

**2016 TRANSPORTATION IMPROVEMENTS PROGRAM
COBB COUNTY, GEORGIA
COBB COUNTY DOT
FOR
COBB COUNTY BOARD OF COMMISSIONERS**

SECTION ONE

NOTICE TO CONTRACTORS

Electronic bids will be received via **Bid Express** at www.bidexpress.com on behalf of the Cobb County Board of Commissioners, until **12:00 noon on March 11, 2021**. **NO BIDS WILL BE ACCEPTED AFTER THE 12:00 NOON DEADLINE**. Those received late will be unopened. No submitted bid may be withdrawn after the scheduled bid opening for a period of Ninety (90) days.

All bids shall be accompanied by an Electronic Bid Bond via Bid Express a Paper Bid Bond, or a Certified Check delivered in a sealed envelope, indicating the project name and project number, to Cobb County Purchasing Department, 122 Waddell Street, Marietta, Georgia 30060, **BEFORE THE 12:00 NOON DEADLINE**. Bid Bond shall be drawn in favor of the Board of Commissioners, Cobb County, Georgia, in the amount of five percent (5%) of the bid for the complete work.

The bids will be publicly opened and read aloud at **2:00 p.m. on March 11, 2021, at the Cobb County Purchasing, 122 Waddell Street, Marietta, Georgia 30060.**

A prebid conference for all bidders will be held in person at Cobb County Safety Village, 1220 Al Bishop Drive, Marietta, Georgia, 30008, and by Webex teleconference, at **10:00 a.m. on February 24, 2021**. Any questions must be received by Cobb County Purchasing Department the Friday prior to the bid opening. All questions should be sent via email to Purchasing@cobbcounty.org.

**Pre-Bid Meeting Kennesaw Mountain Pedestrian Improvements X2404
Hosted by Pre-Construction**

<https://cobbcounty.webex.com/cobbcounty/j.php?MTID=m2585eec8aeccb6d96972c530ca91cf26>
Wednesday, Feb 24, 2021 10:00 am | 1 hour | (UTC-05:00) Eastern Time (US & Canada)
Meeting number: 180 379 9780
Password: y6PaPnMKy44
78c044f01c9f4444969e44e3fff34ed7

Join by video system
Dial 1803799780@cobbcounty.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone
+1-415-655-0003 US Toll
Access code: 180 379 9780

NOTE: Addenda, including plan holder lists, will be posted online at the following websites:

Cobb County Purchasing

<https://www.cobbcounty.org/purchasing/bidding-opportunities>

Cobb County DOT

<https://www.cobbcounty.org/transportation/projects/bids-and-rfps>

Bid Express

www.bidexpress.com

Receipt of addenda must be acknowledged online at www.bidexpress.com. It is the bidder's ultimate responsibility to ensure that they have all applicable addenda prior to bid submittal and to utilize the latest bid schedule.

This project is funded by **Federal, State and local funds**. Accordingly, the successful bidder will be required to comply with all **applicable Federal and State rules and regulations**, as well as those of Cobb County. Project must also conform to all Americans with Disabilities Act (ADA) regulations.

All bidders submitting bids in excess of \$2,000,000.00 shall be prequalified with the Georgia Department of Transportation (GDOT). All bidders submitting bids \$2,000,000.00 or less shall be registered subcontractors or prequalified with GDOT. All subcontractors, including DBE firms, shall be prequalified or registered with GDOT.

Davis-Bacon wage rates for Cobb County, Georgia will also apply.

A Disadvantaged Business Enterprise (DBE) PARTICIPATION GOAL OF 15% has been established for this project. Bidders are subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. Contractors must submit a DBE Participation Schedule to the County with this bid and a final DBE report must be submitted at the end of a project. Any subsequent changes and/or substitutions of DBE firms from the original DBE Participation Schedule must be submitted and approved by the County in advance. **Monthly DBE reports must be submitted with each monthly invoice.** Bidders shall be required to document sufficient DBE participation to meet this goal, or alternatively document good faith efforts to do so.

DBE firms must be certified with the Georgia Department of Transportation's Equal Employment Opportunity (EE0) office.

No Small Business reports are currently required; however, this is subject to change at the **County's** discretion.

In accordance with, 49 Code of Federal Regulations, Part 26.11 requires Cobb County Department of Transportation to develop and maintain a "bid opportunity list". The list is intended to be a listing of all firms participating or attempting to participate, on Federally Funded projects, including both DBEs and non-DBEs.

