

# **DGLVR Webinar**

## **DGLVR Municipal Bidding**

**4/14/20**

**Starts at 9am**



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**Q&A**

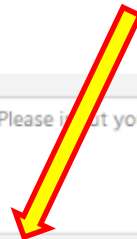
**You** asked: 02:25 PM  
Can you think of an example question?

**Steven Michael Bloser** answered: 02:25 PM  
No, I can't!

Please input your question...

☐ Send Anonymously **Q&A** Send

*Note you can ask a question anonymously*



Audio Settings ^



Chat



Raise Hand



Q&A

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Slide # ➡ 2



# DGLVR Municipal Bidding





# DGLVR Municipal Bidding

## Why is Project Bidding Important?

- Quality bidding documents are vital to successful projects
- Clear and concise plans and information is required for contractor to understand the project scope and goals.
- Contractual agreement – needs to be well planned to avoid conflict, confusion, & delay during the construction process.



# DGLVR Municipal Bidding

## DISCLAIMER

- CD's are responsible for ensuring program policy is met.
- CD's going above & beyond, involved in bidding process – HELPS produce BETTER PROJECTS





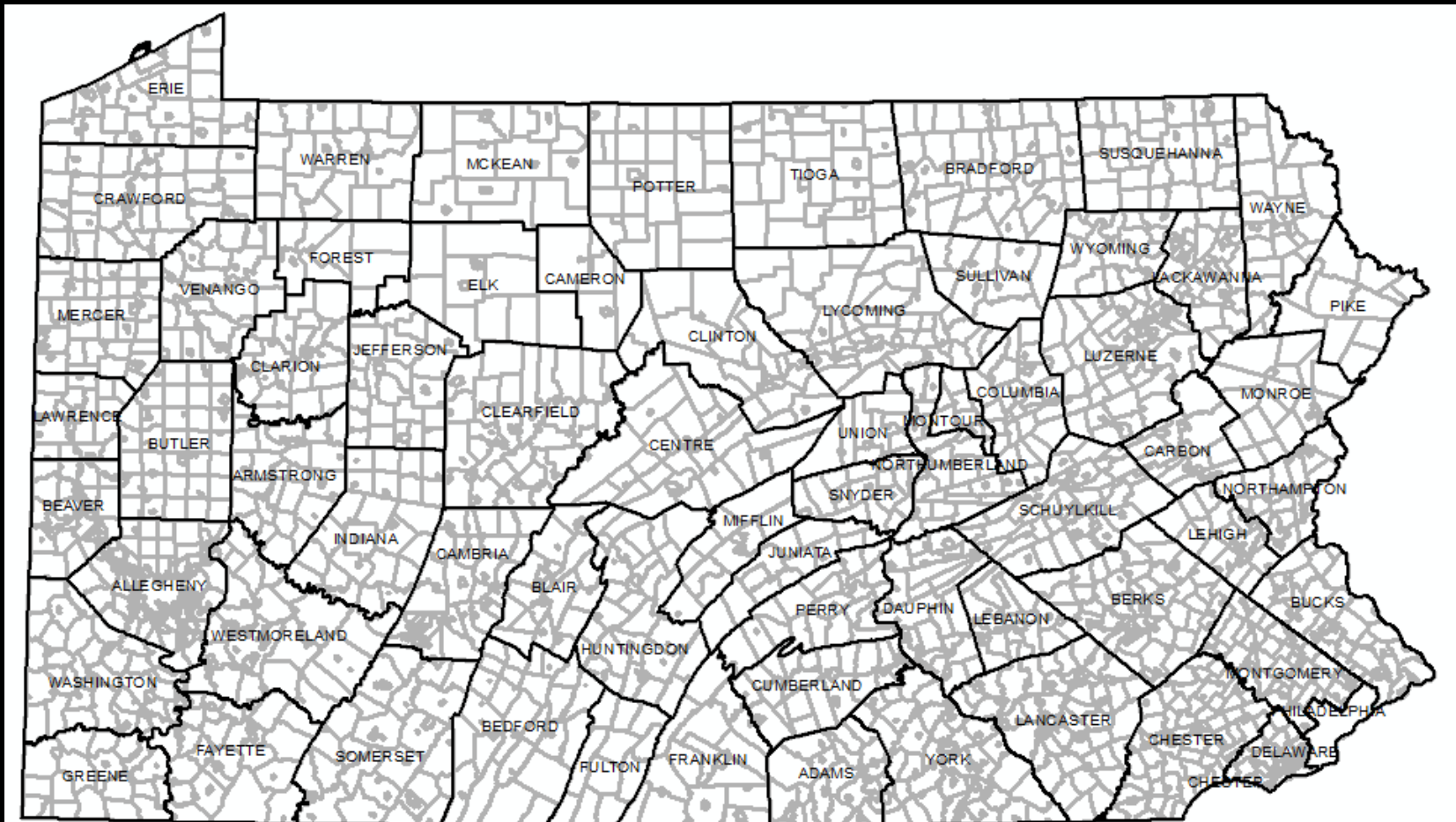
- **Municipalities**
- Bidding Thresholds
- Requirements
- Exemptions
- Prevailing Wages
- Bid Templates
- Bid Bonds
- Process of Bidding
- Common Oversights
- DGLVR Resources



# Municipalities

**PA consist of over 2,500 municipalities!**

# Townships, Boroughs, Cities & 1 Town



# Municipalities

## PA consist of over 2,500 municipalities!

Each level of municipal government is different and governed in differing ways.

