

SECTION 00020  
INVITATION TO BID

Sealed Bids for Contract No. 1, DWSRF No. 3216, **CONSTRUCTION OF PERCHLORATE TREATMENT FACILITY** will be received by the Town of Westford, Massachusetts at the Water Department, 60 Forge Village Road, Westford, MA 01886, acting through the office of Town Manager on or before Friday, December 11, 2009 at 1:00 P.M. at which time and place all Bids will be publicly opened and read aloud. Sealed envelopes containing bids must be clearly marked "Sealed Bid – Construction of Perchlorate Treatment Facility".

The work for this project consists of constructing a 1,500 square foot pre-engineered metal building with a slab on grade concrete foundation, furnishing and installing a 1,300 gpm ion exchange treatment system for perchlorate removal, and furnishing and installing associated ancillary systems and site work.

Sealed Filed Subbids for Electrical Work to be performed under this Contract will be received until 1:00 P.M. local time on Wednesday, December 2, 2009, at the Town of Westford, Massachusetts at the Water Department, 60 Forge Village Road, Westford, MA 01886, acting through the office of Town Manager at which time and place all Subbids will be publicly opened and read aloud. Subbids submitted after this time will not be accepted.

Contract Documents may be examined or obtained on or after November 18, 2009 at Comprehensive Environmental Inc., 225 Cedar Hill Street, Marlborough, MA 01752, from 8:30 A.M. to 4:30 P.M., Monday through Friday, except for holidays.

A copy of the Contract Documents may be obtained upon the deposit of \$100.00 by check or money order made payable to Comprehensive Environmental, Inc. Such deposits will be refunded if the Contract Documents are returned in good condition to the issuing office, postpaid if mailed, within thirty days after the opening of Bids. Contract Documents will be mailed to prospective bidders upon receipt of a separate check or money order for \$25.00 made payable to Comprehensive Environmental, Inc. which will not be refunded. Deposits and mailing fees that are sent to Comprehensive Environmental, Inc. by any type of carrier shall be addressed to the attention of: Kristen Berger.

Bids/Subbids must be accompanied by a copy of the Certificate of Eligibility issued by the Commissioner of the Division of Capital Asset Management and Maintenance. The Certificate of Eligibility shall be for the category of Sewage and Water Treatment Plants or the appropriate subbid category, respectively for Bidders and Subbidders. An Update Statement form covering the period from the date of the Bidder/Subbidder's most recently filed Contractor Qualification Statement (CQS) to the Bid date shall also be submitted with the Bid. A form for the Update Statement is appended to these Contract Documents, as Section 00305, Update Statement.

Bidders shall conform to all specifications and shall use the bid sheets provided for submittal. Instructions for filing and Bid Security Deposit are contained in the Contract Documents. The Town reserves the right to accept or reject any or all bids or portions thereof if deemed to be in the best interest of the Town.

A five (5%) percent bid bond is required with bid submission.

This Contract is being Bid on under the provisions of Massachusetts General Laws, Chapter 149, Sections 44A through 44J.

No Bidder may withdraw its Bid within 30 days (Saturdays, Sundays and legal holidays excluded) after the actual date of the Bid Opening.

This Project is subject to the requirements of the American Recovery and Reinvestment Act (Act) and Drinking Water State Revolving Fund Program as administered by the MADEP.

The successful bidders shall conform to the Classifications and Minimum Wage Rates, when applicable, as determined by the Department of Labor and Work Force Development for the Commonwealth of Massachusetts, under the provisions of MGL Chapter 149. Federal minimum wage rates as established under the Davis-Bacon Act apply to this project, unless the Massachusetts Minimum Wage Rates exceed the Davis-Bacon Act wage rates.

This Contract to be awarded as the result of this Invitation to Bid is funded in part through the Massachusetts Department of Environmental Protection, Bureau of Resource Protection, by loans from the Massachusetts Water Pollution Abatement Trust. This Contract will be subject to the Department of Environmental Protection regulations contained in 310 CMR 44.00, "DEP Selection, Approval and Regulation of Water Pollution Abatement Projects Receiving Financial Assistance from the State Revolving Fund" in effect on the date of issuance of the assistance award (DEP Project Approval Certificate) by the Department. The Contract will also be subject to the requirements of the ARRA requirements as described within the Contract Documents.

Equal Employment Opportunity, Anti-Discrimination and Affirmative Action, Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) policies of the Commonwealth of Massachusetts, Department of Environmental Protection, will be applicable to this Contract.

Attention is, therefore, called to the requirements of Section 00859, Special Conditions - Massachusetts Equal Employment Opportunity for increased use of and goals for minority and women contractors.

The Commonwealth's minimum minority and MBE/WBE goals for this Project are:

1. The Contractor shall maintain on its work force for this Project not less than a five (5) percent ratio of minority employee manhours to total manhours in each job category.
2. The "Fair Share" construction goal for this project is a minimum of five and three tenths (5.30) percent MBE participation and four and four tenths (4.40) percent WBE participation by state-certified MBEs and WBEs. All Bidders are required to submit completed MBE/WBE forms EEO-DEP-190C, EEO-DEP-191C (as many as appropriate), and the Vendor Information Form (EEO-DEP-VIF-C) with their Bid.
3. The Contractor shall submit, as scheduled, the required, minority and affirmative action workforce reporting system forms to the Owner's Contract Compliance Officer and/or the

Massachusetts Commission Against Discrimination (MCAD) and/or the Department of Environmental Protection Contract Compliance Office, as required.

The Project requires compliance with the Massachusetts Diesel Retrofit Program (MDRP) by use of engine emission controls that are EPA certified, or their equivalent, on the off-road (non-registered) diesel vehicles/equipment used at the job site. Bidders must submit a signed and dated Statement of Intent to Comply as part of their Bid Proposal Document.

Failure to comply with these DEP requirements may be deemed to render a proposal nonresponsive. No waiver of any provision of these DEP requirements will be granted unless approved by the Department of Environmental Protection.

The total time period for completion of all Work required under this Contract is 240 consecutive calendar days. Work performed beyond the 240 consecutive calendar day period will be subject to liquidated damages in the amount specified herein.

The Awarding Authority reserves the right to accept any Bid, waive any informalities or minor defects, or reject any or all Bids, if in its sole judgment it is in the best interest of the Owner to do so.

END OF SECTION