

INSTRUCTIONS AND CONDITIONS
FOR SUBMITTING BIDS

IMPORTANT: All questions regarding this bid must be emailed to Bob Mathews, Director of Roads, Parks, and Buildings & Grounds (bmathews@genoatwp.com) no later than 11:00 EST Tuesday March 26th, 2024. Any addenda will be posted to the Maintenance department bulletin board no later than the close of business Wednesday March 27th, 2024. It's the bidder's sole responsibility to check the Maintenance Department bulletin board at the appointed day and time for any information regarding this bid.

1. Sealed bids with both bid number and opening date recorded on the outside of the envelope shall be submitted to the Directors office prior to the date and hour of the bid opening. Each bid shall contain a duplicate in the envelope. If an addendum to the Bid documents is issued within ninety- six (96) hour of the scheduled bid opening, excluding Saturdays, Sundays and legal holidays, the bid opening date will be extended by one week with no further advertising. Any bid submitted with insufficient postage will be rejected.

A bidder will place the represented company's name and address on the bid envelope. All bids should be submitted to:

Genoa Township
Director of Roads, Parks, Buildings & Grounds
5111 South Old 3C Highway
Westerville, Ohio 43082

2. The bidder should take care to check each bid carefully. Once the bids are opened, all bid offers are firm. It is a condition of any award, under this notice any resulting bid that bidders shall deliver at prices quoted, unless the bid is withdrawn in accordance with the following paragraph.
3. No bid may be withdrawn for a period of sixty (60) days after the date of opening. If not accepted within such a period, a bid may be withdrawn without prejudice anytime thereafter, except, a bidder for a contract with Genoa Township may withdraw bid from consideration if the price bid was substantially lower than other bids submitted in good faith and the reason for the price bid was a clerical mistake opposed to a judgmental mistake of a substantial quantity of work, labor or material made directly in compliance of the bid. Notice of a Claim of Right to Withdraw the bid must be filed no later than two business days after the opening with Genoa Township.
4. Upon signing a contract, a bidder must submit a contact bond. If a bidder fails to submit a contract bond, Genoa Township has the right to dismiss the award, accept another or re-bid the contract.

5. It is the responsibility of each bidder to examine all Bid documents. Should any requirement in the Bid documents appear to a bidder to be a conflict or unclear, a written request should be addressed to the Director of Roads, Parks, and Building and Grounds at Genoa Township, 5111 south Old 3C Highway, Westerville Ohio 43082 as soon as discovered, prior to the opening date. The director of Road, Parks and Building and Grounds shall reply to all such inquires. Verbal interpretations will not be honored and must not be relied upon. In case of discrepancy or violation of the Ohio Revised Code in the Bid Documents, an addendum will be issued to clarify the matter. The Director of Roads, Parks and Buildings & Grounds will forward you a copy of same to all individuals holding Bid Documents, It's the responsibility of each individual holding Bid documents to confirm with the Purchasing agent that they received all addenda.
6. The Township reserved the right to waive any informalities or irregularities. In accordance with Section 9.312 of the Ohio Revised Code, The Township will award the contracts hereunder to the lowest and best bid as determined by the Township. The Township reserved the right to reject any and all bids and to award the contract hereunder any reminding binder.
7. A bidder is required to furnish all information requested in the Bid Documents. Additional sheets may be attached to the original Bid Documents, but they must have the bidder's name and bid number. Bidders shall give brand names and types offered whenever possible.
8. Manufactures names, trade names, brand names or catalog numbers listed in the Bid Documents are used for reference only as the description and to establish acceptable quality levels. Items determined by the Township to be of equal or better quality will also be considered. Alternates will only be accepted and considered after the award to primary specifications is made.
9. The Township is exempt from taxation. Federal transportation and excise taxes as well as state excise taxes shall not be included in bid prices. Tax exemption certificates will be furnished upon request.
10. Bidders may offer cash discounts for prompt payment of invoices, but their discounts will not be used in determining the final net prices bid. The Township may take advantage of such discounts, if offered.
11. Any contract resulting from the Notice To Bidder is binding on the successful bidder ("vender"). If the vendor fails to meet bid and contract requirements, the entity has the right to cancel the contract to purchase replacement articles or services in the open market. Cost and expenses in excess of the contract price necessitated by such replacement purchase shall be reimbursed to the Township. The Township has the right to insist on future compliance with the Bid Requirements.

