

## SECTION 00100 - INSTRUCTIONS TO BIDDERS

### 1.1 SUMMARY

- A. Work to be bid: **OCEAN TERMINAL UNDERWATER STRUCTURE REMOVAL**
- B. Owner: The Georgia Ports Authority, P.O. Box 2406, Savannah, GA 31402;  
Telephone: (912) 964-3914; Fax: (912) 964-3918.
- C. Architect/Engineer (A/E):  
Moffatt & Nichol; 2 East Bryan St, Suite 501, Savannah, GA 31401  
Telephone: (912) 231-0044
- D. Owner's Quality Assurance Testing Consultant:  
Terracon Consultants, Inc., Savannah, Georgia

### 1.2 PROJECT SITE LOCATION

- A. The project site is located at the Georgia Ports Authority Ocean Terminal in Savannah, Georgia.

### 1.3 DEFINITIONS

- A. Bidding Documents consist of Project Manual, Specifications, Drawings, and Addendums.
- B. Addendum is written or graphic documents issued by A/E prior to execution of Owner-Contractor Agreement which interpret or modify Project Manual or Drawings.
- C. A Bid is a complete and properly signed offer to execute Work for the sums stipulated in Bid Form and submitted in accordance with Bidding Documents.
- D. A Bidder is a person or entity that submits Bid for Work described in Bidding Documents.
- E. A Sub-bidder is a person or entity that submits proposal to Bidder for portion of Work described in Bidding Documents.

### 1.4 FORM AND STYLE OF BID

- A. Bid shall be submitted on Bid Form provided in Section 00300, Bid Form.
  - 1. Note that the bid form will not be provided to the Bidders in an editable format.
  - 2. The bid form must be completed in its entirety.
- B. All blanks on Bid Form shall be filled in by typewriter or printed in ink.
- C. Alterations and erasures of entries made by Bidder shall be initialed by signer of Bid.

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- D. Where so indicated by make-up of Bid Form, Bid sums shall be expressed in both words and figures. In case of discrepancy between such entries, the sums expressed in words shall govern.
- E. Bid shall state legal name of Bidder and be signed by person or persons legally authorized to bind Bidder to a contract. Bid submitted by a corporation shall indicate state of incorporation and bear corporate seal. Bid submitted by agent of Bidder shall have current power of attorney attached that certifies agent's authority to bind Bidder.

### 1.5 SUBMISSION OF BID

- A. Deliver Bid no later than the time designated herein for Bid opening.
- B. Submit one original and one copy of Bid and all attachments thereto.
- C. Enclose Bid and attachments in a sealed, opaque envelope (hereinafter referred to as "bid envelope"). Address bid envelope to The Georgia Ports Authority, P.O. Box 2406, Savannah, GA 31402. Attention: Mr. Christopher B. Novack, Vice President of Engineering and Facilities Maintenance. Include the following in lower-left corner of bid envelope: **"Bid for OCEAN TERMINAL, UNDERWATER STRUCTURE REMOVAL, Contract No. 2103-1060F"** and Bidder's name, address, and telephone number.
  - 1. If Bid is mailed, enclose bid envelope in separate mailing envelope that bears notation "Bid Enclosed" in lower-left corner.
  - 2. If Bid is delivered by express delivery service, enclose bid envelope in delivery pouch addressed to The Georgia Ports Authority, 2 Main Street, Garden City, GA 31408. Attention: Mr. Christopher B. Novack, Vice President of Engineering and Facilities Maintenance. Include notation "**Bid Enclosed**" on face of delivery pouch.
  - 3. If Bid is delivered by representative of Bidder, deliver bid envelope to the lobby of the Georgia Ports Authority's Executive Office Building located at 2 Main Street, Garden City, GA by 2:30 P.M. After 2:30 P.M. bids are to be delivered to site noted hereinbelow for the bid opening.
  - 4. **All bids must be received by 3:00 P.M. March 14, 2024.**

### 1.6 BID OPENING

- A. Bids received for proposed work will be opened at **3:00 P.M., March 14, 2024**, in The Georgia Ports Authority's Administrative Building (Admin Conference Room), located at 2 Main Street, Garden City, GA 31408.
- B. The bid opening will be public.

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### 1.7 MODIFICATION OR WITHDRAWAL OF BID

- A. Bid submitted prior to time designated for Bid opening may be modified or withdrawn only by written notice to Mr. Christopher B. Novack, Vice President of Engineering and Maintenance.

