



# Town of Plaistow, New Hampshire

## OFFICE OF THE TOWN MANAGER

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## REQUEST FOR PROPOSALS SAFETY COMPLEX-ROAD CONSTRUCTION

August 3, 2020

The Town of Plaistow is requesting proposals or estimates to construct approximately 400 LF of a road extension next to the John D. Fitzgerald Safety Complex, 27 Elm Street, Plaistow, New Hampshire 03865. The proposal is for the construction of a +/- 400-FT long, 22-FT wide gravel roadway, a gravel access to the Town Cemetery, a gravel parking area for the existing Safety Complex, and drainage facilities. The proposal specifically EXCLUDES the placement of both the 1.5" top pavement course and the 2" binder pavement course.

Copies of this RFP and Construction Drawings as prepared by SEC & Associates, dated September 19, 2019 are available on the Town's Website or by contacting Dee Voss at [dvoss@plaistow.com](mailto:dvoss@plaistow.com).

Questions may be directed to the Town Manager by emailing [mpearson@plaistow.com](mailto:mpearson@plaistow.com).

### LIMITATIONS:

This request for a proposal (RFP) does not commit the Town to award a contract, to pay any costs incurred in the preparation of a response to this request, or to procure or contract for services, supplies or equipment. The Town reserves the right to accept or reject any or all proposals received as a result of this request, or to cancel in part or in its entirety this RFP, if it is in the best interest of the Town to do so.

The Town reserves the right to waive any informalities, to negotiate with any proposer and to reject any and all proposals. No proposer may withdraw his proposal within (90) days after the actual date of the opening thereof. Further;

### AWARD OF CONTRACT:

Any contract entered into by the Town will be in response to the proposal and subsequent discussions. It is the policy of the Town that contracts be awarded, among

other considerations, only to responsive and responsible proposers. In order to qualify as responsive and responsible, the proposer must meet the following standards as they related to this request:

1. Have adequate financial resources for performance or have the ability to obtain such resources as required during performance;
2. Have the necessary experience, organization, technical and professional qualifications, skills and facilities;
3. Be able to comply with the proposed or required time of completion or performance schedule;
4. Have a demonstrated satisfactory of performance;
5. Adhere to the specifications of this proposal and provide all documentation required of this proposal.

The contract will be awarded to a responsive and responsible proposer based on cost and experience.

The Town reserves the right to reject any and all proposals or any part thereof, to waive any formality, informality, information and/or errors in the proposal, to accept any proposal in part or in whole as maybe in the best interest of the Town, or any other option if it is considered in the best interest of the Town to do so.

Provisions concerning insurance, worker's compensation, termination for convenience of the Town, specific payment schedules, guarantees and warranties, and compliance with additional statutory requirements specific to governmental contracts will be tailored to the specific road construction contract.

#### **GENERAL SCOPE OF WORK:**

The proposed construction and details will follow the standards on the Grading and Drainage Site Plan dated April 9, 2018 with revisions through September 19, 2019 (Sheets 1-3) herein incorporated as Exhibit A by S.E.C. & Associates, Inc. and the Construction Specifications included with this Request for Proposals. Please note, placement of pavement is beyond the scope of this proposal.

#### **SCHEDULE:**

The Contractor shall be permitted to perform tree clearing and road base construction in beginning September 4, 2020, upon receipt of notice to proceed.

Construction shall be completed by November 27, 2020.

## **SUBMISSION DATE:**

All proposals must be submitted to the Town of Plaistow, Office of the Town Manager, 145 Main Street, Plaistow, NH 03865 by Thursday, August 27, 2020 in a sealed envelope clearly marked “**Plaistow Safety Complex Road Extension Construction**” on the outside of the “sealed” envelope.

All proposals upon submission become the property of the Town of Plaistow. This solicitation in no way obligates the Town of Plaistow to award a contract.

Proposals will be opened publicly and reviewed by the Town Manager, the Town’s Consultant and appropriate Staff.

## **PRE-PROPOSAL MEETING:**

Mandatory pre-proposal meeting will be held on Tuesday, August 11, 2020 at 11:30AM, on site at the John D. Fitzgerald Safety Complex, 27 Elm Street, Plaistow, NH 03865. All interested contractors are required to attend in order to prepare acceptable proposal submissions.

