



CONTRACT NO. A935

PASSAIC VALLEY SEWERAGE COMMISSION
600 WILSON AVENUE
NEWARK, NEW JERSEY 07105

CONTRACT AND SPECIFICATIONS





















FOR

INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

JANUARY 2014

00000 BID DOCUMENT SUBMISSION CHECKLIST

Contract No. A935 INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

	Item	Contract Section	Initial Each Item Submitted with Bid
1.	Disclosure of Investment Activities in Iran (next to last paragraph)	00100	
2.	Signature	00300	
3.	Contractor's NJ Dept. of Treasury Business Registration Certificate	00300	
4.	References	00300	
5.	Bid Bond or Certified Check	00301	
6.	Surety Company Certificate	00302	
7.	Statement of Ownership	00303	
8.	Affirmative Action Compliance	00304	
9.	Bid Sheet	00305	
10.	Contract Period	00305 Item A	
11.	Submittal of Bid	00305 Item M	
12.	Non-Collusion Affidavit	00306	
13.	Supplement to Bid Forms Vendor Format List	00400	
14.	Supplement to Bid Forms Reference Questionnaire	00401	
15.	Acknowledgment of Receipt of Changes to Bid Documents	00402	
16.	Subcontractor's Listing	00403	
17.	Public Works Contractor Registration	00404	
18.	Insurance Requirements	00727	
19.	Hazardous Material (MSDS)	00826	
20.	State of New Jersey Division of Purchase and Property Two-Year Chapter 51/Executive Order 117 Vendor Certification and Disclosure of Political Contributions (CH51.1 R1/21/2009)	Appendix 2	

SIGNATURE: The undersigned hereby acknowledges and has submitted the above listed requirements. This sheet must be submitted with the bid documents.

Name of Bidder: Pipe and Plant Solutions, Inc.
(Company Name)

By Authorized Representative:

Signature:

Print Name and Title: William Gilmartin IV, President

Date: 02/21/2014

DIVISION 0 - BIDDING REQUIREMENTS

00100 INVITATION TO BID AND INSTRUCTIONS TO BIDDERS

Notice is hereby given that Passaic Valley Sewerage Commission will receive sealed bids until 10:00 o'clock in the morning on Januaryth, 2014 in their office located at 600 Wilson Avenue, Newark, New Jersey, at which time and place said bid will be publicly opened and read.

A pre-bid conference and site visit will be held at 10:00 AM on January, 2014 at the Training Room, Second Floor, Warehouse Building. Bidders are strongly encouraged to attend. Additional site visits can be arranged, by contacting Mr. Kenneth LaPenta at (973) 817 5767

Work to be performed under Contract A935 includes, but is not limited to, the furnishing of all safety, supervision, labor, materials, supplies, equipment and all other facilities required to inspect via sonar technology, quantify tonnage and to remove all sludge, grit and debris from the influent conduit, beginning at the entry point of the Grit and Screen area Diversion Chamber up to and including the Influent Pump Station (IPS) Forebay influent well in strict accordance with the contract documents. Bidder shall include subcontracted sonar/video inspection services, rental costs of roll-off trucks, high pressure jet nozzles, dewatering container(s) cranes, pump trucks and cost of transportation from PVSC to designated disposal site: (NJMC Keegan Landfill ID 27, One DeKorte Park Plaza, Lyndhurst, NJ, 07071). Contractor shall use PVSC Disposal Account # 09188 and provide manifests to PVSC documenting tonnage for all loads. Contractor shall also include all cost factors, such as wages, benefits, travel time, fuel, insurance, overhead and profit, general and administrative (G&A) and all other additional expenses necessary to complete the work described in the bid items listed in SECTION 305.

Security Notice: All contractors, subcontractors, contractor employees and/or representatives entering the plant must have and must present to PVSC Security, government issued identification such as a valid Picture Driver's License or Passport. This applies to bid openings, pre-bid conferences and all on-premises contract work.

All bids must be made upon the blank form of proposal annexed hereto. All blank spaces must be filled in, in ink, in both words and figures, with the amounts for which the proposal is made. The proposal must be signed by the bidder who shall include his business address.

Proposals shall be enclosed in opaque sealed envelopes, addressed to Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, New Jersey 07105, with the name and address of the bidder plainly marked upon the outside thereof. (If forwarded by preferably registered mail, the sealed envelope containing the proposal, marked as directed above must be enclosed in another envelope addressed as specified in the Proposal.) The outside envelope containing the bids must clearly identify the bid number, contract name and bid opening date. Failure to properly identify the contents may result in the bid being rejected.

It is the purpose of Passaic Valley Sewerage Commission not to award the contract to any bidder who does not furnish evidence satisfactory to them that he is responsible and that he has sufficient financial resources, ability, experience and equipment to enable him to prosecute the work successfully, and to fulfill all requirements of the contract. As part of its evaluation of any bidder PVSC reserves the right to request, and upon such request the bidder shall supply, certified financial statements and/or other documentation to substantiate the bidder's ability to successfully prosecute the work. To the extent permissible by law, PVSC agrees to maintain confidential such documentation as the bidder may identify as "Business Confidential." In no event, however, shall PVSC be subject to any claims resulting from disclosure of any such information under law or for any other reason.

