

REQUEST FOR BIDS
FOR
PAVING, STRIPING AND REPAIR OF A SURFACE PARKING LOT
LOCATED AT
BLOCK 711, LOT 7.01
147 SOUTH HARRISON STREET, EAST ORANGE

ISSUED BY:
EAST ORANGE PARKING AUTHORITY
60 EVERGREEN PLACE, SUITE 503
EAST ORANGE, NEW JERSEY 07018

ISSUE DATE: March 20, 2020

PRE-PROPOSAL MEETING AND SITE VISIT: April 1, 2020 @ 11:30 a.m.

PROPOSAL DUE DATE: May 6, 2020 @ 11:30 a.m.

ATTACHMENT I

NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the Parking Authority of the City of East Orange, State of New Jersey (the “**Authority**”), at the office of the Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018 on May 6, 2020 at 11:30 a.m. prevailing time, and at that time and place publicly opened and read for the following:

PAVING, STRIPING AND REPAIR OF SURFACE PARKING LOT LOCATED AT BLOCK 711, LOT 7.01 IN EAST ORANGE FOR THE EAST ORANGE PARKING AUTHORITY

NOTE: A pre-bid conference will be held on April 1, 2020 at 11:30 A.M. at the Office of the Parking Authority of the City of East Orange, 60 Evergreen Place, Suite 503, East Orange, New Jersey. Attendance at the pre-bid conference is optional; however, prospective bidders are encouraged to participate. **In light of the recent Coronavirus outbreak, and directions from authorities to avoid unnecessary in-person business, the Authority will set up a dial-in, conference call number that interested bidders may use in lieu of in-person attendance at the pre-bid conference. While the Authority believes the pre-bid conference is important, it is critical that prospective bidders abide by any applicable restrictions on travel or the conduct of in-person business.**

Proposal forms and Bid Instructions and Information may be requested by emailing the Authority at eopa_1@verizon.net or you may download such forms from the Authority’s website at www.eastorangeparkingauthority.org. Bids shall be submitted on the forms provided and shall be in accordance with the Bid Instructions and Information and other bidding documents.

Bids may be submitted by mail. Though bids may be sent by mail or other courier services, the Authority takes no responsibility for the loss, non-delivery or physical condition of the bids so sent.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., Affirmative Action Plan and P.L. 1977, c. 33, Disclosure Statement, and all other requirements set forth in the Bid Instructions and Information. Bidders are required to use the statement forms contained in the Bid Instructions and Information.

The Authority reserves the right to accept a bid which, in its judgment, best serves the interest of the Authority; to waive any informalities; or to reject any or all bids in accordance with law. Bidder’s prices must be held firm and Bidders will be held to their price until at least the close of business (4:00 p.m.) on Wednesday, May 27, 2020. The Authority expects to determine a winning contractor, if any, and provide notification to the Bidders, before the close of business on Wednesday, May 27, 2020.

By: Operations Manager of Authority

ATTACHMENT II

BID INSTRUCTIONS

AND

INFORMATION

FOR THE

**PAVING, STRIPING AND REPAIR OF A SURFACE PARKING LOT LOCATED AT
BLOCK 711, LOT 7.01, 147 SOUTH HARRISON STREET**

THE PARKING AUTHORITY OF THE CITY OF EAST ORANGE

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01 **GENERAL INFORMATION**

01.1 **Purpose and Scope of Services/Specifications**

This Request for Bids (“**RFB**”) seeks bids from qualified licensed Bidders to perform paving, striping and repair of a surface parking lot located in the City of East Orange (the “**City**”) and operated by the East Orange Parking Authority (the “**Authority**”). The Authority specifically seeks to enter into an agreement with a qualified licensed contractor to repave and stripe a currently operational, surface parking lot located at Block 711, Lot 7.01 on the City’s tax maps, more commonly known as 147 South Harrison Street, East Orange, New Jersey, and to repair a sinking drain at the rear of the lot (the “**Project**”).

The successful bidder (the “**Contractor**”) will be required to perform all work and to complete the Project in accordance with standard trade practices.

The scope of the Project shall be in accordance with the specifications identified in that certain layout entitled “Resurfacing of 147 South Harrison Street, (Block 711, Lot 7.01)” prepared by the Department of Public Works, Office of the City Engineer, City of East Orange, dated May 16, 2019, as well as a narrative description of the Project, which are collectively attached hereto as **Schedule A** (the “**Specifications**”) and on file at the office of the Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018.

