



Savannah-Chatham County Public School System

208 Bull Street / Savannah, Georgia 31401 / 912.395.5600

December 13, 2015

TO ALL BIDDERS OF RECORD:

Please be advised that the Savannah-Chatham County Board of Public Education is currently requesting Bids for the Shuman Elementary School HVAC Replacement Project under Bid #C16-24 (ESPLOST).

A Pre-Bid Conference will be conducted at 2:00 A.M. on Wednesday, January 6, 2016, at Shuman Elementary School, located at 415 Goebel Avenue, Savannah, Georgia, 31404. Bidders will meet at the front entrance of the building. An accompanied site visitation will follow.

A bid bond, in the amount of 5% of the total bid amount must be submitted with bid. Successful Bidder will be required to provide a Payment and Performance Bond each in an amount of equal to 100 percent of the Contract Sum prior to the execution of the contract.

Bidding documents, including plans and specifications may be viewed and purchased from Clayton Digital Reprographics, 1101 Chatham Parkway, suite A2, Savannah, GA 31408, or you can log onto their website at www.cdrepro.com. (Click on Login to DFS and register as a new user).

Plans are available for inspection and review at the following locations:

1. Savannah-Chatham County Public School System
Purchasing Department
208 Bull Street, Room 213
Savannah, Georgia 31401
2. City of Savannah Entrepreneurial Center
801 E. Gwinnett Street
Savannah, GA 31404

As a courtesy, an unofficial copy of the solicitation document only is available via the District's web page at www.sccpss.com. If you desire a copy of the solicitation document via US mail, FedEx, or UPS, please notify our office at (912) 395-5572.

Very Truly Yours,


Sabrina L. Scales
Purchasing Director



Savannah-Chatham County Public School System
208 Bull Street/Savannah, GA 31401 / 912.395.5572

December 13, 2015

Ladies and Gentlemen:

The Savannah-Chatham County Public School System would like to take the opportunity to announce that we are requesting Bids for the **Shuman Elementary School HVAC Replacement Project under BID NO. C16-24 (ESPLOST)**, by a firm authorized to do business in the State of Georgia. **A Pre-Bid Conference will be conducted at 9:00 A.M. on Wednesday, January 6, 2016, at Shuman Elementary School, located at 415 Goebel Avenue, Savannah, Georgia, 31404.** Bidders will meet at the front entrance of the building. An accompanied site visitation will follow.

All bids must be delivered to the Savannah-Chatham County Public School System's Purchasing Department, Room 213, 208 Bull Street, Savannah, Georgia, 31401. **The advertising dates for BID C16-24 (ESPLOST) are December 13, 2015, to December 26, 2015, and December 27, 2015, to January 19, 2016. Bids will be accepted prior to 2:00 P.M. on Tuesday, January 19, 2016 at which time they will be publicly opened and registered.** If you are unable to submit a response at this time, and wish to remain on our list of potential providers, complete and return the LMWBE Information Document found in this packet marked "No Bid". All bids will be evaluated as described in the attached document. Time is of the essence and any bids received after the announced time and date for submittal whether by mail or otherwise, will be rejected. The time of receipt shall be determined by the time clock stamp in the Purchasing Department. Bidders are responsible for ensuring that their bids are delivered to and stamped by the Purchasing Department personnel before the deadline indicated. **Late bids received will be so noted in the bid file in order that the vendor's name will not be removed from the subject commodity/service list. Late bids will not be considered and will be returned to the bidder unopened.**

Enclosed is a bid packet which outlines the items and services being solicited and instructions which describe the submission of the bid.

It is the policy of the Board of Education to maximize the utilization of qualified local, minority, and women owned business enterprises (LMWBEs) who provide professional services or who serve as prime contractors, subcontractors or suppliers as a part of the District's facilities construction, maintenance and repair programs. The Board expects that prime contractors on district construction projects make and document good faith efforts to maximize the utilization of qualified LMWBEs as subcontractors and suppliers. The Board also promotes capacity building within the local construction community and encourages the use of partnerships, teaming and mentorships to provide LMWBEs with relevant and necessary experiences to grow their businesses.

All bids must be submitted in duplicate in a sealed envelope, with the bid number, title and submittal date and time clearly identified on the outside of the envelope. If bid materials require additional envelopes, then all mailing articles must be combined together with the marked envelope on top. **A bid bond, in the amount of 5% of the total bid amount must be submitted with bid. The successful bidder will be required to provide performance and payment bonds within 14 days of Intent to Award Notification.** If you wish to receive a copy of the bid results, enclose a self-addressed envelope and a bid tabulation will be mailed to you.

Please include in the bid package a copy of the current business license if the prospective vendor is located within the City of Savannah and the County of Chatham and a copy of the General Contractor's State of Georgia License. If you have any questions concerning this bid, please submit them in writing to the address above or fax them to (912) 201-7648. In addition, all communication relating to this bid solicitation, either before or after the bid opens, must be coordinated through the Purchasing Department. Your interest and participation in submitting a bid will be appreciated.

Very truly yours,

Sabrina Scales, C.P.P.B.
Purchasing Director

BID REQUIREMENTS

INVITATION TO BID #C16-24 (ESPLOST)

The Savannah-Chatham County Public School System hereinafter referred to as the "District" will receive sealed bids from General Contractors at 208 Bull Street, Savannah, GA 31401 in Room 213. Bids must be physically placed in the hands of the District's Purchasing Department by **2:00 P.M., on Tuesday, January 19, 2016**, the time legally prevailing in Savannah, Georgia for **Bid #C16-24 (ESPLOST) Shuman Elementary School HVAC Replacement Project**. At the time and place noted above, the bids will be publicly opened and announced.