Different levels of municipalities have different requirements for

- Bidding
- Contracting
- Bonding

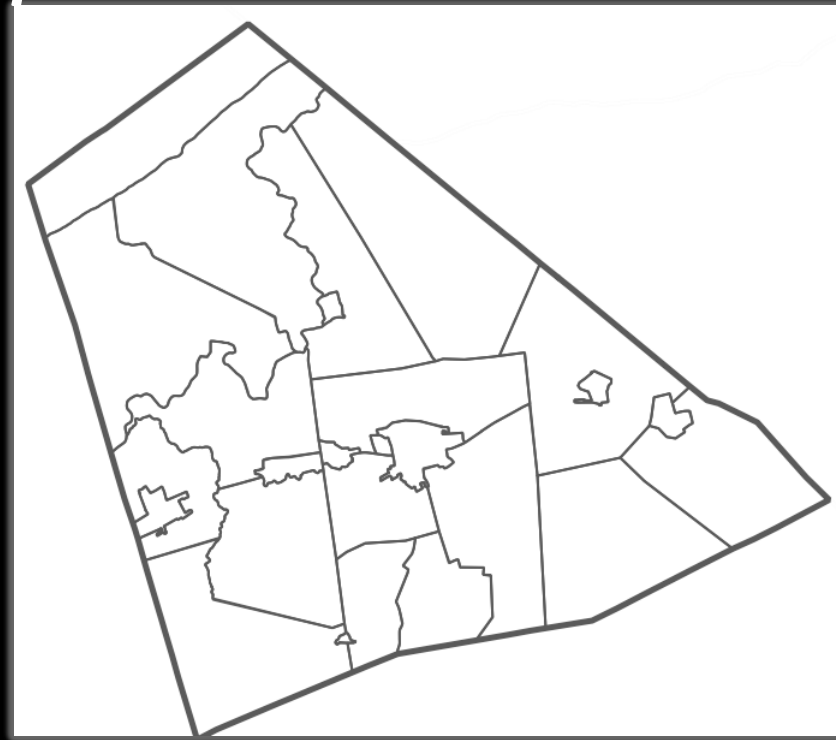


# Municipalities

## Townships

### 1<sup>st</sup> & 2<sup>nd</sup> Class Townships

- Class is dependent on population
- Governed by Board of Supervisors/Commissioners
- ***Follow Municipal Township Code***



# Municipalities

## Boroughs

- Typically smaller than cities
- Governed by Borough Council
  - Weak Mayor System
  - Vote to break tie
- ***Follow Municipal Borough Code***





# Municipalities




## Cities





- 4 Classes depending on population
- Governed by City Council
- Strong Mayor System
  - Vote to break tie
- ***Follow Municipal City Code***


# Municipalities

<https://dced.pa.gov/local-government/municipal-statistics/municipalities/>

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[DCED](#) > [Local Government Services](#) > [Municipal Statistics](#) > Municipalities in PA

## PA MUNICIPALITIES LIST

EXPORT 

Municipalities in pennsylvania by county and class

Show 

50

 entries

Filter Municipalities

COUNTY	MUNICIPALITY	CLASS
Adams	Abbottstown Borough	Borough
Adams	Arendtsville Borough	Borough
Adams	Bendersville Borough	Borough
Adams	Berwick Township	2nd Township
Adams	Biglerville Borough	Borough
Adams	Bonneauville Borough	Borough
Adams	Butler Township	2nd Township
Adams	Carroll Valley Borough	Borough
Adams	Conewago Township	2nd Township



# Municipalities

<https://dced.pa.gov/local-government/local-government-laws/>

## 1933 Act 69

Text Size: A A  Print

"SECOND CLASS TOWNSHIP CODE, THE"  
Act of May 1, 1933, P.L. 103, No. 69 Cl. 73  
(Reenacted and amended Nov. 9, 1995, P.L.350, No.60)

### AN ACT

Concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto. (Title reenacted and amended Nov. 9, 1995, P.L.350, No.60)

### ARTICLE XXXI CONTRACTS

Section 3101. Power to Make Contracts.--The board of supervisors may make contracts for purchases under this act and the laws of this Commonwealth.

Section 3102. Letting Contracts.--(a) All contracts or purchases in excess of the required advertising base amount of eighteen thousand five hundred dollars (\$18,500), subject to adjustment under subsection (b.1), except those specifically excluded, shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation in the township. The notice for bids shall be published at least two times at intervals of not less than three days in daily newspapers or once a week for two successive weeks in weekly newspapers. The first advertisement shall be published not more than forty-five days, and the second advertisement not less than ten days, before the date set for the opening of bids. Notice of proposed contracts or purchases shall also be posted where the board of supervisors normally meets or in a conspicuous place within the township. Any published notice for bids shall contain full plans and specifications, or refer to the places where copies thereof can be obtained, state the amount of the performance bond determined under subsection (g) and give the date, time and place of a meeting at which an individual or committee appointed by the board of supervisors or the board of supervisors will open and read the bids. ((a) amended Nov. 3, 2011, P.L.381, No.84)

(b) Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts in excess of the base amount of ten thousand dollars (\$10,000), subject to adjustment under subsection (b.1), but are less than the amount requiring advertisement and competitive bidding, or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years. ((b) amended Nov. 3, 2011, P.L.381, No.84)

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DCED > Local Government Services > Local Government Laws