The work to be done consists of the following; furnishing of all materials, labor and equipment for the complete construction of:

Project Name: Kennesaw Mountain Pedestrian Improvements
GDOT P.I. No.: 0015279
Project No.: X2404

The project consists of an 8 foot to 10 foot wide shared use path consisting of three segments: east along Cheatham Hill Road from Powder Springs Road (SR360) to John Ward Road (2.06 miles), south along Whitlock Avenue (SR 120) from John Ward Road to Cheatham Hill Drive (0.53 miles), and west along Burnt Hickory Road from Whitlock Avenue (SR 120) to Polk Street then switching to the east side of Burnt Hickory Road to the National Park Service (NPS) parking lot near Old Mountain Road (1.26 miles).

Construction sequencing is a requirement of the contract, see Special Provision Section 150.3.01 – Construction Requirements-M-Construction Sequencing.

The time allowed for performance of the project will be 720 from the Notice to Proceed.

The Contract shall not expire until 1,000 calendar days from issuance of Notice to Proceed to allow for all administrative processes to be completed.

Payment will be made monthly based on approved invoices.

Cobb County Water System and Cobb County-Marietta Water Authority work is involved on this project. Only contractors or sub-contractors who have been prequalified with the respective entities are allowed to perform water and sewer relocation work associated with this project. Bidders or their water/sewer subcontractor are required to have a State of Georgia Utility Contractor License.

For all bids on contracts involving utility work as defined in O.C.G.A. 43-14-1 et.seq., the **Contractor and/or its subcontractor(s)** that will perform utility work must have a valid State of Georgia Utility Contractor License and comply with all applicable provisions of Chapter 14 of Title 43 of O.C.G.A.

The **Contractor** must meet the current bid requirements of the Georgia Department of Transportation.

The Cobb County, Georgia, Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, disability, or age in consideration for an award.

The Contractor and their subcontractors are required to be in compliance with the "Georgia Security and Immigration Compliance Act." The Contractor must execute and submit at the time of the bid the "Contractor Affidavit and Agreement," or bid will be determined non-responsive and will be disqualified.

Failure to comply with any of the requirements and procedures of the County (i.e., failure to timely supply required affidavits or compliance certification documents; failure to utilize federal work authorization procedures; failure to permit or facilitate audits or reviews of records by records by County officials upon request; and/or failure to continue to meet any of the statutory or County obligations during the life of the contract) shall constitute a material breach of the agreement and shall entitle the County to dismiss any general contractor or to require the dismissal of any subcontractor or sub/subcontractor (irrespective of tier) for failing to fully comply with these requirements, and that upon notice of a material breach of these provisions, the **Contractor** (or subcontractor, regardless of tier) shall be entitled to cure the breach within ten (10) days and provide evidence of such cure. Should the breach not be cured, the County shall be entitled to all available remedies, including termination of the contract, the requirement that a subcontractor be dismissed from performing work under the contract, and any and all damages permissible by law.

The Bidder is required to submit the Electronic Bid Proposal, which must include electronic signatures via Bid Express.

1. **Completed Contractor Bid Proposal Form (SIGNED, AND DATED WHERE APPLICABLE)**
2. **Bid Bond or Certified Check** (All proposals shall be accompanied by a Bid Bond or Certified Check drawn in favor of the Board of Commissioners of Cobb County, Georgia, in the amount of at least five percent (5%) of the bid for the complete work: such Bid Bond representing that the Bidder, if awarded a contract, will promptly enter into a contract and furnish Performance Bond, in an amount of one hundred percent (100%) full penal sum of the Contract and Payment Bond, in an amount equal to one hundred ten percent (110%) of the full amount of the Contract, as provided by law. **The aggregate amount of the bonds shall be 210 percent (210%) of the full penal sum of the Contract.** The Bid Bond shall be forfeited to the Board of Commissioners of Cobb County, Georgia, as liquidated damages if the Bidder fails to execute the contract and provide Performance and Payment Bonds within ten (10) days after being notified of award of the Contract.

3. Contractor Affidavit and Agreement [Exhibit A]
4. Certification by Contractor re: Non-Segregated Facilities
5. Current Federal Contract Provisions
6. Disadvantaged Business Enterprise (DBE) Documentation
7. DBE Participation Schedule
8. DBE Letter of Intent
9. Bid Opportunity List
10. Lobbying Restrictions
11. Government-Wide Debarment and Suspension
12. Non-Collusion Certification, and
13. Completed Schedule of Items

FAILURE TO SUBMIT REQUIRED FORMS WITH THE BID PACKAGE MEANS THE PACKAGE IS INCOMPLETE, SHALL BE DETERMINED NON-RESPONSIVE AND WILL BE DISQUALIFIED.