Bidding Documents, including plans and specifications, may be viewed and purchased at www.cdrepro.com. (Click on Login to DFS and register as a new user.) For technical support, please contact Larry Arkwright at Clayton Digital Reprographics, 912-447-0708 or 912-447-5445. Documents are also available for inspection and review at the listed locations. The "Public Inspection" Bidding Documents are not to be used as bid working sets but are for informational purposes and Bidding Sets are available as described previously:

1. Savannah-Chatham County Public Schools Facilities Construction Department, 208 Bull Street, Room 305, Savannah, GA 31401.
2. City of Savannah Entrepreneurial Center 801 East Gwinnett Street, Savannah, GA 31404.

Bidders are cautioned that acquisition of Bidding Documents through any source other than Clayton Digital Reprographics, Inc. is not advisable. Acquisition of Bidding Documents from unauthorized sources places the bidder at risk of receiving incomplete or inaccurate information upon which to base a bid.

A Pre-Bid Conference will be conducted at 9:00 A.M. on Wednesday, January 6, 2016, at Shuman Elementary School, located at 415 Goebel Avenue, Savannah, Georgia, 31404. Bidders will meet at the front entrance of the facility. An accompanied site visitation will follow.

A "Cone of Silence" is imposed upon this invitation to bid after advertising, and terminates at the time the Board of Education awards a contract. The Cone of Silence prohibits any communications by written, oral, or electronic form by, or on behalf of, a prospective bidder for this solicitation, including any persons affiliated with or in any way related to a prospective bidder, and any member of the Board of Education, the superintendent or his staff, any persons involved in evaluating the bid, program managers, or members of any selection committee. The Cone of Silence is intended to prohibit lobbying for, or against, a particular vendor or vendors and to prevent prospective bidders from circumventing the process for selection set forth in this invitation to bid.

The Cone of Silence does not apply to oral communications with the Director of Purchasing, or the Director of Purchasing's designees, at pre-proposal conferences, site visits (as applicable), presentations before selection committees, or contract negotiations with bidders selected for award. Written communications expressly authorized by this solicitation, such as (1) the submission of the bid packet itself, (2) requests for interpretation, requests for material substitutions, protests, or similar inquiries to the purchasing department, (3) documents circulated at oral presentations before selection committees, or (4) documents circulated in connection with contract negotiations with the bidder(s) selected for award are also permitted in communication with the Director of Purchasing or the Director of Purchasing's designees. The Cone of Silence does not apply to presentations allowed by Board policy or to the Board of Education at a duly called public meeting.

In addition to any other penalties provided by law, violation of the Cone of Silence by any prospective bidder may result in the rejection of the prospective bidder's bid response and disqualify the prospective bidder from being awarded any contract as a result of this solicitation. Any person having personal knowledge of a violation of these provisions shall immediately report such violations to the District's Purchasing Department.

The Contract, if awarded, will be on a total lump sum bid basis. Bidders are required to provide their unit price bid schedule for the total lump sum bid on the form contained herein. No bid may be withdrawn for a period of sixty days after time has been called on the date of opening except in accordance with the provisions of Georgia law. If bid exceeds \$100,000, the Bid must be accompanied by a Bid Bond made payable to the District in an amount equal to not less than five percent (5%) of the Bid. If bid exceeds \$100,000, the successful Contractor will be required to provide both a Performance Bond and a Payment Bond, each in an amount equal to 100 percent of the total Contract amount within 14 days receipt of the District's Intent to Award and prior to execution of contract.

The District reserves the right to reject all bids or proposals or any bid or proposal that is nonresponsive or not responsible and to waive technicalities and informalities. The District reserves the right to not award a contract to any bidder, to cancel this invitation to bid, and re-advertise the project using a similar or different competitive process at any time before the Board of Education votes to award a contract as a result of this invitation to bid.

The District has the right to disqualify any bidder from consideration when such bidder cannot demonstrate its ability to deliver requested services or when investigation shows that it is not in a position to perform the solicited services in a manner that is in the best interest of the District.

The District assumes no responsibility or obligation to the bidders and will make no payment for any costs associated with the preparation or submission of any documents related to this invitation to bid, even the invitation to bid is cancelled or a bidder is disqualified.

The District anticipates that the contract will be awarded to the responsive and responsible bidder who provides the lowest bid within the budget. In judging whether the bidder is responsible, the District will consider, but is not limited to, the following:

- Whether the bidder or its principals are currently ineligible, debarred, suspended, or otherwise excluded from bidding or contracting by any state or federal agency, department, or authority;
- Whether the bidder or its principals have been terminated for cause or are currently in default on a public works contract;
- Whether the bidder can demonstrate sufficient cash flow to undertake the project as evidenced by a Current Ratio of 1.0 or higher;
- Whether the bidder can demonstrate a commitment to safety with regard to Workers' Compensation by having an Experience Modification Rate (EMR) over the past three years not having exceeded an average of 1.2; and
- Whether the bidder's past work provides evidence of an ability to successfully complete public works projects within the established time, quality, or cost, or to comply with the bidder's contract obligations.

In the event all responsive and responsible bids are in excess of the budget, the District, in its sole and absolute discretion and in addition to rejecting all bids, reserves the right either to supplement the budget or to negotiate with the lowest responsive and responsible bidder (after all deductive alternates are taken in the order defined in the Instructions to Bidders) but only for the purpose of making changes to the project that will result in a cost to the District that is within the budget, as it may be supplemented.

