

INVITATION TO BID

Town of Bethel
County of Fairfield
State of Connecticut

Request for Qualifications/ Request for Proposals (RFQ/RFP) #2024-005

DURANT AVENUE AND WOOSTER STREET SIDEWALK IMPROVEMENTS

NOTICE TO CONTRACTORS

Sealed bids for the above-referenced project will be received by the Town of Bethel, Connecticut, Office of the Purchasing Agent, at 1 School Street, Bethel, CT 06801 until **9:45 am on Wednesday January 31, 2024**, after which time (10:00 am) they will be publicly opened and read in Meeting Room A of the Municipal Center and via Video/Teleconference:

<https://us02web.zoom.us/j/3608400545> Meeting ID: 360 840 0545. No bids will be accepted after said date and time.

The Town of Bethel seeks a contractor to install new sidewalks along segments of Durant Avenue and Wooster Street. A mandatory site visit/ walk-through is scheduled for **Thursday, January 4, 2024 at 2:00 PM**. This contract is subject to state set-aside and contract compliance requirements. The project is required to be substantially complete not later than June 30, 2024.

Prospective bidders shall examine the "Instructions to Bidders" and shall comply and conform strictly with the conditions and instructions contained therein. Plans, specifications, and related documents for the above-referenced project may be obtained at the Office of the Purchasing Agent at 203-794-8512 or on the Town's website: bethel-ct.gov. Each bid must be accompanied by Bid Security in the form of a certified, treasurer's or cashier's check or bid bond in the sum of five percent (5%) of the bid price.

The Board of Selectman, upon recommendation of the Procurement Committee, reserves the right to accept and/or reject any portion of said bid(s), to waive any technicality in any bid or part thereof, and to accept or reject any bid as provided in Section 8-13c of the Charter of the Town of Bethel.

Dated at Bethel, Connecticut, this 18th day of December 2023.

Town of Bethel Procurement Committee
Daniel Carter, First Selectman
Brad Heering, Comptroller
Sam Flynn, Purchasing Agent

**REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR
DURANT AVENUE & WOOSTER STREET
SIDEWALK IMPROVEMENTS**

**Town of Bethel Procurement Committee/Town Finance
1 School Street, Bethel, CT 06801
Request for Qualifications/ Request for Proposals “RFQ/RFP 2024-005”**

Owner: Town of Bethel (“Town”)

Issued By: Town of Bethel Procurement Committee

Project Name: Bethel Sidewalk Improvements Along Durant Avenue and Wooster Street

Project Location; Bethel, Connecticut

Project Summary: The Town of Bethel seeks a qualified contracting firm (“Contractor”) to install new sidewalks along segments of Wooster Street and Durant Avenue.

RFQ/RFP Release Date: December 18, 2023

Mandatory Site Visit: January 4, 2024 at 2:00 pm

Question Submission Deadline: January 11, 2024

Questions Responses Date: January 17, 2024

RFQ/RFP Submission Deadline: January 31, 2024

Bid Opening Date: Sealed proposals for the Bethel Sidewalk Improvements along Durant Avenue and Wooster Street will be received by the Town of Bethel on or before **Wednesday January 31, 2024 at 9:45 am.** Said proposals will be opened and publicly read aloud at a meeting of the Procurement Committee to be held Wednesday January 31, 2024 at 10:00 a.m. at the Clifford J. Hurgin Municipal Center, 1 School Street, Bethel, CT 06801 in Meeting Room A and via Video/Teleconference video link at: <https://us02web.zoom.us/j/3608400545> Meeting ID: 360 840 0545.

Construction Completion Deadline: June 30, 2024

Contact Persons: Sam Flynn, Purchasing Agent, flynns@bethel-ct.gov

Minority/Women/Disadvantaged Business Enterprises are encouraged to bid. The Town of Bethel affirms that in any contract entered into pursuant to this advertisement, said business enterprises will be afforded full opportunity to submit bids in response to this invitation, and that they will not be discriminated against on the grounds of race, national origin, or sex in consideration for award.