The surface parking lot contains forty-two (42) spaces, including forty (40) regular parking spaces and two (2) handicap parking spaces as more thoroughly depicted in the map annexed hereto to this RFB as **Schedule A**.

As described in **Schedule A**, the Authority has not yet determined whether the paving/resurfacing work that is the subject of this RFB will include an overlay only or, instead, milling and resurfacing of the parking lot. Accordingly, this RFB calls for the selected Contractor to perform test pits, in accordance with **Schedule A**, the results of which will be reviewed with the Authority and the Contractor to determine the most appropriate course. Prospective bidders are encouraged to carefully review this RFB, including the Specifications before preparing proposals.

The Contractor shall be required to perform all work involved in a diligent and uninterrupted manner; he/she/it shall use only tools, equipment and materials that are fit for the function and purpose they are intended for. Also, all materials shall be new and unused, prior to the performance of work under the contract.

All work shall be subject to inspection and approval by the Authority and be completed in accordance with all local laws and ordinances.

Upon completion of the Project, the Contractor shall clean up and dispose of all debris created.

The Contractor shall agree to provide services during normal working hours of 8:30 a.m. through 5:00 p.m. The Contractor shall also agree to provide services after 5:00 p.m. on weekends and legal holidays when so requested of him/her/it.

The Contractor will be required to invoice and bill for payment for work performed on no greater than a monthly basis, and such invoices shall reflect quoted hourly rates for labor and quoted material mark-up as submitted in the bid proposal and recorded on the contract/agreement schedule.

Once submitted to, and accepted by, the Authority, estimates in the bid proposal shall constitute a firm price for the completion of the Project. The Authority shall not make any payments in excess of accepted and approved estimates.

The Authority reserves the right to furnish any or all materials for the Project if deemed to be in the best interest of the Authority. To the extent that the Authority so provides materials, the Contractor shall only invoice the Authority for labor.

1.1.2 Interpretations

In order to be fair to all bidders, no oral interpretations will be given to any bidder as to the meaning of the Specifications or any part thereof. Every request for such a consideration shall be made in writing to the Authority's counsel. Based upon the inquiry, the Authority may choose to issue an Addendum in accordance with the provisions of the Local Public Contracts Law (NJSA 40A: 11-23).

1.1.3 Standard

The Specifications herein state the minimum requirements of the Authority. All bids must meet the requirements in every respect. Unauthorized conditions, limitations, or provisions shall be cause for rejection. The Authority may consider as "irregular" or "non-responsive" and reject any bid document and specification, or any bid lacking sufficient technical literature to enable the Authority to make a reasonable determination of compliance to the Specifications.

It shall be the bidder's responsibility to carefully examine each item of the Specifications. Failure to offer a complete bid, or failure to note exceptions to each and every section of the technical Specifications will cause the proposal to be rejected without further review as "non-responsive." **Bidders are required to provide an explanation sheet fully describing any and all variances, exceptions or deviations, and referencing the corresponding section of these Specifications for each.** Deceit in responding to the specifications will be cause for rejection.

01.2 Schedule of Events and Deadlines

1.2.1 Pre-Bid Conference

An optional pre-bid conference is scheduled for April 1, 2020 at 11:30 a.m. at the Office of the Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018. Prospective bidders are encouraged to participate. **NOTE: In light of the recent Coronavirus outbreak, and directions from authorities to avoid unnecessary in-person business, the Authority will set up a dial-in, conference call number that interested bidders may use in lieu of in-person attendance at the pre-bid conference. While the Authority believes the pre-bid conference is important, it is critical that prospective bidders abide by any applicable restrictions on travel or the conduct of in-person business.**

Any major revisions to the RFB that may be required as a result of the pre-bid conference will be formalized and distributed as written Addenda to the RFB. Answers to deferred questions or questions received after the pre-bid conference will also be distributed by Addendum.

1.2.2 RFB Response Deadline

All bids must be received by the Authority at the Office of the Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018 by 11:30 a.m. on May 6, 2020. At such time, bids will be opened and read publicly. Any entities who submitted bids (each, a “**Bidder**”) or their authorized representatives are invited to be present. Any bid received after the response deadline will be returned, unopened to the Bidder.

