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July 5, 2017

PROJECT: **City of Sterling Heights – Dodge Park Improvements**
Sterling Heights, MI

DMA PROJECT NO: **16078A**

ADDENDUM NO: **2**

ADDENDUM CONTENTS: **Two (2) written page.**
Invitation / Advertisement for Bid (2 pages)
Instructions to Bidders (5 pages)

ISSUE DATE: **July 5, 2017**

The following clarifications, revisions and/or additions to the Plans and Specifications are issued before the award of the construction contract and are to be included with the original Drawings and Specifications. This addendum shall take precedence over the original issued Drawings and Specifications and shall be referred to hereinafter as part of the Contract Documents.

The bidder shall acknowledge the receipt of this Addendum by signing this Addendum and enclosing it in the submission of their bids, and completing the Addenda section of the 004113 Bid Proposal Form. Failure to acknowledge Addendum No. 1 on page 2 of 11 of the 004113 Bid Proposal Form in the submission of bids may be justification for the bid proposal being rejected as non-responsive.

RESPONSE:

The Contractors/Bidders shall verify receipt and inclusion of this Addendum on their Bid Proposal Forms.

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DRAWING/SPECIFICATION REVISIONS, CLARIFICATIONS OR ADDITIONS:

Invitation / Advertisement for Bid

1. Bid Due date changed from 2:30 pm, Tuesday, July 11, 2017 to 11:00 am, Friday, July 14, 2017

Instructions to Bidders

1. Bid Due date changed from 2:30 pm, Tuesday, July 11, 2017 to 11:00 am, Friday, July 14, 2017

RECEIVED AND ACKNOWLEDGED BY:

Company: _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

CITY OF STERLING HEIGHTS (Section revised July 5, 2017 as part of Addendum #2)
INVITATION / ADVERTISEMENT FOR BID
Dodge Park Improvements

Proposal: General contractors are invited to submit sealed bids to the City of Sterling Heights, City Clerk's Office, 40555 Utica Road, Sterling Heights, MI 48313. The work includes the demolition of several existing park features and the construction of several new parks structures and features. The demolition includes but is not limited to the removal of the Parks & Recreation Building, four (4) pavilions, basketball court, fenced in-line skating rink as well as specific parking areas and walkways. The new work includes new and resurfaced parking lots, new and resurfaced pathways, an Amphitheater, Farmers Market with a seasonal ice rink, a Mini-Soccer Field, Splash Park seating areas and ticket booth, four (4) Sand Volleyball Courts and renovations to the existing Restroom Building.

Due Date: Bids will be received until **11:00 am, Friday, July 14, 2017 by the City Clerk's Office** at which time and place all bids will be opened publicly and read in the **City Council Chambers**. Any bids received after the deadline will be deemed late and not opened nor considered.

Time of Completion: The Contractor shall complete the paperwork and execute the Contract within 14 days of the Award. Tentative contract award date: August 1, 2017. It is anticipated that the work will begin on August 14, 2017 and shall be completed by June 18, 2018 in accordance with the proposal.

Contract Documents: All Contract Documents will be available starting **Monday, June 19, 2017**.

All Contract Documents will also be available through the Michigan Inter-governmental Trade Network (MITN) www.mitn.info. Copies of bid documents obtained from any other source are not considered official copies. Bids or notification of bids issued by members of MITN are to be posted, in whole or in part, only on the MITN system. Only the bidders who obtain bid documents from the MITN system are guaranteed access to receive addendum information, if such information is issued. The City of Sterling Heights cannot guarantee the accuracy of any information not obtained from the MITN website and is not responsible for any errors contained by information received from other sources.

All Contract Documents will be on file and may be examined (after June 19, 2017) at the offices of Dorchen/Martin Associates, Inc., 29895 Greenfield Road, Suite 107, Southfield, MI 48076, (248) 557-1062.

Pre-Bid Meeting: A pre-bid meeting will be held on Thursday, June 29 2017 at 1:30 pm in the City Council Chambers located at the City of Sterling Heights, 40555 Utica Road, Sterling Heights, MI. Attendance is not required, but it is strongly recommended that bidders attend this meeting.

