

**SECTION 00100
INSTRUCTIONS TO BIDDERS**

THE CARROLL COUNTY BOARD OF COMMISSIONERS, ("CCBC"), pursuant to the provision of O.C.G.A., § 36-91-1, *et seq.*, herein seeks competitive Bids from Pre-Qualified General Contractors for the construction of a new Justice Center to be located at 323 Newnan Street, Carrollton, Georgia (the "Project"). The Project will include the construction of a new four story Building containing approximately 105,000 Square Feet. A detailed design for the Project, including Plans and Specifications, has been prepared jointly by Alex Roush Architects, Inc. and Gardner, Spencer, Smith, Tench & Jarbeau, PC (the "Architect(s)").

Any Proposer submitting a Bid ("Contractor") in response to the aforesaid Invitation to Bid shall comply with the following specific instructions:

- (1) The submission of a Bid constitutes an acknowledgment and representation by the Contractor that it has visited the Project site and has familiarized itself with the local conditions under which the required Work is to be performed;
- (2) The submission of a Bid constitutes a representation by the Contractor that it has studied and examined the Contract Documents and such other information as may have been furnished by the Owner or the Architect. Furthermore, the submission of a Bid constitutes a representation by the Contractor that it has no knowledge of any ambiguities, errors, omissions or other inaccuracies in any of the Contract Documents or material furnished by the Owner or Architect in connection with the Project;
 - a. The Contractor shall require that all subcontractors review all parts of the Contract Documents as necessary to verify coordination with other trades and their own work. This coordination shall include, but not limited to the following.
 1. The appropriate subcontractors shall review the drawings and project manual to assure that all devices, including mechanical equipment, electronic devices and other devices requiring electricity have adequate power supplied to them. The bid shall include power to all devices and equipment needing it.
 2. The mechanical and plumbing subcontractors shall review the documents to determine that all mechanical and plumbing equipment and fixtures have piping, power, clearances and installation and maintenance and any other requirements necessary to be a fully operational system.
 3. Any material, fixture or equipment shown on the drawings or specified shall include adequate attachment to be safe, sturdy and fully operational for its intended use.
 4. Roofing shall have adequate slopes to satisfy the warranty requirements of the manufacturer included in the bid. Provide additional tapered insulation where it is required to accomplish required slopes.
 5. Where demolition is called for, all pipes, electrical devices, conduit and wire, mechanical equipment, plumbing fixtures and pipe and any other systems associated with that demolition shall be included in the bid. Subcontractors shall review the existing conditions to verify the extent of this demolition.
 6. Site demolition shall include removal of all building and site features necessary for the construction of the new Building. The Contractor shall review the existing conditions to verify the extent of this demolition.
- (3) Any Bid may include such documentation and information as the Contractor deems appropriate to establish that it is a responsible and responsive Contractor and that its Bid is the most advantageous to the Owner, taking into consideration the specific evaluation factors, listed in their order of relative importance, as set forth in the aforesaid Invitation to Bid;
- (4) All Bids must include a fully executed Bid Bond in the Form attached hereto as SECTION 00430 (AIA Document A310) in the amount of Five Percent (5%) of the

proposed Contract Stipulated Sum (exclusive of any price for Alternates or Unit Prices). Required Payment and Performance Bond Form attached hereto as SECTION 00610 (AIA Document A312) are required to be submitted by the Contractor in accordance with the requirements of the Contract Documents. Such Payment and Performance Bonds shall each be in the amount of One Hundred Percent (100%) of the proposed Contract Stipulated Sum as set forth in the Agreement between the CCBC and the Contractor;

- (5) The Architect will give consideration, prior to submission of Bids, to requests for approval of products similar to those specified by proprietary names, provided only that such requests comply with the following provisions:
- (A) All requests for substitution must be addressed in writing to the Project Architect, Tyson Glore at tyson@aroush.com, within 72 Hours prior to date set for opening of Bids.
 - (B) Any request for substitution must identify the product for which substitution is requested by brand name and/or catalog number, together with Section and Article number where specified, and must identify in similar manner the proposed substitution;
 - (C) Any requests for substitution must explain fully the difference, if any, between the proposed substitution and products specified, including but not limited to physical color, function, and guarantee considerations;
 - (D) Any requests for substitution must be accompanied by technical data, including laboratory tests, if applicable, on the proposed substitution;
 - (E) Any requests for substitution must give complete information on changes, if any, to Drawings or Specifications which will be necessary or advisable if the substitution is approved;
 - (F) Any request for substitution must identify Three (3) Projects wherein the proposed substitution has been utilized and such identification must include the name and address of such Projects' Owners, Architects and General Contractors. Separate requests shall be made for each proposed substitution, save and except where multiple substitutions are related to a complete assembly, such substitutions may be addressed in a single request. The Architect will review requests for substitution submitted in accordance with the above requirements and if in the sole discretion of the Architect such substitution is in the Owner's interest, he will, by Addendum, add the substitution to the applicable Specification. Substitutions requested after award of Contract will be considered only if they are in accord with the provisions and requirements set forth herein, and as prescribed in Specification Section 01630;
 - (G) No substitution will be considered prior to receipt for bids unless the Architect has received a written request for approval which shall reach the Project Architect, Tyson Glore at tyson@aroush.com, within 72 Hours prior to date set for opening of Bids.
- (6) **A Mandatory Pre-Bid Conference will be held at 10:00 a.m. on the 11th day of March, 2010 at the Administrative Office in the Commissioners Board Room, located at 423 College Street, Carrollton, Georgia 30112. Representatives of Owner and Architect(s) will be present to discuss the Project. The purpose of this Conference is to review Project requirements and to respond to questions from prospective Bidders related to the intent of the Bid Documents. Oral statements shall not be binding or legally effective. Any Bidder not attending the Pre-Bid Conference in its entirety will be deemed to have not complied with the requirements of the Bidding Documents and their Bid will be rejected.**
- (7) The Bidder (e.g., General Contractor and/or Subcontractors) requiring clarification or interpretation of the Bid Documents shall make a written request which shall reach the Project Architect, Tyson Glore at tyson@aroush.com, within 72 Hours prior to date set for opening of Bids. Any changes, additions, interpretations, or corrections, to or concerning the Contract Documents prior to the date for submission of Bids will be issued as an Addendum by the Architect. Only such written changes, additions, interpretations, or corrections by Addendum shall be binding. Any changes,

