NOTICE TO BIDDERS

Notice is hereby given that the East Norriton Township Board of Supervisors is soliciting bids for the following contracts:

2018 EQUIPMENT RENTAL WITH OPERATOR (NON-PREVAILING WAGE)
PAVING EQUIPMENT ONLY

Bids must be submitted in a sealed envelope with the words

PROPOSAL FOR 2018 EQUIPMENT RENTAL WITH OPERATOR (NON-PREVAILING WAGE) – PAVING EQUIPMENT ONLY

clearly printed on the outside. One copy of the bid document must be submitted to **Township Manager, East Norriton Township, 2501 Stanbridge Street, East Norriton, PA 19401** no later than **10:00 AM, Thursday, April 12, 2018**. All bids must be accompanied by a bid bond or deposit in the form of a certified check in the amount of ten percent (10%) of the bid price.

Bids received will be publicly opened and read aloud at **10:00 AM, Thursday, April 12, 2018, at the East Norriton Township Municipal Building** (2501 Stanbridge Street, East Norriton, PA, 19401). The Board of Supervisors will award these contracts at the April 17, 2018 meeting or subsequent meeting as determined to be in the best interest of East Norriton Township.

Specifications are on file, and may be obtained by prospective bidders at the **East Norriton Township Municipal Building** during normal business hours (8am – 4 pm), online at www.eastnorritontwp.org/home/news--events/public-notices.aspx or by calling 610-275-2800. East Norriton Township reserves the right to reject any or all proposals as may be in the best interest of the Township.

Robert R. Hart
Township Manager

MS-970 (11-09)

pennsylvania
DEPARTMENT OF TRANSPORTATION

NON-PREVAILING WAGE

EQUIPMENT RENTAL
PROPOSAL AND CONTRACT
(WHEN EXECUTED)
(INSTRUCTIONS ON PAGE 5)

(THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS)

A. DEPOSIT OF PROPOSALS.

All envelopes containing Bid proposals shall be clearly marked "Bid Proposal for Equipment Leasing Opening of April 12, 2018 **."**
(DATE)

Sealed Proposals will be received on or before 10:00 A.M. **, on the above Date.**
TIME

Proposals will be opened and read at approximately 10:00 A.M. **, on the above Date.**
TIME

EAST NORRITON TOWNSHIP
MUNICIPALITY (NAME & TYPE)

ROBERT R. HART
SECRETARY

2501 STANBRIDGE STREET
ADDRESS

EAST NORRITON, PA 19401-1616
ADDRESS

PROPOSALS MUST BE MAILED OR OTHERWISE DELIVERED TO THE ABOVE ADDRESS.

B. NAME OF CONTRACTOR (To be completed by the bidder.)

Proposal of _____
(NAME OF CONTRACTOR)

_____
(ADDRESS)

C. SPECIFICATIONS. (To be completed by the MUNICIPALITY before proposals are distributed.)

The contractor hereby proposes and agrees.

1. To provide on a rental basis equipment described in the attached Schedule of Equipment on an as needed basis, where directed, within the geographic area described in the Schedule of Equipment for a period beginning May 1, 2018 , and ending on March 30, 2019 .

2. To maintain this equipment in good mechanical and operating condition and to make all repairs and / or replacements at the CONTRACTORS expense.

3. The equipment described in the Schedule of Equipment shall be provided to the MUNICIPALITY upon three (3) days oral notice for all its operations, except snow removal operations, for which purpose the equipment will be provided with two (2) hours notice of oral notification.

4. To furnish all fuel, anti-freeze, operator (s) and necessary operating attachments.

5. The CONTRACTOR shall permit the MUNICIPALITY to review all records relating to labor and equipment utilized under the terms of this agreement.

6. The CONTRACTOR shall provide adequate insurance coverage in the form of Property Damage and Bodily Injury Insurance. If required by the MUNICIPALITY, evidence of such coverage, in the form of a certificate of a qualified insurance company, must be provided when the CONTRACTOR is notified by MUNICIPALITY that his bid has been accepted.

