DOCUMENT 00 91 13

ADDENDA

ADDENDUM NO. 01

DATE: **July 18, 2022**

PROJECT: **EAST MAIN STREET SANITARY SEWER REHABILITATION AND REPLACEMENT – PHASE 1A**

OWASA CIP NUMBER: **276-63**

OWNER: **ORANGE WATER AND SEWER AUTHORITY**

ENGINEER: **McKim & Creed, Inc.**

TO: **Prospective Bidders**

This Addendum forms a part of the Contract Documents and modifies the Bidding Documents dated July 2022, 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 54 pages.

CLARIFICATIONS:

1. The Pre-Bid Meeting Minutes (dated July 12, 2022) and Pre-Bid Meeting Sign-In Sheet are attached and made part of the Contract Documents.

2. As a clarification, bidders do not have to be pre-qualified to submit a bid for this project. Bidders shall only need to comply with any qualifications that are required and listed in the Bid Proposal.

CHANGES TO THE SPECIFICATIONS:

1. Document 00 41 44 – Proposal (Unit Price Contract – Bid Form)

   Delete Section 00 41 44 – Proposal Unit Price Contract – Bid Form in its entirety and replace with the attached Section 00 41 44 – Proposal Unit Price Contract – Bid Form (Addendum No. 1)

2. Document 01 10 26 – Unit and Lump Sum Prices

   In section 3.1, Item A.3.b(1) add the following to the end of the paragraph

   All costs associated with sealing each service lateral connection upon reinstatement are to be included in the bid unit price for reinstatement of existing sewer service from within the pipe.

3. Document 00 11 16 – Advertisement for Bids

   Delete the first paragraph of this section and replace with the following:

   Sealed Bids will be received by Orange Water and Sewer Authority from Bidders until 2:00 P.M., local time, on Thursday, July 28, 2022 for CIP No. 276-63, Project: "East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A", in the OWASA Administrative Offices, 400 Jones Ferry Road, Carrboro, North Carolina 27510. The latest COVID-19 restrictions may apply at the time bids are due.

   As a clarification, the received bids will not be publicly opened and read aloud, as informal bidding procedures are in place based on the estimated value of the construction contract.

4. Document 01 19 00 – Special Project Provisions

   On page 01 19 00-11, add the following as section E:

   E. Work on weekends is allowable, however, work on weekends is not permitted on weekends where conflicts may exist with events scheduled by the Town of Chapel Hill and University of North Carolina at Chapel Hill. Events may include, but not be limited to, athletic events hosted by the University of North Carolina at Chapel Hill, holiday weekends (including weekends where a holiday falls on a Friday or Monday), Town of Chapel Hill sponsored events (such as festivals, parades, marathons, races, etc.). Community calendars are available through the Town of Chapel Hill at: https://www.townofchapelhill.org/government/newsroom/calendar/community-calendars.

5. Document 02765 – Cured-in-Place Pipe Lining

   As a clarification, in section 3.4, item E.1, the length of the restrained sample of the installed CIPP liner is to be at least 18-inches in length.

6. Document 02768 – Monolithic Manhole Lining Systems

   In section 2.1, delete item B and replace with the following:

   B. The minimum thickness for Portland cement based cementitious lining shall be 1-inch thick.

7. Document 02768 – Monolithic Manhole Lining Systems

   In section 2.2, item D, add "Vortex Products" as an approved manufacturer of the EMMLS.

8. Appendices

   Add the attached Appendix B – OWASA Provided Supplemental Information and Requirements, which includes the "Destructive Weather Checklist for CIP" and "Supplemental Site Safety and Prevention of COVID Requirements".

CHANGES TO THE DRAWINGS:

1. Plan sheet G2, Sewer Rehab Schedule

   Delete the Sewer Rehab Schedule and replace with the attached Sewer Rehab Schedule (Addendum No. 1).

2. Plan sheet C8, Plan View, MH #5685

   Delete the callout indicating "No Repairs Needed" and replace with "Rehabilitate Ex. Brick Manhole".

-END OF DOCUMENT-



ORANGE WATER AND SEWER AUTHORITY
EAST MAIN STREET SANITARY SEWER REHABILITATION AND REPLACEMENT – PHASE 1A
OWASA CIP NO. 276-63 / M&C PROJECT NO. 01519-0055
July 12, 2022 at 10:00 AM

MANDATORY PRE-BID CONFERENCE MINUTES

Safety:

OWASA's number one priority for all construction projects is safety.

