

# Request for Quote

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 ONE CAPITOL HILL  
 PROVIDENCE RI 02908

**CREATION DATE :** 25-OCT-16  
**BID NUMBER:** 7551087  
**TITLE:** TREE AND SHRUB TRIMMING/REMOVAL - MPA #372  
**BLANKET START :** 01-JAN-17  
**BLANKET END :** 31-DEC-17  
**BID CLOSING DATE AND TIME:** 22-NOV-2016 11:00:00

**BUYER:** Hill, Lisa  
**PHONE #:** 401-574-8118

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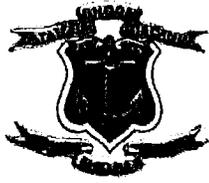
**Requisition Number:**

Note to Bidders: OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR

Questions concerning this solicitation must be received by the Division of Purchases at: LISA.HILL@@purchasing.ri.gov no later than November 15, 2016 at 4:00 p.m.. Questions should be submitted in a Microsoft Word attachment. Please reference the RFQ#7551087 on all correspondence. Questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

Line	Description	Quantity	Unit	Unit Price	Total
1	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A CREW CONSISTING OF 3 MEN, 1 BUCKET, 1 CHIP TRUCK AND 1 CHIPPER, PER ATTACHED SCOPE (REGULAR BUSINESS HOURS), PER ATTACHED SCOPE	1.00	Hour		
2	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A CREW CONSISTING OF 3 MEN, 1 BUCKET, 1 CHIP TRUCK AND 1 CHIPPER, OVERTIME, PER ATTACHED SCOPE	1.00	Hour		
3	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A TREE CLIMBER, REGULAR TIME, PER ATTACHED SCOPE	1.00	Hour		
4	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A TREE CLIMBER, OVERTIME RATE, PER ATTACHED SCOPE	1.00	Hour		
5	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A SELF-LOADING LOG TRUCK WITH OPERATOR, REGULAR TIME, PER ATTACHED SCOPE	1.00	Hour		
6	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR A SELF-LOADING LOG TRUCK WITH OPERATOR, OVERTIME, PER ATTACHED SCOPE	1.00	Hour		
7	1/1/17 - 12/31/17 TIER 1 SERVICE: PRICE FOR STUMP GRINDER/HYDROSEEDING 6" TO 12" STUMP, PER ATTACHED SCOPE	1.00	Each		
8	1/1/17 - 12/31/17 TIER 1 SERVICE: PRICE FOR STUMP GRINDER/HYDROSEEDING 12" TO 24" STUMP, PER ATTACHED SCOPE	1.00	Each		
9	1/1/17 - 12/31/17 TIER 1 SERVICE: PRICE FOR STUMP GRINDER/HYDROSEEDING 24" TO 36" STUMP, PER ATTACHED SCOPE	1.00	Each		
10	1/1/17 - 12/31/17 TIER 1 SERVICE: PRICE FOR STUMP GRINDER/HYDROSEEDING 36" AND OVER STUMP, PER ATTACHED SCOPE	1.00	Each		
11	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR FLAGGER, REGULAR TIME, PER ATTACHED SCOPE	1.00	Hour		

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12	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR FLAGGER, OVERTIME, PER ATTACHED SCOPE	1.00	Hour		
13	1/1/17 - 12/31/17 1 SERVICE: HOURLY RATE FOR SPRAY RIG, REGULAR TIME, PER ATTACHED SCOPE	1.00	Hour		
14	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR CRANE WITH OPERATOR, SUITABLE FOR TREE WORK - MINIMUM 25 TON CAPACITY WITH 100' BOOM (MAY BE SUBCONTRACTED), PER ATTACHED SCOPE	1.00	Hour		
15	1/1/17 - 12/31/17 TIER 1 SERVICE: HOURLY RATE FOR DUMP TRUCK WITH LOG AND BRUSH LOADING MACHINERY WITH OPERATOR. DUMP TRUCK MUST HAVE MINIMUM HAULING CAPACITY OF 15 CUBIC YARDS OF VEGETATIVE DEBRIS, PER ATTACHED SCOPE Line Note to Bidders: *****  OTHER ASSOCIATED MATERIALS AT COST PLUS _____% INCLUDING, BUT NOT LIMITED TO SHRUBS, MULCH, BUSHES, TREES.  *****	1.00	Hour		
16	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR A CREW CONSISTING OF 3 MEN, 1 BUCKET, 1 CHIP TRUCK AND 1 CHIPPER, PER ATTACHED SCOPE	1.00	Hour		
17	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR CREW CONSISTING OF OF 2 MEN AND 1 BUCKET, PER ATTACHED SCOPE	1.00	Hour		
18	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR TREE CLIMBER, PER ATTACHED SCOPE	1.00	Hour		
19	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR SELF LOADING LOG TRUCK WITH OPERATOR, PER ATTACHED SCOPE	1.00	Hour		
20	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR FLAGGER, PER ATTACHED SCOPE	1.00	Hour		