## LOCAL GOVERNMENT LAWS

Local government laws in Pennsylvania

Filter 

Name
Borough Code - Act 581 of 1965
Boundary Change Law - 53 Pa CSA §§ 731-741
County Code - Act 130 of 1955
First Class Township Code - Act 331 of 1931
Home Rule Charter and Optional Plan Law - Title 53 Chapter 29
Home Rule Charter and Optional Plan Law - Title 53 Chapter 30
Home Rule Charter and Optional Plan Law - Title 53 Chapter 31
Intergovernmental Cooperation Law - Title 53 Chapter 23
Local Government Unit Debt Act - Title 53 Part VII**
Local Tax Enabling Act - Act 511 of 1965
Municipal Authorities Law - Title 53 Chapter 56
Municipalities Financial Recovery Act - Act 47 of 1987
Municipalities Planning Code - Act 247 of 1968
Optional Third Class City Charter Law - Act 399 of 1957
Right to Know Law - Act 3 of 2008
Second Class City Law - Act 14 of 1901
Second Class County Code - Act 230 of 1953
Second Class Township Code - Act 69 of 1933
Sunshine Act - 65 Pa. C.S. § 701
Third Class City Code - Act 317 of 1931
Uniform Construction Code - Act 45 of 1999

# **Municipalities**

## **Municipal Code Contract Sections**

- First Class Township Code – Article XVIII
- Second Class Township Code – Article XXXI
- Borough Code – Chapter 14
- 3<sup>rd</sup> Class Cities Code – Chapter 119
- County Code – Article XVIII
- 2<sup>nd</sup> Class County Code – Article XX
- Home Rule Charter – Specific to Charter



- Municipalities
- **Bidding Thresholds**
- Requirements
- Exemptions
- Prevailing Wages
- Bid Templates
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- Common Oversights
- DGLVR Resources

# **Bidding Thresholds**

## **Bidding Requirements as of January 1, 2020** **(PA Bulletin):**

- **Purchases & Contracts below \$11,300**
  - No formal bidding or written/telephone quotes
- **Purchases & Contracts from \$11,300 & \$21,000:**
  - 3 written or telephone quotes
- **Purchases & Contracts greater than >\$21,000:**
  - Formal Competitive Bidding Required



# Bidding Thresholds

- PA Department of Labor & Industry publishes the thresholds for bidding.
- Bidding thresholds provide for annual inflation adjustment (since 2011).
- Last year there was a 1.7% increase.



The screenshot displays the website of The Authorities, the Pennsylvania Municipal Authorities Association. The header includes a logo, a member login section with a 'Forgot your password?' link, and a search bar. A navigation menu lists various sections: Member Programs, Resources, Education & Training, Government Relations, Editor's Corner, Conference, News & Events, and About Us. The main content area is titled 'Bidding Thresholds' and features a sub-header 'Bidding Thresholds Increase (Effective Jan. 1, 2020)'. The text explains that the Pennsylvania Department of Labor & Industry published the authority and municipal bidding thresholds for 2020, based on the Consumer Price Index for All Urban Consumers. It states that the percentage change for the 12-month period ending September 30, 2019, is 1.7%, and that the bidding thresholds for municipal authorities will be adjusted accordingly starting January 1, 2020. A bulleted list specifies the bidding requirements for different contract amounts: purchases and contracts below \$11,300 require no formal bidding or written/telephonic quotations; purchases and contracts between \$11,300 and \$21,000 require three written/telephonic quotations; and purchases and contracts over \$21,000 require formal bidding. A link is provided to view the Pennsylvania Bulletin announcement (December 14, 2019 edition) and for the specifics of the CPI adjustment. On the left side of the page, there is a 'NEWS & EVENTS' section with links to 'News' and 'Events'.

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Home / News & Events / News / Bidding Thresholds

## Bidding Thresholds

**Bidding Thresholds Increase (Effective Jan. 1, 2020)**  
The Pennsylvania Department of Labor & Industry published the authority and municipal bidding thresholds for 2020. Under Act 90 of 2011, the bidding thresholds provide for an annual inflation adjustment based on the Consumer Price Index for All Urban Consumers.

The percentage change for the 12-month period ending September 30, 2019, is 1.7%. Beginning on January 1, 2020, the bidding thresholds for municipal authorities will be as follows:

- Purchases and contracts below \$11,300 require no formal bidding or written/telephonic quotations.
- Purchases and contracts between \$11,300 and \$21,000 require three written/telephonic quotations.
- Purchases and contracts over \$21,000 require formal bidding.

[Click here](#) to view the Pennsylvania Bulletin announcement (December 14, 2019 edition) and for the specifics of the CPI adjustment.

**NEWS & EVENTS**

[News](#)

[Events](#)



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# Requirements

## Bidding requirements apply to:

- County
- First Class Township
- Second Class Township
- Boroughs
- Town
- Cities

# Requirements - Avoidance

Piecemeal purchases cannot be used to avoid bidding requirements when “in the exercise of reasonable discretion and prudence” the purchases could have been made together.

## Example:

DGLVR Project is contracted to install 40 cross pipes at one time. Cannot pay the contractor to install 10 cross pipes, then 10 more, etc. to avoid bidding requirements.





# Requirements - Avoidance

## What happens if bidding required but not performed?

- **Municipalities may be subject to a surcharge**
  - Could be 10% of the full amount of contract to purchase.
  - Lawsuits
  - Evasion of bidding requirements is a misdemeanor of the 3<sup>rd</sup> degree.



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# Exemptions

## 9 Exemptions from Public Bidding:

1. Maintenance, repairs or replacements for water, electric light, or other public works if they are not new additions.
2. Improvements, repairs, & maintenance of any kind made or provided by the municipality through its own employees. However, all materials used for street improvement, maintenance, and/or construction projects that cost in excess of \$21,000 are subject to the bidding requirements.
3. Purchases where particular types, models, or pieces of equipment, articles, apparatus, appliances, vehicles, or parts thereof are patented and manufactured or copyrighted products.
4. Purchases of any insurance policies or surety company bonds and contracts made for public utility service, electricity, natural gas, or tele-communications service.
5. Purchases of any public utility service under tariffs on file with the Pennsylvania Public Utility Commission.
6. Intergovernmental contracts made with another political subdivision or county, the state or federal government or any of their agencies, or any municipal authority. (Example: COSTARS)
7. Contracts for purchase of personal or professional services, including, but not limited to, those provided by lawyers, engineers, auditors, and accountants.
8. Purchases of real estate are negotiable.
9. County contracts with non-profit cooperative hospital service associations for county homes or hospitals.

