

CIP NO.: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

SECTION 00 91 13

ADDENDA

ADDENDUM NUMBER 04

DATE: January 28, 2020

PROJECT: Water Treatment Plant Finished Water Pumping Improvements

OWASA CIP NUMBER: 272-42

OWNER: ORANGE WATER AND SEWER AUTHORITY

ENGINEER: AECOM Technical Services of North Carolina, Inc

TO: All Bidders

This Addendum forms a part of the Contract Documents and modifies the Bidding Documents dated December 17, 2019, Addendum Number 04 issued January 28, 2020, with amendments and additions noted herein below.

Acknowledge receipt of this Addendum in the space provided in the Bid form. Failure to do so may disqualify the Bidder.

This Addendum consists of 1 pages:

ADDITIONAL INFORMATION:

1. Questions will continue to be received until close of business (5:00 PM) on Thursday, February 6, 2020. Response will be by addendum.

CHANGES TO THE SPECIFICATIONS:

1. **REPLACE** Section 00 41 43 - Proposal (Lump Sum Contract Form) with the attached. Section 00 41 43 changes include:
 - a. System Supplier has been removed from Equipment/Supplier Schedule in Paragraph 5.02.
2. **REPLACE** Section 00 11 16 – Advertisement for Bids with the attached. Section 00 11 16 changes include:
 - a. The bid date has been revised to 1:00 P.M., local time, on Thursday, February 13, 2020.

-END OF DOCUMENT-

Addenda
00 91 13-1

Water Treatment Plant Finished
Water Pumping improvements

CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

SECTION 00 11 16

ADVERTISEMENT FOR BIDS

CIP No.: 272-42

Project: Water Treatment Plant Finished Water Pumping Improvements

Owner: ORANGE WATER AND SEWER AUTHORITY
400 JONES FERRY ROAD
CARRBORO, NORTH CAROLINA 27510

Date: January 28, 2020

Pursuant to Section 143-129 of the General Statutes of North Carolina, sealed Bids will be received by Orange Water and Sewer Authority from Bidders until 1:00 P.M., local time, on 13th of February, 2020 for CIP No. 272-42, Project: Water Treatment Plant Finished Water Pumping Improvements” at the Jones Ferry Water Treatment Plant, in the Administrative Offices, 400 Jones Ferry Road, Carrboro, North Carolina 27510, at which time the Bids received will be opened and read aloud.

Bids will be received for a Single Prime Lump Sum General Construction Contract. The Contractor and all Subcontractors shall have valid North Carolina General Contractor’s Licenses for the type and value of the work to be performed.

The Project consists of furnishing all materials, labor, equipment, tools, etc. unless otherwise specified, for the complete and operable installation of:

Installation of a new finished water pump to replace existing Pump #5 and an associated Variable Frequency Drive (VFD) at the Jones Ferry Water Treatment Plant, and all associated appurtenances as described in the Specifications and as shown on the Drawings.

The foregoing description shall not be construed as a complete description of all work required.

Beginning on 19th of December, 2019, the Contract Documents will be on file in the OWASA Administrative Offices, 400 Jones Ferry Road, Carrboro, North Carolina. Printed copies of the Contract Documents may be obtained at the office of AECOM Technical Services of North Carolina, Inc. located at 1600 Perimeter Park Drive, Suite 400, Morrisville, NC 27560, upon payment of \$200 by check (non-refundable) payable to AECOM Technical Services of North Carolina, Inc. for each set of Contract Documents (full-size plans only) so obtained. Partial sets of Contract Documents will not be made available. Mailing and handling charges are included. Documents are available by way of electronic file transfer at no cost; or on compact disc (as portable document format (PDF) files) for a non-refundable charge of \$50.00, including shipping via overnight express service. Please email David.Gustafson@aecom.com to obtain sets of Contract Documents from AECOM.



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The Contract Documents may be viewed free of charge at OWASA, in the Administrative Offices, 400 Jones Ferry Road, Carrboro, North Carolina, Mondays through Fridays, between the hours of 9:00 A.M. and 4:00 P.M.

Bidders are encourage to attend a Pre-Bid Conference at 2:00 P.M., local time, on the 14th of January, 2020 at the OWASA Administrative Offices, 400 Jones Ferry Road, Carrboro, North Carolina.

Orange Water and Sewer Authority has adopted a minimum ten (10%) percent goal for participation by minority businesses in the total value of the work for this project in accordance with Section 143-128.2 of the General Statutes of North Carolina.

Each Bidder shall be licensed under Chapter 87 of the North Carolina General Statutes. Bidders are notified that "An Act to Regulate the Practice of General Contracting," was ratified by the General Assembly of North Carolina on March 10, 1925, and that this Act and subsequent Amendments, will be observed in receiving and awarding Contracts.

Each bidder is required to submit a Non-Collusion Affidavit pursuant to Section 133-30 of the General Statutes of North Carolina.

To ensure that all Bidders are kept up to date on any Addenda, changes, or information notices, please send an e-mail to: Reid.Campbell@aecom.com indicating your intention to prepare a Bid for the Project. Failure to complete this step may render your Bid as non-responsive.

Each Bidder is advised that the Work may be inspected and supervised by an Engineer or firm under the direction of Orange Water and Sewer Authority. The Engineer or firm may also be involved in the identification of specific repair areas and the proposed method of repairs for the Work.

