

**CARMEL/CLAY BOARD OF PARKS AND RECREATION
NOTICE TO BIDDERS**

Owner: Carmel/Clay Board of Parks and Recreation
1411 East 116th Street
Carmel, Indiana 46032

Project: ***THE WATERPARK ADMISSIONS PROJECT***

Notice is hereby given that the Carmel/Clay Board of Parks and Recreation of Clay Township, Hamilton County, Indiana, (the "Owner") by and through the Carmel/Clay Department of Parks and Recreation (the "Department"), will receive sealed bids for the above referenced Project at the ***Monon Community Center East located at 1235 Central Park Drive East, Carmel, Indiana 46032 until 10:00 AM local time on Tuesday, July 26, 2016*** and as soon as practicable thereafter on the same date, the Bids will be publicly opened and read aloud during a public meeting in the **Meeting Room at the Monon Community Center East**. The outside of the sealed envelope in which the Bid is enclosed, shall be clearly marked "**BID – THE WATERPARK ADMISSIONS PROJECT**", and as otherwise set forth in the Bid Documents. Any Bid received after the designated time will be returned to the Bidder unopened.

A **non-mandatory pre-bid conference** for discussion of the Project, the bidding requirements and other important matters will be held on **Tuesday, July 12, 2016 at 1:00 PM local time in the Meeting Room at the Monon Community Center East located at 1235 Central Park Drive East, Carmel, Indiana 46032** and, weather permitting, shall conclude with a visit to the location within Central Park where the Work is to be performed. Prospective bidders are encouraged, but not required, to attend the pre-bid conference. For special accommodations needed by individuals with disabilities planning to attend the pre-bid conference or public bid opening meeting, please notify Frank Parisi at (317) 610-3400 or fparisi@williams-architects.com at least forty-eight (48) hours prior thereto.

In general, the Work for the Project to construct a **Waterpark Admissions Kiosk Building includes Masonry, Carpentry, Concrete Flatwork and Foundations, Fencing, Electrical Works and Landscape Restoration**, as set forth in the Contract Documents for the Project which, except for those items not included due to timing, size or other factors, have been assembled into a bound Project Manual and includes the Bid Documents. The Project Manual and any and all full size drawings may be examined at and obtained from, the office of Eastern Engineering Supply Company, 9901 Allisonville Road, Fishers, Indiana 46038 (317) 598-0661. Bidders shall assure that they have obtained complete sets of the Project Manual and drawings and shall assume the risk of any errors or omissions in Bids prepared in reliance on incomplete sets.

Bids must be submitted on the forms in the Project Manual, must contain the names of every person or company interested therein, and shall be accompanied by:

- (1) Properly and completely executed Form 96 (revised 2013) prescribed by the Indiana State Board of Accounts, including a financial statement, a statement of experience, a proposed plan or plans for performing the Work and the equipment the Bidder has available for the performance of the Work;
- (2) A Bid Bond in the amount of five percent (5%) of the total Bid amount, including any alternates, with a satisfactory corporate surety or by a certified check on a solvent bank in the amount of five percent (5%) of the amount of the Bid made payable to the Carmel/Clay Board of Parks and Recreation. The Bid Bond or certified check shall be evidence of good faith that the successful Bidder will execute within ten (10) calendar days from the acceptance of the Bid, the Agreement as included in the Project Manual. The Bid Bond or certified check shall be made payable to the Owner.

Owner reserves the right to hold any or all Bids for a period of not more than sixty (60) days after the date on which the Bids are opened and, for such sixty (60) day period, all such Bids shall be in full force and effect. Any Bid may be withdrawn prior to the scheduled closing time for the receipt of Bids but no Bidder shall withdraw a Bid within the sixty (60) days after the actual opening of the Bids. All Bid Bonds and certified checks of unsuccessful bidders will be returned by the Owner upon selection of the successful Bidder and execution of the Agreement, and provision of the required Performance Bond and Payment Bond.

Bidders must comply with the noncollusion provisions of Indiana Code § 36-1-12-4.

In addition to all other references in the Contract Documents to laws and regulations applicable to this Project, Indiana Code § 5-16-13 et seq.” or “Chapter 13”, applies to this Project in addition to the provisions of the public works statute found at Indiana Code § 36-1-12 et seq. To the extent the two (2) foregoing statutes are inconsistent, the provisions of Indiana Code § 5-16-13 et seq., shall govern and the substance of its provisions shall be stated or incorporated by reference in the public works contract(s) awarded for this Project.

A Performance Bond with good and sufficient surety, acceptable to the Owner and Architect/Engineer, shall be required of the Contractor in an amount equal to one hundred percent (100%) of the Contract Price, conditioned upon the faithful performance of the Agreement. The surety of the Performance Bond may not be released until one (1) year after the Owner's final settlement with the Contractor. Retainage will be as required by Indiana Code § 36-1-12 et seq.

The Contractor shall execute a Payment Bond to the Owner, approved by Owner and Architect/Engineer and for the benefit of the Owner, in an amount equal to one hundred percent (100%) of the Contract Price. The Payment Bond is binding on the Contractor, the subcontractors of any tier, and their successors and assigns for the payment of all

indebtedness to a person for labor and services performed, material furnished, or services rendered. The Payment Bond must state that it is for the benefit of the subcontractors, laborers, material suppliers, and those performing services for the Project. The surety of the Payment Bond may not be released until one (1) year after the Owner's final settlement with the Contractor.

All out-of-state corporations must have a certificate of authority to do business in the State of Indiana. Contractor must comply with all applicable legal requirements in Title 5 and Title 36 of the Indiana Code including, but not limited to, the antidiscrimination provisions of Indiana Code § 5-16-6 et seq. pursuant to Indiana Code § 36-1-12-15, the E-Verify provisions of Indiana Code § 22-5-1.7 et seq. and the Iran disqualification provisions of Indiana Code § 5-22-16.5 et seq. pursuant to Indiana Code § 36-1-12-23.

The Owner reserves the right to (1) cancel this solicitation pursuant to Indiana Code § 5-22-18-2 and/or (2) reject any offers, in whole or in part as specified in the solicitation when Owner determines in accordance with Indiana Code § 36-1-12-4 that such action is in the best interests of the Owner. Owner reserves the right to delay the opening of the Bids pursuant to Indiana Code § 36-1-12-4. To the extent permitted by applicable law, the Owner reserves the right to waive any of the terms, conditions or provisions contained in this Notice To Bidders or the Bid Documents or any informality, irregularity or omission in the bid process or in any Bid which waiver is deemed in the Owner's discretion to be to the advantage of the Owner and which does not afford the Bidder a material competitive advantage over other Bidders. Except as specifically otherwise provided herein and as allowed by applicable Indiana law, a contract for the Project shall be awarded in accordance with this Notice To Bidders, Indiana Code § 5-16-13 et seq. and Indiana Code § 36-1-12-4, to the lowest responsible and responsive Bidder and does not exceed the funds available for the Project.

Except for requests for special accommodation to attend the pre-bid conference or the public bid opening meeting, questions regarding this Project should be directed to Frank Parisi by email only at fparisi@williams-architects.com.

Mark Westermeier

Director, Carmel Clay Department of Parks & Recreation
For and on behalf of the Carmel /Clay Board of Parks and Recreation

Publication Dates: Thursday, July 7, 2016 and Thursday July 14, 2016.