

TOWNSHIP OF DENVILLE  
MORRIS COUNTY, NEW JERSEY  
2012 MUNICIPAL ROAD CRACK SEALING

**NOTICE TO BIDDERS**

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

2012 MUNICIAPAL ROAD CRACK SEALING

Sealed bids for the above named Contract, which comprises of crack sealing of municipal roads within the Township of Denville, Morris County, New Jersey ("Owner"), will be received by the Township Clerk at the Township of Denville, 1 St. Mary's Place, Denville, New Jersey 07834 on September 26, 2012 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 described in the Specifications. The work consists of crack sealing of municipal roads in ordinance with the New Jersey Department of Transportation (NJDOT) specifications, as amended herein. The work is located along various roads within the Township of Denville. The Township will identify specific roads to be crack sealed upon award of the contract. The Township will target neighborhood roads which have been resurfaced within the past ten (10) to twenty (20) years. The condition of each road will vary. The work includes: road work and general construction. The work shall be completed within 90 calendar days of the Contractor's receipt of written Notice to Proceed.

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 Township of Denville 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 Steven Ward, Administrator, Township of Denville, 1 St. Mary's Place, Denville, New Jersey 07834 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. A copy of N.J.S.A 40A:11-6.1 is included in Section entitled Local Public Contract of this specification. 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”). A copy of N.J.S.A. 40A:11-25 to 32 is included in the Section entitled “Local Public Contract Law” of this specification.

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 lease 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).

Bidders are required to comply with the provisions of N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27, and any amendments thereto, regarding Affirmative Action. The successful bidder, upon notification of the Township’s intent to award a contract to said bidder, shall complete and submit an Initial Project Workforce Report, Form AA-201. The bidder must also submit a copy of the Monthly Project Workforce Report, Form AA-202, once a month thereafter for the duration of the Contract, to the Division of Contract Compliance and EEO in Public Contracts and to the Township. The successful bidder shall also cooperate with the Township in the payment of budgeted funds, as is necessary, for on-the-job and/or off-the-job programs for outreach and training of minorities and women.

The bidder's Affirmative Action documentation must be supplied to the Township within twenty-one (21) days of the bidder's notification of the Township's intent to award. If the bidder fails to supply the Township with the necessary Affirmative Action documentation, the Township may declare the bidder non-responsive and award the contract to the next lowest bidder.

Bid packets may be reviewed and downloaded online at no cost through the Morris County online bid system <http://www.morriscountybidsystem.com/Registration.asp>. The Contract Documents may be examined and obtained at the Township of Denville, 1 St. Mary's Place, Denville, New Jersey 07834, between the hours of 9:00 a.m. and 4:00 p.m. Paper copies of the Contract Documents may be purchased by prospective bidder upon payment of a fee of twenty-five (\$25.00). Payment must be made by business check and shall be made out to the Township of Denville.

If the Contract is awarded, no refunds will be given. If for any reason the Contract is not awarded, refunds will be made to bidders pursuant to N.J.S.A. 40A:11-24(b) when the Contract Documents are returned in reasonable condition within 90 days of notice that the Contract has not been awarded.

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 Township of Denville

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Steven Ward, Administrator