Orange Water and Sewer Authority requires the Project to be at Substantial Completion within 338 consecutive calendar days from date of Notice to Proceed and at Final Completion 395 consecutive calendar days from date of Notice to Proceed

No Bid shall be considered or accepted unless at the time of its filing the same shall be accompanied by a deposit of a certified or cashier's check drawn on a bank or trust company insured by the Federal Deposit Insurance Corporation (FDIC), in an amount equal to five percent (5%) of the amount of the Bid. The check shall be made payable to Orange Water and Sewer Authority. Said deposit shall guarantee that the Contract will be entered into by the successful Bidder if the Award is made. Such deposit of certified or cashier's check may be held by Orange Water and Sewer Authority until the successful Bidder has executed and delivered the Contract Documents, including performance and payment bond, to Orange Water and Sewer Authority and returned or kept in accordance with North Carolina General Statute 143-129.

In lieu of the certified or cashier's check deposit mentioned above, the Bidder may file a Bid Bond in the same amount executed by a corporate surety authorized to execute such bonds in North Carolina and conditioned as provided by North Carolina General Statute 143-129 and on the form(s) found in the Proposal section, or on file with the Engineer. Bid Bond forms enclosed



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as part of the Bidding Documents must be properly executed at the time Bids are submitted before a Bid will be considered. Properly executed Power of Attorney of the corporate surety's agent shall accompany such bond and be attached to the page provided therefore in the Bidding Documents.

Bids shall be submitted under a condition of irrevocability, except as required by law, for a period of or ninety (90) calendar days after the Bid opening.

Orange Water and Sewer Authority reserves the right to accept or reject any or all Bids, to waive any and all informalities, and to disregard all nonconforming or conditional Bids or counter Bids, and to accept the Bid that will be in the best interest of Orange Water and Sewer Authority.

ORANGE WATER AND SEWER AUTHORITY
BRAD BARBER, PE, PROJECT MANAGER
January 28, 2020

END OF SECTION



CONTRACT: OWASA CIP #272-42
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CONTRACT: OWASA CIP #272-42
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DATE: January 28, 2020

SECTION 00 41 43

PROPOSAL

(LUMP SUM CONTRACT – BID FORM)

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

EXECUTIVE DIRECTOR
ORANGE WATER AND SEWER AUTHORITY
400 JONES FERRY ROAD
CARRBORO, NORTH CAROLINA 27510
(919) 968-4421

Date: _____, 20__

OWASA CIP: **#272-42**
Project: **Water Treatment Plant Finished Water Pumping Improvements**

Name of Bidder: _____

Address of Bidder: _____

Phone Number of Bidder: _____

Contact Person for Bidder: _____

Phone Number of Contact: _____

Bidder's NC General Contractor's License Number (required): _____

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Orange Water and Sewer Authority in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

1.03 The undersigned Bidder hereby declares that the names of all persons interested in this Bid as principals appear in the blank spaces hereinafter provided for such purpose, that this Bid is in all respects fair and without collusion, that the Bidder has examined the locations of the proposed Work, the Advertisement to Bidders, the Instructions to Bidders, Technical Specifications, M/WBE requirements of Orange Water and Sewer Authority, the Contract Documents and Bond forms, and the Drawings therein referred to and fully understands the same and agrees and accepts the terms and conditions thereof, that it is understood that



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the estimated quantities are approximate only and are given for the purpose of comparing Bids upon a uniform basis, and that said estimate shall in no way affect the unit prices for the Work.

- 1.04 The undersigned Bidder hereby agrees to furnish at the Bidder's cost the expense of all the necessary labor, tools, apparatus, machinery, equipment, transportation, and all other things which may be required to fully and properly perform all the terms, covenants, provisions, and agreements of this Contract.
- 1.05 The undersigned Bidder hereby agrees to do said Work and furnish said materials as prescribed in the Contract Documents and Technical Specifications, and, according to the Drawings and requirements of the Engineer under said Contract Documents and Technical Specifications, in a first-class manner and to the best of the undersigned's ability at the following lump sum or unit prices.
- 1.06 The undersigned Bidder has examined the Site of the Work and all matters referred to in the Instructions to Bidders and the Contract Documents prepared by the Engineer for the Project, we, the undersigned Bidder, hereby offers to enter into a Contract to perform the Work for the lump sum or unit prices listed in this Bid Form in lawful money of the United States of America.
- 1.07 The undersigned Bidder acknowledges that it is the intent of these Contract Documents to obtain a Contract based on a **Lump Sum Bid Price**, unless Unit Prices are applied to the various portions of the Work and are specifically requested. In the event of errors in the arithmetical extension of unit prices to total prices, the unit price bid shall govern, and the Award of the Contract shall be based on the recomputed total prices. Where discrepancy exists between words and numerals, the written words shall govern. If a Bidder submits a Bid showing a unit price for a particular item and omits an extended total for that item, or a Bidder submits a Bid showing an extended total for a particular item and omits a unit price for that item, the omitted numbers shall be computed using the equation "Estimated Quantity x Unit Bid Price = Extended Total", so that the omission shall not render the Bid non-responsive or incomplete. If the Bidder leaves blank any lines or spaces indicated for the dollar amount of any item in the Bid, that omission will be understood and treated as if the Bidder had written in zero dollars (\$0.00) for that particular item in the Bid. Before applying the preceding two (2) sentences this paragraph, the following rule shall apply in the special case that it describes: In places where it is indicated that a Bid should show both words and numerals for a particular dollar amount, if the Bid shows the dollar amount in numerals but omits to show any dollar amount in words (or vice versa), the Bid shall be treated as if it had shown the indicated dollar amount in both numerals and words.
- 1.08 The undersigned Bidder shall be required to submit a complete detailed cost breakdown of the Lump Sum Bid for payment purposes, for approval by the Engineer, prior to the Award of the Contract.
- 1.09 The undersigned Bidder acknowledges that all costs for mobilization, demobilization, bonds, insurance, etc. shall be included in the Lump Sum Bid Price indicated. There shall be no additional compensation for mobilization, demobilization, bonds, insurance, etc and no

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adjustments to the Lump Sum Bid based on changes in the scope of Work, including but not limited to, any additions to the Work on the Contract.

