

**Notice of Addendum No.3**

**Date of Addendum No.3: January 03, 2024**

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Arlington Public Schools  
Procurement Office

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**Invitation to Bid 45FY24**

**Invitation to Bid Title:** Installation of the Replacement HVAC/Dehumidifier Pool Unit for Wakefield High School

**Invitation to Bid Number:** 45FY24

**Invitation to Bid Issue Date:** November 16, 2023

**Pre-Bid Conference:** November 21, 2023, at 11:00 A.M (Refer to Invitation Title Page 2)

**Bid Closing Date/Time:** January 09, 2024, No Later Than 11:59 P.M. (Local Prevailing Time)

**Bid Opening Date/Time:** January 10, 2024, at ~~10:00 A.M.~~ **2:00 P.M.** (Local Prevailing Time)

**Procurement Office** Carolina Sorto, Procurement Specialist  
and changes in section 18 (Rigging Company) in Bid

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Form for ITB 45FY24

## **Instructions to Bidders**

1. **Meaning of Terms:**

All terms used in the Invitation, these Instructions to Bidders, the Bid Form, or any Addenda shall have the meanings established by the Contract Documents.

2. **Failure to Comply with Mandatory Requirements:**

**Mandatory provisions of this ITB are indicated by the inclusion of the words "shall" or "must" to identify the Bidder's obligations. Failure to comply with these requirements or with any other requirements stated as mandatory either in the Invitation, these Instructions to Bidders, the Bid Form, or any Addenda shall result in rejection of the Bid as non-responsive, except to the extent the failure or omission either is not a mandatory statutory requirement or does not affect price, quantity, quality or time, or if the requirement is**

competent Contractor in the field of work involved reasonably should have discovered, all of which shall be included in the Bidder's Total Bid

**5. Submission of Bids:**

- 5.1 Before submitting a Bid, Bidders are encouraged to visit the site of the Work, fully inform themselves as to all existing conditions and limitations, and shall include in the Bid a sum to cover the cost of all items included in the Contract. Bidders shall be fully responsible for having informed themselves as to all existing conditions for the Work. Any condition or circumstance arising after entering into the Contract which upon reasonable inspection reasonably should have been discovered prior to submitting the Bid shall not be the basis of any claim for adjustment of the Contract Sum or the Contract Time.
- 5.2 If the Owner is aware of any particular invention, design, process, product or device specified in the Contract Documents for use in performance of the Work which is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, it is set forth in the Contract Documents. If a Bidder discovers a requirement for any such fee or royalty, the Bidder shall make this requirement known to the Owner in order that an appropriate Addendum may be issued to all Bidders.
- 5.3 The Contractor shall, with its own forces, perform work having a value at least equal to the following percentage of the Total Bid awarded: **10%**
- 5.4 Bidders wishing to submit a Bid in response to the ITB are required to upload the Mandatory Requirements found in the Instructions to Bidders into the Platform through the link found on the Current Solicitations webpage under the Procurement Office website. A link to the webpage is provided below. Found under the Due Date column for ITB 45FY24 of the Current Solicitations table is a link for Bidders to submit their Bids. ("Link to submit Bid – ITB 45FY24"). To assist Bidders with their Bid submissions, screenshots of the steps required to submit a Bid are attached as Appendix 1 to this ITB.
- 5.5 For a Bid to be considered for award of a Contract, the Bid must be received in the Platform by no later than 11:59 p. m. on Tuesday, January 09, 2024, ("Bid Closing"). Bidders are strongly encouraged to submit their Bids in advance of Bid Closing to allow sufficient time for the Bids to be uploaded into the Platform before the Bid Closing. The time a Bid is



in the written joint venture agreement, and the Bid shall be signed by all

behalf of the surety must attach a notarized copy of its power-of-attorney as evidence of its authority to bind the surety on the date of execution of the Bid Bond. A copy of the Bid Bond shall be provided with the Bid.