Bid Security: Each bid must be accompanied by certified check of the bidder, or a bid bond duly executed by the bidder as principal and having as surety thereon a surety company approved by the City in the amount of 5% of the bid as a guarantee on the part of the bidder that he will, if called upon to do so, enter into contract in the attached form, to do the work covered by such proposal and at the price stated therein and to furnish acceptable surety for its faithful and entire fulfillment. Such checks or bid bonds will be returned to all except the three lowest bidders within three days after the opening of bids, and the remaining checks or bid bonds will be returned promptly after the City and the accepted bidder have executed the Contract or if no award has been made within ninety days after the date of the opening of

bids, upon demand of the bidder at any time thereafter, so long as he has not been notified of the acceptance of his bid.

Bid Submission: Each proposal shall be submitted as detailed below:

Your hard copy bid must be submitted in a sealed envelope or other form of sealed packaging on the forms provided and shall be enclosed in a sealed envelope plainly marked "City of Sterling Heights Parks & Recreation, Dodge Park Improvements, "July 14, 2017 11:00 am" on the outside. **NO PHONE OR FAX BIDS WILL BE ACCEPTED.** If a hard copy bid is to be express mailed, "**Bid Documents Enclosed**" must be conspicuously marked on the package.

RIGHTS RESERVED BY THE OWNER: The City of Sterling Heights reserves the right to reject any or all bids, to waive any informalities in the bidding and to accept the bid deemed to be in the best interest of the City.

CITY OF STERLING HEIGHTS (Section revised July 5, 2017 as part of Addendum #2)
INSTRUCTIONS TO BIDDERS
Dodge Park Improvements

SCOPE OF WORK

The work under this contract shall consist of the furnishing of all labor, material, equipment, services, and all incidental items necessary to complete the project in accordance with the Contract Documents.

INSPECTION OF SITE

Before submitting a Proposal, each bidder shall personally inspect the site of the proposed work to arrive at a clear understanding of the conditions under which the work is to be done. A pre-bid conference for prospective bidders will be held on Thursday, June 29, 2017 at 1:30 pm in the Council Chambers located at the City of Sterling Heights, 40555 Utica Road, Sterling Heights, Michigan.

Each bidder shall be held to have compared the premises with the Drawings and Specifications and to have satisfied himself as to the conditions of the premises, existing constructions, and any other conditions affecting the carrying out of the work, before delivery of his Proposal.

No allowance or extra consideration on behalf of the Contractor will subsequently be allowed by reason of error or oversight on the part of the Contractor or on account of interferences by the Owner's or by other Contractors' activities.

INVITATION / ADVERTISEMENT FOR BID

The Invitation / Advertisement for the proposed work contains information necessary to bidders. A copy of the Invitation / Advertisement shall be considered a part of the Instructions to Bidders as fully as if repeated herein.

PROPOSALS

Proposals will be received in accordance with the Invitation / Advertisement for Bid, and shall be submitted only on forms provided in the Project Manual.

All information shall be entered in ink or typewritten. Mistakes may be crossed out and corrections inserted before submission of your bid.

Corrections shall be initialed in ink by the person signing the bid. Corrections and/or modifications received after the closing time specified will not be accepted.

Proposals shall be made in full conformity with all the conditions set forth on the Drawings and in the Project Manual / Specifications. Bids are firm and cannot be altered or withdrawn for a period of 90 days after opening.

NAME AND STATUS OF BIDDER

The name and legal status of the bidder, either as a corporation, partnership, or individual, shall be stated on the Proposal form. A corporation bidder shall give the state in which incorporated, a partnership bidder shall give all the names of the partners. Partnerships and individual bidders will be required to state on the Proposal form the names of all persons interested therein.

Anyone signing a Proposal as an agent of another or others must submit with the proposal legal evidence of his authority to do so.

The place of residence of each bidder, or the office address and telephone number in the case of a firm or company, with County and State, must be given after his signature.

