



BAY COUNTY BOARD OF COUNTY COMMISSIONERS

**PURCHASING DEPARTMENT
840 WEST 11th STREET
SUITE 2500
PANAMA CITY, FLORIDA 32401**

INVITATION TO BID

**REDWOOD AVENUE DRAINAGE IMPROVEMENT
CDBG-DR PROJECT M0015**

**THIS BID MAY BE SUBMITTED ELECTRONICALLY THROUGH [OPENGOV](#)
[PROCUREMENT](#)**

**THOSE BIDDERS WISHING TO SUBMIT A PAPER BID MAY CONTACT THE
[PURCHASING DEPARTMENT](#)**

ITB No. 24-50

TABLE OF CONTENTS

INSTRUCTIONS TO BIDDERS..... 3
INTRODUCTION 3
QUALIFICATIONS..... 3
MANDATORY PRE-BID MEETING 3
BID DEADLINE/DELIVERY 4
BID DOCUMENTS 4
POINT OF CONTACT 5
QUESTIONS 5
ADDENDA..... 5
BID FORM..... 5
BONDS..... 5
COMPLETE BID AMOUNTS; EXAMINATIONS OF SPECIFICATIONS; WORK SITES..... 5
WITHDRAWAL OF BIDS..... 6
CANCELLATION 6
BASIS OF AWARD..... 6
RIGHT TO REJECT 6
EXECUTION OF AGREEMENT 6
LICENSING 7
GENERAL TERMS..... 7
UNIQUE ENTITY IDENTIFIER (UEI)..... 7
PUBLIC RECORDS..... 7
EXEMPTION OF MEETINGS/PRESENTATIONS..... 8
REPRESENTATIONS 8
WARRANTY 8
SUBCONTRACTORS..... 8
MINORITY BUSINESS AND WOMEN’S BUSINESS UTILIZATION REQUIREMENTS..... 9
SECTION 3 REQUIREMENTS:..... 9
BID PROTEST..... 10
ANTICIPATED SCHEDULE 10
BID CHECKLIST 11
ATTACHMENT 1 REQUIRED FORMS 12
ATTACHMENT 2 SAMPLE CONTRACT 24-50
EXHIBIT 1 GENERAL TERMS AND CONDITIONS
EXHIBIT 2 SPECIFICATIONS PACKAGE
EXHIBIT 3 CONSTRUCTION PLANS
EXHIBIT 4 FEDERAL CONTRACT REQUIREMENTS
EXHIBIT 5 CONTRACTOR’S RESPONSE TO ITB 24-50
EXHIBIT 6 BAY COUNTY INSURANCE REQUIREMENTS
EXHIBIT 7 PUBLIC CONSTRUCTION BOND

INSTRUCTIONS TO BIDDERS

**Some of the instructions below may not apply to all projects.
The scope of work/specifications shall control any conflicting provisions**

INTRODUCTION

The Bay County Board of County Commissioners (County) seeks bids from qualified contractors for the construction of approximately 2710 LF of 48" Concrete Stormwater Pipe. Contractor to provide all necessary labor, supervision, equipment and materials to complete the project.

The project will consist of earthwork, erosion control, asphaltic concrete pavement, guardrail, signing and marking, drainage improvements including but not limited to the installation of a hydrodynamic vortex separator, storm headwalls, manholes, inlets and pipes.

This project may be reimbursed by the Florida Department of Commerce (FDOC) as part of Disaster Recovery. Funding for the project may be made possible through the HUD Community Development Block Grant Disaster Recovery (CDBG-DR) program. Funding is contingent on strict conformance to the guidelines set forth by FDOC Federal Procurement and Contract Standards. It is imperative that the Respondents examine and become familiar with the CDBG-DR grant program requirements. Respondents will comply with the Federal Regulations Contract Requirements shown in **Exhibit 4**.

