

March 10, 2021

**TO ALL PLANHOLDERS**

**SUBJECT: ADDENDUM NUMBER 1  
BX BIRMINGHAM XPRESS  
EAST REMEDIATION AND CLEAN OUT  
INVITATION TO BID (ITB)-3771**

Dear Planholders;

Transmitted herewith is Addendum Number 1 to the bid document. Please note the following Bid changes as Addendum 1 as instructed in the bidding documents. Please make note, the bid due date has changed to **March 24, 2021 at 10:00 a.m., local time.**

1. The Bid Document is hereby modified as follows:
  - a. Pages and Sections added and/or revised by this Addendum are identified by a number, "A-1", in the upper right corner of each page added and/or revised by this Addendum.
  - b. Revise the Bid Solicitation, page as identified below.
    1. Insert revised Cover Page (1 page).
    2. Insert revised Invitation to Bid Letter Pages (2 pages).
    3. Insert revised Instructions To Bidders (3 pages).
2. Acknowledge receipt of this Addendum by inserting its number and date in the spaces provided thereof in the Bid Form; failure to do so may subject Bidder to disqualification.

**CITY OF BIRMINGHAM**

*Denise Bell* 3/10/2021

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Denise Bell  
Director of Capital Projects



# **PUTTING PEOPLE FIRST**

## **BX Birmingham Xpress, Bus Rapid Transit (BRT)**

### **INVITATION TO BID**

#### **BX BIRMINGHAM XPRESS, BUS RAPID TRANSIT (BRT) EAST TRANSIT CENTER REMEDIATION AND CLEAN OUT**

##### **Key Dates**

##### **All Times Central**

ITB Issued: February 26, 2021

Pre-Bid & Site Visit: March 17, 2021 10:00 A.M. Deadline

for Questions: March 18, 2021 5:00 P.M.

Bid Due Date: March 24, 2021 10:00 A.M.

Bid Opening: March 24, 2021 10:15 A.M.

##### **City of Birmingham**

**Mayor's Office – Capital Projects Management**

**Attn: Terry Oglesby, NCARB**

Room 220 City Hall

710 North 20th Street

Birmingham, AL 35203-2227

**Telephone:** (205) 254-2474

**Fax:** (205) 254-2613

**BX Birmingham Xpress, Birmingham Bus Rapid Transit (BRT)  
East Transit Center Remediation and Clean Out**

**PROJECT NO. 3771**



## CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN  
MAYOR

### INVITATION TO BID

The City of Birmingham, herein called the City, will receive sealed bids for **BX Birmingham Xpress, Bus Rapid Transit (BRT) – East Transit Center Remediation and Clean Out**. **This bid is for the remediation and clean out work prior to the renovation of the East Transit Center** located at 5613 1st Avenue, North Birmingham, Alabama 35212. The contract resulting from this solicitation shall be a firm fixed-price contract.

The City of Birmingham will receive Bids Monday through Friday between 9:00 a.m. and 5:00 p.m. local time (CDT), until 10:00 a.m. local time on March 24, 2021, at City Hall, City of Birmingham. **Bids received after this time may not be considered.** Bids must be submitted in a sealed envelope marked: **SEALED BID – BX Birmingham Xpress, Bus Rapid Transit (BRT) East Transit Center Remediation and Clean Out**. **There are to be no bid notations on the outside of the envelope, or bids will be considered nonresponsive.** Bids may be hand delivered to Room 220 City Hall, 710 20th Street, North Birmingham, Alabama 35203.

The Bids will be publicly opened at 10:15 a.m. local time on Wednesday March 24, 2021 and read aloud by Alan Terry Oglesby, NCARB City Architect at City Hall Conference Room 215, 710 20th Street, North Birmingham, Alabama 35203.

All bids must be on a lump sum basis. An original and one (1) copy of your bids are to be submitted in accordance with, and subject to, the conditions contained in the Instruction to Bidders.

The City will finance the contract in part by means of a grant from the United States Government, and the bidding procedures, evaluation of bids, and award of the contract will be governed by applicable Alabama law and federal law and regulations applicable to grants to state and local government. No pre-qualification of bidders will be conducted prior to receiving bids.

