

**SECTION 00 90 01  
BIDDING AND CONTRACT REQUIREMENTS  
ADDENDUM NUMBER 1**

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Chicago, IL 60661  
312.496.0000**

To: Prospective Bidders

Issued: September 15, 2023

**Re: ADDENDUM NUMBER (1) TO THE BIDDING DOCUMENTS FOR**

**McHenry County College  
University Center / Switchboard Equipment Pre-Purchase**  
Architect's Project Number: 22-050

This addendum forms a part of the bidding and contract documents and modifies the original bidding documents dated September 7, 2023. Acknowledge receipt of this addendum in the space provided on Bid Form. FAILURE TO DO SO MAY SUBJECT BIDDER TO DISQUALIFICATION.

**CLARIFICATIONS**

1. Pre-Bid RFI #1: Are bid bonds required for a pre-purchase package?
  - a. No. Bid bonds are not required. Remove document 00 43 13 - BID BOND from the required bid submittal documents. Refer to the attached for an updated 00 11 13 - Advertisement for Bids, 00 21 13 - Instructions to Bidders, and 00 41 13 - Bid Form.
2. Pre-Bid RFI #2: Is the prevailing wage and BEP requirements applicable for an equipment fabricator? These typically only apply to the general contractor and subcontractors on a project.
  - a. The prevailing wage and BEP requirements will be waived for this pre-purchase package. Remove documents 00 43 39 - BEP PLAN and 00 43 43 - CERTIFICATE OF COMPLIANCE from the required bid submittal documents. Refer to the attached for an updated 00 11 13 - Advertisement for Bids, 00 21 13 - Instructions to Bidders, and 00 41 13 - Bid Form.
3. Pre-Bid RFI #3: The instructions to bidders references 00 31 00 - Contractor Certification. Where is that document?
  - a. The reference for 00 31 00 is incorrect. Refer to the attached for revised 00 41 13 - Instructions to Bidders indicating the correct document.
4. Pre-Bid RFI #4: Can liquidated damages be removed from the project scope?
  - a. Liquidated damages are preferred due to the scheduling requirements for this project. An alternate deduct has been added to the bid form to allow for a deduction to the lump sum base bid in order to remove the liquidated damage requirements from the contract documents. Refer to revised 00 41 13 - Bid Form.

**This addendum consists of 1 page, excluding attachments.**

**END 00 90 01.**

**Attachments:**

1. Specification Table of Contents
2. 00 11 13 - Advertisement for Bids
3. 00 21 13 - Instructions to Bidders
4. 00 41 13 - Bid Form

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## SECTION 00 11 13 – ADVERTISEMENT FOR BIDS

### 1.1 BID INFORMATION

- A. Sealed Bids will be received by McHenry County College, on or before September 21, 2023, at 9:00 a.m., prevailing time for the University Center / Switchboard Equipment Pre-Purchase for McHenry County College.
- B. Lump sum bid proposals will be received for this project at the scheduled time of receipt of bids and will be publicly opened there after in Board Room A217.
- C. Bids shall be submitted on or before the specified closing time in an opaque sealed envelope addressed to: Mr. James Julison, Director for Business Services, 8900 US Hwy 14, Building A, Room A248, Crystal Lake, Illinois 60012
- D. The College reserves the right to reject any or all bids or parts thereof, or waive any irregularities or informalities, and to make the award in the best interest of the College. Decisions of the College will be final.
- E. Minority and Women Owned Businesses are highly encouraged to participate.
- F. Bidding documents are on file and may be obtained through the following link: [www.mchenry.edu/bid/](http://www.mchenry.edu/bid/).
- G. All questions regarding any matter concerning this Invitation to Bid must be submitted in writing to Mr. David Sikorski, Demonica Kemper Architects. Questions must be emailed to [dsikorski@dka-design.com](mailto:dsikorski@dka-design.com), with "MCC University Center / Switchboard Equipment Pre-Purchase" in the subject line. No questions will be addressed after 5:00 PM (CST), on September 18, 2023.

**END OF SECTION 00 11 13**

## SECTION 00 21 13 - INSTRUCTIONS TO BIDDERS

Sealed proposals are invited for the University Center / Switchboard Equipment Pre-Purchase for McHenry County College pursuant to specifications.