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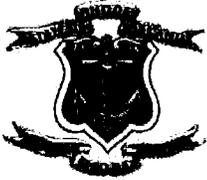
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Line	Description	Quantity	Unit	Unit Price	Total
21	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR CRANE WITH OPERATOR; SUITABLE FOR TREE WORK. MINIMUM 25 TON CAPACITY WITH 100 FEET OF BOOM (MAY BE SUBCONTRACTED), PER ATTACHED SCOPE	1.00	Hour		
22	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR DUMP TRUCK WITH OPERATOR, WITH LOG BRUSH LOADING MACHINERY (WITH OPERATOR). DUMP TRUCK MUST HAVE A MINIMUM HAULING CAPACITY OF 15 CUBIC YARDS OF VEGETATIVE DEBRIS, PER ATTACHED SCOPE Line Note to Bidders: *****  OTHER ASSOCIATED MATERIALS AT COST PLUS _____% INCLUDING, BUT NOT LIMITED TO, SHRUBS, MULCH, BUSHES, TREES.  *****	1.00	Hour		
23	1/1/17 - 12/31/17 TIER 2 SERVICE: HOURLY RATE FOR SELF LOADING LOG TRUCK WITH OPERATOR, PER ATTACHED SCOPE	1.00	Hour		
24	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR CREW CONSISTING OF 3 MEN, 1 BUCKET, 1 CHIP TRUCK AND 1 CHIPPER, PER ATTACHED SCOPE	1.00	Hour		
25	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR CREW CONSISTING OF 2 MEN, AND 1 BUCKET, PER ATTACHED SCOPE	1.00	Hour		
26	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR TREE CLIMBER, PER ATTACHED SCOPE	1.00	Hour		
27	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR FLAGGER, PER ATTACHED SCOPE	1.00	Hour		
28	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR SELF LOADING LOG TRUCK WITH OPERATOR, PER ATTACHED SCOPE	1.00	Hour		
29	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR CRANE WITH OPERATOR, SUITABLE FOR TREE	1.00	Hour		

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Line	Description	Quantity	Unit	Unit Price	Total
	WORK-MINIMUM 25 TON CAPACITY WITH 100 FEET OF BOOM (CRANE WORK MAY BE SUBCONTRACTED), PER ATTACHED SCOPE				
30	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR DUMP TRUCK WITH LOG AND BRUSH LOADING MACHE WITH OPERATOR. DUMP TRUCK MUST HAVE MINIMUM HAULDING CAPACITY OF 15 CUBIC YARDS OF VEGETATIVE DEBRIS, PER ATTACHED SCOPE Line Note to Bidders: *****  OTHER ASSOCIATED MATERIALS AT COST PLUS _____% INCLUDING BUT NOT LIMITED TO, SHRUBS, MULCH, BUSHES, TREES, *****	1.00	Hour		
31	1/1/17 - 12/31/17 TIER 3 SERVICE: HOURLY RATE FOR RETAINING A CREW IN ADVANCE OF AN ANTICIPATED EVENT, AS DESCRIBED IN THE TIER 3 SCOPE OF WORK	1.00	Hour		

Delivery: \_\_\_\_\_

Terms of Payment: \_\_\_\_\_

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State of Rhode Island Department of Administration  
Division of Purchases

REVISED  
November 20, 2013

**NOTICE TO VENDORS**

Each bid proposal for a *public works project* must include a "public copy" to be available for public inspection upon the opening of bids. **Bid proposals that do not include a copy for public inspection will be deemed nonresponsive.**

The public copy must be submitted in .pdf (portable document file) format on a *read-only* CD-R media disc. The disc must include *all of the documents* submitted in response to the solicitation concatenated or merged into one file. The file must be named in the following manner:

BidNumber\_DateofBid\_VendorName\_VendorID.pdf

The Bidder Certification Cover Form contains all of the information for the file name. The date of bid must appear as mm-dd-yyyy. The vendor name must appear as one word, with no spaces or punctuation. Underscores must separate the fields.

**Example:** 7543210\_11-08-2013\_OceanStateCompanyInc\_9867.pdf

The public copy disc must be separately enclosed in a protective cover clearly marked "Public Copy" and include the following information (all available from the Bidder Certification Cover Form): (1) title of solicitation; (2) name of bidder and RIVIP vendor ID number; (3) bid number; and (4) date of bid.

The public copy may redact any trade secrets or commercial or financial information which is of a privileged or confidential nature pursuant to the "Access to Public Records Act," R. I. Gen. Laws §§ 38-2-1 *et seq.*

For further information on how to comply with this statutory requirement, see R. I. Gen. Laws §§ 37-2-18(b) and (j). Also see Procurement Regulation 5.11 accessible at [www.purchasing.ri.gov](http://www.purchasing.ri.gov)

**STATE OF RHODE ISLAND  
DIVISION OF PURCHASES  
BID NO.  
TREE AND SHRUB REMOVAL/TRIMMING – MPA 372**

The State of Rhode Island is seeking to establish pricing agreements with qualified vendors to provide all labor, equipment and materials necessary to perform statewide tree trimming and removal work as necessary. Locations may be various state-owned or leased facilities, roadways, bike paths, or campgrounds/parks. The services shall include, but not be limited to, removal of trees, trimming trees, clearing deadwood, removing stumps, stump grinding, trimming/planting shrubs, providing screened loam and grass seed to fill void created by stump removals, hydro seeding, and removal/disposal of debris from site. It is the intention of the State to issue multiple awards from this solicitation.