### 1.8 CONSIDERATION OF BID

- A. Owner has right to reject any and all Bids when investigation of business and technical organization of Bidder available for Project, including financial resources and experience on similar projects, does not satisfy Owner that Bidder is qualified in all respects to perform Work.
- B. In determining qualifications of Bidder, Owner has right to take into consideration Bidder's past performance on other projects undertaken for Owner.
- C. Owner also has right to reject any and all Bids for any reason, to accept any Bid considered best for Owner's interests, and to waive informalities or irregularities in any Bid.
- D. The Owner reserves the right to weigh Price and Qualifications and Past Performance in the evaluation of the Bids and award the project to the Contractor whose bid best suits the Owner's needs and interest.
- E. In addition to Price, each bidder shall provide construction completion duration (consecutive calendar days) for each phase of work, as well as the total project duration in the place indicated on the Bid Form. The project may be awarded based on the offered durations in lieu of the Contract Time stated in Section 01010, Summary of Work.
  - 1. The Bid Price shall reflect the offered construction duration. No change in Price will be awarded if the offered construction duration is exercised.

### 1.9 BIDDING DOCUMENTS

- A. Bidders and Sub-bidders may obtain copies of Bidding Documents in accordance with provisions set forth in Section 00020, Invitation to Bid.
- B. Owner and A/E do not assume responsibility for errors or misinterpretations resulting from use of incomplete sets of Bidding Documents.
- C. Bidder shall review Table of Contents and List of Drawings bound in Project Manual to determine if any document is missing from Bidding Documents. Bidder shall promptly notify A/E of any discrepancies.
- D. Bidder shall also promptly notify A/E of ambiguities, inconsistencies, or errors that Bidder discovers during examination of Bidding Documents.
- E. A/E will issue interpretations and modifications to Project Manual and Drawings by written Addendum. Interpretations and modifications made in another manner will not be binding.

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- F. Addendum will be furnished to each Bidder known to A/E. Addendum will also be made available for inspection wherever Bidding Documents are on file for that purpose.
- G. Owner and A/E make Bidding Documents available only for purpose of obtaining a Bid and do not convey a license or grant permission for other use.

### 1.10 BIDDER'S REPRESENTATIONS

- A. By submitting Bid, Bidder represents it has read and understood Bidding Documents, has examined Project site and adjoining areas, is familiar with obstacles and conditions that will affect Work, and has prepared its Bid in accordance with Bidding Documents.
- B. By submitting Bid, Bidder also represents its examination of Project site included measurement of unconcealed elements of existing construction that will be affected by Work and taken those measurements into account when preparing Bid.
- C. By submitting Bid, Bidder further represents it has satisfied all Georgia licensing laws related to Work described in Bidding Documents.

### 1.11 PRE-BID MEETING AND EXAMINATION OF PROJECT SITE

- A. A Non-Mandatory pre-bid meeting that will convene at **3:00 P.M., February 22, 2024** in the Ocean Terminal Administration Building, 2<sup>nd</sup> Floor Conference Room.
- B. A site examination has been scheduled to follow the pre-bid meeting for interested bidders.
  - 1. Those Bidders planning to participate in the pre-bid meeting site examination will be required to notify the A/E (via e-mail or other written document) not later than 2:00 P.M. the day prior to the pre-bid meeting, and shall provide the full name, company, address, telephone number, and Driver's License number of each attendee. Failure to provide such may result in denial of access.
- C. Bidder may conduct additional site examination by contacting Andrew Schroeder at (912) 468-3990 for an appointment. Such site examination(s) will be at the convenience of the Owner and the A/E. Subject to berth availability and GPA's approval, bidders may, at their own cost, conduct a single day dive investigation prior to the bid date. Bidders who are interested in conducting a dive inspection must submit a written request to the site contact listed above by February 23, 2024. As the site is an active operating facility, access times may be limited. Any site examination shall not interfere with the use and operations of the facility.
- D. The Bidder shall indicate on the Bid Form the dates of any site examinations performed.
- E. Persons visiting the site will require appropriate clearance as determined by the Georgia Ports Authority. A current Transportation Worker Identification Credential (TWIC) or another valid government issued ID will be required.

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- F. Person visiting the site shall comply with the Georgia Ports Authority Contractor Security, Safety, Health, and Environmental Requirements. Each person shall provide and wear the following minimum personal protective equipment (PPE) while within the GPA facilities: hard hat, appropriate footwear (steel toe safety shoes), and high visibility safety vest. Safety eyewear is encouraged. Life jackets will be required when within six feet of the edge of the berth.

### 1.12 SUBSTITUTIONS

- A. Wherever products are identified in Bidding Documents by reference to manufacturer's name, brand name or catalog number, such reference is made to establish a standard of required function, appearance and quality and is not intended to restrict competitive bidding.
- B. Bidder may request Owner's and A/E's approval of product or method of construction which differs from requirement provided in Bidding Documents under the following terms:
  - 1. Bidder's request for approval of substitution is delivered to A/E not later than 10 days before Bid opening date.
  - 2. Request is made by Bidder, not Sub-bidder.
  - 3. Documentation is submitted to A/E which consists of the following:
    - a. Request for Substitution. (Form is provided at the end of this Section.)
    - b. Evidence proposed substitution complies with applicable codes and laws.
    - c. Product information, sketches, performance charts, references, and other data needed to evaluate merits of proposed substitution.
    - d. Data that compares features of proposed substitution with features of specified requirement.
- C. Proof of merit of proposed substitution is upon Bidder. Owner's and A/E's decision to approve or not approve proposed substitution will be final.
- D. If Owner and A/E approves proposed substitution, approval will be set forth in Addendum issued before Bid opening date. Failure to issue such Addendum constitutes notice of rejection.