Bids may be hand-delivered or mailed by certified mail or overnight delivery to: Operations Manager, East Orange Parking Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018. Proposal for Paving, Striping and Repair Work at 147 South Harrison Street Lot, Submitted by: _____.
(Name of Bidder)

1.2.3 Award of Contracts

The Authority will award a contract to the Bidder who the Authority feels is best equipped to perform the Services based on criteria of price and experience (the “**Successful Bidder**”) or reject the bid(s) before 11:59 p.m. prevailing time on Wednesday, May 20, 2020 (the “**Bid Award Date**”), and will notify the Contractor by the close of business (4:00 p.m.) on Wednesday, May 27, 2020 (the “**Award Notification Date**”). Bidder(s) shall be held to their bid price until the Award Notification Date.

1.2.4 **Execution of Contract**

By responding to the RFB, the Bidder agrees that it will enter into a contract with the Authority to complete the Project if it is selected as the Successful Bidder. In addition, the Bidder agrees that, by submitting a bid, the Bidder has satisfied itself from its own investigation of the requirements to be met, that it will not make any claim for, or have a right to cancellation or other relief, without penalty, of the contract because of misunderstanding or lack of information.

The Authority anticipates that a contract for the completion of the Project (the “**Contract**”) will be executed by the Successful Bidder and the Authority no later than thirty (30) days from the Award Notification Date, unless an extension of time is agreed to in writing by the parties. If, prior to execution of the Contract, the Successful Bidder modifies in any material way the representations made in its Bid Proposal, the Authority may terminate discussions with that Bidder.

1.2.5 **Term of the Contract**

The Contract between the Authority and the Contractor shall be for the length of time necessary for the completion of the Project, which shall be completed no more than forty-five (45) days from the time of the execution of the Contract.

01.3 **Compliance with Laws and Regulations**

1.3.1 **Applicable Federal, State and Local Laws and Regulations**

The Contractor shall be required to comply with all applicable Federal, State and local laws and regulations. The Contractor shall be responsible for obtaining all applicable Federal, State and local governmental approvals necessary to perform the responsibilities required under the Contract.

1.3.2 **Prevailing Wage Law**

The Contractor shall be required to comply with the provisions of the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25, as amended from time to time. By submitting a signed Bid Proposal, the Bidder warrants that it is not listed or on record with the New Jersey Department of Labor, for failure to pay prevailing wages in accordance with the Prevailing Wage Act.

1.3.3 **Mandatory Affirmative Action Compliance**

During the performance of the Contract, the Contractor shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27. Specifically, the Contractor shall not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or

sex. The Contractor shall be required to take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. 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 shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer (defined below) setting forth provision of this non-discrimination clause.

The Contractor shall 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 age, race, creed, color, national origin, ancestry, marital status or sex.

The Contractor shall send to each labor union or representative of workers with which it has collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer advising the commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The Contractor shall comply with the regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time.

The Contractor shall attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Officer pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time.

The Contractor shall inform in writing appropriate recruiting agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The Contractor shall review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The Contractor shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

The Contractor shall furnish within three (3) days of the notice of intent to award or the signing of the Contract, one of the following:

1. Evidence of an existing federally approved or sanctioned affirmative action program

or

2. A certificate of Employee Information Report Approval

or

3. A completed Employee Information Report (AA302).

1.3.4 **Americans With Disabilities Act**

The Contractor shall be required to comply with the provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq), as amended from time to time. The Contractor shall not discriminate against disabled persons in any aspect of employment inclusive of the application process, hiring, training, advancement and wages, benefits or employer-sponsored social activities.

01.4 **General Terms and Conditions**

1.4.1 **Addenda and Interpretations**

Bidders shall carefully examine the bid instructions, information and contract documents.

Any ambiguities or inconsistencies shall be brought to the immediate attention of the Operations Manager of the Authority (the “**Operations Manager**”). Any and all supplemental instructions if issued, will be provided by the Authority in the form of written Addenda to the RFB by certified mail with return receipt requested or by overnight delivery, Fax, or e-mail to all prospective Bidders not later than five (5) days (Saturdays, Sundays, and Holidays excepted) prior to the date fixed for the opening of bids. In the event any Addenda are issued, the Bidder shall be required to complete the Bidders Acknowledgment of Addenda attached to these Instructions as **Schedule G** and shall include such form with its Bid Proposal.

1.4.2 **Challenge to Bid Specifications**

Any challenge to the bid Specifications must be made, no later than three (3) business days prior to the bid opening. All challenges must be made in writing and received in the Office of the Authority, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018, no later than three (3) days prior to bid opening.