# Exemptions

## 9 Exemptions from Public Bidding:

Only Exemptions #1, #2 and #6 may apply to DGLVR Projects.

- 1 - Maintenance, repairs or replacements for water, electric light, or other public works if they are not new additions.
- 2 - Improvements, repairs, & maintenance of any kind made or provided by the municipality through its own employees.  
However, all materials used for street improvement, maintenance, and/or construction projects that cost in excess of \$20,100 are subject to the bidding requirements.
- 6 - Intergovernmental contracts made with another political subdivision or county, the state or federal government or any of their agencies, or any municipal authority. (Example: COSTARS)

**COSTARS – Pipe (Structural Plate & Plastic)**



# COSTARS

## WHAT IS COSTARS?

COSTARS is Commonwealth's cooperative purchasing program.

- Municipalities purchase items through negotiated contracts for competitive pricing.
- Buying Power of the State vs. Buying Power of One



# Exemptions

## Maintenance is defined as:

“the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased.”

Maintenance work also occurs when a facility, once in usable condition, was restored to that condition by being partially overhauled or patched.

# Exemptions

## Maintenance or Construction?

### L&I Determination

Repaving	→	Construction
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Widening	→	Construction
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Shoulder Upgrades	→	Construction
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Cleaning Drainage Features	→	Maintenance
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Repair or Replacement of Drainage Features	→	Construction
---	---	--------------



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# Prevailing Wage

## Prevailing Wage Applies when:

Construction projects (construction, reconstruction, demolition, alteration and or repair work other than maintenance work) financed by a public body where the total *estimated* cost is at least **\$25,000** & work is contracted.

# Prevailing Wage

## Prevailing Wage Applies when Estimated Cost Exceeds \$25,000:

Prevailing Wage applies when the entire project is contracted, or if part of the work is contracted (e.g. DSA placement, etc.).

- Prevailing Wage does not apply if a municipality does all the work.
- If any portion is contracted out, then Prevailing applies to that part of the contract.
- Material Delivery is exempt.

# Prevailing Wage

## Prevailing Wage Rates:

- Municipality is responsible for obtaining prevailing wage rates from the Commonwealth, Department of Labor & Industry.
- The public body must include Pennsylvania prevailing wage rates in the contracts, notice for bids and advertisements.

# Prevailing Wage

## Prevailing Wage Rates:

Wage Rate Form can be obtained online at the PA Department of Labor & Industry website.

Site will also list all prevailing jobs (easy way to confirm prevailing wage is being followed).

<http://www.dli.pa.gov>

Search Results				
Search returned 185 results				
Project Serial Number	Determination Date	Project County	Project Name	Administrator/Awarding Agency
<a href="#">18-00241</a>	01/11/2018	Centre	Music 1 - replace seating risers	Purchasing at Penn State
<a href="#">18-00226</a>	01/11/2018	Centre	Pattee Library courtyard infill and renovations project	Penn State
<a href="#">18-00225</a>	01/11/2018	Centre	Pattee-Paterno Interior Renovations to Ground and First Floor	Penn State
<a href="#">18-00171</a>	01/09/2018	Centre	Spring Creek Park Restrooms	College Township
<a href="#">18-00136</a>	01/09/2018	Centre	Thompson Hall Exterior Painting	Penn State University
<a href="#">18-00108</a>	01/05/2018	Centre	PSU Walker Building HVAC Renovation project	Penn State University
<a href="#">18-00068</a>	01/04/2018	Centre	SR 0322-B06	PENNDOT
<a href="#">18-00067</a>	01/04/2018	Centre	Bar Pit Access Road	The Pennsylvania State University
<a href="#">18-00066</a>	01/04/2018	Centre	Hastings Road Reconstruction	The Pennsylvania State University
<a href="#">18-00060</a>	01/04/2018	Centre	Willard ground floor abatement	Penn State
<a href="#">18-00059</a>	01/04/2018	Centre	Willard ground floor abatement	Penn State
<a href="#">18-00058</a>	01/04/2018	Centre	Willard ground floor abatement	Penn State
<a href="#">18-00048</a>	01/03/2018	Centre	Entrance Doors & Windows Replacement	Penn State
<a href="#">18-00044</a>	01/03/2018	Centre	PennDOT Staging Building - Curtin Stockpile #05	PennDOT - Bureau of Services
<a href="#">18-00035</a>	01/03/2018	Centre	PennDOT Staging Building #0211006	PennDOT, Bureau of Services
<a href="#">18-00031</a>	01/03/2018	Centre	Limerock Terrace and Houserville Road Waterline Replacement	College Township Water Authority
<a href="#">18-00021</a>	01/03/2018	Centre	ENR/AWT Systems Upgrade and	University Area Joint

# Prevailing Wage

## Prevailing Wage Rates:

- Prevailing Wage Rate Form must be in the bid package.
- Lists hourly rate for each applicable job
- Contractors use these rates when calculating their costs

