

## **NOTICE TO BIDDERS**

Notice is hereby given that sealed bids will be received by the City of Linwood for the Contract for the Seaview Avenue and West Avenue Pedestrian Safety Improvements on June 1, 2011, at the hour of 10:30 A.M. at which time bids shall be publicly opened and read aloud. Bid opening will occur in the main conference room of City Hall, 400 Poplar Avenue, Linwood, NJ 08221. All bidders and the public are welcome to be in attendance. Owner assumes no responsibility for bids mailed out but not received.

Each bid, when submitted shall be accompanied by a Bid Bond drawn to the order of the City of Linwood, on the form furnished with the Bid Forms and other Contract Documents, for a sum of ten (10%) of the total bid amount (said Bid Bond not to exceed \$20,000).

Bids shall be on a unit price basis. In order for bids to be complete for consideration of award, all items of the Bidder's Checklist must be completed in their entirety.

A pre-bid conference will be held at 10:00 AM in the main conference room of City Hall on May 10, 2011. Bidder attendance is strongly encouraged. Bid documents will be available for inspection and pick-up by appointment on or after April 25, 2011 from the Linwood City Clerk's office for a cost of \$50.00. Non-refundable payment for Bid Documents must be in the form of a company check or money order made payable to the City of Linwood.

The project includes the construction of approximately 650 square yards of concrete sidewalk and driveway aprons to provide safe pedestrian access along Seaview Avenue from West Avenue to Wabash Avenue in the City of Linwood. The construction of two new ADA compliant curb ramps relocation of sanitary sewer cleanouts and water meters, and installation of brick pavers in lieu of grass buffers strips along some properties is also included in the project. The construction of approximately 140 linear feet of a retaining wall and the reconstruction of a 230 square yards of a residential driveway is also included in order to accommodate the new sidewalk. Also included in the project is the construction of four ADA compliant curb ramps and the retrofitting of an additional twenty ADA Curb Ramps along West Avenue.

Bidders are advised that this project is being funded through a "Safe Routes to Schools Grant" from the United States Department of Transportation, Federal Highway Administration and administered by the New Jersey Department of Transportation. As such all applicable Federal Laws shall be followed.

Bidders are required to comply with the laws and regulations of the State of New Jersey pertaining to construction projects, including but not limited to the following: New Jersey Public Law 1977, c. 33, "An Act Requiring the Reporting of the Names and Addresses of Shareholders or Partners Owning over Ten Percent (10%) of an Enterprise"; as amended.

The minimum wage and benefit rates for each craft or classification of all workers needed to perform this Contract during the anticipated term hereof shall be governed by the higher of either the "Davis-Bacon Act" (40 U.S. Code 276(a)) or the "New Jersey Prevailing Wage Act" New Jersey Public Law 1963. The Contractor's attention is directed to this statute so that the

applicable provisions shall be strictly adhered to in the performance of this Contract. Failure to adhere to the applicable provisions of these Acts shall be sufficient grounds for the Owner to declare this Contract in default or to terminate this Contract. Projects funded with funds which are federal in origin will be subject to the provisions of the Federal Labor Standards Provisions. The provisions of the Davis-Bacon Act (40 USC 276a-276a-5), the Contract Work Hours and Safety Standards Act (40 USC 327-333), and the Copeland Anti-Kickback Act (40 USC 276c) will be enforced upon the Contractor. Certain efforts and submittal of information is required by federal statute and regulation. The Contractor's attention is directed to the General Conditions – Part II.

The minimum wage rates applicable to all Contracts, as established and to the extent available are included in with the Contract Specifications.

Bidders are required to comply with the laws and regulations of the State of New Jersey pertaining to construction projects, including but not limited to the following: New Jersey Public Law 1975 c. 127, "Law Against Discrimination"; New Jersey Public Law 1977, c. 33, "An Act Requiring the Reporting of the Names and Addresses of Shareholders or Partners Owning over Ten Percent (10%) of an Enterprise"; New Jersey Public Law 1963, c. 150, "Prevailing Wage Act", and all amendments thereof.

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project; that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, age, color, religion, sex, ancestry, national origin, or handicap; that a mandatory ratio of apprentices and trainees to journeymen is required in each craft and the Contractor (and any subcontractors) is obliged to make a "diligent effort" to achieve these ratios; and (that to the greatest extent feasible, opportunities for training and employment be given lower income residents of the project area and must to the greatest extent feasible utilize project area businesses located in or owned in substantial part by project area residents).

In addition to the Equal Employment requirements of Executive Order 11246, the Contractor must also establish a 0% goal for female participation and a 0% goal for minority participation in his aggregate on-site construction work force, for contracts in excess of \$10,000.00 whether or not part of that work force is performing work on a federal or federally assisted construction contract or subcontract.

The bidders must submit documentary evidence of minority and women business enterprises and of Section 3 businesses who have been contacted and to whom commitments have been made. Documentation of such solicitations and commitments shall be submitted concurrently with the bid.

No firm may be issued a contract unless it complies with the affirmative action provisions of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27-1 et seq.** and the requirements of Federal Executive Order 11246.

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The owner reserves the right to reject any or all bids or to waive any informalities in the bidding.

The owner may hold bids for a period not to exceed sixty (60) days from the date of opening bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding the contract.

The award of the contract shall be made subject to the necessary monies to do the work being provided by the City in a lawful manner. The contract to be executed by the successful bidder will provide that it shall not become effective until the necessary monies to do the work have been provided by the City in a lawful manner. The award shall further be subjected to the securing of necessary State, Federal or local permits governing the work.

In accordance with N.J.S.A. 34:11-56, 48 et seq., the “**PUBLIC WORKS REGISTRATION ACT**” requires that **all contractors, subcontractors and sub-subcontractors** register with the Department of Labor prior to bidding on all public works contracts that exceed the prevailing wage threshold.

In accordance with P.L. 2004, c. 56, “**N.J. BUSINESS REGISTRATION ACT**”, all bidders must submit a copy of their proof of registration, and that of all listed or named subcontractors, as part of their bid submission.

Federal Project No. STP-C00S (098) Construction  
NJDOT Job No. 5514302

By Order of the Common Council  
City of Linwood  
Atlantic County, New Jersey