

INSTRUCTIONS TO BIDDERS

Project: Upgrade Information Technology - Wing Hall & Wing Hall Wing

Owner: The State University of New York, by
Cornell University for and on behalf of
the College of Agriculture and Life Sciences
Ithaca, New York 14853

Architect: M/E Engineering, P. C.
300 Trolley Boulevard
Rochester, New York 14606

1. PROPOSAL FORMS

a. Proposals shall be made only on the forms provided and all blank and underlined spaces in the forms shall be fully filled in, in ink or typed; amount shall be fully stated both in writing and in figures. Proposals shall be signed by Principals or Officers duly authorized to execute such documents on behalf of their respective firms or organizations, and the Certificate included in the Bid Form shall be completed accordingly. Bidder's legal name must be fully stated. Completed form shall be without interlineations, alterations, or erasures unless initialed and dated by the signer.

2. RECAPITULATION OR PROPOSAL

a. Proposals shall not contain any recapitulation of the work to be done. No oral, telegraphic or telephonic proposals or modifications will be considered.

3. METHOD OF SUBMISSION

a. Proposals shall be prepared and enclosed in a sealed envelope. **The Contractor shall submit one original signed Bid Form.** Envelope shall be addressed to:

Brenda Frank, Manager
Facilities Contracts
121 Humphreys Service Building
Cornell University
Ithaca, New York 14853

Proposal for: Upgrade Information Technology - Wing Hall & Wing Hall Wing

Submitted by: _____
(Bidder)

b. Proposals shall be delivered to the Owner at the address listed above not later than **3:00PM on December 3, 2024.**

4. BID OPENING

a. Proposals will be opened and read aloud publicly by the Owner in Room 133, Humphreys Service Building, Cornell University Campus, Ithaca, New York, and via Zoom at <https://cornell.zoom.us/j/94650696814?pwd=CMlaNDxNAa1VMkvjEku0WhrBWa9f.1&from=addon> at the hour and date listed in 3b. The Owner reserves the right to postpone the date and time of opening of proposals at any time prior to the date and time announced in this Instruction to Bidders or amendments thereto.

5. BIDDING DOCUMENTS

a. The Bidding Documents will consist of the following:

- (1) Instructions to Bidders.
- (2) Bid Form.
- (3) General Conditions of the Contract and Division 1 - "General Requirements".
- (4) Drawings and Specifications.
- (5) Addenda and/or bulletins issued prior to date of opening of Proposals.

6. DRAWINGS AND SPECIFICATIONS FURNISHED

a. Contract Documents may be obtained from Facilities Contracts website (<https://fcs.cornell.edu/projects-out-to-bid>). For assistance call 607-255-5343.

b. Sets will be available at \$49.00 per set without refund. No partial sets will be issued. The Contract Documents remain the property of the Owner. Fees are waived for certified Minority and Women Owned and Service Disabled Veteran Owned Businesses. Certification status will be verified in the New York State Contract System.

7. START OF WORK

a. Work shall be completed within two hundred forty (240) calendar days from the contract approval date provided in the authorization to proceed.

b. The construction schedule is critical. The Contract shall include for adequate manpower and equipment in his Bid to ensure that no slippage of the schedule will occur.

8. BONDS

a. Performance and Payment Bonds. The successful Bidder shall furnish the Owner with "Performance" and "Labor and Material Payment Bonds", each in the amount of 100% of the Contract Price. The cost of such bonds shall be included in the Bidders Proposal. Each of these Bonds are to be in a form with such sureties as the Owner may approve.

b. Bid Security. Each Bidder will be required to furnish a Bid Security in the amount of 10% of the Bid Amount. Bid Securities may be in the form of a Bid Bond or Certified Check. Such Bid Security shall guarantee that the Bidder will execute the Contract if it is awarded to him in conformity with his Proposal. Such Proposal Guarantee Bond shall include a statement that the Insurer shall, at the option of the Bidder, be willing to provide to the Bidder the Contract Bonds as described in 8a above.