- 1.10 The undersigned Bidder acknowledges that the Project will be Awarded to the lowest responsible, responsive Bidder for the Project, as selected by Orange Water and Sewer Authority whose evaluation indicates that the Award will be in the best interest of the Project.
- 1.11 The undersigned Bidder acknowledges that all blanks on the Bid Form shall be completed by printing in ink or by typewriter and the Bid signed in ink. Erasures or alterations shall be initialed in ink by the person signing the Bid Form. A Bid Price shall be indicated for the Lump Sum or each Unit Price item listed therein, or the words, "No Bid", "No Change", or "Not Applicable" entered."
- 1.12 The undersigned Bidder acknowledges that the omission of prices for any item on the Bid Form, or the tendering of any unbalanced Bid may be the cause for the rejection of the submitted Bid.
- 1.13 The undersigned Bidder acknowledges that the payment will be made on the basis of the Work as actually executed at the Lump Sum or unit prices set forth in the executed Contract and under the provisions of such Contract.
- 1.14 The undersigned Bidder acknowledges that there shall be no additional compensation to the Bidder for materials, equipment, or Work that is incidental to the successful completion of the Contract. Incidental costs include the costs inherent to the complete installation of those individual items included on the Bid Form.
- 1.15 The undersigned Bidder acknowledges that the Non-Collusive Affidavit for the Contractor shall be submitted with the Bid, and Non-Collusive Affidavit(s) for all Subcontractors (all tiers) for the apparent low Bidder shall be submitted within five (5) calendar days of the Bid Opening.
- 1.16 The undersigned Bidder acknowledges that it has included the Bid security as required by the Instruction to Bidders.
- 1.17 The undersigned Bidder agrees to comply with all requirements of local, State, or Federal permits that may be required for the completion of the Work.
- 1.18 The undersigned Bidder shall have all proper Contractors licenses and privilege licenses required under State and local laws governing their respective trade(s).
- 1.19 The undersigned Bidder agrees that the rights of Orange Water and Sewer Authority and the recommendations of the Engineer are not to be questioned in the Award of a Contract.
- 1.20 The undersigned Bidder certifies compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes ("E-Verify") and represents that it will require any subcontractors to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.



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1.21 The undersigned Bidder certifies compliance with the requirements of Article 6 of Chapter 143 of the North Carolina General Statutes (“Iran Divestment”) and that it is not listed on the State Treasurer’s Final Divestment List found at the website address www.nctreasurer.com/Iran and updated every 180 days, and represents that it will require any subcontractors to comply with the requirements of Article 6 of Chapter 143 of the General Statutes.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid shall remain open and remain subject to acceptance, and is irrevocable, except as required by law, for ninety (90) calendar days from the Bid opening date, or for such longer period of time that Bidder may agree to in writing upon request of Orange Water and Sewer Authority.

2.02 If this Bid is accepted by Orange Water and Sewer Authority within the time period stated above, the Bidder will:

- Execute the Agreement within fifteen (15) days of receipt of Notice of Award.
- Furnish the required Bonds within fifteen (15) days of receipt of Notice of Award.
- Commence Work within ten (10) days after written Notice to Proceed.

2.03 If this Bid is accepted by Orange Water and Sewer Authority within the time stated, and the Bidder fails to commence the Work or fails to provide the required bonds, the Bid security shall be forfeited as damages to Orange Water and Sewer Authority by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this Bid and the Bid upon which a Contract is signed.

2.04 In the event Bid is not accepted by Orange Water and Sewer Authority within the time stated above, the required Bid security will be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

ARTICLE 3 - BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.:</u>	<u>Addendum Date:</u>
_____	_____
_____	_____
_____	_____



<u>Addendum No.:</u>	<u>Addendum Date:</u>
_____	_____

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.



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ARTICLE 4 - BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

“corrupt practice” means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;

“fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Orange Water and Sewer Authority, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Orange Water and Sewer Authority of the benefits of free and open competition;

“collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Orange Water and Sewer Authority, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

“coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID (LUMP SUM SINGLE PRIME BID PRICE)

5.01 CIP: **#272-42**

Project: **Water Treatment Plant Finished Water Pumping Improvements**

Project Description:

LUMP SUM BID SHALL INCLUDE:

Installation of a new finished water pump to replace existing Pump #5 and an associated Variable Frequency Drive (VFD) at the Jones Ferry Water Treatment Plant, and all associated appurtenances as described in the Specifications and as shown on the Drawings.

The foregoing description shall not be construed as a complete description of all Work required.



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The Lump Sum Single Prime Bid Price shall reflect all costs associated with furnishing and installing, and placing into service all items of Work as indicated on the Drawings and in the Technical Specifications, complete, in place, operable and accepted by Orange Water and Sewer Authority, per the Engineer's Contract Documents.

- 5.02 The project will be awarded based on the base bid equipment listed below. The bidder must base his lump sum base bid on the listed equipment/suppliers. Deductions for Owner selected equipment/supplier substitutions will not be considered in determining the basis of award. The bidder may indicate substitute equipment/supplier items by writing in the substitute equipment/supplier item and the amount of deduction for that substitute name write-in.

Substitute equipment/supplier will be deemed as equal if the substitute is the same or better than the product named and described in the specifications in function, performance, reliability, quality and general configuration. Determination of the equality of a substitute shall be determined by the Engineer after the bid, based on submittal data received with the Contractor's bid documents. Should the write-in substitute be determined "not equal", then the bidder shall supply the equipment listed on the bid form. The Owner may determine any substitute "not equal" as the Owner determines to suit his sole best interests at any time.

