

OFFICIAL BID FORM

CONTRACTOR'S BID
FOR
CONSTRUCTION OF CONTRACT A
AREA H-1 EAST SEWER CONSTRUCTION
TOWN OF BARNSTABLE, MASSACHUSETTS
CONTRACT No. 03-000-10-0H1
CW SRF #3242
DW SRF #3222

ARTICLE 1 - BID RECIPIENT

1.01 THIS BID IS SUBMITTED TO:

Department of Public Works
Town of Barnstable
230 South Street, 4th Floor
Barnstable, MA 02601

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, he will, within ten (10) days after presentation thereof (Saturdays, Sundays and legal holidays excluded) by the awarding authority, enter into an Agreement with Owner in the form included in the Bidding Documents prepared by Stearns & Wheler to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents and furnish a Performance Bond and also a Labor and Materials or Payment Bond each in the amount of 100% of the total contract price, each of a surety company qualified to do business under the laws of the Commonwealth and satisfactory to the awarding authority and each in the sum of the contract price, the premiums for which are to be paid by the General Contractor and are included in the contract price. All work shall be completed within 550 calendar days from the Notice to Proceed.

ARTICLE 2 - BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Notice to Bidders and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The time period for holding bids, where federal approval is not required, is 30 days (Saturdays, Sundays, and legal holidays excluded) after the opening of bids; and where federal approval is required, the time period for holding bids is 30 days (Saturdays,

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Sundays, and holidays excluded) after Federal approval. Bidder will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within ten (10) working days after the date of OWNER'S Acceptance of Bid.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged:

Addendum No.	Addendum Date
_____	_____
_____	_____
_____	_____

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Federal, State, and local Laws and Regulations that may affect cost, progress and performance of the Work. The Davis-Bacon and Related Acts provisions and procedures and the Contract Work Hours Act of 1962 regarding overtime compensation apply to this project.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities) that have been identified in SC-4.02 as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations

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obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.

- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

ARTICLE 4 - BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

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- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.
- E. Consistent with the terms of the Purchaser's bid solicitation and the provisions of ARRA Section 1605, the Bidder certifies that this bid reflects the Bidder's best, good faith effort to identify domestic sources of iron, steel, and manufactured goods for every component contained in the bid solicitation where such American-made components are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.
- F. That all components contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the Bidder agrees that it will provide reasonable, sufficient, and timely verification to the Purchaser of the U.S. production of each component so identified.
- G. That for any component or components that are not American-made and are so identified in this bid, the Bidder has included in or attached to this bid one or both of the following, as applicable:

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1. Identification of and citation to a categorical waiver published by the U.S. Environmental Protection Agency in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components;
 2. Verifiable documentation sufficient to the Purchaser, as required in the bid solicitation or otherwise, that the Bidder has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the Bidder under the applicable conditions stated in the bid solicitation or otherwise.
- H. That for any such component or components that are not so available, the Bidder has also provided in or attached to this bid information, including but not limited to the verifiable documentation and a full description of the bidder's efforts to secure any such American-made component or components, that the Bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under section 1605 with respect to such component or components. The Bidder further agrees that, if this bid is accepted, it will assist the Purchaser in amending, supplementing, or further supporting such information as required by the Purchaser to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

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ARTICLE 5 - BASIS OF BID

5.01 Bidder will perform the Work in accordance with the Contract Documents for the following prices:

Basis for Award -Total Bid Water and Sewer:

{words and figures}

Deduct Alternates:

1. Total Bid (Water and Sewer) minus Bid Item A1

{words and figures}

2. Total Deduct Alternate 1 minus Bid Item A2

{words and figures}

3. Total Deduct Alternate 2 minus Bid Item A3

{words and figures}

4. Total Deduct Alternate 3 minus Bid Item A4

{words and figures}

5. Total Deduct Alternate 4 minus Bid Item A5

{words and figures}

6. Total Deduct Alternate 5 minus Bid Item A6

{words and figures}

7. Total Deduct Alternate 6 minus Bid Item A7

{words and figures}

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*Note to Bidders: Bid will be awarded to the lowest responsive bidder based on Total Base Bid Price (Base Bid) minus deduct alternates based on available sewer funds and available water funds. If lowest responsive bidder exceeds the Town's available funds for the sewer portion of the project, the Town reserves the right to reject all bids. The Total of the deduct alternates must equal the total of the water bid items.