1.4.3 **Mandatory Inquiry Requirements**

Bidders shall be required to review all conditions of the bid instructions and information with regard to queries. All items on bid submission shall be answered and signed by the Bidder on the bid forms attached as part of this RFB. In the event all material provisions on the bid forms are not answered and/or signed by the Bidder, the bid may be rejected

1.4.4 **Ownership Disclosure**

In accordance with P.L. 1977, c.33 (N.J.S.A. 52:25-24.2), all bids submitted by a corporation or partnership shall set forth in the Disclosure Statement attached to these Instructions as **Schedule C**, the names and addressees of all stockholders in the corporation who own ten percent (10%) or more of its stock, of any class, or of all individual partners in the partnership who own a 10% or greater interest, as the case may be. If one or more of such stockholders or partners is itself a corporation or partnership, any stockholder holding 10% or more of that corporation's stock, or any individual owning 10% or greater interest in that partnership, as the case may be, shall also be listed.

1.4.5 **Mergers and Acquisition**

If, subsequent to the award of the Contract resulting from this RFB, the Contractor shall merge with or be acquired by another firm, the following documents must be submitted to the Operations Manager.

- (a) Corporate resolutions prepared by the awarded Contractor and the new entity ratifying acceptance of the original Contract, terms, conditions and prices.
- (b) All applicable updated information, including Ownership Disclosure.

The documents must be submitted within thirty (30) days of completion of the merger or acquisition. Failure to do so may result in termination of the Contract.

1.4.6 **Non-Collusion**

Bidders shall be prohibited from colluding in their response to this RFB and as evidence of such non-collusion, shall execute the Non-Collusion Affidavit attached to these Instructions as **Schedule D**.

1.4.7 **Bidder Qualification**

In order to ensure that Proposals are received from qualified Bidders capable of meeting the requirements of the Authority and providing the service required under the proposed terms and conditions of the Contract, the Authority has established the following minimum qualifications for the Bidder that must be met by any successful bidder:

- (a) Minimum of five (5) years of uninterrupted experience in this field.
- (b) Bidder must have completed no less than three (3) projects similar to the Project described herein.

Failure to meet these established Minimum Bidder Qualifications may result in automatic disqualification of the Bidder's proposal.

The Authority reserves the right to reject any and all Bids if the evidence submitted by or investigation of such Bidder fails to satisfy the Authority that such Bidder is properly qualified to carry out the obligations of the Contract.

1.4.8 **Financial Information**

Bidders shall be required to submit, as part of their Bid Proposal, a copy of the company's Complete Financial Statements for the last two complete fiscal years and a year to date Financial Statement which shall not be more than four months old. The Financial Statements shall include at a minimum, a balance sheet and income statement. If the Financial Statements are not accompanied by an audit report of an independent certified public accountant, the Financial Statements shall be accompanied by a certification of an officer of the company to the effect that the Financial Statements are prepared in accordance with generally accepted accounting principles ("GAAP"), consistently applied and that they are true and correct in all material respects.

1.4.9 **Indemnification**

To the fullest extent permitted by law, the Contractor shall be required to assume all risk of and responsibility for and agree to indemnify, defend and save harmless the Authority and its employees from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the

provision of services under the Contract. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in the Contract.

1.4.10 Licenses and Permits

The Bidder shall be required to obtain and maintain in force all required licenses, permits, authorizations, and any approvals required by the Federal government, authorities, the State, county and municipal governments and/or authorities necessary to perform the Contract. Upon request from the Authority, the Bidder shall supply the Authority with evidence that such licenses, permits, authorizations and approvals have been obtained. This requirement shall remain in effect during the term of the Contract.

In the event that any goods or services to be purchased with respect to this RFB require that the Bidder possess any licenses, permits, authorizations and approvals issued by the State or any other governmental body, the Bidder warrants by the submission of a Bid that it possesses all such licenses, permits, authorizations and approvals.

1.4.11 Insurance Requirements

Bidders are required to submit evidence of insurance consistent with the Insurance Requirements outlined in **Schedule I** to this RFB.