Evaluation data to determine if a substitute equipment manufacturer/ supplier is an acceptable substitute must be submitted by the bidder with the bid. Information submitted after the bid will not be considered. Information submitted directly by equipment manufacturers/suppliers will not be evaluated. Minimum evaluation data shall include submittal information in conformance with Sections 01 33 23 and 01 60 00 of the contract documents. Data and drawing submittal shall be prepared specifically for this project. Incomplete submittals that do not conform with Sections 01 33 23 and 01 60 00 will not be considered. Sales catalog cuts or marked up drawings from previous projects will not be reviewed. The Bidder shall reimburse the Owner for any engineering costs associated with the review of any substitutes in accordance with the terms of the Engineer's Agreement with the Owner. The Owner is no way obligated to review substitute equipment submittals.

No substitute equipment/supplier will be considered unless, in the opinion of the Owner or Engineer, it conforms to the contract drawings and specifications in all respects, except for the make and manufacture and minor details. Design and preparation of these plans and specifications are based on the equipment/supplier noted in the Base Bid column. The bidder shall be responsible for any and all changes necessary to accommodate the substitute equipment/supplier items. The Owner shall be reimbursed for any and all associated redesign and/or construction drawings in accordance with the terms of the Engineer's Agreement with the Owner. The bidder shall also include any and all costs associated with additional construction costs (mechanical, structural, electrical, architectural, engineering, construction observation, etc.) as the result of a substitute item. The bid shall also include any paid up licenses necessary for the use of the equipment as required.



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EQUIPMENT/SUPPLIER SCHEDULE (OWNER SELECTED)				
SPEC SECTION	DESCRIPTION	EQUIPMENT MANUFACTURERS/ SUPPLIERS		AMOUNT OF DEDUCTION FOR SUBSTITUTION
		Base Bid	Substitute	
33 12 00	Variable Frequency Drive	Square D		\$
40 95 00	SCADA System Supplier	CITI, LLC		\$

5.03 Bidder shall complete the Work in accordance with the Contract Documents for the following TOTAL LUMP SUM BID PRICE:

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY



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BID FORM

NOTE TO BIDDERS: DO NOT REMOVE THIS BID FORM
FROM THE CONTRACT DOCUMENTS

LUMP SUM SINGLE PRIME CONTRACT

Water Treatment Plant Finished Water Pumping Improvements

TOTAL LUMP SUM SINGLE PRIME BASE BID PRICE for the Project described in Sub-Article 5.01, complete as indicated by the Contract Documents (in words and numerals):

_____ Dollars

and _____ Cents (\$ _____)

Bidder _____
(Print Name)

Bidder _____
(Signature)



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**CERTIFIED LIST OF EQUIPMENT/MATERIAL
MANUFACTURERS AND SUBCONTRACTORS/SUPPLIERS**

The Bidder, _____, as part of the procedure for the submission of Bids on this Project, submits the following list of Equipment/Material Manufacturers and Subcontractors to be used in the performance of Work to be done on said Project. The list of Manufacturers and all equipment/materials furnished and Subcontractors shall be based on requirements of the Contract Documents. Changes to this list after the Bid opening shall only be as approved by Orange Water and Sewer Authority upon request by the Contractor or as required by Orange Water and Sewer Authority based upon review of Contractor's submittals:

EQUIPMENT/MATERIALS	MANUFACTURER
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

WORK TASK	SUBCONTRACTOR/SUPPLIER
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

It is understood and agreed that, if awarded a Contract, the Contractor will not make any additions, deletions or substitutions to this certified list without the written consent of Orange Water and Sewer Authority.



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CERTIFICATION AFFIDAVIT

THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED A CONTRACT, THIS CERTIFICATION SHALL BE ATTACHED THERETO AND BECOME A PART THEREOF.

NAME OF SIGNER: _____
(Please Print or Type)

TITLE OF SIGNER: _____
(Please Print or Type)

DATE: _____ SIGNATURE: _____

-END OF CERTIFICATION-

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY



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ARTICLE 6 – TIME OF COMPLETION

6.01 Bidder agrees that the Work will be Substantially Complete within **338 CONSECUTIVE CALENDAR DAYS**, after the date when the Contract Time commences to run as provided in Paragraph 4.01 of the General Conditions and will be completed and ready for final payment in accordance with Paragraph 15.03 of the General Conditions within **395 CONSECUTIVE CALENDAR DAYS**, of the date when the Contract Time commences to run.

6.02 Bidder accepts the provisions of the Agreement as to Liquidated Damages.

ARTICLE 7 - ATTACHMENTS TO THIS BID

7.01 All documents listed in Section 00 41 43a – Bidder's Checklist are submitted with and made a condition of this Bid:

ARTICLE 8 – BID CERTIFICATION

8.01 THE ABOVE INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED A CONTRACT, THIS CERTIFICATION SHALL BE ATTACHED THERETO AND BECOME A PART THEREOF.

SIGNATURE: _____

DATE: _____

8.02 We agree to diligently perform the Work in accordance with all Contract Documents, to complete such Work within the period as outlined in the Contract, and to begin Work within ten (10) consecutive calendar days after receipt of the Notice to Proceed from Orange Water and Sewer Authority.