(continued)

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
1	Lump Sum	1	Permits (ineligible for SRF)	(\$ _____) _____ _____	(\$ _____) _____ _____
2	Lump Sum	1	Mobilization, Demobilization, Site Restoration, and Construction Administration	(\$ _____) _____ _____	(\$ _____) _____ _____
3	Lump Sum	1	Construction Photographs and Videos	(\$ _____) _____ _____	(\$ _____) _____ _____
4A	Linear Feet	4,700	Furnish and Install 8-inch Gravity Sewer, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
4B	Linear Feet	1,700	Furnish and Install 1.5-Inch Low Pressure Sewer, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
4C	Linear Feet	4,200	Furnish and Install 2-Inch Low Pressure Sewer, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
5A	Each	90	Furnish and Install Low Pressure Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
5B	Each	47	Furnish and Install Gravity Laterals Less Than 10' Deep	(\$ _____) _____ _____	(\$ _____) _____ _____
5C	Each	8	Furnish and Install Gravity Laterals with Chimneys	(\$ _____) _____ _____	(\$ _____) _____ _____
6A	Each	35	Furnish and Install All Gravity Sewer Manholes	(\$ _____) _____ _____	(\$ _____) _____ _____
6B	Each	4	Furnish and Install All Low Pressure Sewer Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
6C	Each	11	Furnish and Install All End Flushing Assemblies for Low Pressure Sewers	(\$ _____) _____ _____	(\$ _____) _____ _____
7	Linear Feet	60	Furnish and Install Storm Drain Piping	(\$ _____) _____ _____	(\$ _____) _____ _____
8	Each	1	Furnish and Install Catch Basins	(\$ _____) _____ _____	(\$ _____) _____ _____

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
9	Cubic Yards	275	Furnish and Install Mass Concrete	(\$ _____) _____ _____	(\$ _____) _____ _____
10	Cubic Yards	200	Excavation Below Subgrade, Test Pits and Exploratory Excavations	(\$ _____) _____ _____	(\$ _____) _____ _____
11A	Cubic Yards	200	Furnish and Install Type D-2 Crushed Stone	(\$ _____) _____ _____	(\$ _____) _____ _____
11B	Cubic Yards	200	Furnish and Install Type D-3 Crushed Stone	(\$ _____) _____ _____	(\$ _____) _____ _____
12	Cubic Yards	500	Furnish and Install Borrow Material	(\$ _____) _____ _____	(\$ _____) _____ _____
13	Cubic Yards	3,250	Furnish and Install Gravel Subbase	(\$ _____) _____ _____	(\$ _____) _____ _____
14	Linear Feet	19,300	Furnish and Install Temporary Paving Base Course	(\$ _____) _____ _____	(\$ _____) _____ _____

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
14A	Linear Feet	19,300	Furnish and Install Temporary Paving Top Course	(\$ _____) _____ _____	(\$ _____) _____ _____
15	Pounds	1,000	Furnish and Install Calcium Chloride	(\$ _____) _____ _____	(\$ _____) _____ _____
16A	Linear Feet	4,700	Testing and Television Inspection of All Gravity Sewers	(\$ _____) _____ _____	(\$ _____) _____ _____
16B	Linear Feet	5,870	Furnish and Install Testing of All Low Pressure Sewers	(\$ _____) _____ _____	(\$ _____) _____ _____
17	Each	2	Furnish and Install Pipeline Connections to Existing Structures	(\$ _____) _____ _____	(\$ _____) _____ _____
18	Lump Sum	1	Furnish and Install Pipeline Connection at Sea Street Pump Station	(\$ _____) _____ _____	(\$ _____) _____ _____
19	Linear Feet	19,300	Furnish and Install Final Paving Binder Course	(\$ _____) _____ _____	(\$ _____) _____ _____