BID REQUIREMENTS

INSTRUCTIONS TO BIDDERS

1. **Basis of Contract:** The Contract, if awarded, will be on a total bid on unit price schedule and its terms will be substantially in accordance with the sample Construction Contract attached as the Form of Agreement to this solicitation.
2. **Examination of Site:** In undertaking the work under this Contract, the Contractor acknowledges that he has visited the Project Site and has taken into consideration all observed conditions that might affect his work. The project site is property of the District. No easements or rights-of-way are required on the site. The Design Professional shall file for all applicable Permits prior to award of the Contract. The Contractor shall be responsible to obtain all applicable Permits from the Jurisdiction prior to commencing work governed by Permit.
3. **Surety and Insurance Companies:** The Contract provides that the surety and insurance companies must be acceptable to the District. At the time of issuance, all insurance and bonds must be issued by a company licensed by the Georgia Insurance Commissioner to transact the business of insurance in the State of Georgia for the applicable line of insurance. Such company shall be an insurer (or, for qualified self-insurers or group self-insured, a specific excess insurer providing statutory limits) with an A.M. Best Financial Strength Rating of "A-" or better and with an A.M. Best Financial Size Category of Class V or larger.
4. **Bidding Documents:** The Bidding Documents comprise the Construction Documents, the Invitation to Bid, the Instructions to Bidders, the Bid Form, and all Addenda, upon which the bidder submits a bid.
5. **Addenda:** All Addenda issued prior to bid date adjust, modify, or change the drawings and specifications as set forth in the Addenda. All such Addenda are part of the contract. No addenda will be issued within seventy-two (72) hours of the date and time set for opening bids without an extension of the bid date as required by Law. All such Addenda are part of the contract.
6. **Submittal of Objections:** Objections from bidders to this Invitation to Bid and/or these specifications should be brought to the attention of the Board through the Director of Purchasing. The bidder should submit any objections in writing not less than five (5) days prior to the opening of the bid. The objections contemplated may pertain to form and/or substance of the Bid documents and specifications. Failure to object in accordance with this procedure will constitute a waiver on the part of the bidder to protest this Invitation to Bid.
7. **Protest:** Any bidder(s) who wishes to protest the handling or fairness of a solicitation shall express his/her concerns in writing to the Director of Purchasing within five business days of the matter being protested. The letter of protest shall be taken under consideration by the Chief Financial Officer and the Superintendent and the protesting bidder(s) shall be notified within ten (10) business days of the result of such consideration.

The protest notice shall include the following:

- o the name, address, and telephone number of the protester
- o the signature of the protester or an authorized representative of the protester
- o identification of the purchasing agency and the solicitation or contract number
- o a detailed statement of the legal and factual grounds of the protest including copies of relevant documents
- o the form of relief requested

8. **Interpretations:** No oral interpretation will be made to bidders as to the meaning of the drawings and specifications. Requests for interpretation of drawings and specifications must be made in writing to the District Purchasing Department not later than **5:00 P.M., on January 8, 2016**. Failure on the part of the successful bidder to request clarification shall not relieve him as Contractor of the obligation to execute such work in accordance with a later interpretation by the Design Professional. All interpretations made to bidders will be issued in an Addendum to the plans and specifications will be sent to all plan holders of record. Acknowledgement of receipt of such Addendum shall be listed in the Bid Form by the Contractor.

If any questions should arise pertaining to the bid documents, the Bidder may mail or fax (no e-mails accepted) a written Request for Interpretation to:

Savannah-Chatham County Public School System
 Attention: Margaret Disher, CPPB, Purchasing Agent
 208 Bull Street, Room 213
 Savannah, GA 31401
 (Fax) 912-201-7648

9. **Alternates:** Unless otherwise stipulated, all alternate bids are deductive. It is in the best interest of the public and the intent of the District that the entire Project be constructed within the funds allocated in the Project budget. The acceptance of any deductive alternate will be utilized as a last resort to accomplish the Project without requiring a redesign and rebidding of the Project. Any alternate, or alternates, if taken, will be taken in numerical sequence to the extent necessary to bring the Project within budget.

10. **Sales Tax:** Unless otherwise provided for in the Contract Documents, the Contractor shall include in his bid all sales taxes, consumer taxes, use taxes, and all other applicable taxes that are legally in effect at the time bids are received. Contractor shall not include sales tax on District supplied items. If sales tax is required to be paid by Contractor on District furnished items, a Change Order to Contractor shall be issued by District.

11. **Trade Names, Specifications:**

(a) *No Restriction of Competition:* When reference is made in the Contract Documents to trade names, brand names, or to the names of manufacturers, such references are made solely to indicate that products of that description may be furnished and are not intended to restrict competitive bidding. If it desired to use products of trade or brand names or of manufacturers' names that are different from those mentioned in the Bidding Documents, application for the approval of the use of such products must reach the hands of the Design Professional at least ten (10) days prior to the date set for the opening of the bids (see Section 11(b) below). This provision applies only to the party making a submittal prior to bid. If approved by Design Professional, the Design Professional will issue an addendum to all bidders. This provision does not prevent the District from initiating the addition of trade names, brand names, or names of manufacturers by addendum prior to bid.

(b) *Request for Approval of Substitute Product:* All requests for approval of substitution of a product that is not listed in the Bidding Documents must be made to the Design Professional in writing. For the Design Professional to prepare an addendum properly, an application for approval of a substitute product must be accompanied by a copy of the published recommendations of the manufacturer for the installation of the product together with a complete schedule of changes in the drawings and specifications, if any, that must be made in other work in order to permit the use and installation of the proposed product in accordance with the recommendations of the manufacturer of the product. The application to the Design Professional for approval of a proposed substitute product must be accompanied by a schedule setting forth in which respects the materials or equipment submitted for consideration differ from the materials or equipment designated in the Bidding Documents and submitted to the Purchasing Department.