Project Bid:

Sealed bids will be received by the Owner, Orange Water and Sewer Authority, in the Administrative Offices, 400 Jones Ferry Rd, Carrboro, NC 27510, until 2:00 PM local time, on **Thursday, July 28, 2022**, for the construction of the East Main Street Sanitary Sewer Rehabilitation and Replacement– Phase 1A project, CIP No. 276-63

If Bids will be hand delivered, Bids should be checked in at the front desk so they can be time/date stamped. Bids must be time/date stamped by 2:00 PM on Thursday, July 28, 2022. Bidders are reminded that if they are delivering bids via FedEx/UPS or USPS, bids should arrive before the stated time above of bid opening and be sent by registered mail in a separate mailing/delivery envelope plainly marked on the outside with the notation "BID ENCLOSED", and addressed to:

Darren Berger
Engineering Associate
Orange Water and Sewer Authority
400 Jones Ferry Road
Carrboro, North Carolina 27510

The Bid opening will occur at the Orange Water and Sewer Authority Administrative Office building.

Bid Structure:

The project is a Unit Price and Lump Sum Bid based on the items and quantities listed in the Bid Form.

Project Description:

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

- Rehabilitation of 689 LF of existing 8" sanitary sewer main by cured-in-place pipe lining.
- Two (2) point repairs on existing 8" DIP sanitary sewer mains.
- One (1) point repair on existing 6" VCP sanitary sewer main.
- Rehabilitation and repairs to three (3) existing manholes
- Reinstatement and reconnection of existing sanitary sewer services to the rehabilitated and repaired sanitary sewer mains.
- Work is confined within the public rights-of-way owned by the Town of Chapel Hill
- Applicable traffic control, bypass pumping, restoration, erosion and sediment control, permitting, and other items required to meet local requirements and requirements as described in the Contract Documents.
- Contractor will be responsible for determining location, depth, material, type, and condition of existing utilities.

Examination of Contract Documents and Site:

Bidder shall provide written notice to Engineer of all conflicts, errors, or discrepancies in the Contract Documents.

Construction Contract Periods and Schedules:

The Work shall be Substantially Complete within **90 CONSECUTIVE CALENDAR DAYS**, after the date when the Contract Time commences to run and shall be completed and ready for final payment within **100 CONSECUTIVE CALENDAR DAYS**, of the Notice to Proceed.

Liquidated Damages:

Description	Number of Consecutive Calendar Days to Achieve Final Completion of the Work	Liquidated Damages (per day)
Substantial Completion	90 days from Notice to Proceed	$2500
Final Completion	100 days from Notice to Proceed	$2500

Bid Package Requirements:

If Bid is sent by registered mail, air/ground special delivery, or express delivery, the sealed Proposal, marked as indicated above, shall be enclosed in an additional sealed envelope similarly marked and addressed as follows:

BID ENCLOSED
Darren Berger
Engineering Associate
Orange Water and Sewer Authority
400 Jones Ferry Road
Carrboro, North Carolina 27510

Mark envelope with the Project title and Contract number in the lower left-hand corner. We recommend proposals that are mailed be received 24 hours before the bid due date to avoid any conflict. **If the Bidder chooses delivery of the Bid by means other than in person, neither Orange Water and Sewer Authority nor the Engineer assumes responsibility for delivery to the Bid opening.**

THE FOLLOWING FORMS ARE INCLUDED IN SECTION 00 41 44 – PROPOSAL AND SHALL BE COMPLETELY FILLED OUT AND SUBMITTED WITH THE BIDS. Failure to submit all of the forms below with the Proposal may be just cause for rejection of the Proposal by the Owner.

- Proposal and Bid Form
- Addenda Acknowledgement
- Certified List of Equipment/Material Manufacturers and Subcontractors
- Qualifications of the Bidder
- Certification Affidavit and Bid Certification
- Evidence of Authority to do Business in the State of North Carolina
- Bid Bond or other Bid security
- Contractor's Affidavit of Organization and Authority
- Non-Collusion Affidavit for Contractors
- Non-Collusion Affidavit for Subcontractors (due within 5 days of Bid Opening)

- Equal Employment Opportunity Certification
- Identification of Minority Business Participation
- State of North Carolina - Affidavit A -Listing of Good Faith Efforts Form OR Affidavit B – Intent to Perform Contract with Own Workforce

Additional Documents to be Included with the Bid (not included in Section 00 41 44 – Proposal):

- E-Verify Affidavit

Method of Payment:

Bidder should refer to the Section 01 10 26 – Unit and Lump Sum Prices for a description of work to be included in each payment item and how that item is to be paid.