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
19A	Linear Feet	19,300	Furnish and Install Final Paving Top Course	(\$ _____) _____ _____	(\$ _____) _____ _____
20	Linear Feet	2,000	Furnish and Install Cape Cod Berm	(\$ _____) _____ _____	(\$ _____) _____ _____
21	Square Yards	150	Furnish and Install Driveway Repair	(\$ _____) _____ _____	(\$ _____) _____ _____
22	Lump Sum	1	Furnish Record Drawings	(\$2,000.00 _____) Two thousand dollars and zero cents. _____	(\$2,000.00 _____) Two thousand dollars and zero cents. _____
23	Lump Sum	1	Site Restoration	(\$ _____) _____ _____	(\$ _____) _____ _____
24	Lump Sum	1	Erosion and Sediment Control	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF SEWER PRICES				(\$ _____)	
TOTAL SEWER PRICES IN WORDS				_____ _____	

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Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
25A	Linear Feet	8,700	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
25B	Linear Feet	6,650	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
25C	Each	130	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
25D	Each	43	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
25E	Each	19	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
25F	Each	9	Furnish and Install Tapping Sleeve and Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF WATER PRICES				(\$ _____)	
TOTAL WATER PRICES IN WORDS				_____ _____	

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Note to Bidders: Unit prices for all Deduct Alternate items must match the bid price provided in the Base Bid.

DEDUCT ALTERNATE A1 – Nautical Way

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A1A	Linear Feet	870	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A1B	Linear Feet	870	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A1C	Each	15	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A1D	Each	5	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A1E	Each	2	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A1 PRICES				(\$ _____)	
TOTAL ALTERNATE A1 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A2 – Murray Way

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A2A	Linear Feet	930	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A2B	Linear Feet	930	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A2C	Each	8	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A2D	Each	3	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A2E	Each	1	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A2 PRICES				(\$ _____)	
TOTAL ALTERNATE A2 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A3 – Woodbury Avenue

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A3A	Linear Feet	1,300	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A3B	Linear Feet	1,300	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A3C	Each	22	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A3D	Each	7	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A3E	Each	3	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A3 PRICES				(\$ _____)	
TOTAL ALTERNATE A3 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A4 – Keating, Houghton and Studley Road

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A4A	Linear Feet	1,380	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A4B	Linear Feet	500	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A4C	Each	22	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A4D	Each	8	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A4E	Each	3	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A4 PRICES				(\$ _____)	
TOTAL ALTERNATE A4 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A5 –Crocker Ave.

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A5A	Linear Feet	680	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A5B	Linear Feet	150	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A5C	Each	6	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A5D	Each	3	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A5E	Each	2	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A5 PRICES				(\$ _____)	
TOTAL ALTERNATE A5 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A6 – Seabrook and Janice Lane

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A6A	Linear Feet	1,900	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A6B	Linear Feet	1,900	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A6C	Each	31	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A6D	Each	11	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A6E	Each	4	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A6 PRICES				(\$ _____)	
TOTAL ALTERNATE A6 PRICES IN WORDS				_____ _____	

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DEDUCT ALTERNATE A7 – Stetson Street and Stetson Lane