QUALIFICATIONS

The Prime Contractor or Subcontractor shall be qualified in, under Rule Chapter 14-22, Florida Administrative Code, the following major classes of work: 1) Drainage 2) Flexible Paving, 3) Grading, 4) Grassing, Seeding and Sodding, 5) Hot Plant-Mixed Bituminous Courses, 6) Pavement Markings, and 7) Roadway Signing.

MANDATORY PRE-BID MEETING

A **MANDATORY** Pre-Bid Meeting will be held at **10:00 a.m. (CDT), on Thursday, October 17, 2024**, in the **Public Works Conference Room**, 840 W. 11th Street, Suite 2400, Panama City, FL 32401.

Note: Respondents shall attend the pre-bid meeting. Any respondent who fails to attend will be deemed non-responsive and automatically disqualified from further consideration. The purpose of this meeting is to familiarize respondents with the project and answer questions. All respondents must be present and signed in prior to the start of the Mandatory Pre-Bid Meeting. The convener of the meeting will collect the sign in sheet(s) and the meeting will "Officially" start. Anyone not signed in at the "Official" start of the meeting will be considered late and will not be allowed to propose on the project. Please allow 10 to 15 minutes to sign in prior to the start of the Mandatory Pre-Bid Meeting.

In the event that any discussions or questions at the pre-bid meeting or afterward require additional clarification the COUNTY will issue a written summary of questions and answers as an addendum to this Invitation to Bid.

BID DEADLINE/DELIVERY

ELECTRONIC OR SEALED PAPER BIDS for ITB NO: **24-50 Redwood Avenue Drainage Improvement CDBG-DR Project M0015** will be received by the BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA up until **2:30 pm (CST) on Wednesday November 6, 2024**. Bids will be publicly opened immediately following the deadline. ANY BID RECEIVED AFTER THE SPECIFIED TIME WILL NOT BE CONSIDERED.

Bids for this solicitation may be submitted either electronically via [OpenGov](#) or by paper, sealed and delivered to the Board of County Commissioners Purchasing Department, at 840 W. 11th Street, Suite 2500, Panama City, Florida 32401

Bidders electing to submit paper bids should submit one (1) original bid package. Bids shall be enclosed in a sealed envelope bearing the title of the work, the name of the bidder, and the date for opening. It is the sole responsibility of the bidder to ensure that the bid is received on time.

Each bid shall be valid to Bay County for a period of ninety (90) days after the bid opening. The County will check the bids and notify the selected bidder at the earliest opportunity.

Special Accommodation: Any person requiring a special accommodation at a Pre-Bid Conference or Bid opening because of a disability should call the Purchasing Department at (850) 248-8270 at least five (5) workdays prior to the Pre-Bid Conference or Bid opening. For Hearing Impaired, Dial 1-800-955-8771 (TOO), and 1-800-955-8770 (Voice).

BID DOCUMENTS

Electronic versions of the solicitation documents are available via OpenGov Procurement <https://procurement.opengov.com/signup>

Bid documents, plans, blueprints, or other materials may also be obtained by contacting the Bay County Purchasing Department, purchasing@baycountyfl.gov, 840 West 11th Street, Suite 2500, Panama City, FL 32401, (850) 248-8270.

For those projects with separate plans, blueprints, or other materials that cannot be accessed through the internet, the Purchasing Department will make a good faith effort to ensure that all registered bidders (those who have been registered as receiving a bid package) receive the documents.

POINT OF CONTACT

The County Purchasing Department will be the only point of contact for this ITB. Under no circumstances may a bidder contact any County Commissioner, County Administrator, or County employee concerning this ITB until after award. Any such contact may result in disqualification as per Bay County Code Section 2-124.

QUESTIONS

Bidders shall submit all questions, in writing, to the Purchasing Department via email Purchasing@baycountyfl.gov, or FAX to (850) 248-8276. All questions shall be submitted no later than **5:00 pm (CDT) on October 25, 2024**.

