

## INSTRUCTIONS TO BIDDERS

### PART 1 - SUMMARY

#### 1.1 DOCUMENT INCLUDES

- A. Invitation
  - 1. Bid Submission
  - 2. Intent
  - 3. Work Identified in the Contract Documents
  - 4. Contract Time
- B. Bid Documents and Contract Documents
  - 1. Definitions
  - 2. Contract Document Identifications
  - 3. Availability
  - 4. Examination
  - 5. Queries/Addenda
  - 6. Product/System Substitutions
- C. Site Assessment
  - 1. Pre-Bid Meeting
- D. Qualifications
  - 1. Qualifications
  - 2. Subcontractors/Suppliers/Others
- E. Bid Submission
  - 1. Bid Ineligibility
  - 2. Submission Procedure
- F. Bid Enclosures/Requirements
  - 1. Performance Assurance
  - 2. Bid Form Requirements
  - 3. Fees for Changes in the Work
  - 4. Bid Form Signature
  - 5. Additional Bid Information
- G. Offer Acceptance/Rejection
  - 1. Duration of Offer
  - 2. Acceptance of Offer

#### 1.2 RELATED DOCUMENTS

- A. Section 00300 - Bid Form.
- B. Section 00500 - Owner/Contractor Agreement.
- C. Section 00700 - General Conditions.
- D. Section 01000 - Special Conditions

### PART 2 - INVITATION

#### 2.1 BID SUBMISSION

- A. Bids signed and under seal, fully executed, and dated will be received via email or facsimile by the Owner care of: Bob Bryan, The Home Depot, 2455 Paces Ferry Road, C-19. Phone (770) 384-3797, email [bob\\_bryan@homedepot.com](mailto:bob_bryan@homedepot.com).

- B. Bids due before 1:00 pm EST on the 20th of October, 2009, via email of the Bid Form and required documents will be received. The original Bid Form and required documents will be sent via overnight delivery for weekday receipt.
- C. Offers submitted after the above time may be returned to the Bidder.
- D. Amendments to the submitted offer will be permitted if received in writing prior to Bid Opening and if endorsed by the same party or parties who signed and sealed the offer.

## 2.2 INTENT

- A. The intent of this Bid request is to obtain an offer to perform work to construct Interior Improvements for a stipulated sum contract, in accordance with the Contract Documents.

## 2.3 WORK IDENTIFIED IN THE CONTRACT DOCUMENTS

- A. Work of this proposed Contract comprises general construction, drywall, office finishes, toilet accessories, mechanical, plumbing, fire protection and electrical work.

## 2.4 CONTRACT TIME

- B. The Owner has identified the following schedule that must be met by the successful bidder:
  - 1. Construction Start 10/26/09
  - 2. Substantial Complete / Temporary Certificate of Occupancy 12/11/09

# PART 3 - BID DOCUMENTS AND CONTRACT DOCUMENTS

## 3.1 DEFINITIONS

- A. Contract Documents: Construction Agreement between Owner and Contractor and including issued Addenda.
- B. Bid, Offer, or Bidding: Act of submitting an offer under seal.
- C. Bid Sum: Monetary sum identified by the Bidder in the Bid Form.

## 3.2 CONTRACT DOCUMENTS IDENTIFICATION

- A. The Contract Documents are identified as Project Number 2009-056 as prepared by the Architect, Macgregor Associates Architects and their consultants.

## 3.3 AVAILABILITY

- A. Bid Documents will be accessible through Exesite.

## 3.4 EXAMINATION

- A. Bid Documents may be viewed on Exesite.
- B. Bid Documents may not be placed in local plan rooms by the Contractor.
- C. Upon receipt of Bid Documents, verify that documents are complete. Immediately notify the Architect upon finding discrepancies or omissions in the Bid Documents.

## 3.5 QUERIES/ADDENDA

- A. Direct questions through Exesite to Richard Leonard, Project Architect for Macgregor Associates Architects. Questions must be received within 72 hours of Bid Opening.
- B. Addenda may be issued during the Bidding period.
  - 1. Addenda will only be issued to invited General Contractors. General Contractors shall be responsible for confirming that all subcontractor bidders receive copies of addenda.
  - 2. All Addenda become part of the Contract Documents.
  - 3. Include resultant costs in the Bid Sum.
- C. Verbal answers are not binding on any party.

