



GOVERNMENT OF BERMUDA
Ministry of Public Works

Department of Works and Engineering

Date: 6th October 2016

Dear Bidders

**INVITATION TO TENDER FOR CONSTRUCTION OF RETAINING WALL AND SIDEWALK
AT HAPPY VALLEY ROAD, PEMBROKE**

Project: Retaining Wall and Sidewalk Construction at Happy Valley Road, Pembroke

Project No: HW 89993

You are invited in conjunction with others to submit a competitive bid for the above mentioned work; we hereby enclose the following documents on which your bid should be based:

- Notice of Intent to Respond
- Part 1 Instruction to Bidders
 - Scope of Work
 - Specimen Tender Evaluation Matrix
- Part 2 Form of Tender and the Appendices to Form of Tender
 - Contractor Experience and Capability Form
 - Profile Information Form
 - Certificate of Confirmation of Non-Collusion
 - Tender Price Breakdown
 - Acknowledgment Letter of Standard Form of Agreement
- Part 3 Contract Documents: (sample draft for reference/information only)
- Part 4 Specification and Schedule to the Specification
- Drawing Nos. H0, CC10/1630/01, H1, H2

Introduction:

The following is an abbreviated scope of work intended to provide potential bidders with information as to the size and nature of the project in its entirety. Bidders are to refer to the specific bid packages that have been provided along with associated specifications for the complete scope of work for bidding per the individual categories briefly described below.

Project: Retaining Wall and Sidewalk Construction at Happy Valley Road, Pembroke.

Address: #1 Hillsdale Avenue, Pembroke

Project No: HW 89993

Project Description: Construction of retaining wall and concrete sidewalk (a more detailed description is included in the documents following the Instructions for Tendering)



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Key dates

Action	Date
Tender Issue date	Thursday 13 rd October 2016
Tender Closing and time	3pm 4 th November 2016
Project Tentative Schedule Dates	Within two weeks of Award of Contract

Site Visit

A site visit is NOT mandatory. However, it is recommended that tenderers visit the site if they are not familiar with the location. The cost of a site visit shall be borne by the bidder. A site visit can be arranged by emailing abhayward@gov.bm.

Single Point of Contact:

The Ministry of Public Works, Department of Highways
Allanette Hayward, Civil Engineer Trainee
Tel: 278-0574 Email: abhayward@gov.bm.

Tender Return Submittal:

Please submit your tender in a sealed envelope marked "**Tender for Retaining Wall and Sidewalk Construction At Happy Valley Road, Pembroke**" and bearing the name of the tenderer, to the Tender Box at the Ministry of Public Works, located on the 3rd floor of the General Post Office Building, 56 Church Street, Hamilton by **3:00 p.m. on Friday 4th November 2016**.

NOTE: Late Tenders will not be considered.

Regards,

Allanette Hayward
Civil Engineer Trainee



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**Retaining Wall and Sidewalk Construction
At Happy Valley Road, Pembroke Parish**

NOTICE OF INTENT TO RESPOND

Note: Receipt of this completed form will assist the Government of Bermuda in calling for future bids. Please complete and submit this form by email no later than **3:00 pm** on **4th November 2016** to abhayward@gov.bm.

I intend to respond Yes () No ()

If No Please check appropriate box (es) below

A Tender is not being submitted for the following reason(s):

- | | |
|---|---|
| <input type="checkbox"/> We do not provide the required services. | <input type="checkbox"/> Insufficient time to prepare quote/tender. |
| <input type="checkbox"/> Specifications are not sufficiently defined. | <input type="checkbox"/> We are unable to competitively quote/tender at this time. |
| <input type="checkbox"/> Insufficient information to prepare proposal. | <input type="checkbox"/> We do not have resources to handle this requirement. |
| <input type="checkbox"/> Cannot meet delivery requirements. | <input type="checkbox"/> Licensing restrictions (please explain). |
| <input type="checkbox"/> Cannot quote/tender a firm price at this time. | <input type="checkbox"/> Other reasons or additional comments (please explain below). |

I/We wish to quote/tender on similar goods/services in the future <input type="checkbox"/> Yes <input type="checkbox"/> No	Authorized Company Official – Signature and Title	Date
This space for Government of Bermuda Comments	Name of Legal Entity	
	Address	
	City	
	Parish/Province/State Postal/Zip Code	
	Telephone Number Email Address	