## **QUESTION AND ANSWER PERIOD:**

All inquiries must be submitted by email to the owner's representative noted below by Thursday, August 13, 2020 by 4:00PM. Answers to the questions submitted by the deadline will be responded to via email by Thursday, August 20, 2020 by 4:00PM in the form of an addendum. The addendum so issued shall become part of the Contract Documents.

Owner's representative:  
Civil Design Consultants, Inc.  
Attn: James Hanley, PE  
Email: [jhanley@civildci.com](mailto:jhanley@civildci.com)  
Phone: (978) 416-0920

## **TOWN ROLE:**

Town Staff will be responsible for administering the project and overseeing the contractor’s work on this project.

The completion of work will be supervised, reviewed, and inspected by the Plaistow Highway Supervisor and Town Engineer.

## **INSPECTIONS**

No work shall be covered and/or closed without inspection by the Town of Plaistow and/or its designated representatives. The contractor may be required to uncover and/or re-open any work that is closed/covered prior to inspection. Any work that cannot be inspected may be rejected in part or whole by the Town.

## **RESERVATION OF RIGHTS:**

The Town reserves the right to make such inquiries regarding the firm's qualifications and reputation as it deems necessary to evaluate the firm.

## **RETAINAGE:**

At completion, there will be a 10% holdback to ensure that all drainage is functioning properly, slopes and swales are properly stabilized and vegetation (seeding) takes.

## **REQUIRED DOCUMENTS FOR AWARD OF CONTRACTS:**

The following documents must be executed prior to award of the contract and the initiation of work. Contractors are urged to expedite the completion of these documents. This will allow the contract award and notice to proceed to be issued expeditiously. These documents must be submitted within ten (10) working days after the date of notice of intent to award.

- a. Certificate of Insurance (naming Town of Plaistow as an "Additional Insured"
- b. If a corporation, Proof of Current Registration
- c. Executed W-9 Form

## **LIQUIDATED DAMAGES:**

Contractor and Owner recognize that time is of the essence as stated above and that Owner will suffer financial and other losses if the Work is not completed within the time schedule described in this document. The parties also recognize the delays, expense, and difficulties involved in proving in a legal arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):

Contractor shall pay Owner \$500 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion until the Work is substantially complete.

## **GENERAL INFORMATION:**

**a. Insurance Requirements:** As noted previously, Contractor shall furnish the Town of Plaistow with proof of insurance within (5) calendar days from award of Proposal. The chosen Contractor shall supply the Town of Plaistow with a Certificate of Insurance showing liability coverage, no less than \$1,000,000 as well as proof of Workers' Compensation insurance for all employees engaged in work.

**b. Performance and Payment Bonds:** A Performance Bond and a Payment Bond, each for 100% of the Proposal value, will be submitted at the time of Contract award on the standard AIA Document A312 -2010 form. Irrevocable Letters of Credit for 100% of the Proposal value may be substituted by the CONTRACTOR for each of the Bonds. The Payment Bond (or Irrevocable Letter of Credit) will not be released until satisfactory evidence has been provided to the OWNER (Town of Plaistow) that all outstanding debts, liens, and judgments incurred by the CONTRACTOR for the performance of SUBCONTRACTORS, or supplies and materials incorporated into the Work have been paid. The Performance Bond (or Irrevocable Letter of Credit) will be held in force for one year after the Substantial Completion and will serve as warranty of the Contract. The Irrevocable Letter of Credit for Performance (if used in place of a Performance Bond) may not be reduced or released prior to completion of the one-year warranty period unless authorized by the OWNER (Town of Plaistow) and approved by the Lending Authority.

**c. Background check:** All contractors and their personnel will be required to pass a criminal history check and drivers record check.

**d. Permits:** The requested work falls below the threshold for a State of New Hampshire, Department of Environmental Services Alteration of Terrain (AoT) permit and there are no direct impacts to any wetlands. Therefore, are no anticipated State permitting for this project.

**e. Traffic Control/Construction Hours:** This project is located off road and should not have significant traffic impacts. However, this is the location of the Town's Police and Fire Departments and at no time shall access be obstructed to Police/Fire personnel and/or vehicles. Contractors will be expected to conform to the Town's Zoning Ordinance §220-11 which notes construction hours are 7:00 AM to 7:00 PM.

**f. Staging:** There should be adequate staging areas on site. Contractors should take care to not impact the day-to-day operations of the Police and Fire Departments.

On-site sanitary facilities are not available for use by the contractor. The contractor will need to provide an on-site sanitary facility (i.e. porta-potty).