### PROPOSALS:

Proposals will be received at the place, date, and time hereinafter designated.

**PLACE:** McHenry County College  
Room A248  
8900 US Hwy 14  
Crystal Lake, IL 60012

**DATE:** September 21, 2023

**TIME:** 9:00 a.m. prevailing time (FAXES ARE NOT ACCEPTABLE)

Proposals received after this time will not be accepted.

Proposals must be made in accordance with the instructions contained herein. They shall be submitted on the forms furnished in a sealed envelope, plainly marked, with the Bidder's Name and Address and the notation:

**BID:** **University Center / Switchboard Equipment Pre-Purchase**  
McHenry County College

Bids will be publicly opened and read aloud on September 21, 2023, following the receipt of bids in Board Room A217.

### TAX EXEMPTION:

McHenry County College is exempt from Federal, State, and Municipal taxes.

**SIGNATURE ON BIDS:** McHenry County College requires the signature on bid documents to be that of an authorized representative of said company.

Each bidder, by making his bid, represents that he has read and understands the bidding documents and that these instructions to bidders are a part of the specifications.

### BIDDING PROCEDURES:

No bid shall be modified, withdrawn, or cancelled for ninety (90) days after the bid opening date without the consent of the College Board of Trustees.

Changes or corrections may be made in the bid documents after they have been issued and before bids are received. In such case, a written addendum describing the change or correction will be issued by the College to all bidders of record. Such addendum shall take precedence over that portion of the documents concerned, and shall become part of the bid documents. Except in unusual cases, addendum will be issued to reach the bidders at least five (5) days prior to date established for receipt of bids.

Each bidder shall carefully examine all bid documents and all addenda thereto, and shall thoroughly familiarize themselves with the detailed requirements thereof prior to submitting a proposal. Should a bidder find discrepancies or ambiguities in, or omissions from documents, or should they be in doubt as to their meaning, they shall, at once, and in any event, not later than ten (10) days prior to bid due date, notify the College who will, if necessary, send written addendum to all bidders. The college will not be responsible for any oral instructions. After bids are received, no allowance will be made for oversight by bidder.

Bidders shall submit three (3) complete copies (one original and two copies) of the Bid Forms including the following documents:

1. Document 00 41 13 - Bid Form
2. Document 00 43 15 - Contractor Certification
3. Document 00 43 29 - W-9
4. Document 00 44 00 - Substitution Sheet

**SUBSTITUTIONS:**

Each bidder represents that his bid is based upon the materials and equipment described in the bidding documents. Any dealer bidding an equal product must specify brand name, model number, and supply specifications of product. The Board shall be the sole judge of whether an article shall be deemed to be equal. A bidder's failure to meet the minimum specifications as listed may result in disqualification of his bid.

**REJECTION OF BIDS:** The bidder acknowledges the right of the College Board to reject any or all proposals and to waive informality or irregularity in any proposal received and to award each item to different bidders or all items to a single bidder. In addition, the bidder recognizes the right of the College Board to reject a proposal if the proposal is in any way incomplete or irregular. The College Board may also award, at its discretion, only certain items quoted on. The College Board also reserves the right to reject the proposal of a Bidder who has previously failed to perform properly or complete on time contracts of a similar nature, or a bid of a Bidder when investigation shows that Bidder is not in a position to perform the contract.

**ACKNOWLEDGEMENT OF ADDENDA:**

Signature of company official on original document shall be construed as acknowledgement of receipt of any and all addenda pertaining to this specific proposal. Identification by number of addenda and date issued should be noted on all proposals submitted. **FAILURE TO ACKNOWLEDGE RECEIPT OF ADDENDA ON PROPOSAL SUBMITTED MAY RESULT IN DISQUALIFICATION OF PROPOSAL.**

**SAMPLES:**

Bidder may be required to furnish samples upon request and without charge to the College.

**INSURANCE:**

The successful bidder will be required to furnish a certificate of insurance in accordance with the General Conditions.

