



WILLIAM A. BELL, SR.  
MAYOR

# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS  
ARCHITECTURAL DIVISION

ROOM 220—CITY HALL  
710 NORTH 20TH STREET  
BIRMINGHAM, ALABAMA 35203-2292

ANDRE V. BITTAS  
DIRECTOR

## INVITATION TO BID

Sealed bids for **PLAYGROUND EQUIPMENT REPLACEMENT AND SITE FURNISHINGS-PACKAGE A Various Addresses Birmingham, AL** will be received by the City Architect in Conference Room 215 Birmingham City Hall, Birmingham, 2:00 p.m., **Tuesday, November 14, 2017** at which time and place they will be publicly opened and read aloud.

All bids must be on a lump sum basis. Bids are to be submitted in duplicate on the Proposal Form provided with specifications. No pre-qualification of bidders will be conducted prior to receiving bids.

Under the Alabama State Code, Section 39-2-4, as amended by Act #2016-260, it is required for any contract exceeding \$50,000 that the Bidder submit with his bid, either a cashier's check, drawn on an Alabama bank, or a bid bond, executed by a surety authorized and qualified to make bonds in Alabama, payable to the City of Birmingham, in an amount (subject to a maximum of \$50,000.00) equal to five percent (5%) of the bid. In order for a bid to be considered, it must be accompanied by an acceptable bid bond or cashier's check.

Any bid submitted for an amount of \$50,000 or more, the bidder must be a licensed general contractor in the State of Alabama in accordance with Section 34-8, of the Alabama State Code. Contractor's license number shall appear on the outside of the envelope used to submit bid.

A Performance Bond in the amount of 100% of the contract amount and a Statutory Labor and Material Payment Bond in the amount of 100% of the contract amount will be required from the successful bidder at the signing of the contract. Also, proof of insurance will be required when the contract is signed. The City will review bonds and insurance and execute the contract within twenty (20) days unless the successful contractor agrees to an extension in writing.

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A Pre-bid Conference to review and discuss the project will be held at **10:00 a.m. on Tuesday, October 31, 2017 in City Hall Conference Room 215, 710 20<sup>th</sup> Street, North Birmingham, AL 35203.** Attendance at the Pre-bid Conference is **MANDATORY** and shall be deemed a consideration of a bidder's responsiveness, in addition to any other stipulations.

Bid documents are opened to public inspection at the Department of Planning, Engineering and Permits—Architectural Division, Room 220 City Hall, 710 20th Street North Birmingham, AL 35203. Electronic version of the bid documents may be viewed online at McGraw-Hill Construction-Dodge, <http://www.planroom.construction.com/>; AGC/iSQFT Plan Room, <http://www.alagc.org/resourcesServices/internetPlanRm/>; Construction Market Data, <http://www.cmdgroup.com/>; and at the Birmingham Construction Industry Authority, 3600 Fourth Avenue South, Birmingham, AL 35222.

Bid documents may be viewed and purchased through the City of Birmingham online plans room site at <http://BirminghamBids.algraphics.com>. Any cost for reproduction shall be the responsibility of bidders.

Since award may not be made within thirty (30) days, no bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.

The City reserves the right to reject any or all bids submitted, and to waive any informalities.

### **IMPORTANT BIDDER INFORMATION**

Bidders are expected to prepare their bid to include all necessary material, labor, bonds, permits, overhead, profit, taxes, insurance, etc. costs. It is not the City's obligation to bring mistakes/omissions in bid to bidder's attention. If after bid opening, a bidder determines he has a mistake in bid, he may seek withdrawal of his bid without forfeiting his bond, if the request is in writing within three (3) work days after the bid opening, and is accompanied by clear and convincing evidence of the mistake.

All cashier's checks or bid bonds will be returned immediately after bids are checked and tabulated to all except the three (3) lowest bona fide bidders. Bid bonds shall be returned to the three (3) lowest bona fide bidders when the contract is signed and performance and payment bonds and insurance are furnished by the successful bidder. If award is not made within fifteen (15) days after bid opening, all bid guarantees will be returned except for those of the potentially successful bidders. If after sixty (60) days, no award has been made, all bids shall be rejected and the potentially successful bidder's guarantee will be returned unless the bidder agrees in writing to a time extension. If a time extension is effected, bidder may substitute any cashier's check for a satisfactory bid bond.

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Any contract resulting from this Invitation to Bid shall not be assignable without prior written consent of the City. Under no conditions, shall the contract be assigned to an unsuccessful bidder whose bid was rejected as non-responsive and/or non-responsible.

A Notice to Proceed will be issued by the City within fifteen (15) days after final contract execution unless both parties agree in writing to a longer period of time.

Special attention is called to the applicability of the Birmingham Plan-Construction Industry Program to the project. Under this Program, the utilization of Minority Business Enterprises and Disadvantaged Business Enterprises (MBE/DBE) is encouraged on a voluntary basis. The Construction Industry Authority established a system of floating MBD/DBE goals which may differ from year to year and project to project. Overall, these goals shall not be less than the historical participation of MBD/DBE's in construction projects of the City and its agencies. Additional information about this Program is contained in the Project Manual and may be obtained from the Executive Director, Birmingham Construction Industry Authority at 3600 4th Avenue, South, Birmingham, Alabama 35222 (Telephone: 205-324-6202). For federally funded contracts, the provisions of the President's Executive Order 11246 and federal agency regulations requiring affirmative action to achieve employment and utilization of minority persons and business will apply.

As a matter of public policy, the City of Birmingham agrees to make opportunities available to the maximum extent possible, to actively include Historically Underutilized Business Enterprises (HUBE's) such as architectural firms, engineering firms, investment banking firms, other professional consultant services providers, and construction contractors as part of business, economic and community revitalization programs.

Bids must be submitted in a sealed envelope marked: **PLAYGROUND EQUIPMENT REPLACEMENT AND SITE FURNISHINGS-PACKAGE A** may be hand delivered to Conference Room 215 City Hall, Birmingham, Alabama, or mailed to: City of Birmingham Planning, Engineering and Permits Department, Architectural Division, Room 220 City Hall, 710 North 20th Street, Birmingham, Alabama 35203. Bids sent by any express carrier (Federal Express, UPS, Airborne, etc.) must specify delivery to Room 220 City Hall.

It is the bidder's responsibility to make sure that his bid is in the possession of the City Architect on or before 2:00 p.m., **Tuesday, November 14, 2017**. Bids received after this time will not be considered.

Alan Terry Oglesby, City Architect