



March 7, 2012

Via Electronic Mail at protest-ose@mmo.sc.gov, Via Facsimile at (803)-737-0639 and Via Certified Mail, Return Receipt Requested

John St. C. White
Chief Procurement Officer for Construction
Office of State Engineer
1201 Main Street
Columbia, SC 29201

Re: Notice of Intent to Award
Project Number: H59-6022-JM-B
Project Name: Tri-County Technical College -Industrial Arts Center, Phase B, Building Renovations

Chief Procurement Officer:

In accordance with provisions contained in South Carolina Code Section 11-35-4210, as amended, Matrix Construction Co., Inc. is protesting the notice of intent to award the above identified project to Melloul-Blamey Construction on the grounds that they were not properly licensed at the time of the bid. To self perform or supervise both concrete and structural framing as set forth under South Carolina Code Section 40-11-410, a general contractor must be properly licensed in each of those subclassifications in order to be legally qualified to perform that work.

During the period prior to the bid opening, OSE issued a total of three different bid forms specifically addressing the listing of proposed subcontractors. Along with the second bid form, OSE issued a one page clarification of South Carolina Code Section 40-11-410, spelling out the South Carolina Department of Labor, Licensing and Regulation's interpretation of Section 40-11-410 which is that BD licensed commercial building contractors could not perform Concrete under subclassification CT or Structural Framing under subclassification SF under a BD license. That same notice from OSE stated that if a bidder listed an unlicensed contractor for the subcontractor listing requirements which included Concrete (CT) and Structural Framing (SF) that the bidder would be deemed non-responsible since an unlicensed or improperly licensed contractor could not legally perform that work. The notice also stated that the proper license had to be obtained prior to the bid opening.

Our investigation showed Melloul-Blamey as having a BD-5 license only at the time of the bid opening and therefore could not legally perform the concrete or structural framing work on this project at the time that the bids were submitted.

MATRIX CONSTRUCTION CO., INC.

PO Box 1807 ■ Anderson, SC 29622 ■ P (864) 226-6443 ■ F (864) 226-6694 ■ www.matrix-construction.net

We understand that without the proper sub-classification licenses, the only way to legally perform this work is to use properly licensed subcontractors. We were operating under these assumptions when we bid this job. In fact, Matrix Construction obtained a CT license prior to bid and arranged for a licensed SF subcontractor to perform the structural framing in making our bid. Upon further investigation, it was revealed that none of the other General Contractors who submitted bids were properly licensed to supervise Concrete (CT) and Structural Framing (SF).

The classifications for Concrete (CT) and Structural Framing (SF) were included in original OSE bid form in the section of the bid form for listing subcontractors. We know that the costs for both concrete and structural framing work on this project each exceeded 3% of the projected bids for the project and therefore that these two classifications were required to be listed under South Carolina Code Section 11-35-3020(b)(i). The evening before the bids were opened, the bid form was changed to delete the subcontractor listed for CT and SF. We have to wonder why the OSE bid form was changed at the last minute to delete the listing of both CT and SF subcontractors after such a big deal was made of it and also because those classifications were required to be listed for this project under South Carolina Code Section 11-35-3020(b)(i). Nonetheless, bidders had to have the proper license to self perform concrete and structural framing or had to have agreements with subcontractors with the CT and SF classifications at the time that the bids were submitted in order for those bidders to be qualified to perform the concrete and structural framing on this project.

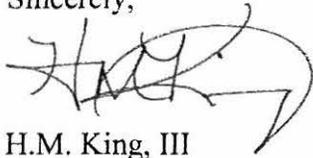
We are asking the OSE verify they are in agreement with South Carolina LLR's interpretation of South Carolina Code Section 40-11-410, (see attached clarification letter) and that OSE determined prior to the issuance of the notice of intent to award the contract that Melloul-Blamey was legally capable of performing the concrete and structural framing work at the time that the bids were submitted. Specifically, we are asking that Melloul-Blamey provide written documentation to OSE that either Melloul-Blamey held licenses for both concrete (CT) and structural framing (SF) or that they had agreements in place with subcontractors who held those licenses at the time that the bids were opened. If Melloul-Blamey can not provide such documentation, then it is Matrix's position that they were not legally qualified to perform the project at the time of bid opening.

If Melloul-Blamey cannot furnish this documentation, then Matrix is requesting that OSE declare that Melloul-Blamey was non-responsible as an unlicensed or improperly licensed contractor who can not legally perform the work on this project and that OSE withdraw its notice of intent to award the contract for this project to Melloul-Blamey. Matrix is also asking that the same inquiry be made of Lazer Construction which was the second lowest bidder on this project. If Lazer can not provide adequate documentation to establish that it was legally capable of performing the project as of the time of bid opening, then their bid should also be rejected since they would also be considered as non-responsible. Finally, if the bids of both Melloul-Blamey and Lazer are rejected for the reasons outlined in this letter, then Matrix is requesting that the contract for the project be awarded to Matrix since Matrix can clearly demonstrate that it was properly licensed for the concrete work and had an agreement with a properly classified subcontractor for the structural framing at the time that the bids were opened. As such, Matrix

was the lowest responsive and responsible bidder and should be awarded the contract for this project under SC Code Section 11-35-3020(c).

If you or your staff have any questions about this protest or the requested relief or if there is a need for any documentation from Matrix, please feel free to contact me. We look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'H.M. King, III', with a large, sweeping flourish extending to the right.

H.M. King, III
Vice-President
Matrix Construction Co., Inc.

SOUTH CAROLINA BUSINESS OPPORTUNITIES

Published by Materials Management Office – R. Voight Shealy, Director

January 23, 2012

Volume 32, Issue 7

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A Listing, Published Twice Per Week, of
Proposed Procurements in Construction,
Information Technology, Supplies & Services
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Received at the Time, Place & Date Indicated
in the Announcements & Then Be Publicly
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& to Waive Technicalities.

ARCHITECT / ENGINEERING SERVICES

FARMER'S MARKET & COMMUNITY-BASED RETAIL PROJECTS

(HEALTHY FOOD HUB) 1112-02-14-01

Notice is hereby given that the City of Spartanburg, SC (Owner) is seeking qualifications from architectural firms with experience in planning, architectural / engineering design & consulting related to farmer's market & community based retail projects.

Sealed proposals shall be submitted to Carl Wright, Procurement & Property Manager, on or before Tuesday, February 14, 2012, no later than 3:00pm, City Hall, 145 West Broad Street, at which time they will be publicly opened & read aloud in the Training Room, same location.