ADDENDA

If any addenda are issued after the initial specifications are released, the County will post the addenda on the Bay County OpenGov site and the County website.

It is the responsibility of the bidder prior to submission of any bid to check the above website or contact the Purchasing Department to verify any addenda issued. The receipt of all addenda must be acknowledged on the addenda response sheet.

BID FORM

To receive consideration, all bids shall be made on the forms provided, properly executed and with all items filled out. Do not change the wording of the Bid Form and do not add words to the wording of the Bid Form. No conditions, limitations or provisions will be attached or added to the Bid Form or other bid documents by the bidder.

No bidder shall be permitted to correct a bid mistake after bid opening that would cause such bidder to have the low bid, except for the correction of errors in extension of unit prices in the bids. In such cases, the unit price bid shall not be changed and shall prevail.

BONDS

A Bid Bond, in the amount of 5% of the proposed base bid contract amount, shall accompany each bid. A scanned copy may be submitted with the e-bid. The successful bidder's security will be retained until the contract has been signed and the bidder has furnished the required Public Construction Bond. The County reserves the right to retain the security of the next bidder until the selected bidder enters into contract or until 90 days after bid opening, whichever is shorter. All other bid security will be returned as soon as practicable.

COMPLETE BID AMOUNTS; EXAMINATIONS OF SPECIFICATIONS; WORK SITES

Bids shall be on the basis of unit price and shall be compensation in full for the complete work. The unit prices shall include all charges for completing the work and include layout, insurance, taxes, field office and supervision, overhead and profit, permits, impact fees, bonds and miscellaneous items needed to complete the bid. No allowance will be made to any bidder because of a claimed lack of examination or

knowledge. The submission of a bid shall be construed as conclusive evidence that the bidder has made such an examination.

WITHDRAWAL OF BIDS

Any bidder may withdraw his bid, either personally or by written request, at any time prior to the scheduled time for opening bids. No bidder may withdraw his bid for a period of 90 days after the date for opening and all bids shall be subject to acceptance by the County during this period.

CANCELLATION

The County may cancel this ITB, or reject in whole or in part, when it is in the best interests of the County, as determined by the Board of County Commissioners. Notice of cancellation shall be posted on the Bay County OpenGov site and the County website. The notice shall identify the solicitation, and, where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurement of similar items.

BASIS OF AWARD

The contract will be awarded to the lowest, responsive, responsible bidder who has proposed the lowest qualified Base Bid and is deemed qualified by Bay County, subject to the County's right to reject any or all bids and to waive informality and irregularity in the proposals and proposing.

RIGHT TO REJECT

In accordance with section 2-113 of the Bay County Code, the County reserves the right to:

- a. reject any or all submittals received;
- b. select and award any portion of any or all submittal items;
- c. waive minor informalities and irregularities in the bidder's submittal.

A bid may be rejected if it is non-responsive or does not conform to the requirements and instructions in this ITB. A bid may be non-responsive by reasons, including, but not limited to, failure to utilize or complete prescribed forms, conditional bids, incomplete bids, indefinite or ambiguous bids, failure to meet deadlines and improper and/or undated signatures. Other conditions which may cause rejection of bids include evidence of collusion, obvious lack of experience or expertise to perform the required work, submission of more than one bid for the same work from an individual, bidder or corporation under the same or a different name, and/or failure to perform or meet financial obligations on previous contracts. Bids may be rejected if not delivered on or before the date and time specified as the due date for submission of the bid.

EXECUTION OF AGREEMENT

The successful bidder shall, within 10 days after receipt of the Notice of Award and the contract forms or documents, sign and deliver to the County Chief Procurement Officer all required contract documents in form and substance approved by the County. The Contractor shall also deliver any required bonds and policies of insurance or insurance

certificate as required. All bonds and insurance documents shall be approved by the Bay County Risk Management Office before the successful bidder may proceed with the work.

