

## INVITATION FOR BIDS

### **Project: SP 240 Smith Ryerson Parking Lot**

**The City of Muskegon, Michigan will receive sealed bids until 2:00 p.m. local time on Tuesday, April 16, 2019, at the City Clerk's Office, City Hall, 933 Terrace Street, Muskegon, Michigan, at which time and place all bids will be publicly opened and read aloud for the following items of work to include:**

Add parking area over the existing tennis courts, move handicap parking spots closer to the building, improve driveways, other work as needed. Crushing the existing approx. 2400 SYD HMA tennis courts, removing and stockpiling material, grading, placing aggregate base, and approx. 470 TON of HMA paving, including miscellaneous grading, utility work and pavement markings.

Electronic copies of Plans and Specifications may be obtained on or after Friday, August 17, 2018 from the City of Muskegon website, or by request to the Engineering Department via phone or email; 231.724.6707 or [engineering@shorelinecity.com](mailto:engineering@shorelinecity.com). Printed copies can be obtained by request from the Engineering Department located at 1350 E. Keating Ave, Muskegon MI, 49442 for a cost of \$40.

An amount equal to five percent (5%) of the Bid must be submitted with each Bid Proposal in one of three forms acceptable to the City of Muskegon. Contract documents may be examined at the following locations:

- Public Services Building, 1350 E. Keating Ave., Muskegon MI 49442
- City of Muskegon website: [www.shorelinecity.com](http://www.shorelinecity.com)
- Grand Rapids Builders Exchange

Attention is called to the fact that the City requires: that the Contractor consider hiring local work force insofar as possible; that not less than the salaries and wages set forth in the Specifications must be paid; that 14% minority and 6.9% female are the goals established for participation in each trade; that the Contractor must ensure employees and applicants for employment are not discriminated against based upon their race, creed, color, religion, sex, national origin, handicapped condition nor veteran background; and that all pertinent regulations must be complied with. No bid may be withdrawn within sixty (60) days after bid opening. The City of Muskegon reserves the right to reject any or all bids or to waive any informalities or irregularities in the bidding.

**A Pre-Bid Conference will be held in the Conference Room at the City of Muskegon Public Services Building located at 1350 E Keating Avenue at 9:30 am on, Tuesday, April 9, 2019, at which time and place any questions regarding this Project should be presented. Minutes from said Pre-Bid Conference will become an Addendum to the Contract.**

CITY OF MUSKEGON, MICHIGAN  
By: Ann Meisch, City Clerk

PUBLISH: 3/29/2019

#### **ADA POLICY**

The City will provide necessary appropriate auxiliary aids services, for example, signers for the hearing impaired, audio tapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hour notice to the City. Contact:

**Ann Meisch, City Clerk  
City of Muskegon, City Hall  
933 Terrace Street, Muskegon, MI 49440  
(231) 724-6705 or TDD (231) 724-6773**

1.1 CONTRACT BIDDER'S CHECKLIST

THIS FORM IS A REFERENCE TOOL FOR BIDDING CONTRACTORS

The following forms **MUST** be completed:

Form	Completed?	
	Yes	No
1. Transmittal Letter for Bid Proposal (must acknowledge addenda received)		
2. Bidder Certification and Agreement		
3. Bid Tabulation		
4. Bid Bond Proposal (must be 5% of total bid)		
5. Non-Collusion Affidavit of Prime Bidder		
6. List of Proposed Sub-Contractors		
7. Disadvantaged Contractor Affidavit (if applicable)		

Actual Completion of All Required Forms is the **Sole Responsibility of the Bidder**

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**FAILURE TO COMPLETE THE NECESSARY FORMS MAY RESULT IN BID REJECTION.**

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1.2 TRANSMITTAL LETTER FOR BID PROPOSAL

**Bidder/Company Name** \_\_\_\_\_

**Name & Title of Head of Company** \_\_\_\_\_

**Street Address** \_\_\_\_\_

**City, State, ZIP** \_\_\_\_\_

**Date** \_\_\_\_\_

**CITY OF MUSKEGON, MICHIGAN  
933 TERRACE ST.  
MUSKEGON, MI 49443-0536**

**RE: Project No. SP 240**

**Project Title: Smith Ryerson Parking Lot**

Dear Awarding Agent,

Having examined the Bid Specifications and Contract Documents, including all forms and instructions, and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of materials and labor, and having received and reviewed the following Addenda:

- Addendum No. 1

I/We hereby propose to furnish all labor, materials and supplies, and to construct the project in accordance with the Contract Documents and at the prices indicated in the attached Bid Proposal. Submitted prices are to cover all expenses incurred in performing the work required under the Contract Document, of which this letter and attached Proposal are a part.