Instruction to Bidders

TABLE OF CONTENTS

PROJECT REQUIREMENTS

- A. Background
- B. Scope of Services
- C. Project Schedule Constraints

PROPOSAL REQUIREMENTS

- A. Mandatory Site Visit
- B. Questions
- C. Proposal Submission Deadline and Format
- D. Cover Letter/Executive Summary
- E. Qualifications Package
- F. Required Contract Provisions for State Funded Contracts
- G. Contractor Certificate of Compliance
- H. Proposed Project Approach
- I. Additional Requirements
- J. Exceptions to RFQ/RFP Requirements

PROPOSAL REVIEW AND CONTRACTOR SELECTION PROCESS

- A. Selection Criteria
- B. Right to Reject Submissions

ATTACHMENTS:

- A. Construction Drawings (Plan Set)
- B. Construction Specifications
- C. Required Contract Provisions (C-1)
& State Prevailing Wage Rates (C-2)
- D. Contractor's Certificate of Compliance
- E. Bid Price Worksheet
- F. Non-Discrimination Contract Notice
- G. Project Sign Requirements
- H. "Addendum#1" Connecticut CHRO Requirements

Instruction to Bidders

PROJECT REQUIREMENTS

A. Background

The project is proposing to connect the existing sidewalk that is located along Wooster Street to the existing sidewalk along Durant Avenue. This connection will be comprised of approximately 1,425 LF of 4' wide concrete sidewalk.

B. Scope of Services

The project is proposing the preparation and installation of over 1,100 linear feet of new concrete sidewalk and replacement of approximately 25 linear feet of existing sidewalk, along with associated curbing and ramps. See the design plans provided in Attachment A, titled "SIDEWALK IMPROVEMENTS - DURANT AVENUE & WOOSTER STREET," dated May 2023, and the design specifications provided in Attachment B titled "BIDDING AND CONTRACT REQUIREMENTS AND SPECIFICATIONS," dated May 2023, that are attached to this bid package. This project shall include all related site work.

The selected Contractor shall complete project tasks that include, but are not necessarily limited to, the following:

- Form and installation of proposed sidewalks and ramps as per the design plans and specifications
- Demolition of existing sidewalks, stripping topsoil and preparing the sub-base for the proposed sidewalk
- Reconstruction of damaged curbs and driveways as required
- Installation of Sediment and Erosion Control measures as per the design plans
- The Town requires that the project is substantially completed by June 30, 2024

As noted above, please refer to Attachment A for the *Construction Drawings* and to Attachment B for the *Construction Specifications*. All contract work shall be performed in accordance with the construction drawings and technical specifications found in Attachment B as well as the other attachments.

The Town reserves the right to remove the installation of the Catch Basin, Catch Basin Top, HDPE Pipe, and related drainage work, as well as the provision of the required Project Sign, from the Contractor's scope of work, at the determination of the Town Engineer. If so determined, the Town reserves the right for payment for these items to be deducted from the bid award amount.

It is required that the prime contractor self-perform a minimum of 50% of the total contract value.

C. Project Schedule Constraints

The selected contractor shall notify the Town at least 3 weeks prior to start of construction so the Town has sufficient time to notify residents of road closures, detours, etc. Awarding of final contract is contingent upon receiving final easements and right of way agreements from adjacent property owners.

Contractor to provide a proposed schedule for construction for the work described within this RFQ/RFP. The project is required to be substantially complete not later than June 30, 2024.

PROPOSAL REQUIREMENTS

A. Mandatory Site Visit

All interested contractors must participate in a mandatory in-person site visit. This walk through will take place on **January 4 at 2:00 pm**. Interested bidders should meet at Meeting Room D (adjacent to the Public Works office) of the Bethel Municipal Center, 1 School Street, Bethel, CT 06801.

B. Questions

Questions or requests for clarification regarding this RFQ/RFP can be directed to Purchasing Agent Sam Flynn at (203) 794-8512 or can be sent via email to FlynnS@bethel-ct.gov. If questions arise that need a formal reply, they will be answered in the form of an addendum or information letter to all bidders. The deadline for questions is January 11, 2024.

C. Proposal Submission Deadline and Format

All RFQ/RFP submissions must be received by the Town by **9:45 am on January 31st, 2024**.