Survey and SUE Data:

Subsurface Utility Engineering (SUE) Quality Level D (records research) was obtained by McKim & Creed for the project corridor in June 2021. Subsurface Utility Engineering (SUE) Quality Level B (horizontal designation) was obtained by McKim & Creed for the project corridor in March 2022. Subsurface Utility Engineering (SUE) Quality Level A (vertical test holes) was obtained by McKim & Creed for the project corridor in April 2022. Additional QLA by McKim & Creed to confirm location of the existing 12″ AC water main is anticipated to be completed prior to bid opening; an new information related to the location of the existing 12″ AC water main will be shared with bidders by issuance of an addendum. Topographic survey of existing sanitary sewer manhole rim and invert elevations was performed by McKim & Creed in July 2021.

Engineer's Estimate:
The Engineer's Opinion of Probable Construction Cost is less than $500,000.00.

Permits and Encroachments:

Appendix A – Executed Project Permits (Pending Approvals)

- Appendix A – Town of Chapel Hill – Construction Approval

  Permit submittals were made at the time bids were advertised. Approved permits will be included in future Addenda as they are provided.

Miscellaneous Items:

- OWASA anticipates award of Contract in August 2022
- OWASA anticipates Notice to Proceed in October 2022
- Existing water and sanitary sewer infrastructure shown was obtained through OWASA GIS data in July 2021.
- Pre-construction condition assessments of sanitary sewer pipe segments and manholes shown on the drawings through CCTV inspections was performed by OWASA in early 2021. CCTV inspection data was reviewed, defects coded per the latest NASSCO PACP/MACP standards, and rehabilitation and replacement for each pipe segment shown was recommended by McKim & Creed in July 2021. OWASA indicated the CCTV files can be made available to bidders.
- Geotechnical subsurface data was not collected at the time of design.
- After receiving Notice of Award, Contractor is encouraged to submit all aforementioned forms included in the proposal and begin the shop drawing submittal process as soon as possible due to the project's construction schedule.
- Contractor shall contact OWASA a minimum of 72 hours prior to the start of construction.
- Allowable work hours for the project are at night, from 8pm to 6am, Sunday night through Friday morning. Road closures are not allowed from 6am to 8pm. Work hours are subject to change as a result of the Town of Chapel Hill review process. Any revisions/clarifications to the allowable work hours will be made via addendum.
- Contractor shall be responsible for determining location, depth, material, type, and condition of existing utilities. Prior to construction, contractor shall confirm depth of existing and proposed manholes prior to construction. Prior to construction, contractor shall confirm location of all sanitary sewer services to ensure connectivity is reestablished after sewer main replacement.
- It is the Contractor's responsibility to maintain sanitary sewer service through construction unless accepted by OWASA prior to the outage. Temporary services shall be used where expected disruptions impact customer operations. Services shall be restored prior to leaving the worksite at the end of each work day. Contractor to coordinate with property owners prior to construction. Contractor shall notify OWASA and customer 5 days and 48 hours prior to service interruption.
- The Contractor is expected to maintain a clean construction site daily. All travel lanes shall be opened at the end of each work day with no impacts to vehicle traffic.
- Temporary stone or gravel driving surface is not permitted to remain in place at the end of each work day. Contractor shall repair all disturbed roadways with either temporary or permanent asphalt at the end of each work day.
- Contractor shall not store excavation onsite. Excavated material shall be hauled to an offsite location prior to the end of each shift.

- Bypass pumping equipment and appurtenances shall be removed from the project site, and sanitary sewer flow shall resume normal flow path and conditions at the end of each work shift.
- Sanitary sewer laterals shall be reinstated. On sewer mains repaired by open cut and/or point repair, existing laterals are to be reconnected with new in-line wye fittings. On sewer mains rehabilitated by only CIPP, the sewer laterals are be reinstated robotically.

Addenda:

- Addendum No. 1 will include Pre-Bid Meeting minutes and sign-in sheet and will be distributed to all who attended the pre-bid meeting.
- All questions from prospective bidders must be received by 5:00pm on Friday, July 22, 2022, to ensure that the questions get answered prior to the Bid Opening date
- Bidder questions are to be submitted in writing to Jason Savage of McKim & Creed, at JSavage@mckimcreed.com .