12. Contracts shall be awarded to the lowest most responsive and responsible bid.
13. Any contract resulting from an acceptance of this notice to Bidders shall require full compliance with Title VI of the Civil Rights Act of 1964 as amended March 1972, Presidential Executive Order, 11246, Governor's Executive Order January 27, 1972 and section 125.081 and 125.11 Ohio Revised Code.
14. If no bid is submitted, the notice to Bidders should be marked and returned to Genoa Township. Include on the bid form or by attachments the reasons for not bidding.
15. Challenges or appeals on a bid award must be directed to the Administration Office, 5111 S Old 3C Highway, Ohio 43082.
16. Merchandise shall be delivered Prepaid F.O.B. Destination unless otherwise specified in the Notice to Bidders.
17. All property must be properly protected in transit and delivered promptly for outdoor delivery.
18. Invoices should be mailed to the address of the destination of delivery.
19. Along with the bid, each bidder must submit a letter certifying their organization is covered by workers compensation. Upon Award, the successful vendor shall submit proof of such coverage.
20. It is the intent to award the contract to the lowest responsive and responsible bidder meeting or exceeding the requirements specified herein as more fully explained in the Bid requirements.
21. The vendor shall defend, indemnify and hold harmless to the Township for any and all liabilities, claims and actions arising from the performance of this contract.
22. The contract and any modifications, amendments or alterations shall be governed, constructed and enforced by and under the laws of the state of Ohio.
23. The Bid Documents consist of the Notice To Bidders, the Instructions and Conditions for Submitting Bids, the bid requirements, including the General Conditions and technical specifications, the bid form, the Non collusion Affidavit, delinquent personal property Tax Affidavit, bid Guaranty and Contract Bond and any addenda. The Bid Documents form the agreement between the Township, the vendor and each is incorporated by reference into each other and is fully part of the contract as is attached thereto to fully rewritten therein and each shall remain in effect during the life of the contract.

24. The Bid Documents constitute the entire rental agreement between the township and the vendor and supersede any prior agreements or understanding, written or oral.

25. If any term or provision of the contract between the Township and the vendor or the application thereof to any person or circumstance is finally determined, including any appeals to be invalid or unenforceable to a court of competent jurisdiction, the remainder of said agreement, or the application of such term or provisions to other persons or circumstances, shall not be affected thereby and each term and provision of the contract between the Township and vendor shall be valid and enforced to the fullest extent permitted by law.

26. Time is of the essence to each and every portion of this contract.

FORM OF BID PROPOSAL

Note 1. The wording in this bid shall be retained throughout, without changes, alterations, or additions. Any change in the wording may cause the Bid Proposal to be rejected as not complying with the law.

Note 2. The form of Bid Proposal shall be accompanied by a BID GUARANTY meeting the requirements of Sections 153.54 to 153.57 of the Ohio revised Code. Noncompliance with requirements pertaining to the BID GUARANTY will cause a Bid Proposal to be rejected as not complying with the law.

Note 3. The bidder shall take care in preparing the Bid Proposal and be sure to sign the proposal.

PROPOSAL

SUMMITTED

BY: _____
_____, 20_____

To the Genoa Township Administration Office, 5111 S, Old 3C Highway, Westerville, Ohio 43082. Having read the specifications and examined the drawings entitled:

Asphalt, Concrete, Stone, Trucking, Plastic Pipe and Paving Contract(s)

Genoa Township

Westerville, Ohio

And having also received, read and taken into account Addenda numbers:

And having inspected the site and conditions to affecting and governing the performance of said project, the understanding hereby proposes to furnish all material and to preform all labor specified and described in the BID:

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BID:

NOTICE TO BIDDERS

Sealed bid will be received by Genoa Township, 5111 South Old 3C Highway, Westerville, Ohio 43082, during business hours, beginning at 9am Wednesday March 13th, 2024, 9am- until Wednesday March 27th, 2024 by 11am.