All requests for material substitution must be submitted to the Attention of the Purchasing Director prior to the 5:00 pm January 8, 2016 deadline. Requests must include full illustrations and detailed specifications for the item being offered as an alternate or approved equal. Bidders are not permitted to contact the Design Professional directly. The only official view of the District is that which is issued by and provided to all Bidders of record by the Purchasing Department in the form of a written addendum.

(c) *Burden of Proof:* The burden of proving acceptability of a proposed product rests on the party making the submission. Therefore, the application for approval must be accompanied by technical data that the party requesting approval desires to submit in support of its application. The Design Professional will consider reports from reputable independent testing laboratories verified experience records showing the reputation of the proposed product with previous users, evidence of reputation of the manufacturer for prompt delivery, evidence of reputation of the manufacturer for efficiency in servicing its products or any other written information that is helpful in the circumstances. The degree of proof required for approval of a proposed product as acceptable for

use in place of a named product or named products is that amount of proof necessary to convince a reasonable person beyond all doubt. To be approved, a proposed product must also meet or exceed all express requirements of the Contract Documents.

(d) *Issuance of Addenda*: If the Design Professional approves the submittal, an addendum will be issued to all prospective bidders indicating the approval of the additional product(s). Issuance of an addendum is a representation to all bidders that the Design Professional in the exercise of his professional discretion established that the product submitted for approval is acceptable and meets or exceeds all express requirements. If a submittal is initially rejected by the Design Professional, but determined to be acceptable to Design Professional after a conference with the District, an addendum covering the said submittal will be issued prior to the opening of bids. The successful bidder may furnish products of any trade names, brand names, or manufacturers' names except those designated in the Contract Documents unless approvals have been published by addendum in accordance with the above procedure. Oral approvals of products are not valid.

(e) *Conference with the District*: Any party who alleges that rejection of a submittal is the result of bias, prejudice, caprice, or error on the part of the Design Professional may request a conference with a representative of the District, provided: that the request for said conference, submitted in writing, shall have reached the District at least six (6) days prior to the date set for the opening of bids, time being of the essence.

12. Bids:

(a) *Bid Opening*: Bids will be opened and announced as stated in the Invitation to Bid.

(b) *Bid Submission*. All bids must be submitted on the Bid Form as attached hereto and must be signed, notarized, and sealed by a notary public. All blanks for information entry in bid forms submitted to District should be filled in. Blanks left unfilled constitute irregularities in the bid and place the bidder at risk of having the bid rejected *unless* the District rules the irregularity to be an informality or technicality that can be waived, as is made clear in Article 15 of the "Instructions to Bidders" and on the Bid Form. Numbers shall be written in English words and in Arabic numerals. The inclusion of any condition, alternate, qualification, limitation, or provision not called for shall render the bid nonresponsive and shall be sufficient cause for rejection of a bid.

(c) *Bid Security*: Bids must be accompanied by a Bid Bond made payable to the District in an amount not less than five percent (5%) of the Bid. Bid Bonds should be furnished on forms accepted as standard by the insurance industry, but shall be substantially in accordance with the Bid Security Form attached hereto.

(d) *Delivery of Bids*: Bids are to be addressed to the District, at the address and room number shown in the Invitation to Bid. Bids must be enclosed in an opaque, sealed envelope; marked with the Bid Date, Bid Time, Bid Number, Name of Project; and the Bidders Company name and address. Bids must be placed in the hands of the District at the specified location by not later than the time and date named in the Invitation to Bid. After that time, no bids may be received.

(e) *Alternates*: If alternatives are called for, a bid must be submitted for all alternates. Failure to do so may render the bid nonresponsive and be sufficient cause for rejection of a bid.

(f) *Withdrawal of Bids*: Bids may be withdrawn by bidders prior to the time set for official opening. After time has been called, no bid may be withdrawn for a period of sixty days after the time and date of opening except as provided in O.C.G.A Title 36 Chapter 91 (appreciable error in calculation of bid). Negligence or error on the part of any bidder in preparing his bid confers no right of withdrawal or modification of his bid after time has been called except as provided by Georgia law.

(g) *Errors or Revisions*: Prior to the bid opening date and hour, errors may be stricken or revisions may be made and corrections entered on the bid proposal form with sufficient clarity to be easily understood. All such annotations shall be made by authorized representative of the bidder and identified as such. These annotations shall be binding on the bidder. No revisions will be allowed or accepted on the outside of the envelopes.

13. **Contract Award**: Award shall be made on a total bid on unit price schedule basis to the lowest responsive and responsible bidder. The lowest bid will be the bid whose price, after incorporating all accepted alternates, is the lowest responsive bid that was received from a responsible bidder. No bid may be withdrawn for a period of sixty days after time has been called on the date of opening except in accordance with the provisions of law.

14. **District's Rights Concerning Award**: The District reserves the right to reject all bids or proposals or any bid or proposal that is nonresponsive or not responsible and to waive technicalities and informalities. The District reserves the right to not award a contract to any bidder, to cancel this invitation to bid, and re-advertise the project using a similar or different competitive process at any time before the Board of Education votes to award a contract as a result of this invitation to bid.

In judging whether the bidder is responsible, the District will consider, but is not limited to consideration of, the following:

- (a) Whether the bidder or its principals are currently ineligible, debarred, suspended, or otherwise excluded from bidding or contracting by any state or federal agency, department, or authority;
- (b) Whether the bidder or its principals have been terminated for cause or are currently in default on a public works contract;

- (c) Whether the bidder can demonstrate sufficient cash flow to undertake the project as evidenced by a Current Ratio of 1.0 or higher;
- (d) Whether the bidder can demonstrate a commitment to safety with regard to Workers' Compensation by having an Experience Modification Rate (EMR) over the past three years not having exceeded an average of 1.2; and
- (e) Whether the bidder's past work provides evidence of an ability to successfully complete public works projects within the established time, quality, or cost, or to comply with the bidder's contract obligations.

