

STANDARD ADDENDUM NO. A-2

OF THE
GEORGIA STATE FINANCING AND INVESTMENT COMMISSION
Second Floor
270 Washington Street
Atlanta, Georgia 30334

09/17/2010

Notice to Bidders: Acknowledge receipt of this Standard Addendum (and any future issued addenda) in the space provided on the Proposal Form. Failure to do so may be cause for rejection of proposal.

1. This addendum is issued as a part of the bidding documents prepared by LW Engineering - Design Professional for the project listed below:

Project No: TCSG-83800-238
Project Name: Welding Lab Building
North Georgia Technical College, Clarkesville Campus

2. The attached "Invitation to Bid," dated 09/16/2010 shall be added to the Bid Requirements Section of the Project Manual.
3. The attached "Bid Form" shall be added to the Bid Requirements Section of the Project Manual.
4. The attached "Bid Bond" Form shall be added to the Bid Requirements Section of the Project Manual.
5. The attached "Statement of Bidders Qualifications" shall be added to the Bid Requirement Section of the Project Manual.
6. The attached "Georgia Security and Immigration Compliance Act Affidavit" shall be added to the Bid Requirements Section of the Project Manual and shall be submitted with the Bid Form.

BY ORDER OF GEORGIA STATE FINANCING AND INVESTMENT COMMISSION

Enclosures: Invitation to Bid
Bid Form
Bid Bond Form
Statement of Bidders Qualifications
Georgia Security and Immigration Compliance Act Affidavit

INVITATION TO BID

The Georgia State Financing and Investment Commission (GSFIC), on behalf of the Technical College System of Georgia (Owner), will receive sealed bids from Contractors (hereafter "Construction Professionals" or "Bidders") in Room #2104, 270 Washington Street, Second Floor, Atlanta, Georgia 30334. Bids must be physically on the table in the Bid Room by two o'clock, at the time legally prevailing in Atlanta, Georgia on October 19, 2010 for the construction of the Project listed below:

Project No. **TCSG-83800-238**
Project Name: **Welding Lab Building**
Project Location: **North Georgia Technical College, Clarkesville Campus**

Investment Number 04-01-06289

The U.S. Department of Commerce's Economic Development Administration is providing partial funding for this project.

At the time and place noted above, the bids will be publicly opened and announced.

Information regarding the acquisition of Bidding Documents may be obtained at the office of the Design Professional as follows:

Design Professional: L W Engineering
(address) 321 North Main Street
Cornelia, Georgia 30531

Contact: Luke Williams, P.E.
Telephone: 706-778-3784
E-mail: lwilliams@lwengineering.com

Bidding documents may be acquired by directly contacting All Service Printing, 874 Washington Street, Clarkesville, Georgia 30523. Contact Jesse at 706-754-5010 **REVISED**. The fee for bidding documents is \$177 plus shipping and is non-refundable.

Bidders are cautioned that acquisition of Bidding Documents through any source other than the office of the Design Professional or All Service Printing is not advisable. Acquisition of Bidding Documents from unauthorized sources places the bidder at risk of receiving incomplete or inaccurate information upon which to base a bid. All future project information, including addenda, if issued, will be posted on the Georgia Procurement Registry web site (www.procurement.state.ga.us). It is the bidder's responsibility to check the site often for addenda and other project information.

There will be a pre-bid conference held as follows:

Date: 10/5/2010
Time: 1:00 PM
Location: North Georgia Technical College
Visual Tech Building, Boardroom
1500 Highway 197 N
Clarkesville, Georgia 30523

(For directions call 706-754-7867, also see Campus Map posted on Georgia Procurement Registry)

Attendance at this pre-bid conference is **MANDATORY** for any Construction Professional intending to bid on this project. Others may attend if they so desire.

Bidders' attention is called to the **Statement of Bidders Qualifications** in the Bid Requirements Section and to the Supplementary General Requirements (if used), which establish minimum qualifications for Construction Professionals bidding this project. The Statement of Bidders Qualifications including any supplementary requirements as shown in the Supplementary General Requirements shall be attached to the Bid Form. Bids will not be accepted from Construction Professionals failing to meet the minimum qualifications established or from Construction Professionals failing to submit the required documentation of qualifications. Any protests to the established minimum Bidders qualifications must be submitted in writing to the GSFIC by not later than seven calendar days prior to the bid opening date.