BIDDER'S QUALIFICATIONS

It is the intention of the Owner to award this contract to a Contractor fully capable, both financially and with regards to experience, of performing and completing the work in a satisfactory manner. If required by the Owner, each bidder under consideration may be required to furnish the Owner, within 48 hours at the Owner's request, the following information sworn to under oath by him:

1. Performance record, as well as the address and description of the bidder's place of business.
2. Itemized list of equipment available for use on the project.
3. A description of any similar project which the bidder has constructed in a satisfactory manner.
4. A certified or authenticated financial statement dated within sixty days prior to the opening of bids. Owner may require that any items of such statements be further verified.
5. A list of contracts on which the bidder is currently engaged.
6. Such additional information as will satisfy the Owner that the bidder is adequately prepared, in technical experience and otherwise, to fulfill the contract.

The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Owner that such bidder is properly qualified to carry out the obligations of the Contract and to complete the work contemplated therein. Conditional bids will not be accepted.

SOIL CONDITIONS

The contractor, as such and as bidder, shall make his own determination as to soil conditions and shall assume all risk and responsibility and shall complete the work in whatever material and under whatever condition he may encounter or create, without extra cost to the Owner. This shall apply whether or not borings are shown on the drawings.

A small number of borings have been made. These borings have been made by a disinterested soils engineer and the reports are available in the project manual. The information is offered to the bidder as evidence of ground conditions at only certain locations and the bidder himself shall assume the entire responsibility for any conclusions which he may draw from it. The Owner does not guarantee, however, that the ground encountered during construction will conform with these borings and the bidders should secure such other information as they consider necessary to check and supplement the data.

SECURITY FOR FAITHFUL PERFORMANCE

The bids shall be accompanied by a letter from a surety company satisfactory to the Owner stating that the necessary bonds will be furnished by it to the Contractor bidding in the event that he is successful.

The successful bidder will be required to furnish the following guaranty bonds:

1. The bidder shall furnish a surety bond in an amount at least equal to one hundred percent of the Contract price as security for faithful performance of this Contract.
2. The Bidder shall also furnish a separate surety bond in an amount at least equal to one hundred percent of the Contract price as security for payment of all persons performing labor, furnishing materials and equipment rental in connection with this Contract.

WITHDRAWING PROPOSAL

A proposal after being submitted may be withdrawn when request therefore is made in writing by the Bidder before the time designated in the Invitation / Advertisement to Bid for the opening of proposals.

ORDER OF WORK

The right to prescribe the order in which to work called for under this contract is to be done will be retained by the Owner.

SUNDAY, HOLIDAY WORK AND NIGHT WORK

Sunday, Holiday and after hours work will be permitted with advance notification to the City.

BID SECURITY

Bid security shall accompany all bids as specified in the Invitation / Advertisement for Bid.

EXPLANATION TO BIDDERS BY ADDENDUMS

Neither the Owner nor the Architect will give verbal answers to inquiries, regarding the meaning of the Drawings or Specifications, or give verbal instructions, previous to the award of the contract. Any verbal statements regarding same by any persons, previous to the award, shall be unauthoritative.

Explanations desired by bidders shall be requested of the Architect in writing and, if explanations are necessary, a reply will be made in the form of an Addendum, a copy of which will be forwarded to each bidder who is known to have received Bidding Documents.

Addendums issued to bidders prior to date of receipt of proposals shall become a part of the Bidding Documents and all Proposals shall include the work described in the Addendums.

All requests for interpretation or requests to use unspecified products shall be made by Thursday, July 6, 2017 at 3:00 pm.

Failure of the Architect to send, or of the bidder to receive, any such interpretations shall not relieve the bidder from obligation under his bid as submitted.

RIGHT TO ACCEPT, TO REJECT, AND TO WAIVE DEFECTS

The Owner reserves the right: 1) To award bids received on the basis of individual items, or groups of items, or on the entire list of items, (2) To reject any or all bids, or any part thereof, (3) To waive any irregularity in the bids, (4) To accept the bid that is in the best interest of the City, (5) To reduce or eliminate this purchase without prior notice, (6) To split the award to realize the greatest cost savings, (7) To issue Post-Bid Addendums to clarify or request additional information, including pricing, (8) To require one or more selected bidders to perform the requested service on a trial basis, at the unit prices bid, as evidence of a bidders ability to satisfactorily perform the requested service, prior to a formal recommendation and approval by City Administration / City Council.