The objective of this Master Price Agreement is to provide state agencies the ability to engage the services specified, as needed, for both scheduled work and unscheduled work. All rates are to be inclusive of labor, equipment, material and administrative costs. To accommodate all needs that may be encountered throughout the term of the agreements resulting from this award, the following levels of service are required, although it is not necessary to bid on all three tiers of service.

1. Tier 1 Services: These are services which are scheduled in advance for various trimming and/or removal of trees, shrubs, limbs, stumps, etc., removal and or planting of shrubs. The state agency will be required, under Tier 1, to solicit bids from multiple vendors awarded on the MPA for individual work orders. Vendors are required to view the requested work and submit their pricing within 72 hours of agency notification. Tier 1 regular services are for regular standard work day hours, ie. 7:00 – 3:30, 7:30 – 4:00, etc.
  
2. Tier 2 Services: This level of service is considered an emergency operation which requires immediate response, which may result in the vendor halting current operations to perform the required work. Tier 2 services require immediate response from the vendor whenever called upon including regular business hours, and non-business hours (after 4:00 p.m., Monday through Friday, Saturdays, Sundays and holidays). Generally speaking, this level of service will be limited to isolated areas within the State, and applicable conditions may be roadway blockage or other public hazard that requires immediate remediation to maintain public safety. This level of service may be necessary at any time and the vendor is expected to be ready to respond 24 hours per day/7 days per week/365 days per year. Response time shall be within 2 hours of notification. In such instances,

the State reserves the right to utilize the vendor who can respond and complete the required work in the most expeditious fashion.

3. Tier 3 Services: This level of service is required when a severe situation arises such as a regional weather event or other disaster and the resulting damage has regional impact. This type of regional situation will require immediate response time and may require a longer duration of service(s) from the vendor(s). In the event that a regional event is predicted the State, at its sole option, may elect to schedule the anticipated services in advance. For such situations, the State will pay a "stand-by" rate to retain as many crews as may be necessary to be on-call solely to the State of Rhode Island agency paying the "stand-by" rate, and respond/react as needed. Response time for this level of service is within two (2) hours, and may be require up to a 12 hour workday. At this level of service, subcontracting is allowed to provide the number of crews requested by the State of Rhode Island. In no instance shall the billing for such services exceed seventy-two (72) hours from onset.

Tier 3 services shall be implemented when one of the following two situations occur: (a) an Emergency Declaration is issued by the Governor or (b) advance authorization by the Chief Purchasing Office or Purchasing Agent in accordance with State of Rhode Island Regulation 9.6 Emergencies (RIGL 37-2-21b).

In all instances, the following conditions shall apply: All work resulting from the master Price Agreement is subject to prevailing wage.

1. Overtime rates are requested only for Tier 1 work.
  - a. The State expects that since Tier 1 work will be scheduled, the vendor shall bid the work based on time to complete and shall schedule the work within their regular work day; however the overtime work permits the State agency to engage the services on an extended day basis, as may be necessary in certain circumstances.
  - b. The State expects that Tier 2 and Tier 3 rate each will command a different rate based upon the requirements of each level of service. It is assumed the rates for these levels of service will meet or exceed overtime rates and therefore a separate overtime rate is not required.
2. No portal to portal, payment for travel time is not allowed. The vendor's mobilization costs are considered part of their cost of doing business on the MPA.

**VENDOR QUALIFICATIONS:**

I. Licenses and Certifications

- A. OSHA 10 Hour construction Safety and Health Training
- B. State of Rhode Island Arborist License
- C. Electric Hazard Awareness Program (EHAP) Certification (per OSHA 1910.268, 269, 331)
- D. Insurance Certification: \$2,000,000 Automobile Liability, \$2,000,000 General Liability, Workers Compensation in "Tree Service" classifications. All certificates of insurance must demonstrate the State as the certificate holder AND as an additional insured.
- E. Flagging and Work Zone Safety Certification
- F. Shall have a Rhode Island headquarters but the State will allow subcontracting as noted under the specific levels of service.

II. Equipment

- A. Bucket trucks, with a minimum aerial height of fifty five (55) feet
- B. Dump trucks
- C. Chip trucks
- D. Brush chippers
- E. Self-loading log trucks
- F. Small power equipment and chain saws, as necessary to the tree service industry
- G. Crane (may be required for large tree removals but not a minimal qualification)

III. Personnel

- A. Bucket truck operators
- B. Saw cutters
- C. Loader operators
- D. General laborers
- E. Climbers
- F. Supervisors

**STATEWIDE APPLICABILITY**

Political subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this agreement. All ordering and billing shall be between the vendor and the political subdivision (only).

## BID SUBMISSION

The bid submission deadline is:

Date: November 22, 2016

Time: 11:00 a.m.

Location: Department of Administration  
Division of Purchases (2<sup>nd</sup> ) floor  
One Capitol Hill  
Providence, RI

Bid submission must include all currently owned or leased equipment that may be utilized in conjunction with the resulting contract awards.

