

BOROUGH OF MANTOLOKING  
OCEAN COUNTY, NEW JERSEY

EMERGENCY STORM RESPONSE  
EARTH WORK ACTIVITIES  
CONTRACT NO. 2016-1

**NOTICE TO BIDDERS**

NOTICE is hereby given that sealed bids will be received by the Borough of Mantoloking (hereinafter called the "Owner") for:

EMERGENCY STORM RESPONSE  
EARTH WORK ACTIVITIES

CONTRACT NO. 2016-1

Sealed bids for the above named Contract, which comprises the supply of emergency earth work equipment and operation of earth work equipment, for the transport, placement, and grading of sand, gravel, and clean fill materials to and within the Borough of Mantoloking inclusive of dune and beach areas in Mantoloking Borough, Ocean County, New Jersey ("Owner"), will be received at the Borough Hall, 340 Drum Point Road (Yogi Plaza), 2<sup>nd</sup> Floor, Brick, New Jersey 08723 on Tuesday, August 9, 2016, at 10:00 a.m. prevailing time, at which time they will be publicly unsealed and the contents publicly announced.

The work includes the furnishing of all labor, materials and equipment necessary to complete the work as shown on the Drawings and as described in the Specifications. The work consists of the emergency response earth work activities to fortify eroding, breaching, or overwashing areas within the Borough of Mantoloking (Borough) when and where directed, on an emergency basis.

The work is located in the Borough of Mantoloking and includes: transporting of sand, gravel and/or clean fill materials from outside sources; trucking sand and like material to various areas within the Borough; and spreading and grading said imported material to address storm damage and insure minimum flooding of the Borough. The Contractor shall provide the services for a one-year base term period with a one (1) year extension option, which may be exercised at the sole discretion of the Borough of Mantoloking.

No bid will be received unless in writing on the forms furnished, and unless accompanied by bid security in the form of a bid bond, cashier's check, or a certified check made payable to the Borough of Mantoloking in an amount equal to 10% of the amount of the total bid, but not exceeding \$20,000.

The bid shall be accompanied by a Certificate of Surety on the form included in the Contract Documents, from a surety company licensed to do business in the State of New Jersey, which shall represent that the surety company will provide the Contractor with the required bonds in the sums required in the Contract Documents and in a form satisfactory to the Owner's Attorney and in compliance with the requirements of law.

Bidders must use the prepared bid form which is contained in the Contract Documents. Each individual proposal must be separately enclosed in a sealed envelope addressed to the Borough Clerk, 340 Drum Point Road (Yogi Plaza), 2nd Floor, Brick, New Jersey 08723 marked on the outside with the number of the contract(s) and name of the project being bid on.

No bids will be received after the time and date specified, and no bids will be received by mail. Bids shall be received by courier service (date and time recorded) or shall be hand delivered. The Owner shall award the Contract or reject all bids within 60 days of bid opening, except that the bids of any bidders who consent thereto may, at the request of the Owner, be held for consideration for such longer period as may be agreed.

The Owner will evaluate bids and any award will be made to the lowest, responsive, responsible bidder in accordance with N.J.S.A. 40A:11-6.1. The Owner reserves the right to reject any or all bids and to waive minor informalities or irregularities in bids received.

The qualification and reclassification of bidders will be subject to the statutory provisions contained in N.J.S.A. 40A:11-25 to 32 ("Local Public Contract Law").

All bid security except the security of the three apparent lowest responsible bidders shall be returned, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bids of the bidders whose bid security is returned shall be considered withdrawn.

Each bidder must submit with his bid a signed certificate stating that he owns, leases or controls all the necessary equipment required to accomplish the work shown and described in the Contract Documents. Should the bidder not be the actual owner or leasee of such equipment, his certificate shall state the source from which the equipment will be obtained and, in addition, shall be accompanied by a signed certificate from the owner or person in control of the equipment definitely granting to the bidder the control of the equipment required during such time as may be necessary for the completion of that portion of the Contract for which it is necessary. The bidder shall comply with the documentation requirements set forth in the Article of the Information for Bidders, entitled, "Bidder Submissions".

The successful bidder will be required to submit bonds and proof of insurance on or before execution of their respective Contracts as explained in the Contract Documents.

Bidders are required to comply with all relevant Federal and State Statutes, Rules and Regulations including but not limited to the applicable provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000D-4A), the discrimination and affirmative action provisions of N.J.S.A. 10:2-1 through 10:2-4, the New Jersey Law against Discrimination, N.J.S.A. 10:5-1, et seq., the rules and regulations promulgated pursuant thereto, the State requirement for bidders to supply statements of ownership (N.J.S.A. 52:25-24.2) and the State requirement for submission of the names and addresses of certain subcontractors (N.J.S.A. 40A:11-16).

The Contract Documents may be examined and obtained at the Office of the Engineer, Mott MacDonald, 3 Paragon Way, Freehold, New Jersey 07728, between the hours of 8:00 a.m. and 4:45 p.m. The Contract Documents may be purchased by a prospective bidder upon payment of

a fee of twenty-five dollars (\$25.00) for each contract specification. Payment must be made by business check and shall be made out to Mott MacDonald. If requested by a prospective bidder, one complete set of the Contract Documents will be sent as follows:

- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of the Contract Documents and the bidder's bill-to account number;
- or*
- By overnight courier (US Postal Service, FedEx, UPS, Airborne Express, etc.) upon receipt of the cost of Contract Documents plus twenty-five dollars (\$25.00) for shipping and handling.

Pursuant to N.J.S.A. 10:5-31 et seq., bidders are required to comply with the requirements of P.L. 1975 c. 127, NJAC 17:27.

Each Bidder must submit with his bid an "Ownership Disclosure Statement" and "Non-Collusion Affidavit" on the forms included in the Contract Documents.

Bidders and their subcontractors of any tier must comply with all applicable provisions of the Public Works Contractor Registration Act, P.L. 1999, c. 238 (N.J.S.A. 34:11-56.48) and the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25).

Pursuant to P.L. 2004, c.57 (N.J.S.A. 52:32-44) effective September 1, 2004, all business organizations that conduct business with a New Jersey government agency are required to be registered with the State of New Jersey. Bidders and their subcontractors must submit proof that at the time of the Bid they are registered with the New Jersey Department of Treasury, Division of Revenue by submitting a copy of their Business Registration Certificate prior to Contract award.

It is the purpose of this Notice to Bidders to summarize some of the more important provisions of the Contract Documents. Prospective bidders are cautioned not to rely solely on this summary, but to read the Contract Documents in their entirety.

By Order of the Borough of Mantoloking

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George C. Nebel, Mayor