

## ADVERTISEMENT FOR BIDDERS

I.C. 5-16-13-1, effective July 1, 2015

Sealed Bids for the **Franklin Active Adult Center** for the City of Franklin, Indiana (herein called the "CITY") will be received at City Hall, 70 East Monroe Street, Franklin, Indiana until **May 13, 2024, 1 pm (local time)**. Any Bids received later than the above time will be returned unopened. All Bids will be publicly opened and read aloud at that time in the City Council Chambers.

The work shall include site and existing building demolition, new site and building construction as included in the Bid Documents and Specifications.

Bids shall be properly and completely executed on a State Board of Accounts Form 96 (Revised 2013). Each Bid shall be accompanied by the Contractor's Bid Attachment (included with the Contract Specifications) to Form 96, a Financial Statement (completely filled out and signed) and a bid security in the form of an acceptable certified check payable to the CITY or an acceptable Bidder's bond, in an amount of not less than 5% of the total bid price, in accordance with the Contract Specifications.

The Contract will be awarded in accordance with the provisions of IC 5-16-13 for public works projects awarded after June 30, 2015. Pursuant to IC 5-16-13-7, the provisions of the law are incorporated by reference and Contractor agrees that pursuant to IC 5-16-13-8, the public work project will not be structured other than in the Contractor tier structure required by law. Contractor shall further be required to comply with the provisions of IC 5-16-13-13; 14 in all respects including but not limited to document preservation and availability for inspection.

A conditional or qualified bid will not be accepted. Award will be made to the low, responsive, responsible bidder, including but not limited to, the provisions and definitions referenced in IC 5-16-13 and IC 5-16-14.

In accordance with IC 22-5-1.7-11.1, Contractors entering into a contract with the CITY will be required to enroll in and verify the work eligibility status of all newly hired employees through the E-Verify program. In accordance with IC 5-22-16.5, Contractors entering into a contract with the CITY will be required to provide an Indiana Iran Investment Certification. In accordance with IC 36-1-12-24, Contractors and Subcontractors shall be required to drug test its employees when the cost of the Public Works project is greater than \$150,000.00. Additionally, Contractor will be required to execute an Affidavit certifying compliance with the law in the form included in the Bid Documents and Specifications.

The CITY reserves the right to waive any informalities or minor defects in bids or bidding procedure, or to reject any and all bids, or to accept the bid from the lowest most responsible and responsive bidder as exclusively determined by the CITY. Any bid may be withdrawn by written request prior to the above scheduled time for the opening of bids or authorized postponement thereof. No Bidder may withdraw a bid within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the CITY and the Bidder determined by the CITY

to be the lowest most responsible and responsive.

Submission of a signed Bid by the Bidder constitutes acknowledgment of and acceptance of all the documents and terms and conditions of the Contractual-Legal Requirements and Technical Sections in the Bid Documents and Specifications.

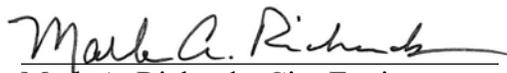
The Contractor to whom the work is awarded will be required to furnish an acceptable Performance and Payment Bond each in the amount of 100% of the contract price and must be in full force and effect throughout the term of the Construction Contract plus a period of twelve (12) months from the date of final payment.

The Contractor to whom the work is awarded will be required to purchase and maintain insurance coverage as described in the Bid Documents on an "occurrence basis" and in accordance with the insurance requirements and hold harmless provisions of the City of Franklin as identified in the bid documents. Additionally, all Contractors (including Tier Contractors) shall be required to comply with IC 5-16-13-9 through 12. A copy of the proposed Contract is included in the Bid Documents and Specifications.

Copies of the Bid Documents and Specifications will be available from Cripe & the Department of Planning and Engineering at 70 East Monroe Street Franklin, Indiana 46131 no later than April 9, 2024. Copies of the Bid Documents may be requested by electronic mail upon written request to [smiller@cripe.biz](mailto:smiller@cripe.biz) or to the City Engineer at the address listed above, or to [mrichards@franklin.in.gov](mailto:mrichards@franklin.in.gov). A Pre-Bid Conference will be held on April 25, 2024, 10 am at Franklin City Hall, 70 E. Monroe St., Franklin, for this project; however, questions may be directed to the City Engineer and responses to each question received will be provided to all plan holders of record prior to the bid opening date and time.

CITY OF FRANKLIN, INDIANA

APPROVED:



Mark A. Richards, City Engineer

## Instructions to Bidders

- A. The Bid shall be legibly written or printed in ink on the Bid form provided in these Bid Documents and Specifications. No alterations in Bids, or of the printed forms will be acceptable unless each alteration is signed or initialed by the Bidder. If initialed, the City of Franklin, Indiana may require the Bidder to identify any alterations so initialed. No alteration in any Bid, or in the Bid form on which it is submitted, shall be made by the person after the Bid has been submitted by the Bidder. Any and all addenda to these Bid Documents and Specifications in which a Bid is based, properly signed by the Bidder, shall be acknowledged as part of the Bid and accompany it when submitted.

Each Bid shall be enclosed in a sealed envelope that identifies the Bidder, is addressed to the City of Franklin, and is identified with the words “**Franklin Active Adult Center**” Bids shall be delivered to the Department of Planning and Engineering, 70 E. Monroe Street Franklin, Indiana 46131 (hereafter referred to as City), on or before the time and date specified in the Advertisement for Bids, at which time they will be opened and read aloud.