Interested firms are to submit three (3) hard copies and one (1) electronic copy to Sam Flynn, Purchasing Agent, Town of Bethel, 1 School Street, Bethel, CT 06801. Bids should be clearly labeled: "**Bid for Durant Avenue and Wooster Street Sidewalk Improvements for**". The electronic copy must be provided in PDF-format on a USB drive (or equivalent). Proposals must be submitted in a sealed envelope.

A \$50.00 non-refundable deposit is required for each set of printed Contract Documents obtained. Contract Documents will be mailed upon receipt of an additional non-refundable \$15.00 mailing fee.

Any information or materials submitted as a response to this RFQ/RFP shall become property of the Town of Bethel and will not be returned. Any expense incurred for the submission of RFQ/RFP is the responsibility of the firm submitting and no expense will be reimbursed by the Town. All submitted materials will be available for public review.

D. Cover Letter/Executive Summary

Proposals shall include a Letter of Introduction on firm letterhead explaining the firm's interest in the project and why your firm is the most qualified for this project. An officer of the company must sign this letter of introduction and intent. Include any information pertinent to the projects or selection process that is not requested in the following.

E. Qualifications Package

Minimum information to be included:

Firm and Key Staff Overview.

- Name of firm and firm's representative and his/her contact information
- Location of principal and branch offices that would work on these projects
- Size of firm
- Length of time in business
- Resume of the individual who is intended to be the project field supervisor, including name and address and letters of recommendation, if available
- Provide certificate(s) of current contractor license with the State of Connecticut for firm, firm's principals and officers, and/or project supervisor (as appropriate)
- The prime firm shall be a licensed contractor in the State of Connecticut

Firm Experience. List and describe similar size and scope projects you have completed in the last three (3) years. *Submission of these projects shall constitute your permission for the Owner to contact those entities for references.*

References. Provide client references for each of the three (3) projects described. Include names, titles, and contact information for references provided.

Capacity of the Firm. Describe firm's experience with similar size projects and available capacity of key staff required to perform the work within the required time frame.

Past Claims or Disputes.

- Please list any claims, disputes, or arbitration proceedings that have occurred on any projects your firm has been involved with in the last five (5) years. Indicate who they were with and give a status of each even if they are pending.
- Please list any projects in the last five (5) years in CT for which your firm was removed or chose to leave during the project.
- Information concerning any suits filed, judgments entered or claims made against your firm during the last five (5) years with respect to services provided by your firm, or any declaration of default or termination for cause against your firm with respect to such services. In addition, state whether during the past five (5) years your firm or your proposed consultant(s) or subcontractors has been suspended from bidding or entering into any government contract.

- Provide a list of all litigation matters in the State of Connecticut that were brought against and brought by the firm over the past three (3) years, including both pending and past lawsuits.
- Any and all principals and officers of the firm and the project supervisor shall be in good standing as a contractor with the State of Connecticut.

Affirmative Action.

- Include a statement of Affirmative Action compliance.
- The Town of Bethel is an Affirmative Action/Equal Employment Opportunity employer. Inquiries regarding the Town of Bethel Affirmative Action policies should be directed to:

Ms. Phyllis Kansky
Human Resources Director for Town of Bethel
1 School Street
Bethel, CT 06801
Phone: (203) 794-8148
email: kanskyp@bethel.ct.gov

F. Required Contract Provisions for State Funded Contracts

The State of Connecticut Department of Transportation Community Connectivity Grant Program (CCGP) program guidelines prescribe several *Required Contract Provisions for State Funded Contracts*. Please refer to Attachments C-1 and C-2 for details regarding the Required Contract Provisions.

G. Contractor Certificate of Compliance

Complete and submit the attached *Contractor’s Certificate of Compliance with Connecticut General Statute Section 31-57B* in accordance with State of Connecticut Department of Transportation administrative guidelines. Please refer to Attachment D for the Contractor Certificate of Compliance.

H. Proposed Project Approach

Minimum information to be included:

Staffing. Identify key staff to be assigned, including managers, with roles and responsibilities.

Project Supervisor. Include a brief paragraph describing the experience and/or detailed resume of the firm’s proposed project field supervisor.

Sub-Contractors. Identify any subcontractors to be used, their roles and responsibilities, your prior experience working with these sub-contractors, and sub-contractor qualifications to assume assigned tasks.

Schedule. Include a high-level project schedule for key milestones that results in project substantial completion before 6/30/2024.