Each bid must be accompanied by a certified check, or by a bid bond in an amount not less than 10% of the total bid, not to exceed \$20,000.00 enclosed in a sealed envelope, with the bid. Certified checks shall be drawn upon a National Bank or a Trust Company doing business in the State of New Jersey, and shall be payable to the order of the Passaic Valley Sewerage Commission. Bid bonds shall be prepared on the form of Bid Bond attached hereto in Section 00301, and shall be duly executed by the bidder as principal and having as surety thereon, sureties or a surety company shall be licensed to do business in the State Of New Jersey, and listed in the

current Federal Register, Department of the Treasury Circular 570, "Surety Companies Acceptable on Federal Bonds", and shall be satisfactory to the Passaic Valley Sewerage Commission.

Certified checks will be returned to all except the three (3) lowest formal bidders within ten (10) days after the formal opening of bids, (Sundays and Holidays excepted) and the remaining cash or checks will be returned to the unsuccessful bidders within three (3) days after the Commission and the accepted bidder have executed the contract, or if no contract has been so executed, within 60 days after the date of the opening of bids, upon demand of the bidder at any time thereafter, as long as he has not been notified of the acceptance of his bid.

All bidders on this contract are required to complete a "Statement of Ownership of all Owners of 10% or more of the Stock of the Corporation" found in Section 00303.

All bidders on this contract are required to hold or obtain a "New Jersey Business Registration Certificate" as required by N.J.S.A. 52:32-44. Information on New Jersey Business Registration Certification Program operated by the New Jersey Department of the Treasury can be found on the internet at www.nj.gov/njbgs or by phone 609-292-1730. Failure to submit proof of registration (prior to contract award, in accordance with the 2009 Amendment to NJSA 40A:11-23.2) requires mandatory rejection of bid as a non-waivable defect. Bidder may submit certificate number as proof of certification as a courtesy at time of bid.

All bidders and their subcontractors on this contract are required to hold or obtain a "Public Works Contractor Registration" as defined in section 2 of P.L. 1963, c. 150 (C.34:11-56.26) amended 2003, c.91, s.2., and listed subcontractors are registered pursuant to P.L. 1999, c.238 (C.34:11-56.48 et seq.) at the time the bid is made.

The Bidder shall submit a copy of the Public Works Certificate of Registration issued by the Commissioner of Labor with the Bid.

Each contractor shall, after the bid is made, prior to the awarding of the contract, submit to the public entity the certificates of registration for all subcontractors listed in the bid proposal. Applications for registration shall not be accepted as a substitute for a certificate of registration for the purposes of this section, as required by L. 1999, c.238; amended 2003, c.91, s.4.

If awarded a contract your company/firm shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the contractor.

Before final payment on the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract or shall attest that no subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and a subcontractor and each of its affiliates [NJSA 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this state, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of PL 2001, c. 134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of PL 1977, c. 110 (c.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

All bidders on this contract are required to be eligible for contract award under the terms and conditions of State of New Jersey Division of Purchase and Property Two-Year Chapter 51/Executive order 117 Vendor Certification and Disclosure of Political Contributions (CH51.1 R1/21/2009)

The bidder to whom a contract is awarded will be required to provide the necessary documents as required by Public Law 1975, Chapter 127, Affirmative Action Compliance.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

The bidder to whom a contract is awarded will be required to execute the contract within ten (10) days (not including Sunday) from the date of the mailing of a notice from Passaic Valley Sewerage Commission to the bidder, according to the address given him, that the contract is ready for signature; and in case of his failure or neglect so to do, Passaic Valley Sewerage Commission may, at their option, determine that the bidder has abandoned the contract; and thereupon the proposal and acceptance shall be null and void, the bid security accompanying the proposal shall be forfeited to the Passaic Valley Sewerage Commission, and the bidder shall additionally be liable for all damages to the Commission occasioned by such default.

Simultaneously, with his delivery of the executed contract, the successful bidder must deliver to the Commission an executed Bond in the sum of the full amount of the contract, which said bond will be for the term of the contract. However, the amount of the Bond can be decreased each year, so that the amount of the Bond will be proportional to the unfinished part of the contract. However, the amount of said Bond will be in a sum not less than the total amount of the contract, less percentage of contract completed, as expressed by time.