1.4.12 Performance Bonds

The Successful Bidder shall be required to furnish a performance bond issued by a Surety, in an amount equal to 100% of the value of the Contract. The Contractor shall provide said performance bond to the Operations Manager within seven (7) days of the Bid Award Date. **The Bidders must include as part of its Bid Proposal a Certificate from a Surety stating that it will provide the Bidder with the necessary bond in the amount required for this Contract. (See Schedule E). The Surety for the bond shall be a duly authorized surety company satisfactory to the Authority and licensed to do business in the State.**

1.4.13 Proof of Business Registration

N.J.S.A. 52:32-44 requires that each Bidder submit proof of business registration with its Bid submission. Proof of registration shall be a copy of the Bidder's Business Registration Certificate ("**BRC**"). A BRC is obtained from the New Jersey Division of Revenue. Information on obtaining a BRC is available on the internet at www.nj.gov/njbgs or by phone at (609) 292-1730. N.J.S.A. 52:33-44 imposes the following requirements on contractors and all subcontractors that knowingly provide goods or perform services for a contractor fulfilling this contract:

- 1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;

2) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used;

3) During the term of the contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

02 INSTRUCTION TO BIDDERS

Bidders **shall** use the bid forms provided by the Authority, as part of this RFB package. Bidders **shall** submit an original and two (2) additional duplicate copies of Bid Proposals, which **shall** be enclosed in a sealed envelope bearing the name, “**Paving, Striping and Repair Services at 147 South Harrison Street Lot**” and the name and address of the Bidder on the outside, addressed to the East Orange Parking Authority, Operations Manager, 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018. The word “duplicate” **shall** be written on the cover sheet of the duplicate copies. Bid documents must be completed in ink or by typewriter and **shall** be manually signed. If erasures or other changes appear on the forms, each such erasure or change must be initialed by the person signing the Bid documents.

2.1 Submittal Requirements

The following items **shall** be fully, accurately, and properly completed and duly executed (where applicable) and submitted to the Operations Manager in order to constitute a responsive Bid. Please see Appendices to this RFB for forms referred to below:

- (a). Cover letter indicating the Bidder’s interest in this project
- (b). A description of the Bidder’s organization (i.e., size, ownership, geographic coverage, key personnel, etc.)
- (c). A description of similar projects the Bidder successfully completed, including at least three (3) similar projects completed by the Bidder within the past five (5) years
- (d). For each project referenced above, provide the name, title and contact information for the individual responsible for overseeing the project on the property owner’s behalf
- (e). Bidder’s Bid Proposal (Schedule F)

- (f). Bidder's Acknowledgment (Schedule B)
- (g). Ownership Disclosure Statement (Schedule C)
- (h). Non-Collusion Affidavit (Schedule D)
- (i). Consent of Surety (Schedule E)
- (j). Financial Statements (See **Section 1.4.8**)
- (k). Bidder's Acknowledgment of Receipt of Addenda (Schedule G)
- (l). Business Registration Certificate
- (m). Bidder's Statement of Qualifications (Schedule H)
- (n). Insurance Requirements (Schedule I)
- (o). Bidder's Checklist (Schedule J)

02.2 **Bidder's Bid Proposal**

As described in Section 2.1 above, Bidders **shall** complete the Bidder Bid Proposal attached to these Instructions as **Schedule F**. The Bid **shall** provide a project cost per the Bid Proposal form, and **shall** include estimated costs for each line item contained in the Specifications, including labor and materials. The price mark-up quoted for material shall not exceed five percent (5%) of the Bidder's cost for materials required to complete the Project. The Contractor will be required to submit original invoices to document material costs. Copies and illegible invoices will not be accepted and invoices must be itemized.

The Bid **must** also include an estimated timeline for completion of the Project including, but not limited to, estimated dates of commencement and completion of the Project

2.3 **Bid Delivery and Award**

2.3.1 **Proposal Signatures**

The Bid Proposal shall be executed by the proper corporate officers if the Bidder is a corporation, by a general partner if the Bidder is a partnership, or by the owner if the Bidder is an individual proprietorship.

If the Bid Proposal is made by an individual, a name and Post Office address shall be given; if a partnership or joint venture, the name and Post Office address of said partnership or joint venture and the name and address of each member thereof; if made by a corporation, the president and Secretary signing the Bid Proposal must be duly authorized by resolution of the Board of Directors, and the Bid Proposal shall contain the names of the officers, and the Post Office address of the principal office, and the name of the State under the laws of which the corporation is chartered. The seal of the corporation shall be affixed.

If the Bid Proposal is from a limited liability company (“LLC”) the proposal shall be signed by a member or manager of the LLC. The proposal may be executed by someone other than the aforesaid member of manager, if they have been duly authorized to so act on behalf of the LLC, pursuant to a resolution by the LLC. In this event, a certified copy of said Resolution or Authorization must be attached to this proposal.

2.3.2 **Conditional Bids**

Conditional Bids shall not be accepted.