**PERFORMANCE BONDS:**

The successful bidder on this proposal must furnish a labor and material payment bond made out to McHenry County College, prepared on an approved form, as security for the faithful performance of their contract, within ten (10) days of their notification that their bid has been accepted. The surety thereon must be such surety company or companies as are authorized and licensed to transact business in the State of Illinois and have a minimum A-VI best rating. Attorneys in fact who sign bid bonds must file with each bond a certified copy of their power of attorney to sign said bonds. The payment bond shall be issued in an amount equal to one hundred percent (100%) of the contract sum. Such bonds shall be in force from the date of signing of the contract until one year after the issuing of a final certificate of payment. The cost of the bonds shall be included in the bidder's proposal.

**LAWS AND ORDINANCES:**

In execution of the work, the Contractor shall comply with applicable state and local laws, ordinances and regulation, the rules and regulations of the Board of Fire Underwriters, and OSHA standards.

**DAMAGE AND NEGLIGENCE:**

The Contractor agrees to indemnify and save harmless the College and employees from and against all loss, including costs and attorney’s fees, by reasons or liability imposed by law upon the College for damages because of bodily injury, including death at any time resulting there from, sustained by any person or persons or on account of damage to property including loss of use thereof as provided in the General Conditions and Supplementary Conditions. College shall not be responsible for damages, delays, or failure to perform on its part resulting from acts or occurrences of force majeure. “Force majeure” means any (a) act of God, landslide, lightning, earthquake, hurricane, tornado, blizzard, floods and other adverse and inclement weather conditions; (b) fire, explosion, flood, acts of a public enemy, war, blockade, insurrection, riot or civil disturbance; (c) labor dispute, strike, work slow down, picketing, primary boycotts, secondary boycotts or boycotts of any kind and nature, or work stoppages; (d) any law, order, regulation ordinance, or requirement of any government or legal body or any representative of any such government or legal body; (e) inability to secure necessary materials, equipment, parts or other components of the project as a result of transportation difficulties, fuel or energy shortages, or acts or omission of any common carriers; or (f) any other similar cause or similar event beyond the reasonable control of College.

**INVESTIGATION OF BIDDERS:**

The College will make any necessary investigation to determine the ability of the bidder to fulfill the proposal requirements. McHenry County College reserves the right to reject any proposal if it is determined that the bidder is not properly qualified to carry out the obligation of the contract.

**ILLINOIS STEEL PRODUCTS PROCUREMENT ACT:**

To the extent permitted by law, the project will be subject to all provisions of the "Steel Products Procurement Act" (30 ILCS 565 et. seq.) as it may be amended from time to time.

**OTHER:**

Sex Offender Registration Requirement Notification: Illinois Compiled Statutes (730 ILCS 150 3) requires that any person who is required by law to register as a sex offender and who is either a student or an employee at an institution of higher education, must also register with the Office of Public Safety of the institution they are employed by or attending. For purposes of this act, a student or employee is defined as anyone working at or attending the institution for a period of five (5) days or an aggregate period of more than thirty (30) days during a calendar year. THIS INCLUDES PERSONS OPERATING AS OR EMPLOYED BY AN OUTSIDE CONTRACTOR AT THE INSTITUTION. Anyone meeting the above requirements is required to register within five (5) days of enrolling or becoming employed. Persons failing to register are subject to criminal prosecution.

Substance Abuse Prevention: The successful bidder must comply with the Substance Abuse Prevention on Public Works Act (Public Act 95-0635.) The Act requires that every party to a public contract and every eligible bidder have a written substance abuse prevention program in place. By signing the bid form, the bidder certifies compliance to the conditions of this Act.

Human Rights Act: The College complies with the Human Rights Act (Public Act 88-1257.) The Act requires that every party to a public contract and every eligible bidder have written sexual harassment policies as described in this Act. By signing the bid form, the bidder certifies compliance to the conditions of this Act.

Concealed Carry Act: The College has established rules and regulations in accordance with the "Illinois Firearm Concealed Carry Act." See section 00 21 00 for detailed information.

**BID QUANTITIES:**

The College Board will reserve the right to increase or decrease, within reasonable limits, such quantities as need requires and at the unit price stated.

**BID AWARDS:**

The successful contractor, and/or any contractor shall not proceed on this bid until it receives a Notice to Proceed from the college. Failure to comply is the risk of that contractor.

