

**FRANKFORT PUBLIC SERVICE
DISTRICT**

WATER IMPROVEMENT PROJECT

**CONTRACT FWAT-16-03
WATER TREATMENT PLANT**

ADDENDUM 3

January 6, 2016



**FRANKFORT PUBLIC SERVICE DISTRICT
171 PLUM RUN ROAD
PO BOX 80
WILEY FORD, WV 26767
PHONE: (304) 738-9552 FAX: (304) 738-4021**

**PREPARED BY:
RUMMEL, KLEPPER & KAHL, LLP
159 PLAZA DRIVE
KEYSER, WEST VIRGINIA 26726
PHONE: (304) 788-3370 FAX: (304) 788-3577**



ACKNOWLEDGEMENT

**OF
RECEIPT OF ADDENDUM 3
FRANKFORT PUBLIC SERVICE DISTRICT
WATER IMPROVEMENT PROJECT**

CONTRACT FWAT-16-03 – WATER TREATMENT PLANT

The following Contractor acknowledges receipt of Addendum No. 3 Frankfort Public Service District, Water Improvement Project – Contract 3 – Water Treatment Plant.

Contractor: _____

Signed by: _____

Title: _____

Date: _____

UPON RECEIPT

**PLEASE FAX THIS ACKNOWLEDGEMENT
TO
RUMMEL, KLEPPER & KAHL, LLP**

FAX: (304) 788-3577

**FRANKFORT PUBLIC SERVICE DISTRICT
WATER IMPROVEMENT PROJECT
CONTRACT FWAT-16-03 – WATER TREATMENT PLANT**

ADDENDUM 3

January 6, 2016

Upon receipt of Addendum, Contractor must return attached “Acknowledgement of Receipt of Addendum” to the Engineer.

GENERAL

The following changes to the contract plans and specifications shall become part of the contract requirements and are offered to set forth requirements not explicit in original plans and specifications.

1. THE BID DUE DATE HAS BEEN REVISED AS FOLLOWS:

Sealed bids for the Frankfort Public Service District, Water Improvement Project will be received by Frankfort Public Service District at Frankfort PSD Office on **Thursday, January 26, 2017 @ 1:00 p.m.**

2. ADDENDUM NO 4:

Addendum No. 4 questions will be accepted until close of business on **Wednesday, January 18, 2017**. Addendum No. 4 will be issued on **Friday, January 20, 2017**.

3. Replace Bid Form with attached Bid Form with changes made and ▲ beside them. Bid Form – Addendum No. 3 (attached) will be the only bid form accepted for bid.

4. Responses to questions.

5. The following revised plan sheets are to be incorporated into plans:

Drawing 20 – Revised Note 1 to clarify items to be painted.

Drawings 21 to 22, 25 to 28 – Items supplied WesTech have been noted on sheets.

6. The following revised specifications are to be incorporated into the project manual:

Specification 01151 Measurement and Payment Item 9 to state the correct generator size.

Specification 13122 Pole Building was revised by removing section 3.10 Painting.

7. Electrical Items for Addendum No. 3.

This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This document should be adapted to the particular circumstances of the contemplated Project and the controlling Laws and Regulations.

BID FORM

FRANKFORT PUBLIC SERVICE DISTRICT WATER IMPROVEMENT PROJECT CONTRACT FWAT-16-03 WATER TREATMENT PLANT

Prepared by



Issued and Published Jointly by



Copyright © 2013:

National Society of Professional Engineers
1420 King Street, Alexandria, VA 22314-2794
(703) 684-2882
www.nspe.org

American Council of Engineering Companies
1015 15th Street N.W., Washington, DC 20005
(202) 347-7474
www.acec.org

American Society of Civil Engineers
1801 Alexander Bell Drive, Reston, VA 20191-4400
(800) 548-2723
www.asce.org

The copyright for this EJCDC document is owned jointly by the three sponsoring organizations listed above. The National Society of Professional Engineers is the Copyright Administrator for the EJCDC documents; please direct all inquiries regarding EJCDC copyrights to NSPE.