7. The CONTRACTOR is responsible for all costs incurred in the delivery and return of the equipment. The CONTRACTOR is responsible for the payment of not less than the prevailing wage and salary rates (if required) specified in the Contract Documents with respect to certain categories and classifications of employees. The preparation of weekly payroll certification is the CONTRACTOR'S responsibility.

8. When accepted by the MUNICIPALITY, this proposal will constitute a contract binding on the CONTRACTOR, their executors, administrators, successors or assignees.

9. Accompanying this proposal is a certified check or bid bond payable to the MUNICIPALITY in the amount of _____, as a proposal guarantee which, it is understood, will be forfeited in the event the CONTRACTOR is awarded the contract and fails to provide the necessary performance bond, as required in Paragraph 10.

10. The successful bidder shall, within 20 days of the award of the contract, submit a guarantee of performance of the terms of the contract in the form of a bond or certified check payable to the MUNICIPALITY in the amount of 100% of Contract . A Performance Bond shall be on the attached form (MS-970) or its equivalent. If a certified check is submitted, it will be forfeited to the MUNICIPALITY to cover any added costs to the MUNICIPALITY in the event it determines by written notice to the CONTRACTOR that any equipment was not available when needed or that its performance was unsatisfactory. A Payment Bond in the amount of 100% of the contract is also required.

D. **CERTIFICATION. (To be completed by the bidder.)**

1. The only person(s) having an interest in this proposal, including owners of equipment leased by the CONTRACTOR is (are).

_____ (NAME) _____ (ADDRESS)

_____ (NAME) _____ (ADDRESS)

_____ (NAME) _____ (ADDRESS)

2. None of the above persons are employees of the MUNICIPALITY.
3. The CONTRACTOR has provided Workmen's Compensation Insurance for the operators of this equipment to be provided under the terms of this contract. (Where required by Law.)
4. The CONTRACTOR will comply with all the requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and of the United States relating to human relations, equal opportunity and non-discrimination in employment, and will pay to workmen employed in the performance of the contract the wages to which they may be entitled.
5. All equipment bid on is of a size and/or capacity at least as great as indicated in Col. C of the Schedule of Equipment.

WITNESSED OR ATTESTED BY:

_____ OWNER

_____ TITLE:

BY: _____ TITLE:

(SEAL) **(SEAL)**

E. ACCEPTANCE. (To be completed by appropriate Municipal Officers only in the event the above proposal is accepted.)

ACCEPTED ON _____ (DATE)

ATTESTED BY:

_____ TITLE:

BY: _____ TITLE:

(SEAL)

_____ TITLE:

MS-970 (11-09)

pennsylvania
DEPARTMENT OF TRANSPORTATION

NON-PREVAILING WAGE

EQUIPMENT RENTAL
PROPOSAL AND CONTRACT
(WHEN EXECUTED)
(INSTRUCTIONS ON PAGE 5)

(THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS)

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4. To furnish all fuel, anti-freeze, operator (s) and necessary operating attachments.

5. The CONTRACTOR shall permit the MUNICIPALITY to review all records relating to labor and equipment utilized under the terms of this agreement.

6. The CONTRACTOR shall provide adequate insurance coverage in the form of Property Damage and Bodily Injury Insurance. If required by the MUNICIPALITY, evidence of such coverage, in the form of a certificate of a qualified insurance company, must be provided when the CONTRACTOR is notified by MUNICIPALITY that his bid has been accepted.

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9. Accompanying this proposal is a certified check or bid bond payable to the MUNICIPALITY in the amount of _____, as a proposal guarantee which, it is understood, will be forfeited in the event the CONTRACTOR is awarded the contract and fails to provide the necessary performance bond, as required in Paragraph 10.