CONTRACT

Asphalt, Concrete, Stone, Trucking, Plastic Pipe and Paving

Bid Number(S) 25-2, 25-3, 25-4, 25-5, 25-6, 25-7, 25-8, 25-9, 25-10, 25-11

In accordance with specifications prepared by and/or for Genoa Township and on this file in the Maintenance Department offices. All bids received after the above stated time will not be considered; all bids properly received will be opened and read out loud on March 29th, 2024, at the Genoa Township Office at 11am. Information concerning bid(s), plans, specifications and other contract documents may be examined at:

Genoa Township
Administrative Office
5111 S. Old 3C Highway
Westerville, Ohio 43082

Each bid must be accompanied by a bid guaranty meeting requirement 153.54 to 153.57 of the Ohio.

Revised Code. Bids shall be sealed and addressed to:

Genoa Township
Administrative Office
5111 S. Old 3C Highway
Westerville, Ohio 43082

Prospective bidders may address inquiries to Bob Mathewes, Director of Roads, Parks and Buildings & Grounds, bmathews@genoatwp.com. All inquiries must be submitted no later than 11am, EST on March 26th, 2024.

No bidder may withdraw his/her bid(s) within sixty (60) days after the actual date of the opening thereof. Genoa Township reserves the right to reject any or all bids, to waive any informality and to award the bid or bids to the lowest responsive and responsible bidder as deemed in the best interest of the township, as determined by the Director of Roads, Parks, Buildings & Grounds.

Genoa Township
Paul Wise
Administrator

Advertised to the Delaware County Gazette on March 13th, 2024 and March 20th, 2024.

BID REQUIREMENTS

SECTION 1

GENERAL CONDITIONS

1. CONTRACT AWARD: The intention of the invitation to bid is to obtain competitive bids for:
Asphalt, Concrete, Stone, Trucking, Plastic Pipe and Paving Materials

In accordance with Section 9.312 of the Ohio Revised Code, Genoa Township reserves the right to evaluate all bids submitted and to accept the lowest and best bid as determined at the discretion of Genoa Township. Bidders are advised that along with cost, the availability to satisfy the requirements, specifications, and the intent set by Genoa Township shall be of primary consideration in the award of the Contract as will any applicable preferences.

2. BID NUMBER: A bid number is assigned to every bid distributed. This Bid Number may be found on the notice of bidders.
3. TERMS OF PAYMENT: Invoices shall be rendered in duplicate to Genoa Township, 5111 S. Old 3C Highway, Westerville, Ohio 43082.
4. DELIVERY: The vendor shall furnish and deliver at the Vendor's expense to the Township location where instructed.
5. INSURANCE COVERAGE: The contractor is responsible for maintaining the level and type of insurance coverage in all locations when working under the direction of this contract. **The Contractor shall obtain and maintain during the life of the contract such full insurance coverage wherein Genoa Township is named as an additional insured,** and shall protect himself, Genoa Township and any subcontractor performing work covered by the contractor from claims from the property damage, product liability and personal injury, including accidental death which may arise from operations being performed by the contractor or by any subcontractor or by anyone directly employed by either of those parties. These policies shall contain the following special provisions: "The company agrees that ten (10) days prior to the cancellations or reduction of the insurance afforded by this policy, with respect to the contract involved, written notification shall be mailed to Genoa Township Administration Office 5111 S, Old 3C Highway, Westerville, Ohio 43082. Certificates of insurance including the availability of the described coverage will be filled out to Genoa Township within five (5) business days from the award of the contract. The amounts of insurance shall be as follows:
 - A. Public Liability Insurance for bodily injuries, including accidental death, in the amount of not less than \$1,000,000 for each accident or occurrence and \$1,000,000 aggregate, and
 - B. Property Damage Insurance in the amount of not less than \$1,000 for each accident or occurrence and \$1,000,000 aggregate.
6. SUBCONTRACTORS: Since the contract is made pursuant to the bid proposal submitted by the contractor and in reliance upon the Contractor's qualifications and responsibility, the contractor shall not sublet, nor shall any subcontractor commence performance of any part of the work included in this contract without the previous written consent of Genoa Township. Genoa Township reserves the right to pre-approve any subcontractor's qualifications and their reliability to perform the work as intended. Subletting portions of this contract does not relieve the primary Contractor or its surety from any of their responsibilities of this contract.
7. QUALIFICATIONS OF BIDDER: Genoa Township reserves the right to require proof of qualifications from any vendor and to investigate any and all references. Genoa Township will determine competency of the vendor based on the information collected.
8. PERFORMANCE REQUIREMENTS: The delivery of any material, or the performance of any labor hereunder which does not all respects adhere to the specifications will be rejected and the