**CONTRACT FWAT-16-03-WATER TREATMENT PLANT
ENVELOPE NO. 2**

**BID OPENING REQUIREMENTS
CONTRACT FWAT-16-03 – WATER TREATMENT PLANT**

1. Guidelines for bid opening checklist.

The bid opening procedure shall be a two envelope system. The system shall consist of two separate and distinct envelopes, each with proper identification. The envelopes shall be identified as **“Bid Opening Requirements” in Envelope No. 1** and the other as **“Bid Form” in Envelope No. 2**. Both shall be submitted in a single large envelope, labeled with Contractor’s name, address, and name of project with contract numbers. The first envelope shall contain the following items complete as shown in the following checklist:

Bid Opening Requirement Checklist

| ITEM | Completed Satisfactorily (Check if completed) |
|---|--|
| 1. Bid submitted on time | _____ |
| 2. Bid Bond: Provide proof that bid bond surety is authorized to provide bond in West Virginia in form of one of the following attached to bid bond (check one provided): | |
| a. A West Virginia Agent with Power of Attorney to act on behalf of surety | _____ |
| b. Copy of license or authorization from West Virginia State Insurance Commissioner to provide insurance | _____ |
| c. Printout from website of West Virginia State Insurance Commissioner showing surety as having “active” or “current” status | _____ |
| 3. Copy of West Virginia Contractors License | _____ |
| 4. List of References | _____ |
| 5. List of Sub-Contractors | _____ |
| 6. Free Competitive Bidding Affidavit | _____ |
| 7. Attachment #5 of Region III insert | _____ |
| 8. EEO Certification | _____ |
| 9. Certificate of Receipt of Addenda Compliance Statement | _____ |
| 10. Certification Regarding Debarment, Suspension, Ineligibility and Exclusion – Lower Tier Covered Transaction | _____ |
| 11. WV Drug Free Workplace Conformance Affidavit | _____ |
| 12. WV Jobs Act Requirement | _____ |

The second envelope (“BID FORM”) shall consist solely of the bid form. In the event that **all** items are not complete on the Checklist from the first envelope, then the second shall be returned to the Contractor not opened. At that time, the Engineer will declare the bidder non-responsive. Then, the lowest responsive, responsible bidder shall be the bidder who has completed **all** the requirements of the first envelope and has the lowest total on his bid form.

TABLE OF CONTENTS

| | Page |
|---|-------------|
| Article 1 – Bid Recipient | 23 |
| Article 2 – Bidder’s Acknowledgements | 23 |
| Article 3 – Bidder’s Representations..... | 23 |
| Article 4 – Bidder’s Certification | 24 |
| Article 5 – Basis of Bid..... | 25 |
| Article 6 – Time of Completion | 26 |
| Article 7 – Attachments to this Bid | 26 |
| Article 8 – Defined Terms..... | 26 |
| Article 9 – Bid Submittal..... | 27 |

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

Frankfort Public Service District, 171 Plum Run Road, PO Box 80, Wiley Ford, WV 26767

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner 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.

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 will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

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

| <u>Addendum No.</u> | <u>Addendum, Date</u> |
|---------------------|-----------------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

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:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID – EACH CONTRACT WILL HAVE A BID FORM

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

| Item No. | Description | Unit | Estimated Quantity | Bid Unit Price | Bid Price |
|----------|--|------|--------------------|----------------|-----------|
| 1 | Mobilization | LS | 1 | | |
| 2 | Intake Channel Cleaning | CY | 4,000 | | |
| 3 | Rock Rip Rap | CY | 450 | | |
| 4 | Water Treatment Plant Building Upgrades | LS | 1 | | |
| 5 | Water Treatment Plant Upgrades | LS | 1 | | |
| 6 | Packaged Water Treatment Plant Filter Upgrade | LS | 1 | | |
| | **WESTECH Engineering, Inc.: TR-210 A Filter | LS | 1 | | |
| ▲7 | Water Treatment Plant Painting | LS | 1 | | |
| ▲8 | Sediment Basin Upgrades | LS | 1 | | |
| ▲9 | Emergency Generator – 250 KW | LS | 1 | | |
| 10 | Storage Building (24’ X 48’) | LS | 1 | | |
| 11 | Chain Link Fence w/3 Strand Barbed Wire (6 FT) | LF | 400 | | |
| 12 | Chain Link Gate w/3 Strand Barbed Wire (3 FT) | EA | 1 | | |

▲ ADDENDUM NO. 3

****The Frankfort PSD has pre-negotiated a fixed price for the equipment being supplied by the named manufacturer. No other manufacturers will be considered for this project for the noted processes. Detailed equipment being supplied by the named manufacturers are included in Appendix A of Contract 2.**

Bidder acknowledges that 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.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 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. Bid Bond (with designation of Resident Agent in State of Project or other proof of authority to provide bond (See Supplemental Condition SC6.01.C.);
 - B. Contractor's License (from State where project is located);
 - C. List of References;
 - D. List of Sub-Contractor;
 - E. Free Competitive Bidding Affidavit;
 - F. Attachment #5 of Region III – Certification of Non-segregated Facilities;
 - G. EEO Certification;
 - H. Certification of Receipt of Addenda to Plans and Specifications;
 - I. Certification Regarding Debarment, Suspension, Ineligibility and Exclusion – Lower Tier Covered Transaction;
 - J. WV Drug Free Workplace Conformance Affidavit
 - K. WV Jobs Act Requirement

