



**TOWN OF ORANGE
BID SPECIFICATION PACKET
North Madison Road Construction Project**

RFP#MAD21

NOTICE TO BIDDERS

Purpose: The Town of Orange invites sealed bids for the construction of sidewalk along North Madison Rd in the Town of Orange. The contract will include furnishing all labor, equipment and material with the construction plans.

GENERAL CONDITIONS AND INSTRUCTIONS

Issuing Date: November 9, 2021

Issuing Office: Town of Orange Public Works
Attn: Jeff Dodson, Director of Public Works
235 Warren Street, Orange, VA 22960

Response to RFP: Forward **SEALED** (together in one envelope) copy of your bid response, marked **North Madison Road Construction Project**, to the issuing office above before **December 2, 2021, prior to 2:00 p.m.** Responses received at any other location will not be accepted. The bid responses will be opened publically at 2:00 p.m. on December 2, 2021.

The Town of Orange is not responsible for delays in the delivery of mail by the U.S. Postal Service or private mail carriers. It is the sole responsibility of the Bidder to ensure their bid reaches the Administration Office by the designated date and hour. Late bids will be returned to the Bidder unopened.

If the Town of Orange closes its office due to inclement weather, natural disaster or other circumstances beyond the Town's control, the deadline for bid submissions will be extended to the next business day on which the Town's offices are open, same time.

Bid Form: All bids shall be submitted on the Bid Form provided herein and signed in ink in the proper places by an authorized officer of the company

Addenda: By submitting a bid, the Bidder certifies that (i) he has made due inquiry of the Town of Orange as to the existence of any addenda issued in connection with the bid solicitation documents, (ii) he is satisfied that he has received any and all such addenda and has taken the contents thereof into consideration when preparing and tabulating his bid, and (iii) he accepts full and complete responsibility for the receipt of any and all such addenda and waives any claim of mistake or error in his bid based upon his failure to have received any one or more addenda.

Modification and Withdrawal of Bids: Bids may be modified or withdrawn per the guidelines of the Code of Virginia, Section 2.2-4330.

Errors in Bids: When an error is made in extending total prices, the unit bid price will govern. Erasures in bids must be initialed by the Bidder. Carelessness in quoting prices or in preparation of bids otherwise, will not relieve the Bidder. Bidders are cautioned to recheck their bids for possible error. Errors discovered after public opening cannot be corrected and the bidder will be required to perform if his or her bid is accepted.

Bid Binding: The contents of the bid, in its entirety, submitted by the Bidder shall become an attachment to and part of the agreement between the Bidder and the Town of Orange. This RFP shall become in total a part of the final contract. The Town of Orange reserves the right to withhold payment to Bidder if any of the articles in this document are not upheld, until the situation is rectified.

Tax Exemption: The Town of Orange is exempt from the payment of any federal excise or any Virginia sales tax. The bid price must be net, exclusive of taxes. Tax exemption certificates will be furnished by the Town of Orange upon request.

Public Inspection of Bids: All submitted bids and any accompanying data, materials or documentation will become the property of the Town of Orange and will be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by a bidder shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the bidder must invoke the protections of §2.2-4342F of the Code of Virginia, in writing, either before or at the time the data or other material is submitted. The written notice must specifically identify the data or materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal/bid document, line item process and/or total proposal/bid prices as proprietary or trade secret is not acceptable and will result in rejection of the bid/proposal. Disposition of proprietary or trade secret material after award should be stated by the bidder.

References: Respondent shall submit at least three references where similar services have been provided. Failure to submit references may be sufficient grounds for rejection of quotation.

Inquiries: Questions concerning this RFP should be directed to Jeff Dodson, Director of Public Works in writing or via email at j.dodson@townoforangeva.org. **It is the responsibility of the proposers to check the website for updates to this RFP. The cut-off date for inquiries regarding this RFP is November 24, 2021.**

GENERAL INFORMATION

1. The name of the firm submitting the proposal must be shown on the proposal and on the outside of the envelope together with the firm's contractor number.
2. The bidder must indicate whether they are bidding as an individual, LLC, sole proprietor, partnership, or corporation.
3. The proposal must be signed by a duly authorized officer of the Firm capable of entering into such a binding contract.
4. All markings within the bid package must be typed or written in ink.
5. Proposals conditioned by alternates or otherwise not conforming to requested criteria will not be entertained.
6. Any and all alterations in the bidder's entries in the proposal must be initialed by the officer signing the bid documents.
7. The Owner anticipates making an award on this contract after ten (10) business days of the opening.
8. The Owner reserves and intends to exercise its right to protect itself from any and all liabilities where possible. Therefore, within seven (7) days of project award notice being served on the bidder, the bidder shall submit to the Town a Certificate of Auto, General Liability Property Damage and Workman's Compensation Insurance naming the Owner as an additional insured for the project. Minimum limits of insurance coverage shall be \$100,000 for Auto; \$500,000 for General Liability, \$100,000 for Property Damage; and comply with the minimum Virginia statutory requirements for Workman's Compensation.