Comments and Bidder Questions:

- Bidder Question 1: For sewer mains rehabilitated by CIPP, are all services required to be sealed with grout? Can a bid item be added for sealing services with grout?
  Engineer Response to Bidder Question 1: Specification section 02765, section 2.3, requires all service lateral connections to be sealed by either injection of a chemical hydrophilic grout into the space between the connection and the main line, or by installing a hydrophilic rubber connection seal. As currently listed, the costs associated with sealing the service lateral connections is to be included in the bid unit price for reinstatement of existing sewer service from within pipe. Any revisions to this requirement and method of payment will be made by addendum
- Bidder Question 2: How is traffic control to be paid? Can a bid item be added for traffic control?
  Engineer Response to Bidder Question 2: Bidders are to reference specification section 01 10 26 for descriptions of each unit price bid item. A bid item has not been included for traffic control, and traffic control is specifically listed to be included in the cost of other bid items.
- Bidder Question 3: Can design phase CCTV data be made available to bidders?
  Engineer Response to Bidder Question 3: Yes, the CCTV data can be provided upon written request made to Darren Berger of OWASA at DBerger@owasa.org
- Bidder Question 4: Is equipment required to be removed from the site at the end of each work shift?
  Engineer Response to Bidder Question 4: Yes, all equipment is to be removed from the work area at the end of each shift. All travel lanes shall be opened and travel ways

returned to normal operation at the end of each shift. Contractor will need to contact the Town of Chapel Hill concerning renting/leasing on-street parking spaces, if desired for parking equipment.

- Bidder Question 5: What is the specified frequency for sampling the CIPP liners?
  Engineer Response to Bidder Question 5: As listed in specification section 02765, at least one physical sample is to be collected for each continuous installation of CIPP liner. The physical sample is to be at least 18-inches in length.
- Owner/Engineer Comments:
  - Laydown and/or storage areas have not been provided by the Owner and are not designated on the drawings. It will be the bidder's responsibility to provide for material storage and/or laydown areas.
  - Information related to OWASA's destructive weather policy will be issued as part of Addendum No. 1
  - Bidders are to base their bids on the allowable work hours listed on plan sheet G2. The traffic control plans included in the plan set may reference allowable work hours different from those listed on plan sheet G2; however, the allowable work hours on G2 are the most current. Any changes to the allowable work hours will be issued via addendum.

McKIM&CREED

ORANGE WATER AND SEWER AUTHORITY (OWASA)
EAST MAIN STREET SANITARY SEWER REHABILITATION AND REPLACEMENT - PHASE 1A (OWASA CIP NO. 276-63)
MANDATORY PRE-BID MEETING

July 12, 2022
SIGN-IN SHEET

Name	Organization	Phone Number	Email
Jason Savage	McKim & Creed, Inc.	(919) 417-6199	JSavage@mckimcreed.com
Darren Berger	OWASA	(919) 636-2785	DBerger@owasa.org
Cody Barnes	M&C	—	—
Bryan Brown	PUI	919 427 7925	bbrown@pui-nc.com
Jacob Bowes	M&C	919-600-9947	jbowes@mckimcreed.com
Jason Knight	MPI	919-422-2457	Jknight@Moffatpipe.com
Brad Keeley	MPI	919-795-4630	B.ks @ Moffatpipe.Com
Ron Robertson	BKS	980-989-0401	Drobertson@bio-Nomic.com
Austin Merritt	United Trench	(919)980-1286	AMerritt@ur.com
Walter Haynes	VRFS	(919) 921-2064	WHaynes@ur.com
Robert Samuels	Am Liner East	(910) 282-7441	RSamuels@amlinerEast.com

CIP NO.: 276-63
PROJECT: East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A

DATE: July 2022

DOCUMENT 00 41 44

PROPOSAL

UNIT PRICE CONTRACT - BID FORM (ADDENDUM NO. 1)

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: **#276-63**

Project: **East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A**

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 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 ***Unit Price Bid***, unless Lump Sum 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 Lump Sum Bid items 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 Unit Price Bid indicated. There shall be no additional compensation for mobilization, demobilization, bonds, insurance, etc and no adjustments to the 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 Unit Prices or Lump Sum 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 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.

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.

CIP NO.: 276-63
PROJECT: East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A

DATE: July 2022

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:

Addendum No.:	**Addendum Date:**

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.

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 e execution of the Contract.