2.3.3 **Right to Accept or Reject Bids**

The Authority reserves the right to accept any legally acceptable Bid, to waive informalities, or to reject any or all Bids in accordance with law. A Bid which is incomplete, obscure, or which contains additions, amendments, words, clauses or riders not called for, or irregularities of any kind, including alterations or erasures may be rejected.

In the case of tie Bids, the Authority shall have the authority to award contracts to the Successful Bidder or Successful Bidders selected by the Authority in its sole discretion.

2.3.4 **Withdrawal of Bids**

Upon request and proper identification, Bids may be withdrawn personally or by written or telegraphic means at any time prior to the time and date fixed for the Bid opening. No Bid may be withdrawn after the actual date of the opening thereof through the close of business on the Bid Award Date.

2.3.5 **Basis for Bid Award**

Each Bid will be evaluated by the Authority based upon the complete Bid Proposal. The Bid award will be made to the Bidder whose Bid complies with the terms and conditions of this RFB and provides the lowest responsible Total Price Proposed in the Bid Proposal Form.

2.3.6 **Bid Award**

The Authority will award a contract or reject the Bid(s) before 11:59 p.m. prevailing time on the Bid Award Date and will notify the Contractor by the close of business (4:00 p.m.) on the Award Notification Date. Bidder(s) shall be held to their bid price from the date of the Bid Proposal until the close of business on May 27, 2020.

SCHEDULE A

**MAP OF SURFACE PARKING LOT AND BREAKDOWN OF PARKING SPACES,
AND BID SPECIFICATIONS**

BID SPECIFICATIONS:

Paving

- Bidders **shall** submit alternative lump sum bids:
 - a) Overlay – no milling, just a new 2” thick surface course layer; and
 - b) Milling and Resurfacing – milling and installation of new 2” thick surface course layer.
- Bidders **shall** also include a bid for 1-2 test pits, on a unit cost basis, to determine the condition of the parking surface.
 - c) The selected bidder and the Parking Authority will determine the number of test pits to perform prior to performance of the work described herein.
 - d) Results from the test pit(s) will determine whether the project will include only a milling and 2” resurfacing or only an overlay, or some combination.
- Bidders **shall** supply an optional unit cost bid assuming 10 ft³ of fill which can be used, if necessary, to fill voids deeper than 2”.

Utility Plan

- No utility plan was included because the Parking Authority utilities should not be affected by the surface work contemplated in this RFB. Nevertheless, the selected bidder should be cautious.

• **Curbing**

- Bidders **shall** provide a per unit cost proposal for curbing. Curbing will be installed on an if/where directed basis, with the chief goal being to contain surface water run-off.

Drains

- Bidders **shall** provide alternate cost bids to:
 - e) clean and reset the trench drain and storm inlet; and
 - f) to replace same.

Upon cleaning, a determination will be made whether either or both drains need to be replaced with new drains or whether the cleaned drains may be reset.

STOP Sign/Handicap Parking Space Sign

- Attached hereto is a plan entitled “Layout – Resurfacing of 147 So Harrison Street (Block 711, Lot 7.01)”, dated May 16, 2019, illustrating the detail and location for STOP sign and Handicapped parking stalls.

LANDSCAPING

- Landscaped areas **shall** remain as they are.

SCHEDULE B

BIDDER'S ACKNOWLEDGMENT

EAST ORANGE PARKING AUTHORITY

BIDDER'S ACKNOWLEDGMENT

The Bidder acknowledges that if it is awarded a contract, the responsibility for monitoring the contract will be the Bidder's. If, at any time, the Bidder is asked by the Authority or any of its representatives to perform work which the Bidder feels would entitle it to compensation in excess of the amount of the contract awarded to the Bidder, or work not stated in the contract, the Bidder shall immediately notify the Operations Manager of the Authority in writing. The Bidder shall not perform such additional work until it has received a written change order to the contract signed by the Chairperson of the Authority, authorizing the work to be performed, and designating the price for its completion. The Bidder acknowledges that unless it has received the aforementioned change order, it waives any and all claims for compensation for such additional work.

Signed: _____

Title: _____

Company: _____

Date: _____

SCHEDULE C

OWNERSHIP DISCLOSURE STATEMENT

STOCKHOLDER OR PARTNERSHIP DISCLOSURE STATEMENT

Bidders must comply with Chapter 33, Public Laws of 1977 (N.J.S.A. 52:25-24.2), requiring corporate and partnership bidders for State, County, Municipal or Authority Contracts to submit a list of names and addresses of all stockholders owning ten percent (10%) or more of their stock of any class, or in the case of a partnership, the names and addresses of those partners owning ten percent (10%), or greater interest therein.