Contractor notified by Genoa Township. If the Contractor fails to immediately correct the situation, Genoa township will purchase the materials or services required in the open market. The Contractor will be responsible for reimbursing Genoa Township for any incurred excess cost.

9. INCIDENTAL DAMAGES: The vendor shall be held liable for any incidental damages suffered by Genoa Township as a result of Vendors breach including expenses reasonably incurred in the inspection, receipt, transportation, care and custody of goods rightfully rejected, any commercially reasonable charges, expenses or commissions in connection with effecting cover and reasonable expense incident to the delay or breach.
10. PATENT OR COPYRIGHT INFRINGEMENT: The vendor shall protect, defend and save harmless Genoa Township, its members, agents and employees against all suits at law or in equity and form all damages, claims, or demands for actual or alleged infringement of any patent or copyright by reason of the use of the materials supplied by the vendor.
11. COMPLETENESS: Genoa Township reserves the right to seek or require verification, validation or clarification of any Bidder's data and information presented in any bid.
12. WARRANTY: No payment, no provision in the Bid documents, and no acceptance by Genoa Township shall relieve the Vendor of liability for any warranties, expressed or implied.

Note "A"- PURCHASING OPTIONS

Genoa Township reserves the right to extend this contract for a period of one year if both parties agree to keep the prices as proposed for the material. Vendor should take care to understand that above quantities are simply estimates and do not bind Genoa Township to any specific amounts, Genoa Township reserves the right to award this contract to one or more companies for the same material.

Note "B"- EXECUTION OF DUTIES

Bid submitted under this Bid Proposal are acknowledged by Genoa Township to be conditioned that the Vendor not be prevented from executing the duties contained within due to disruptions affecting sources of supply or the normal progress of work. Genoa Township is not responsible to the vendor for delays.

BID REQUIREMENTS
SECTION II

Technical Specifications:

Concrete- All concrete materials proposed to be furnished shall meet the latest construction and Material Specifications as set forth by the state of Ohio Department of Transportation for the various grades and type of material proposed. The price per cubic yard shall be the cost of the material delivered to Genoa Townships site. Price per cubic yard shall be the cost of material loaded on the Townships truck at bidder's plant.

Asphalt- All asphalt material proposed to be furnished shall meet the latest specifications as set forth by the State of Ohio Department of Transportation in their Construction and Material Specifications. Asphalt content to be 6 ½ to 7 %. The price per ton shall be the cost of the material loaded on the Townships truck at the bidder's plant.

Stone- All stone or gravel proposed to be furnished shall conform to the latest Construction and Specifications of the Ohio Department of Transportation for the Various sizes and grades. Washed stone when bid shall be washed in clean water so as it removes dust and other objectionable foreign material. All prices are to be for stone in the various size loaded in trucks at the quarry site. Should the successful bidder be unable, at any time, to furnish suitable material is available. Due to indefinite amounts of stone to be purchased, Genoa Township reserves the right to award this contract to one or more vendors as the Director of Roads, parks and Buildings and Grounds deems it to be in the best interest of the Township.

Trucking- Trucking will include but not limited to, hauling stone from quarry to Genoa Township Safety Service Complex (7049 Big Walnut Rd, Westerville), Hauling dirt and debris from the Safety Service Complex to the Dump Site in Warrensburg, and asphalt from the asphalt plant to project site.