The bidder must file simultaneously with his bid a sworn statement, giving evidence of availability of required facilities and equipment as called for to carry out the terms of the contract and proof that such facilities will be in the possession of the contractor at the time of contract

The successful bidder shall be solely responsible for the safety of its employees, subcontractors, suppliers and representatives, including but not limited to the development and implementation of effective safety practices and programs in accordance with Federal, State and Local requirements, including the requirements of PVSC's Construction Safety & Health Manual for Contractors:

<http://www.nj.gov/pvsc/home/forms/pdf/ConstructionSafetyHealthManualforContractors08272012.pdf>

Prior to commencing any work at the site the Successful Bidder shall designate in writing to PVSC the name of the person who is their on-site safety officer. The successful bidder shall provide a competent safety officer that must be on the project site at all times. The competent safety officer must hold (or furnish suitable proof of course completion and application for), at a minimum, a valid 10 Hour OSHA Construction card prior to the performance of any work under the contract. The successful bidder shall also furnish personnel meeting the requirements of "competent person" as defined by OSHA for all applicable aspects of the work. Submission of a bid on this project shall constitute a representation by the bidder that it has obtained, reviewed and will comply with the requirements of the Construction Safety & Health Manual, referenced above, as well as all other Federal, State and Local safety requirements, Passaic Valley Sewerage Commission reserves the right to reject any and all bids, or to accept any bid should they deem it to be in their interest so to do. Passaic Valley Sewerage Commission also reserves the right to waive any informality in any bid should they deem it to be in their interest so to do.

In accordance with N.J.S.A. 52:32-58, Bidder shall certify and submit with their bid as set forth therein on a form of Certification promulgated by State of New Jersey Division of Purchase and Property entitled "Disclosure of Investment Activities in Iran". The form of Certification and accompanying list dated January 28, 2013 can be found at:

http://www.state.nj.us/treasury/purchase/forms/DPA_Form_Packet.pdf (page 6 of 17) and <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>, respectively. **It is the responsibility of Bidder to insure that the most up to date list issued by the Division of Purchase and Property is attached to the Certification submitted with this Bid.**

Questions and request for proposals shall be directed, electronically or in writing, to the Passaic Valley Sewerage Commission Purchasing Department for official response.

The Purchasing Department telephone number is (973) 466-2723.

**Passaic Valley Sewerage Commission
Office of the Passaic Valley Sewerage Commission
600 Wilson Avenue, Newark, N. J. 07105**

Clerk

Contract No. A935

Date: _____

PASSAIC VALLEY SEWERAGE COMMISSION
PROPOSAL TO
INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

To: PASSAIC VALLEY SEWERAGE COMMISSION

The undersigned, as bidder, declares that the only persons or parties interested in this proposal as principles are named under the bid signatures, that the proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the annexed proposed form of contract and bond and the drawings therein referred to; and that he proposes and agrees, if this proposal is accepted, to contract with the Passaic Valley Sewerage Commission, in the form of the copy of the Contract deposited in the office of the Passaic Valley Sewerage Commission, to perform all the work described in the contract specifications in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefore the following sums, exclusive of all taxes, to wit:

If this proposal shall be accepted by the Passaic Valley Sewerage Commission, and the undersigned shall fail to contract as aforesaid, within ten (10) days (not including Sunday) from the date of the mailing of a notice from the Passaic Valley Sewerage Commission to him, according to the address herewith given, that the contract is ready for signature, then the Passaic Valley Sewerage Commission may at their option determine that the bidder has abandoned the contract and thereupon the proposal and acceptance shall be null and void, and the Bid Bond or certified check and the proceeds thereof for 10% of the total bid, not to exceed \$20,000.00 dollars accompanying this proposal shall become the property of the Passaic Valley Sewerage Commission and additionally the bidder shall be liable to said Commission for any and all damages accruing to said Commission by reason of said default; otherwise the accompanying Bid Bond or certified check shall be returned to the undersigned.

Signature of bidder with residence and business address.

Pipe and Plant Solutions, Inc.


712 Sansome Street, San Francisco, CA 94111-1704


William Gilmartin IV, President

Dated: 02/21/2014

The names and residences of all persons and parties interested in the foregoing bid, as principals, are as follows:

In case of a corporation, give names of President, Treasurer and Manager.



William Gilmartin IV, President, Treasurer & Manager

c/o 712 Sansome Street, San Francisco, CA 94111-1704

residence: San Francisco, California

Bidder's New Jersey Business Registration Certificate Number:

697483

(Also Provided Copy of Certificate)

(Note: Bidder may submit certificate number as proof of certification as a courtesy at time of bid.)

The bidder is requested to state below what work of a character similar to that included in the proposed contract he has done, and give references that will enable the Passaic Valley Sewerage Commissioner's to judge his experience, skill and business standing.

This requirement will be fulfilled by completion of the "Certification Questionnaire" included in Section 00401 – Reference Questionnaire.

00303 **STATEMENT OF OWNERSHIP OF ALL OWNERS
10% OR MORE OF THE STOCK OF THE CORPORATION**

OF

Under the provisions of the State Law (NJSA 52:25-24.2, Chapter 33 of the Laws of 1977), a bidder must file a statement of ownership prior to or with the bid. The statement must contain the names and addresses of all owners of ten percent (10%) or more of the stock of whatever class of the corporation, or the names of individual partners in the partnership, who own ten percent (10%) or greater interest in the partnership, as the case may be.