Proposals can be hand delivered or mailed to the following address:

City of Spartanburg
P. O. Box 5107
145 West Broad Street
Spartanburg, S. C. 29304

Attn.: Procurement & Property Division

For further information & a complete proposal package, please contact the Procurement & Property office at (864) 596-2049. A complete proposal package is available at www.cityofspartanburg.org by following the links for bid opportunities

The following proposal number must be placed on the outer envelope in order for the bid to be stamped in as accepted on time: RFQ No: (Healthy Food Hub) 1112-02-14-01

CONSTRUCTION

Invitation for Construction Bids

The information for State construction projects previously listed in the SCBO Notes is now addressed in the project manual.

Please verify requirements for non-State agency advertisements by contacting the agency / owner.

Projects expected to cost less than \$50,000 are listed under the Minor Construction heading.

RE-BID, WITH MODIFICATIONS

Project Name: TRI-COUNTY TECHNICAL COLLEGE, I.T.C., PHASE B, RE-BID – BUILDING RENOVATIONS

Project Number: H59-6022-JM-B

Project Location: 5321 Hwy. 76, Pendleton, SC 29670

Bid Security Required: Yes

Performance Bond Required: Yes

Payment Bond Required: Yes

Description of Project: Interior demo of existing offices, restrooms & cutting punched openings. Add two new restrooms & a break room with new connection to sanitary sewer. Upfit a welding lab, including addition of 48 welding booths with electrical & gas connections. The main electrical system, sprinkler & life safety will be reconfigured. HVAC RTU, a 3-part dust collector system with duct to be installed. Exterior sheds & road work to be added, along with HVAC vocational lab to be constructed. Contractor may be subject to performance appraisal at close of project.

Construction Cost Range: \$1,500,000 - \$2,500,000

Architect/Engineer: LS3P / Neal Prince

A/E Contact: Chris Stone, AIA

A/E Address: 110 West North St., Greenville, SC 29601

A/E E-mail: chrystone@ls3p.com

A/E Telephone: (864) 235-0405

A/E Fax: (864) 233-4027

Note: All questions & correspondence concerning this Invitation to Bid shall be addressed to the A/E.

Bidding Documents/Plans May Be Obtained From: Imaging Technologies, 225 South Academy St., Greenville, SC 29601, phone (864) 233-5371

Plan Deposit: \$100.00, refundable

Note: Only those bidding documents / plans obtained from the aforementioned source are official. Bidders rely on copies of bidding documents / plans obtained from any other source at their own risk.

Bidding Documents/Plans Are Also on File for Viewing Purposes Only At:

AGC: Columbia

Dodge: Web site,

www.dodgeprojects.construction.com

Pre-Bid Conf./Site Visit: Not mandatory

Pre-Bid Date/Time: 1/31/12 – 9:00 am

Place: Job site, 5321 Hwy. 76, Pendleton, SC 29670

Agency/Owner: Tri-County Technical College

Agency Procurement Officer: Kristal Doherty

Address: 7900 Hwy. 76, PO Box 587, Pendleton, SC 29670

E-mail: kdoherly@ctc.edu

Telephone: (864) 646-1775

Fax: (864) 646-1891

Bid Closing Date/Time: 2/16/12 – 4:00pm

Place: Tri-County Tech, Physical Plant, Conference Room 101

Hand Deliver Bids To: Tri-County Technical College, Attn.: Kristal Doherty, Purchasing Office, Room 113, Building RH, 7900 Hwy. 76, Pendleton, SC 29670

Mail Bids To: Tri-County Technical College, Attn.: Kristal Doherty, Purchasing Office, Room 113, Building RH, PO Box 587, Pendleton, SC 29670

**SE-330 – LUMP SUM BID
BID FORM**

Bidders shall submit bids on only Bid Form SE-330.

BID SUBMITTED BY: _____

(Bidder's Name)

BID SUBMITTED TO: Tri-County Technical College

(Owner's Name)

FOR PROJECT: PROJECT NAME Industrial Arts Center, Phase B - Building Renovations

PROJECT NUMBER H59-6022-JM-B

OFFER

§ 1. In response to the Invitation for Construction Bids and in compliance with the Instructions to Bidders for the above-named Project, the undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into a Contract with the Owner on the terms included in the Bidding Documents, and to perform all Work as specified or indicated in the Bidding Documents, for the prices and within the time frames indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

§ 2. Pursuant to Section 11-32-3030(1) of the SC Code of Laws, as amended, Bidder has submitted Bid Security as follows in the amount and form required by the Bidding Documents:

- Bid Bond with Power of Attorney
- Electronic Bid Bond
- Cashier's Check

(Bidder check one)

§ 3. Bidder acknowledges the receipt of the following Addenda to the Bidding Documents and has incorporated the effects of said Addenda into this Bid:

ADDENDUM No: _____

§ 4. Bidder accepts all terms and conditions of the Invitation for Bids, including, without limitation, those dealing with the disposition of Bid Security. Bidder agrees that this Bid, including all Bid Alternates, if any, may not be revoked or withdrawn after the opening of bids, and shall remain open for acceptance for a period of 60 Days following the Bid Date, or for such longer period of time that Bidder may agree to in writing upon request of the Owner.

§ 5. Bidder herewith offers to provide all labor, materials, equipment, tools of trades and labor, accessories, appliances, warranties and guarantees, and to pay all royalties, fees, permits, licenses and applicable taxes necessary to complete the following items of construction work:

§ 6.1 BASE BID WORK *(as indicated in the Bidding Documents and generally described as follows):* Interior demo of existing office, restroom facilities & cutting in various punched openings. Two new restrooms and a breakroom will be added with new connection to adjacent sanitary sewer. A welding lab will be constructed which includes adding 48 welding booths with electrical and gas connections. The main electrical system, sprinkler and life safety will be reconfigured. HVAC RTU, a 3 part Dust collector system with duct to be installed. Exterior sheds and road work to be added. The HVAC Lab to be constructed,

_____, which sum is hereafter called the Base Bid.

(Bidder - insert Base Bid Amount on line above)

SE-330 – LUMP SUM BID BID FORM

§ 6.2 BID ALTERNATES - as indicated in the Bidding Documents and generally described as follows:

ALTERNATE # 1 (Brief Description): Add 210 linear feet of wall tpe A6S0 (CMU w/ metal stops and drywall to deck for HVAC lab. Twenty one linear feet of interior GWB partition walls, a storage room, and installation of RTU #4 owner provide unit and related structural curb. Related Duct work will need to be provided and installed by GC. Emergency lighting to be installed. Also install (2) 3'-0"x7'-0" metal doors, (1) 6'-0"x7'-0" metal door and a 8' w x 12' h glass panel sectional door.

