

## NOTICE TO BIDDERS

The University of North Carolina at Charlotte will be accepting sealed bids for the Football Complex Sports Field Lighting, from qualified single prime General Contractor(s), until **2:00 p.m. Thursday, October 30, 2014 in Room 1249, in the EPIC Building**, on the UNC Charlotte campus.

Compliance with "Guidelines for Recruitment and Selection of Minority Businesses for Participation in State Construction Contracts" shall apply for this project. The University has set a minimum **ten percent (10%) minority participation goal** for this project. Bidders are reminded that they must comply with the UNC Charlotte "Good Faith Effort" Requirements for Single Prime Projects provided as Attachment 1 to this Notice To Bidders.

A **mandatory** pre-bid meeting will be held at **2:30 p.m. Thursday, October 16, 2014 in Room 1249** in the **EPIC** building (#72 on the campus map – <http://facilities.uncc.edu/maps>). Public parking is available in the CRI Deck 1 adjacent the EPIC building. Please contact the Project Manager, **Tom Bastian at 704-687-0528** if there are questions about the meeting location.

The meeting will address project specific questions, issues, bidding procedures and bid forms. The meeting is also to identify preferred brand alternates and their performance standards that the Owner will consider for approval on this project. A walk of the site will follow after the meeting.

Complete plans, specifications and contract documents may be obtained from Jenkins Peer Architects, between 8:00 a.m. and 6:00 p.m., Monday-Friday. Contact for Jenkins Peer Architects is Mr. Dan Van Dyke 704-940-6919, [dvandyke@jenkinspeer.com](mailto:dvandyke@jenkinspeer.com). Deposit is \$150.00. Plans, specifications and contract documents will be open for inspection in the office of Jenkins Peer Architects and in the plan rooms of; Carolinas Associated General Contractors, Charlotte, North Carolina (now iSqFt); North Carolina, F.W. Dodge Corporation, Charlotte; North Carolina offices of Construction Market Data, Charlotte; Minority Plan Rooms for

Hispanic Contractors Association of the Carolinas (HCAC) Charlotte  
(Managed by iSqFt)

2923 E. Independence Blvd (1<sup>st</sup> floor of Pease Architects)  
Charlotte, NC 278205  
877-227-1680 or 704-331-3000  
866-570-8187 Fax

Metrolina Minority Contractors Association (MMCA)

2848 Queen City Drive, Suite B  
Charlotte, NC 28208  
Ph. 704-332-5746, Fax 704-332-5990  
[mmca@mmcaofcharlotte.org](mailto:mmca@mmcaofcharlotte.org)

Bidders who will not be attending the bid opening must have their sealed bids delivered **NLT 1:00 p.m. Thursday, October 30, 2014** to the following;

Ms. Joyce Clay  
University of North Carolina at Charlotte  
Capital Projects  
Facilities Management  
9201 University City Boulevard  
Charlotte, NC 28223-0001

Or hand delivered to:

Attn: Joyce Clay  
Facilities Management/Police Building, 2<sup>nd</sup> Floor – Capital Projects  
9151 Cameron Boulevard (Building #55 on the campus map)

**Note:** Envelopes need to be clearly marked with the following; **FOOTBALL  
COMPLEX SPORTS FIELD LIGHTING**

Each bid shall be accompanied by a cash deposit or a certified check drawn on some bank or trust company, insured by the Federal Deposit Insurance Corporation, of an amount equal to not less than five percent (5%) of the bid, or in lieu thereof a bidder may offer a bid bond of five percent (5%) of the bid executed by a surety company licensed under the laws of North Carolina to execute the contract in accordance with the bid bond. Said deposit shall be retained by the owner as liquidated damages in the event of failure of the successful bidder to execute the contract within ten days after the award or to give satisfactory surety as required by law.

A performance bond and a payment bond will be required for one hundred percent (100%) of the contract price.

Payment will be made based on ninety-five percent (95%) of monthly estimates and final payment made upon completion and acceptance of work.

No bid may be withdrawn after the scheduled closing time for the receipt of bids for a period of 30 days.

The Owner reserves the unqualified right to reject any and all proposals.

**UNC Charlotte**  
**“Good Faith Effort” Requirements**  
**Football Complex Exterior Lighting (Attachment 1)**

This information is provided as a guide for firms who may be new to UNC Charlotte and may not be familiar with our expectations regarding minority business participation on Formal (\$500,000 and above) construction projects. Bidders should be familiar with the ***Guidelines for Recruitment & Selection of Minority Businesses for Participation in State Construction Contracts*** as well as the applicable bid forms;

**Identification of HUB Certified/Minority Business Participation form** – Only list minority firms that you will use as construction subcontractors, vendors, suppliers or professional service providers on this project. The bidder cannot list himself on this form as he cannot subcontract to himself. **Note:** This form should be submitted with your bid, even if left blank.

**Affidavit A – Listing of Good Faith Efforts** – the bidder is certifying that he has made a good faith effort to comply under those areas checked on the form. Do not check a Good Faith Effort item unless you can provide the following;

1. Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists ***at least 10 days before the bid or proposal date*** and notifying them of the nature and scope of the work to be performed.  
**Example:** Copies of written notification or fax to minority businesses and document number of quotes/proposals received for work category solicited to minority businesses. Written notification or fax to include, at a minimum, project location, location where plans and specifications may be obtained or viewed, trade or scopes of work for which subcontracts are being solicited, contact person within the prime contractor organization.
  2. Making the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due.  
**Example:** Copies of written notification or fax to minority businesses. Written notification or fax to include, at a minimum, project location, location where plans and specifications may be obtained or viewed, trade or scopes of work for which subcontracts are being solicited, contact person within the prime contractor organization.
- Be sure to maintain a Telephone Log to confirm that minority firms received your IFB.*** The log should contain the date contacted, telephone number, and name of the individual representing the minority firm who acknowledged receipt of your IFB. ***Also maintain a Telephone Log to confirm that minority firms acknowledged a “bid/no bid” to your IFB.*** The log should contain the date contacted, telephone number, and name of the individual representing the minority firm who acknowledged “bid/no bid” to your IFB.
3. Breaking down or combining elements of work into economically feasible units to facilitate minority participation.  
**Example:** Document steps taken to segment elements of work into economically feasible units to meet minority business availability. Identify

sub-contractors/suppliers/consultants and scope of work involved in segmenting.

