the prime contractor or General Bidder in the quantity necessary to comply with bidding requirements.

ITEM NO. ON REQUEST FOR EXTENSION	ON:
NAME OF MBE or WBE COMPANY COM	NTACTED:
Address	
Telephone No.	
Date of Initial Contact	
How was contact made? (Check appropriat	e answer) by telephone in person
Sub-Contractor work offered to this MBE/V	VBE Company
Result of contact (check appropriate answer	r):
☐ MBE/WBE firm declined job	
price of \$ company to be too high;	MBE/WBE firm offered to do job at , which was determined by our
☐ MBE/WBE company offered to do job	at a price of \$, which was satisfactory, but your company to be unqualified for the job.
Name and Title of the MBE/WBE company MBE/WBE Company's response	y officer who can verify above information as to
It is certified herewith by the below information is accurate and complete.	signed officer of the General Bidder that the above
Date	General Contractor
Authorized Signature	Business Address