

BID NOTICE

Notice is hereby given that sealed bids will be received by the Mayor and Council of the Town of Kearny, Hudson County, New Jersey for the Gunnell Oval Improvements Kearny Town Hall, 402 Kearny Avenue, Kearny, New Jersey on Friday, December 14, 2018, at 10:00am, Local Prevailing Time. The project will include raising the existing site to be above the Flood Hazard Elevation, providing an environmental clean fill cap over historic fill materials, constructing a new stormwater infrastructure and pumping station, constructing a new utility infrastructure, installing new artificial turf athletic fields, constructing two prefabricated field house buildings, as well as paved parking lots, sidewalks and driveways throughout the site.

Drawings, specifications and forms of bids, contract and bond for proposed work, prepared by Michael J. Neglia, Town Engineer, will be on file in the office of the Town Clerk at 402 Kearny Avenue, Kearny, New Jersey on Monday, November 26, 2018, at 10:00am, Local Prevailing Time and may be examined at no expense by prospective bidders during business hours. Bidders, upon request, will be furnished with a copy of the specifications and blueprints by the Engineer on proper notice and a non-refundable payment cost of \$50.00 to cover the cost of reproduction (Checks made payable to: **Town of Kearny**). Bidders who have previously purchased a copy of the project documents will not be required to repurchase the amended project documents. Bids must be made on Standard Proposal Forms in the manner designated herein and required by the Specifications, must be enclosed in sealed envelopes, bearing the name and address of bidder and name of the project on the outside addressed to Mayor and Council, Town of Kearny, Hudson County, New Jersey and must be accompanied by a non-collusion affidavit and a certified check or bid bond for not less than ten (10%) percent of the amount bid, provided said check need not be more than \$20,000.00, nor shall not be less than \$500.00, and a consent of surety from a surety company authorized to transact business in the State of New Jersey in a sum equal to one hundred (100%) percent of the amount bid, and be delivered at the place on or before the hour named above. Signatures shall be in ink and in longhand. Bids should be either mailed directly to OR hand delivered directly to Patricia Carpenter, Town Clerk, Town of Kearny, 402 Kearny Avenue, Kearny, New Jersey 07032. The Standard proposal form and the non-collusion affidavit are attached to the specifications, copies of which will be furnished on application to the Engineer.

The advertisement shall designate the manner of submitting and the method of receiving the bids and the time and place at which the bids will be received. If the published specifications provide for receipt of bids by mail, those bids which are mailed to the contracting unit shall be sealed and shall only be opened for examination at such time and place as all bids received are unsealed and announced. At such time and place the contracting agent of the contracting unit shall publicly receive the bids, and thereupon immediately proceed to unseal them and publicly announce the contents, which announcement shall be made in the presence of any parties bidding or their agents, who are then and there present, and shall also make proper record of the prices and terms, upon the minutes of the governing body, if the award is to be made by the governing body of the contracting unit, or in a book kept for that purpose, if the award is to be made by other than the governing body, and in such latter case it shall be reported to the governing body of the contracting unit for its action thereon, when such action thereon is required. No bids shall be received after the time designated in the advertisement.

Notice of revisions or addenda to advertisements or bid documents shall be provided as follows:

- 1) For all contracts except those for construction work and municipal solid waste collection and disposal service, notice shall be published no later than seven days, Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of bids, in an official newspaper of the contracting unit and be provided to any person who has submitted a bid or who has received a Local

Public Contracts Law N.J.S.A. 40A:11-1 et seq. April, 2014 Page 45 bid package, in one of the following ways: i) in writing by certified mail or ii) by certified facsimile transmission, meaning that the sender's facsimile machine produces a receipt showing date and time of transmission and that the transmission was successful or iii) by a delivery service that provides certification of delivery to the sender.

2) For all contracts for construction work, notice shall be provided no later than seven days, Saturdays, Sundays, or holidays excepted, prior to the date for acceptance of bids, to any person who has submitted a bid or who has received a bid package in any of the following ways: i) in writing by certified mail or ii) by certified facsimile transmission, meaning that the sender's facsimile machine produces a receipt showing date and time of transmission and that the transmission was successful or iii) by a delivery service that provides certification of delivery to the sender.

3) For municipal solid waste collection and disposal contracts, notice shall be published in an official newspaper of the contracting unit and in at least one newspaper of general circulation published in the State no later than seven days, Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of bid.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, regarding Affirmative Action and Executive Order 11246 regarding Equal Opportunity, and with all provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and all rules and regulations promulgated thereunder, the provisions of which are incorporated herein by reference.

New Jersey Business Registration Requirements: N.J.S.A. 40A:11-23.2 and N.J.S.A. 52:32-44 requires all contractors and subcontractors with public contracting agencies to provide proof of registration with the Department of Treasury, Division of Revenue, prior to the award of any contracts.

The contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor. The requirement of proof of business registration extends down through all levels (tiers) of the project. Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g) (3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency. The Contractor is required to comply with all rules and regulations and orders promulgated by the State Treasurer pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, P.L.1975, c 127., regarding Affirmative Action, Executive Order 11246 regarding Equal Employment Opportunity, and Chapter 33, Laws of 1977 regarding disclosure of Partners & Stockholders, and all rules and regulations promulgated thereunder, the provisions of which are incorporated herein by reference, and with all provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and all rules and regulations promulgated thereunder, the provisions of which are incorporated herein by reference.

All bidders must be registered with the New Jersey Department of Labor and Workforce Development.

All bids shall be irrevocable, not subject to withdrawal and shall stand available for a period of

sixty (60) days. The Town reserves the right to reject any or all bids, or to waive any informalities in the bidding in accordance with the Local Public Contracts Law.

This project is being funded by the capital improvements. Small, Minority and Women's Business Enterprises are encouraged to obtain specifications and compete for the contracts funded by capital improvements.

Please be advised that State Funds through the Green Acres Program are being utilized in this project. By virtue of Executive Order #34 (1976), vendors currently suspended, debarred or disqualified are excluded from participation on this project.

This contract or subcontract is expected to be funded in part with funds from the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies or employees is, or will be, a party to this contract or subcontract or any lower tier contract or subcontract. This contract or subcontract is subject to the provisions of N.J.A.C. 7:22-3, 4, 5, 9 and 10.

Pursuant to N.J.A.C. 10:5-33: "Bidders are required to comply with the requirements of P.L. 1975, c. 127." Contractors shall comply with the Project Plan developed by the project sponsor fulfilling SED utilization.

In accordance with the provisions of N.J.S.A. 58:11B-26, N.J.A.C. 7:22-3.17(a)24 and 4.17(a)24, the contractor (subcontractor) shall comply with all of the provisions of N.J.A.C. 7:22-9.

"By order of the Mayor and Council, Town of Kearny, Hudson County, New Jersey."

Patricia Carpenter, Town Clerk