ADD TO or DEDUCT FROM BASE BID: _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

ALTERNATE # 2 (Brief Description): 24ft deep x 34 ft wide extension metal shed addition, 23'x 34' 4" thick Slab On Grade, Mechanical Exhaust Fan #4, and lighting adjacent to HVAC Lab

ADD TO or DEDUCT FROM BASE BID: _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

ALTERNATE # 3 (Brief Description): Addition of 6 – 7'x11' acoustical 24"x24"ceiling tile with 6" perimeter metal edge clouds suspended below the roof joists in break area, room 130.

ADD TO or DEDUCT FROM BASE BID: _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

SE-330 – LUMP SUM BID

BID FORM

§ 7. LISTING OF PROPOSED SUBCONTRACTORS PURSUANT TO SECTION 3020(b)(i), CHAPTER 35, TITLE 11 OF THE SOUTH CAROLINA CODE OF LAWS, AS AMENDED – (See Instructions on the following page BF-3A)

Bidder shall use the below-listed Subcontractors in the performance of the Subcontractor Specialty work listed:

SUBCONTRACTOR SPECIALTY By License Classification and/or Subclassification (Completed by Owner)	SUBCONTRACTOR'S PRIME CONTRACTOR'S NAME (Must be completed by Bidder) BASE BID	SUBCONTRACTOR'S PRIME CONTRACTOR'S SC LICENSE NUMBER
Electrical - EL		
Plumbing - PB		
Heating and AirConditioning - HT/AC		
Structural Framing - SF		
Sprinkler - FSC		
Masonry - MS		
ALTERNATE 1		
Electrical - EL		
Sprinkler FSC		
Heating and Air Conditioning - HT/AC		
Masonry - MS		
ALTERNATE 2		
Electrical - EL		
Heating and Air Conditioning - HT/AC		
Structural Framing - SF		
Sprinkler - FSC		
ALTERNATE 3		
N/A		

**** ALL SUBCONTRACTORS MUST BE LICENCED IN S.C. AND LISTED WITH THE SOUTH CAROLINA LLR. NON SC LICENCED SUB-CONTRACTORS LISTED ABOVE WILL DEEM THE BID "NON-RESPONSIVE" AND WILL BE REJECTED.****

If a Bid Alternate is accepted, Subcontractors listed for the Bid Alternate shall be used for the work of both the Alternate and the Base Bid work.

**SE-330 – LUMP SUM BID
BID FORM****INSTRUCTIONS FOR
SUBCONTRACTOR LISTING**

1. Section 7 of the Bid Form sets forth a list of subcontractor specialties for which bidder is required to identify by name the subcontractor(s) Bidder will use to perform the work of each listed specialty. Bidder must identify only the subcontractor(s) who will perform the work and no others.
2. For purposes of subcontractor listing, a Subcontractor is an entity who will perform work or render service to the prime contractor to or about the construction site. Material suppliers, manufacturers, and fabricators that will not perform physical work at the site of the project but will only supply materials or equipment to the bidder or proposed subcontractor(s) are not subcontractors and Bidder should not insert their names in the spaces provided on the bid form. Likewise, Bidder should not insert the names of sub-subcontractors in the spaces provided on the bid form but only the names of those entities with which bidder will contract directly.
3. Bidder must only insert the names of subcontractors who are qualified to perform the work of the listed specialties as specified in the Bidding Documents and South Carolina Licensing Laws.
4. If under the terms of the Bidding Documents, Bidder is qualified to perform the work of a specialty listed and Bidder does not intend to subcontract such work but to use Bidder's own employees to perform such work, the Bidder must insert its own name in the space provided for that specialty.
5. If Bidder intends to use multiple subcontractors to perform the work of a single specialty listing, Bidder must insert the name of each subcontractor Bidder will use, preferably separating the name of each by the word **“and”**. If Bidder intends to use both his own employees to perform a part of the work of a single specialty listing and to use one or more subcontractors to perform the remaining work for that specialty listing, bidder must insert his own name and the name of each subcontractor, preferably separating the name of each with the word **“and”**.
6. Bidder may not list subcontractors in the alternative nor in a form that may be reasonably construed at the time of bid opening as a listing in the alternative. A listing that requires subsequent explanation to determine whether or not it is a listing in the alternative is non-responsive. If bidder intends to use multiple entities to perform the work for a single specialty listing, bidder must clearly set forth on the bid form such intent. Bidder may accomplish this by simply inserting the word **“and”** between the name of each entity listed for that specialty. Owner will reject as non-responsive a listing that contains the names of multiple subcontractors separated by a blank space, the word **“or”**, a virgule (that is a /), or any separator that the Owner may reasonably interpret as a listing in the alternative.
7. If Bidder is awarded the contract, bidder must, except with the approval of the owner for good cause shown, use the listed entities to perform the work for which they are listed.
8. If bidder is awarded the contract, bidder will not be allowed to substitute another entity as subcontractor in place of a subcontractor listed in Section 7 of the Bid except for one or more of the reasons allowed by the SC Code of Laws.
9. Bidder's failure to insert a name for each listed specialty subcontractor will render the Bid non-responsive.

**SE-330 – LUMP SUM BID
BID FORM**

§ 8. LIST OF MANUFACTURERS, MATERIAL SUPPLIERS, AND SUBCONTRACTORS OTHER THAN SUBCONTRACTORS LISTED IN SECTION 7 ABOVE (FOR INFORMATION ONLY): Pursuant to instructions in the Invitation for Bids, if any, Bidder will provide to Owner upon the Owner’s request and within 24 hours of such request, a listing of manufacturers, material suppliers, and subcontractors, other than those listed in Section 7 above, that Bidder intends to use on the project. Bidder acknowledges and agrees that this list is provided for purposes of determining responsibility and not pursuant to the subcontractor listing requirements of SC Code Ann § 11-35-3020(b)(i).

§ 9. TIME OF CONTRACT PERFORMANCE AND LIQUIDATED DAMAGES

a. **CONTRACT TIME:** Bidder agrees that the Date of Commencement of the Work shall be established in a Notice to Proceed to be issued by the Owner. Bidder agrees to substantially complete the Work within 150 calendar days from the Date of Commencement, subject to adjustments as provided in the Contract Documents.

b. **LIQUIDATED DAMAGES:** Bidder further agrees that from the compensation to be paid, the Owner shall retain as Liquidated Damages the sum of \$200.00 for each calendar day the actual construction time required to achieve Substantial Completion exceeds the specified or adjusted time for Substantial Completion as provided in the Contract Documents. This sum is intended by the parties as the predetermined measure of compensation for actual damages, not as a penalty for nonperformance.