It is accepted that bidders also want to protect themselves. For the protection of all concerned all applicable local, state, and federal safety regulations must be strictly followed. The contractor agrees to hold and save harmless the Owner in the event of any and all losses which may arise.

9. By submitting a bid on this project, the bidder certifies that it does not and will not during this contract violate the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits the employment of illegal aliens.

During the performance of this contract, the contractor agrees as follows:

- a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, disability or national origin, except where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operations of the contractor. The contractor agrees to post in conspicuous places, available to employees and

applicants for employment, notices setting forth the provisions of this non-discrimination clause.

- b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
- c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The contractor will include the provisions of the foregoing sections a, b and c in every subcontractor or purchase order of over ten thousand dollars (\$10,000) so that the provisions will be binding upon each subcontractor or vendor.

1. The contract documents shall be governed in all respects whether as to validity, construction, performance, or otherwise by the laws of the Commonwealth of Virginia and venue for any disputes shall be in the Circuit Court of Orange County.
2. Pursuant to VA Code 4311.1, Vendor/Contractor represents and warrants to the Town that during the contract period it:
 - a) Will comply and conform with the provisions of the Civil Rights Act of 1964, as amended, the Virginia Fair Employment Contracting Act of 1975, as amended, and the Virginia Human Rights Act, as amended, where applicable;
 - b) Not employ illegal alien workers or otherwise violate the provisions of the Immigration Reform and Control Act of 1986; and
 - c) Comply with all federal, state and local laws and regulations application to the performance of the service procured.
3. Pursuant to VA Code 2.2-4311, in every contract of over \$10,000, the Vendor/Contractor agrees during the contract period that Vendor/Contractor:
 - a) Will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Vendor/Contractor; and
 - b) Will post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause; and
 - c) Will state that the Vendor/Contractor is an equal opportunity employer in all solicitations or advertisements for employees placed by or on behalf of the Vendor/Contractor to perform under the contract documents. All notices, advertisements, and solicitations placed in accordance with federal law, rule or

- regulation shall be deemed sufficient for the purpose of meeting the requirements of this section; and
- d) Will include the provisions of the foregoing subparagraphs in every subcontract or purchase order exceeding \$10,000 issued by Vendor/Contractor in order to fulfill its obligations, so that the provisions will be binding upon each subcontractor or vendor employed by Vendor/Contractor.
4. Pursuant to VA Code 2.2-4312, In every contract of over \$10,000, the Vendor/Contractor agrees during the contract period the Vendor/Contractor shall:
- a) Provide a drug-free workplace for its employees;
 - b) Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in its workplace and specify the actions which will be taken against any employee for a violation;
 - c) State in all of its solicitations or advertisements for employees that the Vendor/Contractor maintains a drug-free workplace; and
 - d) Include the provisions of this sub-paragraph in every subcontract or purchase order of over \$10,000, so that provisions shall be binding upon each subcontractor or sub vendor.
 - e) For purposes of this sub-paragraph, “drug-free workplace” means a site for the performance of work done in connection with a specific contract awarded to a Vendor/Contractor under a solicitation and in accordance with the Virginia Public Procurement Act.
 - f) In addition to the provisions contained herein, the Vendor/Contractor shall comply with the federal Drug Free Workplace Act.
5. Pursuant to VA Code Section 2.2-4343.1, in all solicitations, contracts, and purchase orders, the Town states that it does not discriminate against faith-based organizations.



**TOWN OF ORANGE, VIRGINIA
BID TABULATION SHEET**

North Madison Road Construction Project

FLAT FEE FOR COMPLETE PROJECT \$ _____

BIDDER: _____

BY: _____
Signature/Printed Name Title

EMAIL/PHONE: _____

BID TABULATION SHEET TO BE RETURNED FOR BID PURPOSES
***ALL CONSTRUCTION AND MATERIALS MUST MEET ALL VDOT STANDARDS**