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ARTICLE 9 - CONTRACTOR EXPERIENCE

9.01 The undersigned Contractor has regularly engaged in and successfully completed contract Work of this Class for a minimum of **10** years. A completed contracts summary shall be submitted that clearly demonstrates a minimum of **10** years' experience. Failure to provide this information shall be just cause for rejection of the Bid: _____

9.02 List of Contractor's personnel experienced to do this Work including and designating the Project Manager and Superintendent to be in charge of this Work showing the years of experience with this particular Work. The list shall not include Subcontractor personnel.

<u>Name</u>	<u>Experience</u>	<u>Name</u>	<u>Experience</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



9.03 List of Contractor's equipment in good condition and suitable for completion of this Contract. Contractor must be able to demonstrate ownership of all equipment necessary to complete all portions of the Contract. The list shall not include Subcontractor equipment. **Attach additional sheets as necessary.**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ARTICLE 10 - BID FORM SIGNATURES

10.01 Refer to Document 00 21 15 for specific Bid Form signature requirements for corporations, partnerships, limited liability companies, individuals, or sole proprietorships.

ARTICLE 11 - QUALIFICATIONS OF BIDDERS

11.01 In order to assist the Owner in determining whether the Bidder is qualified to perform the Work, as set forth in the Contract Documents, the Bidder shall furnish the following information. Bidder shall submit detailed information required for below Items 1 through 6 with his Bid package and at the discretion of the Bidder the information required under Item 7 can be furnished after Bids are received if required by the Owner and Engineer to evaluate the financial qualifications of a prospective Bidder. **Attach additional sheets as necessary.**

1. List and describe a minimum of three (3) previous projects of similar size and nature completed in the last ten (10) years. Be sure the description includes the type of pumps installed (vertical turbine, centrifugal, submersible, etc.) and the pump capacity (in gallons per minute). For each project, also list:
 - a. Owner, contact and telephone number;
 - b. original bid price and final construction cost;
 - c. specified completion time and actual completion time;
 - d. explanations for differences in costs and times as required.
2. List and describe current projects, current status of job and estimated schedule of completion.
3. List references who are qualified to judge as to Bidder's financial responsibility and experience in work of similar nature to that bid upon.
4. Past Safety Performance Data; EMR and 3-years of DART (provide in Section 11.02)
5. Debarment status (provide in Section 11.02)
6. Information on claims, judgements, and final resolutions (provide in Section 11.02)
7. Financial Statement:



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<u>ASSETS</u>	
<u>CURRENT ASSETS:</u>	
Cash	\$ _____
Notes and Accounts Receivable	\$ _____
Inventories	\$ _____
<u>PLANT ASSETS:</u>	
Real Estate	\$ _____
Machinery	\$ _____
Good Will, Patents, etc.	\$ _____
<u>LIABILITIES:</u>	
Notes Payable	\$ _____
Accounts Payable	\$ _____
Accrued Wages	\$ _____
Other Liabilities	\$ _____
EXCESS OF ASSETS OR NET WORTH	\$ _____

Note:

1. The above is a suggested form for the Financial Statement, and the Bidder is not required to follow the form explicitly. The Financial Statement submitted must clearly show to the satisfaction of the Owner the Bidders current financial condition. The Owner reserves the privilege of requiring additional information as to financial responsibility of the Bidder prior to awarding Contract.

11.02 Provide responses for the following items:

- a. **Past Safety Performance:** Provide Experience Modification Rate (EMR) and Days Away, Restricted, or Transferred (DART) Rate numbers below:
 - i. Current Year EMR = _____
 - i. Generally, an EMR greater than 1.5 will not be considered qualified. Bidders with an EMR greater than 1.5 shall provide additional supporting information if they believe that extenuating circumstances unrelated to job site safety have resulted in their high EMR.
 - ii. Previous 3 Years DART Rates = _____, _____, _____
 - i. Generally, a three-year average DART rate greater than 1.50 times the national rate for the North American Industry Classification System (NAICS) Code 237 (heavy and civil construction) will not be considered qualified. Bidders with a three-year DART rate greater than 1.50 times the NAICS Code 237 rate shall provide additional supporting information if they believe that extenuating circumstances unrelated to job site safety have resulted in their high DART rate.
- b. **Debarment Status:** Has the Bidder, or any affiliate, ever been the subject of any of the following actions:
 - i. Debarment.....Yes ___ No ___



- ii. Deletion from a Prequalified Bidders ListYes__ No__
 - iii. Other action which resembles debarmentYes__ No__
- c. **Claims/Final Resolution/Judgments** - Have any of the following actions occurred on, or in conjunction with, any project performed by the Bidder, any affiliate, or their officers, partners or directors in the last five years?
- i. Legal Action Implemented by Contractor against Owner.....Yes__ No__
 - ii. Legal Action Implemented by Contractor against Subcontractor...Yes__ No__
 - iii. Legal Action Implemented by Owner.....Yes__ No__
 - iv. Legal Action Implemented by Subcontractor.....Yes__ No__
 - v. Settlement or Close Out Agreement in effect with Owner.....Yes__ No__
 - vi. JudgmentsYes__ No__
 - vii. Arbitrations.....Yes__ No__

ARTICLE 12 – SEQUENCE OF WORK

- 12.01 The Sequence of Work may dictate extensive temporary installation until final and complete installation can be made. In this Section there is an attempt to address major steps in the order of construction but in no way should be considered as a complete and comprehensive guide through the construction phase. The Contractor is encouraged to make suggestions for modifications to this Sequence of Work to simplify or streamline the construction process. Any suggestions are to be presented to the Engineer for consideration and approval. Items of Work not specifically stated herein that are required to accomplish the project construction and keep the system in service (or on bypass) will not be considered as extra work and Change Orders for such will not be considered.
- 12.02 The Sequence of Work shall be as approved by the Engineer; however, this shall in no way affect the responsibility of the Contractor.
- 12.03 Coordinate all Work with Orange Water and Sewer Authority to minimize disruption of ongoing operations. Work may be required to be performed on weekends and/or at night to minimize disruption of normal operations.
- 12.04 Coordination shall be made with Orange Water and Sewer Authority prior to disconnecting/connecting to existing utilities (water or sewer mains).
- 12.05 Coordination shall be made with Orange Water and Sewer Authority for the disinfection, flushing and pressure testing of waterlines.