15. District's Right to Negotiate with the Lowest Bidder (O.C.G.A. § 36-91-21): In the event *all* responsive and responsible bids are in excess of the budget, the District, in its sole and absolute discretion and in addition to the rights set forth above, reserves the right either to (i) supplement the budget with additional funds to permit award to the lowest responsive and responsible bid, or (ii) to negotiate with the lowest responsive and responsible bidder (after taking all deductive alternates) only for the purpose of making changes to the Project that will result in a cost to the District that is within the budget, as it may be amended. Negotiation may include changes in the scope of work and other bid requirements.

16. Development of Local and Minority/Woman Business Enterprises: It is the policy of the Board of Education to maximize the utilization of qualified local, minority, and women owned business enterprises ("LMWBEs") who provide professional services or who serve as prime contractors, subcontractors or suppliers as a part of the District's facilities construction, maintenance and repair programs. The Board expects that prime contractors on district construction projects will make and document good-faith efforts to maximize the utilization of qualified LMWBE's as subcontractors and suppliers for District Projects. The Board encourages all members of the local construction community, regardless of ownership or size, to work together on District projects so that all can grow their businesses for the benefit of the Savannah-Chatham community. This solicitation is subject to Board policy FG and regulations thereunder.

Bidder shall take all reasonable steps in accordance with this solicitation to insure that local and disadvantaged enterprises have that maximum opportunity to participate in the resulting contract. No Bidder shall discriminate on the basis of race, color, national origin or sex in the award or performance of any subcontracts or purchase orders resulting from or relating to this solicitation. Moreover, the Bidder shall make good faith efforts to select contractors, service providers, vendors, and suppliers from local and disadvantaged enterprises.

The Bidder must demonstrate a good faith effort to provide opportunity for local and LMWBEs, in part by providing as a part of its Statement of Qualifications the forms provided in this BID, which shall be completed in a manner sufficient to provide documentation of such good faith efforts. Those forms pertaining to development of local and disadvantaged enterprises include:

- LOCAL AND/OR MINORITY /WOMAN BUSINESS ENTERPRISE DEVELOPMENT INFORMATION (Form 2)
- LOCAL AND MWBE GOOD FAITH EFFORTS REQUIREMENTS (Form 3)
- LOCAL AND MWBE DEVELOPMENT DOCUMENTATION (Form 4)

Good faith efforts should include, but not be limited to, the following:

- Attend pre-solicitation meetings to inform LMWBEs of subcontracting opportunities.
- Advertise in general circulation media, trade association publications, and minority and women business enterprise media to provide notice of subcontracting opportunities.
- Communicate with the City of Savannah's Office of Economic Development to identify available and qualified LMWBE firms.
- Select portions of work for subcontracting in areas with established availability of LMWBE subcontractors.
- Solicit and negotiate with available and qualified LMWBEs for specific subcontracting opportunities.

A local business enterprise is defined as (1) having established a regular, physical place of business other than a job site office with at least one employee within the geographical boundaries of the Savannah Georgia Metropolitan Statistical Area (MSA) prior to the closing date on the solicitation (a post office box address will not satisfy this requirement); (2) having a current Business Tax Certificate and other licenses, certificates, or permits required by law to operate a business in that location; and (3) performing a commercially useful function within the local office.

A Minority Business Enterprise is an independent, continuing venture that is at least 51% owned by a minority person or persons that meets the criteria for a Disadvantaged Business. A Disadvantaged Business is a small business which is owned, controlled and managed on a daily basis by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantage. This includes:

1. African American: A person having origins in any of the Black racial groups of Africa;
2. Hispanic American: A person of Spanish culture with origins in Mexico, South America, Central America or the Caribbean, regardless of race.

A Women Business Enterprise is an independent, continuing venture that is at least 51% owned by one or more women. To qualify as an LMWBE, the owner must be a citizen or lawful permanent resident of the United States, be involved in daily business operations, and provide a commercially useful function. The ownership interest must be real and continuous and not created solely to meet the local/minority/women business or local/minority/women contractor good faith efforts.

The School District's Program Management Firm is available to identify and facilitate qualified Local and/or Minority and/or Women Owned Businesses through its community outreach division. The contact person for this assistance is Sylvester Formey, Phone 912-236-1766 and email sylvesterf@vanqdist.com.

For more information regarding how to best provide opportunities for business growth and development for local and disadvantaged business enterprises, please contact:

Savannah Entrepreneurial Center
801 E. Gwinnett Street
Savannah, GA 31401
(912) 652-3582 (Phone)

The Savannah Entrepreneurial Center of the City of Savannah is merely a reference resource, and has and shall have no authority in the evaluation of Bidders or Statements of Qualifications, or in the disposition of grievances or protests pertaining to this BID.

All Bidders must read and complete all required and/or applicable documents included in the Forms Section of the Instructions to Bidders.

17. Bid Requirement Forms:

- FORM 1: **Certification Form**: Certifies that the Bidder has carefully reviewed all provisions of the solicitation and hereby agree to be bound by said provisions of this package.
- FORM 2: **Local and/or Minority/Women Business Enterprise Development Information**: Required to assist District with documenting status of participating Bidders.
- FORM 3: **Local and MWBE Good Faith Efforts Requirements**: Required for certifying and documenting evidence of good faith efforts to utilize local and Disadvantage Business Enterprises on this contract.
- FORM 4: **Local MWBE Development Documentation**: Required to assist District in evaluating good faith efforts of Bidders.
- FORM 5: **Disclosure of Responsibility Statement**: Certifies and documents Bidders ability or responsiveness to provide services in accordance with governmental business practices.
- FORM 6: **Contracting Affidavit and Agreement**: Required by the State of Georgia O.C.G.A. § 13-10-91 (b) (1) for all firms providing service(s) to public sector entities. This form requires compliance regarding hiring and verification of employees.
- FORM 7: **Form of Business Disclosure Statement**: Confirms identify and legal status of Bidder.
- FORM 8: **Statement of Active Participation in SCCPSS Schools**: Documents active participation in SCCPSS schools as encouraged by Board Policy FGC.
- FORM 9: **Subcontractor Affidavit**: Required by the State of Georgia O.C.G.A. . § 13-10-91 (b) (3) for all firms providing service(s) to public entities. This form requires compliance regarding hiring and verification of employees.
- FORM 10: **Sub-subcontractor Affidavit**: Required by the State of Georgia O.C.G.A. . § 13-10-91 (b) (4) for all firms providing service(s) to public entities. This form requires compliance regarding hiring and verification of employees.

