

## TOWN OF WEST NEW YORK, NJ

### NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the Town of West New York, Hudson County, New Jersey for the project **“2009 Road Program” (2ND OCCASION)**, opened and read aloud in public at the Town Clerk’s Office, West New York Municipal Building, 428 - 60<sup>th</sup> Street, Town of West New York, New Jersey, on **May 1, 2009, at 10:00 A.M.**, prevailing time.

The Bid consists of clearing site, roadway excavation, roadway subbase repair, milling, resurfacing, pavement striping, upgrading storm water inlets, concrete curb, sidewalks, aprons, tree removal, tree planting, chain link fence installation, automatic chain link gate installation, and other work set out in the specifications. Work locations include, but are not limited to approximately eleven different streets, West New York Department of Public Works Facility and the West New York Municipal Building. Bidders are cautioned that roadway excavation shall include reinforced concrete and cobblestone roadway subbases. Furthermore, it is anticipated that foreign matter will also be encountered including, but not limited to, abandoned trolley railroad ties and tracks. The use of Ground Penetrating Radar to determine subsurface voids and subsequent void grouting may also be required under roadways, in this contract.

Financial assistance for this contract is made possible by the following programs:

New Jersey Department of Transportation Trust Fund Grant

Hudson County Community Development Block Grant  
New Jersey Department of Community Affairs

Jon S. Corzine, Governor  
State of New Jersey

Joseph V. Doria, Jr.  
Commissioner,  
Department of Community Affairs

Contract Plans and Specifications for the proposed work, which have been prepared by the Town Engineer, Jose R. Cunha, P.E., C.M.E., of the firm of Maser Consulting P.A., are on file at the office of said Engineer at 331 Newman Springs Road, Suite 203, Red Bank, New Jersey, and may be inspected/and or obtained by prospective bidders during business hours, 8:00 a.m. – 5:30 p.m., (732) 383-1950.

Requests for specifications may also be made in writing on company letterhead and faxed to Jose R. Cunha, West New York Town Engineer at 732-383-1984. Specifications will be mailed to such requestors via mail courier. (The Town does not guarantee delivery or receipt or timely delivery or receipt of mailed specifications.)

Bidders will be furnished with a copy of the Contract Documents only upon proper notice and payment of \$100.00 cash or check, made payable to Maser Consulting, P.A., to defray the cost thereof.

Notice of revisions or addenda to advertisements or bid documents relating to bids will, no later than seven days, Saturdays, Sundays and holidays excepted, prior to the date for acceptance of bids, be published in the Jersey Journal.

All Bids shall be submitted in sealed envelopes addressed to the Town Clerk of West New York, the envelope shall have marked conspicuously on its face on the top right-hand side in letters not less than one inch the word **“Public Bid”** followed immediately below those words in letters not less than one half inch high: **“2009 Road Program” (2ND OCCASION)** and underneath that: **“To be received on May 1, 2009 at 10:00 AM”**

If Bids are to be accepted by mail or courier, the Bids must be placed in an outer envelope, which on the top right-hand side shall clearly designate in the same manner as set forth above, the same size and information. The inner envelope shall have specifically placed in the center the same information as set forth above and on the bottom left-hand side the name and address of the Bidder.

All Bids delivered by mail or other postal service shall be addressed specifically to the Town Clerk of West New York and if delivered by a postal service shall be delivered to the office of the Town Clerk between the hours of 9:00 a.m. and 4:00 p.m. prior to the time set forth for the opening of the Bid and not earlier than 48 hours previous to the opening of the Bid.

All bid proposals will be date and time stamped upon receipt. Bidder is solely responsible for the timely delivery of the bid proposal and no bids shall be considered which are presented after the public call for receiving bids. Any Bid Proposal received after the date and time specified will be returned, unopened, to the bidder.

The burden is upon the Bidder to comply specifically with the directions in the “Notice to Bidders”. The Bidders are put on notice that because of precautions resulting from terrorist’s threats, packages may be opened if directed to the wrong office of the Town.

Any Bid not delivered in the manner as set forth in this “Notice to Bidders” shall be declared void.

Proposals must be made on the provided loosely bound **Proposal** forms in the Contract Specifications, in the manner designated, and must be accompanied by a statement of Consent of Surety from a surety company authorized to do business in the State of New Jersey and acceptable to the Town and either a Bid Bond, Certified or Cashier’s Check drawn to the order of Treasurer of Town of West New York for not less than ten percent (10%) of the amount bid as further set out in the Bid Specifications, except that the check need not exceed \$20,000.00. The successful bidder is hereby notified that a performance bond for the full amount of the contract will be required, upon award of contract.

The award of the contract for this project will not be made until the necessary funds have been provided by the Town of West New York in a lawful manner. The Town of West New York or the Engineer reserves the right to require a complete financial and experience statement from prospective bidders showing that they have satisfactorily completed work of the nature required before furnishing proposal forms or specifications, or before awarding the Contract.

Proposals for this Contract will be accepted only from bidders who have properly qualified in accordance with the requirements of the Contract Documents. Bids for said contract must be based upon and in strict accordance with the bid specifications. Non-responsive bids will not be accepted. Any questions regarding the specifications are to be addressed to the Town Engineer, Jose R. Cunha, P.E., C.M.E., of the firm of Maser Consulting P.A., via facsimile, (732)-383-1984.

The right is also reserved to reject any or all bids or to waive any informalities where such informality is not detrimental to the best interest of the Town of West New York.

The right is also reserved to increase or decrease the quantities specified in the manner designated in the Specifications, as necessary.

The successful bidder shall be required to comply with the following:

- A. Affirmative Action Evidence & Compliance (P.L. 1975, C.127, N.J.S.A. 10:5-1 et. seq.), including any Federal Equal Employment Opportunity Requirements, as may be applicable.
- B. New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et. seq), and compliance with the Davis Bacon Act, (40 U.S.C. 276A et seq., as amended) as may be applicable.
- C. Worker and Community Right-to-Know Act (N.J.S.A. 34:5A-1).
- D. Performance Bond - when contract is executed
- E. Public Disclosure Law - list of names and addresses of all stockholders owning 10% or more of the stock, to be provided with bid (P.L. 1988, C.33, N.J.S.A. 52:25-24.2).
- F. Public Works Contractor Registration Act (effective April 11, 2000)
- G. Business Registration Law (P.L. 2004, Chapter 57).
- H. Addendum Acknowledgement
- I. Other requirements of the specifications for **“2009 Road Program”**

BY ORDER OF the Board of Commissioners

Carmela Riccio, RMC, Town Clerk,  
April 15, 2009