CIP NO.: 276-63
PROJECT: East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A

DATE: July 2022

ARTICLE 5 – BASIS OF BID (UNIT PRICE BID)

5.01 CIP: **#276-63**

Project: **East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A**

Project Description:

UNIT PRICE BID SHALL INCLUDE:

- Rehabilitation of 689LF of existing 8" sanitary sewer main by cured-in-place pipe lining.
- Two point repairs on existing 8" ductile iron sanitary sewer mains.
- One point repair on existing 6" VCP sanitary sewer main.
- Rehabilitation and repairs to four existing manholes
- Reinstatement and reconnection of existing sanitary sewer services to the rehabilitated and repaired sanitary sewer mains
- Work is confined within the public rights-of-way owned by the Town of Chapel Hill
- Applicable traffic control, bypass pumping, restoration, erosion and sediment control, permitting, and other items required to meet local requirements and requirements as described in the Contract Documents.

CONTINGENCY ALLOWANCE: The Contractor shall include in its Bid a contingency allowance in the amount of **$25,000.00**. *The contingency allowance shall only be used at the specific direction and written approval of the Engineer.*

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

The Unit Price Bid 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.

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5.02 Orange Water and Sewer Authority has established a "Contingency Allowance" for this project. The contingency allowance is intended to provide adequate budget to cover items not precisely determined by Orange Water and Sewer Authority, and unforeseeable conditions prior to the Bid. Orange Water and Sewer Authority has provided for a contingency allowance of $25,000.00 as indicated in the Proposal. Funds allocated as part of the allowance will be used *at the sole discretion of Orange Water and Sewer Authority.* This allowance is included on the Bid Form in the Proposal, and will be included in the total amount of each Bid. Orange Water and Sewer Authority shall approve use of the contingency allowance funds prior to any Work associated with a contingency allowance being performed. The Contractor shall invoice items authorized for payment under the Contingency Allowance with its monthly pay applications. The amount invoiced will be deducted from the indicated amount.

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

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BID FORM

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

UNIT PRICE BID CONTRACT

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
BASE BID					
1	Mobilization (maximum 3% of Base Bid)	LS	1	$	$
Sanitary Sewer Mains					
2	Sanitary Sewer Rehabilitation by CIPP				
a	Pipe Segment #26736	LF	115	$	$
b	Pipe Segment #2612	LF	339	$	$
c	Pipe Segment #2608	LF	235	$	$
d	Cut Protruding Service	EA	2	$	$
e	Reinstate Existing Sewer Service From Within Pipe	EA	20	$	$
f	Reconnect Existing Sewer Service to CIPP Liner by Open Cut	EA	2	$	$
g	Cleaning, Flushing, CCTV Inspection for Sanitary Sewer (Applies to Bid Item 2 only)	LF	689	$	$
h	Heavy Cleaning	LF	235	$	$
3	Sanitary Sewer Point Repair (up to 18-feet in length)				
a	Pipe Segment #2622 - sta. 108+07 to 108+25	EA	1	$	$
b	Pipe Segment #2608 - sta. 801+73 to 801+91	EA	1	$	$
c	Pipe Segment #2608 - sta. 802+27 to 802+45	EA	1	$	$
d	Reconnect Existing Sewer Service with 6x4 PVC (C900) Wye	EA	1	$	$
e	Reconnect Existing Sewer Service with 8x4 DIP Wye	EA	2	$	$

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Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
Sanitary Sewer Manholes					
4	Manhole Rehabilitation				
a	Rehabilitation of MH #5579	EA	1	$	$
b	Rehabilitation of MH #5522	EA	1	$	$
c	Rehabilitation of MH #5685	EA	1	$	$
d	Repairs to MH #25747	EA	1	$	$
Erosion Control/Restoration/Miscellaneous Construction					
5	Inlet Protection Devices	EA	8	$	$
6	Rock Removal	CY	10	$	$
7	Undercut Excavation and Disposal of Unsuitable Material	CY	25	$	$
Allowances					
8	ToCH Engineering Fee and Permit Allowance	LS	1	$ 3,000.00	$ 3,000.00
9	ToCH Street Cut Fee Allowance	LS	1	$ 10,000.00	$ 10,000.00
10	Contingency Allowance	LS	1	$ 25,000.00	$ 25,000.00
			Total Base Bid (Items 1 thru 10)		**$**
ALTERNATE BID					
ALT-1	Installation of New Manhole on Pipe Segment #2622 and Reconnect Existing Sewer Service to Manhole in lieu of Reconnect Existing Sewer Service with 6x4 PVC (C900) Wye (ADD or DEDUCT to Base Bid Item 3d)	EA	1	$	$
				SubTotal Alternate Bid ALT-1	**$**
ALT-2	Water Main Relocation				
a	12" Insertion Valve on Existing AC Water Main w/ Concrete Restraint Assembly	EA	1	$	$
b	Remove Ex. 12" AC Water Main and Replace w/ New 12" RJ DI Water Main	LF	40	$	$
				SubTotal Alternate Bid ALT-2	**$**

