

# ADDENDUM NO. 4

DARKE COUNTY BOARD OF DD  
DARKE COUNTY, OHIO  
PORTICO  
May 30, 2024

To: Planholders

From: Mote & Associates, Inc.  
214 West Fourth Street  
Greenville, Ohio 45331  
Phone: (937) 548-7511  
Fax: (937) 548-7484

Re: Darke County Board of DD  
Portico

This addendum forms a part of the Contract Documents and modifies the original Contract Documents dated April 2024. Acknowledge receipt of this Addendum in the space provided on the Bid Proposal form. Failure to do so may subject the Bidder to disqualification.

## ADVERTISEMENT FOR BIDS, SECTION 00 11 13:

### **1. The Bid deadline date has been extended to 1:30PM on Thursday June 6, 2024.**

Sealed bids will be received by Darke County Board of DD (Owner), 520 S Broadway St, Greenville, OH 45331 until 1:30 P.M. **(local time) on June 6, 2024** for furnishing all labor, materials, and equipment necessary to complete the project known as **Darke County Board of DD - Portico**. The bids will then be publicly opened and read aloud. The work for which proposals are invited consists of the addition of an independent entry portico to the Darke County Board of DD. This facility is a developmental training center with business and administrative offices.

### **2. Article 9.01 - Substantial Completion date has been extended to November 1, 2024.**

Although the owner has extended the completion deadline to November 1, 2024, they are requesting the construction to be completed, start to finish, within a 90 day window to minimize the shutdown of the main front entrance.

Each bidder is required to furnish with its proposal, a Bid Guaranty and Contract Bond in accordance with Section 153.54 of the Ohio Revised Code. Bid security furnished in Bond form, shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety. Each Proposal must contain the full name of the party or parties submitting the Proposal and all persons interested therein. Each bidder must submit evidence of its experiences on the projects of similar size and complexity, and a complete listing of all subcontractors to be used. The Owner intends and requires that the project be completed no later than **November 1, 2024**. No bidder may withdraw his bid within sixty (60) days after the actual date of the opening thereof.

**3. Article 26.01 - Engineer's Estimate has been increased to \$270,000.00**

Darke County Board of DD reserves the right to accept or reject any or all bids, to waive any informalities in the bidding, and to enter into a contract as soon as possible with the bidder whom in their consideration offered the lowest and best proposal. The bid shall be submitted in a sealed envelope with the name of the project you are bidding on and the company name submitting the bid marked on the front of the envelope.

**4. Alternates – Construction Completion Date Extension:**

Please offer a cost savings to the owner to extend the completion date for the contract. This cost savings shall be indicated as a deduct amount from the base bid price for construction to be completed by August 29, 2025.

End of Addendum

Attached: updated BID Forms

**BID FORM**  
**00 41 43**

**ARTICLE 1 - BID RECIPIENT**

1.01

- A. This Bid is submitted to the owner: Darke County Board of DD, 5844 Jaysville-St. Johns Road, Greenville, Ohio 45331
- B. This bid shall be mailed or delivered to the Darke County Commissioner's Office: 520 S Broadway St, Greenville, OH 45331.

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 - BIDDER'S ACKNOWLEDGEMENTS**

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 - BIDDER'S REPRESENTATIONS**

3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified therein, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) existing plans, records & existing reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of existing conditions relating to existing conditions at the Site that have been identified in the Supplementary Conditions, especially any Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially any Technical Data in such reports and drawings.

- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work as required.
- K. Bidder agrees that the Owner reserves the right to reject any or all bids, to waive any informalities or irregularities in the bids received, and to accept that bid which is considered lowest and to the best interest of the Owner.

#### **ARTICLE 4 - BIDDER'S CERTIFICATION**

##### 4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any Bidders to submit a false or sham Bid;
- C. No person interested in this Proposal is directly or indirectly interested in or connected with any other bid or proposal for the said work and no member of Darke County Board of DD is directly or indirectly interested therein, or in any portion thereof, and he will, if required by Darke County Board of DD, execute and submit from himself as Principal Contractor and from any Subcontractor, the non-collusion affidavits as provided herein.
- D. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- E. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence participation in the bidding process or execution of the Contract.

**ARTICLE 5 - BASIS OF BID**

- 5.01 Bidder agrees that any item not specifically shown or called out on the plans or within the specifications, but required to complete the work in place and fully operational, shall be included in the Lump Sum Bid provided.
- 5.02 Bidder will complete the Work in accordance with the Contract Documents for the following price and will contract to do all the work and furnish all the materials and equipment required to complete all work called for by said plans and specifications, and in consideration thereof, will accept from the Owner as full payment for the completion of all items and any required maintenance thereof as hereinafter provided, for the following prices;

**BASE BID – DARKE COUNTY BOARD OF DD - PORTICO**

<b>LUMP SUM BID</b>	<b>Total Lump Sum Bid</b>
Construction of an independent entry portico to the Darke County Board of DD Training Center.	
<b>TOTAL AMOUNT OF LUMP SUM BID:</b>	<b>\$</b>

**Total Lump Sum Base Bid (in words):** \_\_\_\_\_

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**ALTERNATE BID #1 – DARKE COUNTY BOARD OF DD – PORTICO**

<b>LUMP SUM DEDUCT</b>	<b>Total Lump Sum DEDUCT</b>
Offer a deduct amount to be subtracted from the base bid for the owner to extend the contract completion date to August 29, 2025.	
<b>TOTAL AMOUNT OF LUMP SUM DEDUCT:</b>	<b>\$</b>

**Total Alternate Bid #1 (in words):** \_\_\_\_\_

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5.03 Bidder acknowledges that: If this Proposal shall be accepted, Bidder will be prepared to discuss with Darke County Board of DD in detail any matters relating to special features and the methods proposed to be followed for the completion of the work; that within ten (10) days after “Notice of Award” the Contract Form with Darke County Board of DD for performance of the work will be completed; and that the Bidder will furnish the required insurance certificates.

**ARTICLE 6 - TIME OF COMPLETION**

- 6.01 Bidder agrees that the Work will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before November 1, 2024.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the amount of \$500.00 for every consecutive day after the stated date in the Notice to Proceed and along with any time extension given per a Change Order and it may be retained from the monies which may be due.

**ARTICLE 7 - ATTACHMENTS TO THIS BID**

- 7.01 The following documents are submitted with and made a requirement of this Bid:
  - A. Required bid security consisting of a \_\_\_\_\_(Bond or Check) in the sum of \$\_\_\_\_\_ of the total bid amount accompanies this Proposal and the undersigned agrees that should he, after notice of “Award of Contract” fail to execute the Contract and Contract Bond as aforesaid, that his Certified Check or Bid Bond accompanying this Proposal shall be forfeited to Darke County Board of DD as liquidated damage caused by such failure.
  - B. Affidavit for Corporation;
  - C. List of Proposed Subcontractors; and
  - D. Non-Collusion Affidavit.

**ARTICLE 8 - DEFINED TERMS**

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

**ARTICLE 9 - BID SUBMITTAL**

BIDDER: *[Indicate correct name of bidding entity]*

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By: *[Signature]* \_\_\_\_\_

*[Printed name]* \_\_\_\_\_

*(If Bidder is a corporation, limited liability company, partnership or joint venture, attach evidence of authority to sign.)*

Address for giving notices:

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Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Contact Name and e-mail address: \_\_\_\_\_

Bidder's Federal ID No.: \_\_\_\_\_