Forms 1 through 10, must be completed, fully executed and submitted with the BID. Failure to submit and execute the required Forms shall result in a status of non-responsive.

18. Contract Forms: The contract forms, including the Payment and Performance Bonds, shall be as set forth in the General Conditions, Section 17 – Forms.

Attachments:

- (1) Project Specifications
- (2) Project Plans (drawings)
- (3) Form of Agreement

CERTIFICATION FORM
BID C16-24 (ESPLOST)

The undersigned Bidder certifies that he/she has carefully read the preceding list of instructions to Bidders and all other data applicable hereto and made a part of this Invitation to Bid. Bidder further certifies that the Bid submitted is in accordance with all documents contained in this Bid, and that any exception taken thereto may disqualify his/her Bid, and that any misrepresentation of facts hereby subject Bidder to debarment from future District procurement. Bidder understands and agrees all Bids are FINAL.

The Bidder in response to this Bid is hereby stipulated to be none other than:*

Company _____
Federal Taxpayer ID No.

Street Address _____
City _____
State _____
Zip _____
Phone No. _____
Fax No.

Responsible Principal _____
Phone Number of Responsible Principal

**If the Bidder is a joint venture that is a business entity created for the purpose of functioning as the joint venture, enter above the correct legal information for the joint venture business entity which intends to enter into a contract with the District for the Services solicited by this Bid. If the joint venture is operated through the existing legal status of the venture partners, enter above the correct legal information for only the one venture partner with majority participation in the joint venture, or if all venture partners are equal in the joint venture, enter information for only the venture partner which intends to enter into a contract with the District for the Services solicited by this Bid.*

IF different than the Responsible Principal listed above, the Contact Person for this BID is hereby authorized to be:*

Contact Person for this Bid _____
Phone Number of Contact Person

Receipt of the following Addenda is hereby acknowledged: # _____ # _____ # _____ # _____
(All Addenda Issued MUST be acknowledged in order for Bid to be considered responsive.)

This is to certify that I, the undersigned Bidder, have read the instructions to Bidder and agree to be bound by the provisions of the same, this _____ day of _____, 201 _____, by:

Responsible Principal _____
Title _____
Authorized Signature

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 201 _____

Notary Public; My Commission Expires: _____

DO NOT include any attachments to this form.
SCCPSS BID FORM 1



LOCAL AND/OR MINORITY/WOMAN BUSINESS ENTERPRISE DEVELOPMENT INFORMATION

It is the desire of the District to maximize participation of local and disadvantaged business enterprises at all levels in the procurement process. In order to accurately document participation, businesses submitting bids, proposals or Statements of Qualifications are required to report ownership status. See Section 16. "Development of Local and Minority / Woman Business Enterprises" for information to assist in completing this Form.

BIDDER: _____ BID # C16-24 (ESPLOST)

Please check ownership status as applicable:

- | | |
|---|------------------------------------|
| <input type="checkbox"/> Local | <input type="checkbox"/> Woman |
| <input type="checkbox"/> African American | <input type="checkbox"/> Hispanic |
| <input type="checkbox"/> Majority | <input type="checkbox"/> Non-Local |

_____ Name, Title	_____ Authorized Signature	_____ Date
----------------------	-------------------------------	---------------

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 201_____

Notary Public; My Commission Expires: _____

HOW DID YOU HEAR ABOUT THIS BID?

(This information is for statistical use only.)

- | | |
|---|---|
| <input type="checkbox"/> City of Savannah, Department of Economic Development | <input type="checkbox"/> The Herald Legal Ad |
| <input type="checkbox"/> Received Invitation to Bid by Mail | <input type="checkbox"/> Savannah News Press Legal Ad |
| <input type="checkbox"/> The Savannah Tribune Legal Ad | <input type="checkbox"/> Visiting the Purchasing Office |
| <input type="checkbox"/> Other _____ | |

DO NOT include any attachments to this form.
SCCPSS BID FORM 2

CONTRACTING AFFIDAVIT AND AGREEMENT

CONTRACTOR AFFIDAVIT UNDER O.C.G.A § 13-10-91(B)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the Savannah-Chatham County Public School System ("SCCPSS") has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 201_ in _____ (city), _____ and (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 201_

Notary Public

My Commission Expires:

DO NOT include any attachments to this form.
SCCPSS BID FORM 6

Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with _____ on behalf of the Savannah-Chatham County Public School System ("SCCPSS") has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the undersigned subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the contractor within five business days of receipt. If the undersigned subcontractor receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five business days of receipt, a copy of the notice to the contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Subcontractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, __, 201__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 201__.