**END OF SECTION 00 21 13**

**SECTION 00 41 13 - BID FORM**

To: McHenry County College  
8900 US Hwy 14  
Crystal Lake, IL 60012

Project: University Center / Switchboard Equipment Pre-Purchase

Date: \_\_\_\_\_

Submitted by:  
\_\_\_\_\_  
\_\_\_\_\_

(Full name and address)

**PART 1 - OFFER**

Having examined the site and having familiarized itself with the conditions affecting the cost of the work associated with the project and with the bidding documents, Bidder hereby proposes to perform everything required and to furnish all labor, materials, necessary tools, expendable equipment, and transportation services necessary to complete in a workmanlike manner the subdivision of work stated above in accordance with the bidding documents for the following sums:

**Base Bid:**

We have included, attached herewith, the Bid Bond as required by the Instructions to Bidders.

The Bidder agrees to perform the work for the lump sum amount of:

TOTAL BASE BID \$ \_\_\_\_\_ (in figures)

\_\_\_\_\_ (in words)

**Alternates:**

The undersigned hereby states the net amount of decrease or increase to the Lump Sum Base Bid for the following alternates.

ALTERNATE No. 1: Deduct from the Lump Sum Base Bid to eliminate the requirements for liquidated damages included in the contract documents.

Total, Alternate No. 1: \$ \_\_\_\_\_ (in figures)

**PART 3 - ACCEPTANCE**

This offer shall be open to acceptance and is irrevocable for thirty (90) days from the Bid closing date.

If the bid is accepted by the Owner within the time period stated above, we will:



- A. Execute the Agreement within ten (10) days of receipt of Notice of Award.
- B. Furnish the required bonds within ten (10) days of receipt of Notice of Award in the form described in the Supplementary Conditions.
- C. Furnish the required Certificate of Insurance within ten (10) days of receipt of Notice of Award in the form and amounts described in the Supplementary Conditions.
- D. Commence work as established by the written Notice to Proceed.

**PART 4 - CONTRACT TIME**

If the Bid is accepted, we will:

- A. Complete the work in manner consistent to meet the requirements of the schedule.
- B. Contractor has examined the Schedule included in these documents and takes no exception, or records the following exceptions:

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**PART 5 – LIQUIDATED DAMAGES**

Refer to Specification Section 01 10 00 – Summary for the Liquidated Damages provisions included in the bidding documents.

**PART 6 - CONTRACTOR'S FEES FOR CHANGES IN THE WORK**

Lump Sum or Time and Materials Changes: We, the undersigned bidder, agree that the following percentages for overhead and profit shall be added to costs for the net amount of work added to, or deleted from, the contract by written lump sum or time and material change orders recommended by the Architect and approved by the Owner:

- A. On Contractor's direct net cost: 15%, with a minimum fee of one hundred dollars (\$100.00).
- B. On first-tier Subcontractor's net cost: 5%, with a minimum fee of fifty dollars (\$50.00). Net cost includes all sub-subcontractors work, and excludes subcontractors (all tiers) overhead and profit amounts.

Note: Insurance, bond, and taxes are considered as job cost items and are included in the percentages listed above.

**PART 7 - ADDENDA**

The following Addenda have been received. The modifications to the Bid Documents noted therein have been considered and all costs thereto are included in the Bid Sum.

Addendum #	___	Dated	_____	Addendum #	___	Dated	_____
Addendum #	___	Dated	_____	Addendum #	___	Dated	_____

**PART 8 - SUBCONTRACTORS**

Identify below which work will be completed by the General Contractor's own forces and which work will be completed by first tier Subcontractors. Include Subcontractors name and estimated contract amount.

Scope of Work	GC/Sub.	Name	Est. Contract Amount
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**PART 9 - BID FORM SIGNATURE(S)**

The Corporate Seal of:

\_\_\_\_\_  
(Bidder – please print the full name of your Proprietorship or Corporation)

Was hereunto affixed in the presence of:

\_\_\_\_\_  
(Authorized signing officer)

\_\_\_\_\_  
(Title)

(Seal)

**END OF SECTION 00 41 13**