

BID FORMS
(00 4100)

BID FORM - STIPULATED SUM (Single-Prime Contract) (00 4113)

Invitation No: BID '21/04/B
Project: CIP PROJECT #667, NEW SOUTHSIDE TRANSIT CENTER
Date of Issuance of Invitation to Bid: July 31, 2020
This Bid is submitted electronically to: PURCHASING DIVISION
CITY OF SANTA FE
purchasing@santafenm.gov

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with the Owner in the form included in the Bidding Documents to perform and furnish all work as specified or indicated in the Bidding Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.
2. The Bidder accepts all of the terms and conditions of the Invitation for Bid and Instructions to Bidders, including, without limitation, those dealing with the disposition of Bid security and other Bidding Documents. This Bid will remain subject to acceptance for *60 days after the day of Bid opening. The Bidder shall sign and submit the Agreement between Owner and Contractor (hereinafter called Agreement) with the bonds and other documents required by the Bidding Requirements within fifteen (15) calendar days after the date of the Owner's Notice to Award.
3. In submitting this Bid, the Bidder represents, as more fully set forth in the Agreement, that:
 - A. The Bidder has examined copies of all the Bidding Documents and of the following Addenda (receipt of all of which is hereby acknowledged):

No. <u> 1 </u>	Date <u>08/20/20</u>	No. _____	Date _____
No. <u> 2 </u>	Date <u>08/24/20</u>	No. _____	Date _____
No. _____	Date _____	No. _____	Date _____
No. _____	Date _____	No. _____	Date _____
 - B. The Bidder has become familiar with the nature and extent of the Bidding Documents, work, site, locality, and all local condition, laws, and regulations that in any manner may affect cost, progress, performance, or furnishing of the work.
 - C. The Bidder has carefully studied all reports and drawings of subsurface conditions which are identified in the Information Available to Bidders and accepts the determination set forth in the Information Available to Bidders of the extent of the technical data contained in such reports and drawings upon which the Bidder is entitled to rely.
 - D. The Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Bidding Documents.
 - E. The Bidder has given the Owner's Representative written notice of all conflicts, errors, or discrepancies that have been discovered in the Bidding Documents, and the written resolution thereof by the Owner's Representative is acceptable to the Bidder.
 - F. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporations, the Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; the Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and the Bidder has not sought by collusion to obtain any advantage over any other Bidder or over the Owner. It is understood that the Owner reserves the right to reject any or all Bids and to waive any technical irregularities in the bidding.
 - G. It is the intent of the City to award a Contract to the responsible Bidder submitting the lowest total option, provided the Bid has been submitted in accordance with the requirements of the Bidding Documents and is in the best interest of the City.

The Scope of Work together with all related work required for comprehensive, fully functioning, warranted systems and finishing includes but is not limited to the Work listed in the SCOPE OF BIDS.

Contractor shall be responsible for adherence to the Contract Documents, Construction Documents, Specifications and approved directives.
Contractor shall be responsible for State CID requirements and permit.
Contractor shall be responsible for verifications of all existing conditions, measurements and dimensions for bidding.
Contractor shall be responsible for all permits, fees, and State and/or City inspections associated with the construction.
Contractor shall be responsible for removal and securing of any existing equipment necessary to provide for the new work in accordance with the contract documents and to re-install these items in good work condition.

The Bidder will complete the work for the following price(s):

Base Bid - Building, Site Work, Site Utilities, Irrigation and Landscaping, Furnishings and all other Work and required coordination listed in the Scope of Bids and Construction Documents, exclusive of Gross Receipts Tax:

One Million Nine Hundred Forty Five Thousand and no/100 (\$ 1,945,000.00)

(use words)

Allowance: Construction Contingency Reserve:

Two Hundred and Seventy Thousand Dollars and no/100 (\$270,000.00), exclusive of Gross Receipts Tax.