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____

(Individual's Signature)

Doing business as: _____

A Partnership

Partnership Name: _____

By: _____

(Signature of general partner – attach evidence of authority to sign)

Name (type or printed): _____

A Corporation

Corporation Name: _____ (SEAL)

State of Incorporation: _____

Type (General Business, Professional, Service, Limited Liability): _____

By: _____

(Signature – attach evidence of authority to sign)

Name (type or printed): _____

Title: _____

(CORPORATE SEAL)

Attest _____

Date of Qualification to do business in *(State where project is located)* is ____ / ____ / ____.

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (Seal)

By: _____

(Signature of first joint venture partner –attached evidence of authority to sign)

Name: _____

Title: _____

Second Joint Venturer Name: _____ (Seal)

By: _____

(Signature of second joint venture partner–attach evidence of authority to sign)

Name (type or printed): _____

Title: _____

(Each joint venture must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address _____

Phone No. _____ Fax No. _____

E-mail: _____

SUBMITTED on _____, 20____

State Contractor License No. _____ (If applicable)

QUESTIONS–RK&K offers the following responses to questions raised from December 19, 2016 to January 4, 2016, regarding Contract FWAT 16-03 Water Treatment Plant Improvements.

1. Q. Will the generator be a 200 or a 250 KW?
R. **250 kW. Section I Bid Form has been revised to show a 250 kW generator.**
2. Q. Is the owner supplying the transfer switch or will the vendors be supplying it? If not, is there any specifications pertaining to the transfer switch?
R. **The Contractor shall provide the transfer switch. See the attached Electrical Items for Addendum No. 3 for revisions to the Specification 17100.**
3. Q. Can the engineer send out in the next addendum drawing indicating all materials that are included in the WesTech quote?
R. **A note has been added to Drawings 21, 22, & 25-28 to indicate items supplied by WesTech. Moreover, Contractor is directed to Appendix A WesTech Engineering, Inc. – TR 210A Negotiated Lump Sum, and Specification 11350 Packaged Water Treatment Plant Renovations. In the event of a discrepancy, Appendix A WesTech Engineering, Inc. – TR 210A Negotiated Lump Sum governs.**
4. Q. Appendix A contains the Package Treatment System price as well as an adder for field service. What is the total amount that the Contractor is to put in the Bid Form – Line 7?
R. **\$366,863.**
5. Q. Are there any building permits, fee's or taxes to be included with the bid?
R. **No.**
6. Q. Are there any wage rates for this project?
R. **No.**
7. Q. Is the bid paperwork required to be on colored paper?
R. **No.**
8. Q. Is the contractor responsible for securing and permitting a waste site for the creek material?
R. **Yes.**
9. Q. There is an item (item 8) in Specification Section 01151, "Sediment Basin Upgrades". This is not listed on the bid form. Where should we include this work in the bid form?
R. **Section I Bid Form has been revised to include Item 8 Sediment Basin Upgrades.**

- 10.Q. Do flange bolt kits used in wet wells need to be 304 stainless steel?
R. **Yes.**
- 11.Q. What is to be painted in Section 13122.3.10?
R. **Nothing. 3.10 has been removed from Specification 13122.**
- 12.Q. In Section 9900, will the alternate surface preparation be used by way of change order since we will not know the extent until after the Engineer's evaluation of the adhesion test?
R. **No.**
- 13.Q. Is there an existing coating on the Chlorinator Room ceiling? If so, with what?
R. **Yes, the same coating that has been used on the walls.**
- 14.Q. On drawing 20, what material are the step treads constructed of?
R. **On drawing 20, the step treads are aluminum grating, the handrails are aluminum, and the catwalk frame and risers are steel. The catwalk frame and risers are to be painted not the aluminum treads or handrail. Note 1 on Drawing 20 has been revised to clarify what should be painted.**
15. Q. Please confirm the fabric required for the Frankfort PSD project is 2" mesh, 9 gauge 2 oz. coated galvanized fabric.
R. **As per specification Section 02820 Part 2.01.A, the fence fabric is Zinc-Coated Steel Fabric: ASTM A392 hot dipped galvanized before or after weaving, Class 2 – 2.0 oz. /ft².**
16. Q. Will Optimum Controls be added to Specification 17010 as a pre-approved supplier?
R. **Yes, Optimum Controls Corporation has been added as an approved supplier. See the Electrical Items for Addendum No. 3 included in this addendum.**