

INSTRUCTIONS AND INFORMATION FOR BIDDERS

Receipt of Bids. Bids must be submitted on the forms provided herewith, all blanks of which must be appropriately filled in. **Bidders may submit sealed bids to Jefferson Transit Authority. Alternately bids may be sent by email to barnold@jeffersontransit.com. If the bid is emailed, it is the bidder's responsibility to verify that it was received by calling Cheryl Loran at 360-385-4777 ext. 105. Any bid received after said time and date will be rejected as non-responsive.**

Late Bids. Any bid received after the time and date specified shall not be considered.

Bid Documents. Each bid must be accompanied by the following completed forms executed as required.

Exhibit A - Bid Proposal

Exhibit B – Responsible Bidder's Criteria

Proposals. All bids must be made on the required Bid Proposal and must include the required bid documents. All blank spaces for bid prices must be filled in, in ink or typewritten, and the Bid Proposal must be fully completed and executed when submitted. Only one copy of the bid is required.

Basis of Award. JTA will select and award the Contract to the lowest responsive, responsible bidder whose proposal, submitting the base bid, or base bid plus any alternatives (if any) selected by JTA, as determined most advantageous to JTA.

Waiver or Rejection. JTA may waive any informality or minor defect or reject any and all bids at any time.

Corrections, Interpretations and Request for Substitution. Any omissions, discrepancies, requests for substitutions or need for interpretation should be brought in writing via email to barnold@jeffersontransit.com or to the attention of the following **at least 48 hours before bid opening:**

Ben Arnold
Jefferson Transit Authority
1615 W. Sims Way
Port Townsend, WA 98368

Written addenda to clarify questions, which should arise, will then be issued if appropriate. All interpretation or explanation of the bid contract documents shall be in the form of an addendum, and no oral statements by JTA or any other officer, employee or other agent or representative of JTA shall in any way modify the contract or bid documents, whether made before or after letting the contract.

Insurance Requirements. All bidders will be required, if they are awarded the contract, to provide evidence of insurance in accordance with the requirements set forth in Exhibit C. Bidders should pay special note to the insurance requirements and insurance documents required.

Performance Bond. A Performance Bond in the amount of 100% of the contract price, with a corporate surety approved by JTA, will be required for the faithful performance of the contract.

Payment Bond. A Payment Bond in the amount of 100% of the contract price, with a corporate surety approved by JTA, will be required for the faithful performance of the contract.

50% Retainage in Lieu of Performance and Payment Bonds - at the option of the Contractor, JTA may retain fifty percent of the Contract amount for a period of thirty days after the date of final acceptance, or until receipt of all necessary releases from the Department of Labor and Industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later.

Federal Requirements.

Disadvantaged Business Enterprises

a. This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. The national goal for participation of DBEs is 10%. **Jefferson Transit Authority agency's overall goal for DBE participation is 0.9%**. A separate contract goal has not been established for the procurement.

b. The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Jefferson Transit Authority deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

c. Bidders are required to document sufficient DBE participation to meet these goals or, alternatively, document adequate good faith efforts to do so, as provided for in 49 CFR 26.53. Refer to the Project Specifications attached to this package, Exhibit D (FTA Federal Contract Clauses) for more information on the federal requirements.

Davis Bacon Wage. This job is subject to Davis Bacon wages. Davis Bacon wages are listed in Appendix B.

Prevailing Wage. This is a prevailing wage job. Prevailing wage rates are listed in Appendix A.

Sales Tax/Use Tax. Retail sales/use tax to be collected from JTA on the Contract amount shall be stated separately in the spaces provided, as applicable, and shall not be included in the unit or lump sum prices stated in the Proposal. The amount of retail sales tax stated will not be considered as a competitive bid item and will be considered to be an estimate only.

Lowest Responsive Responsible Bidder. It is the intent of Owner to award a contract to the lowest responsive and responsible bidder. In accordance with RCW 39.04.____ (SHB 2010/Chapter 133, Laws of Washington 2007), before award, the bidder must meet the following bidder responsibility criteria to be considered a responsible bidder. The bidder may be required to provide JTA documentation demonstrating compliance with the criteria. The bidder must:

- a) Have a current certificate of registration as a contractor in compliance with chapter 18.27 RCW, **which must have been in effect at the time of bid submittal**;
- b) **Before award of contract**, have a current Washington Unified Business Identifier (UBI) number;
- c) **Before award of contract**, if applicable:
 1. Have Industrial Insurance (workers' compensation) coverage for the bidder's employees working in Washington, as required in Title 51 RCW;
 2. Have a Washington Employment Security Department number, as required in Title 50 RCW;
 3. Have a Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
- d) **At the time of award of contract**, not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3).

Supplemental Bidder Responsibility Criteria

1. Delinquent State Taxes

A. Criterion: The Bidder shall not owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department of Revenue.

B. Documentation: The Bidder shall not be listed on the Washington State Department of Revenue's "Delinquent Taxpayer List" website: <http://dor.wa.gov/content/fileandpaytaxes/latefiling/dtlwest.aspx>.

2. Federal Debarment

A. Criterion: The Bidder shall not currently be debarred or suspended by the Federal government.

B. Documentation: The Bidder shall not be listed as having an "active exclusion" on the U.S. government's "System for Award Management" database (www.sam.gov).

3. Claims Against Retainage and Bonds

A. Criterion: The Bidder shall not have a record of excessive claims filed against the retainage or payment bonds for public works projects during the previous three years, that demonstrate a lack of effective management by the Bidder of making timely and

appropriate payments to its subcontractors, suppliers, and workers, unless there are extenuating circumstances acceptable to the Owner.

B. Documentation: The Apparent Low Bidder may be required to submit a list of the public works projects completed within the previous three years and include for each project the following information:

- a) The owner and contact information for the owner;
- b) A list of claims filed against the retainage and/or payment bond for any of the projects listed;
- c) A written explanation of the circumstances surrounding each claim and the ultimate resolution of the claim.

The Owner may contact previous owners to validate the information provided by the Bidder.

4. Termination for Cause

A. Criterion: The Bidder shall not have had any public works contract terminated for cause by a government agency during the five year period immediately preceding the bid submittal deadline for this project, unless there are extenuating circumstances acceptable to the Owner.

B. Documentation: The Apparent Low Bidder may be required to sign a statement (**on a form to be provided by the Owner**) that the Bidder has not had any public works contract terminated for cause by a government agency during the five year period immediately preceding the bid submittal deadline for this project. The Owner may also use independent sources of information that may be available to demonstrate whether the Bidder is in compliance.

5. Bidder Experience

A. Criterion: The Bidders shall have a minimum of three (3) years of experience and must have performed similar work on at least three (3) projects similar in scope and complexity in the past three years.

B. Documentation: The Bidder shall complete the Responsible Bidder's Checklist, Exhibit B and return with the Bid Proposal.

6. Warranty.

A. Criterion: The Bidders shall provide a warranty for their work and materials for a period of no less than one (1) year.

B. Documentation: The Bidder shall submit a sample of the manufacturer's standard material warranty.