

INSTRUCTION TO BIDDERS

Daniel Bagley PTA—Entry Plaza Project

NOTE: This project is spearheaded and funded by the Daniel Bagley PTA (a community organization) on Seattle School District property.

The Daniel Bagley PTA—Entry Plaza Committee (“Committee”) issues the following Instructions:

1.01 BID PROCEDURES AND CONDITIONS

A. QUALIFICATIONS OF BIDDERS

Bidders shall be qualified by experience, financing, equipment, and organization to do the work required by the Contract Documents.

At the time of bid opening, contractor must be included on the District’s Small Works Roster. To apply to be included on the Seattle School District’s Small Works Roster, please visit the web at <http://www.seattleschools.org/area/sbdp/index.dxml>

B. BID DOCUMENTS

Information as to where Bid Documents can be obtained or reviewed will be found in the Request for Bids. The Bid Documents consist of the following materials in addition to these Instructions to Bidders:

- (1) Copy of Request for Bids
- (2) Drawing(s)
- (3) Project Description, if any (attached)
- (4) Contract Form (attached)
- (5) Bid Form

C. ESTIMATED QUANTITIES AND CHANGES

The Committee does not warrant, expressly or by implication, that actual quantities of the Work will correspond with those estimated. The Committee’s Representative reserves the right to increase or decrease the amount of any item of Work, or to make other changes in the Work as necessary.

D. EXAMINATION OF BID DOCUMENTS AND PROJECT SITE

Before submitting a Bid, each Bidder shall:

1. Examine the Bid Documents thoroughly, including Contract Form, which contains pertinent project information, particularly Articles 2 and 8.
2. Examine the Project Site to be familiar with local conditions that may in any manner affect cost, progress, or performance of the Work. If school is in session, first check into the office and introduce yourself and explain why you are there.
3. Be familiar with Federal, State and local laws, ordinances, rules, and regulations that may, in any manner, affect cost, progress, or performance of the Work, and
4. Study and carefully correlate the Bidder's observations with the Bid Documents.

The lands upon which the Work is to be performed, rights of way for access, and other lands designated by the Committee for use in performing the Work, are identified in the Drawings and/or Project Description. The submission of a Bid shall constitute an incontrovertible representation that the Bidder has complied with every requirement of this section, and that the Bid Documents are sufficient, in scope

and detail, to indicate and convey understanding of all the terms and conditions for performance of the Work.

The Bidder shall determine the methods, labor, and equipment required to perform the Work, and shall reflect their costs in the Bid prices. Costs exceeding those anticipated by the Bidder will not entitle the Bidder to additional compensation, except as may be authorized by Change Order.

E. FORM AND STYLE OF BID

A Bid shall be submitted only on the Bid Form issued by the Committee. The Bid Form will identify the project and may describe the Work by listing estimated quantities, units of measure, items of work, and materials to be furnished.

Bids shall be completed by typing or shall be printed in ink by hand, preferably in black ink. A price shall be submitted for each Bid Item listed.

All spaces must be filled in by Bidder.

Any correction to a Bid made by interlineation, alteration or erasure, shall be initialed by the signer of the Bid. The Bidder shall make no stipulation on the Bid Form, nor qualify the Bid in any manner. A Bid shall be submitted for every Additive, Alternate, or Deductive identified in the Bid Form, unless otherwise specified.

A Bid by a corporation shall be executed in the corporate name, by the president or a vice president (or other corporate officer accompanied by evidence of authority to sign).

A Bid by a partnership shall be executed in the partnership name, and signed by a partner.

A Bid by a joint venture shall be executed in the joint venture name and signed by a member of the joint venture.

F. ADDENDA

Questions regarding the meaning or intent of the Bid Documents shall be submitted to the Committee's Representative in writing. The Committee's Representative is identified in paragraph 1.02.A below. If warranted by the Committee's Representative, interpretations will be provided by addenda. Only questions answered by formal written addenda will be binding. No oral or other interpretations or clarifications will be given.

Addenda may be issued to modify or interpret the Bid Documents. Addenda will be mailed to persons or organizations to whom the Bid Documents were issued. The Bidder shall acknowledge receipt of each Addendum by filling in the appropriate spaces on the Bid Form.