ARTICLE 13 - INTERIM COMPLETION DATES [NOT USED]

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CORPORATION

The Corporate Seal of

(Bidder - print the full legal corporate name of firm)

(President/Vice President/Authorized Corporate Officer)

(Seal)

was hereunto affixed in the presence of:

(Secretary/Assistant Secretary)

(Seal)

Corporate Address:

(State of Incorporation)



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LIMITED LIABILITY COMPANY

(Bidder - print the full legal name of firm)

(Authorized Firm Member)

(Seal)

was hereunto affixed in the presence of:

(Witness)

(Seal)

Firm Address:

(State of Formation)



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INDIVIDUAL OR SOLE PROPRIETORSHIP

(Bidder - print the full name of individual or sole proprietorship)

(Seal)

Individual or Sole Proprietorship Address:



PARTNERSHIP

(Bidder - print the full legal corporate name of partnership)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(Partner and Title)
(Seal)

(All Partners shall sign, additional signatures with titles and seals may be added below.)

was hereunto affixed in the presence of:

(Witness)
(Seal)

Partnership Address:



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JOINT VENTURE

If the Bid is a joint venture, add additional forms of execution for each member of the joint venture in the appropriate manner using the forms from above.



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BID BOND

This is a Bid Bond that is subject to the provisions of G.S. 143-129 (b) of the North Carolina General statutes.

This Bond is executed on _____, 20____

The name of the Principal is _____
(Correct name of Contractor)

(A Corporation, a Partnership, or an Individual, as the case may be)

The name of the Surety is _____

Orange Water and Sewer Authority is the Owner.

The amount of the Bond is _____
_____ (Dollars) \$ _____

KNOW BY ALL MEN BY THESE PRESENTS, the Principal and Surety above named are hereby held and firmly bound unto the above named Owner hereinafter called the Owner in the penal sum of the amount stated above in lawful money of the United States, for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of the above obligation is such that whereas the Principal has submitted to the Owner a certain Bid attached hereto and hereby made a part hereof to enter into a Contract in writing, for the construction of:

Water Treatment Plant Finished Water Pumping Improvements

NOW, THEREFORE

- (a) If said Bid shall be rejected, or in the alternate,
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a Contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a bond for its faithful performance of said Contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid;
- (c) Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.



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BID BOND (CONTINUED)

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its Bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Execution by Principal:

(If Contractor is a Partnership, all partners should execute Bond below)

ATTEST:

Principal Secretary
(SEAL)

BY: _____
Principal

Principal

Principal

Witness as to Principal

(Address)

(Phone Number)

Execution by Surety:

ATTEST:

N. C. Resident Agent
(SEAL)

Surety

(Address)

Witness as to Surety

(Phone Number)



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**POWER OF ATTORNEY
(Attach)**



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PROPOSAL SIGNATURE

Bidder operates under the legal name of _____

BIDDERS COMPLETE THE APPROPRIATE SECTION*

CORPORATION* The Bidder is a corporation, has a corporate seal and the full names of its officers are:

President _____

Secretary _____

Vice President _____

Treasurer _____

The _____ (officer's title) is authorized to sign construction proposals and contracts for the company by action of its Board of Directors taken on _____, 20____ a certified copy of which is attached. (Strike out previous sentence if not applicable. This section must be completed if President or Vice President is not the signatory party.)

PARTNERSHIP* The Bidder is a partnership consisting of individual partners whose full names are:

INDIVIDUAL* The Bidder is an individual whose full name is:

Print Name of Legal Entity

By: _____

Print name and title of signatory

CORPORATIONS ONLY – Secretary or Assistant
Secretary attest and affix corporate Seal:

Circle one: Secretary or Assistant Secretary

State of Incorporation

Address and telephone number

Subscribe and sworn to me this _____ day of _____, 20____.

Notary Public (Seal)

My Commission Expires: _____



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CONTRACT: OWASA CIP #272-42
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CONTRACTOR'S AFFIDAVIT OF ORGANIZATION AND AUTHORITY

STATE OF _____

COUNTY OF _____

_____ being the first duly sworn on oath deposes and says that the Bidder on the attached Bid proposal is organized as indicated below and that all statements herein made are made on behalf of such Bidder and that this deponent is authorized to make them.

(Fill Out Applicable Paragraph)

1. CORPORATION:

The Bidder is a corporation organized and existing under the laws of the State of _____ and its President is _____;

its Secretary is _____,

and it does have a corporate seal. The _____ (officer's title) is authorized to sign construction Contracts and Bids for the company by action of its Board of Directors taken on _____, 20____, a certified copy of which is hereto attached. (Strike out last sentence if not applicable.)

2. PARTNERSHIP:

The Bidder is a partnership consisting of _____ and _____, partners doing business under the name of _____.

3. INDIVIDUAL / SOLE TRADER:

The Bidder is an individual and if operating under a trade name, such trade name is as follows:

4. ADDRESS:

The business address of the Bidder is as follows: _____

Its phone number is _____.