§ 10. AGREEMENTS

- a. Bidder agrees that this bid is subject to the requirements of the law of the State of South Carolina.
- b. Bidder agrees that at any time prior to the issuance of the Notice to Proceed for this Project, this Project may be canceled for the convenience of, and without cost to, the State.
- c. Bidder agrees that neither the State of South Carolina nor any of its agencies, employees or agents shall be responsible for any bid preparation costs, or any costs or charges of any type, should all bids be rejected or the Project canceled for any reason prior to the issuance of the Notice to Proceed.

§ 11. ELECTRONIC BID BOND

By signing below, the Principal is affirming that the identified electronic bid bond has been executed and that the Principal and Surety are firmly bound unto the State of South Carolina under the terms and conditions of the AIA Document A310, Bid Bond, included in the Bidding Documents.

Electronic Bid Bond Number: _____

Signature and Title: _____

**SE-330 – LUMP SUM BID
BID FORM**

BIDDER'S TAXPAYER IDENTIFICATION

FEDERAL EMPLOYER'S IDENTIFICATION NUMBER: _____

OR

SOCIAL SECURITY NUMBER: _____

CONTRACTOR'S CLASSIFICATIONS AND SUBCLASSIFICATIONS WITH LIMITATIONS

Classification(s) & Limits: _____

Subclassification(s) & Limits: _____

SC Contractor's License Number(s): _____

BY SIGNING THIS BID, THE PERSON SIGNING REAFFIRMS ALL REPRESENTATIONS AND CERTIFICATIONS MADE BY BOTH THE PERSON SIGNING AND THE BIDDER, INCLUDING WITHOUT LIMITATION, THOSE APPEARING IN ARTICLE 2 OF THE INSTRUCTIONS TO BIDDER. THE INVITATION FOR BIDS, AS DEFINED IN THE INSTRUCTIONS TO BIDDERS, IS EXPRESSLY INCORPORATE BY REFERENCE.

SIGNATURE

BIDDER'S LEGAL NAME: _____

ADRESS: _____

BY: _____
(Signature)

DATE: _____

TITLE: _____

TELEPHONE: _____

EMAIL: _____

Tri-County Technical College, Industrial Arts Center
Phase 1B REBID – Building Renovations
State Project No. H59-6022-JM-B

February, 03, 2012
LS3P/Neal #3202-102880

ADDENDUM #1- TCTC ITC REBID 1B

The following items add to, modify, or otherwise alter the Drawings dated January 17th, 2012 and will become a part of the Contract Documents. Where a portion of the Drawings is added to, modified, or otherwise altered, the portion not so affected shall remain. Bidder shall include all effects which these items may have on his proposal.

PART 1 – GENERAL INFORMATION

1. Current Bidder's/Plan Holder's List:
 - a. Yeargin Potter Shackelford
 - b. Trehel Corporation
 - c. H.G. Reynolds Co.
 - d. Town & Country Construction of SC
 - e. Matrix Construction Co. Inc.
 - f. Melloul Blamey Construction
 - g. Cannon Construction
 - h. Lazer Construction Company
 - i. J. Davis Construction
 - j. H.R. Allen.
 - k. Hogan Construction Group
 - l. Caldwell Constructors
 - m. Momentum Construction Services
 - n. M.L. Construction Company
 - o. Marsh Bell Construction

2. The Pre-Bid Meeting was held on Tuesday, January 31st 2012 at 9:00 AM.
(The meeting agenda is attached.)

3. The Bid Opening will be held on Thursday, February 16th, 2012 at 4:00 PM –
Physical Plant, Conference Room 101.

4. DRAWING UPDATE: Revisions to Drawings of Jan 17, 2012
Due to potential for contractor overlap between Project 1B and the Office/Classroom Up-fit, ADD ALT #1 had been CHANGED.
- a. Add Alt #1 will NOT include the building of walls, emergency lighting or the Sectional door for the "HVAC Lab" as designated in the current drawings.
 - b. **Add Alt #1 WILL** now include:
 - i. The installation and hook up of HVAC RTU#4 with Ductwork as it is currently shown in the Add Alt#1 in the Jan 17, 2012 drawings.
 - ii. Painting yellow diagonal striping for path in HVAC Lab Area as shown in the Jan. 17th 2012 drawings
 - iii. The additional installation of HVAC RTU#5 and HVAC #8 with direct grill return, and one 90 degree ducted elbow with a dispersion grill to serve as the supply.
 - iv. All HVAC units and curbs will be provided by Owner, yet the cost of curb installation for units #4, #5, and #8 will need to be included in bid. Piper Roofing will provide a set allowance (See Allowance #1 for curb installation.
 - v. Fire Protection upgrade will only be needed for the warehouse portion of the existing building (approximately 34,500 s.f.) Fire Protection for the Front Office/classroom area is to remain as currently installed, and is to remain functional, yet it will be updated in Project 2.
 - c. **Add Alt #2** is altered to expand the length of the exterior shed. The dimensions of "HVAC" shed will now be 24'-0" deep by 46'-0" wide, an increase of 13'-6" on length. This also includes extending the concrete slab from Column Line E-9 across the entire length of the, North wall to Column Line H, approximately 70 feet. (See attached Architectural drawing)
 - d. **Add Alt #3** will remain as provided in the Jan. 17, 2012 Bid Package.
 - e. Updated drawings for Architectural, and Mechanical are attached.
5. ALLOWANCES – Three Allowances have been added and are to be included in the Base Bid Price. Spec Section 012100 is attached.
- a. **Allowance #1** - Structural Curbs installation by roofer for RTU #4, #5 and #8 will be cover by an allowance of \$7,500 and is to be included in the Base Bid Price. Work is to be performed by Piper Roofing.
 - b. **Allowance #2** - Additional roof penetrations are to be covered by an allowance of \$2,000 for 4 (four) additional penetrations up to 12 inches in diameter, and this are to be included in the Base Bid price. Work to be performed by Piper Roofing
 - c. **Allowance #3** - Miscellaneous Steel allowance of \$5,000 and is to be include in Base Bid price.

PART 2 – CLARIFICATIONS/QUESTIONS

1. Roofing Alterations/ HVAC Curb Installation

Piper Roofing (Contact: Dan Jarrett) installed the current TPO Roof, metal panels and gutters, and will need to perform all roofing related work to maintain current warranties now in place. The Contractor will need to coordinate with Piper Roofing for the installation of curbs, rails and vents. The cost of installation for the following items had been accounted for and is NOT to be included in the base bid price.

1. Four Structural Mechanical Curbs for RTU #2, #3, #6, #7.
2. Three Dust Collector curbs and support rails
3. Six exhaust curbs
4. Seven plumbing/small exhaust penetrations.

For items not included above, Allowance #1 and #2 (listed above) has been added to cover the known additional roofing related work.