Successful bidders will be required to furnish insurance certificates within five (5) days of request.

Questions concerning this solicitation may be emailed to Lisa Hill at [lisa.hill@purchasing.ri.gov](mailto:lisa.hill@purchasing.ri.gov) no later than November 15, 2016 at 4:00 p.m.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
DIVISION OF PURCHASES  
One Capitol Hill  
Providence, RI 02908-5855

Tel: (401) 574-8100  
Fax: (401) 574-8387  
Website: [www.purchasing.ri.gov](http://www.purchasing.ri.gov)

**DIVISION OF PURCHASES  
INSTRUCTIONS TO BIDDERS  
PUBLIC WORKS SERVICES (PWS)**

**Compliance with Instructions to Bidders**

These Instructions to Bidders contain terms and conditions that will govern the preparation and submission of a bid proposal and any contract awarded pursuant to this solicitation.

Bidders must comply with each and every requirement of these Instructions to Bidders. Any failure to comply with any requirement may result in the determination of a nonresponsive bid proposal and/or the rejection of the bid proposal.

**Priority of Terms and Conditions**

The terms and conditions in these Instructions to Bidders *supersede* any and all inconsistent or conflicting terms and conditions in any other provision of any other document in this solicitation or in the bid proposal and govern this solicitation, the bid proposal, and any contract awarded pursuant to this solicitation.

**Offer to Contract**

Bid proposals constitute an offer to contract with the State of Rhode Island through the Department of Administration Division of Purchases on the terms and conditions contained in the solicitation, the laws of the State of Rhode Island, including all procurement statutes and regulations (available at [www.purchasing.ri.gov](http://www.purchasing.ri.gov)), and applicable federal and local law, all of which are incorporated into this solicitation and any contract awarded pursuant to this solicitation by this reference.

## **Addenda**

Responses to questions from bidders, interpretations of plans and specifications, changes prior to the bid proposal submission deadline, approvals of any substitutions, and supplemental instructions and terms will be posted as addenda on the Division of Purchases website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov), and all addenda become incorporated into this solicitation upon posting. Bidders are responsible for checking the website to determine the issuance of any addenda. No addenda will be posted within the 5-day period preceding the bid proposal submission deadline except for an addendum withdrawing the solicitation or extending the bid proposal submission deadline.

## **Inspection**

The bidder is responsible for carefully reviewing all of the requirements of this solicitation, inspecting the project location, including checking and/or verifying site conditions, any limitations, and other details, prior to preparing and submitting its bid proposal. Claims for additional costs or time resulting from the bidder's failure to inspect and/or verify will not be considered.

## **Prebid Conference**

At the discretion of the State Purchasing Agent, a prebid conference - mandatory or nonmandatory - may be held. Bidders must attend a mandatory prebid conference and are encouraged to attend a nonmandatory prebid conference. The bidder's representative must register with the Division of Purchases at a mandatory prebid conference and identify the bidder he or she represents.

## **Costs**

The bidder is responsible for all costs and expenses to develop and submit a bid proposal in response to this solicitation.

## **Preparation of Bid Proposal**

Bid proposals must be made on the Request for Quote included in the solicitation. The bidder must complete the Unit Price and Total columns for each item listed and include specifications (including specifications where the solicitation requires a particular brand) in a legible manner, printed electronically, typed, or handwritten in ink. Items in catalogs must be clearly marked and pages tabbed. In the event of any contradictory terms, handwritten terms prevail over printed or typed terms, and words prevail over figures. Signatures must be in ink. No additional provisions, conditions, or limitations may be made by the bidder, and any erasures and/or corrections must be initialed in ink by the person signing on behalf of the bidder.

This solicitation contains a Bid Preparation Checklist to assist the bidder in preparing a bid proposal for submission.

## **Submission of Bid Proposal**

Each bid proposal (a complete package, with the signed Bidder Certification Cover Form, signed Request for Quote, Bid Surety, IRS Form W-9, and public copy CD-R media disk) must be submitted in a *separate sealed envelope* with the bidder's name and address and the specific "Solicitation Number," "Solicitation Title," and the "Submission Deadline" marked in the upper left-hand corner of the envelope.

*The bid proposal must be delivered to the Division of Purchases (via mail, messenger service, or personal delivery by the bidder) by the date and time specified for the bid proposal submission deadline.* Bidders should mail bid proposals sufficiently in advance of the bid proposal submission deadline to ensure timely delivery to the Division of Purchases or, when delivering a bid proposal in person or by messenger, should allow additional time for parking and clearance through security checkpoints. Bid proposals must be addressed to:

Rhode Island Department of Administration  
Division of Purchases  
One Capitol Hill, Second Floor  
Providence, RI 02908-5855

Bid proposals that are not received by the Division of Purchases by the bid proposal submission deadline for whatever reason will be deemed late and will not be considered. The submission time will be determined by the time clock in the Division of Purchases. Postmarks will not be considered proof of timely submission.

At the bid proposal submission deadline, bid proposals will be opened and read aloud in public.