IN ORDER FOR YOUR BID TO BE CONSIDERED, you must list below the names and addresses of those meeting the criteria of the law:

1. PARTNERS WITH TEN PERCENT (10%) OR GREATER INTEREST:

Name

Address

NONE

2. Owners of ten percent (10%) or more of the stock of the corporation, including stock of all classes. **IF NONE, SO INDICATE. DO NOT LEAVE THIS SPACE BLANK:**

Name

Address

William Gilmartin IV (100%) 712 Sansome Street, San Francisco, CA 94111

3. If under Item #2, the name of a partnership or corporation is listed, list below the names of individual partners and/or stockholders of whatever class who own a ten percent (10%) or greater interest in the partnership or corporation listed under Item #2:
IF NONE, SO INDICATE. DO NOT LEAVE THIS SPACE BLANK.

Name

Address

NONE

Signature: 

(Person who Signs Bid Proposal)

William Gilmartin IV, President

Note: Your attention is directed to the fact that failure to complete the statement of ownership form is a non-waivable deficiency and the Commission, in the event of non-compliance, are required as a matter of law to reject your bid. All of the information requested is strictly required. Each question must be answered either by providing the requested information or if the answer to the question is "NONE" that must be written in.

If required, attach additional sheets to list all names.

00304 AFFIRMATIVE ACTION COMPLIANCE

IF AWARDED A CONTRACT, YOUR COMPANY/FIRM WILL BE REQUIRED TO PROVIDE THE FOLLOWING INFORMATION TO THE COMMISSION PRIOR TO THE ACTUAL AWARD OF THE CONTRACT AND EXECUTION THEREOF:

Pursuant to Public Law 1975, C. 127 (NJAC 17:27), Affirmative Action Compliance is required by contractors bidding on contracts let by Public Agencies (see Section 00737). Prior to the award and execution of the contract, the low bidder must furnish the Passaic Valley Sewerage Commission with the following documentation:

The Public Agency may require the construction contractor that is to be awarded the contract to submit their **Initial Project Workforce Report** (copy marked Public Agency) at the time the signed contract is returned to the Agency.

Note: The Initial Project Workforce Report (A.A. 201) must be submitted by the **third day after the signing of the construction contract.**

If the construction contractor does not submit the Initial Project Manning Report (A.A. 201) within the required time period, the Public Agency may extend the time period to the fourteenth calendar day.

If by the fourteenth calendar day the contractor does not submit the Affirmative Action document, the Public Agency must declare the contractor as being non-responsive and may award the contract to the second lowest responsible bidder.

00305 BID SHEET (Including Terms and Conditions Applicable to the Proposal)

Contract No. A935 INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

Name of Contractor: Pipe and Plant Solutions, Inc.

Business Name: Pipe and Plant Solutions, Inc.

Mailing Address: 712 Sansome Street
(Mailing Address must include Street Address)
San Francisco, CA 94111-1704

Telephone No. 888-978-8264 Fax No. [REDACTED]

Contact Person: William Gilmartin IV, President

A. INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

The scope of this project is to inspect via sonar technology, quantify tonnage and to remove all sludge, grit and debris from the influent conduit, beginning at the entry point of the Grit and Screen area Diversion Chamber up to and including the Influent Pump Station (IPS) Forebay influent well in strict accordance with the contract documents. Bidder shall include subcontracted sonar/video pre-cleaning and post-cleaning inspection services, rental costs of roll-off trucks, high pressure jet nozzles, dewatering container(s) cranes, pump trucks and cost of transportation from PVSC to designated disposal site: (NJMC Keegan Landfill ID 27, One DeKorte Park Plaza, Lyndhurst NJ, 07071). Contractor shall use PVSC Disposal Account # 09188 and provide manifests to PVSC documenting tonnage for all loads. Contractor shall also include all cost factors, such as wages, benefits, travel time, fuel, insurance, overhead and profit, general and administrative (G&A) and all other additional expenses necessary to complete the work described in the bid items below.

The work will include all, or only a selected portion of bid items below based on actual measured quantities, but may not necessarily be limited to the following bid items:

- Mobilization.
- Pre-Cleaning Sonar & Video Inspection.
- Remove all Sludge, Grit and Debris from the Influent Conduit between the G&S Diversion Chamber to the IPS Forebay Influent Well Inlet.
- Remove all Sludge, Grit and Debris from the IPS Forebay Influent Well.
- Allowance

For purposes of evaluating and comparing bids, the bidders shall complete the unit pricing, total extended pricing, and lump sum pricing line-items in the BID SHEET SECTION 00305 Table below, based on hypothetical tonnages estimated to exist in the subject Influent Conduit and Forebay area at the PVSC facility. The Contractors' rates stated in the table below shall be in effect throughout the project from start to completion of the project. PVSC will maintain appropriate records showing the actual tonnage of materials that the contractor as removed and transported to the landfill. Actual billings will be based on the lump sum and unit costs presented by the bidder and actual quantities removed to landfill.

Failure to complete the table below would be considered a non-responsive bid and may be cause for the bid to be rejected.

The hypothetical tonnage quantities described in the table below are for bid evaluation purposes only. Actual tonnage detected and removed by the selected contractor will vary, depending on sonar inspection and manifests of transported material.