### 1.13 BID SECURITY

- A. The Bid shall be accompanied by a Bid security pledging Bidder will enter into a Contract with Owner in accordance with terms stated in Bid and furnish Performance and Payment Bonds called for in Section 00802, Supplementary Conditions.
- B. The Security shall be in form of a certified check made payable to Owner or one original and one copy of Bid Bond prepared on form attached to Section 00300, Bid Form. Security shall be in an amount equal to 10 percent of Base Bid amount.

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- C. If Bidder refuses to enter into a Contract or fails to furnish certificates of insurance or Performance and Payment Bonds, security will be forfeited to Owner as liquidated damages, not as penalty.
- D. At earliest practicable date after Bid opening, all securities will be returned except those furnished by two Bidders submitting lowest Bid sums. Owner has right to retain securities of such Bidders until Contract for construction has been awarded, specified time has elapsed so that Bids may be withdrawn, or all Bids have been rejected.

### 1.14 MINORITY ENTERPRISES

- A. It is Owner's policy that minority business enterprises have maximum opportunity to participate in Owner's construction-purchasing process. Therefore, Owner encourages all minority business enterprises to compete for and receive construction contracts. Owner also encourages contractors to award subcontracts to minority business enterprises.
- B. Bidder shall submit with Bid the Minority Enterprise Questionnaire, form of document is attached to Section 00300, Bid Form. Bidder shall submit such document whether Bidder is or is not a minority enterprise.
- C. Bidders interested in taking advantage of the Georgia income tax incentive provided for by Official Code of Georgia Annotated, Section 48-7-38, relative to use of minority subcontractors in performance of proposed Work, should contact:

Small and Minority Business Coordinators  
Department of Administrative Services  
Purchasing and Surplus Property Department  
Piedmont Avenue, S.W.  
Suite 1302, West Tower, Floyd Building  
Atlanta, GA 30334  
Telephone: (404) 656-6315

### 1.15 BIDDER'S QUALIFICATION STATEMENT

- A. Submit with Bid the Bidder's Qualification Statement. Furnish all information called for on form attached to Section 00300, Bid Form.
- B. The Bidder shall have a minimum of five (5) years' experience in construction of a similar nature.
- C. The Bidder shall include demonstrated successful completion of not less than three (3) projects of similar work performed within the past five (5) years.
  - 1. The Bidder shall provide the Project names, project description, project contract amount (original and final), along with a contact name and telephone number for reference. The inclusion of Letters of Recommendation from the Owners are encouraged.

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- D. Provide the name, resume, and reference (name and telephone number) of the Project Manager and Project Superintendent. The Project Manager and Project Superintendent shall not change during the construction period unless approved in writing by the Owner.

### 1.16 SECURITY AND IMMIGRATION COMPLIANCE

- A. Submit with Bid the Contractor Affidavit under O.C.G.A. §13-10-91(b)(1). Furnish all information called for on form attached to Section 00300, Bid Form.

### 1.17 PRE-AWARD MEETING

- A. Following Bid opening date and the A/E's and Owner's preliminary evaluation of Bids and Bidders' qualifications, Owner will notify apparent successful Bidder of date of pre-award meeting to be convened at location selected by Owner. It is highly recommended that this pre-award meeting be held as soon as possible after the issuing of the Letter of Intent.
- B. Owner, A/E, and invited Bidder shall be represented at meeting by individuals authorized to conclude matters relating to proposed Work.

### 1.18 QUESTIONS

- A. Questions related to Bidding Documents and Project site shall be directed in writing to A/E, attention Michael R. Pettijohn, P.E., email: MPettijohn@mofattnichol.com. No questions will be accepted after **Wednesday February 28<sup>th</sup>, 2024, at 2:00 P.M.**
- B. Appropriate questions and responses will be provided to known plan holders.

### 1.19 SAMPLE FORM

- A. Sample form of Request for Substitution is attached to this Section.

**END OF SECTION**

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**REQUEST FOR SUBSTITUTION**

(For Use Before Bid Opening Date)

TO: Moffatt & Nichol

FROM:

2 E. Bryan St. Suite 501

\_\_\_\_\_  
(Bidder)

\_\_\_\_\_  
Savannah, GA 31401  
\_\_\_\_\_

PROJECT IDENTIFICATION: 2103-1060F - Georgia Ports Authority, **OT Underwater Structure Removal**

Bidder requests approval of the following substitution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Documentation called for in Section 00100 is attached.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

-----  
**Reserved for Owner's and A/E's use**

Date this Request Received by A/E: \_\_\_\_\_

Owner's and A/E's Decision:

( ) Request Approved

( ) Request Rejected

OWNER

A/E

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

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