2. When is the Demo of the interior to be completed?

RESPONSE: (LS3P) All Demo work noted in drawings must be completed within 30 days of the Notice to Proceed. As noted in drawing AD1-100- Demo Note "E", all GWB and Studs on the perimeter walls of office space 100 are to be removed back to the CMU.

3. Clarification of what the College will provide on the HVAC and the Welding Booths.

RESPONSE: (TCTC) The owner will provide the following Items:

- a. **HVAC RTU #2, #3, #4, #5 #6, #7 and #8.** Structural curbs will be provided Phase A. Contractor to coordinate delivery. Contractor will be responsible for final installation, all gas and electrical supplies and connections, and ductwork.
- b. **HVAC Roof Top Intake Hoods (IH-1-1, IH-1-2, IH-2-1, IH-2-2)** Structural curbs will be installed during Phase A. Contractor to coordinate delivery. Contractor will be responsible for final installation, all electrical supplies and connections.
- c. **Duct Collectors and Duct Collector Fans (DC-1, DC-2 & DC-3).** Contractor to coordinate delivery. Contractor will be responsible for concrete pads, final installation, all compressed air, electrical supplies, connections, and all related ductwork.
- d. **48 Articulated Duct Collector Arms for Individual Welding Booths.** Contractor to coordinate delivery. Contractor will be responsible for final installation and connections to the duct collector ductwork and installing supports.

- e. **48 Metal Panel Welding Booths (6'-0" w x 6'-0" l x 7'-0" h).** The contractor will be required to establish schedule for and coordinate delivery of all 48 booths. The welding booth manufacturer will provide all assembly of the metal boots (this is a change from the 1st bid) NOTE: The 8'-0" Welding wall partition will be supported by the booth system, and final overall width of one unit (6 welding booths) will need to be verified before end-walls are installed. All electrical conduits, receptacles, and gas hook ups will need to be installed and attached to the booth walls by the contractor. See Electrical and Mechanical.

Individual cut sheets and specs are available upon request.

4. Painting Underside of exterior shed area?

RESPONSE: (LS3P) The underside and structure of the metal shed addition is to be painted in accordance with 09970 Specification, Coatings for steel. Color to be determined by architect.

5. Roof penetrations and HVAC curbs noted as Existing?

RESPONSE: (LS3P) Currently all HVAC structural curbs, Dust Collector curbs and support rails, ladder access, front and side gutters, exhaust and plumbing penetrations have not been installed by Piper Roofing. This is part of the scope from the previous Project 1A. The G.C. will not have to bear the cost of the installation of these items.

The G.C. WILL be responsible for the cost of installing the curbs in Add Alt # 1 thru Allowance 1. Therefore, the G.C. will be required to contact and coordinate with Piper Roofing for the installation of roofing related elements.

6. Exterior shed gutters?

RESPONSE: The exterior shed will require a continuous, field extrusion K- type gutter and downspouts with minimal joints along the entire front edge. Color to be determined by architect.

Additional Clarification request from original bid are included below to ensure clarity.

7. Existing loading dock demo requirements, Exterior pads only.

RESPONSE: (LS3P) As is noted in AD1-100 – Demo Note "K" ONLY the exterior pads that run vertically along the sides, and across the top of the loading dock doors are to be removed and holes patched by the contractor. The threshold along the floor edge is to remain as is.

8. Welding labs shows what looks like pocket doors. need size, elevations, etc.?

RESPONSE: (LS3P) Reference A1-102/1 Welding Booths, A1-251/8 Welding Elevations, and A1-501/B2 for Section details. This is a sliding pocket door configuration with a Dry Erase Marker surface on the exterior face for class presentations. The slide marker board is approx. 3'-8" high by approx. 6'-0" long, and can be divide into two 3'-0" long panels.

9. Is Water and Tap fees paid by owner?
RESPONSE: (TCTC) All WATER AND TAP FEE's will be paid directly by Owner. SWA will be determining cost of fees, and will be assisting TCTC with proper filling.
10. N/E corner of office area (sheet S1-150) micro pile/caps without frames?
RESPONSE: On sheet S1-150 Micro pile/ caps at the front exterior corner (Column Line A-7) are to reinforce current settlement and are required.
11. Drawing A1.722 indicates the floor finishes are to be Conc-1. Drawing A1.721 indicates all floors are Conc. Please clarify.
RESPONSE: (LS3P) A1-722 states that all existing painted concrete floors (All flooring between Column Line B and H) are to be re-painted with an appropriate type of epoxy concrete floor paint that matches SW7019 Gauntlet Grey. All existing painted concrete floors in this area must be chemically (solvent or detergent) cleaned. Floor paint is required in Storage 140, BUT no paint is required in RM 100, or on the exterior shed area

The yellow floor striping (matching SW 6898) is to be painted as indicated on A1-721, and to be of the same floor paint type. Stripes are 3 inches in width with a 3" gap running diagonally with a 3" edge boarder.
12. The electrical demolition plan, ED1-101 show a switchboard and three panels to be removed. I recall seeing more panels than this during the walk-thru. Are the other panels to remain? If not, please provide correct number of panels to be removed.
RESPONSE: Please remove all existing panels.
13. The existing utility transformer and pad are to be removed per plan C1-100. Is it to be removed by the electrical contractor or is it being removed by the utility?
RESPONSE: Existing utility transformer will be removed by utility; pad will be removed/re-worked by contractor.
14. What is to be done with the existing buss duct? They are not shown on the power plan or the demolition plan.
RESPONSE: The existing buss duct is to be left in place for future use.
15. Since this is an existing building, are there any floor control joints to be caulked?
RESPONSE: (LS3P) All existing or new floor joints will NOT be chalked or filled. All concrete cuts are to be cut parallel with existing joints and walls and patched concrete sections will be have control joints aligning with existing floor joints.
16. Air Compressor Equipment – Is it GC's Responsible?
RESPONSE: YES – The air compressor is scheduled and specified, along with necessary accessories.

ELECTRICAL: The following clarifications, amendments, additions, deletions, revisions, and/or modifications are hereby made a part of the Contract Documents and modifies the original Bidding Documents dated January 17th, 2012 and change the original documents only in the manner and to the extent stated below.

Changes to Drawings: None at this issue

PLUMBING: The following clarifications, amendments, additions, deletions, revisions, and/or modifications are hereby made a part of the Contract Documents and modifies the original Bidding Documents dated January 17th, 2012 and change the original documents only in the manner and to the extent stated below.

Changes to the Drawings:

P1-101 Add note indicating 3" floor drain and 2" vent piping for floor drain adjacent to P-10 sink

P1-102: Enlarged Mechanical Room No. 135 Floor Plan. Add the following note.

Extend 1" natural gas piping from roof penetration to new P-11 water heater.
Route gas piping high along wall and avoid interference with water heater flue duct.

