BID PROPOSAL
GENERAL BID

CITY OF LOWELL, MASSACHUSETTS

Project: **2016 COLD PLANING AND PAVING IN THE CITY OF LOWELL**
Lowell, Massachusetts

To the City of Lowell, Massachusetts (hereinafter called OWNER)

Gentlemen:

The Bidder, in compliance with your invitation for bids for the construction of the proposed project having examined the plans and specifications with related documents as prepared by the City of Lowell Engineering Department, 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, hereby proposes to furnish all labor, materials, and supplies, and to construct the project in accordance with the contract documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the contract documents, of which this proposal is a part.

Bidder hereby agrees to commence work under this Contract on or before a date to be specified in a written "notice to proceed" of the OWNER and to fully complete the Contract within **_272_** consecutive calendar days thereafter as stipulated in the specifications.

Bidder understands that the OWNER reserves the right to reject any or all bids and to waive any informalities in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of **60 calendar days** after the scheduled closing time for receiving bids.

Upon receipt of written notice of the acceptance of this bid, bidder will execute the formal contract within 10 days and deliver a Surety Bond or Bonds as required.

The Bid Security attached in the sum of _____

($_____

is to become the property of the OWNER in the event the contract and bonds are not executed within the time above set forth, as liquidated damages for the delay and additional expense to the OWNER caused thereby.

Bidder acknowledges receipt of the following addendum(s):

Bidder agrees to perform all the work described in the specifications and shown on the plans for the following unit prices:

NOTE: All prices should be written in ink, in words as well as figures, for the entire proposal. In case of discrepancy the amount shown in words will govern.

The CONTRACTOR agrees that its attention has been called to the provisions of the "Reserve System" Ordinance of the City of Lowell, which is now incorporated in "The Code of the City of Lowell, Massachusetts", passed by the City Council on April 26, 1988 and amendments thereto and that each purchase order, so-called, issued in accordance with Section 7 - 76 of Said Code to cover the services to be rendered under this contract shall be made a part hereof by reference. It is further agreed that no obligation shall be considered to have been incurred under this Contract unless and until a purchase order shall have been issued and approved. And further, that the obligation incurred shall be limited to the amount set forth in each purchase order, or purchase orders, duly issued and approved.

The CONTRACTOR further agrees that his attention has been called to the duration of contract on Pages I-5 and SC-3 of this Contract.

Item No.	Quantity	Unit	Item with Unit Bid Price (in words)	Unit Price	Amount
120.66	92,100	SY	Bituminous Concrete Excavation By Cold-Planer _____		
220	136	EA	Drainage Structures Adjusted _____		
220.2	173	VF	Drainage Structure Rebuilt _____		
358	99	EACH	Gate Box Adjusted _____		

460	7,795	TON	Hot Mix Asphalt Pavement (Top & Binder Course) _____		
464	4,632	GAL	Bitumen for Tack Coat _____		
464.50	27,800	LF	Hot Poured Rubberized Asphalt Sealer _____		
472	210	TON	Miscellaneous Hot Mix Asphalt Pavement _____		
866.12	13,600	LF	12” Reflectorized White Line (Thermoplastic) _____		
999.99	150	DAYS	Police Detail Allowance Fifty Four Thousand and 00/100		$54,000
TOTALS		**IN WORDS** _____		**AMOUNT**	

BASIS OF AWARD LOWEST RESPONSIVE & RESPONSIBLE BIDDER

CERTIFICATION OF COMPLIANCE
G.L.c.30, §39S
PUBLIC CONSTRUCTION MORE THAN $10,000.00

I certify under the pains and penalties of perjury that:

1. the Contractor is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work;

2. all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration ("OSHA") that is at least 10 hours in duration and the time the employee begins works and who shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and

3. that all employees to be employed in the work subject to this bid have successfully completed a course in construction safety and health approved by OSHA that is at least 10 hours in duration.

_____	_____
Signature of Individual or Corporate Name (Mandatory)	By: Corporate Officer (Mandatory, if applicable)

Approval of a contact or other agreement will not be granted unless this certification clause is signed by the applicant.

The undersigned offers the following information as evidence of his qualifications to perform the work as bid upon according to all requirements of the Plans and Specifications.

1. Have been in business under present business name of _____
_____

for _____years.

2. Ever failed to complete any work?_____

3. List one or more recent projects with names of Community and Engineer on which you served as general contractor similar to work required for this project.

Project and Engineer Community Date Amount

a)_____

b)_____

c)_____

4. Bank Reference_____

The undersigned agrees that, if he is selected as general contractor, he will within ten (10) days, Saturdays, Sundays and legal holidays excluded, after presentation thereof by the awarding authority, execute a contract in accordance with the terms of the general bid and furnish a performance bond and also a labor and materials or 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 percent (100%) of the contract price, the premiums for which are to be paid by the general contractor and are included in the contract price.