Base Bid Plus Allowance, exclusive of Gross Receipts Tax:

Two Million Two Hundred Fifteen Thousand and no/100 (\$ 2,215,000.00)

(use words)

Gross Receipts Tax on Base Bid Plus Allowance:
(GRT = 8.4375%)

One Hundred Eighty Six Thousand Eight Hundred Seventy Nine and 55/100 (\$ 186,879.55)

(use words)

Total Base Bid Plus Allowance Plus Tax

Two Million Four Hundred One Thousand Eight Hundred Seventy Nine and 55/100 (\$ 2,401,879.55)

(use words)

Alternate #1: Construction of North Parking Lot and all associated scope as indicated by the Bid Documents, inclusive of Gross Receipts Tax @ 8.4375%

Two Hundred Eighty Thousand One Hundred Fifty (\$ 280,150.0)

(use words)

4. The Bidder agrees that:
 - A. The work to be performed under the Contract shall commence not later than ten (10) consecutive calendar days after the date of written Notice to Proceed, and that completion of the Base Bid shall be achieved not later than **two hundred and seventy (270) calendar days** after the date of written "Notice to Proceed", except as hereafter extended by valid written "Change Order" by the Owner.
 - B. Should the Contractor neglect, refuse, or otherwise fail to complete the work within the time specified, the Contractor agrees, in partial consideration for the award of this Contract, to pay the Owner the amount of Two Hundred Fifty Dollars (\$250) per consecutive calendar days, not as a penalty, but as liquidated damages for such breach of the Contract.
 - C. The above process shall include all labor, profit, insurance, taxes, etc., to cover the finished work of the several kinds called for. Changes shall be processed in accordance with the Contract Documents.
 - D. It is understood that the Owner reserves the right to reject any or all Bids and to waive any technical irregularities in the bidding.

5. The following forms and sample forms are attached to and/or required for this RFB and their completion and submittal (as required) is a condition of a responsible and responsive Bid:
 - A. Bid Bond (only for the highest bid option) **(AIA Document A310 must accompany the Bid.)**
 - B. Agent's Affidavit **(This form must accompany Bid Bond.)**
 - C. Subcontractor Listing Form **(This form must accompany the Bid.)**
 - D. Non-Collusion Affidavit of Prime Bidder **(This form must accompany the Bid.)**
 - E. Non-Collusion Affidavit of Subcontractor (This form must be submitted upon Award of Contract.)
 - F. Certificate of Non-Segregated Facilities **(This form must accompany the Bid.)**
 - G. Certificate of Bidder Regarding Equal Employment Opportunity **(This form must accompany the Bid.)**
 - H. Statement of Intent to pay prevailing wages (This form must be provided within ten (10) days after NMDWS NOA.)
 - I. Affidavit of Wages Paid (This form must be provided with Construction Close-Out.)
 - J. Weekly Payroll Form (This form must be provided during Construction.)
 - K. Payroll Statement of Compliance (This form must be provided during Construction.)
 - L. Certificate of current registration with the NMDWS **(This form must accompany the Bid.)**
 - M. Certificate of City of Santa Fe Business Registration **(This form must accompany the Bid.)**
 - N. Certificate of licensure with the New Mexico Regulation and Licensing Department, CID **(This form must accompany the Bid.)**
 - O. Performance Bond (AIA Form A312-Performance Bond-2010) (Sealed original must be provided within ten (10) days after City NOA.)
 - P. Payment Bond (AIA Form A312-Payment Bond-2010) (Sealed original must be provided within ten (10) days after City NOA.)
 - Q. Project-specific Certificate of General Liability Insurance (Current COI must be provided for inclusion with recommendation for Award of Contract.)
 - R. Project-specific Workers' Compensation Insurance (Current COI must be provided for inclusion with recommendation for Award of Contract.)
 - S. Federal Contract Clauses Acknowledgement Form (As this is a federal grant funded project, the Federal Contract Clauses included in this document must be acknowledged by the Contractor's signing of the accompanying Federal Contract Clauses Acknowledgement Form **(This form must accompany the Bid)**)

If any of the above documents, listed as required to accompany the Bid, are not included, current and completed in good order, the Bid shall be deemed non-responsive.

6. The terms used in this Bid and the Bidding and Contract Documents which are defined in the Conditions of the Construction Contract (General, Supplementary, and Other Conditions)

7. If the Bidder is:

- A. AN INDIVIDUAL:

By: _____
 (Individual's Name)

doing business as: _____

Business address: _____

Telephone: _____

(SEAL)

B. A PARTNERSHIP:

By: _____
(Firm Name)

(General Partner)

Business Address:

Telephone: _____

(SEAL)

C. A CORPORATION

By: Enterprise Builders Corporation
(Corporation Name)

New Mexico
(State of Incorporation)

By: Ralph P. Baldwin
(Name of person authorized to sign)

CEO
(Title)

If a New Mexico Corporation: 1409077
Certificate of Incorporation No.

