

**REQUEST FOR BID
FOR
GREY'S CREEK BIG ORANGE LIFT STATION
REHABILITATION PROGRAM**

Addendum No. 1 to

RFB No. 78596.70.0100

~~December 17, 2013~~ January 6, 2014



City of Memphis, Tennessee

Black & Veatch and Overland Contracting Inc. (OCI), a subsidiary of Black & Veatch, are the Program Manager and Construction Manager respectively, for the Grey's Creek Big Orange Lift Station Rehabilitation Program for the City of Memphis.

Overland Contracting Inc.
3485 Poplar Avenue, Suite 230, Memphis, TN, 38111

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The following information encompasses Addendum No. 1 for the above referenced RFB. Bidders shall fully consider and acknowledge this Addendum in the preparation and submittal of its formal Bid. Failure to do so may result in the rejection of the Bid.

Section 1 – Updates to Section 00160 regarding the Schedule

All other conditions and requirements remain unchanged.

Section 1 – Updates to Section 00160 regarding the Schedule

See attached track changed pages 1-5 of 48 for updates to the RFB schedule due to inclement weather conditions in Memphis, Tennessee.

Bently Green
Program Manager
MemphisWCTS@bv.com

00160 - Request for Bid

00160.1 Introduction

Sealed bids will be received at the Office of the City of Memphis Environmental Administration, Room 620, City Hall, 125 N. Main, Memphis, TN 38103, until **3:00 p.m. local time, January 24~~31~~, 2014** for furnishing the City of Memphis with the following:

FOR THE DIVISION OF: PUBLIC WORKS FOR THE CONSTRUCTION OF:
GREY'S CREEK BIG ORANGE LIFT STATION REHABILITATION PROJECT

The Sealed Bid envelope must be labeled with the project name, bidder's name, license bidder number, license expiration date, license classification. The Sealed Bid envelope must contain one (1) hardcopy of the bid and one (1) electronic CD copy of the bid.

Sealed Bids that are sent through the mail or other such delivery service shall be sent in such a manner so as to allow the opening of the "Mailing Container" and still have intact the sealed Bid. On the Mailing Container the sender shall state the words that a "**SEALED RESPONSE IS ENCLOSED**" and the Bid number.

Subcontractors wishing to bid on this project must have submitted Registration documents electronically to Overland Construction, Inc. (OCI) per the Advertisement Legal Notice Request for Qualifications for Construction Contractors SOQ No. 179821 and 78596 dated December 17, 2013 and due January ~~19~~17, 2014.

00160.2 Project Overview

Black & Veatch and Overland Contracting (a subsidiary of Black & Veatch), as the Program Manager and Construction Manager for the Grey's Creek Big Orange Lift Station rehabilitation on behalf of the City of Memphis, will be considering bids received for this Work from registered and approved firms.

00160.3 Scope of Work

The general scope of Work for this RFB is the furnishing of the General Construction Work as detailed in the Technical Specifications.

00160.4 Bid Guarantee Requirements

Guarantee Requirements:

- (a) Bidder will not withdraw bid for one hundred eighty (180) calendar days after opening of bids without Purchaser and/or Owner's written consent.
- (b) If bid is accepted, bidder will enter into formal Subcontract with Purchaser, within ten (10) calendar days after receipt of Subcontract documents for execution.
- (c) If bid is accepted, bidder will execute required 100% Performance/Payment Bond and will obtain required insurance coverage within ten (10) calendar days after receipt of Subcontract.
- (d) All bids will require a bidder's bond or certified or cashier's check made payable to the Purchaser on a solvent bank in the amount of 5% of the bid. Said instrument to remain in effect and will be returned only after the Subcontract has been fully executed and secured. Additionally, the successful bidder shall execute a performance bond in an amount equal to 100% of the Subcontract sum as security for the faithful performance of the Subcontract and for the payment of labor and material furnished and incorporated into the Work. The only acceptable form of instrument for this bid bond is bound herein, Article 00662.5. The Performance Bond shall be furnished through an agent domiciled



and legally authorized to do business in the State of Tennessee, and delivered to the Purchaser not later than ten (10) calendar days after the date shown on written notice from the Purchaser. The proposed surety company must be one acceptable to the City of Memphis.