Under the Code of Alabama (1975), Section 39-2-4, it is required for any contract exceeding \$50,000 that the Bidder submit with its bid, either a cashier's check, drawn on an Alabama bank, or a bid bond, executed by a surety authorized and qualified to make bonds in Alabama, payable to the City of Birmingham, in an amount (subject to a maximum of \$10,000.00) equal to five percent (5%) of the bid. In order for a bid to be considered, it must be accompanied by an acceptable bid bond or cashier's check.

An ON-SITE Pre-bid Conference to review and discuss the project will be held at **2:00 p.m.** on **Wednesday, March 17, 2021 at the project site, 5613 1<sup>st</sup> Avenue, North Birmingham, AL 35212.**

Bid documents are open to the public for inspection and may be examined at the Department of Planning, Engineering and Permits—Architectural Division, Room 220 City Hall, 710 20th Street, North Birmingham, AL 35203

Bid documents may be viewed and purchased through the City of Birmingham online planroom site at <https://birminghamplanroom.com>. Any cost for reproduction shall be the responsibility of the bidders.

The City reserves the right to reject any or all bids submitted, and to waive any informalities.

The Birmingham Construction Industry (BCIA) Program specific to the City of Birmingham is available for support for this project. Under this Program, the utilization of Minority Business Enterprises and Disadvantaged Business Enterprises (MBE/DBE) is encouraged on a voluntary basis. Additional information about this Program may be obtained from the Executive Director, Birmingham Construction Industry Authority at 3600 4th Avenue, South, Birmingham, Alabama 35222 (Telephone: 205-324-6202). For federally funded contracts, the provisions of the President's Executive Order 11246 and federal agency regulations requiring affirmative action to achieve employment and utilization of minority persons and business will apply.

Signed Denise Bell 3/10/2021  
Denise Bell, Director of Capital Projects  
March 10, 2021

## INSTRUCTIONS TO BIDDERS

### 1.00 INTENT

A. This section is included in the Bid Documents to give information required to properly prepare the Bids and are hereby made a part of the Contract Documents.

### 1.01 SCOPE

The Contractor shall submit a **LUMP SUM BID** which shall include all costs for the **BX Birmingham Xpress, Bus Rapid Transit (BRT) – East Transit Center Remediation and Clean Out**, located at the following location 5613 1st Ave N. Birmingham, AL 35212.

As identified in Technical Specifications listed within which includes but is not limited to, the ADEM approved Asbestos Abatement, Lead Based Paint Abatement, cleanout and demolition of the above listed property, as outline in the Technical Specifications enclosed.

The Pre-Bid & Site Visit is on **March 17, 2021 at 2:00P.M.**

A. It is the intent of these documents to require the Contractor to include in its bid all costs involved for the coordination of all trades to the successful completion of this Project as specifically outlined, required, or reasonably implied.

### 1.02 BID FORM

A. All bids submitted shall be prepared in conformity with and shall be based upon and submitted, subject to all requirements of these Instructions to Bidders and all related documents including the Contract Documents, Specifications, Drawings and references hereto.

B. Addenda to ITB

Any necessary clarifications will be made by addenda, which will be sent to all prospective bidders on record. The City reserves the right to amend the ITB at any time in accordance with the “Proposed Schedule for the Procurement” set forth in Section 1.06 of these Instructions to Bidders. Any amendments to the ITB shall be described in written addenda. Notification of the addenda also will be distributed to all such prospective bidders officially known to have received the ITB. All addenda issued shall become an integral part of the ITB. Prospective bidders shall acknowledge the receipt of each individual addendum in their bids in the Acknowledgement of Addenda section of the Bid Form. Receipt of all addenda must be acknowledged; spaces are provided on the Bid Form for this purpose. Failure to acknowledge addenda in the in the Acknowledgement of Addenda section will disqualify the Bid. If the City determines that the addenda may require significant changes in the preparation of Bids, the deadline for submitting the Bids may be extended. Any new due date or other information shall be included in the addenda.