Total Base Bid + SubTotal Alternate Bid ALT-1	**$**
Total Base Bid + SubTotal Alternate Bid ALT-2	**$**
Total Base Bid + SubTotal Alternate Bid ALT-1 + SubTotal Alternate Bid ALT-2	**$**

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items shall be based on actual quantities, determined as provided in the Contract Documents.

TOTAL UNIT PRICE BID 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

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
PVC Pipe	
Ductile Iron Pipe	
Precast Concrete Structures	
CIPP Liner	
Manhole Liner	
Insertion Valve	

WORK TASK	SUBCONTRACTOR
Manhole Lining	
Asphalt Paving	
CIPP Lining	
Other: _____	

TEMPORARY BYPASS PUMPING:
Indicate Self Perform or Subcontract (write-in): _____

(NOTE: If Subcontract, indicated Subcontractor in previous Subcontractor section)

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)

SIGNATURE: _____

DATE: _____

-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 **90 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 **100 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 The following documents are submitted with and made a condition of this Bid:

A. Required Bid Security;

B. List of Proposed Subcontractors;

C. List of Proposed Suppliers;

D. List of Project References;

E. Evidence of authority to do business in the State of North Carolina; or a written covenant to obtain such license within the time for acceptance of Bids;

F. Required Bidder Qualification Statement with supporting data;

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 Not Used.

9.02 Not Used.

9.03 Not Used.

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 The Bidder shall demonstrate the ability to complete a majority of all portions of the Contract using personnel employed by the Bidder. The Bidder shall include a list of at least three (3) projects they have completed with their equipment and personnel within the past five (5) years that involves installation of a sanitary sewer main of 8-inch diameter or larger with associated manholes in an urban or suburban environment. This documentation shall be included with the Bid.

ARTICLE 12 – SEQUENCE OF WORK

12.01 Not Used.

12.02 Not Used.

12.03 Not Used.

12.04 Not Used.

12.05 Not Used.

12.06 Not Used.

ARTICLE 13 - INTERIM COMPLETION DATES

13.01 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:

_____

_____

_____

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PARTNERSHIP

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

_____	_____
(Partner and Title)	(Partner and Title)
(Seal)	(Seal)
_____	_____
(Partner and Title)	(Partner and Title)
(Seal)	(Seal)
_____	_____
(Partner and Title)	(Partner and Title)
(Seal)	(Seal)
_____	_____
(Partner and Title)	(Partner and Title)
(Seal)	(Seal)
_____	_____
(Partner and Title)	(Partner and Title)
(Seal)	(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:

EAST MAIN STREET SANITARY SEWER REHABILITATION AND REPLACEMENT – PHASE 1A

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.

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:

_____	BY:	_____
Principal Secretary		Principal
(SEAL)		
		_____
		Principal
		_____
		Principal
_____		_____
Witness as to Principal		(Address)
		_____
		(Phone Number)

Execution by Surety:
ATTEST:

_____	_____
N. C. Resident Agent	Surety
(SEAL)	
	_____
	(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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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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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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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)

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(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 _____. Notary Public
(SEAL)

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

CIP NO.: 276-63
PROJECT: East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1A

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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 #	Work type	*Minority Category

*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 ($)_____

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 <u>at least 50 points</u> from the good faith efforts listed for their bid to be considered <u>responsive</u> (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: _____

SEAL

State of North Carolina, County of _____

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

Notary Public _____ My commission expires _____

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: _____

SEAL

State of North Carolina, County of _____

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

Notary Public _____

My commission expires _____

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: _____

SEAL

State of North Carolina, County of _____

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

Notary Public_____

My commission expires _____

CIP NO.: 276-63
PROJECT: East Main Street Sanitary Sewer Rehabilitation and Replacement – Phase 1
DATE: July 2022

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.

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: _____

SEAL

State of North Carolina, County of _____

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

Notary Public_____

My commission expires _____

-END OF DOCUMENT-

Appendix B

OWASA Provided Supplemental Information and Requirements

CIP Manager will review this spreadsheet for completeness on the 1st of the month from June through December, and at each of the various planning modes when Destructive Weather protocol has been implemented.