Discussion of Key Milestones. Provide a description of how you will accomplish key milestones (including, but not limited to: project kick-off; mobilization; review and approval; ordering of equipment; demolition; construction; maintenance of traffic; cleanup; etc.)

Periodic Progress Meetings. Describe how you propose to update the Town on project progress and next steps.

Pricing. Complete and submit the attached *Bid Price Worksheet* to describe your pricing proposal. Please refer to Attachment E for the Bid Price Worksheet.

I. Additional Requirements

Proposal shall confirm the following in writing:

1. Insurance coverage

At a minimum, the Contractor shall purchase the following types of insurance, and maintain all insurance coverage for the life of the contract, from an insurance company or companies with an A.M. Best rating of A- (VII) or better. Such insurance shall protect and indemnify Town of Bethel from all claims which may arise out of or result from the Contractor's obligations under this Agreement, whether caused by the Contractor or by a subcontractor or any person or entity directly or indirectly employed by said Contractor or by anyone for whose acts said Contractor may be liable.

As to the insurance required, the insurer(s) and/or their authorized agents shall provide Town of Bethel with certificates of insurance prior to commencement of the work, describing the coverage and providing that the insurer shall give Town of Bethel written notice at least ten (10) days in advance of any termination, expiration or changes in coverage.

Worker's Compensation

Contractor shall provide worker's compensation and employer's liability insurance that complies with the regulations of the State of Connecticut with limits no less than \$1,000,000 each accident by bodily injury; \$1,000,000 each accident by disease; and a policy limit of \$1,000,000. Such policy shall contain a "waiver of our right to recover from others endorsement" in favor of the Town of Bethel.

Commercial General Liability Insurance

Contractor shall provide a commercial general liability insurance policy that includes products, operations and completed operations. Limits should be at least: Bodily injury & property damage with an occurrence limit of \$1,000,000; Personal & advertising injury limit of \$1,000,000 per occurrence; General aggregate limit of \$2,000,000 (other than

products and completed operations); Products and completed operations aggregate limit of \$2,000,000. Such coverage will be provided on an occurrence basis and will be primary and shall not contribute in any way to any insurance carried by the Town of Bethel. Such Policy shall name the Town of Bethel as an Additional Insured with respect to claims arising out of the Contractor's negligence or for the negligence of those for whom the Contractor is responsible, by endorsement, ISO Forms CG2010 and CG 2037 or their equivalent.

Commercial Automobile Insurance

Contractor shall provide commercial automobile insurance for any owned autos (symbol 1 or equivalent) in the amount of \$1,000,000 each accident covering bodily injury and property damage on a combined single limit basis. Such coverage shall also include hired and non-owned automobile coverage.

Umbrella Liability Insurance

Contractor shall provide an umbrella liability policy in excess (without restriction or limitation) of those limits and coverage described in items (A) through (C). Such policy shall contain limits of liability in the amount of \$5,000,000 each occurrence and \$5,000,000 in the aggregate.

Final Insurance Approval

All insurance coverage and policies required to be provided by Contractor shall be subject to final review and approval by the Town of Bethel's insurance agent as to both form and substance, including any other types of insurance required by the Town of Bethel's insurance agent.

Subcontractors

Any and all subcontractors of the Contractor shall provide the same insurance coverages as set forth both as Additional Insureds. For good cause shown, the Town of Bethel may waive any coverage requirements or other aspects of the insurance requirements for any subcontractors.

2. Independent Contractor

All activities performed by the Contractor and its agents, employees or representatives are, for all purposes under this Agreement, performed as an independent contractor and not as an employee of Town of Bethel and neither the Contractor nor its employees shall be entitled to any benefits to which employees of Town of Bethel are entitled including, but not limited to, worker's compensation, overtime, retirement benefits, health care benefits, vacation pay or sick leave.

3. Indemnification

The firm shall indemnify and hold harmless the Town of Bethel and its agents and Employees from and against all claims, damages, losses and expenses, including Attorney's fees arising out of, or resulting from the performance of the work.

4. Bonds

A Bid Security/ Surety Company Bond, for at least five percent (5%) of the amount of the bid, must accompany each proposal; certified checks will be accepted. Bid Security shall be payable to the Town of Bethel, and shall be properly executed by the bidder.