All bidders must be on record Bid Express as being plan holders. All bids shall be submitted through Bid Express at www.bidexpress.com. Paper bids will no longer be accepted.

Bidding documents are available and open to public inspection through Bid Express at www.bidexpress.com and at the office of Construction Services, Cobb County Department of Transportation, 1890 County Services Parkway, Marietta, Georgia. Electronic Bidding Documents must be purchased through Bid Express at www.bidexpress.com. Plan Sets may be downloaded from http://docs.cobbgov.org/X2404_KEMO.pdf.

ALL NEW PROSPECTIVE BIDDERS ARE STRONGLY ENCOURAGED TO PRE-REGISTER WITH COBB COUNTY FINANCE PRIOR TO BID CLOSING.

All work performed for this project will be in accordance with the Georgia Department of Transportation Standards and Details; GDOT Standard Specifications Construction of Transportation Systems, 2013 Edition, GDOT Supplemental Specifications Book, 2016 Edition, and applicable Supplemental Specifications and Special Provisions identified in the bid documents.

The Bidder shall not subcontract, transfer, assign, or otherwise dispose of the contract or any portion thereof, without the written consent of the County.

The successful bidder shall secure and pay for necessary approvals, permits, assessments, and charges required for the construction and installation of this project as required by local, state, and federal regulations.

Bidders must comply with Title VI of the Civil Rights Act of 1964, the Anti-Kickback Act, the Contract Work Hour Standard Act, and the National Occupational Safety and Health Act of 1970.

Bidders must certify that they do not and will not maintain or provide for their employees any facilities which are segregated on a basis of race, color, creed, or national origin.

The Cobb County Board of Commissioners reserves the right to reject all bids and to waive formalities. Any claims for cost incurred by any Bidder in preparation of any part of or total package for this project will not be considered for reimbursement by Cobb County. Contract, if awarded, will be awarded to the lowest reliable bidder whose proposal has met all the prescribed requirements.

Procurement Schedule

To meet the required schedule for Federal funding, it is critical that the installation of the Cobb County-Marietta Water Authority (CCMWA) 36-inch DIP PC 200 water main along Cheatham Hill Road between Stations 62+10 +/- and 77+06 +/- (refer to Plan series 44B) be completed during the 2021 Cobb County School District (CCSD) summer recess. Based on current CCSD school calendars, the last day of the 2020-2021 school year is Wednesday May 26, 2021, and the first day of school for the 2021-2022 school year is Monday August 2, 2021. Therefore, it will be necessary for the successful bidder to begin procurement activities of the required 36-inch DIP pipe materials prior to contract award and Notice to Proceed. The County intends to issue a formal notice to the successful bidder, immediately following the bid evaluations and award recommendation, authorizing the purchase of all required 36-inch DIP pipe materials. The tentative schedule below provides anticipated dates for critical activities:

- | | |
|---|---------------------------|
| • Construction Letting Date | March 11, 2021 |
| • Bid Evaluation/Review Period | March 11 – March 12, 2021 |
| • Award Recommendation to GDOT/FHWA | March 12, 2021 |
| • Authorization for Contractor to Procure 36-Inch DIP | March 12, 2021 |
| • Contract Sent to Contractor for execution | April 5, 2021 |
| • Cobb BOC Award of Construction Contract | April 27, 2021 |
| • Fully Executed Contract with Contractor | May 4, 2021 |
| • Conduct Pre-Construction Conference | May 13, 2021 |
| • Issue Conditional Notice to Proceed to Contractor | May 14, 2021 |
| • Issue Notice to Proceed to Contractor | June 7, 2021 |

The Bidding Documents consist of the following, including all addenda issued therewith and forms referenced therein, in addition to the Plans:

- Section 1 Bid Proposal**
- Section 2 Contract Documents**
- Section 3 General Conditions**

UPON AWARD REFERENCE DOCUMENTS BELOW WILL BE INCLUDED IN THE CONTRACT DOCUMENTS TO BE EXECUTED AND ARE LOCATED AT:

<https://www.cobbcounty.org/transportation/projects/bids-and-rfps>

- Special Provisions / Supplemental Specifications**
- Section 4 Water Specifications**
- Section 5 Cobb County Traffic Signal Specifications**
- Appendix**

Advertised in the Marietta Daily Journal:

February 12, February 19, February 26, and March 5, 2021