## **Charges**

Bid proposals shall include only materials, parts, and labor in the Unit Price and Total. Travel, mileage, or other miscellaneous charges shall not be included in the Unit Price or Total.

## **Bidder Certification Cover Form**

The bidder must download, complete, sign, and submit the Bidder Certification Cover Form for this solicitation as the first document with each bid proposal. The Bidder Certification Cover Form is downloadable with the solicitation from the Division of Purchases website by logging in as a RIVIP vendor and clicking on the applicable "Bid Number."

## **Public Copy**

Bid proposals submitted in response to this solicitation are public records pursuant to the Rhode Island "Access to Public Records Act," R. I. Gen. Laws §§ 38-2-1 *et seq.* Each bid proposal must include a "public copy" to be available for public inspection upon the opening of bids. The public copy must be submitted in .pdf (portable document file) format on a **read-only** CD-R media disk. The disk must include **all of the documents** submitted in response to the solicitation concatenated or merged into one file.

The public copy disk must be separately enclosed in a protective cover clearly marked "Public Copy" and include the following information: (1) Solicitation Title; (2) name of bidder and RIVIP vendor ID number; (3) Solicitation Number; and (4) bid proposal submission deadline.

The .pdf file must be named in the following manner:

SolicitationNumber\_Bid Proposal Submission Deadline\_BidderName\_VendorID.pdf

The bid proposal submission deadline must appear as mm-dd-yyyy. The bidder name must appear as one word, with no spaces or punctuation. Underscores must separate the fields.

**Example:** 7543210\_11-08-2013\_OceanStateCompanyInc\_9867.pdf

The public copy of each bid proposal will be posted on the Division of Purchases website. Bidders may redact in the public copy any trade secrets or commercial or financial information which is of a privileged or confidential nature pursuant to the Access to Public Records Act.

*For Rhode Island Department of Transportation highway and bridge projects, in addition to the Quest Lite compatible electronic copy and one hard copy, the bidder must also include a duplicate original of the Quest Lite compatible electronic copy on a **read-only** CD-R media disk as the "public copy."*

## **Contractors Registration**

The bidder must have and maintain a valid certificate of registration issued by the Contractors' Registration Board throughout the term of the contract awarded pursuant to this solicitation and ensure that its subcontractors, unless exempt from registration, also obtain and maintain valid certificates of registration.

### **Subcontractors**

The bidder must demonstrate that it is able to perform a substantial portion of the work using its own workforce. Any bidder that does not maintain a permanent workforce and/or proposes to perform a disproportionate amount of the work through one or more subcontractors will be considered unqualified. The successful bidder must establish to the satisfaction of the State Purchasing Agent the reliability and responsibility of any subcontractors proposed to perform any work pursuant to this solicitation.

### **Taxes**

The State of Rhode Island is exempt from federal excise taxes and state and municipal sales and use taxes. The bidder shall not include such taxes in any prices in the bid proposal.

### **Bid Surety**

Bidders must furnish, with their bid proposals, either a bid bond from a surety licensed to conduct business in the State of Rhode Island or a certified check payable to the State of Rhode Island in the amount of five (5%) percent of the bid proposal. (*Bidders for Rhode Island Department of Transportation highway and bridge projects must furnish, with their bid proposals, a bid bond from a surety licensed to conduct business in the State of Rhode Island. Certified checks are not permitted for these projects.*) An attorney-in-fact who executes a bond on behalf of the surety must provide a certified current copy of the power of attorney. A successful bidder who fails to submit the additional documentation required by the tentative letter of award and/or fails to commence and pursue the work in accordance with the contract awarded pursuant to this solicitation may forfeit, at the discretion of the State Purchasing Agent, the full amount of the bid surety as liquidated damages. The State will retain the bid surety of all bidders until the earliest of: (i) the issuance of the Purchase Order; (ii) the 61<sup>st</sup> day following the bid proposal submission deadline; or (iii) the rejection of all bid proposals.

### **Divestiture of Investments in Iran Requirement**

No bidder engaged in investment activities in Iran as described in R.I. Gen. Laws § 37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each bidder submitting a bid proposal or entering into a renewal of a contract is required to certify that the bidder does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws § 37-2.5-3.

### **Domestic Steel**

Any steel products required by the plans and specifications in this solicitation must be formed, extruded, forged, cast, fabricated, or otherwise processed from steel made in the United States.

### **Withdrawal**

A bidder may withdraw its bid proposal at any time prior to the bid proposal submission deadline. Bid proposals are irrevocable for a period of 60 days following the bid proposal submission deadline.

### **Reservation of Rights**

The Division of Purchases reserves the right, at any time, for any reason, in its sole discretion, to: (i) revoke, suspend, or terminate this solicitation; (ii) accept or reject any and all bid proposals, in whole or in part; (iii) waive any technical defects, irregularities, or omissions in any bid proposals; and/or (iv) terminate any contract awarded pursuant to this solicitation, with or without cause.