- B. Each Bid is to be accompanied with one of the following Bid Guarantees; (1) **a cashier’s check**, (2) **a certified check drawn on an acceptable bank**, or (3) **an acceptable bid bond**. The chosen Bid Guarantee shall be in an amount of not less than five percent (5%) of the total amount of the Bid, made payable without conditions to the City of Franklin, Indiana. The amount of said Bid Guarantee may be retained by and forfeited to the City as liquidated damages should the Bid be accepted and a contract awarded, but the Bidder fails to enter into a Contract in the form prescribed, with legally responsible sureties, within fourteen (14) days after such award is made by the City.

The Bid Guarantee of the unsuccessful Bidder will be returned if and when his Bid is rejected. The Bid Guarantee of the Bidder to whom a Contract is awarded will be returned when the Bidder executes a Contract and files the appropriate bonds as required. The Bid Guarantee of the second lowest responsive Bidder may be retained for a period not to exceed sixty (60) days pending the execution of the Contract and bonds by the successful Bidder.

- C. The Bidder, at the request of the City, may be required to furnish a statement of whether he is now, or ever has been, engaged in any work similar to the work outlined by the Bid Documents and Specifications, the year in which such work was performed, the manner of its execution, and such information that will show the Bidder’s ability to do the required work.

**The Bidder shall be required to furnish a financial statement showing funds available for the immediate execution of the work.**

The Bidder, at the request of the City, may be required to show a statement of plant and equipment which he proposes to use and which is immediately available for execution of

the work. Lists of plant and equipment shall be submitted in accordance with the following form;

MINIMUM PLANT TO BE USED ON THE WORK

<u>Name</u>	<u>Type</u>	<u>Capacity</u>	<u>Condition</u>
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- D. Each Bidder shall be presumed to have carefully examined the Bid Documents and Specifications, and visited the site to fully inform himself of all conditions affecting the work or the cost thereof and his Bid shall be based upon his own conclusion and examination. Each Bidder shall inform himself concerning all Federal, State, and Local laws, ordinances, or regulations which may in any manner affect his proposed operation of construction, or those engaged or employed on the work or the material or equipment. Should a Bidder find discrepancies in, or omissions from, the Bid Documents and Specifications, he should at once notify the City in writing to obtain clarification or interpretation prior to submitting any Bid. Any interpretation of the proposed Bid Documents and Specifications will be made only by Addendum duly issued, and a copy of such Addendum will be mailed or delivered to each person obtaining a set of such documents from the City. The City will not be responsible for any other explanations or interpretations of the proposed Bid Documents and Specifications.
- E. The Bidder to whom a contract for work is awarded shall be required to furnish a Performance, Maintenance, and Payment bond to the owner in an amount equal to 100 percent (100%) of the contract price and must be in full force and effect throughout the term of the contract plus a period of twelve (12) months from the date of final payment.
1. The bonds shall be executed on forms acceptable to the City, signed by a surety company authorized to do business in the State of Indiana and acceptable as surety to the City.
- F. No Bidder may submit more than one Bid. Two Bids under different names will not be received from one firm or association.
- G. No Bidder may withdraw his Bid for a period of sixty (60) days after the date and hour set for the opening in the Bid Documents and Specifications. A Bidder may withdraw his Bid at any time prior to the Bid Opening by a written request.
- H. The City reserves the right to do the following; accept the Bid that is in the City's judgement the lowest and most responsive Bid, reject any or all Bids, or waive irregularities or informalities on Bids. Bids received after the specified time will be returned unopened.
- I. Each Bidder shall sign his Bid using his usual signature and giving his full business address. Bids by partnerships shall be signed with the partnership name and the signature of one of the members of the partnership, or by an authorized representative and designation of the person signing. Bids by corporations shall be signed with the name of the corporation followed by the signature and designation of the president, secretary, or

other person authorized to bind in the matter. When requested by the City satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

- J. The City requires that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin. **Further, the contractor and all subcontractors will also be required to comply with required Federal and State labor regulations including Equal Employment Opportunity, Non-Segregated Facilities, E-Verify, Affirmative Action, Certification for Federal-Aid Contracts Lobbying Activities, and other requirements set forth in the Bid Documents and Specifications.**

- K. Each Bidder shall include in his Bid the following information;

Firm:  
Name:  
Treasury Number:  
Address:  
City, State, and Zip Code:

- L. All applicable laws, ordinance, and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the contract throughout.
- M. Each Bidder **shall** include with his Bid a copy of his current insurance certificate indicating levels of coverage which meet the requirements as described in these bid documents.
- N. All Submissions may be considered public documents under applicable laws and may be subject to disclosure. Some bid records are public as soon as received by the Town, others become public at bid opening, and others at bid award. Offerors recognize and agree that Owner will not be responsible or liable in any way for any losses that the Offeror may suffer from the lawful disclosure of information or materials to third parties.
- O. Any materials requested to be treated as confidential documents, proprietary information, or trade secrets must be clearly identified and readily separable from the balance of the SOQ or Proposal. Such designations will not necessarily be conclusive, and Offerors may be required to justify why such material should not, upon written request, be disclosed by the Owner under the applicable public records act.
- P. Owner will endeavor to provide at least two (2) business days' notice to the Offeror of a public records request for material submitted pursuant to this request for bids. The Owner will then release the document in accordance with the Owner's policy for responding to such requests unless both of the following are true:
- a. the Offeror responds to the notice with any objection to the production of the document within two (2) business days of receipt of the notice; *and*
  - b. the Offeror agrees in writing to indemnify Owner in the event a challenge is brought for withholding a public record based on Offeror having designated it a trade secret.