Bidder

By: _____

Subscribed and sworn to before me this _____ day of _____, 20__

My commission expires: _____

Notary Public

(SEAL)



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CONTRACT: OWASA CIP #272-42
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NON-COLLUSION AFFIDAVIT FOR CONTRACTOR'S

STATE OF _____

COUNTY OF _____

_____ being first duly sworn,
deposes and says that:

- (1) He/She is the: _____
Owner, Partner, President, Vice President or other officer with evidence of authority attached
of _____
the Bidder that has submitted the attached BID;
- (2) He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
- (3) Such BID is genuine and is not a collusive or sham Bid;
- (4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have 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 has been submitted; or to refrain from bidding in connection with such Contract; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Bidder, firm, or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), 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 part of the Bidder or any other of its agents, representatives, owners, employees or parties in interest, including this affidavit.

BY: _____

ITS: _____
Title

CORPORATIONS ONLY

Secretary or Assistant, attest & affix corporate seal

Subscribed and sworn to before me this _____ day of _____, 20__

_____ My commission expires: _____

Notary Public (SEAL)



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CONTRACT: OWASA CIP #272-42
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NON-COLLUSION AFFIDAVIT FOR SUBCONTRACTOR(S)
(DUE WITHIN 5 DAYS OF THE BID OPENING)

STATE OF _____

COUNTY OF _____

_____ being first duly sworn,
deposes and says that:

- (1) He/She is _____ of _____, hereinafter referred to as the "Subcontractor";
- (2) He/She is fully informed respecting the preparation and contents of the Subcontractor's Proposal submitted by the Subcontractor to _____, the Contractor for certain work in connection with the _____ Contract pertaining to the Project in _____ (City or County, and State);
- (3) Such Subcontractor's Proposal is genuine and is not a collusive or sham proposal;
- (4) Neither the Subcontractor 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 Proposal in connection with such Contract or to refrain from submitting a Proposal in connection with such Contract, or has in any manner, directly or indirectly, sought by unlawful agreement or connivance with any other Bidder, firm or person to fix the price or prices in said Contractor's Proposal, or to fix any overhead, profit or cost element of the price or prices in said Contractor's Proposal, or to secure through collusion, conspiracy connivance or unlawful agreement any advantage against the _____ (Local Public Agency) or any person interested in the proposed Contract; and
- (5) The price or prices quoted in the Subcontractor's Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) _____

Title

Subscribed and sworn to before me this _____ day of _____, 20__

_____ My commission expires: _____

Notary Public
(Seal)



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EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

During the performance of this Contract the Contractor agrees as follows:

- a. The Contractor will not discriminate against any employee or applicant because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to race, color, religion, sex, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the nondiscrimination clause.
- b. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- c. The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other Contract understanding, a notice; to be provided, advising the labor union or worker's representative of the Contractor's commitments under the Equal Employment Opportunity Section of this Contract, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations, or orders, this Contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Owner Contracts,
- e. The Contractor will include the provisions of this section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Owner so that such provisions will be binding upon each Subcontractor or vendor.

(Complete this section for signatures by a CORPORATION):

(CORPORATE SEAL) _____

Corporate Name

ATTEST: _____

BY: _____

Secretary* or Assistant Secretary*

President* or Vice President*

*choose one

(Complete this section for signatures by PARTNERSHIP and INDIVIDUAL):

WITNESS: _____

BY: _____

(Seal)

(ACKNOWLEDGEMENT OF THE ABOVE SIGNATURE MUST BE NOTARIZED USING THE FORM ON THE FOLLOWING PAGE)



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**ACKNOWLEDGEMENT FOR
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION**

Corporate Acknowledgement

(Use this portion of the form for acknowledgement of signature by a Corporation):

STATE OF _____

COUNTY OF _____

I, the undersigned notary public, do hereby certify that _____
personally appeared before me this day and acknowledged that he/she is *Secretary* or Assistant
Secretary** of _____,
a corporation, and that by authority duly given and as the act of the corporation, the foregoing
instrument was signed in its name by its *President* or Vice President**, sealed with its corporate
seal, and attested by himself as its *Secretary* or Assistant Secretary**.

**choose one*

WITNESS my hand and notarial seal this _____ day of _____, 20____

My commission expires _____.
(SEAL)

Notary Public

Individual or Partnership Acknowledgement

(Use this portion of the form for acknowledgement of signature by a partnership or an individual.)

NORTH CAROLINA

(Enter correct State and County if different
than shown.)

_____ COUNTY

I, the undersigned Notary Public, do hereby certify that, _____
personally appeared before me this day and acknowledged the due execution of the foregoing
instrument.

WITNESS my hand and notarial seal this _____ day of _____, 20____

My commission expires: _____.

Notary Public (SEAL)



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MINORITY BUSINESS PARTICIPATION

Provide with the Bid:

Under GS 143-128.2(c) the undersigned Bidder shall identify on its Bid Proposal the minority businesses that it will use on the Project and the total dollar value of the bid that will be performed by the minority businesses and list the good faith efforts (**Affidavit A**) made to solicit participation. A Contractor that performs all of the Work with its own workforce may submit an **Affidavit B** to that effect in lieu of **Affidavit A** required above.

