



TOWN OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS

**BITUMINOUS CONCRETE
TYPE I-1 PLANT PRICE
Contract # 23S-420-0014**

This is an unofficial Bid Spec. If this document is used to submit a bid then you must submit your contact information by emailing Lisa Matarazzo at lmatarazzo@burlington.org in order to be added to the bidders list in the event of an addendum.

Department of Public Works
Engineering Division
25 Center Street
Burlington MA 01803
(781) 270-1640

September 2022

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Bid Opening: 9/26/2022 10:00 AM

INVITATION FOR BID

The Town of Burlington, MA DPW-Highway Division invites sealed bids for the supply Bituminous Concrete Plant Price. Specifications and bid form must be individually sealed and submitted in an envelope on or before **10:00 AM, September 26, 2022** addressed to the **Town of Burlington Engineering Division, Town Hall, 25 Center Street, Burlington, Massachusetts, 01803** endorsed with the name and address of the bidder and clearly marked with the applicable contract name and number.

The Town of Burlington reserves the right to award and/or reject any and all bids or proposals for any reason determined to be in the Town's best interest.

All bids for this project are subject to applicable public bidding laws of Massachusetts, including General Laws Chapter 30B.

- Specifications and bid forms are available on the Town website at under the business tab.
- Specifications and bid forms may be obtained at **DPW/Engineering, 25 Center Street, Burlington, Massachusetts, 01803** beginning September 12, 2022 between 8:30 AM and 4:00 PM or from the Town's website at www.Burlington.org on the DPW's page under Projects Out to Bid.
- This project is bid according to MGL 30B.

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PROJECT DESCRIPTION

This contract is for the purchasing of bituminous concrete for the Town of Burlington. The bituminous concrete in this contract is for bituminous concrete picked up at the plant by Town-owned trucks. All bituminous concrete shall meet all specifications in this contract.

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INSTRUCTIONS TO BIDDERS

Receipt and Opening of Bids

The Town of Burlington, Massachusetts, herein called the Owner, acting by and through its Department of Public Works-Engineering Division, will receive sealed bids as specified in the invitation for Bids at which time bids will be publicly opened and read.

Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified will not be considered. The bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty (30) days, Saturdays, Sundays, and legal holidays excluded, after opening the bids.

Preparation of Bid

Each bid must be submitted on the prescribed form. All blank spaces for bid prices must be filled in, in ink or typewritten, in both words and figures.

Each bid must be submitted in a sealed envelope bearing on the outside **the name of the bidder, his address, and endorsed with the name of the project.**

If forwarded by mail, **the sealed envelope containing the bid must be enclosed in another envelope addressed as specified in Receipt and Opening of Bids.**

The following sections must be completed as part of the bid package;

- Form of General Bid
- Acknowledgement of Addenda, if any
- Bid Form
- Total Bid Price/Total Winter Price
- Contractor Certification

Bid Opening Procedure

The following list of requirements shall apply to each filed bid. Bids not meeting all the requirements for timeliness and security will be rejected without opening; bids not meeting signature and addenda requirements will be rejected prior to checking of bid amounts. Bids shall be filed at the place and before the time specified in Receipt and Opening of Bids.

Properly executed bid security shall be placed in a sealed envelope and shall be attached to the outside of the envelope containing the bid.

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Bid signatures will be checked.

The total dollar amount of each bid will be read, and the three apparent lowest bids will be selected for further consideration. These three apparent low bids will be read aloud for the benefit of the other bidders and the bid opening procedure will be closed. All those present at the bid opening may arrange a time to examine all bids after the bid opening and after the reading of the three apparent low bids.

Addenda and Interpretations

No interpretation of the meaning of the plans, specifications or other pre-bid documents will be made to any bidder orally. All information given to bidders other than by means of the plans, specifications, or by addenda, as described below, is given informally and shall not be used as the basis of a claim against the Owner.

Every request for such interpretation should be in writing addressed to the **DPW/Highway Division, Town Hall Annex, 25 Center Street, Burlington, MA 01803** and to be given consideration must be received at least seven (7) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the Contract Documents which, when issued, will be sent via e-mail (at the respective email addresses furnished by them for such purposes), and posted on the Town webpage, no later than five (5) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under this bid as submitted. All addenda so issued shall become part of the Contract Documents.

Bid Security

N/A

Right to Reject Bid

The Owner reserves the right to waive any informality or reject any and all bids and alternate bids, should the Owner deem it to be in the public interest to do so.

The Owner also reserves the right to reject the bid of any bidder that the Owner considers to be unqualified.

Comparison of Bids

In the event that there is a discrepancy in FORM OF GENERAL BID between the lump sum or unit prices written in words and figures, the prices written in words will govern.

Rule for Award of Contract

The Contract will be awarded to the responsible and eligible bidder offering the lowest total price for all items pursuant to General Laws Chapter 30B. Such a bidder shall possess the skill ability and integrity necessary for the faithful performance of the work, shall be able to furnish labor that can work in harmony with all other elements of labor employed, or to be employed, in the work, and shall otherwise comply with all applicable provisions of law. Bidder shall execute formal agreement within ten (10) days of the Notice of Award.

Statutes Regulating Competitive Bidding

Any bid that does not comply with the provisions of Massachusetts General Laws Chapter 30B need not be accepted and the Owner may reject every such bid.

FORM OF GENERAL BID

Bid of _____ (hereinafter called "Bidder")*

(____) a corporation, organized and existing under the laws of the state of _____.