additions, interpretations, or corrections given by any other method shall not be valid and the Contractor shall not rely upon in any manner whatsoever any verbal statements, instructions, interpretations, corrections, or other information provided by the Owner or the Architect or their representatives. Addenda will be issued no later than 72 Hours prior to date set for opening of Bids, except an Addendum withdrawing the Invitation to Bid or one which includes postponement of the Date for Receipt of Bids. Addendum will be sent via email to all Contractors and entities that are registered with the Office of the Architect as having received Contract Documents for the Project. Such Addendum will be emailed to the addresses as furnished by such Contractors or entities;

- (8) All Bids must be signed by a duly authorized Officer, Member, or General Partner (as appropriate) and Dated. All blanks on the Bid Form shall be filled in and numbers shall be written in English words and in Arabic numerals where so requested. The completed Bid Form shall be without interlineations, alterations or erasures. Addenda must be acknowledged where so designated and the Bid shall include a proposed price for all Alternates and Units. In the event a Contractor does not desire to make a change in its Bid for any given Alternate, it shall so indicate by using the words "No Change". Any Base Bid Proposal must be submitted in duplicate (Two (2) Original Signed Copies) in One (1) Sealed Envelope and received by the **Carroll County Board of Commissioners** at its **Administrative Office** in the **Commissioners Board Room**, located at **423 College Street, Carrollton, Georgia 30112**, no later than **2:00 p.m. on Thursday, the 29th of April, 2010**. The CCBC will receive such Bids at such time and place;
- (9) At the discretion of the CCBC, and in conformity with the applicable provisions of Georgia Law, the CCBC may afford Contractors an opportunity for subsequent discussion, negotiation, and revision of Bids. The CCBC reserves the right to reject any or all Bids and to waive any technicalities or informalities. Incomplete or irregular Bids, and Bids submitted without the required Bid Bond, will be rejected by the CCBC;
- (10) Bids must contain all required information. All information must be entered in the proper and appropriate location on the appropriate Bid Forms. Bids submitted with missing information, or bids with markings other than those required, including "Adds" and/or "Deducts" written on the Bid Form or Envelope will be rejected;
- (11) Prior to commencing any Work on the Project, any Contractor selected by the CCBC shall execute a written oath in accordance with the provisions of O.C.G.A. § 36-91-21(e) affirming that it has not prevented, or attempted to prevent, competition in connection with the submission of Bids to the CCBC by any means whatever nor has it prevented, or endeavored to prevent, anyone from submitting a Bid by any means whatever nor has it caused or induced another to withdraw a Bid for the Work in issue;
- (12) Any Bid must be submitted to the CCBC on the Bid Form attached hereto as SECTION 00410, BID FORM and same shall be executed under oath by an Officer, Partner, or Member of the Contractor;
- (13) Upon submission, all Bids shall become and remain the property of the CCBC. The CCBC shall have no liability arising out of the disclosure, dissemination, or publication of any Bid or any information contained therein;
- (14) Any Bid submitted to the CCBC shall remain open for acceptance by the CCBC, and same shall be honored by the Contractor, for a period of Sixty (60) Days of the Date set forth hereinabove for the Receipt of Bids;
- (15) There will be a public opening of all Bids immediately following the closing of the submission period.
- (16) The CCBC reserves the right to amend these Instructions, or clarify same by Addendum, within the time provided by Georgia Law. If such revisions or amendments are of such magnitude as to warrant, in the sole discretion of the CCBC, the postponement for the Date of Submission and receipt of Bids, written notification shall be issued to any Contractor who has notified the CCBC in writing of its intent to submit a Bid pursuant to the CCBC's Invitation to Bid.

END OF DOCUMENT