After the Bid opening:

Orange Water and Sewer Authority will consider all bids and alternates, and determine the lowest responsible, responsive Bidder. Upon notification of being the apparent low Bidder, the Bidder shall then file within 72 hours of the notification of being the apparent lowest Bidder, the following:

An **Affidavit C** that includes a description of the portion of Work to be executed by minority businesses, expressed as a percentage of the total Contract Price, which is equal to or more than the 10% goal established. This affidavit shall give rise to the presumption that the Bidder has made the required good faith effort; or **Affidavit D** of its good faith effort to meet the goal. The document must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations and other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

These forms are included herein:

- (1) Identification of Minority Business Participation
- (2) Affidavit A – Listing of the Good Faith Effort
- (3) Affidavit B – Intent to Perform Contract with Own Workforce
- (4) Affidavit C – Portion of Work to be Performed by Minority Firms
- (5) Affidavit D – Good Faith Efforts
- (6) Good Faith Effort Guidelines



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Identification of Minority Business Participation

I, _____
 _____,

(Name of Bidder)

do hereby certify that on this Project, we will use the following minority business enterprises as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #
 Category

Work type

*Minority

Firm Name, Address and Phone # Category	Work type	*Minority

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

The total value of minority business contracting will be (\$)_____



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State of North Carolina AFFIDAVIT A – Listing of the Good Faith Efforts

County of _____

Affidavit of _____ (Name of Bidder)

I have made a good faith effort to comply under the following areas checked:

Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive (NC Administrative Code 01 NCAC 30I .0102)

- 1 – (10 pts)** Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed.
- 2 – (10 pts)** Making the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due.
- 3 – (15 pts)** Breaking down or combining elements of work into economically feasible units to facilitate minority participation.
- 4 – (10 pts)** Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 – (10 pts)** Attending any prebid meetings scheduled by the public owner.
- 6 – (20 pts)** Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.
- 7 – (15 pts)** Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 – (25 pts)** Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 – (20 pts)** Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 – (20 pts)** Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

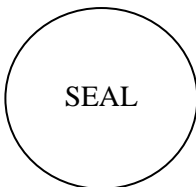
The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the OWNER. Substitution of contractors must be in accordance with GS 143-128.2(d). Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the BIDDER to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of North Carolina, County of _____

Subscribed and sworn to before me this ____ day of _____ 20____

Notary Public _____ My commission expires _____



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AFFIDAVIT B – Intent to Perform Contract with Own Workforce

County of _____

Affidavit of _____

(Name of Bidder)

I hereby certify that it is our intent to perform 100% of the work required for the _____

(Name of Project)

In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

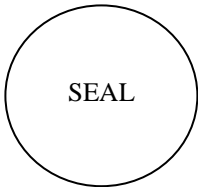
The Bidder agrees to provide any additional information or documentation requested by the Owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of North Carolina, County of _____

Subscribed and sworn to before me this ___ day of _____ 20___

Notary Public _____

My commission expires _____



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AFFIDAVIT C – Portion of the Work to be Performed by Minority Firms

County of _____

***** (NOTE: THIS FORM IS NOT TO BE SUBMITTED WITH THE BID PROPOSAL) *****

If the portion of the Work to be executed by minority businesses as defined in G. S. 143-128.2(g) is **equal to or greater than 10%** of the Bidders Total Contract Price, then the Bidder must complete this affidavit. This affidavit shall be provided by the apparent lowest responsible, responsive Bidder within **72 hours** after notification of being low Bidder.

Affidavit of _____ I do hereby certify that on the
(Name of Bidder)

_____ (Project Name)
Project ID# _____ Amount of Bid \$ _____
I will expend a minimum of _____% of the total dollar amount of the contract with minority business enterprises. Minority businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below.

Attach additional sheets if required

Name and Phone Number	*Minority Category	Work description	Dollar Value

*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

Pursuant to G. S. 143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the Bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

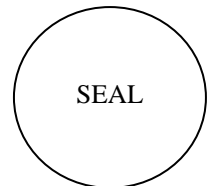
Title: _____

State of North Carolina, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____



CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

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Proposal – Lump Sum Single-Prime Contract Bid Form
00 41 43-46



Orange Water & Sewer Authority

Water Treatment Plant Finished
Water Pumping Improvements

CONTRACT: OWASA CIP #272-42
 PROJECT: Water Treatment Plant Finished Water Pumping Improvements
 DATE: January 28, 2020

AFFIDAVIT D – Good Faith Efforts

County of _____

***** (NOTE: THIS FORM IS NOT TO BE SUBMITTED WITH THE BID PROPOSAL) *****

If the goal of 10% participation by minority business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of: _____

(Name of Bidder)

I do certify the attached documentation as true and accurate representation of my good faith efforts.

(Attach additional sheets if required)

Name and Phone Number	*Minority Category	Work description	Dollar Value

*Minority categories: Black, African American (**B**), Hispanic (**H**), Asian American (**A**) American, Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**D**)

Documentation of the Bidder's good faith efforts to meet the goals set forth in these provisions.

Examples of documentation include, but are not limited to, the following evidence:

- A. Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster.
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.
- I. Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Proposal – Lump Sum Single-Prime Contract Bid Form

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Orange Water & Sewer Authority

Water Treatment Plant Finished
Water Pumping Improvements

CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

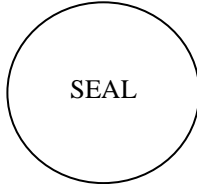
AFFIDAVIT D – Good Faith Efforts (continued)

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of North Carolina, County of _____

Subscribed and sworn to before me this ___ day of _____ 20__

Notary Public _____

My commission expires _____

CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

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Proposal – Lump Sum Single-Prime Contract Bid Form
00 41 43-49

CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

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Proposal – Lump Sum Single-Prime Contract Bid Form
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CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

-END OF DOCUMENT-

Proposal – Lump Sum Single-Prime Contract Bid Form
00 41 43-51



Orange Water & Sewer Authority

Water Treatment Plant Finished
Water Pumping Improvements

CONTRACT: OWASA CIP #272-42
PROJECT: Water Treatment Plant Finished Water Pumping Improvements
DATE: January 28, 2020

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Proposal – Lump Sum Single-Prime Contract Bid Form
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Orange Water & Sewer Authority

Water Treatment Plant Finished
Water Pumping Improvements