THE CITY OF EDINBURG

INVITATION TO BID

BID #2009-46 SUGAR ROAD PAVING & DRAINAGE IMPROVEMENTS

The City of Edinburg, Texas is soliciting sealed separate bids for the above referenced as requested by the Engineering Department. The bid shall be received no later than **3:00 p.m., Monday, April 13, 2009.** Any bid received after the time set for opening will be returned to bidder unopened. Bidder(s) must provide an original and shall be addressed to:

CITY OF EDINBURG
C/O CITY SECRETARY
415 W. UNIVERSITY DRIVE
P.O. BOX 1079
EDINBURG, TEXAS 78540-1079

Bids must be submitted in an envelope sealed with tape and prominently marked on the lower left hand corner of the bid envelope with corresponding bid number and title. All bids will be opened and publicly read aloud at the above designated time at the City of Edinburg (New City Hall) Conference Room, 1st Floor, located at 415 W. University Drive, Edinburg, Texas. Bids sent via facsimile shall not be accepted. A pre-bid conference will be held at **11:00 a.m., Monday, April 6, 2009,** at the City of Edinburg Conference Room located at 415 W. University Drive, Edinburg, Texas 78541. All prospective bidders are encouraged to attend.

The City of Edinburg reserves the right to accept or reject bids submitted, waive formalities in bidding, accept the bid deemed most advantageous to the City of Edinburg, and to hold the bids for a period of ninety (90) days without taking action thereon. If you have any questions or require additional information regarding this bid, please contact Mr. Isael Posadas, P.E., City Engineer, at (956) 388-8211.

If you choose not to submit a bid and would like to remain on the City of Edinburg bidder's list for future bids, you must respond in writing.

Sincerely,

Pedro Garza III, Purchasing Agent

210 W. McIntyre • P.O. Box 1079 • Edinburg, Texas 78540
Phone (956) 383-5661 • Fax (956) 383-7111

THE CITY OF EDINBURG

NOTICE TO BIDDERS

The City of Edinburg, Texas, is soliciting sealed bids to be received by the City Secretary's Office located at 415 W. University Drive; Edinburg Texas, 78541. City of Edinburg normal business days are Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and shall be closed on recognized holidays.

Bids shall be addressed to: **City of Edinburg; Attention: City Secretary; 415 W. University Drive, P.O. Box 1079; Edinburg, Texas 78540; until 3:00 p.m., Monday, April 13, 2009** shortly thereafter all submitted bids will be gathered and taken to the City Conference Room to be publicly opened and read aloud. Any bid received after the closing time will be rejected and returned to the bidder unopened. The Bid shall be for:

CITY OF EDINBURG
BID NO. 2009-46
SUGAR RD. PAVING & DRAINAGE IMPROVEMENTS
TRENTON RD. – OWASSA RD.

The project in general, includes, but is not limited to, the following:

The project consists of approximately 1 mile reconstruction and widening of Sugar Road beginning at Trenton Rd. and ending at Owassa Rd., with a 64 foot street section and curb and gutter.

The project shall be a complete and operational system capable of providing the functions intended. Plans, proposal forms, specifications, and contract documents may be obtained by interested parties for **one hundred twenty five dollars ($125.00) non-refundable**, per set, or by contacting City of Edinburg Engineering Department, located at 415 W. University Drive, Edinburg, Texas 78541 or by calling (956) 388-8211.

Copies of the plans and specifications may be examined without charge at the following locations:

City of Edinburg
Engineering Department - 2nd Floor
415 W. University Drive
Edinburg, Texas 78541

A pre-bid conference will be held at **11:00 a.m., Monday, April 6, 2009** at the City of Edinburg Conference Room located at 415 W. University Drive, Edinburg, Texas. All prospective bidders are encouraged to attend.

The City of Edinburg reserves the right to accept or reject bids submitted; waive formalities in bidding; accept bid deemed most advantageous to the City of Edinburg; and to hold the bids for a period of ninety calendar (90) days without taking action.

If the contract amount is over twenty-five-thousand dollars ($25,000.00) for construction of the project, the successful bidder shall provide a bid guarantee, give a good and sufficient bond in the full amount of the contract price for the faithful performance of such contract, executed by a surety company authorized to do business in the State of Texas, in accordance with Article 5160, Vernon's Texas Civil Statutes, and amendments thereto. A payment bond in the full amount of the contract price to assure payment shall be required by law of all persons supplying labor and material in the execution of the project provided for in the contract documents.