The undersigned hereby certifies that he is able to furnish labor and can work in harmony with all other elements of labor employed or to be employed on the work.

Date:_____ _____
(Name of General Bidder)

BY _____
(Signature)

_____
(Title of Signer)

_____
(Business Address)

_____
(City and State)

_____
(Phone Number)

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of _____)
ss
County of _____)

_____being duly sworn, deposes and says that:

(1) He is (owner, partner, office representative or agent) of _____

_____the Bidder that has submitted the attached bid;

(2) He is fully informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such bid;

(3) Such bid is genuine and is not a collusive or sham bid;

(4) Neither the said bidder nor any of its 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, or has in any manner directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached bid, or of any other Bidder; or to fix any overhead, profit or cost element of the bid price, or the bid price of any other Bidder; or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the CITY OF LOWELL or any person interested in the proposed Contract; **2016 COLD PLANING AND PAVING IN THE CITY OF LOWELL.**

(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 of its agents representatives, owners, employees, or parties in interest, including this affiant.

_____
(Signed)

_____
(Title)

Subscribed and sworn to before me on
this _____day of _____, 20___

_____

_____
Title
My commission expires _____

A. Contractors' 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

_____ certifies that:
Contractor

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

_____

_____; and

2. Will comply with the minority manpower 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 certification required by these bid conditions.

_____
(Signature of authorized representative of contractor)

B. Subcontractors' Certification

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

SUBCONTRACTORS' CERTIFICATION

_____ certifies that:
Subcontractor

1. It tends to use the following listed construction trades in the work under the subcontract

_____

_____; and

2. Will comply with the minority manpower ratio and specific affirmative action steps contained herein; and

3. Will obtain from each of the subcontractors prior to the award of any subcontract under this subcontract the subcontractor certification required by these bid conditions.

_____

(Signature of authorized representative of subcontractor)

In order to ensure that the said subcontractors' certification becomes a part of all subcontractors under the prime contract, no subcontract shall be executed until an authorized representative of the state agency (or agencies) administering this project has determined, in writing, that the said certification has been incorporated in such subcontract, regardless of tier. Any subcontract executed without such written approval shall be void.

MINIMUM MINORITY PERCENTAGES TO BE APPLIED TO STATE AND STATE ASSISTED CONTRACTS WITHIN THE COMMONWEALTH OF MASSACHUSETTS

The following percentages shall apply:		No less than
Boston:	Impact Area (Jamaica Plain (part), Mattapan, South Cove, Chinatown, Bay Village, Roxbury, Dorchester, South End)	30%
	Others	10%
Cambridge		12%
New Bedford		18%
Springfield		10%
All other cities and towns		5%

CITY OF LOWELL
AFFIRMATIVE ACTION CONTRACT REQUIREMENTS
CONTRACTORS' CERTIFICATION

NAME OF PROJECT: **2016 COLD PLANING AND PAVING IN THE CITY OF LOWELL**

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

_____certifies that

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

_____

_____; and,

2. Will comply with the minority manpower ratio and specific affirmative action steps contained herein; and

3. Will obtain from each of its subcontractors and submit the contracting or administering agency prior to the award of any subcontract under this contract the subcontractor certification required by these bid conditions.

_____
(Signature of Authorized Representative of Contractor)

CITY OF LOWELL
AFFIRMATIVE ACTION CONTRACT REQUIREMENTS
SUBCONTRACTORS' CERTIFICATION

NAME OF PROJECT: 2016 COLD PLANING AND PAVING IN THE CITY OF LOWELL

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

SUBCONTRACTOR'S CERTIFICATION

_____certifies that

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

_____

_____; and,

2. Will comply with the minority manpower ratio and specific affirmative action steps contained herein; and

3. Will obtain from each of the subcontractors prior to the award subcontract under this subcontract, the subcontractor certification required by these bid conditions.

_____
(Signature of Authorized Representative of Contractor)

In order to ensure that the said subcontractor's certification becomes a part of all subcontracts under the Prime Contract, no subcontract shall be executed until an authorized representative of the City administering this project has determined, in writing, that the said certification has been incorporated in such subcontract, regardless of tier. Any subcontract executed without such written approval shall be void.

CITY OF LOWELL
AFFIRMATIVE ACTION CONTRACT REQUIREMENTS
BIDDERS' CERTIFICATION

The bidder hereby certifies he shall comply with the minority manpower ratio and specific action steps contained in the Appendix EEO attached hereto, including compliance with the minority contractor compliance specified in Section V of said Appendix. The contractor receiving the award of the contract shall be required to obtain from each of its subcontractors and submit to the contracting or administering agency prior to the performance of any work under said contract a certification by said subcontractor, regardless of tier, that it will comply with the minority manpower ratio and specific affirmative action steps contained in the Appendix EEO.

_____
Signature of Bidder

_____
Name of Firm

_____
Title

_____
Date