NOTARY PUBLIC

My Commission Expires:

**THE PRIME CONTRACTOR OR ARCHITECT MUST GET THIS FORM COMPLETED BY THE
SUBCONSULTANT/SUPPLIERS**

SCCPSS BID FORM 9

Sub-subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(4)

By executing this affidavit, the undersigned sub-subcontractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with _____ and _____ on behalf of (Savannah-Chatham County Public School System ("SCCPSS")) has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned sub-subcontractor will continue to use the federal work authorization program throughout the contract period and the undersigned sub-subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the sub-subcontractor with the information required by O.C.G.A. § 13-10-91(b). The undersigned sub-subcontractor shall submit, at the time of such contract, this affidavit to (name of subcontractor or sub-subcontractor with whom such sub-subcontractor has privity of contract). Additionally, the undersigned sub-subcontractor will forward notice of the receipt of any affidavit from a sub-subcontractor to (name of subcontractor or sub-subcontractor with whom such sub-subcontractor has privity of contract). Sub-subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Sub-subcontractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 201__ in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 201__.

NOTARY PUBLIC

My Commission Expires: _____

THE PRIME CONTRACTOR OR ARCHITECT MUST GET THIS FORM COMPLETED BY THE SUB-SUBCONSULTANT/SUPPLIERS

SCCPSS FORM BID 10

BID REQUIREMENTS

BID FORM

To: Savannah-Chatham County Public School System From: CONTRACTOR _____

Re: **Bid #C16-24 (ESPLOST) Shuman Elementary School HVAC Replacement Project**

Bid: Having carefully examined the Bidding Documents describing **Bid #C16-24 (ESPLOST) Shuman Elementary School HVAC Replacement Project** including all addendums, as well as the site and conditions affecting the Work, bidder hereby proposes to furnish all services, labor, materials, and equipment called for by them for the entire Work, in accordance with the aforesaid documents, for the entire sum of the Work which sum is hereunder called the Bid: unit cost per playset hereinafter called the Bid.

Base Bid (Total): _____ Dollars (\$ _____)

Alternates: We further propose that, should any of the following alternates be accepted and be incorporated in the Contract, the Bids will be altered in each case as follows:

The following additive alternates. The District reserves the right to select alternates at their discretion (no particular order)

- 1. **Additive Alternate No. 1: Fence in Front of School.** Base Bid: Remove existing wooden fence and replace with new wooden fence as indicated on A2.12. Alternate: Remove existing wooden fence and replace with new brick fence as indicated on A2.13.

Alternate No. 1: (Add) to Base Bid: _____ Dollars (\$ _____)

- 2. **Additive Alternate No. 2: Water Source Heat Pump Loop and Condenser Water Piping.** Base Bid: Piping only to be replaced as shown on demolition and piping plans. Alternate: Remove all loop water and condenser water piping and replace with new. Replace in same location reusing hangers. Insulate pipes as specified.

Alternate No. 2: (Add) to Base Bid: _____ Dollars (\$ _____)

- 3. **Additive Alternate No. 3: Chilled Water and Hot Water Piping in Gym.** Base Bid: Piping only to be replaced as shown on plans. Alternate: Remove all chilled water and hot piping and replace with new. Replace in same location reusing hangers. Insulate Pipes as specified.

Alternate No. 3: (Add) from Base Bid: _____ Dollars (\$ _____)

Receipt of the following Addenda is hereby acknowledged: # _____ # _____ # _____ # _____ # _____ # _____ # _____

Liquidated Damages: The bid amount acknowledges the contract date for material completion and an amount of **\$1,000 per calendar day** for failure to meet the date of material completion.

Errors or Revisions: Prior to the bid opening date and hour, errors may be stricken or revisions may be made and corrections entered on this bid form with sufficient clarity to be easily understood. All such annotations shall be made by the authorized representative of the bidder and identified as such. These annotations shall be binding on the bidder. **No revisions will be allowed or accepted on the outside of the envelopes.**

No Withdrawal: The bidder and District agree that this bid may not be revoked or withdrawn after the time set for the opening of bids, except as provided in Georgia law, but is an irrevocable offer that shall remain open for acceptance for a period of sixty days following the time set for the opening of bids.

Execution of the Contract: If bidder is notified in writing by statutory mail of the acceptance of this bid within thirty five days after time set for the opening of bids, bidder agrees to execute within twenty- one (21) days the Contract for the Work for the above stated Bid, as adjusted by the accepted Alternates, and at the same time to furnish and deliver to the District a Performance Bond and a Payment Bond on forms shown in Section 7 of the General Conditions of the Contract, both in an amount of equal to 100 percent of the Contract Sum.

Commencement and Completion of Work: Upon the Effective Date of the Contract, bidder agrees to commence all Preconstruction Activities. Within ten days of the date specified in the Proceed Order, bidder agrees to commence physical activities on the Site with adequate forces and equipment and to **Material Completion by July 23, 2016** from the date specified in the Proceed Order and to be 100% complete including all deficiencies within no more than 30 days of Material Completion.

Bidder Certification

Certification under Oath:

O.C.G.A. § 36-91-21 provides in part:

(d) Whenever a public works construction contract for any governmental entity subject to the requirements of this chapter is to be let out by competitive sealed bid or proposal, no person, by himself or herself or otherwise, shall prevent or attempt to prevent competition in such bidding or proposals by any means whatever. No person who desires to procure such work for himself or herself or for another shall prevent or endeavor to prevent anyone from making a bid or proposal therefore by any means whatever, nor shall such person so desiring the work cause or induce another to withdraw a bid or proposal for the work.

(e) Before commencing the work, any person who procures such public work by bidding or proposal shall make an oath in writing that he or she has not directly or indirectly violated subsection (d) of this Code section. The oath shall be filed by the officer whose duty it is to make the payment. If the contractor is a partnership, all of the partners and any officer, agent, or other person who may have represented or acted for them in bidding for or procuring the contract shall also make the oath. If the contractor is a corporation, all officers, agents, or other persons who may have acted for or represented the corporation in bidding for or procuring the contract shall make the oath. If such oath is false, the contract shall be void, and all sums paid by the governmental entity on the contract may be recovered by appropriate action.