Contract, if awarded, will be on a lump sum basis. No bid may be withdrawn for a period of thirty-five days after time has been called on the date of opening except in accordance with the provisions of Georgia law. Bids must be accompanied by a Bid Bond made payable to the Owner in an amount equal to not less than five percent of the Bid. Both a performance bond and a payment bond will be required, each in an amount equal to 100 percent of the Contract Sum prior to execution of contract.

The Owner reserves the right in its sole and complete discretion to waive technicalities and informalities. The Owner further reserves the rights in its sole and complete discretion to reject all bids and any bid that is not responsive or that is over the budget. The Owner anticipates that the contract will be awarded to the responsive and responsible bidder who provides the lowest bid within the budget. In judging whether the bidder is responsible, the Owner will consider, but is not limited to, the following:

- Whether the bidder or its principals are currently ineligible, debarred, suspended, or otherwise excluded from bidding or contracting by any state or federal agency, department, or authority;
- Whether the bidder or its principals have been terminated for cause or are currently in default on a public works contract;
- Whether the bidder can demonstrate sufficient cash flow to undertake the project as evidenced by a Current Ratio of 1.0 or higher;
- Whether the bidder can demonstrate a commitment to safety with regard to Workers' Compensation by having an Experience Modification Rate (EMR) over the past three years not having exceeded an average of 1.2; and
- Whether the bidder's past work provides evidence of an ability to successfully complete public works projects within the established time, quality, or cost, or to comply with the bidder's contract obligations.

In the event all responsive and responsible bids are in excess of the budget, the Owner, in its sole and absolute discretion and in addition to rejecting all bids, reserves the right either to supplement the budget or to negotiate with the lowest responsive and responsible bidder (after all deductive alternates are taken) but only for the purpose of making changes to the project that will result in a cost to the Owner that is within the budget, as it may be supplemented.

STATE OF GEORGIA

BY: GOVERNOR SONNY PERDUE, CHAIRMAN

BID FORM

To: OWNER Technical College System of Georgia

Re: Project Name and No. _____

THE BID:

Base Bid. Having carefully examined the Bidding Documents describing PROJECT NO. TCSG-83800-238, Welding Lab Building, North Georgia Technical College, and Standard Addendum A-1, _____ and Addendum No.(s) _____, as well as the Site and conditions affecting the Work, bidder hereby proposes to furnish all services, labor, materials, and equipment called for by them for the entire Work, in accordance with the aforesaid documents, for the sum of:

_____ Dollars

(\$ _____)

which sum is hereinafter called the Bid. The Bid shall be the amount of the Contract Sum executed between the Owner and the Contractor unless Alternates are accepted.

Alternates. We further propose that, should any of the following alternates be accepted and be incorporated in the Contract, the Bid will be altered in each case as follows:

There are no alternates planned for this project.

Errors or Revisions. Prior to the bid opening date and hour, errors may be stricken or revisions may be made and corrections entered on this proposal form or on the bid envelope with sufficient clarity to be easily understood. All such annotations shall be made by the authorized representative of the bidder and identified as such. These annotations shall be binding on the bidder.

No Withdrawal. For and in consideration of the sum of \$10.00, the receipt of which is hereby acknowledged, bidder and Owner agree that this bid may not be revoked or withdrawn after the time set for the opening of bids, except as provided in Georgia law, but is an irrevocable offer that shall remain open for acceptance for a period of thirty-five days following the time set for the opening of bids.

Execution of the Contract. If bidder is notified in writing by statutory mail of the acceptance of this bid within thirty-five days after time set for the opening of bids, bidder agrees to execute within ten days the Contract for the Work for the above stated Bid, as adjusted by the accepted Alternates, and at the same time to furnish and deliver to the Owner a Performance Bond and a Payment Bond on forms shown in Section 7 of the General Requirements of the Contract, both in an amount of equal to 100 percent of the Contract Sum.

Commencement and Completion of Work. Upon the Effective Date of the Contract, bidder agrees to commence all Preconstruction Activities. Within ten days of the date specified in the Proceed Order, bidder agrees to commence physical activities on the Site with adequate forces and equipment and to complete to Material Completion all work in 240 consecutive calendar days of the date specified in the Proceed Order.

