

DATE OF ISSUE: **20 March 2014**

NOTICE TO CONTRACTORS

East Stroudsburg University of Pennsylvania of the State System of Higher Education of the Commonwealth of Pennsylvania invites interested contractors to submit sealed proposals for:

**Project Number ESU 30-1462,
Replace Score Board, Eiler-Martin Stadium**

Sealed proposals will be received at **Rosenkrans Hall, Room 218, 124 University Circle, East Stroudsburg University, East Stroudsburg, PA 18301-2999**. Bids must be received and stamped on or before the Bid Due Time / Date as specified below in this Notice to Contractors.

University Contracting Officer:The University Contracting Officer for this project is:
Name: Patricia L. Reich, CPSM, C.P.M.
Address: Director, Procurement & Contracting
Rosenkrans West, Room 218 (124 University Circle)
East Stroudsburg University
200 Prospect Street
East Stroudsburg, PA 18301-2999
.....preich@esu.edu

Brief Description of Work:

This project consists of Work at East Stroudsburg University of Pennsylvania, Borough of East Stroudsburg, Monroe County, Pennsylvania.

The work consists of the of specified demolition and legal disposal of the existing stadium scoreboard and the installation of a new scoreboard assembly, including electrical changes and the access to the platform on the scoreboard. Work includes the painting of the existing structural steel columns, and the structural steel sub framing required to support the new scoreboard and metal cladding. Due to the schedule availability, all on work under this project shall be completed between June 1, 2014 and August 1, 2014.

For additional details, see Section 01010 – Summary of Work.

Bid Due Date and Time2:00 PM (local time) on **29 April 2014**

Bid Opening Date and Time2:00 PM (local time) on **29 April 2014**

Bid Receipt and Opening LocationRosenkrans West, Room 218
124 University Circle
East Stroudsburg University
East Stroudsburg, PA 18301-2999

Pre-bid ConferenceA non-mandatory pre-bid conference will be held at 10:00 AM on Tuesday, **8 April 2014** at:
Facilities Management Complex
118 Normal Street
East Stroudsburg University
East Stroudsburg, PA 18301-2999

Site Visit:.....at end of Pre-Bid Conference.
Attendance at the Site Visit is highly encouraged, though not mandatory.

Additional Site Visits may be prearranged by contacting the University Project Manager, John Bloshinski II, Tel: 570-422-3631, jbloshinski@esu.edu

Contract Numbers and Cost Range ESU 30-1462.4 - Electrical Construction. \$300,000 to \$500,000.
..... The cost ranges are listed to give potential bidders an idea of the size of the project. All ranges are standard and the construction estimates are matched to the Standard Cost Ranges.

MBEWBE REAA Participation Levels ESU 30-1462.4 Electrical Const. Not Applicable

Bid Guaranty.....5% of the highest base bid payable to:
East Stroudsburg University of Pennsylvania

Contract Bond Requirements:

Performance Bond:.....100% of the contract price.

Payment Bond:.....100% of the contract price.

Maintenance Bond:.....10% of the contract price.

Proposal Period.....60 calendar days allowed from Bid Opening until Award of Contract

Contract Approval Period.....120 calendar days allowed from Bid Opening until Notice to Proceed

Proposed Completion Time As specified in paragraph 3.2 of Section 01010 – Summary of Work.

Liquidated DamagesAs specified in paragraph 3.2 of Section 01010 – Summary of Work.

Professional.....Spillman Farmer Architects
1720 Spillman Drive
Bethlehem, PA 18015-2169
Tel: 610.865.2621
Fax: 610.865.3236
Attn: Blaine Summitt, AIA
.....BSummitt@spillmanfarmer.com

Questions:All questions shall be submitted in writing to the

Professional:

No questions shall be submitted later than **11:00 AM on Monday, 21 April 2014**

Answers to questions will be provided by addendum to be issued prior to Bid Due Time/Date.