The Bidder should check with the Committee's Representative the day before Bids are opened to ensure all addenda have been received.

G. SUBCONTRACTORS

Subcontractors' secondary bids are not required.

1.02 BID SUBMITTAL

A. GENERAL

The authorized Bid Form shall be submitted at the place and on or before the time specified in the Request for Bids. The Bid Form, together with such other documentation as is required therein, shall be enclosed in a sealed envelope marked with the project title and the Bidder's name, and be addressed to the Committee's Representative noted on the Request for Bids.

If the Bid is sent through the mail or other delivery system, the sealed envelope shall be enclosed in a separate envelope, with a notation "**Daniel Bagley PTA—Entry Plaza Project**" on the face of the outer envelope. The Bidder shall assume full responsibility for the timely delivery at the location designated in the Request for Bids for receipt of bids.

B. CHANGE OF BID SUBMITTAL DATE

The Committee reserves the right to change the date and time for Bid submittal, and will notify anyone who holds a set of plans.

C. MODIFICATION OR WITHDRAWAL OF BID

A Bidder may withdraw or revise a Bid after it has been deposited with the Committee if a written request for a withdrawal or modification, signed by an authorized individual is received by the Committee prior to the time designated for receipt of Bid.

The original Bid, as revised in writing, and received prior to the time designated for receipt of Bids, will be acceptable as the official Bid.

A Bid may not as set forth in the Bid Form, be modified, withdrawn, or canceled by the Bidder after the time for Bid submittal, except that withdrawal will be permitted if the Award is delayed for a period exceeding the limit set forth for Award.

D. ADDITIVES, ALTERNATES, DEDUCTIVES

The Committee's Representative reserves the right to arrange the Bid Form with Alternates, Additives, or Deductives, if such be to the advantage of the Committee. Bids which do not include bids on all Additives, Deductives, or Alternates set forth in the Bid Form may be rejected.

E. OPENING OF BIDS

Bids will be opened and read by one or more members of the committee at the place and time indicated in the Request for Bids.

F. IRREGULAR BIDS

A Bid may be considered irregular and nonresponsive, and may be rejected if any of the following irregularities is determined:

1. the authorized Bid Form is not used or is altered;
2. the completed Bid Form contains any unauthorized addition, deletion, alternate bid, or condition;
3. the Bidder adds provisions reserving the right to accept or reject the Award or to enter into the Contract;
4. a price per unit cannot be determined, if applicable;
5. the Bid does not include a unit price for every Bid item, if applicable;
6. any of the unit prices are excessively unbalanced (either above or below the amount of a reasonable Bid) to the potential detriment of the Committee;
7. receipt of Addenda is not acknowledged;
8. a member of a joint venture or partnership and the joint venture or partnership submit a Bid for the same project (in such an instance, both Bids may be rejected);

9. the entries in the Bid Form are not typewritten or entered in ink;
10. the Bid is not properly executed;
11. the Bidder did not bid on all Additives, Deductives, or Alternates.

The Committee reserves the right to waive any irregularities which it determines to be not material and not to impact the competitive process.

G. DISQUALIFICATION OF BIDDERS

A Bidder may be deemed not responsible and its Bid rejected if:

1. more than one Bid is submitted for the same project from a Bidder under the same or different names;
2. evidence of collusion exists with any other Bidder or potential Bidder;
3. A Bidder, in the opinion of the Committee, is not qualified for the work specified;
4. an unsatisfactory performance record exists as shown by past or current Work for the Committee, or for others, as judged from the standpoint of conduct of the Work; workmanship; progress; or equal employment opportunity practices.
5. there is uncompleted work (Committee or otherwise) which might hinder or prevent the prompt completion of the Work bid upon;
6. the Bidder failed to settle bills for labor or materials on past or current contracts;
7. the Bidder has failed to complete a public contract, or has been convicted of a crime arising from a previous public contract;
8. the Bidder is unable, financially or otherwise, to perform the Work;
9. a Bidder is not authorized to do business in the State of Washington (not registered in accordance with RCW 18.27);
10. for any other reason deemed proper by the Committee.