TIME OF COMPLETION

The Contractor shall use sufficient labor and equipment to complete and place in service all of the work being constructed within this contract within the time specified in the Proposal.

If the Contractor shall be unavoidably delayed in beginning or fulfilling this Contract by reason of excessive storms or floods, or by Acts of Providence, or by strikes, or by court injunction, or by stopping of the work by the Owner because of any emergency or public necessity, or by reason of alterations ordered by the Owner, the Contractor shall have no valid claim for damages on account of any cause or delay; but he shall in such case be entitled to such an extension of the time limit in the Proposal, as the Architect shall adjudge to be just and reasonable; provided, however, that formal claim for such extension shall be made in writing by the Contractor within one week after the date upon which such alleged cause or delay shall have occurred.

LIQUIDATED DAMAGES

It is expressly covenanted and agreed that time is and shall be considered of the essence of the Contract. In the event that the Contractor fails to perform the entire work agreed to by the time specified in the Proposal, the Contractor shall pay unto the Owner as and for liquidated damages and not as a penalty, the sum of one thousand dollars (\$1,000.00) for each and every calendar day that the Contractor shall be in default. Said sum of (\$1,000.00) per day, in view of the difficulty of estimating such damages with exactness, is hereby expressly fixed and agreed upon as damages which will be suffered by the Owner for reason of such defaults. It is also understood and agreed that the liquidated damages herein before mentioned are in lieu of the actual damages arising from such breaches of this Contract which said sums the Owner shall have the right to deduct from any monies in his hands otherwise due or to become due to the Contractor or to sue for and recover compensation for damages for non-performance of this Contract at the time stipulated herein and provided.

SUBCONTRACTORS

The General Contractor will provide a list of subcontractors whom the Contractor intends to employ. The Owner reserves the right to disapprove use of any proposed subcontractor. The bidder can submit another subcontractor within the time frame specified by Owner.

BID SUBMISSION INSTRUCTIONS

Please read these instructions carefully. *Your bid may be disqualified if it is not submitted as detailed below.*

Hard Copy Bid Submission

Your hard copy bid must be submitted in a sealed envelope or other form of sealed packaging labeled as follows: **NO fax, email or electronic submissions will be accepted.**

ITB-SH17-030: Parks & Recreation Dodge Park Improvements

Date Due: July 14, 2017 at 11:00 a.m.

If the hard copy bid is to be express mailed, "**Bid Documents Enclosed**" must be conspicuously marked on the package. All hard copy bids, regardless of method used for delivery, are to be delivered to the following address:

City of Sterling Heights
Office of the City Clerk
Attn: Mark Carufel, City Clerk
40555 Utica Road
Sterling Heights, MI 48313

Please keep in mind that due to the City's mail safety regulations, if your envelope/package is not labeled

as directed, it may not be opened and will be disposed.

DO NOT deliver your bid to the requesting department. All bids **must** be delivered to the Office of the City Clerk before the due date and time so they can be stamped “Received” and filed appropriately. Bids are considered received when in the possession of the City Clerk. If your bid is not received before the due date and time, it will be disqualified and will not be opened or considered.

The City of Sterling Heights officially distributes bid documents through the Michigan Inter-governmental Trade Network (MITN). Copies of bid documents obtained from any other source are not considered official copies. Bids or notification of bids issued by members of MITN are to be posted, in whole or in part, **ONLY** on the MITN system. Any other use is prohibited. Only those vendors who obtain bid documents from the MITN system are guaranteed access to receive addendum information, if such information is issued. The City of Sterling Heights cannot guarantee the accuracy of any information not obtained from the MITN website and is not responsible for any errors contained by information received from alternate sources.

If you received this document from a source other than the sources indicated, please notify us. It is recommended that all vendors register on the MITN website at www.BidNetDirect.com/mitn to obtain an official copy. All future bids, proposals, quotes and any addenda and tabulations will be posted on the MITN website.