MECHANICAL: The following clarifications, amendments, additions, deletions, revisions, and/or modifications are hereby made a part of the Contract Documents and modifies the original Bidding Documents dated January 17th, 2012 and change the original documents only in the manner and to the extent stated below.

Changes to the Drawings: Note Mechanical Changes in ADD Alt #1

M1-101, M1-102, M1-105

ADD alternate #1 has been increased in scope to include installation of RTU-5 and RTU-8. RTU-4 remains in ADD Alternate #1 as originally indicated. RTU-4, RTU-5, and RTU-8 are owner pre-purchased equipment. Refer to Question/Clarification #3 in Part 2 of this Addendum for further description of these items and contractor requirements associated with these items.

M1-104: ADD Section 3/M1-104 indicating welding gas piping (O2 and Acetylene) drops at cutting equipment

STRUCTURAL: The following clarifications, amendments, additions, deletions, revisions, and/or modifications are hereby made a part of the Contract Documents and modifies the original Bidding Documents dated January 17th, 2012 and change the original documents only in the manner and to the extent stated below

Changes to the Drawings: None to date.

CIVIL: The following clarifications, amendments, additions, deletions, revisions, and/or modifications are hereby made a part of the Contract Documents and modifies the original Bidding Documents dated January 17th, 2012 and change the original documents only in the manner and to the extent stated below.

Changes to the Drawings: None to date

PART 3 - MANUFACTURES ADDITIONS / ALTERNATE MATERIAL SUBMITTALS

Peachtree Protective Covers has been added as an acceptable manufacturer for TCTC ITC's exterior awnings.

PART 4 – DRAWINGS and SPECS

Drawings/ Specs: (attached)

1. **SE-330 – Updated Bid Form**
2. **Pre Bid Agenda Dated 1/31/2012**
3. **Specification Section 012100 - Allowances**
4. **Architectural**
 - A1-101 – Floor Plan
 - A1-121 – RCP
 - A1-151 – Roof Plan
 - A1-201 – Exterior elevations
 - A1-551 – Detailed Sections
 - A1-601 – Door Schedule, Storefront Elevations
 - A1-722 – Finish Specifications
5. **Mechanical and Plumbing**
 - M1-101 - HVAC Floor Plans
 - M1-102 - HVAC Roof Plan
 - P1-101 - Plumbing Floor Plans
 - P1-102 - Plumbing Enlarge Plumbing Floor Plan and Riser Diagram

END OF ADDENDUM #1

Tri-County Industrial Technology Center- Renovation
Tri-County Technical College
SC State Project # H59-6022-JM-B

• **NOTE UPDATE IN ADDENDUM 1 – 02.03.2012**
Pre-Bid Agenda and Project Requirements / Scope
BID OPENING – THURSDAY, 2/16/2012 @4:00 PM

1) SC State Project

- a) Project is subject to all OSE requirements.
- b) Contact: Jim McVey – OSE Project Director (864) 503-5534.
- c) All contractors are required to adhere to ALL 2011 OSE Bid requirements, failure to do so will render bid unresponsive and will be disqualified.

2) Pendleton – Permits and Inspections

- a) Contractors and Subcontractors MUST have Permits from Pendleton Permit Office.
- b) 2009 IBC Codes apply

3) Special Inspection – Chapter 17

- a) Will be performed by Bunnell-Lammons Engineering, Inc.
Contact : Jim Ernst (864) 288-1265
- b) Contractor responsible for setting up and properly scheduling all Chapter 17 Special Inspection.

4) General Contractor Requirements

- a) The Contractor is responsible for establishing Bi-Weekly A/O/C Construction meetings, Weekly Sub-Contractor meetings, and notifying all attendees in a timely manner.
- b) The Contractor is responsible for all meeting notes, progress reports, and issuing two week scheduling forecasts to all involved personnel. Architect and Owner to review and supplement.
- c) Builders Risk -Contractor to furnish.
- d) Shop Drawings, RFI's, Pay Apps with Lien Releases, Change orders, and Schedules must be submitted in an AIA format and directed to the Project Architect for review and approval. (Not the Owner)
- e) Contractor must respect adjacent properties (Do not utilize adjacent field for storage or construction use)
- f) The contractor is responsible for securing job site and building. The contractor is to be pro-active in preventing jobsite theft and vandalism. Site is currently unsecured.
- g) A CLEAN JOB IS A QUALITY JOB. The contractor is responsible to have the jobsite clean at all times.

5) Project overview

- a) Building Type – 1986 factory- IIB Sprinkled – 12" CMU/Brick walls w/ Open Web roof joist, metal deck, membrane roof over insulation, ducted RTU's.
- b) Project 1A – COMPLETED Re-Roofing, adding skylights, gutters, and front metal panels. Must be protected, and in excellent condition with all manufactures warranties intact. Work performed by Piper Roofing – Contact Dan Jarratt (864) 269-6645
- c) Renovation Pricing / Bid – Lump Sum, Low Bid
 - i) **Base Bid** (No Allowances To-date) **NOTE CHANGE IN ADDENDUM 1**
 - ii) **ADD ALT #1** – HVAC Lab Walls, RTU #4 and duct, Emergency Lighting, Sectional Door **NOTE CHANGE IN ADDENDUM 1**
 - iii) **ADD ALT #2** – Exterior Metal Shed Addition (24' deep x 34' Wide), Slab, Exhaust, Lighting and Fire Protection **NOTE CHANGE IN ADDENDUM 1**
 - iv) **ADD ALT #3** – 6 Acoustical Ceiling Clouds over break area (RM130)
 - v) TOTAL Project Budget / Funding <\$2,200,000
 - vi) Construction Period – 150 Days
- d) Existing Buildings access dates and time. Contact Ken Kopera for additional times
 - **Tuesday, Feb 7th – 9:00 AM till 2:00 PM**
 - **Thursday, Feb 9th – 9:00 AM till 2:00 PM**
 - **Tuesday, Feb 14th – 9:00 AM till 2:00 PM**
- e) Renovation –Demo Overview
 - i) Demo entrance, demo interior, and cut door openings, cut floor slab for waste water drains, etc.
 - ii) All Demolition MUST be completed and cleared with-in 30 days of Notice to Proceed
- f) Renovation – Addition Overview
 - i) New Welding Lab, Restrooms, Lounge, and Exterior Shed Area
 - ii) Welding Gases Storage
 - iii) Parking and Landscaping repair and upgrade – Seaman Whiteside and Associates.
 - iv) New Mechanical and Plumbing Systems – Peritus Engineering
 - v) New Electrical, Lighting, Alarm, Security and Data Services – Burdette Engineering
 - vi) Upgrade / Addition to Structure system – Professional Engineering
 - vii) Revised sprinkler systems

6) Substitution Request / Addendum / Pre-Bid RFI's

- a) Substitution Request – Must be received prior to February 6thth @ 4:00 PM
- b) Addendum
 - i) The last addendum will be issue 5 days prior to Bid Opening – (FRIDAY, FEBRUARY 10th @ 4:00 PM)
 - ii) All Addendum must be acknowledge in Bid Documents
- c) Pre-Bid RFI's – Please submit via e-mail to Chris Stone AND Luke Sims at LS3P – chrisstone@ls3p.com and lukesims@ls3p.com

7) Project Two – FRONT OFFICE UPFIT

- a) A Second Phase will be issued to bid with the next 30 days for the Front office Up-fit,
- b) HVAC Lab Up-fit, Parking and exterior break area. Coordination will be necessary and critical.