9. AWARD OF CONTRACT

a. It is the intent of the Owner to enter into a Contract with one General Contractor for the entire project. All labor and services and materials and supplies, etc. are to be furnished in accordance with the Contract.

b. Award of the Contract shall be made to the bidder submitting the lowest responsive and responsible bid who, in the opinion of the Owner, is qualified to perform the work. The Owner shall determine the lowest bid by adding to or deducting from the Base Bid of the bidders additive or deductive alternates, if any, the Owner elects to accept after the opening of the Bids. Alternates will be accepted in the order they are set forth in the Bid Form. The unit prices set forth in the Bid for additions to or deductions from the work shall not be considered in determining the lowest bid.

c. The Owner reserves the right to reject any or all Proposals, and to waive any informalities in Bidding.

d. All Proposals shall remain in force and effect for a period of not less than ninety (90) calendar days following the bid opening date.

e. Contract award shall be subject to approval of Cornell University's Contractors Qualification Statement.

10. EXAMINATION OF SITE AND CONTRACT DOCUMENTS

a. Each Bidder shall visit the Site of the proposed work, fully acquaint and familiarize himself with the conditions as they exist and the character of the operations to be carried on under the proposed Contract, and make such investigation as he may see fit so that he shall fully understand the facilities, physical conditions and restrictions attending the work under the Contract.

b. Each Bidder shall also thoroughly examine and become familiar with the Drawings, Specifications and associated Bid Documents.

c. By submitting a Proposal, the Bidder covenants and affirms that he has carefully examined the Drawings, Specifications, associated Bid Documents, the Addenda and Bulletins, if any, and the Site, that he relies on no representation by the Owner, and that from his own investigation he has satisfied himself as to the nature and location of the work, the general and local conditions, and all matters which may in any way affect the work or its performance, and that as a result of such examination and investigation, he fully understands the conditions of bidding and that he will not make any claim for, and waives any right to damage because of misinterpretation or misunderstanding of the Bid Documents and the conditions of bidding.

11. DISCREPANCIES

a. Should a Bidder find discrepancies in or omissions from the Drawings, Specifications and associated Bid Documents, or should he be in doubt as to their meaning, he shall at once notify the Architect, who will send written instructions to all bidders. Neither the Owner nor the Architect will be responsible for oral instructions. Every request for such interpretation should be in writing, addressed to the Architect. Inquiries received seven (7) or more days prior to date fixed for opening of Bids will be given consideration.

12. PRE-BID CONFERENCE

a. A pre-bid conference has been scheduled for 11:00AM, November 12, 2024, in Room 102C of Humphreys Service Building, or via Zoom at:

<https://cornell.zoom.us/j/97769692546?pwd=O0nV22jFlxxJvRhIQidH049Rsv6TTC.1&from=addon>

A pre-bid walkthrough will follow and meet at the entrance to Wing Hall, 123 Wing Drive, Ithaca, New York.

The Pre-Bid Conference is designed to assist Bidders in understanding the Contract Documents, the opportunity to pose clarifying questions or make inquiries regarding Contract Documents. Results will be published in an Addendum.

b. NOTE: All Contractors/Subcontractors attending the walkthrough are REQUIRED to sign a Release if using Cornell equipment. You are also required to have appropriate PPE including, but not limited to, all current OSHA regulations and at a minimum the use of eye protection foot protection, hand protection, head protection, hearing protection and fall protection. Additionally, the Borrower shall provide their own five-point safety harness where required.

13. TRADE SUBCONTRACTORS, MATERIAL SUPPLIERS

a. Each portion of the work shall be performed by an organization equipped and experienced to do work in that particular field, and no portion of the work shall be reserved by the Bidder to himself unless he is so equipped and experienced. Subcontracts shall be awarded only to parties satisfactory to the Owner and the Architect. Each subcontractor and materials supplier shall be approved individually.

b. In the spaces provided in the Bid Form, the Bidder will list all portions of the work they propose to perform directly with their own forces.

c. A list of names from which the Bidder proposes to select subcontractors, materials suppliers, and/or manufacturers for the principal trades or subdivisions of the work should be entered for each Section, Subdivision, or Supplier listed in the Bid Form.

d. In the Bid Form, there has been listed the principal trades or subdivisions of the work for which such a listing is required, together with the provisions which govern the listing, selection, and approval of principal subcontractors.

14. ALTERNATE PROPOSALS

- a. Certain Alternate Proposals may be requested. They will be listed in the Bid Form and all Bidders are required to bid on all Alternates without exception, in the spaces provided.
- b. Alternate Proposals shall include all overhead, profit, and other expenses in connection therewith.
- c. Alternate Proposals, if accepted, will be accepted in the order in which they are set forth in the Bid Form.

15. UNIT PRICES

- a. Certain Unit Prices may be requested. They will be listed in the Bid Form and all Bidders are required to bid on all Unit Prices without exception, in the spaces provided.
- b. Unit Prices shall include all overhead, profit, and other expenses in connection therewith.