**A BID ON CONTRACT A935
INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT**

BID ITEM	QUANTITY	LUMP SUM OR UNIT PRICE (WRITTEN IN WORDS)	BID PRICE (WRITTEN IN FIGURES)	
			DOLLARS	CENTS
1	Lump Sum	MOBILIZATION (Refer to Section 1025 for mobilization amount limits.) For <u>Thirty Thousand and zero</u> Dollars Cents	30,000.	00
2	Lump Sum	PRE-CLEANING SONAR & VIDEO INSPECTION (with Sonar Equipment to determine contract volumes) For <u>Five Thousand and zero</u> Dollars Cents	5,000.	00
3	Unit Price	REMOVE ALL SLUDGE, GRIT AND DEBRIS (from the <u>Influent Conduit</u> between the G&S Diversion Chamber to the IPS Forebay Influent Well Inlet) <u>1622</u> tons of decanted grit @ <u>Two Hundred thirty four 00</u> Ton Dollars Cents For <u>Three Hundred Seventy nine thousand five hundred forty eight 00</u> Dollars Cents	379,548.	00
4	Unit Price	REMOVE ALL SLUDGE, GRIT AND DEBRIS (from the IPS Forebay <u>Influent Well</u>) <u>724</u> tons of decanted grit @ <u>Three Hundred eighty five 00</u> Ton Dollars Cents For <u>Two Hundred seventy eight thousand seven hundred forty 00</u> Dollars Cents	278,740.	00
5	Lump Sum	POST-CLEANING SONAR & VIDEO INSPECTION (with Sonar and Video Equipment to determine contract volumes) For <u>Five Thousand and zero</u> Dollars Cents	5,000.	00
6	Lump Sum	ALLOWANCE (for Additional Authorized Work) For <u>Fifty Thousand</u> Dollars Cents	\$50,000	00

Note - 1.63 ton/c.y. (decanted density)

TOTAL BID PRICE (Sum of Item No. 1 through No. 6) (in Figures) \$ 748,288.00

Amount Written:

Seven Hundred Forty Eight Thousand Two Hundred eighty eight
Dollars and zero Cents

The "Additional Work Items" allowance is intended to provide for work that may later be determined to be necessary for the completion of the project due to difference between estimated and actual quantities of grit determined by sonar inspection after award. Written authorization by the OWNER for utilization of any part of the contingency allowances for such work shall be required. Additional tons removed shall be based on unit rates quoted in the Section 00305 BID SHEET.

The contract will be awarded to the lowest responsible bidder based on the above TOTAL BID PRICE (Sum of Item No. 1 through No. 6).

The Contractor shall ensure that all requested work shall be performed by personnel who are trained and certified to provide the type of service specified, as outlined in section 01710 – Qualification of Contractor, and Section 10005, Item 2a.

Operations shall be scheduled on straight time will cover PVSC's normal working hours of 7:00 AM to 4:15 PM Monday through Friday in accordance with Division 1, Section 01046 - Working Hours. Contractor will be allowed to work six (6) 10-hour days per week with PVSC consent and approval upon contractor request to meet required schedule completion in sixty (60) days. No additional compensation will be paid to the contractor, as it included in the contractor's contract price.

The Commission reserves the right to perform work with its own work force or obtain competitive pricing from a third party. The Commission is also under no obligation to use the contractor's work force.

The work shall proceed in the manner specified and in conformity with the requirements set forth in the Contract Documents herein contained or hereunto attached and in accordance with the Contract Specifications.

In the event of a conflict between the bid specifications (request for proposal, invitation to bid, etc.) and the contractors bid submission (proposal, response, etc.) the terms of the specifications (or otherwise as referenced) shall govern the agreement between PVSC and the contractor.

All the work shall be completed within **(60) sixty** consecutive calendar days from receipt of "Notice to Proceed".

B. All prices are exclusive of N. J. State and Federal Taxes. The Passaic Valley Sewerage Commission is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(1) of the New Jersey Sales and Use Tax Act (N.J.S.A. 54:32B-1 et seq.).

C. The cost of all Warrantees shall be included in each of the total bid prices.

The bid prices shall be net, including all transportation charges fully prepaid by vendor, F.O.B. Destination.

D. Prices shall also include all transportation charges on materials removed from site and charges pertaining to disposal and other costs pertaining to the execution of the work.

E. The Commissioner reserves the right to make no award and reject all bids in accordance with applicable laws and regulations.

F. The contractor shall maintain for the duration of the work to be done under this contract, Liability Insurance in the amounts specified in the contract. Upon execution of the contract, the contractor shall furnish PVSC with all certificates of insurance as required and set forth herein.

G. No variations will be permitted to the terms and conditions of the contract. Terms and conditions are in accordance with N. J. Laws for Public Bidding and the policies of the Passaic Valley Sewerage Commission. Any bids that include variations to the terms and conditions will be considered non-responsive and will be rejected.

H. If the Bidder intends to offer alternatives to the materials, equipment and/or services specified, then it is mandatory that the Bidders list and explain in detail any and all such exceptions to the specifications on

the attached "Bidders Exception" sheet, and shall submit the sheet with his bid. If the exception involves material or equipment, the Bidder shall also include technical data to show that the exception is equal to or better than those specified. It is understood that if no exception is listed on the "Bidders Exceptions" sheet, the Bidder shall supply all the materials, equipment and/or services exactly as prescribed and shall return the "Bidders Exception" sheet marked "**NONE**".