10. The successful bidder shall, within 20 days of the award of the contract, submit a guarantee of performance of the terms of the contract in the form of a bond or certified check payable to the MUNICIPALITY in the amount of 100% of Contract . A Performance Bond shall be on the attached form (MS-970) or its equivalent. If a certified check is submitted, it will be forfeited to the MUNICIPALITY to cover any added costs to the MUNICIPALITY in the event it determines by written notice to the CONTRACTOR that any equipment was not available when needed or that its performance was unsatisfactory. A Payment Bond in the amount of 100% of the contract is also required.

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_____ (NAME) _____ (ADDRESS)

_____ (NAME) _____ (ADDRESS)

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4. The CONTRACTOR will comply with all the requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and of the United States relating to human relations, equal opportunity and non-discrimination in employment, and will pay to workmen employed in the performance of the contract the wages to which they may be entitled.
5. All equipment bid on is of a size and/or capacity at least as great as indicated in Col. C of the Schedule of Equipment.

WITNESSED OR ATTESTED BY:

_____ OWNER

_____ TITLE:

BY: _____ TITLE:

(SEAL) **(SEAL)**

E. ACCEPTANCE. (To be completed by appropriate Municipal Officers only in the event the above proposal is accepted.)

ACCEPTED ON _____ (DATE)

ATTESTED BY:

_____ TITLE:

BY: _____ TITLE:

(SEAL)

_____ TITLE:

SCHEDULE OF EQUIPMENT
NON-PREVAILING WAGE
EXCAVATING/EARTHWORK EQUIPMENT SCHEDULE

A. TO BE FILLED IN BY MUNICIPALITY PRIOR TO DISTRIBUTION.			B. NAME OF BIDDER:			
BID ITEM	C. DESCRIPTION OF EQUIPMENT INCLUDING SIZE AND / OR CAPACITY	D. EST. HRS OF USE	E. MODEL OR SERIES ID	F. YEAR MFG.	G. HOURLY RATE BID	H. ESTIMATED TOTAL
	PAVING RELATED EQUIPMENT & LABOR					
1.	Asphalt Paver - 8-16 ft screed w/Operator & Screed Man	12				
2.	Pavement Roller - 3-5 Ton Tandem Vibratory	4				
3.	Pavement Roller - 10-15 Ton Tandem Vibratory	12				
4.	Milling Mach w/Oper & Ground Man, 4-ft min drum width	8				
5.	Road Widener - Midland SP-8 or approved equal	12				
6.	Skid Steer Loader w/Trench Paver Attachment	12				
7.	4-Axle Dump Truck, 23T Capacity (2 req'd) price per truck	24				
8.	Laborer - paving (2 required) price per laborer	24				
9.	Foreman - paving	24				
					Total For All Equipment Bid:	

I certify that the equipment described above will be made available to the MUNICIPALITY and meet all terms described in the agreement to which this schedule is attached.

(SIGN) CONTRACTOR

MS-970 (6-99)

PERFORMANCE BOND

(With Corporate Surety) **Attachment # 2**

KNOW ALL MEN BY THESE PRESENTS, That we, _____

_____

as Principal and _____

a corporation incorporated under the laws of the State of _____

as Surety, are held and firmly bound unto _____

in the full and just sum of _____

($) dollars lawful money of the United States of America, to be paid to the above

Municipality or its assigns, to which payment well and truly to be made, we bind ourselves, our heirs, executors,

administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden Principal has entered into a contract with the above Municipality, bearing even date herewith, for the undertaking of certain obligations as therein set forth,

NOW, THEREFORE, the condition of this obligation is such that if the above bounden Principal, as Contractor, shall in all respects comply with and faithfully perform the terms and conditions of said contract, including the Specifications and conditions referred to and made a part thereof, and such alterations as may be made in said Specifications as therein set forth, then this Obligation shall be void, but otherwise the same shall be and remain in full force, virtue and effect.