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PART 1

INSTRUCTIONS TO TENDERERS

Request for Tender

For

**RETAINING WALL & SIDEWALK CONSTRUCTION
AT
HAPPY VALLEY ROAD,
PEMBROKE PARISH**

Project No. HW 89993

**Issue Date: Thursday 13rd October 2016
Closing Date: 3:00 pm on Friday 4th November 2016**



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Retaining Wall and Sidewalk Construction At Happy Valley Road, Pembroke Parish

1 INSTRUCTIONS TO TENDERERS

1.1 Public Access to Information

Any information collected or used by or on behalf of the Government of Bermuda ("Government") under this solicitation document is subject to the Public Access to Information Act 2010 ("Act"). The information belongs to a class of information that might be made available to the general public under the Act. Any questions regarding the collection, use, or disclosure of the information should be directed to the public authority that issued this solicitation document.

1.2 Submission of Tenders

- a. All completed Tenders must be returned in sealed envelope and clearly marked "Retaining Wall and Sidewalk Construction at Happy Valley Road, Pembroke Parish" "To be Opened after 3:00 p.m. Friday 4th November 2016"
- b. To be delivered by Courier or Mail or by hand to: -
Ministry of Public Works,
56 Church Street,
Hamilton, HM12
Bermuda
No later than **3:00pm on, Friday 4th November 2016**
- c. Tenders received later than this time will not be considered.
- d. Tenders shall be submitted on the **Form of Tender, Part 2**, provided in this Tender Package and sealed in the envelope provided.

IMPORTANT

TENDERS MUST BE PLACED IN THE TENDER BOX IN THE RECEPTION AREA OF THE MINISTRY OF PUBLIC WORKS, LOCATED AT 3RD FLOOR, GENERAL POST OFFICE BUILDING, 56 CHURCH STREET, HAMILTON, BERMUDA NO LATER THAN THE TIME AND DATE SPECIFIED IN (2a.) ABOVE.

1.3 Content of Tender

- 1) Transmittal Letter
- 2) Instructions to Tenderers
- 3) Scope of Works with Specifications and drawings
- 4) Form of Tender
- 5) Mandatory forms



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1.4 Rejection of Tenders

The Government reserves the right to reject any or all Tenders and is not bound to accept the lowest Tender.

1.5 Tender Documents and Site Conditions

Each Tenderer, by submitting its tender, represents that an authorized representative of Tenderer has read and understands the Tender Documents, and that he has knowledge of the site and has familiarised himself with the conditions under which the work is to be performed.

1.6 Alterations

No alterations are to be made to the Form of Tender except in filling in the blanks as indicated. If any such alterations are made, or if these instructions are not fully complied with, the Tender may be rejected.

1.7 Period of Validity of Tender

The Tenderer shall abide by this Tender for a period of **ninety (90) calendar days** from the deadline for receipt of Tenders.

1.8 Safety and Health

All works must be carried out in strict accordance with the Bermuda Occupational Safety and Health Act, 1982, Occupational Safety and Health Regulation of 2009, and the Ministry of Public Works safety policy. 1.7.2 Alcohol, Smoke and Drug-Free Policy: All Government buildings and work sites are designated as alcohol, smoke and drug-free.

1.9 Tenderer's Submissions

1.9.1 The Government shall not be liable for any expenses or losses incurred by the tenderer in preparation of the tenderer's tender submission.

1.9.2 Tenderer must submit with their tender a proposed operational plan containing a detailed description of the proposed methodology including proposed equipment, proposed access routing and proposed schedule. Also include the overall methodology for execution of the works including crew size, number of crews and planned days.

Tenderers shall provide the following as a minimum:

- i. A list of their experience on projects of similar scope and ground conditions;
- ii. A list of any sub-contractors and/or consultants to be used to carry out the work;
- iii. Identification of health and safety and environmental issues likely to be encountered during construction and the measures to be used to



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- avoid, eliminate or control risk to employees and members of the public;
- iv. The proposed methodology with particular reference to anticipated traffic management measures;
 - v. The proposed programme schedule for mobilization, carrying out the work and demobilization; and
 - vi. All assumptions made in preparation of his/her proposal.
 - vii. Information as requested in 1.11.3

1.9.3 Financial and Cost Quotation Submission

Tenderers must submit a cost quotation submission comprising the Lump Sum Price in the completed Appendix to the **Form of Tender** and a **Schedule of Rates** for the assessment of variations to the contract.