1.03 AWARD AND EXECUTION OF CONTRACT

A. BID TABULATION

After Bid opening, Bids will be checked for correctness of unit price extensions, if applicable, and the total Bid price. A discrepancy between a unit price and the extended amount of any Bid Item shall be resolved by accepting the unit price as correct.

The summation of extensions, if applicable, corrected where necessary and including sales taxes if applicable, will be used for Award purposes and to fix the Awarded Contract Price and the amount of the Contract Bond.

B. PRE-AWARD INFORMATION

The Committee will evaluate all Bids to determine the lowest responsive, responsible Bidder. This evaluation may include investigations to establish the responsibility, qualifications and financial ability of the Bidder to do the Work pursuant to the Contract Documents.

A Bidder whose Bid is under consideration for Award shall, upon request, promptly submit satisfactory evidence of qualifications, financial resources, construction experience and organization available for the

performance of the proposed Work. Documented information shall be submitted within 5 days after receipt of a written request from the Committee's Representative.

In addition, a Bidder under consideration for Award may be required to furnish:

1. a complete statement as to the origin, composition, and manufacture of any and all materials to be used in the project, together with samples which may in turn be subjected to tests to determine their quality and fitness for the Work, as provided for in the Contract;
2. a progress schedule in the form required by the Committee's Representative, showing the order of, and time required, on the various phases of the Work;
3. a breakdown of costs assigned to any Bid item; and
4. such additional information as may be specified to assist the Committee in ascertaining the Bidder's general ability to perform the Work.

C. RIGHTS OF COMMITTEE

In addition to such other rights as may be reserved elsewhere in the Contract Documents, the Committee reserves the right to reject any or all Bids, to waive informalities in the Bidding, to accept a Bid of the lowest and best Bidder, to correct arithmetical errors in a Bid, to readvertise for Bids, to revise or cancel the Work, or to require the Work be done in another way if in the opinion of the Committee the best interest of the public will be served.

D. AWARD OF CONTRACT

The Committee reserves the right to Award such Additives, Deductives, or Alternates, as may be set forth in the Bid Form.

If a Contract is to be awarded, it will be awarded to the lowest responsive responsible Bidder within 21 days, beginning the day after the Bid opening. All bids shall remain open until that time or until a contract is executed, whichever occurs first.

A Notice of Award will be mailed to the successful Bidder following Award by the Committee.

E. EXECUTION OF CONTRACT

Within seven calendar days after receipt of notice of award, bidder shall deliver to the Committee (1) an executed Contract in the form attached hereto, (2) insurance certificate(s), and (3) insurance indemnification.

The time for the successful Bidder to execute the Contract and return the insurance(s) may be extended if requested by the Bidder, and the Committee deems circumstances warrant the extension.

Contractor must be registered or licensed as required by the laws of the State. In addition, Seattle Municipal Code 5.44 requires that every person engaging in business with The City of Seattle possess a City of Seattle Business License. Bidders having a City of Seattle Business License, a State of Washington Contractor's Registration, or both, shall insert the license number and registration number in the spaces provided on the Bid Form. The Committee may, at its option, require that legible copies of the State of Washington Contractor's Registration and the City of Seattle Business License be submitted to the Committee's Representative, prior to Award of Contract. In addition, subcontractors performing work within The City of Seattle must possess a City of Seattle Business License.

F. FAILURE TO EXECUTE THE CONTRACT

If the Bidder to whom the Award was made fails to execute the Contract, and provide insurance certificates within seven calendar days after Award has been made, or refuses to enter into a Contract with the Committee, then the Committee may then Award the Contract to the second lowest responsible Bidder.

If the second lowest responsible Bidder fails to execute the Contract, and insurance(s) within seven calendar days after Award has been made to the second Bidder, then the Contract may be awarded successively in a like manner to the remaining lowest responsible Bidders until the Contract is executed and bond(s) and insurance(s) furnished, by a responsible Bidder, or the remaining Bids are rejected.

END OF INSTRUCTIONS FOR BIDDERS SECTION