The successful bidder must furnish a separate one hundred percent (100%) Construction Performance Bond and one hundred percent (100%) Construction Payment Bond to the Town of Bethel at the time of contract signing.

Said bonds shall be subject to approval as to both form and substance by the Town of Bethel's insurance agent

5. Means & Methods

All Bidders are required to inform themselves fully of the conditions relating to the construction and labor under which the work will be or is now being performed, and the Contractor shall employ, as far as possible, such methods and means in the carrying out of this work as will not cause interruption or interference with any other contractor.

6. Bid Duration

Bids may be held by the Town of Bethel for a period of not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of the Bidders prior to awarding the contract.

7. Prevailing Wage Rates

The minimum rates to be paid labor of the various classifications shall be in accordance with current schedule of wages established by the State Labor Commissioner as provided in the General Statutes of Connecticut and the federal Davis Bacon Regulations, as revised. Please refer to Attachment C-2 for Prevailing Wage Rates.

8. Addenda & Clarifications

Addenda or written clarifications will be issued to all potential bidders. In order to receive the updates, the bidder must email their intent to bid to FlynnS@bethel-ct.gov

9. State Set-Aside and Contract Compliance Requirements

This contract is subject to state contract compliance requirements, including non-discrimination statutes and set-aside requirements. The contractor who is selected to perform this State project must comply with CONN. GEN. STAT. §§ 4a-60, 4a-60a, 4a-60g, and 46a-68b through 46a-68f, inclusive, as amended by June 2015 Special Session Public Act 15-5.

State law requires a minimum of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification from the Connecticut Department of Administrative Services (“DAS”) under the provisions of CONN. GEN. STAT. § 4a-60g. (25% of the work with DAS certified Small and Minority owned businesses and 25% of that work with DAS certified Minority, Women and/or Disabled owned businesses.) That is, 18.75% for Small/ Minority Business Enterprises (SBE/MBE) and 6.25% for Minority/ Women/ Disabled Business Enterprises (MBE/WBE/DBE) which totals to 25% of the state-funded portion of the project.

The contractor must demonstrate good faith effort to meet the 25% set-aside goals.

Good faith effort is mandatory and cannot be waived; however, there are no quotas. Factors such as non-availability can be considered in evaluating good faith effort.

Contractors awarded a municipal public works contract must file an Affirmative Action Plan or a Set Aside Plan with CHRO. CHRO staff review these plans to ensure contractors comply with contract compliance requirements. To determine good faith effort to meet the set aside goals, CHRO reviews the procedures used to solicit bids from SBE and MBE certified contractors for the projects by examining (a) the trades required on the project, (b) the list of contractors solicited for bids, (c) the location of the project in relation to the subcontractors solicited, and (d) other project-specific factors.

For municipal public works contracts and quasi-public agency projects, the contractor must file a written or electronic non-discrimination certification with the Commission on Human Rights and Opportunities. Forms can be found at:

http://www.ct.gov/opm/cwp/view.asp?a=2982&q=390928&opmNav_GID=1806

10. Mandatory Contract Provisions

Pursuant to Connecticut Public Act 21-76, Non-Discrimination Certifications are no longer required. Instead, except as provided in section 10a-151i of the Connecticut General Statutes, every contract to which an awarding agency is a party, every quasi-public agency project contract, and every municipal public works contract shall contain language indicating the contractor’s compliance with non-discrimination regulations.

Upon award of the bid, the selected contractor shall include these mandatory contract provisions in any and all contracts executed with the Town. Please refer to Attachment F for the *Non-Discrimination Contract Notice* containing the mandatory contract language.

J. Exceptions to RFQ/RFP Requirements

Provide a detailed list with explanations of any and all exceptions being made in the proposal to the RFQ/RFP Requirements described herein.

PROPOSAL REVIEW AND CONTRACTOR SELECTION PROCESS

A. Selection Criteria

The Bethel Public Works Department will review the responses for compliance with the required documentation to determine responsiveness. The responsive submittals will then be evaluated based on the provided responses to specific requirements outlined in this RFQ/RFP, including, but not limited to, the criteria set forth in the table below. A total of 100 points are available for scoring.