(____) a partnership

(____) a joint venture

(____) an individual doing business as _____

To the Town of Burlington, Massachusetts (hereinafter called "Owner").

Gentlemen:

The bidder, in compliance with the invitation, having examined the Contract Documents and being familiar with all of the conditions surrounding the supply of the proposed product including the availability of materials and labor, hereby propose to furnish all labor, materials, and supplies to complete the project in accordance with the Contract Documents within the time set forth in the agreement, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, or which this proposal is a part.

*Insert corporation, partnership or individual as applicable.

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ADDENDA

Bidder acknowledges receipt of the following addenda:

No. _____ Dated: _____

No. _____ Dated: _____

No. _____ Dated: _____

No. _____ Dated: _____

No. _____ Dated: _____

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BID FORM

Item		Unit Price	Item Total
Bituminous Concrete, Type I-1 plant price, per ton	1500	\$ _____	\$ _____
Bituminous Concrete, Type I-1 plant price, per ton-Winter	1500	\$ _____	\$ _____

TOTAL BID PRICE

Total Price Bid: \$ _____

Total Price Bid in Words: _____
(Dollars)

Total Winter Price: \$ _____

Total Winter Price in Words: _____
(Dollars)

Name: _____
(Person Signing Bid)

Signature: _____

Title: _____

Company: _____

Address: _____

Phone: _____

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CONTRACTOR CERTIFICATION

I certify under penalties of perjury that this bid or proposal has been made and submitted under good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

TAX COMPLIANCE

Pursuant to Massachusetts General Law Chapter 62C, Section 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Signature: _____
(Person Signing Bid)

(Name of Business)

GENERAL CONDITIONS

1. The Town of Burlington, acting through its Select Board, an awarding authority, reserves the right to accept or reject any and/or all bids or portions thereof, and to waive any informalities in bidding, and/or to make the award as appears in the best interest of the Town of Burlington.
2. The bid will be awarded to the lowest qualified and responsible bidder.
3. Payment will be made monthly, unless otherwise specified.
4. Normal Hours of work: Work hours shall be between the hours of 7:00 AM and 3:30 PM Monday through Friday, unless otherwise specified. The successful Contractor shall not work on Saturdays, Sundays, Holidays or other hours, without express authority from the Superintendent of Public Works. The successful bidder must provide proof of all licenses, where applicable.
5. Insurance – The successful bidder shall be required to file an Insurance Certificate with the Department of Public Works with policy limits as specified in the attached Insurance Requirements.
6. It is further agreed that time is of the essence of each and every portion of this contract and of the specifications wherein as definite and certain lengths of times if fixed for the performance of any act whatsoever; and where under the Contract and additional time is allowed for the completion of any work, the new time limit by such extension shall be of the extent of this Contract. Provided that the Contractor is without fault and the Contractor's reasons for the time extension are acceptable to the Owner.
 - A. Provided further that the Contractor shall, within ten (10) days from the beginning of such delay, unless the Owner shall grant a further period of time prior to the date of the final settlement of the Contract, notify the Owner, in writing of the causes of the delay, who shall ascertain the facts and extent of the delay and notify the Contractor within a reasonable time of its decision in the matter.
7. Legal Damages – If the Contractor shall neglect, fail or refuse to complete the work within the time herein specified, or any proper extension thereof granted by the Owner, then the contractor does hereby agree, as a part consideration for the awarding of this contract, to pay to Owner the amount of \$ 250.00 per day, not as a penalty but as liquidated damages for such breach of Contract as hereinafter set forth, for each and every calendar day that the Contract shall be in default after the time stipulated in the Contract for completing the work.

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- A. The said amount is fixed and agreed upon by and between the Contractor and the Owner because of the impracticability and extreme difficulty of fixing and ascertaining the actual damages the Owner would in such event sustain, and said amount is agreed to be the amount of damages which the Owner would sustain and said amount shall be retained from time to time by the Owner from current periodical estimates.
8. This Contract includes estimated quantities that may or may not be purchased during Fiscal Year. Additionally, quantities are used for comparison of bids and establishing the Bid Deposit and Performance Bond amounts.
9. This Contract may be terminated, with fifteen (15) days' notice, for unsatisfactory performance and/or availability of funds. The contractor will hold the Town harmless from all damages as a result of funding restraints.
10. All work and/or supplies must meet the approval of the Director of Public Works or his designee.
11. No bid may be withdrawn within thirty (30) days, Saturdays, Sundays, and legal holidays excluded, after the opening of bids.
12. All bid prices shall be held firm for one year from the date of contract award.
13. The Town of Burlington acting through its Board of Selectmen, reserves the right to extend this contract for up to two additional one (1) year periods to provide the services and/or materials at the unit prices bid, as appears in the best interest of the Town of Burlington.
14. All envelopes must be clearly marked indicating:

Contract Name
Date of Opening
Name of Bidder

15. Bids must be submitted on the required proposal form, and delivered to:

DPW/Engineering Division
Town Hall Annex
25 Center Street
Burlington, MA 01803
Attn: Lisa Matarazzo

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SPECIFICATIONS

GENERAL INFORMATION

Bituminous Concrete, Type I-1 Plant price per ton

Plant must be no more than ½ hour driving time from the Highway Division located on 0 Meadow Road.

Material supplied under this contract shall comply in all respects to Section 420, "Class I Bituminous Concrete Base Course, Type I-1" and Section 460, "Class I Bituminous Concrete Pavement, Type I-1" of the Massachusetts Highway Department (MHD) "Standard Specifications for Highways and Bridges" 1995 Edition.

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