### **Award**

The State Purchasing Agent, in his or her sole discretion, will award the contract pursuant to this solicitation to the responsive and responsible bidder who submits the lowest responsive and responsible bid proposal. The State Purchasing Agent may determine, in his or her sole discretion, the low bid proposal on the basis of the amount of the Base Bid Price plus the alternates selected in accordance with the Request for Quote. The successful bidder will receive a tentative letter of award from the Division of Purchases with instructions for the bidder to submit further documentation. A binding contract, to the extent of available funds, between the State of Rhode Island and the successful bidder will be formed by the issuance, *and only by the issuance*, of a Purchase Order from the Division of Purchases. The successful bidder shall be authorized to commence work only upon the issuance of the Purchase Order and, in addition, an authorization from the user agency. The issuance of the Purchase Order and the continuation of any contract awarded pursuant to this solicitation is contingent upon the availability of funds.

### **Prevailing Wages**

The successful bidder and its subcontractors must pay their workers at the applicable prevailing wage rates (adjusted every July 1) for the various trades on a weekly basis, pay their workers one and one-half times the applicable prevailing wage rates for each hour worked in excess of 8 hours in any one day or 40 hours in any one week, and submit certified weekly payroll forms on a monthly basis to the user agency. Prevailing wage posters and rate schedules, available at the Rhode Island Department of Labor and Training website at [www.dlt.ri.gov](http://www.dlt.ri.gov), must be posted at the project site.

### **Occupational Safety**

The successful bidder must ensure (if the total contract price is at least \$100,000) that all employees at the project site possess a card issued by the United States Department of Labor certifying successful completion of an OSHA ten (10) hour construction safety program.

### **Hazardous Substances**

The successful bidder must submit a chemical identification list to the Rhode Island Department of Labor and Training upon receipt of a Purchase Order from the Division of Purchases prior to performance of the contract awarded pursuant to this solicitation and make available to all employees a list of any hazardous substances that may present a risk of exposure.

### **Substitutions**

Any proposal in response to a request for substitutions in the solicitation must include the detailed information necessary for a comprehensive evaluation, including (without limitation) the name of the material or equipment of the proposed substitution and a complete description of the proposed substitution, with drawings and performance and test data. Products specified in this solicitation establish a standard of quality, performance, dimension, function, and appearance. Proposed substitutions must meet the standard and will not be considered without the prior written approval of the Division of Purchases. All substitution approvals will be posted, as addenda to the solicitation on the Division of Purchases website.

### **Licenses**

The successful bidder and anyone performing any services on the contract awarded pursuant to this solicitation must possess all of the licenses required by any federal, state, or local law to perform such work.

**Insurance**

The successful bidder must submit a certificate of insurance that references the solicitation number and names the State of Rhode Island as "certificate holder" and as "additional insured" upon the issuance of the tentative letter of award, on an annual basis during the term of the contract awarded pursuant to this solicitation, and from time to time upon request. The certificate of insurance must state that 20 days' advance notice of cancellation (referencing the solicitation number) will be sent to: Rhode Island Department of Administration, Division of Purchases, One Capitol Hill, Providence, Rhode Island 02908-5855, fax # 401-574-8387, and provide evidence of the following specific types and amounts of insurance:

<b><u>Type of Insurance</u></b>	<b><u>Amount of Coverage</u></b>
Comprehensive General Liability	
Bodily injury	\$1 Million each occurrence \$1 Million annual aggregate
Property damage	\$500,000 each occurrence \$500,000 annual aggregate
Independent contractors Contractual (including construction "hold harmless" and other types of Contracts or agreements in effect for insured operations) Completed operations Personal injury (with employee exclusion deleted)	
Automobile Liability	
Combined Single Limit	\$1 Million each occurrence
Bodily injury, property damage, including nonowned and/or hired vehicles and equipment	
Workers Compensation	
Coverage B	\$100,000
Environmental Impairment ("pollution control")	\$1 Million or 5% of contract amount, whichever is greater

*The State Purchasing Agent reserves the right to accept alternate forms and plans of insurance and/or to require additional or more extensive coverage.*

### **Minority Business Enterprises**

The Division of Purchases reserves the right to give additional consideration to bid proposals submitted by minority/women business enterprises certified by the Division of Purchases, Minority Business Office ("MBEs") provided that any such bid proposal is fully responsive to the terms and conditions of this solicitation, and the bid price is determined, in the discretion of the Division of Purchases, to be within a competitive range.

Any bidder who does not intend to perform all of the work with its own forces shall recruit and engage MBEs to perform at least 10% of the dollar value of the contract awarded pursuant to this solicitation. To reach that goal, the bidder may allocate up to 60% of its costs for materials and supplies obtained from MBE dealers or 100% of its costs for materials and supplies obtained from MBE manufacturers.

The successful bidder must submit a plan to meet this requirement for approval by the Division of Purchases, Minority Business Enterprise Compliance Office within the 21-day period following the tentative letter of award, identifying all MBEs, and must also demonstrate its good faith best efforts to meet these MBE goals. Information about this requirement and a directory of MBEs certified in Rhode Island is available at [www.mbe.ri.gov](http://www.mbe.ri.gov) or (401) 574-8670.