Item No.	Unit	Estimated Quantity	Description	Bid Unit Price (In Figures and Words)	Bid Price (In Figures and Words)
A7A	Linear Feet	1,640	Furnish and Install 8-Inch Water Main, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A7B	Linear Feet	1,000	Removal and Disposal of Existing AC Water Main	(\$ _____) _____ _____	(\$ _____) _____ _____
A7C	Each	26	Furnish and Install Water Service Laterals, All Depths	(\$ _____) _____ _____	(\$ _____) _____ _____
A7D	Each	6	Furnish and Install Water Main Gate Valves	(\$ _____) _____ _____	(\$ _____) _____ _____
A7E	Each	4	Furnish and Install Fire Hydrants	(\$ _____) _____ _____	(\$ _____) _____ _____
TOTAL OF ALTERNATE A7 PRICES				(\$ _____)	
TOTAL ALTERNATE A7 PRICES IN WORDS				_____ _____	

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Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 - TIME OF COMPLETION

6.01 Bidder agrees that the Work will be substantially completed and ready for final payment in accordance with paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 BIDDER accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 - ATTACHMENTS TO THIS BID

7.01 The following documents are submitted with and made a condition of this Bid:

- A. Required Bid Security in the form of Certified Check, Bank Money Order, or Bid Bond.
- B. Required Bidder Qualification Statement with Supporting Data.
- C. OSHA Certification Form.
- D. State Tax Certification.
- E. Certificate of Non-Collusion.
- F. The following MBE/WBE participation and Vendor Information Forms are included as part of the Bid Proposal:
 - a. Schedule of Participation for SRF Construction Form EEO-DEP-190C.
 - b. Letter of Intent for SRF Construction Form EEO-DEP-191C.
 - c. Vendor Information Form-SRF Construction (two pages) Form EEO-DEP-VIF-C.

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G. Article XII of the "Commonwealth of Massachusetts Modified Supplemental Equal Opportunity Anti-discrimination and Affirmative Action Program" requires that the contractor's certification form, which must be signed by the successful low bidder prior to award by the contracting agency, must appear in the contract and the subcontractor's certification form, which must be signed by the prospective subcontractor(s), must be submitted to the contractor and included in the subcontract.:

- a. Contractor's "Revised" Workforce Certification.
- b. Sub Contractor's "Revised" Workforce Certification.

H. Massachusetts Diesel Retrofit Program Statement of Intent to Comply.

ARTICLE 8 - DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

(continued)

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BID FORM

ARTICLE 9 - BIDDER'S QUALIFICATION STATEMENT

To induce the making of this Contract, the Bidder represents to the Owner the following, as evidence of Bidder's Qualifications to perform the work herein specified:

1. How many years has your organization been in business under the name in which you propose to execute this Contract?
_____ Years
2. What projects of character similar to that proposed has your present organization completed? Give the information indicated by the following tabulations:

NAME, ADDRESS, AND PHONE NO. OF OWNER FOR WHOM WORK WAS DONE	DESCRIPTION OF WORK	APPROXIMATE AMOUNT OF CONTRACT	APPROXIMATE DATE WORK WAS DONE

3. Has your present organization ever failed to complete any work awarded to it? If so, state when, where and why.

4. Do you have, or can you procure the necessary personnel, equipment, facilities and financial resources to immediately undertake and satisfactorily complete the work contemplated in this Contract?
5. (Other requirements as pertinent)

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BID FORM

ARTICLE 10 - BID SUBMITTAL

10.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By _____
(Individual's Name)

Doing business as: _____

A Partnership

Partnership Name: _____ (SEAL)

By _____
(Signature of general partner--attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: _____ (SEAL)

State of Incorporation: _____

Type (General Business, Professional, Service, Limited Liability): _____

By _____
(Signature--attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Attest: _____ (CORPORATE SEAL)
(Signature of Corporate Secretary)

Date of Qualification to do business in Massachusetts is:

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BID FORM

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By _____
(Signature of joint venturer partner--attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By _____
(Signature--attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address

Phone No. _____ Fax No. _____

Email _____

SUBMITTED on _____, 20_____

State Contractor License No. _____ [if applicable].