Bid Document Available:.....A complete set of Bid Documents is available from the design professional for a non-refundable fee of **\$50.00** per set. A copy of the documents on CD only is available for a non-refundable fee of **\$25.00** per set. Make checks payable to and send requests to:

Spillman Farmer Architects
1720 Spillman Drive
Bethlehem, PA 18015-2169
Tel: 610.865.2621
Fax: 610.865.3236
Attn: Blaine Summitt, AIA
BSummitt@spillmanfarmer.com

Bidders' Services:.....The design professional cited above may be contacted for the names of those who have secured plans and specifications and to inspect the plans and specifications.

Additionally, the Plans and Specifications are available for inspection at the Facilities Management Office of East Stroudsburg University from 8:00 AM to 4:00 PM, work days; also at MHC/ReproMAX, Philadelphia; PA; Mid-Atlantic BX, Harrisburg, PA; Pittston NEPCA/MHC, Pittston, PA and Pocono Builders Association, Stroudsburg, PA.

CONTRACTUAL REQUIREMENTS

Bid Guaranty

The University has determined that for this work a bid guaranty is required. As a bid guaranty, a Certified Check, Bank Cashier’s Check or BID Bond must accompany each proposal. If a Bid Bond is submitted, it must be in the amount of 5% of the contract bid proposal amount, and it **must be submitted on the System furnished Bid Bond Form**. FAILURE to submit a bid guaranty; and if a Bid Bond is used as a Bid Guaranty, failure to submit a completed (**all signatures and seals**) System-furnished Bid Bond Form will result in the rejection of the Bid Proposal as non-responsive.

Performance and Payment Bonds

Performance and Payment Bonds in the amount of the contracts are required for work performed under the contracts awarded for this project. Bond requirements are contained in Rider F - Contract Bonds of the Standard Form of Agreement for Facilities Projects.

Nondiscrimination:

The State System of Higher Education is an equal opportunity employment agency with special nondiscrimination/sexual harassment requirements, as contained in the bid proposal form.

Debarred Contractors:

Contractors currently under suspension or debarment by the Commonwealth, any other state, or the federal government, are not eligible for an award of contract for this project. Additionally, contractors should not contract with or employ subcontractors or individuals that are currently under suspension or debarment by the Commonwealth or the federal government. A current list of suspended or debarred contractors is available by contacting the Department of General Services, Office of Chief Counsel, North Office Building Room 603, Harrisburg, Pa. 17125.

Product Substitution:

Any product substitution requests shall be submitted to the design professional a minimum of 10 calendar days prior to the date set for receipt of bid proposals. Those product substitutions that are accepted will be published in an addendum. After the bid opening, product substitutions will be considered only for those conditions listed in Section 01631-Product Substitutions.

MBE/WBE Participation:

There is no Reasonable Effort Award Amount (REAA) established for this contract. However, Minority and Women Owned Businesses, Small Businesses and Veteran Owned Businesses are encouraged to bid on this contract. Also, bidders are encouraged to engage subcontractors and purchase materials from Minority and Women Owned Businesses, Small Businesses and Veteran Owned Businesses.

Notice – Bid Protest Language:

- 1) A bidder or offeror, a prospective bidder or offeror, or a prospective contractor, that is aggrieved in connection with the solicitation or award of a contract, except as provided for in the *Commonwealth Procurement Code*, 62 Pa.C.S.A., may file a protest with the Office of the Chancellor, State System of Higher Education, 2986 North Second Street, Harrisburg, PA 17110.

A copy of any protest also shall be simultaneously mailed to the Office of the President of the university that issued the bid solicitation. No additional notification need be sent if the Office of the Chancellor issued the bid solicitation.

- 2) If the protestant is a bidder or offeror or a prospective contractor, the protest must be filed with the Office of the Chancellor at the aforementioned address within seven (7) days after the aggrieved bidder or offeror or prospective contractor knew or should have known of the facts giving rise to the protest. In no event may a protest be filed later than seven (7) days after the date the contract was awarded.
- 3) If the protestant is a prospective bidder or offeror, a protest must be filed with the Office of the Chancellor at the aforementioned address prior to the bid opening time or the proposal receipt date.
- 4) If a bidder or offeror, a prospective bidder or offeror, or a prospective contractor fails to file a protest, or files an untimely protest, the bidder or offeror, the prospective bidder or offeror, or the prospective contractor will have waived its right to protest the solicitation or award of the contract in any forum. The State System of Higher Education shall disregard protests that are untimely filed.