STATE OF GEORGIA

COUNTY OF _____

I do solemnly swear on my oath that, as to the Contract dated _____, 201_____, between

_____ and The Board of Public Education for the City of Savannah and the County of Chatham, Georgia, I have not directly or indirectly influenced or the attempted exertion of any influence on behalf of the firm on behalf of which this affidavit is made, in any way, manner, or form in the purchase of materials, equipment, or other items involved in construction, manufacture, or employment of labor under the aforesaid Contract by or on any employee, officer, or agent of the Board, or any person connected with SCCPSS in any way whatsoever and I have not directly or indirectly violated subsection (d) of OCGA 36-91-21.

BY: _____
Authorized Signature (BLUE INK PLEASE)

Printed Name Title

Sworn to and subscribed before me this ____ Day of _____, 201_____.

Notary Public

My commission expires: _____
(SEAL)

NOTE: THE NOTARY SEAL MUST BE APPLIED UNDER GEORGIA LAW, WHETHER OR NOT THE LAW OF THE STATE WHERE EXECUTED PERMITS OTHERWISE.

STATEMENT OF BIDDER'S QUALIFICATIONS:
(To be subscribed and sworn to before a Notary Public)

The bidder submits the following Statement of Bidder's Qualifications for consideration by the District.

Bidder's Name: _____
LEGAL NAME OF BUSINESS

Bidder's Address: _____
LEGAL BUSINESS ADDRESS (P.O. BOX IS INSUFFICIENT)

_____ CITY STATE ZIP

_____ MAILING ADDRESS IF DIFFERENT FROM ABOVE

Telephone Number: _____ **Fax Number:** _____
Area Code Number Area Code Number

The full names of persons and firms interested in the foregoing bid as principals are as follows:

(1) _____
Circle One: President Partner District Other

(2) _____
Circle One: Vice President Secretary Partner Other

(3) _____
Circle One: Vice President Secretary Partner Other

Note: If incorporated: The names of both the President and Corporate Secretary must be indicated. If a partnership, all partners must be indicated.

Social Security Number or FEIN: _____

State Where Organized or Incorporated: _____

Georgia General Contracting (O.C.G.A. § 43-41 et. Seq.) Licensee: _____

Licensure as: _____ **License #:** _____

Plan of Organization: (Circle One) Proprietorship Corporation Partnership Joint Venture Other (Describe)

Years Engaged in Construction Contracting in Present Firm/Organization: _____ years.

Bidder Hereby Certifies that Bidder:

- a. Has never refused to sign a contract at the original bid on a public works contract except as allowed under Georgia law.
- b. Has never been terminated for cause on a public works contract.
- c. Has had no (criminal or felony) convictions, suspensions, or debarments of the bidder, its officers, or its principals for building code violations, bid rigging, or bribery in the last ten years.
- d. Is not and neither its organization nor its principals are debarred, suspended, declared ineligible, or otherwise excluded by any Federal or State department or agency from doing business with the Federal Government or a State.
- e. Has insurance required by the Contract Documents in place or has arranged to obtain it from an insurer authorized to do business in the State of Georgia.
- f. Has sufficient bonding capacity to obtain a payment and performance bond from a surety meeting the requirements of the Contract Documents and authorized to do business in the State of Georgia.
- g. Has sufficient cash flow to perform this Project.

Remarks or explanations of the above paragraph a through g:

BIDDERS REFERENCE FORM

For each project, provide owner current contact information and the following:

Item 1: Project name, location and dates during which services were performed

Item 2: Brief description of project (square footage, type of construction, number of stories, describe site area)

Item 3: State if work was phased or constructed on an occupied campus

Company Name:
Contact Person:
Phone and Fax No.:
Item 1:
Item 2:
Item 3:

Company Name:
Contact Person:
Phone and Fax No.:
Item 1:
Item 2:
Item 3:

Company Name:
Contact Person:
Phone and Fax No.:
Item 1:
Item 2:

BID REQUIREMENTS

BID SECURITY FORM

NOTE TO CONTRACTOR: Use of Surety's standard Bid Bond form is acceptable as long as it substantially complies with the following form.

KNOW ALL BY THESE PRESENTS, That we, {Insert Contractor's Legal Name and Address} as Bidder, hereinafter called the Principal, and {Insert Legal Name and Address of Surety}, a corporation duly organized under the laws of the State of {Insert State of Corporate Organization}, as Surety, are held and firmly bound unto:

DISTRICT: _____

Attention: _____

Phone Number: _____

Facsimile Number: _____

as Obligee, hereinafter called the Obligee in the sum of _____ (Not less than five percent of the Bid) Dollars (\$ _____), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a Bid for _____
Bid # C16-24 (ESPLOST) General Contracting Services
for Shuman Elementary School HVAC Replacement
Project

NOW, THEREFORE, if the Obligee shall accept the Bid of the Principal and (1) the Principal shall enter into a Contract with the Obligee in accordance with the terms of such Bid, and the Principal shall execute the Contract and give such bond or bonds as may be specified in the Bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) in the event of the failure of the Principal to enter such Contract and give such bond or bonds, and the Principal shall pay to the Obligee the difference not to exceed the difference hereof between the amount specified in said Bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said Bid; then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this _____ Day of _____, 201__

Name of Contractor _____
Principal

Witness By: (Seal)
Title _____

Name of Surety: _____

Surety Witness
By: _____ (Seal) (*)

(*)Attach Power of Attorney

Sworn to and subscribed before me this _____ day of _____, 201__ . My Commission expires this _____ day of _____, 201__

Notary Public