

## NOTICE TO BIDDERS

NOTICE is hereby given that sealed bids will be received by the Bayshore Regional Sewerage Authority (hereinafter called the "Owner") for:

### CONTRACT NO. 114-S

### POWER RESILIENCY GENERATION PROJECT

**Due to the COVID-19 pandemic, we encourage and are accepting bids via U.S. Mail or delivery service (date and time recorded). Please call 732-739-1095 to make any other arrangements for delivery of bid documents.**

Sealed bids for the above-named Contract will be received at the Bayshore Regional Sewerage Authority (BRSA) Administration Building, 100 Oak Street, Union Beach, New Jersey, 07735, on **May 18, 2023 at 11:00 A.M.**, prevailing time, at which time they will be publicly unsealed and the contents publicly announced. A non-mandatory Pre-Bid Meeting has been scheduled for **April 13, 2023 at 10:00 A.M.**, prevailing time at the address listed above. Note that this essential construction project is proceeding during the COVID-19 global pandemic and social distancing guidelines are in effect during the Public Bid Opening and Pre-Bid Meeting.

The proposed Power Generation Resiliency Project includes: selective demolition of structural, electrical, and mechanical components; construction of a Generation Building, construction of a power distribution enclosure, flood protection, electrical work; horizontal direction drilling, utility piping; and site work as shown on the Plans and described in the Specifications. The work includes the furnishing of all labor, materials, equipment, transportation, supervision, incidentals and services necessary to complete the project. All work will take place at the BRSA's Treatment Plant at 100 Oak Street, Union Beach, Monmouth County, New Jersey, 07735, and at MCBOA's Outfall facility at 8 Edmunds Avenue, Union Beach, Monmouth County, New Jersey 07735.

Complete sets of Contract Documents may be purchased by respective bidders, subcontractors, manufacturers and other interested parties online using the Quest CDN website at [www.questcdn.com](http://www.questcdn.com). The eBidDoc reference number for this project is **8018282** and the cost of the Contract Documents is **\$150.00 per set**. The bidders will be provided with both paper and electronic copies. Other arrangements can be made by calling 732-739-1095. Additional information for this project can be found at the Authority website at [www.bayshorersa.com](http://www.bayshorersa.com).

All inquiries for clarification of any matters concerning the Contract Documents shall be made in writing to the above address or via email at [tpetti@bayshorersa.com](mailto:tpetti@bayshorersa.com) and must be received at least 7 days – Saturdays, Sundays and Holidays excepted – prior to the date fixed for the opening of bids. For other inquiries contact Mr. Thomas Petti of the Authority at 732-739-1095.

One original and two copies of bid proposals are to be submitted. The bidder must include a USB flash drive within the sealed envelope containing a digital (PDF) copy of the prepared bid form and supporting documents. No bid will be accepted by the Owner unless the bidder provides it in writing and on the forms furnished herein, and unless accompanied by a bid guarantee in the form of a bid bond, cashier's check, or a certified check made payable to the Bayshore Regional Sewerage Authority 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.

No bids will be accepted after the time and date specified. Bids shall be received by U.S. Mail and delivery service (date and time recorded) or other delivery options shall be prearranged with the Owner by calling 732-739-1095. After receipt of bids, no bid shall be withdrawn except as expressly authorized herein. The Owner shall award the Contract or reject all bids within 60 days of the 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 and responsible bidder whose bid conforms to this solicitation. The Owner reserves the right to reject any or all bids and to waive minor informalities or irregularities in bids received as permitted by the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.).

All bid guarantee, except the security of the three apparent lowest responsible bidders, will be returned to the respective bidders, unless otherwise requested by the bidder, within ten (10) days after the opening of the bids, Sundays and holidays excepted, and the bid of the bidder whose bid guarantee is returned shall be considered withdrawn. Each bidder must submit with its bid a signed certificate stating that it 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 lessee of such equipment, its 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 Responsibility."

Successful bidder will be required to submit bonds and proof of insurance on or before execution of its Contract 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, 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)

The bidder is required to comply with the New Jersey business registration provisions of N.J.S.A. 52:32-44 which imposes certain requirements upon a business competing for or entering into a contract with a public contracting agency. A copy of a Business Registration Certificate issued by the Department of the Treasury; Division of Revenue for the Contractor may be submitted with the proposal but must be received prior to the award of Contract.

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

Pursuant to N.J.A.C. 10:5-33, bidders are required to comply with the requirements of P.L. 1975 c. 127. Each Bidder must submit with its bid an "Ownership Disclosure Statement" and "Non-Collusion Affidavit" on the forms included in the Contract Documents.

In accordance with the provisions of N.J.S.A. 58:11B-26, N.J.A.C. 7:22-3.17(a)24 and 4.17(a)24, the Contractor and its subcontractors shall comply with all the provisions of N.J.A.C. 7:22-9.

The Contract is funded in part with funds from the New Jersey Department of Environmental Protection, the New Jersey Environmental Infrastructure Trust, and the Federal Emergency Management Agency. The successful bidder must comply with all the provisions on N.J.A.C. 7:22-9.1 et seq. for the participation of small business enterprise owned and controlled by socially and economically disadvantaged individuals (SED's). Included in the Contract will be special requirements of the contractors to comply with the Owner's SED Utilization Plan. Neither the State of New Jersey, the New Jersey Environmental Infrastructure Trust nor any of their departments, agencies or employees is, or will be, a party to this contract or any lower tier contract or subcontract. This Contract is subject to the provisions of N.J.A.C. 7:22-3, 4, 5, 9 and 10.

By Order of the Bayshore Regional Sewerage Authority

Marcy McMullen, Chairwoman