IF THERE ARE NO STOCKHOLDERS OR PARTNERS OWNING A TEN PERCENT (10%) OR GREATER INTEREST THEREIN, INSERT THE WORD "NONE" BELOW.

Please check the appropriate paragraph:

_____ I certify that the list below contains the names and home addresses of all stockholders holding ten percent (10%) or more of the issued and outstanding stock of the undersigned (partnership/corporation).

_____ I certify that no one stockholder owns ten percent (10%) or more of the issued and outstanding stock of the undersigned (partnership/corporation).

Authorized Signature: _____

Name of Signature: _____

Title of Signature: _____

Company Name: _____

STOCKHOLDERS

Name: _____
Home Address: _____
Percentage of Ownership ____

Name: _____
Home Address: _____
Percentage of Ownership ____

Name: _____
Home Address: _____
Percentage of Ownership ____

Name: _____
Home Address: _____
Percentage of Ownership ____

Name: _____
Home Address: _____
Percentage of Ownership ____

Name: _____
Home Address: _____
Percentage of Ownership ____

SCHEDULE D

NON-COLLUSION AFFIDAVIT

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY:

SS:

COUNTY OF _____

I, _____ of the _____ of _____ in the County of _____, and the State of _____, of full age, being duly sworn according to the law on my oath, depose and say that:

I am _____ of the firm of _____ the Bidder making the proposal for the contract involving the paving, striping and repair of a surface parking lot at 147 South Harrison Street, and that I executed the said proposal with full authority to do so; that said Bidder has not, directly or indirectly, entered into an agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with this procurement; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the County relied upon the truth of the statements contained in said proposal and in this affidavit in awarding the contract for the said proposal.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fees, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

(Name of Bidder)

Authorized Signature: _____

Name of Signatory: _____

Company Name: _____

Address: _____

Telephone: _____

Date: _____

Subscribed and Sworn to before me
this ____ day of _____, 2020.

Signature of Notary Public

SCHEDULE E

CONSENT OF SURETY

CONSENT OF SURETY

_____, Surety, authorized to carry on business in the State of New Jersey, by its signature hereupon or that of its attorney-in-fact, certifies to and promises to the East Orange Parking Authority that if a contract for the paving, striping and repair of the surface parking lot at Block 711, Lot 7.01 is awarded to _____, Principal, that it as Surety will execute the bonds as required by the Specifications and will become surety in the full amounts set forth in the bid of its Principal for the faithful performance of all obligations of its Principal as Contractor.

This Consent of Surety shall be valid for a period of ninety (90) days from the date of the bid opening.

By: _____ -
Attorney-in-Fact

_____ -
Address A

_____ -
City, State, Zip C

_____ (
Phone Number P

POWER OF ATTORNEY FOR ATTORNEY-IN-FACT MUST BE ATTACHED HERETO.

NOTE: THIS TEXT CANNOT BE ALTERED. THE INCLUSION OF ADDITIONAL CONDITIONS OR OTHER TEXT WILL CAUSE THE BID TO BE REJECTED.

SCHEDULE F
BIDDER'S BID PROPOSAL

BID PROPOSAL FORM

The following quotes shall apply to the entire contract:

1. PRICE for Test Pit Testing (conducting 1-2 test pits to determine the condition of the parking surface) of the 147 South Harrison Street Surface Lot:

g) Unit Price per test pit (cost per unit):

\$ _____

h) Total Cost for Test Pit Testing:

\$ _____

2. PRICES of Paving the entirety of the 147 South Harrison Street Surface Lot:

a) PRICE of Overlay – no milling, just a new 2” thick surface course layer:

\$ _____

b) PRICE of Milling and Resurfacing – milling and installation of new 2” thick surface course layer:

\$ _____

2. PRICE OF striping the entirety of the 147 South Harrison Street Surface Lot

\$ _____

3. PRICE OF curbing the 147 South Harrison Surface Lot (per unit)

a) Unit Price for curbing (cost per unit):

\$ _____

b) Estimated Number of Units: _____ and Total Cost:

\$ _____

4. PRICE OF installing handicap and stop signs, in accordance with plan entitled “Layout – Resurfacing of 147 So Harrison Street (Block 711, Lot 7.01)”, dated August 16, 2019 at the 147 South Harrison Surface Lot:

\$ _____

5. PRICE OF repairing the drain in the rear of the 147 South Harrison Surface Lot

a) PRICE to clean and reset the trench drain and storm inlet

\$ _____

b) PRICE to replace the trench drain and storm inlet:

\$ _____

6. TOTAL PRICE PROPOSED (alternates included)

a) TOTAL PRICE with Overlay Paving:

\$ _____

b) TOTAL PRICE with Milling and Resurfacing:

\$ _____

This price includes ALL expenses of the Contractor in connection with carrying out its duties and responsibilities listed in the RFB including, but not limited to, the cost of the materials necessary therefor. No further or additional costs or reimbursements shall be payable by the Authority to the Contractor.

