

## **NOTICE TO BIDDERS**

### **MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #2 OUTFALL 109 (SENECA PLACE)**

#### **CONTRACT NO. H18-171-P2 BID NO. PW033-20**

Said proposals are to be received and stamped by the Division of Purchase and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, Oyster Bay, New York, 11771-1592, not later than 3:00 p.m. prevailing time on **July 14, 2020**, and, the following day, all proposals will be publicly opened and read in the area as designated as Town Hall, **July 15, 2020 at 11:00 am**. Due to the Coronavirus, Town Hall is currently closed to the public. If Town Hall is not open on July 15, 2020, pursuant to the Governor's Executive Order, bids will be opened via livestream and can be viewed by the public at <http://oysterbaytown.com/doing-business-with-the-town/>. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by Bid Security in the form of a certified check, bank check, or bid bond in the amount of five percent (5%) of the total amount of the bid.

No later than forty-five (45) days after the bid opening, the Municipality shall accept bids or reject all bids. After the bid opening, a bid may not be withdrawn prior to the date that is forty-five (45) days after such bid opening. The Municipality reserves the right to reject any or all bids, and advertise for new bids, if in its opinion the best interest of the Municipality will hereby be promoted.

#### **CDBG-DR FUNDED PROJECT**

Under the guidance and assistance of GOSR, the Town of Oyster Bay has selected specific projects from an original Study of "The Massapequa's" for construction mitigation related to drainage. Project No. 2, the Seneca Place project consists of flood mitigation measures for the residents of this area by reconstructing the existing drainage system by upgrading and installing additional drainage pipe, replacing catch basin structures, and installing two (2) check valves on the nearby connecting outfalls known to be inundated by the tidally influenced waters. Additionally, during reconstruction, Seneca Place will be raised on average 6-inches to accommodate the upgraded drainage installation and create additional separation from the existing ground water elevation.

This project is being financed with U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds administered by the NYS Governor's Office of Storm Recovery ("GOSR"). Attention of bidders is particularly called to Section 3 requirements, M/WBE goals, Federal labor standards, Federal and State prevailing wage rates, online reporting requirements using Elation System, Inc. and other requirements included in the GOSR Supplementary Conditions for Contracts. See Instructions to Bidders for additional information.

#### **MINORITY AND WOMEN OWNED BUSINESS PARTICIPATION GOALS**

The following goals for MWBE participation on this project have been established at:

Minority Owned Business Enterprise (MBE)	15%
Women Owned Business Enterprise (WBE)	15%

#### EQUAL OPPORTUNITY

The Municipality is an Equal Opportunity employer.

#### PROJECT COMPLETION

The completion date for this project is 90 days after Bidder receives a notice to proceed with construction from the Municipality.

#### PROJECT SPECIFIC LIQUIDATED DAMAGES

Liquidated damages will be assessed for each day of delay of the contract as stated in the Contract Documents.

#### CONTRACT DOCUMENTS

“Contract Documents” has the meaning set forth in Article 1.1 of the General Conditions herein. Contract documents are available for review and procurement at the Division of Purchas and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, Oyster Bay, NY 11771, on or after June 22, 2020. Bids will be available for review and procurement between the hours of 9:00 AM and 4:00 PM Monday through Friday. A charge of \$50.00 payable to the Town of Oyster Bay, non-refundable, will be required for the set of contract documents. In submitting a proposal hereunder, a Contractor is required to comply with all applicable provisions of Federal, State and Local laws.

In accordance with Town policy, the Contractor on this Project must have an Apprenticeship Program(s) in effect, at the time of the bid opening, appropriate for the type and scope of work to be performed, approved by the New York State Commissioner of Labor. The bidder shall submit proof of participation in an Apprenticeship Program(s) within five (5) business days of bid opening. Failure to have said Apprenticeship Program in place will result in the bidder being deemed non-responsive.

Subcontractors, on subcontracts of \$250,000.00 or greater, must have an Apprenticeship Program(s) in place prior to the performance of any work on this project. If there are two or more subcontracts awarded by the Contractor, involving one trade, and said subcontracts total \$250,000.00 or greater, then all such Subcontractors must have an apprenticeship Program(s) in place prior to the performance of any work on this Contract.

In accordance with Section 220 of the New York State Labor Law, all public works contract in excess of \$250,000.00 require that all laborers, workers and mechanics working on the site shall be certified as having successfully completed the OSHA 10-hour construction safety and health course.

#### DESIGNATED CONTACTS

The following agency staff has been designated as contacts for this Contract:

Daniel Midgette, Town of Oyster Bay, (516) 677-5897

Please note that contacting any other agency staff regarding this contract may be a violation of state or municipal law, rule or regulation, resulting in a determination of contractor non-responsibility.

#### BONDS

The successful bidder will be required to furnish a Performance Bond and a Payment Bond in the statutory form of public bonds required by Section 137 of the State Finance Law, each for one hundred percent (100%) of the amount of the Contract.

#### REQUESTS FOR INFORMATION

Questions or requests for clarification may be directed to Daniel Midgette, Town of Oyster Bay Division of Engineering, [dmidgette@oysterbay-ny.gov](mailto:dmidgette@oysterbay-ny.gov) (516) 677-5897. Any reply to such an inquiry, including the initial questions, will be communicated by Addendum to all bidders who have obtained the Contract Documents.

Subject to the foregoing, the availability of funds, and prevailing lawful requirements, the Town will award the contract to the lowest responsible qualified bidder. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY. Joseph S. Saladino, Supervisor; Richard LaMarca, Town Clerk; Richard W. Lenz, P.E., Commissioner of the Department of Public Works/Highway.

Dated: June 19, 2020, Oyster Bay, New York.