Bidder shall be liable to the Purchaser for full amount of bid guarantee as representing damage to the Purchaser on account of default of bidder if:

- (a) Bid is withdrawn within one hundred eighty (180) calendar days after receipt of bids without approval by Purchaser.
- (b) Bidder fails to enter into contract with Purchaser and execute required Performance Bond and provide required insurance coverage within ten (10) calendar days subsequent to notice of award of the Subcontract.

Firms desiring to submit a Bid should carefully review these instructions. Compliance with all requirements will be solely the responsibility of the Respondent.

00160.5 Request for Bid Definitions

Terms used in this Request for bid documents are defined and have the meanings assigned to them as follows. The term "OCI", "Purchaser" or "Program Manager" means Overland Contracting Inc. The term "Respondent", "Firm", "Company", "Subcontractor" or "Bidder" means one who submits a Response for the purpose stated in this Solicitation Request for Bid documents. The terms "BID", "Response" or "Respondent's Response" mean all submittal documents provided by the Respondent as required by this Request for Bid. The terms "Request for Bid" or "Bid Documents" mean the documents included in this Request for Bid.

Every effort has been made to use industry-accepted terminology in this Request for Bid. Any statement in this document, which uses words such as "must", "shall", "should", "provide for" or "have/provide the capability of/for", means that compliance with the intent of the statement is mandatory and that failure by the Respondent to satisfy that intent may be cause for the Response to be rejected.

00160.6 Minority Business Enterprise and Women Business Enterprise (M/WBE) Requirements

This section shall set forth the respondent's M/WBE Participation Plan that must be submitted and include: (1) the level and dollar amount of participation your firm anticipates to achieve in the performance of the Subcontract resulting from this RFB; (2) the type of Work to be performed by the M/WBE firms participating; and (3) the names of the M/WBE firms the Respondent plans to utilize in the performance of the Subcontract resulting from this RFB. **The MBE participation goal for the Big Orange Project is 28%. The WBE participation goal for the Big Orange Project is 4%.**

Pre-Qualification Submittals should be concise.

00160.7 Clarification of Bid

OCI reserves the right to obtain clarification of any point in a Response or to obtain additional information as necessary to properly evaluate a particular Response. Failure to respond to such a request for additional information or clarification in a timely manner may result in rejection of the Response.

00160.8 Acceptance of Bid Content

The contents of any BID submitted for consideration will become, at OCI's option, a part of any future Subcontract agreement. Failure to accept this condition may result in rejection of the Response.

00160.9 Responsiveness

Respondents should respond to all requirements of the Bid to the maximum extent possible and are required to clearly identify any limitations or exceptions to the requirements.

00160.10 Examination of Request for Bid Documents

Before submitting a Response, each Respondent must:

Study and carefully correlate the Respondent's observations and responses with the Bid Documents.

Notify OCI, of all conflicts, errors and discrepancies, if any, in the Bid Document submitted.

Respondents by and through the submission of their Response, agree that they shall be held responsible for having therefore familiarized themselves with the nature and extent of the requirements in the Bid Documents.

00160.11 Interpretations and Addenda

If any prospective Firm is in doubt as to the true meaning of any part of the Requirements For Preparing and Submitting Bid Submittal for the requested services, they may submit a written request (verbal requests will not be accepted) for an interpretation up to January 15, 2014. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the proposed documents will be made only by addendum transmitted to each party receiving a set of such documents. OCI will not be responsible for any other explanations or interpretations of the proposed documents. Any requests not submitted within this time period will be deemed waived.

SUBMIT ALL QUESTIONS IN WRITING OR BY E-MAIL TO:

Overland Contracting Inc.

Attn: Bently Green

3485 Poplar Avenue, Suite #230

Memphis, TN 38111

E-Mail: MemphisWCTS@bv.com

(Reference: Big Orange Lift Station Project, BID SUBMITTAL No. 78596.70.0100)

Each written request must reference the Bid name and number "Big Orange Lift Station Project, Bid No. 78596.70.0100" in the subject line and mailed (or e-mailed) to the attention of Bently Green, Program Manager. All requests or questions should be clearly marked and must be received no later than the date and time listed in the Selection Schedule.

A response will be returned via addendum to all Firms along with the original question(s).

