

## ADVERTISEMENT AND NOTICE TO BIDDERS

Notice is hereby given that sealed Bids will be received by the Borough of Highlands for: "Phase 1 Sanitary Sewer Improvements" CONTRACT NO. HHI00301.02 and opened and read aloud at the Borough of Highlands Administrative Offices located at 42 Shore Drive, Highlands, New Jersey, on **Thursday, March 3, 2022** at 11:00 AM prevailing local time.

The project generally consists of the replacement of sanitary sewer main and laterals on various roadways within the Borough of Highlands, with roadway resurfacing and reconstruction as needed, as well as curb, sidewalk, and drainage improvements. Approximate construction quantities include 17,810 tons of HMA surface course, 6,590 tons of HMA base course, 7,620 LF of concrete curb, 2,515 SY of concrete sidewalk, 14,570 LF of PVC sanitary sewer main, 535 UN of sanitary sewer lateral connections, 445 LF of reinforced concrete pipe, 405 LF of ductile iron pipe, and other associated work.

Plans, Specifications and Proposal Sheets may be obtained during normal business hours at the Office of the Consulting Engineer, Gregory R. Valesi, P.E., CME Associates, 1460 Route 9 South, Howell, New Jersey until 48 hours prior to the time set for the opening of bids upon payment of \$30.00 per set. No refunds will be made. The said Contract Documents and Proposal sheets may be examined at the office of the Borough Clerk, 42 Shore Drive, Highlands, New Jersey.

Bids must be furnished on the proposal sheets included in the Contract Documents, enclosed in a sealed envelope and addressed to the Mayor and Borough Council, Borough of Highlands, New Jersey and plainly marked on the outside with the name and address of the bidder and the Contract Number and Title.

Each bid must be accompanied by a certified check or cash of not less than ten (10%) percent of the bid payable without any conditional endorsement as a guarantee that in case the contract is awarded to the bidder, he will within ten (10) days thereafter execute such contract and furnish satisfactory performance bond. Upon failure to do so, he shall forfeit the bid security as liquidated damages and the acceptance of the bid will be contingent upon the fulfillment of this requirement by the bidder. No interest shall be allowed upon any such certified check or cash. A bid bond in the amount of ten (10%) percent of the bid may be substituted for certified check or cash, except the amount of the bid security shall not be less than \$500.00 - nor more than \$20,000.00. Each bid must be accompanied by a Certificate of Experience and Certificate of Equipment.

Contracts shall be awarded to the lowest responsible bidder. In the event that a contract is advertised for both separate bids for each branch of work and for bids for all work, goods, and services, said contract shall be awarded in the following manner: If the sum total of the amounts bid by the lowest responsible bidder for each branch is less than the amount bid by the lowest responsible bidder for all the work, goods and services, the contracting unit shall award separate contracts for each of such branches to the lowest responsible bidder therefor, but if the sum total of the amounts bid by the lowest responsible bidder for each branch is not less than the amount bid by the lowest responsible bidder for all the work, goods and services, the contracting unit shall award a single overall contract to the lowest responsible bidder for all of such work, goods and services. In every case in which a contract is awarded for a single overall contract, all payments required to be made under such contract for work, goods and services supplied by a subcontractor shall, upon the certification of the contractor of the amount due to the subcontractor, be paid directly to the subcontractor.

Each bid must also be accompanied by a certificate of Consent of Surety from a bonding company licensed to do business in the State of New Jersey guaranteeing that if the proposal of the bidder be accepted they will furnish the bond set forth in the Instructions to Bidders and the acceptance of the bid will be contingent upon the fulfillment of this requirement.

The Borough reserves the right to increase or decrease quantities specified in the manner designated in the Specifications. The Borough reserves the right to award this contract based on funds available.

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. The successful bidder must comply with all of the provisions of N.J.A.C. 7:22-9.1 et seq. for the participation of small business enterprises owned and controlled by socially and economically disadvantaged individuals (SEDs). "Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals (SEDs)"

The successful bidder shall comply 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), or 7:22-6.17(a)24, which require that no less than 10 percent of the total amount of all contracts related to the project shall be awarded to SEDs.

All applicable surety bonds required in connection with the advertisement and award of building contracts or subagreements must be written by a surety company listed on the Federal Treasury List (Department Circular 570—Surety Companies Acceptable on Federal Bonds), incorporated herein by reference. Copies of this document may be obtained from the Department.

Bidders are required to comply with the requirements of Equal Opportunity Employment (N.J.S.A.10:5-31 et seq.) and Affirmative Action (N.J.A.C. 17:27) and with the disclosure provisions of N.J.S.A. 19:44A-20.13. The successful bidder shall be required to comply with the provisions of the New Jersey Prevailing Wage Act, Chapter 150 of the Laws of 1963, effective January 1, 1964.

Bidders shall comply with N.J.S.A. 52:32-44 latest revision, regarding Business Registration with the New Jersey Division of Revenue.

During the performance of this contract the Contractor agrees to comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27), all requirements of the State of New Jersey Worker Health and Safety Act (N.J.A.C. 12:110 et seq.) as amended and the United States Occupational Safety and Health Act (OSHA) (29 CFR 1910), as amended with regard to worker and jobsite safety.

No bidder may withdraw his bid for a period of sixty (60) days after the date set for the opening thereof. The successful bidder will be required to furnish a surety company bond in the full amount of the contract price indemnifying the Borough of Highlands, New Jersey for all proceedings, suits or actions of any kind of description and conditional for the faithful performance of the work.

The Borough Council of the Borough of Highlands reserves the right to reject any or all bids if in its opinion it is in the best interest of the Borough to do so.

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.

## BOROUGH OF HIGHLANDS