Bid Bond. Enclosed herewith is a Bid Bond in the amount of _____ Dollars (\$ _____) (being not less than five percent of the Bid). Bidder agrees that the above stated amount is the proper measure of liquidated damages that the Owner will sustain by bidder's failure to execute the Contract or to furnish the Performance and Payment Bonds should bidder's bid be accepted.

Obligation of Bid Bond. If this bid is accepted within thirty-five days after the date set for the opening of bids and bidder fails to execute the Contract within ten days after Notice of Successful Bid, or if bidder fails to furnish both Performance and Payment Bonds, the obligation of the Bid Bond will remain in full force and effect and the money payable thereon shall be paid into the funds of the Owner as liquidated damages for such failure; otherwise, the obligations of the Bid Bond will be null and void.

Bidder Certification

Certification under Oath. Under oath I certify that I am a principal or other representative of the bidder, and that I am authorized by it to execute the foregoing bid on its behalf; and further, that I am a principal person of the bidder with management responsibility for the construction for the bidder, and as such I am personally knowledgeable of all its pertinent matters. I further certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same services, materials, labor, supplies, or equipment and is in all respects fair and without collusion or fraud. Bidder and its principals understand that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. Bidder agrees to abide by all conditions of this bid.

BY: _____
Authorized Signature

Printed Name Title

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20__

Notary Public

[NOTARY SEAL]

My Commission Expires:

NOTE: THE NOTARY SEAL MUST BE APPLIED UNDER GEORGIA LAW, WHETHER OR NOT THE LAW OF THE STATE WHERE EXECUTED PERMITS OTHERWISE.

**STATEMENT OF BIDDER'S QUALIFICATIONS:
(To be subscribed and sworn to before a notary public.)**

The bidder submits the following statement of bidder's qualifications for consideration by the Owner.

Bidder's Name: _____
LEGAL NAME OF BUSINESS

Bidder's Address: _____
LEGAL BUSINESS ADDRESS (P.O. BOX IS INSUFFICIENT)

CITY STATE ZIP

MAILING ADDRESS IF DIFFERENT FROM ABOVE

Telephone Number: _____

AREA CODE NUMBER

The full names of persons and firms interested in the foregoing bid as principals are as follows:

(1) _____
Circle One: President Partner Owner Other

(2) _____
Circle One: Vice President Secretary Partner Other

(3) _____
Circle One: Vice President Secretary Partner Other

*Note: If incorporated: The names of both the President and Corporate Secretary must be indicated.
If a partnership, all partners must be indicated.*

Social Security Number or FEIN: _____

State Where Organized or Incorporated: _____

Plan of Organization: (Circle One) Proprietorship Corporation Partnership Joint Venture Other (Describe)

Years Engaged in Construction Contracting in Present Firm Organization: _____ years.

Georgia General Contractor's License Number(s): _____

Bidder Hereby Certifies that bidder:

- a. Has never refused to sign a contract at the original bid on a public works contract except as allowed under Georgia law.
- b. Has never been terminated for cause on a public works contract.
- c. Has had no (criminal or felony) convictions, suspensions, or debarments of the bidder, its officers, or its principals for building code violations, bid rigging, or bribery in the last ten years.
- d. Is not and neither its organization nor its principals are debarred, suspended, declared ineligible, or otherwise excluded by any Federal or State department or agency from doing business with the Federal Government or a State.
- e. Has insurance required by the Contract Documents in place or has arranged to obtain it from an insurer authorized to do business in the State of Georgia.
- f. Has sufficient bonding capacity to obtain a payment and performance bond from a surety meeting the requirements of the Contract Documents and authorized to do business in the State of Georgia.
- g. Has sufficient cash flow to perform this Project.

Remarks or explanations of the above paragraphs a through g:

Bidder Certification

Certification under Oath. Under oath I certify that I am a principal or other representative of the bidder, and that I am authorized by it to execute the foregoing Statement of Bidder's Qualifications is true and correct, including any explanation above and submitted under oath.