A bid guarantee equivalent to five percent (5%) of the bid price will be required from each bidder. The "bid guarantee" shall consist of a firm commitment, such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will upon acceptance of his/her bid, execute such contractual documents as may be required within the time specified.

A performance bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

A payment bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in execution of the work provided for in the contract documents.

Bidders are expressly advised to review the contract documents fully and insurance requirements of the proposed contract as to their legal requirements and the causes which may lead to the disqualification of a bidder and/or rejection of a bid proposal. No bid may be withdrawn within a period of ninety (90) days after the dated fixed for opening the bids. Unless all bids are rejected, the Owner will give Notice of Award of Contract to the successful bidder as soon as possible consistent with the time for a thorough analysis of bids submitted. Bidders are expected to inspect the site of work and to inform themselves regarding all local conditions which may affect their bid.

Conditional bids will not be accepted. Bids sent via facsimile shall not be accepted. Bids shall be sealed and prominently marked on the lower left hand corner of bid envelope with the corresponding bid number and project title.

Please direct your questions regarding the preparation of bids to Mr. Pedro Garza III, Purchasing Agent by calling (956) 388-1895 extension 8970.

Pedro Garza

Mr. Pedro Garza, III, Purchasing Agent

BOND AND INSURANCE REQUIREMENTS

(A) If the contract amount is over $25,000 for construction or facility improvements, the successful bidder shall provide a bid guarantee, give a good and sufficient bond in the amount of the contract price for the faithful performance of such contract, executed by a surety company authorized to do business in the state, in accordance with state statutes, as amended. A payment bond in the full amount of the contract price to assure payment is required by law of all persons supplying labor and material in execution of work provided for in the contract.

(1) A bid guarantee equivalent to 5% of the bid price is required from each bidder. The bid guarantee shall consist of a firm commitment such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his or her bid, execute such contractual documents as may be required within the specified time.

(2) A performance bond on the part of the contractor for 100% of the contract price is required. A "performance bond" is one executed in connection with the contract to secure fulfillment of all the contractor's obligations under such contract. It is solely for the protection of the City awarding the contract; in the amount of the contract; and is conditioned on the faithful performance of the work, in accordance with the plans, specifications, and contract documents, including warranties. The performance bond shall remain in effect during the warranty period of the contract or for one year, whichever is longer.

(3) A payment bond on the part of the contract for 100% of the contract price is required. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in execution of the work provided for in the contract. The payment bond is solely for the protection and use of payment bond beneficiaries who have a direct contractual relationship with the prime contractor or a sub-contractor to supply labor or material and is in the amount of the contract.

(4) Failure of a contractor to comply with this section authorizes the City Manager to terminate the contract and retain any applicable security.

(B) A bid guarantee, performance and payment bond will not be required for contracts zero to $25,000. The City will specify in the contract that no money will be paid to the contractor until the project has been completed and final acceptance has been made by the City.

(C) Staff may waive insurance requirements for contracts $0 - $4,999.99, including but not limited to contracts for food, materials, supplies, and construction. Workers' Compensation in amounts which satisfy statutory coverage shall be required for construction projects.

(D) The following insurance requirements will be included in all City contracts of $5,000.00 - $14,999.99. In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of $100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	**Limits of Liability**
Worker's Compensation	Statutory Coverage
Comprehensive General Liability (City named as additional insured) Bodily Injury	$250,000 each person/$500,000 each occurrence
Property Damage	$100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits

(E) The following insurance requirements will be included in all City contracts of $15,000 or more.

(1) The successful bidder will be required to carry the following insurance coverage and limits of coverage, as well as list the City as an additional insured to liability coverage as requested by the City. In addition, the successful bidder shall provide the City with evidence of coverage and furnish acceptable proof of payment of insurance premiums.

(2) The successful bidder will be required to secure and/or have insurance coverage in force with an admitted property and casualty insurance company licensed by the State of Texas to conduct business in the State of Texas.

(3) In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of $100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	**Limits of Liability**
Worker's Compensation	Statutory Coverage
Employer's Liability	Bodily Injury by Accident: $100,000 each accident Bodily Injury by Disease: $100,000 each employee/$500,000 policy limit
Comprehensive General Liability Bodily Injury Property Damage	 $250,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits
Comprehensive Auto Liability Bodily Injury Property Damage	 $100,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits
City's Protective Liability Bodily Injury Property Damage	 $250,000 each person/$500,000 each occurrence $100,000 each occurrence/$100,000 aggregate or $500,000 combined single limits