DESTRUCTIVE WEATHER CHECKLIST FOR CIP

Pre-Planning (OWASA PM)	Review this checklist with construction team at pre-construction meeting
	Review this checklist with construction team at start of hurricane season
	Inspect the site monthly during hurricane season to identify trash, debris, and any construction equipment or materials that are no longer needed and should be removed by the contractor
	Confirm emergency contact info above and on next spreadsheet tab at start of hurricane season
72-hour Planning Mode (OWASA PM)	Inform construction team (typically: engineering project manager, construction observer, prime contractor project manager and superintendent) that destructive weather is expected within 72 hours
	Review this checklist with construction team
	Visit site and document pre-event site conditions
	Convey to contractor the expectations for actions to be taken for 48-hour Planning Mode
	If sewer bypass is expected to continue through potential destructive weather, ensure that bypass information is entered into GIS, maps are prepared and distributed per protocol, and arrange for onsite meeting with D&C Manager and/or Assistant Manager.
	Confirm emergency contact info above and on next spreadsheet tab
	Verify once contractor has completed all 72-hour Planning Mode actions
72-hour Planning Mode (Contractor)	Continue with normal construction operations but with added diligence to regular daily housekeeping, such as consolidation of rubbish and construction materials.
	Communicate to personnel / subcontractors that destructive weather is expected within 72 hrs.
	Ensure that 48-hr Planning Mode actions can be quickly met should timing of event accelerate
	Ensure trailers are properly anchored (including conex boxes).
48-hour Planning Mode (OWASA PM)	Monitor weather forecasts to assess the possibility/timing that 24-hour planning mode will be set
	Visit job site to determine what actions need to be taken if 24-hour planning mode is set.
	Notify contractor that immediate action may be required should the 24-hour planning mode be set
	If 24-hour planning mode may be enacted on a weekend/holiday, confirm that the contractor will be required to respond during daylight hours (whether Saturday or Sunday) to immediately meet all requirements for that condition.
	Verify once contractor has completed all 48-hour Planning Mode actions
48-hour Planning Mode (Contractor)	Normal construction operations may continue, but active preparation of job sites must begin.
	Communicate to personnel / subcontractors that destructive weather is expected within 48 hrs.
	Confirm to OWASA PM that the 24-hour actions can be quickly met, if required (i.e., should timing accelerate), including if 24-hour planning mode falls on weekend/holiday.

CIP Manager will review this spreadsheet for completeness on the 1st of the month from June through December, and at each of the various planning modes when Destructive Weather protocol has been implemented.

24-hour Planning Mode (OWASA PM)	Instruct contractor to report to job site at first daylight to take the actions below
	Inspect active job sites at 1st daylight to ensure that requirements for this condition have been met.
	Email CIP Manager to confirm that 24-hr planning mode requirements have been met.
24-hour Planning Mode (Contractor)	Interrupt construction operations and shift priority to preparing the site for destructive weather.
	Communicate to personnel and subcontractors that destructive weather is expected within 24 hours and these specific action items are required.
	Conduct all actions with idea that the job site may have to be evacuated within hours.
	Remove all missile hazards from the site.
	Securely close all building openings.
	Disconnect all temporary power.
	Remove or secure all equipment
	Remove or firmly secure (by banding, cables, or rope) all bulk materials.
	Firmly secure all scaffolding. Remove all planking.
	Contractor shall not secure the job site for the day until the above requirements have been met.

12-hour Planning Mode	All outside work on OWASA job sites will have been secured. Construction team will closely monitor local media to stay abreast of weather developments.

Destructive weather has passed (OWASA PM)	Coordinate with contractors/consultants to visit each active job site for damage assessment
	Document damage with photographs
	Email CIP Manager with damage assessment summary and site-specific recovery plans.

Orange Water and Sewer Authority
OWASA is Carrboro-Chapel Hill's not-for-profit public service agency
delivering high quality water, wastewater, and reclaimed water services.

Supplemental Site Safety and Prevention of COVID Requirements

The term 'contractor' below includes all contractors, technicians, consultants, vendors and other hired visitors (as distinguished from OWASA staff or members of the public) working at OWASA facilities.

It is the responsibility of a contractor to communicate safety requirements to their subcontractors.