Plastic pipe- All plastic pipe material proposed to be furnished shall meet the latest specifications as set forth by the State of Ohio Department of Transportation in their construction and Material Specifications.

Paving- Paving will consist of all necessary labor and equipment to pave various Township locations (patching, base work and limited finish work). The price of this item will also include a paver that will pave 8-12 feet wide, a three to five (3-5) ton roller, a minimum of two (2) tri-axle dump trucks, and all laborers necessary to operate equipment.

The term of this contract will be 12 months from executing this contract and may be extended for two (2) one-year periods providing that bid prices do not exceed the annual Consumer price index. Either party may cancel this contract with thirty day written notice to the other party.

Note "C"- BID GUARANTY

Each bidder must submit with the form of Bid proposal one of the following Bid guaranties meeting the requirements of Sections 153.54 to 153.57 of the Ohio revised code.

- a) Bidder is cautioned that Bid Guaranty required by section 153.54(B) Ohio revised Code is to be submitted on the Genoa Township Form of Bid Guaranty and Contract Bondm and that the Bond is to be signed by both the surety (Sureties) and the Bidder. Name and Address of endorsers shall also be typed immediately below the signatures. IF THE AMOUNT IS LEFT BLANK, THE PENAL SUM OF THE BID GUARANTY AND CONTRACT BOND WILL BE THE FULL AMOUNT OF THE PRINCIPAL'S BASE BID PLUS IN DOLLARS AND CENTS. A PERCENTAGE IS NOT ACCEPTABLE. IN ACCRDANCE WITH SECTION 5729.20 OF THE OHIO REVISED CODE, THE BID GUARANTY AND CONTRACT BOND MUST BE SIGNED BY AN OHIO RESIDENT AGENT IF THE BOND IS ISSUED BY AND OUT – OF – STATE AGENT.

- b) In lieu of Bid Guaranty and Contract Bond required above, the bidder may submit the bid Guaranty in the form of a certified check, cashiers check or a letter of credit prusit to chapter 1305 of the Ohio Revised Code which shall be equal to ten percent (10%) of the total bid. The Bid Guaranty shall be payable to Genoa Township.

NOTE "D"- EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The Pre-Bid conditions are predicated on the Governor's Executive Order of January 27, 1972, and Final Order of November 30, 1973, relating to Equal Opportunity in the State of Ohio. A responsive bidder must sign the certification clause provided on the preprinted bid envelope, adopting the goals and timetables ser out in Appendix "A" in the State EEO Bid conditions and the "specific affirmative action steps" set out in Appendix "B" as its affirmative action program for the project. The bidder must sign the EEO certification clause prior to opening the bids. A bidder must also comply by securing approval of its own affirmative action plan from the State of EEO Coordinator prior to opening of bids. The affirmative action plan must respond to Part IV, Section 401-C of the Governor's Executive Order. If submitting a previously approved affirmative action plan for this project, check the box on pre- printed certification envelope. Noncompliance with the forgoing requirements will cause the bid to be rejected as non-responsive with the Final Order and Gubernatorial Executive Order.

If you require further clarification of this matter, it is requested you contact Equal Opportunity Coordinator at (614)466-8380.

Note "E" PROFESSIONAL REFERENCES

The bidder will supply Genoa Township with Five Specific locations in Central Ohio which have been serviced by the company during the last five years. Include the dates in which the service was performed, and the name and phone contact of this person:

- A) _____

- B) _____

- C) _____

- D) _____

- E) _____

NOTE "F" COMPANY INFORMATION

The bidder will supplement the proposal by supplying the following information for use in the preparation of the contract.

NAMES OF INDIVIDUAL MEMBERS OF FIRM:

NAME OF COMPANY/ CORPORATION: _____

NAME OF PRESIDENT: _____

CORPORATION IS ORGANIZED UNDER THE LAWS OF: _____

CORPORATION ADDRESS: _____

CORPORATION PHONE: _____

FEDERAL TAX ID NUMBER: _____

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

NOTE: certification must be filled out and signed, Failure to comply may invalidate your Bid.