It is further provided that any alteration which may be made in the terms of the contract or its specifications with the express approval to the Municipality or the Principal to the other, shall not in any way release the Principal and the Surety or either or any of them, their heirs, executors, administrators, successors or assigns from their liability hereunder, notice to the Surety of any such alteration or forebearance being hereby waived.

IN WITNESS WHEREOF, the said Principal and Surety have duly executed this Bond under Seal, pursuant to due and legal action authorizing the same to be done on _____ .
(DATE OF BOND)

Attest / Witness

_____
CONTRACTOR

_____
TITLE:

BY: _____
TITLE:

Attest / Witness

_____
SURETY COMPANY

_____
TITLE:

BY: _____
TITLE:

INSTRUCTIONS TO BIDDERS

1. **Proposal. (Pages 1 & 2).**

   (a) Complete all items in Sections B and D.

   (b) Two (2) copies of Part D must be executed by the bidder.

2. **Schedule of Equipment. (Page 3).**

   (a) Complete items B and E through H.

   (b) Bidders may bid on one or more items of equipment described on the Schedule of Equipment. Low bids will be determined on each item, unless otherwise specified on the Schedule of Equipment.

   (c) An hourly rate must be listed in Column G for each item of equipment the bidder wishes to bid on.

   (d) Sizes and capacities listed are minimums. Larger equipment may be provided.

   (e) Two (2) copies of the Schedule of Equipment must be signed by the bidder.

NOTE: ONLY TYPEWRITTEN OR LEGIBLY PRINTED BIDS WILL BE ACCEPTED.

INSTRUCTIONS TO MUNICIPALITY

1. **Proposal. (Pages 1 & 2).**

   (a) Sections A and C must be completed by the MUNICIPALITY before proposals are distributed; (Section E is completed by the MUNICIPALITY only on the successful bidder's proposal at time of award.)

   (b) In Section A, there should be at least a 15 minute interval between the deadline for receiving proposals and the time for opening them.

   (c) In section C, Items 9 and 10, the amounts of the bonds must comply with Chapter 449, Section 449.7(c) of PennDOT Regulation (formerly Chapter 8).

2. **Schedule of Equipment. (Page 3).**

   (a) Items A, C and D must be completed by the MUNICIPALITY before the proposals are distributed.

   (b) If two or more items of equipment are to be awarded as a single unit, this fact must be clearly indicated on the Schedule of Equipment.

NOTICE TO BIDDERS

1. E-VERIFY / ACT 127-2012

   Act 127 of 2012 requires contractors and subcontractors on publicly funded construction projects to:

   a) Utilize the E-Verify program (EVP) to verify the employment eligibility of each new employee hired after January 1, 2013.

   b) Submit the Public Works Employment Verification Form to the contracting public body to ensure compliance with the act.

   c) Maintain documentation of continued compliance with the act by utilizing the EVP for new employees hired throughout the duration of the public work contract.

   Furthermore, the Commonwealth of Pennsylvania Department of General Services established guidelines for administering and enforcing the Act set forth in Annex A. Chapter 66. In so doing, Section 66.5 (a) states that "As a precondition to the award of a contract for public work, a public works contractor shall submit a completed Form to the public body that is bidding and awarding the public work contract."

   Therefore, all bidders must complete the attached Commonwealth of Pennsylvania Public Works Employment Verification Form and submit this form along with all oter required bidding documents. Bid documents submitted without a completed Form will not be considered.

2. All bidders must submit a completed Non-Collusion Affidavit along with their bid. Bid documents submitted without this affidavit will not be considered.

3. Contractor will be responsible for a maximum of three (3) equipment moves in the performance of this contract. The costs associated with these equipment moves shall be incorporated into the "Hourly Rate Bid" for each piece of equipment bid upon.

4. No payment for additional types/sizes of equipment or additional labor categories, other than those listed in the "Schedule of Equipment", will be made without the prior consent of East Norriton Township. Invoices submitted for payment with additional equipment types/sizes or labor categories will be returned to the contractor.

INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT

1. This Non-Collusion Affidavit is material to any contract awarded pursuant to this bid. According to the Pennsylvania Antibid-Rigging Act, 73 P.S. ' 1611 et seg., governmental agencies may require Non-Collusion Affidavits to be submitted together with bids.

2. This Non-Collusion Affidavit must be executed by the member, officer or employee of the bidder who makes the final decision on prices and the amount quoted in the bid.

3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the bidder with responsibilities for the preparation, approval or submission of the bid.

4. In the case of a bid submitted by a joint venture, each party to the venture must be identified in the bid documents, and an Affidavit must be submitted separately on behalf of each party.

5. The term "complementary bid" as used in the Affidavit has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than the bid of another form, any intentionally high or noncompetitive bid, and any other form of bid submitted for the purpose of giving a false appearance of competition.

6. Failure to file an Affidavit in compliance with these instructions will result in disqualification of the bid.

NON-COLLUSION AFFIDAVIT

Contract/Bid: EQUIPMENT RENTAL W/OPERATOR
(NON-PREVAILING WAGE)

State of _____:
:s.s.
County of _____:

I state that I am _____ of _____
(Title) (Name of my firm)

and that I am authorized to make this affidavit on behalf of my firm, and its owners, directors, and officers. I am the person responsible in my firm for the price(s) and the amount of this bid.

I state that:

(1) The price(s) and amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, bidder or potential bidder.

(2) Neither the price(s) nor the amount of this bid, and neither the approximate price(s) nor approximate amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed before bid opening.

(3) No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a bid higher than this bid, or to submit any intentionally high or noncompetitive bid or other form of complementary bid.

(4) The bid of my form is made in good faith and nor pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive bid.

(5) _____, its affiliates, subsidiaries, officers, directors
(Name of my firm)

and employees are not currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows:

I state that_____understands and acknowledges that
(Name of my firm)
the above representations are material and important, and will be relied on by the Board of Supervisors of East Norriton Township in awarding the contract for which this bid is submitted. I understand and my firm understands that any mis-statement in this affidavit is and shall be treated as fraudulent concealment from East Norriton Township of the true facts relating to the submission of bids for this contract.

_____
(Name and Company Position)

SWORN TO AND SUBSCRIBED
BEFORE ME THIS_____
DAY OF_____, 20___

_____
Notary Public

My Commission Expires

COMMONWEALTH OF PENNSYLVANIA

PUBLIC WORKS EMPLOYMENT VERIFICATION FORM

Date _____

Business or Organization Name (Employer)_____

Address _____

City _____ State_____ Zip Code _____

☐ Contractor ☐ Subcontractor (check one)

Contracting Public Body EAST NORRITON TOWNSHIP

Contract/Project No 2018 EQUIP. RENTAL W/OPERATOR (NON-PREVAILING WAGE)

Project Description RENTAL OF VARIOUS EQUIPMENT WITH OPERATORS

Project Location VARIOUS LOCATIONS THROUGHOUT THE TOWNSHIP

As a contractor/subcontractor for the above referenced public works contract, I hereby affirm that as of the above date, our company is in compliance with the Public Works Employment Verification Act ('the Act') through utilization of the federal E-Verify Program (EVP) operated by the United States Department of Homeland Security. To the best of my/our knowledge, all employees hired post January 1, 2013 are authorized to work in the United States.

It is also agreed to that all public works contractors/subcontractors will utilize the federal EVP to verify the employment eligibility of each new hire within five (5) business days of the employee start date throughout the duration of the public works contract. Documentation confirming the use of the federal EVP upon each new hire shall be maintained in the event of an investigation or audit.

I, _____, authorized representative of the company above, attest that the information contained in this verification form is true and correct and understand that the submission of false or misleading information in connection with the above verification shall be subject to sanctions provided by law.

_____

Authorized Representative Signature