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BID FORM

TO: Department of Public Works
Town of Barnstable
230 South Street, 4th Floor
Hyannis, MA 02601

10.02 The undersigned proposes to furnish all labor and materials required for the construction of:

CONTRACT A - AREA H-1 EAST SEWER

CONTRACT NO. 03-000-10-0H1

In accordance with the Plans and Specifications prepared by the Town of Barnstable Department of Public Works for the estimated contract price specified below subject to additions and deductions according to the terms of the Contract Documents.

10.03 This bid includes Addenda numbered _____

10.04 The undersigned, as bidder, declares under penalties of perjury that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made and submitted in good faith and without collusion or fraud with any other person, firm or corporation; that he has filed all state tax returns and paid all state taxes under law; that he has carefully examined the locations of the proposed work, the proposed form of contract, the standard specifications and plans therein referred to and the Special Conditions herein annexed; and he proposes and agrees, if this proposal is accepted, that he will contract with the Awarding Authority, in the form of the contract referred to herein and to be annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction and to do all the work and furnish all the materials specified in the contract, in the manner and time herein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefore the following unit prices, per pages 5-8 to 5-20

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BID FORM

10.05 The undersigned agrees that if presented with the Notice of Acceptance for this contract, he will within ten (10) days, Saturdays, Sundays and legal holidays excluded, execute a contract in accordance with the terms of this bid and furnish a performance bond and a payment bond, each of a surety company qualified to do business under the laws of the Commonwealth and satisfactory to the awarding authority and each in the sum of one hundred (100%) percent of the contract price, the premiums for which are to be paid by the Contractor and are included in the contract price; and within five (5) days of the bid opening, the bidder will submit all M/WBE required documentation, per Section 6.

Date: _____

Authorized Signature

By: _____
Title

Business Address

City State Zip

Telephone

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BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER *(Name and Address)*:

SURETY *(Name and Address of Principal Place of Business)*:

OWNER *(Name and Address)*:

BID

Bid Due Date:
Description *(Project Name and Include Location)*:

BOND

Bond Number:
Date *(Not earlier than Bid due date)*:
Penal sum _____

(Words)

\$

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

SURETY

Bidder's Name and Corporate Seal (Seal)

Surety's Name and Corporate Seal (Seal)

By: _____
Signature

By: _____
Signature (Attach Power of Attorney)

Print Name

Print Name

Title

Title

Attest: _____
Signature

Attest: _____
Signature

Title

Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

BID BOND

Any singular reference to Bidder, Surety, Owner, or other party shall be considered plural where applicable.

BIDDER (*Name and Address*):

SURETY (*Name and Address of Principal Place of Business*):

OWNER (*Name and Address*):

BID

Bid Due Date:

Description (*Project Name and Include Location*):

BOND

Bond Number:

Date (Not earlier than Bid due date):

Penal sum	_____	\$	_____
	(Words)		(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

SURETY

_____ (Seal)	_____ (Seal)
Bidder's Name and Corporate Seal	Surety's Name and Corporate Seal

By: _____
Signature

By: _____
Signature (Attach Power of Attorney)

Print Name

Print Name

Title

Title

Attest: _____
Signature

Attest: _____
Signature

Title

Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder any difference between the total amount of Bidder's Bid and the total amount of the Bid of the next lowest, responsible Bidder who submitted a responsive Bid as determined by Owner for the work required by the Contract Documents, provided that:
 - 1.1 If there is no such next Bidder, and Owner does not abandon the Project, then Bidder and Surety shall pay to Owner the penal sum set forth on the face of this Bond, and
 - 1.2 In no event shall Bidder's and Surety's obligation hereunder exceed the penal sum set forth on the face of this Bond.
 - 1.3 Recovery under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as Applicable.

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TOWN OF BARNSTABLE

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity, or group of individuals.

FIRM _____

SIGNATURE _____

ADDRESS _____

NAME (print) _____

TITLE _____

TELEPHONE _____

DATE _____

STATE TAX CERTIFICATION CLAUSE

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all State Tax returns and paid all State Taxes under law.