### BUREAU OF LABOR LAW COMPLIANCE PREVAILING WAGES PROJECT RATES

Project: 20-02548 - Building	Effective Date	Expiration Date	Hourly Rate	Fringe Benefits	Total
Iron Workers (Bridge, Structural Steel, Ornamental, Precast, Reinforcing)	1/1/2017		\$30.02	\$29.42	\$59.44
Iron Workers	7/1/2019		\$32.76	\$29.88	\$62.64
Laborers (Class 01 - See notes)	1/1/2018		\$18.47	\$16.49	\$34.96
Laborers (Class 01 - See notes)	1/1/2019		\$19.47	\$17.29	\$36.76
Laborers (Class 01 - See notes)	1/1/2020		\$20.47	\$17.29	\$37.76
Laborers (Class 02 - See notes)	1/1/2018		\$18.62	\$16.49	\$35.11
Laborers (Class 02 - See notes)	1/1/2020		\$21.22	\$17.29	\$38.51
Laborers (Class 02 - see notes)	1/1/2019		\$20.22	\$17.29	\$37.51
Laborers (Class 03 - See notes)	1/1/2018		\$18.72	\$16.49	\$35.21
Laborers (Class 03 - See notes)	1/1/2019		\$20.32	\$17.29	\$37.61
Laborers (Class 03 - See notes)	1/1/2020		\$21.32	\$17.29	\$38.61
Laborers (Class 04 - See notes)	1/1/2018		\$17.47	\$16.49	\$33.96
Laborers (Class 04 - See notes)	1/1/2019		\$18.47	\$17.29	\$35.76
Laborers (Class 04 - See notes)	1/1/2020		\$19.47	\$17.29	\$36.76
Landscape Laborer (Skilled)	1/1/2018		\$21.01	\$15.21	\$36.22



# Prevailing Wage

## Prevailing Wage – Program Forms:

***Districts must use the DGLVR Prevailing Wage Notification Forms & keep them in the project files.***

Attachment F  
To Contract

Pa Dirt, Gravel, and Low Volume Road Program

4/2018

### Prevailing Wage Notification and Acknowledgment Form

#### Conservation District Notification to Grant Recipient

Date: \_\_\_\_\_  
(notification date)

The \_\_\_\_\_ Conservation District is providing \_\_\_\_\_  
(district name) (grant recipient)

this letter as an attachment to the Dirt, Gravel, and Low Volume Road contract on \_\_\_\_\_ Road regarding the grant recipient's responsibility to meet  
(road name / #)  
prevailing wage requirements. For projects exceeding a total project value of \$25,000, the grant recipient must obtain a prevailing wage determination through the Department of Labor and Industry (DLI) and included it with the bid package for any contracted labor. Municipal employees are not subject to prevailing wage law.

By signing this form, the grant recipient acknowledges receipt of prevailing wage requirements from the Conservation District. If you have any questions regarding prevailing wage, please contact the PA Department of Labor and Industry, Bureau of Labor Law Compliance, at 800-932-0665, or visit: <https://www.dli.pa.gov/Individuals/Labor-Management-Relations/llc/prevailing-wage>

#### Grant Recipient Acknowledgement to Conservation District

I hereby acknowledge that I have read and understand the above notification to  
\_\_\_\_\_ to comply with Pennsylvania's prevailing wage law.  
(grant recipient)

Printed Name (grant recipient signee)

THE NOTARIZATION MUST BE COMPLETED ON FIRST AND LAST SUBMISSIONS ONLY. ALL OTHER INFORMATION MUST BE COMPLETED WEEKLY.

\*FRINGE BENEFITS EXPLANATION (FB): Bona fide benefits contribution, except those required by Federal or State Law (unemployment tax, workers' compensation, income taxes, etc.)

Please specify the type of benefits provided and contributions per hour:

- 1) Medical or hospital care \_\_\_\_\_
- 2) Pension or retirement \_\_\_\_\_
- 3) Life insurance \_\_\_\_\_
- 4) Disability \_\_\_\_\_
- 5) Vacation, holiday \_\_\_\_\_
- 6) Other (please specify) \_\_\_\_\_

#### **CERTIFIED STATEMENT OF COMPLIANCE**

1. The undersigned, having executed a contract with \_\_\_\_\_  
(AWARDING AGENCY, CONTRACTOR OR SUBCONTRACTOR)  
\_\_\_\_\_ for the construction of the above-identified project, acknowledges that:
  - (a) The prevailing wage requirements and the predetermined rates are included in the aforesaid contract.
  - (b) Correction of any infractions of the aforesaid conditions is the contractor's or subcontractor's responsibility.
  - (c) It is the contractor's responsibility to include the Prevailing Wage requirements and the predetermined rates in any subcontract or lower tier subcontract for this project.
2. The undersigned certifies that:
  - (a) Neither he nor his firm, nor any firm, corporation or partnership in which he or his firm has an interest is debarred by the Secretary of Labor and Industry pursuant to Section 11(e) of the PA Prevailing Wage Act, Act of August 15, 1961, P.L. 987 as amended, 43 P.S. § 165-11(e).
  - (b) No part of this contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation or partnership in which such subcontractor has an interest is debarred pursuant to the aforementioned statute.
3. The undersigned certifies that:
  - (a) the legal name and the business address of the contractor or subcontractor are: \_\_\_\_\_
  - (b) The undersigned is: ☐ a single proprietorship ☐ a corporation organized in the state of \_\_\_\_\_  
☐ a partnership ☐ other organization (describe) \_\_\_\_\_
  - (c) The name, title and address of the owner, partners or officers of the contractor/subcontractor are:

NAME	TITLE	ADDRESS



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# **Bid Templates**

## **Bid Documents**

### **PennDOT MS-944**

- Standardized PennDOT Bidding Forms
- Used for Liquid Fuels Funds
- Completed by Municipality or Penn DOT Field Rep.
- Advertisement, Bidding & Completion of Contract

### **MasterSpec (\$)**

- Guide for preparing construction bidding documents.
- Industry standard for Engineers, Architects, Landscape Architects.
- Template Forms that are modified as needed to fit the project.