In accordance with the Instructions to Bidders, all appropriate documents, forms, etc., have been properly completed and are attached hereto, along with the Bidder Certification and Agreement, List of Subcontractors, Non-Collusion Affidavits, and the proper Bid Guaranty.

I/We hereby respectfully submit the attached Bid Proposal for consideration by the City of Muskegon on the above-referenced Project.

\_\_\_\_\_  
Signature of Bidder/Representative

\_\_\_\_\_  
Printed Name and Title

1.3 BIDDER CERTIFICATION AND AGREEMENT

PART I.           The Undersigned hereby agrees:

That he/she has examined the Bid Specifications/Contract Documents, including specifications, forms and instructions;

That he/she has received and reviewed the following Addenda:

ADDENDUM NO. I (PRE-BID CONFERENCE MINUTES)

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That he/she has examined the Site of the proposed work and is familiar with all of the conditions surrounding the construction of the proposed project and the availability of materials and labor.

PART II.           The Undersigned hereby agrees:

That he/she will enter into a contract to furnish the labor, materials, tools and construction equipment necessary for the full and complete execution of the work at and for the prices indicated in his/her official Bid Proposal, if said Proposal is accepted by the City;

That, at the time of execution of said Contract, he/she will furnish requisite bonds with such sureties (or letters of recommendation accompanied by a Bidder's Statement) for the faithful performance of the Contract, for the payment of all materials used therein, and for all labor expended thereon in accordance with the forms and instructions provided;

That he/she will construct the project in accordance with the Contract Documents within the specified time.

PART III.           The Undersigned hereby agrees:

**To commence work within 10 days of the "Notice of Award" from the City.**

To complete the work within ten (10) weeks from "Notice to Proceed" To comply with all applicable Adopted Guidelines and requirements, wage rates, labor standards, equal opportunity requirements, subcontract (or) requirements, and any other specifications indicated or referred to within these Contract Documents.

The Undersigned herewith attaches an Affidavit in proof that he/she has not entered into a collusive agreement with any person in respect to this Bid or any other bid, or the submitting of bids for the Contract for which this Bid is submitted.

The Undersigned is prepared to submit a Statement of Bidder's Qualifications, a financial statement, and/or any information requested by the City.

However, once work has commenced the project shall be completed without interruption of normal working days unless authorized in writing by the Engineer.

PART IV

In regard to non-segregated facilities, the Undersigned certifies:

That he/she does not maintain or provide for any employees any segregated facilities at any of his/her establishments;

That he/she does not permit employees to perform their services at any location, under his/her control, where segregated facilities are maintained;

That he/she will not maintain or provide for employees any segregated facilities at any of his/her establishments, and that he/she will not permit employees to perform their services at any location under his/her control where segregated facilities are maintained.

The Undersigned hereby agrees:

That a breach of this section of the Bidders Certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this Bid.

**That he/she will obtain identical certification from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause (unless already obtained for specific time periods), and that he/she will retain such certifications on file.**

[As used in this section of this Bidder Certification, the term “segregated facilities” means any waiting rooms, work areas, restrooms, and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin, because of habit, local custom, or otherwise.]

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

SIGNED: \_\_\_\_\_ DATED: \_\_\_\_\_

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company/Bidder)

\_\_\_\_\_  
(Company/Bidder Street Address)

\_\_\_\_\_  
(Company/Bidder City, State Zip)

## 1.5 BID TABULATION

Project Engineer: Charles Wiggins

Project Number: SP-240

Project description: Smith Ryerson Parking Lot

Engineer's Estimate: \$82,385.00

Bids opened:

4/16/2019

Contractor Estimate

Line Item	Pay Code	Description	Units	Quantity	Unit Price	Total
1	1500001	Mobilization, Max \$8,000	LSUM	1		
2	2050016	Excavation, Earth	Cyd	950		
3	2080036	Erosion Control, Silt Fence	Ft	400		
4	2090001	Project Cleanup	LSUM	1		
5	3020001	Aggregate Base	Ton	100		
6	3027011	_Aggregate Base, 6 inch, Modified	Syd	2700		
7	3057011	_Salv Crushed Material, Modified	Syd	2400		
8	5010025	Hand Patching	Ton	5		
9	5010033	HMA, 13A	Ton	235		
10	5010034	HMA, 36A	Ton	235		
11	8110078	Pavt Mrkg, Ovly Cold Plastic, Thru Arrow Sym	Ea	4		
12	8110294	Pavt Mrkg, Waterborne, for Rest Areas, Parks, & Lots, 4 inch, White	Ft	988		
13	8117001	_Pavt Mrkg, Waterborne, 4 inch, Blue	Ft	387		
14	8117050	_Pavt Mrkg, Waterborne, Handicap, Sym, Blue	Ea	5		
15	8120170	Minor Traf Devices	LSUM	1		
16	8120250	Plastic Drum, High Intensity, Furn	Ea	20		
17	8120251	Plastic Drum, High Intensity, Oper	Ea	20		
18	8160028	Mulch Blanket, High Velocity	Syd	250		
19	8160062	Topsoil Surface, Furn, 4 inch	Syd	1260		
20	8167011	_Hydroseeding	Syd	1260		
21	8257001	_Force Main, HDPE, 2 inch	Ft	80		