By: _____
*Signature of Individual or
Corporate Name (Mandatory)

By: _____
Corporate Officer
(Mandatory, if applicable)

**Social Security No.
or Federal Identification No.
(Voluntary)

* Approval of a contract or other agreement will not be granted unless this certification clause, if signed,

**Your Social Security Number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or agreement issued, reviewed, or extended. This request is made under the authority of Mass. G.L. 62C, S.49A.

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SCHEDULE OF PARTICIPATION FOR SRF CONSTRUCTION

Project Title: _____ **Project Location:** _____

Minority Business Enterprise Participation in the SRF Loan Work

Name & Address of MBE	Nature of Participation	Dollar Value of Participation
1.		
2.		
3.		
Total MBE Commitment:		\$
Percentage MBE Participation = (Total MBE Commitment) / (Bid Price) =		%

Women Business Enterprise Participation in the SRF Loan Work

Name & Address of WBE	Nature of Participation	Dollar Value of Participation
1.		
2.		
3.		
Total WBE Commitment:		\$
Percentage WBE Participation = (Total WBE Commitment) / (Bid Price) =		%

The Bidder agrees to furnish implementation reports as required by the Awarding Authority to indicate the M/WBE(s) which it has used or intends to use. Breach of this commitment constitutes a breach of the contract.

Name of General Bidder: _____

Date: _____ By: _____
Signature

NOTE: Participation of a Minority-owned or Women-owned enterprise may be counted in only their certified category; the same dollar participation cannot be used in computing the percentage of Minority participation and again of Women participation.

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Commonwealth of Massachusetts**Vendor Information Form – SRF Construction****Awarding Authority:**

Contract Name:

Contract Project Number:

Company Name:

Street Address 1:

Street Address 2:

City:

State:

Zip Code:

Telephone Number:

() _____ - _____

Fax Number:

() _____ - _____

E-mail Address:

WWW Address:

Dunn & Bradstreet Number:

Federal Employer ID No.

County:

Contact Person:

What geographic area does your firm service?

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Metropolitan Boston | <input type="checkbox"/> Massachusetts (Entire State) | <input type="checkbox"/> Vermont |
| <input type="checkbox"/> Southeastern Mass | <input type="checkbox"/> Rhode Island | <input type="checkbox"/> New Jersey |
| <input type="checkbox"/> Western Mass | <input type="checkbox"/> New Hampshire | <input type="checkbox"/> New York |
| <input type="checkbox"/> North of Boston | <input type="checkbox"/> Connecticut | <input type="checkbox"/> Connecticut |

Primary SIC Code**Secondary SIC Code****Date company was founded****Gross Annual Sales**

- | | | |
|--|--|---|
| <input type="checkbox"/> \$0 - \$49,999 | <input type="checkbox"/> \$500,000 - \$999,999 | <input type="checkbox"/> \$5,000,000 - \$10,000,000 |
| <input type="checkbox"/> \$50,000 - \$99,999 | <input type="checkbox"/> \$1,000,000 - \$2,499,999 | <input type="checkbox"/> Over \$10,000,000 |
| <input type="checkbox"/> \$100,000 - \$499,999 | <input type="checkbox"/> \$2,500,000 - \$4,999,999 | |

Number of Employees

- | | | |
|--|--|--|
| <input type="checkbox"/> 1- 10 employees | <input type="checkbox"/> 20 – 30 employees | <input type="checkbox"/> OVER 50 employees |
| <input type="checkbox"/> 10 – 20 employees | <input type="checkbox"/> 30 – 50 employees | |