8) Notable Changes from Original Bid

***Additional Changes may exist, refer to documents and drawings

NOTE CHANGES IN ADDENDUM 1

Page Number	Item
A1-101	Plate Steel Added For Floor Protection At Wall On Column Line E
A1-502	Sheet Added – Welding Booth Layout & Details (Former Addendum #1)
M1-101	Dust Collector #3 (Owner Provided) & Corresponding Ductwork Added
M1-101	Exhaust Fan EX-4 Added To Add Alt #2
M1-101	RTU-4 & Corresponding Ductwork Added To Add Alt #1

**SE-330 – LUMP SUM BID
BID FOR**

Bidders shall submit bids on only Bid Form SE-330.

BID SUBMITTED BY: _____
(Bidder's Name)

BID SUBMITTED TO: Tri-County Technical College
(Owner's Name)

FOR PROJECT: PROJECT NAME Industrial Arts Center, Phase B - Building Renovations
PROJECT NUMBER H59-6022-JM-B

OFFER

§ 1. In response to the Invitation for Construction Bids and in compliance with the Instructions to Bidders for the above-named Project, the undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into a Contract with the Owner on the terms included in the Bidding Documents, and to perform all Work as specified or indicated in the Bidding Documents, for the prices and within the time frames indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

§ 2. Pursuant to Section 11-32-3030(1) of the SC Code of Laws, as amended, Bidder has submitted Bid Security as follows in the amount and form required by the Bidding Documents:

- Bid Bond with Power of Attorney Electronic Bid Bond Cashier's Check

(Bidder check one)

§ 3. Bidder acknowledges the receipt of the following Addenda to the Bidding Documents and has incorporated the effects of said Addenda into this Bid:

ADDENDUM No: _____

§ 4. Bidder accepts all terms and conditions of the Invitation for Bids, including, without limitation, those dealing with the disposition of Bid Security. Bidder agrees that this Bid, including all Bid Alternates, if any, may not be revoked or withdrawn after the opening of bids, and shall remain open for acceptance for a period of 60 Days following the Bid Date, or for such longer period of time that Bidder may agree to in writing upon request of the Owner.

§ 5. Bidder herewith offers to provide all labor, materials, equipment, tools of trades and labor, accessories, appliances, warranties and guarantees, and to pay all royalties, fees, permits, licenses and applicable taxes necessary to complete the following items of construction work:

§ 6.1 BASE BID WORK *(as indicated in the Bidding Documents and generally described as follows):* Interior demo of existing office, restroom facilities & cutting in various punched openings. Two new restrooms and a breakroom will be added with new connection to adjacent sanitary sewer. A welding lab will be constructed which includes adding 48 welding booths with electrical and gas connections. The main electrical system, sprinkler and life safety will be reconfigured in the warehouse portion. HVAC RTU's, a 3 unit Dust Collector system with duct to be installed. Exterior sheds and road work to be added.,

_____, which sum is hereafter called the Base Bid.

(Bidder - insert Base Bid Amount on line above)

SE-330 – LUMP SUM BID BID FOR

§ 6.2 **BID ALTERNATES** - as indicated in the Bidding Documents and generally described as follows:

ALTERNATE # 1 (*Brief Description*): Installation of RTU #4, #5 and #8 (Units and Curbs provided by Owner) Cutting opening, providing needed structure, electrical connection, controls, gas piping and related duct work will need to be provided and installed by GC.

ADD TO or **DEDUCT FROM BASE BID:** _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

ALTERNATE # 2 (*Brief Description*): 24ft deep x 46 ft wide extension metal shed addition, a 30'-0"deep x 85'-6" long 4" thick Slab On Grade, Mechanical Exhaust Fan #4, required dry exterior sprinklers and lighting adjacent to HVAC Lab. Underside of deck and structure to be painted.

ADD TO or **DEDUCT FROM BASE BID:** _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

ALTERNATE # 3 (*Brief Description*): The addition of SIX 7'x11' acoustical 24"x24"ceiling tile with 6" perimeter metal edge clouds suspended below the roof joists in break area(RM 130) and the addition of a 10'x12' sectional overhead door(#176) with related cutting and reinforcing of opening in CMU wall. Sectional Doors, #201, #202, and #203 to be replaced with insulated, electrically operated, aluminum sectional doors

ADD TO or **DEDUCT FROM BASE BID:** _____

(Bidder to Mark appropriate box to clearly indicate the price adjustment offered for each alternate)

**SE-330 – LUMP SUM BID
 BID FORM**

§ 7. LISTING OF PROPOSED SUBCONTRACTORS PURSUANT TO SECTION 3020(b)(i), CHAPTER 35, TITLE 11 OF THE SOUTH CAROLINA CODE OF LAWS, AS AMENDED – (See Instructions on the following page BF-3A)

Bidder shall use the below-listed Subcontractors in the performance of the Subcontractor Specialty work listed:

SUBCONTRACTOR SPECIALTY By License Classification and/or Subclassification (Completed by Owner)	SUBCONTRACTOR'S PRIME CONTRACTOR'S NAME (Must be completed by Bidder) BASE BID	SUBCONTRACTOR'S PRIME CONTRACTOR'S SC LICENSE NUMBER
Electrical - EL		
Plumbing - PB		
Heating and AirConditioning - HT/AC		
Structural Framing - SF Sprinkler - FSC Masonry - MS		
ALTERNATE 1		
Electrical - EL		
Structural Framing - SF		
Heating and Air Conditioning HT/AC		
ALTERNATE 2		
Electrical - EL		
Heating and Air Conditioning HT/AC		
Structural Framing - SF		
Sprinkler - FSC		
ALTERNATE 3		
Structural Framing - SF		

**** ALL SUBCONTRACTORS MUST BE LICENCED IN S.C. AND LISTED WITH THE SOUTH CAROLINA LLR. NON SC LICENCED SUB-CONTRACTORS LISTED ABOVE WILL DEEM THE BID "NON-RESPONSIVE" AND WILL BE REJECTED.****

If a Bid Alternate is accepted, Subcontractors listed for the Bid Alternate shall be used for the work of both the Alternate and the Base Bid work.