There shall be no communication between the Firm, their employees or subcontractors concerning this Bid to anyone within Black & Veatch, OCI, Allen & Hoshall, Allworld Project Management, Gresham Smith and Partners, Carter-Malone Group, or City of Memphis employee or any such person's spouse, child, parent, brother, sister, dependent or person assuming a relationship being the substantially equivalent of the above except through Bently Green. **Failure to comply with this requirement will be grounds for disqualification.**

00160.12 Modification or Withdrawal of Bid Submittals

Responses may be modified or withdrawn by an appropriate document duly executed (in the same manner that a Response must be executed) and delivered to the place where Responses are to be submitted at any time prior to the submission deadline. A request for withdrawal or a modification must be in writing and signed by an authorized person. Evidence of such authority must accompany the request for withdrawal or modification. Withdrawal of a Response will not prejudice the rights of a

Responder to submit a new Response prior to the Response deadline. After expiration of the period for receiving Responses, only OCI may request clarifications or additional information.

00160.13 Rejection of Responses

To the extent permitted by applicable local, state and federal laws and regulations, OCI reserves the right to reject any and all Responses, to waive any and all informalities not involving price, time, or changes in the Work with the successful Respondent, and the right to disregard all non-conforming, non-responsive, unbalanced or conditional Responses. Also, OCI reserves the right to reject a Response, in its sole discretion, if the City of Memphis believes that it would not be in its best interest to make an award to that Respondent.

OCI reserves the right to reject any Response if the evidence submitted by the Responder or if the investigation of such Respondent fails to satisfy OCI that such Respondent is properly qualified to carry out the obligations and to complete the work contemplated therein. All Responses will be rejected if there is reason to believe that collusion exists among Respondents. Responses will be considered irregular and may be rejected if they show serious omissions, alterations in form, additions not called for, conditions or unauthorized alterations, or irregularities of any kind.

00160.14 Other Items

This Bid does not commit OCI to enter into a Subcontract, nor does it obligate OCI to pay for any costs incurred in the preparation and submission of Responses or in anticipation of a Subcontract. Costs of preparing the Bid in response to this request are solely the responsibility of the Respondent.

By responding to this solicitation, the respondent attests that no employee of Black & Veatch, OCI, Allen & Hoshall, Allworld Project Management, Gresham Smith and Partners, Carter-Malone Group, or City of Memphis employee or any such person's spouse, child, parent, brother, sister, dependent or person assuming a relationship being the substantially equivalent of the above, has an existing or pending, direct or indirect, financial interest in the respondent's business.

No Respondents to this solicitation shall discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin.

00160.15 Selection Process

OCI intends to select one Firm based on price and successful completion and approval of the OCI Registration process.

00160.16 Selection Schedule

The following schedule will be adhered to during the selection process. It is subject to change at the sole discretion of OCI.

Event	Completed By
Advertising date	December 17, 2013
Pre-Bid meeting	January 6 13, 2014
Registration Information submitted per SOQ Advertisement	On or before January 10 17, 2014
Last date for questions	January 15 22, 2014
Issue Addendum for answers to questions	January 17 24, 2014
Receive all RFB's	January 24 31, 2014 by 3:00 pm local time
Public Opening	January 24 31, 2014, 3:30 pm local time



Event	Completed By
Public Notice of Award	February 7 <u>14</u> , 2014
Tentative Notice to Proceed	February 17 <u>24</u> , 2014
Preconstruction Meeting with Subcontractor	February 25 <u>March 3</u> , 2014

00160.17 Mandatory Pre-Bid Meeting

A mandatory pre-bid meeting will be held from **1:00 P.M to 2:30 P.M (local time)** at **2714 Union Avenue Extended, 5th Floor Training Room, Memphis, TN 38112** on **Monday, January ~~6~~13, 2014**. Immediately following the pre-bid meeting, there will be a **Jobsite visit from 3:00 P.M. to 4:00 P.M. at 1254 Big Orange Road, Cordova, TN 38018**. You are required to attend the pre-bid meeting and Jobsite visit at your own cost. Attendance shall be limited to three representatives per Bidder. Contact Purchaser at least two calendar days before the pre-bid meeting in order to coordinate your attendance.