Bonding Capacity

- | | | |
|--|--|---|
| <input type="checkbox"/> \$0 - \$49,999 | <input type="checkbox"/> \$500,000 - \$999,999 | <input type="checkbox"/> \$5,000,000 - \$10,000,000 |
| <input type="checkbox"/> \$50,000 - \$99,999 | <input type="checkbox"/> \$1,000,000 - \$2,499,999 | <input type="checkbox"/> Over \$10,000,000 |
| <input type="checkbox"/> \$100,000 - \$499,999 | <input type="checkbox"/> \$2,500,000 - \$4,999,999 | |

Business Structure

- | | | |
|-------------------------------------|--|---|
| <input type="checkbox"/> Profit | <input type="checkbox"/> S Corporation | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Non-Profit | <input type="checkbox"/> C Corporation | <input type="checkbox"/> Joint Ventures |
| | <input type="checkbox"/> Sole Proprietor | <input type="checkbox"/> LLC |

Are you a minority-owned firm?

 Yes No

Are you a women-owned firm?

 Yes No

Are you certified by the State Office of Minority and Women Business Assistance (SOMWBA)?

 Yes NoIf you are SOMWBA certified are you certified as an? MBE WBE DBE

Are you certified by Division of Capital Assets Management and Maintenance formerly know as DCPO?

 Yes No

Are you pre-qualified with the Massachusetts Highway Department?

 Yes No

Commonwealth of Massachusetts

Vendor Information Form - SRF Construction (Page 2)

Largest State Contract:

- | | | |
|---|--|---|
| <input type="checkbox"/> \$0 - \$49,999 | <input type="checkbox"/> \$500,000 - \$999,999 | <input type="checkbox"/> \$5,000,000 - \$10,000,000 |
| <input type="checkbox"/> \$50,000 - \$99,999 | <input type="checkbox"/> \$1,000,000 - \$2,499,999 | <input type="checkbox"/> Over \$10,000,000 |
| <input type="checkbox"/> \$100,000 - \$ \$499,999 | <input type="checkbox"/> \$2,500,000 - \$4,999,999 | |

Contracting Agency for Largest State Contract:

Company Comments: (Include a brief description of the goods and/or services your company provides.)

Name of President or CEO

Date:

Telephone Number:

Name of Individual Completing the Form

Date:

Telephone Number:

Certification Statements wording required in the BID PROPOSAL of contracts bid under the provisions of c.30,s39M (Non-Building/Public Works Contract).

Pursuant to M.G.L. Ch. 62C,s49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all State Taxes Required under law.

C.30 s39 (c) The undersigned hereby certifies that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work.

The undersigned bidder hereby certifies he/she will comply with the minority workforce percentage ratio and specific affirmative action steps contained in the EEO/AA provisions of this Contract, including compliance with the Minority/ Women Enterprise as required under these contract provisions. The Contractor receiving the award of the contract shall be required to obtain from each of its subcontractors a copy of the certification by said subcontractor, regardless of tier, that it will comply with the minority workforce ratio and specific affirmative action steps contained in these EEO/AA contract provisions and submit it to the contracting agency prior to the award of such subcontract.

C.30 s39 (a) The undersigned certifies under penalties of perjury that this bid is in all respects bonafide, fair and made without collusion or fraud with any other person. As use in this paragraph the "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

Certification undersigned is not presently debarred from doing public construction work in the Commonwealth of Massachusetts under the provisions of Section Twenty-Nine F of Chapter Twenty-Nine, or any other applicable debarment provisions of any other Chapter of the General Laws or any rule or regulations promulgated thereunder.

_____	_____	_____
(Date)	(Name of General Bidder)	(Federal Employer Identification No.)
	By: _____	
	(Signature)	

	(Title & Name of person signing bid)	

	(Business Address)	

	(City, State, Zip)	

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Contractor' Certification

A contractor will not be eligible for award of a contract unless such contractor has submitted the following certification, which is deemed a part of the resulting contract:

CONTRACTOR'S CERTIFICATION

Name of the General Contractor

Certifies that:

1. It intends to use the following listed construction trades in the work under contract:

2. Will comply with the minority workforce ratio and specific affirmative action steps contained herein: and
3. Will obtain from each of its subcontractors and submit to the contracting or administering agency prior to the award of any subcontract under this contract the subcontractor's certification required by these bid conditions.