Neither the Notice of Award nor the execution of the required contract documents by the Contractor create any rights in the bidder. The bidder has no rights with respect to the award of the contract until a fully executed contract is signed by all required parties and all insurance policies and other required deliverables are provided and approved by the County.

The execution of the contract shall be contingent upon the securing of all applicable permits from Bay County Building Safety Division:
<https://www.baycountyfl.gov/154/Builders-Services>

LICENSING

Bidder shall be properly licensed for the appropriate work specified in this Invitation to Bid. All bidders are requested to submit any required license(s) with their bids. License(s) must be effective as of the bid opening date and must be maintained throughout the contract period. Failure to be properly licensed as stated above will result in the rejection of the bid as nonresponsive.

GENERAL TERMS

Companies that are required to register with the State of Florida Division of Corporations as a domestic or foreign business entity should provide evidence of their registration.

UNIQUE ENTITY IDENTIFIER (UEI)

A number issued by the System for Award Management (SAM) to identify businesses and other entities that do business with the federal government. The UEI has replaced the DUNS number as the authorized identifier for the federal government. All Contractors shall obtain a Unique Entity Identifier (UEI) from SAM.gov.

PUBLIC RECORDS

In accordance with Chapter 119 of the Florida Statutes (Public Records Law) and except as may be provided by other applicable State or Federal Law, all bidders should be aware that bids, responses, and proposals are in the public domain. Bidders must identify specifically any information contained in their response which they consider confidential and/or proprietary and which they believe to be exempt from disclosure, citing specifically the applicable exempting law.

Sealed bids, proposals, or replies received by an agency pursuant to a competitive solicitation are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier.

EXEMPTION OF MEETINGS/PRESENTATIONS

Pursuant to Florida Statute section 286.0113(2), any portion of a meeting at which a negotiation with a Contractor is conducted pursuant to a competitive solicitation, at which a Contractor makes an oral presentation as part of a competitive solicitation, or at which a Contractor answers questions as part of a competitive solicitation is exempt from public meeting requirements. However, the County must make a complete recording of any portion of an exempt meeting and no portion of the exempt meeting may be held off the record. The recording of, and any records presented at, the exempt meeting are exempt from the public records law of section 119.07(1), Fla. Stat. (2015) and section 24(a), Art. I of the State Constitution, until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, submittals, or final replies, whichever occurs earlier. If the County rejects all bids, submittals, or replies and concurrently provides notice of its intent to reissue a competitive solicitation, the recording and any records presented at the exempt meeting remain exempt from section 119.07(1), Fla. Stat. (2015) and section 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A recording and any records presented at an exempt meeting are not exempt for longer than 12 months after the initial agency notice rejecting all bids, submittals, or replies.

REPRESENTATIONS

The contract documents contain the provisions required for the project. Information obtained from an office, Director, or employee of the County or any other person shall not affect the risks or obligations assumed by the bidder or relieve the bidder from fulfilling any of the conditions of the contract.

WARRANTY

All goods and services furnished by bidder, relating to and pursuant to this ITB, will be warranted to meet or exceed the specifications contained herein. In the event of breach, the bidder will take all necessary action, at bidder's expense, to correct such breach in the most expeditious manner possible.

SUBCONTRACTORS

The successful bidder will be the prime service provider and shall be responsible for all work performed and contract deliverables. Proposed use of subcontracts should be included in the bidder's response. Requests for use of subcontractors received subsequent to the solicitation process are subject to review and approval by the County.

The County reserves the right to request and review information in conjunction with its determination regarding a subcontract request. All subcontractors are subject to the same requirements of this solicitation as the successful bidder.

MINORITY BUSINESS AND WOMEN'S BUSINESS UTILIZATION REQUIREMENTS

Positive efforts shall be made by Respondents to utilize minority-owned and women-owned businesses as sources of construction, materials, supplies and services. Such efforts must allow these sources the maximum feasible opportunity to compete for sub-agreements and contracts. Documentation of efforts made to utilize minority and women-owned firms must be maintained by all Respondents. The OWNER's goal for minority-owned business participation as a percentage of construction cost is 10%. The OWNER's goal for women-owned business participation is 5%.

