

NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the City of Linwood for the Contract for the Linwood Ponds Outfall Improvements on August 30, 2011, at the hour of 10:00 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 A.M. in the main conference room of City Hall on August 9, 2011. Bidder attendance is strongly encouraged. Bid documents will be available for inspection and pick-up by appointment on or after July 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 will consist of the construction of six sediment removal devices at existing outfall structures located at three ponds in the City of Linwood. The project also includes the retrofitting or reconstruction of all storm water inlets along these six storm systems.

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"; 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).

Prospective Bidders are advised that this contract or subcontract is expected to be funded in part with funds from the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies or employees is, or will be, a party to this contract or subcontract or any lower tier contract or subcontract. This contract or subcontract is subject to the provisions of **N.J.A.C. 7:22-3, 3, 4, 5, 9, and 10.**

Prospective Bidders are advised that all applicable surety bonds required in connection with the advertisement and award of building contracts or subagreements must be written by a surety company listed on the Federal Treasure List (Department Circular 570-Surety Companies Acceptable on Federal

Bonds), incorporated herein by reference. Copies of this document may be obtained from the New Jersey Department of Environmental Protection.

Prospective Bidders are advised that the contractor may be debarred, suspended or disqualified from contracting on any project financially assisted by the State of New Jersey or the New Jersey Department of Environmental Protection if the contractor commits any of the acts listed in **N.J.A.C. 7:1D-2.2**.

Prospective Bidders are advised that this project is funded in part by New Jersey Environmental Infrastructure Trust and the successful bidder must comply with all the provision of **N.J.A.C. 7:22-9.1** et seq. for the participation of small business enterprises owned and controlled by socially and economically disadvantaged individuals (SEDs). Pursuant to **N.J.A.C. 10:5-33**: “Bidders are required to comply with the requirements of P.L. 1975,c.127.” The successful contractor will be required to comply with City of Linwood’s “Project Plan for SED Utilization” for this project.

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.** 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.

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 an 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.

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

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