16. SCHEDULE OF VALUES

- a. A partial "Schedule of Values" for certain trades and/or subdivisions of the work is required as part of the Bidder's Proposal in the Bid Form.
- b. The successful Bidder shall submit a complete "Schedule of Values" showing the amounts allocated to the various trades, suppliers, subcontractors, installers and General Contractor's work, aggregating the total sum of the Contract. If requested by the Owner or Architect, the complete "Schedule of Values" shall be submitted prior to award of Contract.

17. ADDENDA AND BULLETINS

- a. Addenda and/or bulletins issued during the bidding period shall be acknowledged in the space provided in the Bid Form.

18. SUBSTITUTIONS

- a. Proposals shall conform to the requirements of the Bid Documents.
- b. The Bidder may offer substitutions for any item of material or equipment, element of work, or method of construction set forth in the Bid Documents, with the exception of Form of Contract, General Conditions and General Requirements - Division 1, by listing the proposed substitutions and the amounts to be deducted from the Base Bid corresponding to each such proposed substitution in the spaces provided in the Bid Form. However, the Bidder is cautioned to make his base proposal on the materials and items specified by name or other particular reference.

19. SUB-SURFACE CONDITIONS

- a. Boring information, water levels, indications of sub-surface conditions and similar information given on the Drawings or in the Specifications are furnished only for the convenience of the Bidders. The Owner, Architect and Consulting Engineer make no representation regarding the character and extent of the soil data or other sub-surface conditions to be encountered during the work and no guarantee as to the accuracy or validity of interpretation of such data or conditions is made or intended.

b. Each Bidder shall, by careful examination, inform himself as to the nature and location of the work, the conformation of the ground, subsoil and ground water conditions, the character, quality and quantity of the materials to be encountered, the character of equipment and facilities needed preliminary to and during the prosecution of the work, the general and local conditions and all other matters which can in any way affect the work under this Contract. The Bidder may, at his option, conduct tests at his expense, including borings, by prior notification to the Owner. Each Bidder shall make his own deductions of sub-surface conditions which may affect methods or cost of construction of the work hereunder and he agrees that, if awarded the construction contract, he will make no claim for damages or other compensation, except such as are provided for in the Contract Documents, should he encounter conditions during the progress of the work different from those as calculated and/or anticipated by him.

20. SALES AND USE TAX EXEMPTION

- a. The Owner a non-profit educational institution, is exempt from payment of certain Sales and Use Taxes.

21. FEDERAL EXCISE TAX

- a. The Owner a non-profit educational institution, is exempt from payment of certain Federal Excise Taxes.

22. TAX EXEMPT STATUS

- a. Bidders shall inform all prospective subcontractors and suppliers from whom they expect to obtain proposals or quotations of the tax-exempt status of the Owner as set forth above and request that they reflect anticipated tax credits in their proposals or quotations.

23. EXEMPTION CERTIFICATES

- a. At the Contractor's request, following the award of a Contract, Contractor exempt purchase certificates will be furnished by the Owner to the Contractor with respect to such tax exempt articles or transactions as may be applicable under the Contract.

24. REQUIRED SUBMISSIONS

- a. Provide with Bid Proposal:
- (1) Acknowledgement of Addenda and/or Bulletins issued prior to bid opening
 - (2) Certificate as to Corporate Bidder
 - (3) List of Proposed Subcontractors
 - (4) Schedule of Values
 - (5) Alternate Proposals and Unit Prices
 - (6) Completion of Milestone Schedule
 - (7) Bid Security

b. Within three (3) business days after bid opening (see attached forms):

- (1) MWBE and SDVOB Utilization Plan Form
- (2) EEO Policy Statement
- (3) Six-Month Workforce Projection
- (4) Vendor Responsibility Questionnaire
- (5) Procurement Lobbying Act SFL J&K Forms
- (6) Omnibus Procurement Act Forms I and II (if bid is over One Million Dollars)
- (7) Offerer's Certification Regarding Sexual Harassment Prevention Policies
Pursuant to the State Finance Law §139-I
- (8) NY Human Rights Law Executive Order 177 Certification

c. Execution of Contract:

- (1) Insurance Certificate
- (2) Performance Bond
- (3) Labor and Material Payment Bond
- (4) Schedule of Work
- (5) Federal Tax Identification Number

END OF SECTION