If a Foreign Corporation: _____
Certificate of Authority No.

Attest: _____
(Secretary)

Business address: PO Box 3987 Albuquerque NM 87190

Telephone: (505) 857-0050

D. A JOINT VENTURE

By: _____
(Name)

Address: _____

By: _____
(Name)

Address: _____

Each joint venture must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated in the appropriate category.

Bidder must fill in the following: (If none, write none)

NM License No.: 29031 Classification: GB98

NM Taxation and Revenue CRS No.: 02116185002

City of Santa Fe Business Registration No.: 223197

NM Resident Preference Number (if applicable): 11648464688

Bid Submittal shall be electronic as indicated by the Instructions to Bidders (00 2100).

CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY (00 4536)

INSTRUCTIONS

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any Bidder or perspective Contractor, or any proposed Subcontractors, shall state as an initial part of the Bid or negotiations of the Contract whether the Contractor has participated in any previous Contract or subcontract subject to the equal opportunity clause; and, if so, whether the Contractor has filed all compliance reports due under applicable instructions.

Where the certification indicates that the Bidder has not filed a compliance report due under applicable instructions, such Bidder shall be required to submit a compliance report within seven calendar days after Bid opening. No Contract shall be awarded unless such report is submitted.

CERTIFICATION BY BIDDER

Bidder's Name: Enterprise Builders Corporation

Address: PO Box 3987

Albuquerque NM 87190

1. Bidder has participated in a previous Contract or subcontract subject to the equal Opportunity Clause.

Yes No

2. Compliance reports were required to be filed in connection with such Contract or subcontract.

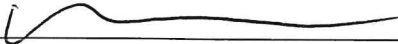
Yes No

Certification - The information above is true and complete to the best of my knowledge and belief.

Ralph P. Baldwin, CEO

Name and Title of Signer (please type)

Signature



09/01/20

Date

CERTIFICATION OF NONSEGREGATED FACILITIES (00 4533)

(Applicable to construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the Equal Opportunity Clause.)

The construction Contractor certifies that no segregated facilities are maintained or provided for the Contractor's employees at any of the Contractor's establishments and that the Contractor does not permit employees to perform services at any location, under the Contractor's control, where segregated facilities are maintained.

The construction Contractor certifies further that no segregated facilities will be maintained or provided for the Contractor's employees at any of the Contractor's establishments , and that the Contractors will not permit employees to perform services at any location, under the Contractor's control, where segregated facilities are maintained.

The construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract. As used in this certification, the term "segregated facilities" means: any waiting room, work areas, rest rooms and wash rooms, restaurants and other eating areas; time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin because of habit, local custom, or otherwise.

The construction contractor agrees that (except where identical certifications from proposed Subcontractors for specific time periods have been obtained) the Contractor shall obtain identical certifications from proposed Subcontractors, prior to the award of subcontracts exceeding \$10,000, which are not exempt from the provision of the Equal Opportunity Clause and that the Contractor will retain records of such certifications.

By: Ralph P. Baldwin
Title: CEO

Subscribed and sworn to before me this 1st day of September, 2020

Keri M. Juvera
Notary Public
My Commission expires: July 14, 2021



**FEDERAL CONTRACT CLAUSES ACKNOWLEDGEMENT FORM
(00 4600.2)**


ACKNOWLEDGMENT

Bidder shall sign and date this form indicating that he has read and understands the requirements for Federal Contract Clauses 1 thru 25 as described in Section 00 4600.1, Federal Contract Clauses.

Note: This form shall be included with the Bid Form

Enterprise Builders Corporation

Company Name



Signature

09-01-2020

Date

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER (00 4519)

STATE OF New Mexico)
)ss.
COUNTY OF Bernalillo)

Ralph P. Baldwin, being first duly sworn, deposes and says that:

- 1) He/She is the CEO of Enterprise Builders Corporation, the Bidder that has submitted and attached Bid;
- 2) He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
- 3) Such Bid is genuine and is not a collusive or sham Bid;
- 4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with the Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract or has in any manner directly or indirectly, sought by agreement or collusion or communications or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Santa Fe, or any person interested in the proposed Contract; and
- 5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

By: [Signature]
Title: Ralph P. Baldwin

Subscribed and sworn to before me this 1st day of September, 2020

Kari M. Juvera
Notary Public

My Commission expires: July 14, 2020