Part 1: Minimum requirements for OWASA facilities and work sites:

- **Stay away if sick:** contractors must stay away from OWASA staff and facilities if exhibiting COVID symptoms or have received a positive COVID test result within 10 days prior.
- **Do not enter buildings:** contractors must not enter an OWASA building, unless authorized by the appropriate OWASA Department manager.
- **Face coverings:** Contractors use of masks are currently optional, per OWASA guidelines; however, this is subject to change at anytime dependent upon the Federal, State, and local government requirements.
- **Social distancing:** Contractors application of social distance is currently optional, per OWASA guidelines; however, this is subject to change at anytime dependent upon the Federal, State, and local government requirements.
- **Communication:** must be in regular communication with designated OWASA staff as to locations and activities of work. Contractors must have a means of daily tracking job-related personnel should there be a need for contact tracing.
- **Duty to Report:** Upon learning of an infection, the contractor must immediately notify the appropriate OWASA Department manager, while maintaining confidentiality of the infected worker.
- Contractors for longer term projects (generally longer than three weeks) must submit a health and safety plan to address job-specific hazards, including measures to prevent spread of COVID. The plan must be reviewed by the OWASA staff member responsible for the hiring and the appropriate Department manager for compliance with the applicable requirements of OWASA's safety programs, including these COVID safety measures.

All OWASA staff have the authority and responsibility to call a "Safety Timeout" and report violations of safety protocols by contractors to their supervisor.

OWASA reserves the right to stop a project if safety precautions are not being followed. Depending on the situation, negligence in following these safety protocols could result in termination of the contract.

Thank you for your attention to these guidelines as we all work to protect each other and the public while maintaining critical services.

SEWER REHAB SCHEDULE (ADDENDUM NO. 1)

SANITARY SEWER MAIN PIPE SEGMENTS - PHASE 1A								
PIPE SEGMENT NO.	STREET LOCATION	SHEET NO.	UPSTREAM TO DOWNSTREAM MH	EX. SEGMENT	SEGMENT LENGTH (LF)[3]	ESTIMATED NUMBER OF ACTIVE SEWER SERVICES	BASE BID REMEDIATION[2,4]	ALTERNATE BID REMEDIATION
No. 2612	W Rosemary St (TOCH)	C6	MH 5587 TO MH 5579	8" VCP	339	8	CIPP LINER	N/A
No. 2622, 2622A	W Rosemary St (TOCH)	C7	MH 5579 TO MH 5522	6" VCP	439	N/A	POINT REPAIR W/ 6" PVC	INSTALL NEW MANHOLE
No. 26736	N Graham St (TOCH)	C8	MH 25747 TO MH 5587	8" CONC	115	1	CIPP LINER	N/A
No. 2608	N Graham St (TOCH)	C8	MH 5685 TO MH 25747	8" DIP	235	11	(2) Point Repair w/ 8" DIP, CIPP LINER	N/A

SANITARY SEWER MANHOLES - PHASE 1A						
MH NO.	STREET LOCATION	SHEET NO.	STATION NO.	EX. MATERIAL	BASED BID REMEDIATION[5]	ALTERNATE BID REMEDIATION
No. 5579	W Rosemary St (TOCH) - N Roberson St (TOCH) Intersection	C7	105+95	Brick	Rehabilitate In-Place	N/A
No. 5522	W Rosemary St (TOCH) - Mitchell Ln (TOCH) Intersection	C7	110+34	Brick	Rehabilitate In-Place	N/A
No. 5685	N Graham St (TOCH)	C8	803+50	Brick	Rehabilitate In-Place, Install Chimney Seal	N/A
No.25747	N Graham St (TOCH)	C8	801+15	Precast	Fill void space between ring and top of precast with nonshrink grout and install chimney seal	N/A

[1] NOT USED

[2] PVC SHALL BE GREEN C900 DR 18 EXCEPT AS NOTED ON THE PLANS. ITEMS REQUIREING DIP SHALL BE PROTECTO 401-LINED AND MEET AWWA C151/ANSI A21.51 STANDARDS, EXCEPT DIP ON SEGMENTS TO BE REHABILITATED BY CIPP DO NOT REQUIRE 401-LINING

[3] SEGMENT LENGTHS ARE FROM CENTER OF UPSTREAM MH TO CENTER OF DOWNSTREAM MH.

[4] EXCEPT AS NOTED ON THE PLANS, POINT REPAIRS ARE TO BE 18-FEET IN LENGTH.

[5] REHABILITATION IN-PLACE TO INCLUDE 1" CEMENTITOUS MORTAR AND EPOXY TOPCOAT. REFERENCE SPECIFICATIONS FOR MATERIAL REQUIREMENTS.