**TOTAL BID AMOUNT:**

\_\_\_\_\_

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1.6 BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned,

\_\_\_\_\_ as PRINCIPAL, and  
(Name of Principal)

\_\_\_\_\_ as SURETY are held and firmly bound unto  
(Name of Surety)

The City of Muskegon, Michigan, in the penal sum of \_\_\_\_\_

\_\_\_\_\_ dollars, (\$ \_\_\_\_\_) lawful money  
of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our  
heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has

submitted the Accompanying Bid, dated \_\_\_\_\_, 20 \_\_\_\_\_,

for \_\_\_\_\_.

NOW, THEREFORE, if the Principal shall not withdraw said Bid within the period specified for  
withdrawal; and shall within ten (10) days after the prescribed forms are presented for signature enter into  
a written Contract with the City of Muskegon in accordance with the Bid as accepted, and give bond with  
good and sufficient surety or sureties, as may be required for the faithful performance and proper  
fulfillment of such Contract; or

In the event of the withdrawal of said Bid within the period specified for withdrawal, or the failure to  
enter into such contract and give such bond within the time specified; and if the Principal shall pay the  
City of Muskegon the difference between the amount specified in said Bid and the amount for which the  
City of Muskegon may procure the required work or supplies or both, if the latter be in excess of the  
former.

THEN the above obligation shall be void and of no effect; otherwise shall remain in full force and virtue

IN WITNESS WHEREOF, the above-bounded parties have executed this instrument

Under their several seals this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
the name and corporate seal of each corporate party being hereto affixed and these presents signed by its  
undersigned representative, pursuant to authority of its governing body.

In presence of

\_\_\_\_\_ (SEAL)  
(Individual Principal)

\_\_\_\_\_  
Business Address including Zip Code

\_\_\_\_\_  
Partnership

\_\_\_\_\_  
Business Address including Zip Code                      Attest:

\_\_\_\_\_  
By:

(SEAL)

\_\_\_\_\_  
Corporate Principal

\_\_\_\_\_  
Business Address including Zip Code                      Attest:

\_\_\_\_\_  
By:

Affix  
Corporate  
Seal

Countersigned

By

Attorney-in-fact, State of \_\_\_\_\_

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_, Secretary of the Corporation named as Principal in the within Bond; that

\_\_\_\_\_, who signed the said Bond on behalf of the

Principal was then \_\_\_\_\_ of said Corporation; that I know his/her signature, and his/her signature thereto is genuine; and that said bond was duly signed, sealed, and attested to for and in behalf of said Corporation by authority of this governing body.

Affix  
Corporate  
Seal

By: \_\_\_\_\_

Title: \_\_\_\_\_



1.7 NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

\_\_\_\_\_, being first duly sworn,  
deposes and says that:

1. He/She is \_\_\_\_\_  
(owner, partner, officer, representative, agent)

of \_\_\_\_\_, the Bidder that has submitted the attached Bid to the  
City of Muskegon;

2. He/She is fully informed respecting the preparation and contents of the attached Bid  
and of all pertinent circumstances thereto;

3. Such Bid is genuine and is not a collusive or sham Bid;

4. Neither said Bidder nor any of his/her officers, partners, owners, agents,  
representatives, employees or parties in interest, including this affiant, has in any way colluded,  
conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to  
submit a collusive or sham Bid in connection with the Contract for which the attached Bid has  
been submitted, or to refrain from bidding in connection with such Contract; nor has in any  
manner, directly or indirectly, sought by agreement, collusion, communication or conference with  
any other Bidder, firm or person to fix the price or prices in the attached Bid or any other bid; nor  
to fix any overhead, profit or cost element of the Bid price or the bid price of any other bidder;  
nor to secure through any collusion, conspiracy, connivance or unlawful agreement any  
advantage against the City of Muskegon or any person interested in the proposed Contract; and

5. The price or prices quoted in the attached Bid are fair and proper, and are not tainted  
by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any  
part of its agents, representatives, owners, employees or parties in interest, including this affiant.

