

**“East Campus Classrooms - HVAC Replacement”  
Project No. 409-NP**

**Highlights of key administrative items:**  
(From Pre-Bid Conference held on April 13, 2010; 9:30 AM)

1. **Insurance Requirements:** Primes need to pass this information onto their subcontractors. This information could directly affect their bid amounts.
  - a. The Contractor shall purchase and maintain such insurance as will protect the Contractor from claims set forth below which may arise out of or result from the Contractor's operations under the Contract, whether such operations be by the Contractor or by a Subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable:
  - b. **A. Claims under Workers Compensation Disability Benefit and other similar employee benefit Acts.** Employees Liability Insurance, with a minimum of \$1,000,000 aggregate coverage, is to be provided on the same operations.
  - c. **B. Claims for damages** because of bodily injury, occupational sickness, or disease, or death of the Contractor's employees.
  - d. **C. Claims for damages** because of bodily injury, sickness or disease, or death of any person other than the Contractor's employees.
  - e. **D. Claims for damages** because of injury to or destruction of tangible property including loss of use resulting therefrom.
  - f. **The Contractor's commercial general liability insurance and automobile liability insurance** shall be written for not less than \$500,000 for injuries including accidental death to any one person, and subject to the same limit for each person, in an amount not less than \$3,000,000 for each occurrence.
  - g. **The Contractor's property damage liability insurance** shall be in an amount not less than \$3,000,000 for each occurrence.
  - h. Contractors are also encouraged to inform **subcontractors** of the subcontractor insurance requirements when soliciting quotes from subs., as the insurance requirements may affect pricing of such subcontractors.
  - i. **Subcontractors Insurance**
  - j. **A.** The Contractor shall either require each of its subcontractors to procure and to maintain during the life of its subcontractor's commercial general liability, automobile liability, and property damage liability insurance of the type and in the same amounts as specified in this Article, or insure the activity of its subcontractors in its own insurance policies.
  - k. **B.** The Contractor shall require each subcontractor to provide Worker's Compensation and Employer's Liability insurance covering all persons employed by such subcontractors on work to be performed on this contract.
  - l. **C.** The Contractor must submit to the System, prior to any subcontractors or sub-subcontractors commencing of any on site work, evidence that the subcontractors or sub-subcontractors are covered by insurance as required herein.
  - m. **University MUST be listed as “additionally insured”** listing the contract name and number, directly on the certificate of insurance. This must all appear in the **Description of operational/locations/vehicles/special items** section at the bottom of the Certificate of Insurance. This **also** holds true for insurance certificates issued by sub-contractors.
  - n. **“Additionally Insured Endorsements”** must also be provided along with the Certificates of Insurance. (Note: This is a separate form)
  - o. Must be stated on the Certificate of Insurance Form that the issuing company **MUST NOTIFY** the University in writing (a minimum of thirty days in advance) if the insurance coverage is canceled or the

indicated coverage limits are reduced prior to the expiration date. **Note:** The following verbiage will need to be stricken from the standard cancellation clause: “endeavor to” and “but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.”

- p. Review Rider B, Sections 10.1.100 through 10.1.105.
- q. Review Rider B, Sections 10.2.100 through 10.2.103.
- r. Contractors are highly encouraged to contact their **insurance carriers** regarding coverage and insurance certificate requirements prior to submitting a bid proposal.

1. Bid Form

- a. **Bids are due in East Campus, J214 by 2:00 p.m. on Wednesday, April 28, 2010.**
- b. Contractors need to allow sufficient time for FedEx or UPS, etc.
- c. Please carefully read the “Proposal Instructions” of the Bid Form. So as to avoid delays of the award of the contract, all portions of the Bid Form are to be completed.
- d. Be sure the form is filled out entirely with the Company’s proper name, street address (do not use PO box numbers), telephone numbers, and e-mail address, as applicable.
- e. Since/If base bids are required, be sure the prices appear written and with figures.
- f. If Addenda’s are mailed, they must be listed in the Addenda section by number, **issuing** date, and the bidder’s firm name inserted in the section provided.
- g. Proposal Signature Page: be sure signature(s) are proper depending on your business classification. If a Corporation, the **CORPORATE SEAL** must be used and two party signatures apply (President/Vice-President, and Secretary or Treasurer).
- h. **NO CALLS WILL BE ACCEPTED AFTER BIDS ARE DUE.** Bid results will be posted on our website at <http://www.lhup.edu/purchasing/public-postings/bid-results/index.htm>
- i. Contract Compliance Requirements:
  - 1) This form must be filled out entirely. It must also be properly signed and notarized.
- j. A separate form will be issued to the low bidder who is issued the contract called the “Notice to Subcontractors, Suppliers, Vendors and Labor Organizations”: It addresses the System’s non-discrimination requirements and policies. This form will be required to be filled out entirely and signed by your company and acknowledgement will need to be signed by all subcontractors, suppliers, vendors and labor organizations used by the contractor on this project. Copies of this form are available from the University upon request.
- k. Minority Business and Women Business Enterprise Participation in Facilities Projects:

**M/WBE PROGRAM SOLICITATION REQUIREMENT:**

- 1. The MBE/WBE *solicitation* requirement shall be enforced. PASSHE takes this very seriously.
- 2. Information regarding the availability of certified Minority and Women Business Enterprises may be obtained from the Commonwealth of PA’s “Bureau of Contract Administration and Business Development” at the following web-page of the PA **Department of General Services**: <http://www.dgs.state.pa.us>, and proceeding to the section entitled “Bureau of Minority and Women Business Opportunities”, and typing in **Keyword: MBE/WBE**. **PLEASE NOTE:** This is simply one possible place to find certified M/WBE firms. Contractors may also submit other

minority and women-owned businesses that have been certified by other states or by other duly constituted public bodies.

3. Failure to complete the M/WBE Subcontractor and Supplier Solicitation information sheet/chart (Exhibit A) **and** to submit it with the bid will be sufficient cause for rejection of the bid.
4. Review all items that will be required to be submitted with the bid to fulfill contractor's proactive effort to reach the REAA (Reasonable Effort Award Amount) (e.g., copies of "request for quotations" that were issued, responses actually received from M/WBE's, lower quotes from non-minorities, letter of commitment to lowest submittal – whether a minority OR a non-minority firm). At a minimum, letters of solicitation shall contain sufficient detail so as to specify the type of work and/or material for which quotes are being sought. Additionally, it ought to be noted in the letters of solicitation that project specifications are available for review at the Contractor's office, at Lock Haven University, **and** at the various bidders exchanges noted in the Notice to Contractors. **For clarification of the M/WBE requirements, bidders can contact Becky J. Proctor (Director of Procurement) directly at 570-484-2010.**
5. Certified M/WBE numbers must be on the form/chart.
6. If written quotes are received from certified MBE/WBE firms at or above the reasonable award amount, but lower written quotes are received from non-minority firms, to get credit for the M/WBE solicitation requirement bidders must show commitment(s) to at least one non-minority firm which submitted the lowest written quote at the time of receipt of bids for the same work or materials.
7. An additional illustration of the M/WBE requirements was made available, for information purposes only, at the pre-bid meeting. Additional copies of this packet are available from the University upon request.

I. Business Certification Form:

1. Company must fill this form out and record their company classification and have it notarized.
2. Also, all single proprietorships must be registered as fictitious name if using a name other than their own (e.g., Bob Smith d/b/a Regional Excavating Co.)

m. Bid Bond:

1. As a bid guaranty, a minimum of 5% of the Base Bid, payable to Lock Haven University of Pennsylvania, must be included with your proposal. If a bid bond is used, the System's form must be used. Where seals are required, they must be used. All areas must be filled out and signed. Company must use a full street address (no box numbers please). **Also, bid bond surety must be dated same day or later as company signs the bid form.**

2. Standard Form of Agreement:

- a. This is the form that you will sign with the University. No changes can or will be made to this Agreement Form (form 71K110). Please review these terms and conditions **prior to** submitting a bid proposal. A copy of this agreement can be found in the project manual.

3. Prevailing Wages:

- a. **All** contracts associated with this project (including all associated sub-contracts, regardless of size) require Prevailing Wages and certified payroll forms; payroll forms must include the employee's full name and classification.
- b. Employee must be paid the rate listed in the prevailing rates.
- c. All workers that are working on the project must be listed on the certified payroll and be paid the appropriate wage rate for the work they performed (even if such workers are owners, proprietors, or partners in a smaller firm). If an owner is working on the job, he/she must appear on certified payrolls in the correct classification, at the correct rate.

- d. The first certified payroll and the last certified payroll must be notarized.
- e. Apprentices must be registered with the state of Pennsylvania, and shall be able to show his/her State apprenticeship card upon request while on the job-site.
- f. Per Labor and Industry, **final connections, testing, and balancing of systems** are part of the contract and are therefore subject to the prevailing wage rates. Please share this information with your sub-contractors when soliciting pricing from them and entering into subcontract agreements.

Contractors are directed to forward any requests for clarification in writing to the Professional no later than Monday, April 19, 2010, 5:00 p.m. Any/all questions regarding this project are to be submitted in writing to the Professional. Regarding on-site tours of the project site, University personnel are only able to provide access to the facility(s) in question. Any verbal statements made by University personnel are not considered to be contractually-bound statements unless they are followed-up and appropriately addressed in addendum issued by the Professional.

No Tax Exemption Certificates (we do not use them). You will need to contact the PA Dept. of Revenue and will need to complete their form.

Report any or all damages to University property promptly.

For additional information, directions, etc. regarding the **delivery** of the bid-proposals, bidders can call 570-484-2015, 570-484-2010, or 570-484-2384.

When submitting change-order proposals during contract administration, Contractors will need to provide cost breakdown(s) of the proposal in the same detail as outlined in the "schedule of values" form (Div 1, Section 01027, page 5).