

**REQUEST FOR BIDS
TANK BRANCH PROJECT -
PARK CONSTRUCTION**

The City of Gaffney is soliciting sealed and competitive bids from qualified contractors for the Tank Branch Project - Park Construction.

Sealed bids will be received by the City of Gaffney until **2:00 p.m.ET, on Tuesday, April 9, 2019** from qualified contractors. All bids duly received will be publicly opened and read aloud on the second floor at Gaffney City Hall, located at 201 North Limestone Street, Gaffney South Carolina 29340. Bids will not be accepted after the above date and time.

The work under this contract will consist of the construction of a park as described in the bid documents attached.

Bid proposals should be submitted as follows:

Submittal: One (1) original of the bid form must be received on or before 2:00 p.m. on **Tuesday, April 9, 2019**

Physical Address: City of Gaffney
Attn: Mr. James Taylor, City Administrator
201 N. Limestone Street
Gaffney, South Carolina 29340

Mark Envelope: "BID - Tank Branch Project - Park" (Sealed envelope must be clearly marked with these words on outside)

There will be a non-mandatory pre-bid meeting for this project at **2:00 p.m. on Tuesday, March 26, 2019**. This meeting will be held in the 2nd floor conference room 201 of Gaffney City Hall.

Contractor Requirements

Bids received after the date and time set for receipt will not be accepted. It is the bidder's responsibility to ensure timely delivery of their bid. Weather, flight delays, carrier errors and other acts of otherwise excusable neglect are risks allocated to bidders and will not be exempted from deadline requirements. Telegraphic, telephone or facsimile bids will not be accepted.

Any offer submitted as a result of this solicitation shall be binding on the offeror for ninety (90) calendar days following the bid opening date. Any bid for which the offeror specifies a shorter acceptance period may be rejected.

Bids forms that are not signed will not be accepted as complete and shall not be considered. Bids must be signed in ink (not typed) in the appropriate space(s) by an authorized officer or employee of the bidder. Bids must be submitted on the "Bid Form" provided.

Upon receiving the “**NOTICE OF AWARD**”, the successful bidder has ten (10) business days to submit all required insurance certificates, permits, and licenses.

If the Bidder discovers any ambiguity, conflict, discrepancy, omission or other errors in the Bid, Bidder shall immediately notify the City of such error in writing and request modification or clarification of the document. The Bidder is responsible for clarifying any ambiguity, conflict, discrepancy, omission or other error in the Bid or it shall be deemed waived.

The successful contractor shall comply with all instructions and shall perform services in a manner commensurate with the highest professional standards by qualified and experienced personnel. The successful bidder will be required to enter into a contract agreement for these services. The agreement will be as provided in this bid package unless otherwise agreed upon by the City and contractor.

It shall be the contractor’s responsibility to insure that all work conforms to **OSHA** requirements and the oral or written instructions pertaining to the safety and protection of all persons in or about the site of the work. The contractor shall be responsible for any damage or injury to any person or property resulting from the contractor’s failure to maintain adequate safeguards against the occurrence of accidents, injuries, or damages at the site of the work.

During the performance of the contract, the contractor shall comply with any and all Federal, State or Local laws relating to a Drug Free Workplace.

This project is being funded in whole or in part by the Community Development Block Grant Program (CDBG). All federal CDBG requirements will apply to the contract. **All contractors and subcontractors are required to be registered in the federal system for Award Management (SAM)**. Bidders on this work will be required to comply with the President’s Executive Order No. 11246 & Order No. 11375 which prohibits discrimination in employment regarding race, creed, color, sex, or national origin. Bidders must comply with Title VI of the Civil Rights Act of 1964, the Davis-Bacon Act, the Anti-Kickback Act, the Contract Work Hours and Safety Standards Act, and 40 CFR 33.240. Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract, which is included as Exhibit C of this bid package. The owner reserves the right to waive any irregularities, or to reject any or all bids. No bidder may withdraw his bid within ninety (90) days after the actual date of the opening thereof.

Any revisions to the bid request will be issued and distributed as an addendum. Bidders are specifically directed not to contact any other City personnel for meetings, conferences, or technical discussions related to this Bid. Failure to adhere to this policy may be ground for rejection of bids.

Offerors are cautioned that any statements made by the contact of City staff persons that materially change any portion of the bid document shall not be relied upon unless subsequently ratified by a formal written amendment to the bid document.

All bidders can review the grant application and cost estimates.

This bid request is being issued by the City of Gaffney. Unless otherwise directed, all communication and questions must be submitted in written format to the City at the following:

City of Gaffney
Attn: James R. Taylor, City Administrator
201 N. Limestone Street
Gaffney, South Carolina 29340
Phone: (864) 487-6247
Fax: (864) 487-8543
Email: jtaylor@cityofgaffney-sc.gov

The deadline for written questions is seven calendar days prior to the bid opening.

The right is reserved by the City of Gaffney to reject any or all bids; to waive any informality or irregularity not affected by law; to evaluate, in its absolute discretion, the bids submitted; and to award contract according to the bid which best serves the interest of the City.

All costs incurred by the bidder associated with bid preparations and subsequent interviews and/or negotiations, which may or may not lead to the execution of an agreement, shall be borne entirely and exclusively by the bidder.

Protest of Solicitation or Award

Solicitation - The City of Gaffney allows any prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation of this contract to protest to the City Administrator within ten (10) calendar days of the date of issuance of the Request for Bids or Request for Proposals or other solicitation documents, whichever is applicable, or any amendment thereto. Any protest shall be in writing, submitted to the City Administrator, as stated above, and shall set forth the grounds of protest and the relief requested with enough particularity to give notice of the issues to be decided.

Award - Any bidder, offeror or contractor who is aggrieved in connection with the intended award or award of this contract should protest to the City Administrator within ten (10) calendar days of the date the notification of award is posted in accordance with this policy. Any protest shall be in writing, submitted to the City Administrator, as stated above, and shall set forth the grounds of protest and the relief requested with enough particularity to give notice of the issues to be decided.

Proprietary and/or Confidential Information

Your proposal or bid is a public document under the South Carolina Freedom of Information Act (FOIA), except as to information that may be treated as confidential as an exception to disclosure under the FOIA. If you cannot agree to this standard, please do not submit your bid or proposal.

All information that is to be treated as confidential and/or proprietary must be clearly identified, and each page containing confidential and/or proprietary information, in

whole or in part, must be stamped and/or denoted as CONFIDENTIAL, in bold. *All information not so noted and identified shall be subject to disclosure by the City.*

The words “Bidder”, “Offeror”, “Proposer”, “Vendor”, and “Contractor” are used interchangeably throughout this bid, and are used in place of the person, firm, or corporation submitting a bid.