### **Equal Opportunity**

The successful bidder must demonstrate a commitment to equal opportunity and submit an affirmative action plan for review by the Rhode Island Department of Administration State Equal Opportunity Office) within the 21-day period following the tentative letter of award. Information about this requirement is available at [www.diversity.ri.gov/eeo/eoopagehome.htm](http://www.diversity.ri.gov/eeo/eoopagehome.htm) or (401) 222-3090.

### **Drug-Free Workplace**

The successful bidder shall comply, and require that its employees comply, with the State of Rhode Island Drug Free Workplace policy and provide a certificate of compliance within the 21-day period following the tentative letter of award.

### **Sprinkler Impairment**

The successful bidder must comply with the requirements of the State of Rhode Island's insurance carrier for sprinkler impairment and hot work, accessible at the Division of Purchases website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

### **Foreign Corporations**

No foreign corporation or limited liability company may transact business in the State of Rhode Island until it shall have obtained a Certificate of Authority from the Rhode Island Secretary of State, and no foreign limited partnership may transact business in the State of Rhode Island until it shall have obtained a Certificate of Registration from the Rhode Island Secretary of State. The successful bidder, if a corporation or limited liability company, will be required to provide a Good Standing Certificate, and if a limited partnership, will be required to provide a Letter of Legal Existence, issued by the Rhode Island Secretary of State within the 21-day period following the tentative letter of award.

### **Campaign Finance**

The successful bidder who has contributed, within the 24 months preceding the contract award, an aggregate amount of more than \$250.00 within a calendar year to any Rhode Island general officer, candidate for general office, any member of the general assembly, or any Rhode Island political party, must file a "Vendor Affidavit" with the State of Rhode Island Board of Elections. Information about "Vendor Affidavits" and electronic filing is available at [www.elections.ri.gov](http://www.elections.ri.gov) or Board of Elections, Campaign Finance, (401) 222-2056.

### **Binding Contract**

A binding contract between the State of Rhode Island and the successful bidder will be formed by the issuance of a Purchase Order from the Division of Purchases, *and only by the issuance of a Purchase Order, and only to the extent of available funds.* The binding contract will incorporate and be subject to the terms and conditions of the solicitation, including the Invitation to Bid, the Instructions to Bidders, the Bid Preparation Checklist, the Request for Quote, the Bidder Certification Cover Form, the Agreement (if applicable to this solicitation), and also the Purchase Order. The successful bidder shall be authorized to commence work only upon the issuance of the Purchase Order and, in addition, an authorization from the user agency.

### **Compliance with Terms of Contract**

Failure of the successful bidder to comply with the terms and conditions of any contract awarded pursuant to this solicitation may result in nonpayment, suspension or termination of the contract, suspension or debarment of the bidder, or any other necessary or appropriate remedy.

**Contract Terms and Conditions**

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**Terms and Conditions**

**BID STANDARD TERMS AND CONDITIONS**

**TERMS AND CONDITIONS FOR THIS BID**

**WAGE REQUIREMENTS**

BIDDERS ARE ADVISED THAT ALL PROVISIONS OF TITLE 37 CHAPTER 13 OF THE GENERAL LAWS OF RHODE ISLAND APPLY TO THE WORK COVERED BY THIS REQUEST, AND THAT PAYMENT OF THE GENERAL PREVAILING RATE OF PER DIEM WAGES AND THE GENERAL PREVAILING RATE FOR REGULAR, OVERTIME, AND OTHER WORKING CONDITIONS EXISTING IN THE LOCALITY FOR EACH CRAFT, MECHANIC, TEAMSTER, OR TYPE OF WORKMAN NEEDED TO EXECUTE THIS WORK IS A REQUIREMENT FOR BOTH CONTRACTORS AND SUBCONTRACTORS. THE PREVAILING WAGE TABLE MAY BE OBTAINED AT THE RI DIVISION OF PURCHASES HOME PAGE BY INTERNET at [www.purchasing.ri.gov](http://www.purchasing.ri.gov). SELECT "BIDDING INFORMATION", THEN "GENERAL INFORMATION", AND THEN SELECT "PREVAILING WAGE TABLES". PRINTING THE ENTIRE DOCUMENT AVERAGES APPROXIMATELY ONE MINUTE PER PAGE - YOU MAY WANT TO PRINT ONLY THE PAGES APPLICABLE TO YOUR BID. BIDDERS NOTE: IN THE EVENT THIS BID SPECIFIES PRICE OFFERS ON A TIME-AND-MATERIALS BASIS, i.e., AN HOURLY RATE, ANY OR ALL BIDS SUBMITTED IN AN AMOUNT LESS THAN THE PREVAILING RATE IN EFFECT FOR THE WORK COVERED BY THIS REQUEST AS OF THE DATE OF BID ISSUANCE SHALL BE REJECTED BY THE DIVISION OF PURCHASES.