Signature of Authorized Representative

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Subcontractor's Certification

Prior to the award of any subcontract, regardless of tier, the prospective subcontractor must execute and submit to the General Contractor the following certification, which will be deemed a part of the resulting subcontract:

SUBCONTRACTOR'S CERTIFICATION

Name of the Subcontractor

Certifies that:

1. It intends to use the following construction trades in the work under the contract:

2. Will comply with the minority workforce ratio and specific affirmative action steps contained herein: and
3. Will obtain from each of its subcontractors prior to the award of any subcontract under this contract the subcontractor's certification required by these bid conditions.

Signature of Authorized
Representative of Subcontractor

MASSACHUSETTS DIESEL RETROFIT PROGRAM (MDRP)

The Department of Environmental Protection has developed the Massachusetts Diesel Retrofit Program (MDRP) in response to increasing public health concerns with the emissions from diesel engines and vehicles. To control these emissions, the MDRP has identified oxidation catalyst retrofits as the control technology of choice. These retrofits consist of either an in-line replacement engine muffler system or an add-on control device. Compliance with the MDRP is technology based, such that installation of an EPA-certified (or equivalent) control device will constitute full compliance.

STATEMENT OF INTENT TO COMPLY

This form must be signed and submitted by the bidder as part of the bid.

Local Governmental Unit _____ **SRF Project No.** _____

Contract No. _____ **Contact Title** _____

Bidder _____

The undersigned, on behalf of the above-named Bidder, agrees that, if awarded the contract, the Bidder will comply with the Massachusetts Diesel Retrofit Program (MDRP) by having all of the off-road (non-registered) diesel vehicles/equipment used on the contract equipped with, or retrofitted with, after-engine emission controls that are EPA certified or their equivalent.

(Signature of Bidder's Authorized Representative)

(Date)

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**CERTIFICATION
BUY AMERICAN COMPLIANCE**

In accordance with the requirements of the American Recovery and Reinvestment Act of 2009, the Contractor hereby certifies to the following:

1. Identification of American-made Iron, Steel, and Manufactured Goods: Consistent with the terms of the Purchaser’s bid solicitation and the provisions of ARRA Section 1605, the Bidder certifies that this bid reflects the Bidder’s best, good faith effort to identify domestic sources of iron, steel and manufactured goods for every component contained in the bid solicitation where such American-made components are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.
2. Verification of U.S. Production: The Bidder certifies that all components contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the Bidder agrees that it will provide reasonable, sufficient, and timely verification to the Purchaser of the U.S. production of each component so identified.
3. Documentation Regarding Non-American-made Iron, Steel, or Manufactured Goods: The Bidder certifies that for any component or components that are not American-made and are so identified in this bid, the Bidder has included in or attached to this bid one or both of the following, as applicable:
 - (1) Identification of and citation to a categorical waiver published by the U.S. Environmental Protection Agency in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components;
 - (2) Verifiable documentation sufficient to the Purchaser, as required in the bid solicitation or otherwise, that the Bidder has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the Bidder under the applicable conditions stated in the bid solicitation or otherwise.
4. Information and Detailed Justification Regarding Non-American-made Iron, Steel, or Manufactured Goods: The Bidder certifies that for any such component or components that are not so available, the Bidder has also provided in or attached to this bid information, including but not limited to, the verifiable documentation and a full description of the bidder’s efforts to secure any such American-made component or components, that the “Bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under section 1605 with respect to such component or components. The Bidder further agrees that, if this bid is accepted, it will assist the Purchaser in amending, supplementing, or further supporting such information as required by the Purchaser to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

Authorized Signature: _____

Print Name: _____

Title: _____

Date: _____