# PennDOT MS-944



**THIS PROPOSAL INCLUDES  
INSTRUCTIONS TO BIDDERS**

-1-



SUBTOTAL FROM OTHER ATTACHMENTS
BID TOTAL FOR A NON OPTION / PHASE BID
OPTION 1 OR PHASE 1 BID TOTAL
OPTION 2 OR PHASE 2 BID TOTAL
OPTION 3 OR PHASE 3 BID TOTAL



# Bid Templates

## PennDOT MS-944

(8-05)

### SPECIAL PROVISIONS TO CONTRACT MS-944 (Attachment 1-A) CONTAINS IMPORTANT INFORMATION FOR THE CONTRACTOR

The Prime Contractor and subcontractors must comply with all of the following provisions that are marked with an "X".

- X Traffic Control and Safety Devices to be provided by the Contractor.  
(PA. DEPART. OF TRANS. Publication 203, WORK ZONE TRAFFIC CONTROL, CURRENT EDITION.)  
Delivery tickets for all materials.  
CS-4171 Certificate of Compliance and/or TR-465 Daily Bituminous Mixture Certification required for all materials.
- X Notify the Municipality five working days prior to start of project.
- X Work to be completed on or before 5/22/2020. After 5/22/2020 Liquidated damages apply at the rate of \$ 850.00 per calendar day.
- X Roadway to be power broomed by (contractor X municipality ) prior to start of project.
- X Excess material to be removed by (contractor X municipality )
- X Municipality to inspect project.  
Need Bill of Lading for each shipment of bituminous material per Section 702.1(c) of Specifications 408.  
Tack Coat required per Section 460, or 409 for superpave, of Specifications 408 and is incidental to paving item unless noted otherwise.  
Prime Coat required per Section 461 of Specifications 408.  
Bituminous Seal on all abutting pavement and curbs required.  
Saw cut or Milled Paving Notch required and incidental to paving item unless noted otherwise.  
Scratch/ Leveling Courses to be placed at the discretion of appointed inspector(s).  
Full width pavement with one pass required.
- X Municipality reserves the right to limit work completed.  
Taper pavement the last 3 feet to curb.  
For FOB Source bids, hauling distance will determine selection of bid award.  
Municipality reserves the right to procure material which best suits their requirements after all bids and items are reviewed.
- X Completion of NON-COLLUSION AFFIDAVIT required.
- X Incidental Preparation and clean up required. (Project Construction Materials)
- X All bidders shall comply with all requirements of Act 127 of 2012, Public Works  
Employment Verification Act, prior to award of contract.  
Provide design, which meets Specifications Form 408 to the municipality 5 days prior to start of work.
- X Contractor responsible for defects that occur within one year of applications.
- X Contractor required to review proposed project with Municipality's Representative prior to bidding.  
Oil Samples required from each distributor truck by contractor (1) one quart : A.M. & P.M. and witnessed by municipality and retained by municipality.(Oil samples must be placed in an approved type container that is compatible with oil sample.)  
At least three random stone samples to be taken by contractor on project site witnessed by municipality and retained by municipality.  
Complete all testing in accordance with Specification Form 408 Section 409 except for superpave volumetric testing.  
Notice to Proceed will be the date of Contract acceptance.  
Final Completion Certificate & Notice of Completion required.  
Future award of Contract will be based on quality of work as determined by the municipality.  
Contractor, notify all residents of pending work to be performed.
- X See Attachment 1-Special Provisions for additional specifications
- X All prospective bidders shall attend a pre-bid conference, to be held on-site at 12:00 p.m. Friday, 2/28/2020.

My signature signifies that I have read and understand the above special provisions to this contract, and by being authorized by this company to act as their authorized representative, and on their behalf hereby agree to adhere to any and all of the provisions pertaining to this contract.

Contractor's Representative

Date

Company

Municipality's Representative

Date

Township

Municipality

### ATTACHMENT 1-Special Provisions

COUNTY

TOWNSHIP

BARR ROAD PROJECT

PROJECT GOAL: Replace large stream crossing on Barr Road. This project will include excavation, removal of existing stream culvert, installation of new bridge footers, stream restoration work and minor stormwater pipe work.

### GENERAL INFORMATION:

1. This project is in partnership with Penn State and the County Conservation District.  
Questions on this scope of work may be directed to Township, .
2. A separate bid for the bridge deck manufacturing and install is concurrent through Penn State University.
3. All labor and equipment for this project will be supplied by the contractor. All aggregate will be provided by Township. Some materials must be provided by the contractor.  
Responsibilities are noted within the bid document and summarized on Page 6.
4. A mandatory site showing will be held on site (GPS: 40.661545, -78.931649) at 12:00 PM on Friday 2/28/2020.
5. Bids must be received by Township Office by 12:00 PM on Tuesday, March 10, 2020. Bids must be placed in a sealed envelope with words "Barr Road Stream Crossing Bid Enclosed" clearly indicated. Bids will be opened by the Township on or about 7:15 PM, prevailing time, Tuesday 3/10/2020 at the Township Office Building, . Bids will be awarded at a public meeting at the Board of Supervisors. No bid may be withdrawn for ninety (90) calendar days after the scheduled closing time for receipt of Bids. Township reserves the right to accept any bids, to waive non-mandatory technical defects, to accept or reject any part of any bid if, in its judgment, the best interest of the Township are thereby served.
6. Township, County PA is exempt from all excise taxes and sales tax. No tax shall be included in bid price.
7. This project is considered "construction" as defined by Pennsylvania Prevailing Wage Act 442 of 1961 and is subject to prevailing wage. **Determination 20-01107 is attached.**
8. Bidders must bid on ALL items as a lump sum.
9. The contractor is responsible for conducting any PA one-calls necessary for site excavation around underground utilities.
10. All bids must be by an authorized signatory on behalf of the legal entity making the bid. Each proposal shall be accompanied with a certified check or Bidder's Bond in the amount of ten percent (10%) of the proposal, in favor of Township. No faxed bids will be accepted. No bid bond shall be waived or returned because the Bidder has failed to, or cannot comply with any