Be sure that you are soliciting quotes from **at least** three (3) minority firms in scopes of work that typically have adequate numbers of minority firms available that can perform the work required (hauling, concrete, flooring, masonry, painting, electrical suppliers, etc.). Do not solicit quotes from minority firms in those scopes of work that typically do not have minority firms available that can perform the work required (elevators, fire suppression systems, roofing, etc.). If there are minority firms that you typically use on your projects then by all means, feel free to use them, if you are sure you are receiving reasonable pricing and quality work.

4. Working with minority trade, community or contractor organization identified by the Office for Historically Underutilized Businesses (HUB) and included in the bid documents that provide assistance in recruitment of minority businesses. **Note:** Minority plan rooms are not applicable.

**Example:** Provide a copy of meeting minutes between prime contractor and minority trade, community or contractor organization. At minimum the following topics should be discussed/reviewed during the meeting: project location; location where plans and specifications may be obtained or viewed; trade or scopes of work for which subcontracts are being solicited; bonding requirements; insurance requirements; prime contractor's contact person; minority trade, community or contractor organization contact person; strategies to segment elements of the work into economically feasible units to meet minority business availability; strategies to increase minority business utilization through joint ventures and/or partnerships; notification that the meeting will be counted toward the contractor's good faith effort.

**Example:** Maintain a copy of the request, and have the date, telephone number and name of the individual who acknowledged receipt of your request and information regarding any/all assistance provided by the organization

5. Attending any pre-bid meetings scheduled by the public owner.

**Example:** Attendance will be verified by conference sign-in sheet.

6. Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors.

**Example:** Documentation describing the type of assistance provided or offered to minority businesses. Provide names and contacts of minority businesses to which assistance was offered and names of the contact person of bonding companies or financial institutions offering assistance.

7. Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.

**Example:** Document number of bids received from minority businesses in the trade or scopes of work for which subcontracts are being solicited, the number of minority businesses that submitted low bids or proposals, the number of minority businesses the bidder has offered to negotiate

prices or services, and the number of minority businesses the bidder has agreed to utilize on the project, outline steps taken.

8. Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required or assisting minority businesses in obtaining the same unit pricing with the bidders supplier.

**Example:** Document names, addresses and telephone numbers of minority businesses to which assistance was offered, outline steps taken. Give dates assistance was offered and document outcome.

9. Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.

**Example:** Provide a copy of joint venture or partnership arrangements between bidder and minority business.

10. Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

**Example:** Provide a copy of quick pay agreements and/or policies and document the number of minority businesses, which will utilize the quick pay agreement. Provide a copy of the quick pay agreement between bidder and minority business.

**Note: Referencing the Good Faith Efforts listed above in your IFB is not enough. You must be able to document your efforts.**

**Affidavit B – Intent to Perform Contract with Own Workforce** – In making this certification the bidder is stating that he does not customarily subcontract elements of this type project and normally performs and has the capability to perform and will perform all elements of the work on this project with his own current workforce. The bidder agrees to make a Good Faith Effort to utilize minority suppliers where possible. “**Self-performing**” means the contractor has all equipment, personnel and supplies on hand to perform the contract. If the contractor needs to purchase supplies or rent equipment and operators to perform the work, then the contractor **is not** self-performing and should make efforts to purchase supplies or equipment, or temporary labor from minority firms. **Note:** No other Affidavits are required if the Bidder meets this criteria.

**Affidavit C – Portion of the Work to be Performed by HUB Certified/Minority Businesses** – This form is to be submitted only by the apparent lowest responsible, responsive bidder with equal to or greater than 10% minority participation.

**Affidavit D – Good Faith Efforts** – This form is to be submitted only by the apparent lowest responsible, responsive bidder with less than 10% minority participation along with their backup documentation.

**Minority-owned Pre-qualified Bidders** – **must also** meet the minority participation goals set for the project. Work performed by the minority-owned pre-qualified bidder will be counted towards the minority participation goal **only if** the minority contractor is **self-performing** and submitted Affidavit B.

**Certification Requirements** – Ensure the minority firms you contact for subcontracting opportunities are listed in the Statewide Uniform Certification (SWUC) Vendor database as **only firms** listed in the SWUC Vendor database, at the time of contract award, **will be counted** towards the minority participation goal for this project. Go to <http://www.doa.nc.gov/hub/searchhub.aspx> for access to the SWUC Vendor database.

**Assistance:**

Email the UNC Charlotte HUB Coordinator, Dorothy Vick, **no later than 12:00 Noon, Friday, October 17, 2014** at [dlvick@uncc.edu](mailto:dlvick@uncc.edu) (**Email Subject: Football Lighting**) or 704-687-0527 for the following;

1. **Assistance in finding certified minority firms who have worked on UNC Charlotte projects and who can perform the scopes of work (site work, concrete, electrical, etc.) you are seeking**, and/or
2. **A list of minority trade, community or contractor organizations** identified by the Office for Historically Underutilized Businesses that provide assistance in recruitment of minority businesses.