1.10 Tenderer's Responsibility & Clarification Questions

- 1.10.1 Tenderers should seek to clarify any points of doubt or difficulty with the Government before submitting a Tender.
- 1.10.2 It is the tenderer's responsibility to ensure that it completely understands the requirements and instructions set out in this Invitation to Tender. In the event that clarification is required, tenderers should submit questions via e-mail to **Allanette Hayward** at abhayward@gov.bm , ("Ministry Representative").
- 1.10.3 The deadline for submitting questions is **12:00 p.m. on Friday 21st October 2016**.
- 1.10.4 The Ministry Representative will respond by e-mail, in writing or by facsimile to any request for clarification, which is received earlier than 7 calendar days prior to the deadline for the submission of proposals. Written copies of the Ministry's response, including a description of the enquiry but without identifying its source, will be sent to all Tenderers.
- 1.10.5 Tenderers shall confirm receipt of each Addendum at the time of receipt of same.
- 1.10.6 Tenderers are encouraged to visit the sites of the said works.

1.11 Evaluation and Comparison of Tenders

- 1.11.1 The tenders submitted will be evaluated in a two-stage process. During the preliminary stage, a determination will be made as to whether all requested information has been provided. A short list of potential contractors will be developed, and their tenders will be scored utilizing an evaluation matrix with the following evaluation criteria: (i) experience and capability; (ii) financial analysis; and (iii) social, environmental and economic. Scores will be entered into the evaluation matrix. (Attached Appendix I)



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- 1.11.2 The tender assessment will take into consideration the submitted tender documents inclusive of each Tenderer's prices, schedule of rates, proposed methodology, qualifications, overall relevant experience in relation to this type of work, and the applicable qualifications of the team and each team member proposed to be used to undertake the work. The Government reserves the right to accept or reject any variations, deviations or alternative offers. Variations, deviations and alternative offers and other factors which are in excess of the requirement of the tendering documents or otherwise result in the accrual of unsolicited benefits to the Government shall not be taken into account in the tender evaluation.
- 1.11.3 To assist with the evaluation process, tenderers must provide the following information:-
- i. A statement regarding their commitment to employment of Bermudians. It is the intention of the Government to support the employment and training of Bermudians. Attached are a standard company employment and training profile form and a company profile summary form. Both forms **must** be completed in full and returned with the tender documents. Provide a list of your company's principals on the provided form and company details.
 - ii. Details of up to three projects completed by your company which are similar to the works described.
 - iii. Indicate the number of incidents that have occurred within the last five years where an employee has been injured on the job, if any. Please also indicate how much time such employees were off work because of the sustained injury (ies).
 - iv. Provide three (3) references from prior clients. These may be in the form of written letters from the clients or contact information.
 - v. Provide a reference from your banking institution as to your standing with the bank. Please also indicate whether your company has filed for bankruptcy within the last two years or whether your company is currently insolvent.
 - vi. Proof of company payroll status and social insurance status and numbers.
 - vii. Indicate whether your company provides apprenticeships/training positions. If no apprenticeship or training positions exist, indicate whether your company provides training to current employees.
 - viii. Indicate the total number of employees working at your company and the number and percentage of Bermudian employees.



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- ix. Indicate whether your company has an environmental policy and, if so, please provide a copy.
- x. Indicate whether your company has a Safety and Health policy and, if so, please provide a copy.
- xi. Indicate whether your company or its principals have participated in any business skills training either with the Bermuda Economic Development Corporation or otherwise.
- xii. A Certificate of Confirmation of Non-Collusion: The Certificate of Confirmation of Non-Collusion form must be signed and returned with tenderer's response.

1.11.4 Any required information that is omitted or illegible, any alterations to the text, or any conditions added, may cause the tender to be declared invalid and rejected.

1.11.5 The Government may, after bid closing time and before contract award, require any Tenderer to submit, in a form prescribed by or acceptable to the Government, supplementary information about any aspect of the tenderer's bid which, in the opinion of the Ministry of Public Works is necessary for bid evaluation purposes.