# Bid Templates

## MasterSpec

██████████ Borough Storm Sewer Replacement  
Specifications and Contract Documents  
March 26, 2020

Dirt & Gravel Roads Grant Project  
██████████ Borough,  
██████████ County, PA

██████████ BOROUGH

██████████ County, Pennsylvania

**Dirt & Gravel Project: Storm Sewer Replacement & Improvements within Unnamed Borough Gravel Alley**

### ADVERTISEMENT FOR BIDS

Sealed Bids for the construction of the Gravel Alley Storm Sewer Improvements will be received by ██████████ Borough at ██████████ until 2:00 P.M., prevailing time on **May 3, 2020**, at which time the bids will be publicly opened at the ██████████ Methodist Church Social Hall (Corner of 2<sup>nd</sup> Street and Washington Street, ██████████ Borough). Bids must be received prior to the bid opening on May 3, 2020.

### Contract Description:

This contract consists of the installation of approximately 182 LF of HDPE storm sewer pipe, 90 LF of underdrain, 4 inlet boxes, the reconstruction of approximately 420 feet of gravel alleyway, appurtenances, and related work. A material alternate is included within this Contract for Driving Surface Aggregate material and stone aggregate subbase.

██████████ Borough Storm Sewer Replacement  
Specifications and Contract Documents  
March 26, 2020

Dirt & Gravel Roads Grant Project  
██████████ Borough,  
██████████ County, PA

### REQUEST FOR QUOTE (RFQ)

**DIRT & GRAVEL PROJECT: STORM SEWER REPLACEMENT & IMPROVEMENT WITHIN UNNAMED BOROUGH GRAVEL ALLEY**

UNNAMED BOROUGH GRAVEL ALLEY  
(ROAD NAME(S) & ID #)

██████████  
(NAME OF MUNICIPALITY & COUNTY)

### 1. SCOPE OF WORK

██████████ (hereinafter referred to as "Owner"), requires services to remove existing storm sewer and replace with new storm pipe and inlet boxes within the unnamed gravel alley within the borough.

An alternate bid will be accepted for placement of 6" of stone aggregate and 6" lift of Driving Surface Aggregate (DSA) over the gravel alley.

### 2. CONTRACT TASKS

- A. Work shall include, but is not necessarily limited to, the furnishing of all labor, superintendence, materials, tools, and equipment, miscellaneous items and performing all work necessary to complete all construction to the satisfaction of, and subject to the approval of, the Owner.

### 3. EXISTING CONDITIONS

- A. Contractor is responsible for contacting the PA One Call system.

██████████ Borough Storm Sewer Replacement  
Specifications and Contract Documents  
March 26, 2020

Dirt & Gravel Roads Grant Project  
██████████ Borough,  
██████████ County, PA

**DIRT & GRAVEL PROJECT: STORM SEWER REPLACEMENT & IMPROVEMENT WITHIN UNNAMED BOROUGH GRAVEL ALLEY**

### AGREEMENT

THIS AGREEMENT is dated as of the \_\_\_\_ day of \_\_\_\_\_, in the year 2020, by and between  
██████████ Borough (hereinafter called OWNER) and  
██████████ (hereinafter called CONTRACTOR).  
OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

### Article 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

REMOVE EXISTING STORM SEWER AND REPLACE WITH NEW STORM PIPE AND INLET BOXES, AS NOTED ON ATTACHED PLAN, WITHIN UNNAMED BOROUGH GRAVEL ALLEY.

**ALTERNATE BID:** INSTALL 6-INCHES OF STONE AGGREGATE AND 6-INCHES OF DRIVING SURFACE AGGREGATE OVER GRAVEL ALLEY.

██████████ Borough Storm Sewer Replacement  
Specifications and Contract Documents  
March 26, 2020

Dirt & Gravel Roads Grant Project  
██████████ Borough,  
██████████ County, PA

### NOTICE OF AWARD:

#### 1.1 BID INFORMATION

- A. Bidder: \_\_\_\_\_
- B. Bidder's Address: \_\_\_\_\_
- C. Project Name: Dirt & Gravel Project: Storm Sewer Replacement & Improvement within Unnamed Borough Gravel Alley
- D. Project Location: Gravel Alley, ██████████
- E. Owner: ██████████ Borough.

#### 1.2 NOTICE OF AWARD OF CONTRACT

- A. Notice: The above Bidder is hereby notified that their bid, dated \_\_\_\_\_, for the above Contract has been considered and the Bidder is hereby awarded a contract for the Dirt & Gravel Project: Storm Sewer Replacement within Unnamed Borough Gravel Alley

- B. Alternates Accepted: The following alternates have been accepted by Owner and have been

# **Bid Templates**

## **“Front End” Forms**

- **Instructions to Bidders & Contract Forms**
  - **Request for Bid**
  - **Prevailing Wage Forms**
  - **Bid Agreement Forms**
  - **Non-Collusion Form**
  - **Notice of Award**

## **Construction Specifications**

- **What & how to install improvements**
  - **Selective Demolition**
  - **Storm Sewer**
  - **DSA Specification**
  - **Turf & Grasses**

**What is being constructed &  
how should be it installed?**

# Bid Estimate

## Purchases & Contracts from \$11,300 & \$21,000:

- 3 written or telephone quotes

Deer Creek

### Purpose

French Creek Towns  
Replacement Project  
of this project narrat

### Timeline

The project is schedu  
weather dependent.