**SE-330 – LUMP SUM BID
BID FORM****INSTRUCTIONS FOR
SUBCONTRACTOR LISTING**

1. Section 7 of the Bid Form sets forth a list of subcontractor specialties for which bidder is required to identify by name the subcontractor(s) Bidder will use to perform the work of each listed specialty. Bidder must identify only the subcontractor(s) who will perform the work and no others.
2. For purposes of subcontractor listing, a Subcontractor is an entity who will perform work or render service to the prime contractor to or about the construction site. Material suppliers, manufacturers, and fabricators that will not perform physical work at the site of the project but will only supply materials or equipment to the bidder or proposed subcontractor(s) are not subcontractors and Bidder should not insert their names in the spaces provided on the bid form. Likewise, Bidder should not insert the names of sub-subcontractors in the spaces provided on the bid form but only the names of those entities with which bidder will contract directly.
3. Bidder must only insert the names of subcontractors who are qualified to perform the work of the listed specialties as specified in the Bidding Documents and South Carolina Licensing Laws.
4. If under the terms of the Bidding Documents, Bidder is qualified to perform the work of a specialty listed and Bidder does not intend to subcontract such work but to use Bidder's own employees to perform such work, the Bidder must insert its own name in the space provided for that specialty.
5. If Bidder intends to use multiple subcontractors to perform the work of a single specialty listing, Bidder must insert the name of each subcontractor Bidder will use, preferably separating the name of each by the word **"and"**. If Bidder intends to use both his own employees to perform a part of the work of a single specialty listing and to use one or more subcontractors to perform the remaining work for that specialty listing, bidder must insert his own name and the name of each subcontractor, preferably separating the name of each with the word **"and"**.
6. Bidder may not list subcontractors in the alternative nor in a form that may be reasonably construed at the time of bid opening as a listing in the alternative. A listing that requires subsequent explanation to determine whether or not it is a listing in the alternative is non-responsive. If bidder intends to use multiple entities to perform the work for a single specialty listing, bidder must clearly set forth on the bid form such intent. Bidder may accomplish this by simply inserting the word **"and"** between the name of each entity listed for that specialty. Owner will reject as non-responsive a listing that contains the names of multiple subcontractors separated by a blank space, the word "or", a virgule (that is a /), or any separator that the Owner may reasonably interpret as a listing in the alternative.
7. If Bidder is awarded the contract, bidder must, except with the approval of the owner for good cause shown, use the listed entities to perform the work for which they are listed.
8. If bidder is awarded the contract, bidder will not be allowed to substitute another entity as subcontractor in place of a subcontractor listed in Section 7 of the Bid except for one or more of the reasons allowed by the SC Code of Laws.
9. Bidder's failure to insert a name for each listed specialty subcontractor will render the Bid non-responsive.

SE-330 – LUMP SUM BID BID FORM

§ 8. LIST OF MANUFACTURERS, MATERIAL SUPPLIERS, AND SUBCONTRACTORS OTHER THAN SUBCONTRACTORS LISTED IN SECTION 7 ABOVE (FOR INFORMATION ONLY): Pursuant to instructions in the Invitation for Bids, if any, Bidder will provide to Owner upon the Owner's request and within 24 hours of such request, a listing of manufacturers, material suppliers, and subcontractors, other than those listed in Section 7 above, that Bidder intends to use on the project. Bidder acknowledges and agrees that this list is provided for purposes of determining responsibility and not pursuant to the subcontractor listing requirements of SC Code Ann § 11-35-3020(b)(i).

§ 9. TIME OF CONTRACT PERFORMANCE AND LIQUIDATED DAMAGES

a. **CONTRACT TIME:** Bidder agrees that the Date of Commencement of the Work shall be established in a Notice to Proceed to be issued by the Owner. Bidder agrees to substantially complete the Work within 150 calendar days from the Date of Commencement, subject to adjustments as provided in the Contract Documents.

b. **LIQUIDATED DAMAGES:** Bidder further agrees that from the compensation to be paid, the Owner shall retain as Liquidated Damages the sum of \$200.00 for each calendar day the actual construction time required to achieve Substantial Completion exceeds the specified or adjusted time for Substantial Completion as provided in the Contract Documents. This sum is intended by the parties as the predetermined measure of compensation for actual damages, not as a penalty for nonperformance.

§ 10. AGREEMENTS

- a. Bidder agrees that this bid is subject to the requirements of the law of the State of South Carolina.
- b. Bidder agrees that at any time prior to the issuance of the Notice to Proceed for this Project, this Project may be canceled for the convenience of, and without cost to, the State.
- c. Bidder agrees that neither the State of South Carolina nor any of its agencies, employees or agents shall be responsible for any bid preparation costs, or any costs or charges of any type, should all bids be rejected or the Project canceled for any reason prior to the issuance of the Notice to Proceed.

§ 11. ELECTRONIC BID BOND

By signing below, the Principal is affirming that the identified electronic bid bond has been executed and that the Principal and Surety are firmly bound unto the State of South Carolina under the terms and conditions of the AIA Document A310, Bid Bond, included in the Bidding Documents.

Electronic Bid Bond Number: _____

Signature and Title: _____

**SE-330 – LUMP SUM BID
BID FORM**

BIDDER'S TAXPAYER IDENTIFICATION

FEDERAL EMPLOYER'S IDENTIFICATION NUMBER: _____

OR

SOCIAL SECURITY NUMBER: _____

CONTRACTOR'S CLASSIFICATIONS AND SUBCLASSIFICATIONS WITH LIMITATIONS

Classification(s) & Limits: _____

Subclassification(s) & Limits: _____

SC Contractor's License Number(s): _____

BY SIGNING THIS BID, THE PERSON SIGNING REAFFIRMS ALL REPRESENTATIONS AND CERTIFICATIONS MADE BY BOTH THE PERSON SIGNING AND THE BIDDER, INCLUDING WITHOUT LIMITATION, THOSE APPEARING IN ARTICLE 2 OF THE INSTRUCTIONS TO BIDDER. THE INVITATION FOR BIDS, AS DEFINED IN THE INSTRUCTIONS TO BIDDERS, IS EXPRESSLY INCORPORATE BY REFERENCE.

SIGNATURE

BIDDER'S LEGAL NAME: _____

ADDRESS: _____

BY: _____
(Signature)

DATE: _____

TITLE: _____

TELEPHONE: _____

EMAIL: _____