1.11.6 The Government reserves the right not to enter into an agreement based on the proposals received.

1.12 Debtors

The Government of Bermuda shall run such searches as are necessary to determine the solvency of Tenderers. The contract shall not be let to any tenderer harboring debt to the Government. Tenderers shall be given the opportunity to settle any such debts prior to award or to withdraw their tender.

1.13 Security for the Proper Completion of the Works

The successful tenderer shall be required within seven days of submission of the tender to submit satisfactory evidence from a bank or financial institution that sufficient funds or credit facilities are available to the tenderer for the satisfactory completion of the contract.

1.14 Award of Contract

1.14.1 The Government will award the contract to the tenderer whose proposal has been determined to be substantially responsive to the tender documents and who, in the opinion of the Government, has offered the best proposal taking into consideration the price, the tenderer's capability and available resources to carry out the contract effectively and the tenderer's schedule. This may not be the lowest priced proposal received.

1.14.2 The Government does not bind itself to accept the lowest or any proposal and reserves the right to reject any proposal, and to annul the tendering process and



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reject all tenders, at any time prior to awarding the contract, without thereby incurring any liability to the affected tenderer or tenderers, or being under any obligation to inform the affected tenderer or tenderers of the grounds for the Government's action.

- 1.14.3 The Government may declare the tender void when it is evident that there is a lack of competition or there has been collusion. All proposals may be rejected if they are substantially higher than the budget.

1.15 Insurance

The successful tenderer shall submit evidence, such as a copy of a certificate or a letter from his insurers, confirming that Works and Third Party Insurance has been retained for the amount shown in the schedule to the contract and for the duration of the Works within seven (7) days of award of the contract and prior to commencement of work at the site.

1.16 Notification of Award

1.16.1 Prior to the expiration of the period of tender validity prescribed in paragraph 1.7 of these instructions the Government will notify the successful tenderer by email and/or registered letter that its tender has been accepted. This letter (hereinafter and in the Conditions of Contract called "Letter of Acceptance") shall name the sum which the Government will pay to the contractor in consideration of the execution, completion and maintenance of the Works by the contractor as prescribed by the contract (hereinafter and in the Conditions of Contract called "the Contract Amount").

1.16.2 The successful Tender together with the Letter of Acceptance will constitute the formation of a binding contract unless and until a formal agreement is executed.

1.16.3 The Government will promptly notify the unsuccessful tenderers in writing.

1.17 Signing of Contract Agreement

1.17.1 At the same time that the Government notifies the successful tenderer(s) that its tender has been accepted, the Government will send the tenderer, the Form of Agreement provided in the tendering documents, incorporating all agreements between the parties.

1.17.2 Within 14 days of receipt of the Form of Agreement, the successful tenderer shall sign the Form and return it to the Government.

1.18 Form of Contract

The Conditions of Contract shall comprise the 'General Conditions', which form part of the 'Short Form of Contract' First Edition 1999 published by the Fédération Internationale des Ingénieurs-Conseils (FIDIC), and the 'Particular Conditions', which include amendments and additions to the General Conditions.

End of Instructions to Tenderers



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2 BRIEF DESCRIPTION OF WORKS

RETAINING WALL & SIDEWALK CONSTRUCTION AT HAPPY VALLEY ROAD, PEMBROKE PARISH

The following brief description of the works shall be read in conjunction with all other Tender Documents. This Brief Description is not an exhaustive description of the works nor the manner or sequence in which works are to be carried out.

- 1) The works are to be constructed on private land being acquired by Government and the successful Contractor will be required to keep the landowner informed regarding access and the temporary storage of building materials and excavated material.
- 2) The works on Happy Valley Road comprise site clearance; excavation and construction of a new plastered finish reinforced concrete block retaining wall (with superimposed concrete capping on a reinforced concrete foundation and a kerbed concrete sidewalk on a prepared stone base.
- 3) It is intended that two BELCO poles will be repositioned prior to contract works commencing and Tenderers should allow for working around the poles and overhead cables in the proposed new positions.
- 4) It is recommended by the engineer that the contractor use the excavated materials for backfilling to the new wall.
- 5) A free draining layer is to be provided behind the weep-holes in the retaining wall to dissipate water pressure behind the wall.
- 6) The steps into the property from Happy Valley Road shall be reconstructed from the back of the new sidewalk in style and dimension generally to match the existing steps, but varied as necessary within the scope of the **Residential Building Code** to accommodate the changes in elevation.

End of Description of Works