

Existing Public Safety Complex Building  
48 Stage Rd., Westhampton, Massachusetts

**Demolition to Existing Public Safety Complex Building  
Westhampton Public Safety Complex  
48 Stage Road, Westhampton, MA**

**INVITATION TO BID**

THIS PROJECT IS TO BE SUBMITTED BY SEALED, **MAILED** BIDS TO THE  
FOLLOWING ADDRESS:

Public Safety Complex Building Committee  
c/o Cheryl Provost, Administrative Assistant  
1 South Road  
Westhampton, MA 01027

**1.01 RECEIPT OF BIDS**

- A. The TOWN OF WESTHAMPTON, MASSACHUSETTS (Awarding Authority), acting by and through its SELECTBOARD, invites sealed Bids for the:

**DEMOLITION OF EXISTING PUBLIC SAFETY COMPLEX BUILDING**  
48 Stage Road  
Westhampton, Massachusetts 01027

in accordance with these Bidding and Contract Documents, received by dates and times specified below:

**General Bids: Wednesday, February 24, 2021 at 2:00 PM**

**B. BID REQUIREMENTS:**

1. All bids shall be submitted **by mail** no later than the date and time specified above directly to the Owner.
2. Bid Forms and Contract Documents will be available at D.A. Sullivan & Sons, Inc. (may be viewed electronically or hardcopy requested) at 82-84 North St., Northampton, MA 01060 (413-584-0310, [jennifer@dasullivan.com](mailto:jennifer@dasullivan.com)).

**1.02 PRE-BID CONFERENCE**

- A. A Pre-Bid Conference and Site Visit to view the interior and exterior of the existing buildings will be held at 3:00PM on Wednesday, February 17, 2021 at the project site, 48 Stage Road, Westhampton, MA 01027. Attendance by prospective bidders is recommended, but not required.

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1. Attendees are obligated to wear facial masks and adhere to social distancing.

#### 1.03 SALES TAX EXEMPTION

- A. Materials, equipment and supplies to be used on this project are exempt from sales tax to the extent provided by M.G.L. Chapter 66H, Section 6(f).

#### 1.04 BID SECURITY

- A. Each General Bid must be accompanied by a bid security in the amount of 5% of the General Bid amount. Form of bid security shall either Certified Check or a Treasurer's or Cashier's Check issued by a responsible bank or trust company, payable to the TOWN OF WESTHAMPTON, or a Bid Bond in (a) in a form satisfactory to the Awarding Authority, (b) with a surety company qualified to do business in the Commonwealth of Massachusetts, and (c) conditioned upon faithful performance by the principal of the agreements contained in the General Bid. Return of bid security will be in accordance with the provisions of the applicable Massachusetts General Laws.

#### 1.05 OWNER'S REVIEW OF BID PROPOSALS

- A. The Awarding Authority will reject proposals when required to do so by the applicable Massachusetts General Laws. In addition, the Awarding Authority reserves the right to waive any informalities in bid solicitation process and to reject any and all bids if it deems to be in the public interest to do so. Also, the Awarding Authority reserves the right to reject any bid if it determines that such bid does not represent the proposal of a person or firm competent to perform the work as specified, or if less than three bids are received, or if proposed prices are not acceptable without further competition.

#### 1.06 LIQUIDATED DAMAGES

- A. Liquidated damages for not completing the work within the time limit specified will be assessed by the Owner.
  1. The liquidated damages amount per calendar day is a minimum damage figure to compensate the Owner for administrative costs and loss or delay of its use of the project, and for added Owner's Project Manager, Architect and consultant fees, and does not limit in any way the liability of the Contractor for damages in excess of the specified liquidated damages amount for other damages, in particular, damages for breach of Contract. It is expressly understood that such liquidated damages do not constitute a penalty.
  2. Liquidated damages for this Project will be five hundred dollars (\$500.00) per calendar day.

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1.07 BONDS (LABOR & MATERIALS PAYMENT BOND & PERFORMANCE BOND)

- A. Labor and Materials Payment Bond: The successful General Bidder will be required to furnish a Labor and Materials Payment Bond, in an amount equal to 50% of the total Contract Amount.
- B. Performance Bond: The successful General Bidder will not be required to furnish a Performance Bond.
- C. The cost of each bond shall be included in the bid price. Bonds shall be with a surety company qualified to do business in the Commonwealth of Massachusetts and be acceptable to the Awarding Authority.

1.08 REQUIREMENTS REGARDING COVID-19 AND OSHA APPROVED SAFETY AND HEALTH TRAINING

- A. COVID-19 Protocols: Guidelines and Procedures have been established in response to COVID19 Coronavirus Pandemic. Refer to the requirements of the Contract Documents including provisions stated in Document 00 80 50, COVID-19 GUIDELINES AND PROCEDURES DURING CONSTRUCTION.
- B. OSHA-Approved Safety and Health Training: Be advised that Massachusetts law has been enacted that requires all employees who work on Massachusetts public works construction sites must have no less than 10 hours of OSHA-approved safety and health training. See Chapter 306 of the Acts of 2004.

1.09 PREVAILING WAGE RATES

- A. Wages and contributions to be paid employees on the Project shall not be less than those established by a schedule issued by the Commissioner of the Department of Labor and Workforce Development of the Commonwealth of Massachusetts, in accordance with MGL c.149, §§ 26 to 27H.

1.10 COMPLIANCE WITH PROVISIONS OF MASSACHUSETTS GENERAL LAWS

- A. All bids for this project are subject to applicable public bidding laws of the Commonwealth of Massachusetts, including M.G.L. c.149, §44A through 44J, as amended.
- B. Selection of the Contractor will be based upon bidder qualifications, including evidence of past performance in similar projects, and bid price. The Contract will be awarded to the bidder deemed by the Awarding Authority to be the lowest responsible and eligible

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bidder in accordance with Massachusetts General Laws.

- C. Commonwealth of Massachusetts General Laws are incorporated herein by reference. Any inconsistency between the Invitation to Bid, Instructions to Bidders, Bid Forms, Conditions of the Contract, and any other Bidding Documents and these statutes, or any other applicable statutes, bylaws, or regulations existing on the date on which the bids are to be received, shall not be grounds for invalidating the bid solicitation procedures, but, where required by law, such statute, bylaw, or regulation shall be deemed to govern.
- D. The TOWN OF WESTHAMPTON is an affirmative action/equal opportunity owner.
- E. The bidder agrees that its bid shall be good and may not be withdrawn for a period of 60 days, Saturdays, Sundays and legal holidays excluded, after the opening of the bids.
- F. The Awarding Authority reserves the right to waive any informalities to accept or reject, in whole or in part any or all bids, or take whatever other action may be deemed to be in the best interest of the TOWN OF WESTHAMPTON.

**TOWN OF WESTHAMPTON, MASSACHUSETTS** acting by and through its:

**PUBLIC SAFETY COMPLEX BUILDING COMMITTEE**

Art Pichette	Phil Dowling	Steve Holt
Dave White	John Zimmerman	Stephan Wurmbrand
Laurie Sanders	Christopher Brooks	

**SELECTBOARD**

Phil Dowling	Maureen Dempsey	Teri Anderson
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