Signature: _____

Print Name: _____

Name of Company: _____

Date: _____

SCHEDULE G

BIDDER'S ACKNOWLEDGMENT OF
RECEIPT OF ADDENDA TO BID
DOCUMENTS

**BIDDER'S ACKNOWLEDGMENT OF RECEIPT OF ADDENDA TO BID
DOCUMENTS IN CONNECTION WITH REQUEST FOR BIDS FOR
PAVING, STRIPING AND REPAIR OF SURFACE PARKING LOT AT
147 SOUTH HARRISON STREET**

The undersigned Bidder hereby acknowledges receipt of the following Notices, Revisions, or Addenda to the bid advertisement or bid documents. By indicating date of receipt, Bidder acknowledges the submitted bid takes into account the provisions of the Notice, Revision or Addendum. Note that the Authority's record of notice of Bidders shall take precedence and that failure to include provisions of changes in a bid proposal may be cause for rejection of the bid.

AUTHORITY REFERENCE NUMBER OR TITLE OF ADDENDUM OR REVISION	How Received (mail, fax, Pick-up, etc.)	Date Received

Acknowledgment by Bidder:

Name of Bidder: _____

By Authorized Representative:

Signature: _____

Printed Name of Title: _____

Date: _____

SCHEDULE H

BIDDER'S STATEMENT
OF QUALIFICATIONS

BIDDERS STATEMENT OF QUALIFICATIONS

The Bidder _____ hereby certifies as follows:
(NAME)

- (i) The Bidder completed at least three (3) projects field of paving, striping and repair of surface parking lots in the last five (5) years.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(DATE)

(Bidder's Signature)

SCHEDULE I
INSURANCE REQUIREMENTS

INSURANCE REQUIREMENTS

The Contractor shall obtain and maintain for the duration of this Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors. The cost of such insurance shall be paid by the Contractor. Insurance shall meet or exceed the following unless otherwise approved by the Authority.

A. Minimum Insurance

1. Commercial/General Liability coverage with limits not less than \$1,000,000 per occurrence/\$2,000,000 annual aggregate,
2. Stop Gap/Employee Liability coverage with limits not less than \$1,000,000 per accident or occurrence.
3. Business Automobile Liability coverage with limits not less than \$1,000,000 per accident for any auto.
4. Workers' Compensation coverage as required by New Jersey Law.

B. Other Provisions

Commercial/General Liability policies shall be endorsed to:

1. Include the Authority, its officials, employees and volunteers as additional insureds,
2. Provide that such insurance shall be primary as respects any insurance or self-insurance maintained by the Authority,
3. Each insurance policy shall provide that coverage shall not be canceled except after thirty (30) days' written notice to the Authority.

C. Acceptability of Insurers

Insurance shall be placed with insurers with a rating acceptable to the Authority.

D. Verification of Coverage

Contractor shall submit certificates of insurance required by this Schedule.

SCHEDULE J
BIDDER'S CHECKLIST

BIDDER'S CHECKLIST

This Bidders Checklist is a statutorily mandated form, the purpose of which is to list those documents and information forms, certifications and other documents that the Authority requires each Bidder to submit with the bid. This form lists each of the items required to be submitted with the bid proposal and a place for the Bidder to indicate, by initialing each entry, that the Bidder has included those required items with the completed bid proposal. Each Bidder shall complete this form and submit it with the bid proposal, in addition to those documentary and informational forms, certificates and other documents that are listed.

Initials:

- // a. Bid Proposal
- // b. Bidder's Acknowledgment
- // c. Ownership Disclosure Statement
- // d. Non-Collusion Affidavit
- // e. Consent of Surety
- // f. Financial Statements
- // g. Bidder's Acknowledgment of Receipt of Addenda
- // h. Business Registration Certificate Acknowledgment
- // i. Bidder's Statement of Qualifications
- // j. Bidder's Checklist

Bidder's Signature

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B

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Name of Bidder