**INSURANCE REQUIREMENTS**

AN INSURANCE CERTIFICATE IN COMPLIANCE WITH PROVISIONS OF ITEM 31 (INSURANCE) OF THE GENERAL CONDITIONS OF PURCHASE IS REQUIRED FOR COMPREHENSIVE GENERAL LIABILITY, AUTOMOBILE LIABILITY, AND WORKERS' COMPENSATION AND MUST BE SUBMITTED BY THE SUCCESSFUL BIDDER(S) TO THE DIVISION OF PURCHASES PRIOR TO AWARD. THE INSURANCE CERTIFICATE MUST NAME THE STATE OF RHODE ISLAND AS CERTIFICATE HOLDER AND AS AN ADDITIONAL INSURED. FAILURE TO COMPLY WITH THESE PROVISIONS MAY RESULT IN REJECTION OF THE OFFEROR'S BID. ANNUAL RENEWAL CERTIFICATES MUST BE SUBMITTED TO THE AGENCY IDENTIFIED ON THE PURCHASE ORDER. FAILURE TO DO SO MAY BE GROUNDS FOR CANCELLATION OF CONTRACT.

NOTE: IF THIS BID COVERS CONSTRUCTION, SCHOOL BUSING, HAZARDOUS WASTE, OR VESSEL OPERATION, APPLICABLE COVERAGES FROM THE FOLLOWING LIST MUST ALSO BE SUBMITTED TO THE DIVISION OF PURCHASES PRIOR TO AWARD: \* PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS & OMISSIONS) - \$1 MILLION OR 5% OF ESTIMATED PROJECT COST, WHICHEVER IS GREATER. \* BUILDER'S RISK INSURANCE - COVERAGE EQUAL TO FACE AMOUNT OF CONTRACT FOR CONSTRUCTION. \* SCHOOL BUSING - AUTO LIABILITY COVERAGE IN THE AMOUNT OF \$5 MILLION. \* ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL) - \$1 MILLION OR 5% OF FACE AMOUNT OF CONTRACT, WHICHEVER IS GREATER. \* VESSEL OPERATION - (MARINE OR AIRCRAFT) - PROTECTION & INDEMNITY COVERAGE REQUIRED IN THE AMOUNT OF \$1 MILLION.

**LICENSE REQUIREMENTS**

VENDOR (OWNER OF COMPANY) IS RESPONSIBLE TO COMPLY WITH ALL LICENSING OR STATE PERMITS REQUIRED FOR THIS TYPE OF SERVICE. A COPY OF LICENSE/PERMIT SHOULD BE SUBMITTED WITH THIS BID. IN ADDITION TO THESE LICENSE REQUIREMENTS,

BIDDER, BY SUBMISSION OF THIS BID, CERTIFIES THAT ANY/ALL WORK RELATED TO THIS BID, AND ANY SUBSEQUENT AWARD WHICH REQUIRES A RHODE ISLAND LICENSE(S), SHALL BE PERFORMED BY AN INDIVIDUAL(S) HOLDING A VALID RHODE ISLAND LICENSE.

**RIVIP INFO - BID SUBMISSION REQUIREMENTS**

It is the Vendor's responsibility to check and download any and all addenda from the RIVIP. This offer may not be considered unless a signed RIVIP generated Bidder Certification Cover Form is attached and the Unit Price column is completed. The signed Certification Cover Form must be attached to the front of the offer. When delivering offers in person to One Capitol Hill, vendors are advised to allow at least one hour additional time for clearance through security checkpoints.

MAILING ADDRESS FOR BID PROPOSALS ISSUED BY THE STATE OF RHODE ISLAND,  
DIVISION OF PURCHASES

All Bid Proposals must be submitted by mail or hand delivered to:

- State of Rhode Island
- Department of Administration
- Division of Purchases, Second floor
- One Capitol Hill
- Providence, RI 02908-5855

**DIVESTITURE OF INVESTMENTS IN IRAN REQUIREMENT:**

**No vendor engaged in investment activities in Iran as described in R.I. Gen. Laws §37-2.5-2(b) may submit a bid proposal to, or renew a contract with, the Division of Purchases. Each vendor submitting a bid proposal or entering into a renewal of a contract is required to certify that the vendor does not appear on the list maintained by the General Treasurer pursuant to R.I. Gen. Laws §37-2.5-3.**

**PURCHASE AGREEMENT BID**

**BIDDING** (a) A single price shall be quoted for each item against which a proposal is submitted. This price will be the maximum in effect during the agreement period. Any price decline at the manufacturer's level shall be reflected in a reduction of the agreement price to the State. (b) Quantities, if any, are estimated only. The agreement shall cover the actual quantities ordered during the period. Deliveries will be billed at the single, firm, awarded unit price quoted regardless of the quantities ordered. (c) Bid price is net F.O.B. destination and shall include inside delivery at no extra cost. (d) Bids for single items and/or a small percentage of total items listed, may, at the State's sole option, be rejected as being non-responsive to the intent of this request. **ORDERING** (a) The User Agency(s) will submit individual orders for the various items and various quantities as may be required during the agreement period. (b) Exception - Regardless of any agreement resulting from this bid, the State reserves the right to solicit prices separately for any extra large requirements for delivery to specific destinations.

**DELIVERY PER AGENCY**

DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY.

**PPD - PROMPT PAYMENT DISCOUNT CLAUSE**

NOTE: All vendors responding to the within solicitation must complete the attached prompt payment discount "PPD" form as part of this master price agreement solicitation.