_____ hereby adopts the goals and timetable.

Name Of Contractor

Set out in Appendix "A" of the State EEO Bid conditions and the "Specific Affirmative Action Steps" set out in Appendix "B" as its Affirmative Action Program for this project.

_____ agrees to comply with all applicable

Name of Contractor

Requirements of the state EEO Bid Conditions and to incorporate this certification in all subcontracts on this project regardless of tier.

Date

Signature of Contractor or Authorized Representative

Please indicate if you are submitting your company's own Affirmative Action Plan _____

EXECUTION OF PROPOSAL

NOTE: Failure to sign proposal may result in rejection of bid.

THIS PROPOSAL SUBMITTED BY:

(Name of Contractor)

By: _____ Date: _____

(Signature of contractor or Authorized representative)

NONCOLLUSION AFFIDAVIT

The bidder is required to execute and submit with Bid, the Non collusion Affidavit.

State Of Ohio

County Of Delaware

Bid Name and Number(s)

Contractor _____

Being first duly sworn, deposes and says that he is _____ (sole owner, a partner, president secretary, etc.) of _____

The party making the forgoing Bid; that such bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such bid is genuine and not collusive or sham; that said bidder is not directly or indirectly colluded, conspired, connived or agreed with any bidder or anyone else to put in a sham Bid or that anyone shall refrain from bidding; that said bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of said bidder or of any bidder, or to fix any overhead, profit or cost element such as bid price, or that any bidder, or to secure any advantage against Genoa Township awarding the contract or anyone interested in the proposed contract; that all statements contained in such Bid are true; and further that said bidder has not, directly or indirectly, submitted the bid price or any other breakdown thereof, or contents thereof, or divulged information or data relative thereto, or paid and will not pay any fee in connection therewith, to any corporation, partnership, company, association, organization, Bid depository, or to any member or agent thereof, or to any individual except to a person or person as having a partnership or other financial interest with said Bidder in his general business.

Signed: _____

Subscribed and sworn before me this time _____ day of _____, 20 _____

Seal of notary

PROPOSAL

SUBMITTED BY:

20

To genoa Township, Administrative Office, 5111 S. Old 3C Highway, Westerville, Ohio 43082. Having read the Specifications and examined the drawings entitles.

Asphalt, Concrete, Stone, Trucking, Plastic Pipe and Paving contract(s)

Genoa Township

Westerville, Ohio 43082

And have also received, read, and taken into account Addenda Numbers:

_____ and having inspected the site and the conditions affecting and governing the performance of said project, the undersigned hereby proposes to furnish all material and to perform all labor as specified and described in the said Specifications for the following sums:

BID:

CONCRETE

Table with 3 columns: ITEM, ESTIMATED QUANTITIES, PRICE PER TON. Rows include Class C- 600 LBS 500 Yards, ODOT Fast Set 50 yards, 900 LBS 29% Calcium, Class S- 715 LBS 50 yards, CDF 50 yards, Moderate set 800 lbs 50 Yards, and thicknesses from 10" to 48" with price fields.

	<u>Quantity</u>	<u>Price</u>
25-2 Curb Removed (20 foot minimum) – FT	1.00	_____
25-3 Concrete Walk Removed (30 SF minimum) – SF	1.00	_____
25-4 Pavement Repair (Asphalt Concrete) (5 S.Y. minimum)- SY	1.00	_____
25-5 Curb Ramp (30 S.F. minimum) - SF	1.00	_____
25-6 Concrete Walk (30 S.F. minimum)- SF	1.00	_____
25-7 Detectable Warning- SF	1.00	_____
25-8 Curb, Type 6 (20 Foot minimum)- FT	1.00	_____
25-9 Combination Curb and Gutter, Type 2 (20 foot minimum)- FT	1.00	_____
25-10 Combination Curb and Gutter, Type DCEO-R2010 (20 Foot Minimum)-FT	1.00	_____
25-11 Inlet Reconstructed to Grade- EACH	1.00	_____