- I. Only contractors with experience with a similar type of work will be considered. Certification of this experience, and the names and addresses of at least three (3) customers from whom similar work was performed within the last two (2) years, shall be supplied with the bid (Section 01710, Section 10005). A certification questionnaire form (Section 00401) is included for the Contractor's convenience.
- J. Unless prevented by strike or strikers, which prevents construction or delivery of equipment or supplies from the manufacturer, failure to complete the work within the specified time shall be considered an abandonment of the contract and the Commission may seek redress for damages.
- K. The work must be completed without interrupting the operation of the PVSC Treatment Plant. The contractor must schedule his operations in detail with PVSC as noted in Div. 1, Section 01310 of Contract Specifications.
- L. Upon completion, inspection and acceptance by the Commission of the work, Contractor shall turn over to the Commission the one (1) year warranty specified in Div. 1, Section 01730.

After acceptance by PVSC the contractor shall submit a bill for the items delivered, and the Commission at their next scheduled monthly meeting will pay the amount due, unless the bill is disputed.

To assure timely payment, bills must be received by the PVSC Plant Engineering Department not less than eighteen (18) days prior to the Commission meeting date. (Meeting dates will be provided by PVSC.)

- M. **Proposals shall be enclosed in opaque sealed envelopes, addressed to Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, New Jersey 07105, with the name and address of the bidder plainly marked upon the outside thereof. (If forwarded by preferably registered mail, the sealed envelope containing the proposal, marked as directed above must be enclosed in another envelope addressed as specified in the Proposal.) The outside envelope containing the bids must clearly identify the bid number, contract name and bid opening date. Failure to properly identify the contents may result in the bid being rejected.**

To the extent that N.J.S.A. 2A:30A:-2 applies to the project and its related work and/or any agreement between PVSC and the Contractor, all exceptions contained in N.J.S.A. 2A:30A-2(a) shall apply solely for the benefit of PVSC.

STATE OF NEW JERSEY

§

COUNTY OF

I, William Gilmartin IV of the Pipe and Plant Solutions, Inc in the County of San Francisco and State of California, of full age, being duly sworn according to law, on my oath depose and say that:

I am President of Pipe & Plant Solutions, Inc. the Bidder making the Bid for this Project.

I execute the said Bid with full authority to do so.

I, and to the best of my knowledge, the Bidder, and any officer, director, employee or other representative of the bidder, have not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above-named Project.

All statements contained in said Bid and all Contract Documents and in this affidavit are true and correct, and made with full knowledge that the Passaic Valley Sewerage Commission rely upon the truth of the statements contained in said Bid and Contract Documents, and in the statements contained in this Affidavit, in awarding the Contract for said Project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract agreement or understanding for a commission, percentage, brokerage or contingent fee except bona fide employees or bona fide established commercial or selling agencies maintained by the Bidder.

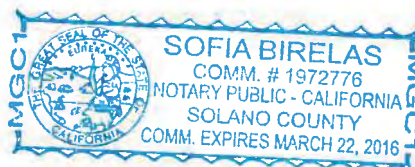
Sworn on Behalf

of: Pipe And Plant Solutions inc

Name of Bidder: William Gilmartin IV

Sworn and subscribed to
before me this 26 day
of February, 2014.

Sofia Birelas
Notary Public of New Jersey
CALIFORNIA



State of California
County of California

Subscribed and sworn to (or affirmed) before me on this 24
day of February, 2014, by _____

_____,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Sofia Birelas

REQUIRED SUBMISSION IF BIDDER INTENDS TO SUBCONTRACT

<p style="text-align: center;">STATE OF NEW JERSEY DIVISION OF PURCHASE AND PROPERTY (DPP)</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">SUBCONTRACTOR UTILIZATION PLAN</p>	<p>DPP Solicitation No.: Contract No. A935</p> <hr/> <p>DPP Solicitation Title: Influent Facilities Conduit & Forebay Cleaning Project</p> <hr/> <p>Bidder's Telephone No.: 8889788264</p> <hr/> <p>Bidder's Contact Person: William Gilmartin, IV</p>
<p>Bidder's Name and Address: Pipe and Plant Solutions, Inc. 712 Sansome Street San Francisco, CA 94111-1704</p>	

INSTRUCTIONS: List all businesses to be used as subcontractors. This form may be duplicated for extended lists.

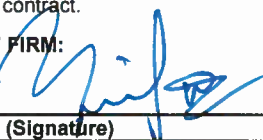
SUBCONTRACTOR'S NAME ADDRESS, ZIP CODE TELEPHONE NUMBER AND VENDOR ID NUMBER	CHECK HERE IF CONTRACT IS NOT SMALL BUSINESS <input type="checkbox"/>			TYPE(S) OF GOODS OR SERVICES TO BE PROVIDED	ESTIMATED VALUE OF SUBCONTRACTS
	SMALL BUSINESS CATEGORY *				
	I	II	III		
United Trucking Inc. 46 S. Maple Ave. Marlton, NJ 08053 856-466-4722, ID 51238-15		✓		transportation of debris	\$38,000.00
Rachael and Michele's Oil Co. Inc. 116 Kuller Rd. Clifton, NJ 07011 973-546-1041, ID		✓		fuel	\$37,600.00

* For those Bidders listing Small Business Subcontractors: Attach copies of Division of Revenue - Small Business Enterprise Unit registration for each subcontractor listed. If bidder has not achieved established subcontracting set-aside goals, also attach documentation of good faith effort to do so in the relevant category in accordance with NJAC17:13-4 and the Notice to All Bidders.