### 3.6 PRODUCT/SYSTEM SUBSTITUTIONS

- A. Where the Bid Documents stipulate a particular Product, substitutions will be considered by the Architect up to 7 calendar days before receipt of Bids.
- B. Only requests for substitutions submitted by invited General Contractors will be reviewed.
- C. The submission shall provide sufficient information to determine acceptability of such Products.
- D. When a request to substitute a Product is made, the Architect may approve the substitution and will issue an Addendum to known Bidders.
- E. In submission of substitutions to Products specified, Bidders shall include in their Bid, any changes required in the Work and changes to Contract Time and Contract Sum to accommodate such substitutions. A later claim by the Bidder for an addition to the Contract Time or Contract Sum because of changes in Work necessitated by use of substitutions shall not be considered.

## PART 4 - SITE ASSESSMENT

### 4.1 PRE-BID MEETING

- A. A pre-bid meeting at the jobsite will be held with all invited Bidders on Wednesday October 7th, at 11:00 am EST.

## PART 5 - QUALIFICATIONS

### 5.1 EVIDENCE OF QUALIFICATIONS

- A. To demonstrate qualification for performing the Work of this Contract, bidders may be requested to submit written evidence of financial position, previous experience, Home Depot CCIS certifications, current commitments, and license to perform work in the appropriate locale.

### 5.2 SUBCONTRACTORS/SUPPLIERS/OTHERS

- A. Owner reserves the right to reject a proposed subcontractor for reasonable cause.
- B. Unless otherwise agreed upon by the Owner, the Contractor and all subcontractors and suppliers shall to the greatest extent possible, purchase/deliver all general construction materials from existing Home Depot retail store outlets. The purchase of construction materials from competing retail building material suppliers is not permitted under any circumstances.

## PART 6 - BID SUBMISSION

### 6.1 SUBMISSION PROCEDURE

- A. Bidders shall be solely responsible for the delivery of their bids in the manner and time prescribed.
- B. Submit one copy of the executed offer on the Bid Forms provided, signed and sealed via email to bob\_bryan@homedepot.com. An original, fully executed Bid Form must be received within 24 hours following the Bid Opening.

### 6.2 BID INELIGIBILITY

- A. Bids that are unsigned, improperly signed or sealed, conditional, illegible, obscure, contain arithmetical errors, erasures, alterations, or irregularities of any kind, may at the discretion of the Owner, be declared unacceptable.
- B. Bids are by invitation, only from selected bidders. Bids from unsolicited bidders will be returned / not accepted.

## PART 7 - BID ENCLOSURES/REQUIREMENTS

**7.1 PAYMENT AND PERFORMANCE BOND**

- A. Submit with bid, a letter from the General Contractor's bonding company, stating that if awarded this project a bond can be obtained.

**7.2 BID FORM REQUIREMENTS**

- A. Complete all requested information in the Bid Form and Appendices.

**7.3 BID FORM SIGNATURE**

- A. The Bid Form shall be signed by the Bidder, as follows:
1. Sole Proprietorship: Signature of sole proprietor in the presence of a witness who will also sign. Insert the words "Sole Proprietor" under the signature. Affix seal.
  2. Partnership: Signature of all partners in the presence of a witness who will also sign. Insert the word "Partner" under each signature. Affix seal to each signature.
  3. Corporation: Signature of a duly authorized signing officer(s) in their normal signatures. Insert the officer's capacity in which the signing officer acts, under each signature. Affix the corporate seal. If the Bid is signed by officials other than the President and Secretary of the company, or the President/Secretary/Treasurer of the company, a copy of the by-law resolution of the Board of Directors authorizing them to do so, must also be submitted with the Bid Form in the bid envelope.
  4. Joint Venture: each party of the joint venture shall execute the Bid Form under their respective seals in a manner appropriate to such party as described above, similar to the requirements of a Partnership.

**PART 8 - OFFER ACCEPTANCE/REJECTION****8.1 DURATION OF OFFER**

- A. Bids shall remain open to acceptance and shall be irrevocable for a period of sixty (60) days after the Bid closing date.

**8.2 ACCEPTANCE OF OFFER**

- A. The Owner reserves the right to accept or reject any or all offers.

**END OF SECTION**