- 6.3. If the Bid security is in the form of cash, certified check, or cashier's check, the Bidder shall submit a Bid with its Bid a security agreement conforming substantially in form and effect to the Bid Bond Form and if the security is a certified check or cashier's check a copy thereof, and shall provide to the Owner the cash, certified check or cashier's check prior to Bid Opening as a condition of the Bid being deemed responsive. The Owner shall be authorized to deposit such check or cash and to apply the funds in accordance with the security requirements set forth herein.
- 6.4. The Bid Bond or Bid security agreement must clearly make reference to the solicitation number and Bid title set forth in the Invitation to Bid.
- 6.5. Bid security in the form of certified checks, cashier's checks or cash will be returned to all unsuccessful Bidders who submitted a certified check or cash within the earlier of rejection of all Bids or one hundred and twenty (120) days after Bid Opening or one hundred and twenty (120) days following issuance by the Owner of a Notice of Intent to Award to the Bidder.
- 6.6. If approved by the Arlington Public Schools' Attorney, a Bidder may furnish a personal bond, property bond, or bank or savings institution's letter of credit on certain designated funds in the face amount required for the Bid Bond. Approval shall be sought a minimum  
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will be deemed withdrawn at the end of the one hundred and twenty (120<sup>th</sup>) Day after the Bid Opening and will not be considered further. For purposes of this circumstance only, the restrictions set forth below on withdrawal of a Bid are not applicable. The Bid of any Bidder who agrees to the extension request shall remain in effect for the period of time stated in the Owner's extension request.

- 9.2 A Bidder may make a written request to the Procurement Agent to withdraw its Bid at any time prior to the Bid Opening. The request must be time stamped as received by the Procurement Agent prior to the Bid Closing.
- 9.3 After the Bid Opening, a Bidder may make a written request to the Procurement Agent to withdraw its Bid. The written request must be time stamped as received by the Procurement Agent no later than 5:00 P.M. local prevailing time on the first full business day following the Bid Opening.
- 9.4 Whether the request to withdraw a Bid is made before or after the Bid Closing, a Bidder may request withdrawal of its Bid from consideration only if the price bid was substantially lower than the other Bids due solely to a clerical or arithmetical mistake therein, as opposed to a judgment mistake, and was actually due to an unintentional arithmetical error or an unintentional omission of a quantity of work, labor or material made directly in the compilation of the Bid, which can be clearly shown by objective evidence drawn from inspection of the Bidder's original work papers, documents and materials used in preparation of the Bid. The Bidder shall provide the original work papers, documents, and materials within the same time as required for the notice seeking withdrawal of the Bid.
- 9.5 If the Procurement Agent denies the written request to withdraw ( )10.7 (t)-.8 (e)9.3 -2.6 (r7ai)-466 (n)10atg9





or potential Bidders are invited to provide to APS written comments regarding the manner in which this solicitation was conducted and any suggested modifications to that process which might make future solicitations by APS more efficient, more productive, and more attractive to potential Bidders.

**17. Minimum Qualifications of Bidders:**

Refer to Appendix A to Bid Form.

**18. Mandatory Requirement:**

18.1 The following are Class 1 Mandatory Requirements which **must** accompany your Bid. Failure to provide any of the following Class 1 Mandatory Requirements with your Bid will result in the Bid being considered non-responsive and not being considered for Contract award:

18.1.1 Inclusion of the Bidder's current Virginia Class A Contractor's License number and expiration date. This information will be used to confirm the Bidder's classification and/or specialty services of CBC and HVA and ELE. If the Bidder does not possess the mandatory classifications and/or specialty services, t,5[(wme HVAo002.6 (ce)1 Tw 0 -1.o-4.10.9.6 (e)-1.7 (.10.9.6 Tw -27.435 -1.152 0.9.6 (i)38 (e9.7 (n)oun10.9.6 Tw -27. yy6(

The Bid from the Second Apparent Low Bidder will then be considered for Contract award. If any Class 2 Mandatory Requirement is not provided with the Bid of the Apparent Second Low Bidder, the Apparent Second Low Bidder will be Notified by the Procurement Office that the omitted Class 2 Mandatory Requirements **must** be received by the Procurement Office by no later than 5:00 PM on the fifth (5<sup>th</sup>) business day following the Notice to provide the information.