After evaluating each bidder's scoring based on the criteria outlined in the table, the Town of Bethel may create a "short list" of responding firms and schedule interviews as deemed necessary, prior to making any recommendations to the Town Purchasing Agent.

1. Firm Experience & Approach (Max 44 points)	Available Points	Low Points Criteria	Max Points Criteria	Score
a. Experience working with municipal town and city governments in CT	3	No indication of municipal experience in CT	History of providing service in Bethel	
b. Relevant project experience, including sidewalk and roadway construction experience	11	No sidewalk repair experience indicated, no similar projects, or evidence of frequent litigation	Evidence sidewalk construction makes up a significant portion of firm's workload, and experience with work of similar size and scope with successful outcomes	
c. Firm Profile	11	Incomplete or exhibits minimal detail on relevant experience	Provision of relevant information including evidence of current license in good standing with State of Connecticut (for firm, principals and officers, and/or project supervisor), minimal issues with litigation, local office location, etc.	
d. Project Supervisor Resume	8	No evidence supervisor has experience working on similar projects	Supervisor's experience includes relevant sidewalk repair and/or roadwork experience	
e. Project Schedule	4	Incomplete or exhibits minimal effort	Well thought out schedule including appropriate level of detail on all aspects of project from pre-construction to post-construction phases	
f. Site visit attendance	7	No firm representation at site walk through	Firm representation at site walk through	

2. Written Responses (Max 12 points)	Available Points	Low Points Criteria	Max Points Criteria	Score
a. Firm profile and experience	4	Incomplete or exhibits minimal effort	Clear and complete writing that ties in relevant skill sets and experience, including three (3) or more relevant projects submitted complete with contacts	
b. Attachments	4	Incomplete (note, in some instances omissions may result in disqualification)	All requested attachments and forms are provided, including compliance certification forms	
c. Subcontractor staff and credentials	4	No specific staff or subconsultant or credentials indicated	Detailed firm profile and/or resumes for staff of subconsultant provided, showing relevant experience and credentials	
3. References (Max 24 points)	Available Points	Low Points Criteria	Max Points Criteria	Score
a. Reference response No. 1	8	Client indicates problems experienced, such as delays, management or technical mistakes, cost overruns, etc.	Positive experience indicated, firm responded appropriately to challenges experienced, project completed on time and at agreed-to price	
b. Reference response No. 2	8	Client indicates problems experienced, such as delays, management or technical mistakes, cost overruns, etc.	Positive experience indicated, firm responded appropriately to challenges experienced, project completed on time and at agreed-to price	
c. Reference response No. 3	8	Client indicates problems experienced, such as delays, management or technical mistakes, cost overruns, etc.	Positive experience indicated, firm responded appropriately to challenges experienced, project completed on time and at agreed-to price	
4. Price (Max 20 points)	Available Points	Low Points Criteria	Max Points Criteria	Score
a. Bid Price	20	Highest price bidder	Lowest price bidder	

Public Law 08-169 requires the Selection Committee to make an award “...from a pool of not more than the four most responsible qualified proposers...” The “most responsible qualified proposer” is the proposer “...who is qualified by the awarding authority when considering price and the factors necessary for faithful performance of the work based on the criteria and scope of work included in the request for proposals.”

Awarding of final contract is contingent upon receiving final easements and right of way agreements from adjacent property owners.

B. Right to Reject Submissions

The Town of Bethel may at any time prior to the selection of a respondent reject any and all proposals and cancel this RFQ/RFP, without liability therefore, when doing so is deemed to be in the Town's best interests. Further, regardless of the number and quality of proposals submitted, the Town of Bethel shall under no circumstances be responsible for any respondent's cost, risk and expenses. The Town accepts no responsibility for the return of successful or unsuccessful proposals. This RFQ/RFP in no way obligates the Town of Bethel to select a respondent.

The Town of Bethel is an Affirmative Action/Equal Employment Opportunity employer. Minority/Women Business Enterprises are encouraged to bid. The Board of Selectmen, upon recommendation of the Procurement Committee, reserves the right to accept and/or reject any portion of said bid; to waive any technicality in any bid or part thereof and to accept any bid as provided for in Section 8-13c of the Charter of the Town of Bethel.

Town of Bethel Procurement Committee
Daniel Carter, First Selectman
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