SECTION 3 REQUIREMENTS: The Bidder who receives this award (Vendor) will be required to comply with all Section 3 requirements found at 24 CFR Part 75. All Bidders must submit an appropriate, fully executed Section 3 Project Plan with the sealed bid. A sample plan is included in these Instructions for Bidders' use. Additionally, Vendor will be required to report monthly regarding its Section 3 activities and accomplishments and if any changes have been made to employment. Any subcontractor may also be required to submit reports.

This part of the evaluation will strictly be to determine whether a bidder has submitted an acceptable plan to comply with the Section 3 requirements of this Project. Any bidder found to have submitted a Section 3 Project Plan that does not meet the minimum thresholds or provide a workable implementation plan for meeting the Section 3 goals will be found to be non-responsive for this Project. Bidder shall submit the following:

1. A completed and signed Section 3 Project Plan (Form A) expressing the Vendor's agreement to comply with Section 3 in the employment and subcontracting opportunities created by the Project.
2. A completed and signed Section 3 Business Concern Certification (Form B) – if none of the below are applicable notate n/a or non-applicable and sign.
 - A. A Section 3 Business Concern is a business that can provide evidence supporting that the business meets one of the following thresholds:
 - A. 51 percent or more owned by Section 3 low or very low income persons
 - B. Over 75 percent of the labor hours performed for the business are performed by low- or very low-income persons; or
 - C. It is a business at least 51 percent owned by current public housing residents or residents who currently live in Section 8- assisted housing.

PROHIBITION AGAINST CONSIDERING SOCIAL, POLITICAL, OR IDEOLOGICAL INTEREST IN GOVERNMENT CONTRACTING

Bidders are hereby notified of the provisions of section 287.05701, Florida Statutes, as amended, that the County will not request documentation of or consider a Bidder's social, political, or ideological interests when determining if the Bidder is a responsible Bidder. Bidders are further notified that the County's governing body may not give preference to a Bidder based on the Bidder's social, political, or ideological interests.

BID PROTEST

A notice of protest must be submitted in accordance with section 2-114 of the Bay County Code, as amended from time to time. If a party intends to initiate such an action, it must electronically notify the Chief Procurement Officer and the County Attorney no later than one business day after notice of the awarding authority's decision.

ANTICIPATED SCHEDULE

This schedule may be altered solely at the County's discretion:

ITB Advertisement	10/04/2024 and 10/11/2024
Pre-Bid Meeting	10/17/2024
Questions Due Date	10/25/2024
Bid Deadline	11/06/2024
Board Meeting for recommended award	11/21/2024

BID CHECKLIST

The checklist is provided as a courtesy and may not be all inclusive of items required within this invitation to bids.

The following bid forms may be submitted electronically through the OpenGov site. Bidders submitting paper bids may download all documents from the Purchasing Department's web page: <https://www.baycountyfl.gov/Bids.aspx>

- _____ BID FORM
- _____ ADDENDUM ACKNOWLEDGEMENT
- _____ ANTI-COLLUSION CLAUSE
- _____ CONFLICT OF INTEREST DISCLOSURE FORM
- _____ IDENTICAL TIE BIDS/DRUG FREE WORKPLACE
- _____ SUB-CONTRACTORS
- _____ FLORIDA TRENCH SAFETY ACT CERTIFICATION AND DISCLOSURE STATEMENT
- _____ CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
- _____ APPENDIX A, 44 C.F.R. PART 18-CERTIFICATION REGARDING LOBBYING
- _____ BID BOND
- _____ SECTION 3 PROJECT PLAN
- _____ LICENSES AND CERTIFICATIONS AS REQUIRED