BY: _____
Authorized Signature

_____ Printed Name Title

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20____

Notary Public [NOTARY SEAL]

My Commission Expires:

NOTE: THE NOTARY SEAL MUST BE APPLIED UNDER GEORGIA LAW, WHETHER OR NOT THE LAW OF THE STATE WHERE EXECUTED PERMITS OTHERWISE.

Statistical Information. This request is made for statistical purposes only.

PLEASE INDICATE BELOW WHICH OF THE FOLLOWING DESCRIPTIONS APPLY TO YOUR COMPANY:

_____ MINORITY BUSINESS ENTERPRISE (MBE) – One of the following statements describes this business: **a)** Owned by a member of a minority race; or **b)** a partnership of which a majority of interest is owned by one or more members of a minority race; or **c)** a public corporation of which a majority of the common stock is owned by one or more members of a minority race. A member of a minority race is defined as a person who is a member of a race that comprises less than fifty percent of the total population of the State of Georgia. For recordkeeping purposes, this includes, but is not limited to, persons who are Black, Hispanic, Asian-Pacific American, Native American, or Asian-Indian American.

_____ GEORGIA MINORITY BUSINESS ENTERPRISE (GMBE) – Business meets the definition of a minority-owned business and, in addition, meets the following criteria: **a)** was organized in the State of Georgia; or **b)** reports income from the business for Georgia Income Tax purposes; or **c)** minority stockholders report earnings for Georgia Minority Business Enterprise. [Contact the Governor's Small Business Center in the Georgia Department of Administrative Services.]

_____ NEITHER DESCRIPTION APPLIES TO YOUR COMPANY.

BID BOND

[Note: Use of Surety's standard Bid Bond form is acceptable as long as it substantially complies with the requirements of this Bid Bond Form]

KNOW ALL BY THESE PRESENTS, That we, _____

(Contractor's Legal Name and Address) as Bidder, hereinafter called
the Principal, and _____

(Surety's Legal Name and Address), a corporation duly organized under the laws of the
State of _____ (Insert State of Corporate Organization), as Surety, are held and firmly bound unto:

OWNER: _____
Attention: _____
Phone Number: _____
Facsimile Number: _____

as Obligee, hereinafter called the Obligee in the sum of _____

(Not less than five percent of the Bid) Dollars (\$ _____), for the
payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a Bid for _____

(Owner's Project Number and Project Description)

NOW, THEREFORE, if the Obligee shall accept the Bid of the Principal and (1) the Principal shall enter into a
Contract with the Obligee in accordance with the terms of such Bid, and the Principal shall execute the
Contract and give such bond or bonds as may be specified in the Bidding or Contract Documents with good
and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and
material furnished in the prosecution thereof; or (2) in the event of the failure of the Principal to enter such
Contract and give such bond or bonds, and the Principal shall pay to the Obligee the difference not to exceed
the difference hereof between the amount specified in said Bid and such larger amount for which the Obligee
may in good faith contract with another party to perform the Work covered by said Bid; then this obligation shall
be null and void, otherwise to remain in full force and effect.

SIGNED AND SEALED THIS _____ DAY OF _____, 20____

ATTEST (Seal) _____
(Name of Principal)

Secretary (Note 1) By _____
President

(Seal) _____
(Name of Surety) (Note 2)

By: _____

(Title)
Resident Georgia Agent *

Note 1. Please apply seal of Corporation over Secretary's Signature.
Note 2. Please apply seal of Surety and arrange for countersignature by a "Resident Georgia Agent" of Surety in order to comply
with surety regulations of Georgia.

(*) Attach Power of Attorney

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

(Must be submitted with bid form)

Project No. and Name: TCSG-83800-238
Welding Lab Building, North Georgia Technical College

Construction Professional: _____

STATE OF GEORGIA **COUNTY OF:** _____

CONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned Contractor verifies its compliance with O.C.G.A. §13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the Technical College System of Georgia has registered with and is participating in a federal work authorization program*, in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with the Technical College System of Georgia, Contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the Technical College System of Georgia at the time the subcontractor(s) is retained to perform such service.

EEV / E-Verify™ User Identification Number

BY: Authorized Officer or Agent

Date

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

**SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE**

DAY OF _____, **20**____

Notary Public

[NOTARY SEAL]

My Commission Expires: _____

*any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603