

TOWNSHIP OF LIVINGSTON
ESSEX COUNTY, NEW JERSEY

LIVINGSTON PEDESTRIAN
STREETSCAPE PROJECT
WEST MOUNT PLEASANT AVE

FEDERAL PROJECT NO. HPP-BOOS(883)CON

NOTICE TO BIDDERS

NOTICE is hereby given that sealed bids will be received by the Township of Livingston (hereinafter called the "Owner") for:

BID NO. 007-2010 TOWNSHIP OF LIVINGSTON
STREETSCAPE PROJECT
WEST MOUNT PLEASANT AVENUE

FEDERAL PROJECT NO. HPP-BOOS(883)CON

Sealed Bids for the above named Contract, which comprises the installation of streetscape improvements to West Mount Pleasant Avenue within the Township of Livingston, Essex County, New Jersey ("Owner"), will be received at the Livingston Township Community Center, 204 Hillside Ave., Livingston, New Jersey, 07039 on Tuesday, March 16, 2009, at 11:00 a.m. prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

The work includes the furnishing of all labor, materials and equipment necessary to complete the work as shown on the Drawings and as described in the Specifications. The work consists of the replacement of the existing streetscape sidewalk, curbing, trees and other site furnishings with decorative paving, and installation only of new decorative site furnishings and the installation only of new decorative street lighting system. Site Furnishings will be provided for the Contractor to install including benches, trash receptacles, decorative planters, and light fixtures. The work is located along West Mount Pleasant Avenue within the Township of Livingston and includes: site work and general construction. The work shall be completed within 180 calendar days of the Contractor's receipt of written Notice to Proceed.

No bid will be received unless in writing on the forms furnished, and unless accompanied by bid security in the form of a bid bond, cashier's check, or a certified check made payable to the Township of Livingston in an amount equal to 10% of the amount of the total bid, but not exceeding \$20,000.

The bid shall be accompanied by a Certificate of Surety on the form included in the Contract Documents, from a surety company licensed to do business in the State of New Jersey, which shall represent that the surety company will provide the Contractor with the required bonds in the sums required in the Contract Documents and in a form satisfactory to the Owner's Attorney and in compliance with the requirements of law.

Bidders must use the prepared bid form which is contained in the Contract Documents.

NB-1

Each individual proposal must be separately enclosed in a sealed envelope addressed to Karen Sullivan, Purchasing Manager, 204 Hillside Ave., Livingston, New Jersey 07039, marked on the outside with the number of the contract and name of the project being bid on.

No bids will be received after the time and date specified, and no bids will be received by mail. Bids shall be received by courier service (date and time recorded) or shall be hand delivered. The Owner shall award the Contract or reject all bids within 60 days of bid opening, except that the bids of any bidders who consent thereto may, at the request of the Owner, be held for consideration for such longer period as may be agreed.

The Owner will evaluate bids and any award will be made to the lowest, responsive, responsible bidder in accordance with N.J.S.A. 40A:11-6.1. A copy of N.J.S.A. 40A:11-6.1 is included in Section entitled Local Public Contract of this specification. The Owner reserves the right to reject any or all bids and to waive minor informalities or irregularities in bids received.

The qualification and reclassification of bidders will be subject to the statutory provisions contained in N.J.S.A. 40A:11-25 to 32 ("Local Public Contract Law").

All bid security except the security of the three apparent lowest responsible bidders shall be returned, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bids of the bidders whose bid security is returned shall be considered withdrawn.

The bidder shall comply with the documentation requirements set forth in the Article of the Information for Bidders, entitled, "Bidder Submissions".

The successful bidder will be required to submit bonds and proof of insurance on or before execution of their respective Contracts as explained in the Contract Documents.

Bidders are required to comply with all relevant Federal and State Statutes, Rules and Regulations including but not limited to the applicable provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000D-4A), the discrimination and affirmative action provisions of N.J.S.A. 10:2-1 through 10:2-4, the New Jersey Law against Discrimination, N.J.S.A. 10:5-1, et seq., the rules and regulations promulgated pursuant thereto, the State requirement for bidders to supply statements of ownership (N.J.S.A. 52:25-24.2) and the State requirement for submission of the names and addresses of certain subcontractors (N.J.S.A. 40A:11-16).

The Contract Documents may be examined and obtained at the Office of the Clerk, Township of Livingston, 204 Hillside Ave., Livingston, New Jersey, after 12:00 p.m., Thursday, February 18, 2010. Township of Livingston business hours are from 8:30 a.m. and 4:30 p.m. The Contract Documents may be purchased by prospective bidder upon payment of a fee of seventy-five \$75.00 for each set of full-sized drawings with specifications. Payment must be made by business check and shall be made out to Township of Livingston. If requested by a prospective bidder, one complete set of the Contract Documents will be sent as follows:

- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express,

NB-2

etc.) upon receipt of the cost of the Contract Documents and the bidder's bill-to account number;

There will be a pre-bid non-mandatory meeting held on-site at the corner of Livingston and Mount Pleasant Avenues at 10 am on Thursday, March 4, 2010. The Landscape Architect and Township officials will be present to answer questions. A follow-up memorandum will be sent to all bidders.

If the Contract is awarded, no refunds will be given. If for any reason the Contract is not awarded, refunds will be made to bidders pursuant to N.J.S.A. 40A:11-24(b) when the Contract Documents are returned in reasonable condition within 90 days of notice that the Contract has not been awarded.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of P.L. 1975 c. 127, NJAC 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement".

Bidders and their subcontractors of any tier must comply with all applicable provisions of the Public Works Contractor Registration Act, P.L. 1999, c. 238 (N.J.S.A. 34:11-56.48) and the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25).

Pursuant to P.L. 2004, c.57 (N.J.S.A. 52:32-44) effective September 1, 2004, all business organizations that conduct business with a New Jersey government agency are required to be registered with the State of New Jersey. Bidders and their subcontractors must submit proof with their bid that they are registered with the New Jersey Department of Treasury, Division of Revenue by submitting a copy of their Business Registration Certificate.

The Contract is expected to be funded in part with the funds from the U.S. Department of Transportation Federal Highway Administration.

The Contract governing the work is funded by monies received by Essex County under Title I of the Housing and Urban-Rural Recovery Act of 1983 (P.L.98-181). Under the said Act the Davis-Bacon Act is applicable to the contracted work. Accordingly, the Contractor must abide by the provisions of the Federal Labor Standards which are included as a part of the conditions of the contract."

It is the purpose of this Notice to Bidders to summarize some of the more important provisions of the Contract Documents. Prospective bidders are cautioned not to rely solely on this summary, but to read the Contract Documents in their entirety.

By Order of the Township of Livingston

Karen A. Sullivan, Purchasing Manager