- a) abduction or kidnapping in violation of Va. Code Ann. § 18.2-47.A,
- b)

- 24.1 By signing the Bid, the Bidder certifies, that to the best of his or her knowledge no APS official or employee having official responsibility for the procurement transaction, or member of his or her immediate family, has received or will receive any financial benefit of more than nominal or minimal value relating to the award of this Contract. If such a benefit has been received or will be received, this fact shall be disclosed with the Bid or as soon thereafter as it appears that such a benefit will be received. If such a benefit is discovered at any time after award of the Contract, it shall be disclosed immediately to APS. Failure to disclose the information prescribed above may result in suspension or debarment, or rescission of the Contract made, or could affect payment pursuant to the terms of the Contract.
- 24.2 Whenever there is reason to believe that a financial benefit of the sort described in paragraph 24.1 has been or will be received in connection with a Bid or Contract, and that the Contractor has failed to disclose such benefit or has inadequately disclosed it, the Procurement Agent, as a prerequisite to payment pursuant to the Contract, or at any other time, may require the Contractor to furnish, under oath, answers to any interrogatories related to such possible benefit.
- 24.3 In the event the Bidder has knowledge of benefits as outlined above, this information should be submitted with the Bid. If the above does not apply at time of award of Contract and becomes known after inception of a Contract, the Bidder shall address(d)2 ( t)42.6 (o)2 4





- b. \_\_\_\_\_ will be supplemented in compliance with the provisions of Paragraph 18.3 of the Instructions to Bidders:
1. List of Subcontractors for major divisions and/or features of work in compliance with the requirements of Item 17 of this Bid Form and Paragraph 18.2.1 of the Instructions to Bidders.
  2. Pricing Breakdown for Total Bid in compliance with the requirements of Item 13 of the Bid Form
  - 3.





Bid Closing, the Bidder has met the requirements of the Virginia Public Procurement Act Section 2.2-4311.2. The Bidder shall include in its Bid the identification number issued to it by the Virginia State Corporation Commission (“SCC”). If the Bidder is a joint venture which does not have a SCC identification number, then the name of the joint venture shall be provided, all members of the joint venture shall be identified by full name, and each member of the joint venture shall provide its SCC identification number or establish its exemption from such requirement. For more information on how the SCC can expedite a request for an identification number, please contact the SCC at \_\_\_\_\_

Please complete the following by checking the appropriate line that applies and providing the requested information

1. \_\_\_ Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC. The Bidder’s identification number issued by the SCC is \_\_\_\_\_
  
2. \_\_\_ Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such Bidder’s identification number issued to it by the SCC is \_\_\_\_\_
  
3. \_\_\_ Bidder is a Virginia joint venture organized and authorized to transact business in Virginia by the SCC.
  
4. \_\_\_ Bidder is a joint venture which does not have an identification number issued to it by the SCC but each member of the joint venture is authorized to transact business in Virginia and the SCC identification numbers issued to each member of the joint venture are: [list member name and SCC identification number for each member, or provide the asserted exemption information in sub Section 5 below]

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5. \_\_\_ Bidder does not have an identification issued to it by the SCC and such Bidder is not required to be authorized to transact business in Virginia by the SCC for the following reason(s): \_\_\_\_\_

**\*Note: If Bidder is required to have an SCC#, the SCC# shall be active at the date/time that the Bid is opened. Failure of Bidder to have an active SCC# at the date/time the Bid is opened will result in a determination that Bid is non-responsive and the Bid shall be rejected and will not be considered for Contract award.**