- 5) A protest must state all grounds upon which the protestant asserts the solicitation or award of the contract was improper. The protestant may submit with the protest any documents or information it deems relevant to the protest.
- 6) Upon receipt of the protest, the Office of the Chancellor will render a decision in accordance with the procedures outlined in the *Commonwealth Procurement Code*, 62 Pa.C.S.A.

NOTICE - IMPLEMENTATION OF PA E-VERIFY

The Commonwealth of Pennsylvania enacted Act 127 of 2012, known as the Public Works Employment Verification Act ('the Act'), which requires all public work contractors and subcontractors to utilize the Federal Government's E-Verify system (EVP) to ensure that all employees performing work on public work projects are authorized to work in the United States.

The Department of General Services' (DGS) Public Works Employment Verification Compliance Program is responsible for the administration, education, and enforcement of the Act. It provides contractors and subcontractors with educational outreach, conducts investigations when complaints are received, and conducts random audits to ensure compliance with the requirements of this Act. Contracts resulting from this solicitation will fall under the Act and the associated DGS compliance program.

Information on the Act and DGS' program are available on this DGS web site:

http://www.dgs.state.pa.us/portal/server.pt/community/construction_and_public_works/1235/public_works_employment_verification/1357211

Contractors will be required to sign and submit to the university, as a pre-condition of being awarded a contract, the Commonwealth of Pennsylvania Public Works Employment Verification Form.

Subcontracts between a public works contractor and its subcontractors shall contain notification of the applicability of the Act, information regarding the use of the EVP, and reference to DGS' website at www.dgs.state.pa.us to obtain a copy of the required Commonwealth of Pennsylvania Public Works Employment Verification Form. Additionally, Contractors will require each of their subcontractors to sign and submit to the university, prior to that subcontractor performing work at the project site, the Commonwealth of Pennsylvania Public Works Employment Verification Form.

The Commonwealth of Pennsylvania Public Works Employment Verification Form is available on DGS' web site and/or through the university.

Contractors will comply with all other requirements of the Act, and also require each of their subcontractors to comply, which includes maintaining documentation of continued compliance with the Act by utilizing the EVP for new employees hired throughout the duration of the public works contract.

CONTRACT REQUIREMENTS

The Pennsylvania State System of Higher Education's Standard Form of Agreement with Riders, Special Requirements, and General Requirements shall apply to this project. If the Bidder takes exception to the Standard Form of Agreement, the Bid Proposal will be rejected as non-responsive at the sole discretion of the System.

A copy of the Contract Form is included in this Project Manual.

QUALIFICATIONS OF BIDDERS

The Contractor shall maintain current licenses as required by applicable state or local jurisdictions for any regulated activity related to the Work.

CONTRACTOR'S QUALIFICATION STATEMENT

The apparent low bidders may be requested to submit a contractor's qualification and financial statement within ten (10) calendar days of bid date, with financial information current within twelve (12) months prior to the Bid Date. Failure to submit the required information, when requested, may result in rejection of the Bid Proposal.

BUILDING PERMITS

The Design Professional will submit the contract drawings to the Pennsylvania Department of Labor and Industry (L&I) and obtain the required Building Permits. The University will pay any required Building Permit fees and related inspection fees. The Contractors will be responsible for coordination of all required inspections with the L&I assigned Building Inspector(s). The Contractors shall comply with the Uniform Construction Code (UCC). PA L&I Inspection Procedures are provided as an attachment at the end of this Notice to Contractors if issued.

PUBLIC NOTICE OF BID RESULTS

Bidders are hereby notified that public notification of Bid Tabulations and of Contract Awards are now provided on the University's Web Page at "<http://www.esu.edu/procurement>". Select "Current Bid and RFP Opportunities" from menu on left side and you will see a list of projects at the bottom of the page. Select the "Results" under the Bid Status column for the appropriate project listing.

[END OF NOTICE TO CONTRACTORS]