- C. Bidders are expected to prepare their bid to include all necessary material, labor, bonds, permits, overhead, profit, taxes, insurance, etc. costs. It is not the City's obligation to bring mistakes/omissions in bid to a bidder's attention. If, after bid opening, a bidder determines a mistake in its bid, the bidder may seek withdrawal of its bid without forfeiting the bond, if the request is delivered to the City Architect in writing within three (3) work days after the bid opening and is accompanied by clear and convincing evidence of the mistake.
- D. Bid Documents shall be enclosed in an envelope which shall be sealed and clearly labeled: **SEALED BID – BX Birmingham Xpress, Bus Rapid Transit (BRT) – East Transit Center Remediation and Clean Out.**

**The bidder shall be responsible for the placement of its firm's name and name of the job on the outside of the envelope. A current copy of the general contractor's license and City of Birmingham business license shall be attached to the Bid Form.**

Bids must be received no later than 10:00 A.M. Central Standard Time on Wednesday March 24, 2021. Bids may be hand-delivered to Room 220 City Hall, Birmingham, Alabama, or mailed to:

City of Birmingham of the Mayor's Office  
 Terry Oglesby, NCARB  
 710 North 20th Street – Room 220  
 Birmingham, Alabama 35203

Bids sent by any express carrier (Federal Express, UPS, Airborne, etc.) must specify delivery to Room 220 City Hall with a return receipt received. The City of Birmingham assumes no responsibility for delay in the U.S. Postal Services or in any type of delivery which results in the late arrival of any bid.

### **1.03 OBTAINING BID DOCUMENTS**

- A. Bid documents are open to public inspection and may be examined at the City of Birmingham Capital Projects Management, Room 203 City Hall, 710 20th Street, North Birmingham, AL 35203.
- B. Bidders are requested to submit to the City one (1) unbound hard original copy, marked "Original," and one (1) additional printed copy. A Bid is deemed to be late if it is received by the City after the deadline stated above. Bids received after the submission deadline will be rejected and kept on file unopened.
- C. Bid responses will be available for review by all prospective bidders.
- D. Under the Code of Alabama Section 39-2-4, it is required for any contract exceeding \$50,000 that the bidder submits with its bid either a cashier's check, drawn on an Alabama bank, or a bid bond, executed by a surety authorized and qualified to make bonds in Alabama, payable to the City of Birmingham, in an amount (subject to a maximum of

should be received by the Architect at least five (5) days prior to the date set for receiving of bids. The Architect will check discrepancy and if clarification is needed, clarification will be issued by Addendum. In the event the omission, discrepancy or ambiguity is not clarified, “it will be deemed that the Bid was prepared on the basis of the most expensive way of doing the work involved.”

- B. Clarification will be made by Addendum, which will be sent to all prospective Bidders on record, or if time does not permit, will be announced at the place prior to the time bids are to be opened.
- C. Neither the Owner nor the Architect will be responsible for verbal answers regarding the intent or meaning of any of the Contract Documents.

#### **1.07 PROPOSED SCHEDULE FOR THE PROCUREMENT**

The following is the solicitation schedule for bidders:

- ITB Release Date: February 26, 2021
- Pre-Bid & Site Visit: March 17, 2021 2:00 P.M. Central Time
- Deadline to submit written questions: March 18, 2021 5:00 P.M. Central Time
- BIDS Due Date: March 24, 2021 10:00 AM. Central Time, City of Birmingham
- BID Opening Date: March 14, 2021 10:15 A.M. Central Time, City of Birmingham, Conference Room 215, City Hall, 710 North 20th Street, Birmingham, Alabama 35203.

#### **1.08 COMPLETION AND SUBMISSION OF BIDDING DOCUMENTS**

All documents included in the “Bidding Documents” section below must be completed and signed where indicated by a duly authorized representative of the Company.

#### **1.09 STATEMENT OF BIDDER’S QUALIFICATIONS AND BUSINESS REFERENCES**

Bidders are requested to furnish with their Bids the information called for by the Bidder’s Qualifications and Business References form. If the form is omitted, or if the information furnished is incomplete or inadequate, the City may require that additional information be submitted after the Bid Opening and before any award is made. If the bidder is a joint venture, each joint venture should prepare and submit a separate form. Extra forms, if needed, can be obtained copied to be submitted with the Contractor’s bid. The form should be signed by the person signing the Bid Form.

#### **1.10 PERFORMANCE AND PAYMENT BONDS**

A Performance Bond in the amount of 100% of the contract amount and a Statutory Labor and Material Payment Bond in the amount of 100% of the contract amount will be required from the successful bidder at the signing of the contract. Also, proof of insurance will be required when the contract is signed. The City will review bonds and insurance and execute