16. **Virginia Contractor’s License:**

A Bidder is required at the time of Bid Closing and, if awarded a Contract, at the time of contracting, to hold a Virginia Class A Contractor’s License with all Classifications and/or Specialty Services certifications required for all portions of the Work the Bidder intends to perform with its own forces if awarded the Contract. The Bidder confirms that at the time of Bid Closing, the Bidder holds a Virginia Class A Contractor’s License with all Classifications and/or Specialty Services certifications required for all portions of the Work the Bidder intends to perform with its own forces. The Bidder shall include in its Bid the Class A Contractor’s License number and date of license expiration, and the Classification and/or Specialty Services certifications held. If the Bidder is a joint

For any Identified Division or Feature which the Bidder intends to have performed by a Subcontractor (“Identified Division or Feature Subcontractor”), the Bidder shall state below the name of each proposed Identified Division or Feature Subcontractor, and shall state the Virginia Class A Contractor’s License number and expiration date for that Identified Division or Feature Subcontractor. The Contractor’s License for each proposed Identified Division or Feature Subcontractor shall include the Classification and/or Specialty Services certification which permits the Identified Division or Feature Subcontractor to perform such Work. As a Class 2 Mandatory Requirement, the Bidder may elect to submit this Identified Division or Feature Subcontractor Information as provided in Paragraph 18.3 of the Instructions to Bidders.

For any Subcontractors other than Identified Division or Feature Subcontractors, all such Subcontractors shall have a Virginia Contractor’s License in compliance with the Class A, Class B or Class C requirements established by applicable statutes and Virginia Board for Contractors Regulations at the Class level and holding the Classifications and/or Specialty Services certifications required to perform the Work included in the applicable Subcontract. For all proposed Subcontractors other than Identified Division or Feature Subcontractors, the successful Bidder shall have a maximum of fourteen (14) days after Notice to Proceed to submit to APS for vetting and approval the **final** list of such Subcontractors, which final list shall include the previously Identified Division or Feature Subcontractors. If the Bidder at any tim8EMC BT/P 2 Tw -20.141 - 2 (n)12.9 ( 2 (e S)3-4.7 (i)-44 T BT/P 5(e)114 ( a)-1.6 ( ( B)6 (i)-2.6 (d)6 (i)-2.6

18. **Rigging Company:**  
~~If awarded the Contract the Bidder shall use the following Rigging Company:~~

**The HVAC/Dehumidifier unit will be stored at: 44200 Lavin Lane Chantilly, VA 20152 or 44907 Cabin Road, Chantilly, VA 20151.**

**Destination to be confirmed. If awarded the Contract the Bidder shall arrange to have the rigger pick up the unit from the storage site to the installation destination.**

Rigging Company Name	Address	Contact Information

19. **Debarment Status:**

If you answer yes to any of the following, on a separate attachment, state the person or entity against whom the debarment was entered, give the location and date of the debarment, describe the project involved, and explain the circumstances relating to the debarment, including the names, addresses and phone numbers of persons who might be contacted for additional information

1. Is your organization or any officer, director, project manager, procurement manager, chief financial officer, partner or owner currently debarred from doing federal, state or local government work for any reason?  
 Yes \_\_\_ No \_\_\_
2. Has your organization or any current officer, director, project manager, procurement manager, chief financial officer, partner or owner ever been debarred from doing federal, state or local government work for any reason?  
 Yes \_\_\_ No \_\_\_

My signature certifies that the Bidder has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest or potential conflict of interest to Arlington Public Schools, and that there are no principals, officers, agents, employees, or representatives of Bidder that have any business or personal relationships with any other companies or person that could be considered as a conflict of interest or a potential conflict of interest to Arlington Public Schools, pertaining to any and all work or services to be performed as a result of this Bid and any resulting Contract with Arlington Public Schools.

**Person s/52 Td[3 (erso)2 (n)TJ0 Tc 0 Tw 2.947[( A)9.7 ig4.2 (t17)8.5 l iti811.2 l (on)10bb.9 (t)-4.6 (9 (d a)-1.6 (n)10.8 .**

**End of Bid Form**