I hereby certify that this Subcontractor Utilization Plan (Plan) is being submitted in good faith. I certify that each subcontractor has been notified that it has been listed on this Plan and that each subcontractor has consented, in writing, to its name being submitted for this contract. Additionally, I certify that I shall notify each subcontractor listed on the Plan, in writing, if the award is granted to my firm, and I shall make all documentation available to the Division of Purchase and Property upon request.

I further certify that all information contained in this Plan is true and correct and I acknowledge that the State will rely on the truth of the information in awarding the contract.

PRINCIPAL OF FIRM:



William Gilmartin IV, Pres.

02/26/2014

(Signature)

(Title)

(Date)

Contract No. A935 INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

00401 Supplement to Bid Forms

REFERENCE QUESTIONNAIRE

A reference list generated by the bidder is acceptable provided all of the information listed below is supplied.

NAME OF OWNER COMPLETE ADDRESS AND TELEPHONE NUMBER	PROJECT LOCATION & SPECIFIC TYPE OF WORK PERFORMED BY YOUR ORGANIZATION AND CONTRACT PRICE	CHECK PRIME OR SUBCONTRACTOR PR SUB	LIST NAME & TEL. NO. OF PERSON IN CHARGE	APPROX. DATE COMPLETED MO. / YR.
San Jose / Santa Clara WPCP [REDACTED]	WPCP Grit + Sludge removal \$250,000.00	PR	[REDACTED]	Jan, 2014
San Francisco Public Util Commission [REDACTED]	San Francisco City Wide Large Diameter Sewer Cleaning and inspection. \$2,819,000.00	PR		July, 2013
East Bay Municipal Util District [REDACTED]	Alameda and Oakland, CA Siphon Cleaning and Inspection \$206,500.00	PR		November, 2012
Middletown, OH [REDACTED]	14th and Main Large Diameter Sewer Cleaning and inspection \$209,600.00	SUB		December, 2013

00402

PASSAIC VALLEY SEWERAGE COMMISSION

ACKNOWLEDGMENT OF RECEIPT OF CHANGES TO BID DOCUMENTS FORM

CONTRACT NO. A935

INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

Pursuant to N.J.S.A. 40A:11-23.1a, the undersigned bidder hereby acknowledges receipt of the following notices, revisions, or addenda to the bid advertisement specifications or bid documents. By indicating date of receipt, bidder acknowledges the submitted bid takes into account the provisions of the notice, revision or addendum. Note that PVSC's record of notice to bidders shall take precedence and that failure to include provisions of changes in a bid proposal may be subject for rejection of the bid. If there were no revisions or addenda write **NONE** on the top line, sign the acknowledgment below and submit with the bid documents.

Local Unit Reference Number or Title of Addendum/Revision	How Received (mail, fax, pick-up, etc.)	Date Received
NONE		

Acknowledgment by Bidder:

Name of Bidder:
(Company Name) Pipe and Plant Solutions, Inc.

By Authorized Representative: 

Signature: _____

Print Name and Title: William Gilmartin IV, President

Date: 02/26/2014

00403 (To be used if the contract value is expected to exceed \$100,000.00)

PASSAIC VALLEY SEWERAGE COMMISSION

CONTRACT NO. A935 - SUBCONTRACTOR LISTING

Failure to complete this Section may be a cause for the bid to be rejected.

The undersigned proposes to use the following subcontractors to perform the work indicated (use additional sheets as required).

<u>Work to be Performed</u>	<u>Name(s) and Address of Subcontractor(s)**</u>	<u>License Number(s)</u>
1. Plumbing & Gas Fitting and all Kindred Work	N/A	
2. Heating and Ventilation and all Kindred Work	N/A	
3. Electrical Work	N/A	
4. Structural Steel and Ornamental Iron Work	N/A	

William Gilmartin IV, President

Name and Title of Authorized Representative



Signature of Authorized Representative

****IMPORTANT NOTE:** Whenever a Bid sets forth more than one subcontractor for any of the specialty trade categories (1) through (4) specified hereinabove in this section, the Bidder shall submit to PVSC a certificate signed by the bidder listing each subcontractor named in the Bid for that category. The certificate shall set forth the scope of work for which the subcontractor has submitted a price quote and which the Bidder has agreed to award to each subcontractor should the Bidder be awarded the contract. The certificate shall be submitted to PVSC simultaneously with the list of subcontractors. The certificate may take the form of a single certificate listing all subcontractors or, alternatively, a separate certificate may be submitted for each subcontractor.