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name and Title

Subscribed and sworn to before me  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Title

My Commission expires \_\_\_\_\_

1.8 LIST OF PROPOSED SUBCONTRACTORS

**Project Number:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

To be submitted by each Bidder with Bid Proposal in accordance with Para. 8, Part 1, Section 1. Before a subcontract is executed by the successful Bidder, the subcontractor must be approved by the City of Muskegon and the required documents executed in accordance with the Contract Documents.

1.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
2.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
3.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
4.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
5.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
6.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_
  
7.     NAME OF FIRM           \_\_\_\_\_
- FIRM ADDRESS         \_\_\_\_\_
- \_\_\_\_\_

1.9 DISADVANTAGED CONTRACTOR AFFIDAVIT

**Project Number:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

Please provide the name(s) of all Disadvantaged subcontractors from whom you solicited bids for this project and additional information below.

Disadvantaged Contractor:	Contact Person:	Contact Method/Date:	Decision (Yes or No):
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

Of the Disadvantaged Contractors listed above, please indicate why they will not be used on this project.

Disadvantage Contractor:	Decision/Reason:
1. _____	_____ _____
2. _____	_____ _____
3. _____	_____ _____
4. _____	_____ _____

### 1.10 STATEMENT OF BIDDER'S QUALIFICATIONS

(To be submitted by the Bidder upon specific request of City of Muskegon unless in connection with Letters of Recommendation in lieu of Performance Bond as provided in Section 1. The Statement of Bidder's Qualifications as follows must accompany the four Letters.)

#### 1.10.1 SUMMARY OF BIDDER'S INFORMATION TO BE PROVIDED:

Each of the following items must be responded to in writing, and the information provided thereby must be clear and understandable. Upon completion, the Statement must be signed by the Bidder in front of a Notary Public and notarized. The Bidder may supply such additional information as desired after responding to each of these items:

1. NAME OF BIDDER (Company, individual, etc.)
2. PERMANENT MAIN OFFICE ADDRESS OF BUSINESS INCLUDING ZIP CODE.
3. DATE BUSINESS WAS ESTABLISHED.
4. IF A CORPORATION, WHERE WAS IT INCORPORATED?
5. NUMBER OF YEARS ENGAGED IN CONTRACTING BUSINESS UNDER PRESENT NAME? FIRM OR TRADE NAME? UNDER A PREVIOUS NAME?
6. SCHEDULE OF OUTSTANDING CONTRACTS, showing amount of each contract and the anticipated completion date of each.
7. GENERAL CHARACTER OF WORK PERFORMED BY YOUR COMPANY.
8. HAS THIS COMPANY EVER FAILED TO COMPLETE ANY WORK AWARDED IT?  
If so, WHERE AND WHY?
9. HAS THIS COMPANY EVER DEFAULTED ON A CONTRACT?  
If so, WHERE ANY WHY?
10. LIST THE PROJECTS RECENTLY COMPLETED BY YOUR COMPANY, stating approximate cost of each and the month/year completed. Indicate which, if any, have provided your company with a Letter of Recommendation.
11. INDICATE EXPERIENCE IN CONSTRUCTION WORK SIMILAR TO THIS PROJECT.
12. LIST YOUR MAJOR EQUIPMENT AVAILABLE FOR THIS CONTRACT.
13. INDICATE BACKGROUND AND EXPERIENCE OF THE PRINCIPAL MEMBERS OF YOUR ORGANIZATION, INCLUDING OFFICERS.
14. INDICATE CREDIT AVAILABLE TO YOUR COMPANY.
15. LIST BANK REFERENCES. If a detailed financial statement is available attach it to this statement.

16. ARE YOU WILLING TO COMPLETE A DETAILED FINANCIAL STATEMENT AND FURNISH ANY OTHER INFORMATION REQUIRED AND REQUESTED BY THE CITY OF MUSKEGON?
17. INCLUDE THE FOLLOWING STATEMENT: "The undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the City of Muskegon in verification of the recitals comprising this Statement of Bidder's Qualifications."
18. INCLUDE THE FOLLOWING AT THE END OF YOUR STATEMENT:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

COMPANY/BIDDER NAME

SIGNATURE

PRINTED NAME AND TITLE OF PERSON SIGNING

19. INCLUDE OFFICIAL NAME AND DATA FOR NOTARY PUBLIC TO NOTARIZE DOCUMENT.