**PASSAIC VALLEY SEWERAGE COMMISSION
600 WILSON AVENUE
NEWARK, NEW JERSEY 07105**

PUBLIC WORKS CONTRACTOR REGISTRATION

CONTRACT NO. A935

INFLUENT FACILITIES CONDUIT AND FOREBAY CLEANING PROJECT

1. In accordance with "The Public Works Contractor Registration Act," P.L., 1999, c238 (N.J.S.A 34:11 – 56.48 et seq.) amended by P.L. 2003, C091

"No contractor shall bid on any contract for public work as defined in section 2 of P.L 1963, c150 (C34:11 – 56.26) unless the contractor is registered pursuant to this act. No contractor shall list a subcontractor in a bid proposal for the contract unless the subcontractor is registered pursuant to P.L 1999, c238 (C34:11 – 56.48 et seq.) at the time the bid is made. No contractor or subcontractor, including a subcontractor not listed in the bid proposal, shall engage in the performance of any public work subject to the contract, unless the contractor is registered pursuant to that act." (N.J.S.A/ 34:11 – 56.51)

"Contractor means a person, partnership, association, joint stock company, trust corporation, or other legal business entity or successor thereof who enters into a contract which is subject to the provisions of the "New Jersey Prevailing Wage Act," P.L 1963, c150 (C34:11 – 56.25 et seq.) and includes any subcontractor or lower tier subcontractor of a contractor defined herein" (N.J.S.A/ 34:11 – 56.50)

2. Proof of registration is required before an award can be made:

"Each contractor shall, after the bid is made and prior to the awarding of this contract, submit to the public entity the certificates of registration for all subcontractors listed in the bid proposal. Applications for registration shall not be accepted as a substitute for a certificate of registration for the purposes of this section." (N.J.S.A. 34:11 – 56.55)

3. On and after August 16, 2003, Contractors and their listed subcontractors bidding on covered work shall provide proof of the required registration prior to the contract award. [As a practical matter, proof of required registration should be submitted with the Bid].
4. By signing this form, the Contractor certifies that they shall provide proof of the required registration prior to the contract award.


(Signature)

02/26/2014
(Date)

William Gilmartin IV, President
(Name and Title of Signer - Please type)

END OF SECTION

This section shall not apply with respect to domestic materials to be used for any public work, if domestic materials of the class or kind to be used are not mined, produced or manufactured, as the case may be, in the United States in commercial quantities and of a satisfactory quality.

52:33-3 Every contract for the construction, alteration, or repair of any public work in this state shall contain a provision that in the performance of the work the contractor and all subcontractors shall use only domestic materials in the performance of the work; but if the head of the department or other public officer authorized by law to make the contract shall find that in respect to some particular domestic materials it is impracticable to make such requirement or that it would unreasonably increase the cost, an exception shall be noted in the specifications as to that particular material, and a public record made of the findings which justified the exception.

00826 Hazardous Materials

All hazardous material whether sold, delivered, and/or used to perform a service on the PVSC site, shall be properly labeled in accordance with the New Jersey Worker and Community Right to Know Act (P.L. 1983, c315, N.J.S.A. 34:5A-1 et seq.). The bidder shall include with his bid proposal the Material Safety Data Sheets, for all the hazardous products that he intends to deliver to PVSC under this bid. The bidder shall comply with these terms otherwise his bid will be disqualified.

Hazardous material not complying with this act will cause PVSC to reject shipments or deny the use of such materials on its site. The bidder shall be responsible for any cost incurred for materials found not to be in compliance with the act. PVSC will make the sole determination if this act is being violated, and the bidder shall abide by this decision. Violation of this act may be considered an abandonment of the contract, and the Commission may seek redress under the Default Article of the contract.

00827 Certified Payroll

Effective February 18, 1992 Regulation N.J.A.C. 12:60 and 6.1 of the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56-25 et seq., requires that all public works employers shall submit a certified payroll record to the public body or lessor which contracted for the public work project each payroll period within ten (10) days of the payment of wages. The public body shall receive, file and make available for inspection during normal business hours the certified payroll records.

A copy of the certified payroll form may be obtained by contacting the New Jersey Department of Labor, Division of Workplace Standards, Public Contracts Section, CN 389, Trenton, New Jersey 08625-0389, telephone (609) 292-2259.

00828 Set-Aside Contract Compliance

Contractor shall comply with the New Jersey Regulations Statute governing minority and female contractor and subcontractor participation on construction contracts as required by N.J.S.A. 52:32-17. The regulations, which are more specifically set forth in N.J.A.C. 17:14-1.1 et seq., are incorporated herein by reference and made a part hereof.

00829 NOT APPLICABLE TO THIS CONTRACT

00830 N.J.S.A. 40a:11-17 – Number of Working Days Specified

All specifications for the doing of any public work for a contracting unit shall fix the date before which the work shall be completed, or the number of working days to be allowed for its completion; and every such contract shall contain a provision for a deduction, from the contract price, or any wages paid by the contracting unit to any inspector or inspectors necessarily employed by it on the work, for any number of days in excess of the number allowed in the specifications.