### Department of Labo

Prevailing Wage Rat  
registered with the B

### PA One Call

Contractor responsib  
and Mercer County C

### Environmental Perm

Work will be complet  
7 (GP07XXXXXX) i  
implementation of th  
from excessive sedim

### Road Closure Notific

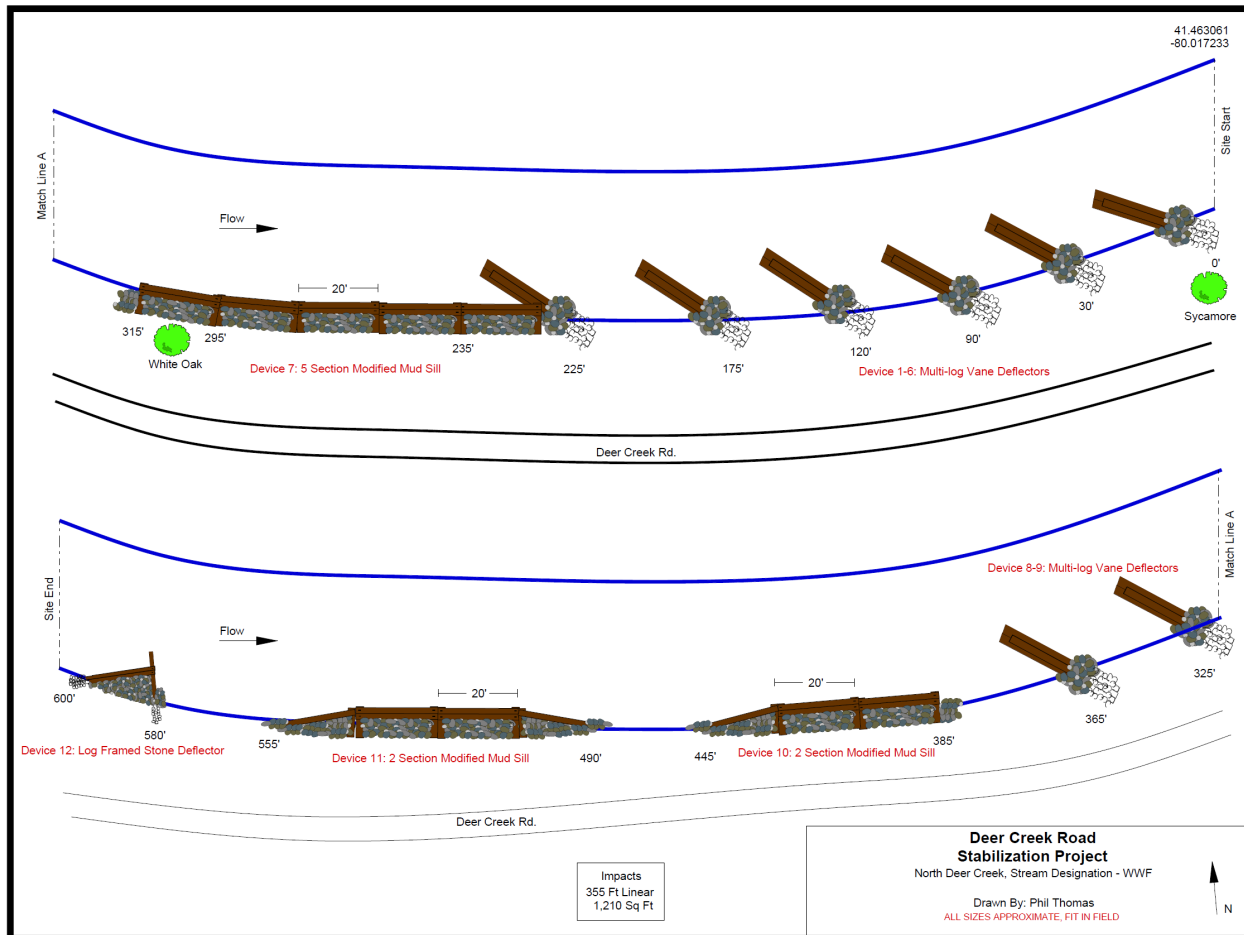
The Contractor and F  
Closure and to post a

### Project Management

Contractor will be re  
Unlimited (TU), MCC  
conjunction with Fre

### Project Materials

French Creek Townsl  
will be responsible fo  
site. Who will provid



permission from the  
its will be minimized  
ty.

tone Deflector, (1) 5  
List and Work Plan.  
sill Logs, lifting and  
placement of 16-24"  
when excavation over

ig. Existing crossing  
suitable for backfill.  
led bank area to be

stallation of a 9'2" x  
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livered to the site as  
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bedding material (2A  
fill (2A or 2RC) shall  
ard Proctor Density.  
block head and end  
ed/washed in with a  
ow. Grade control  
lemented near pipe



- Municipalities
- Bidding Thresholds
- Requirements
- Exemptions
- Prevailing Wages
- Bid Templates
- **Bid Bonds**
- Process of Bidding
- Common Oversights
- DGLVR Resources

# Bid Bonds

**Bid bond:** issued by the contractor to the owner, to guarantee that the winning bidder will undertake the contract under the terms at which they bid.

**Payment Bond:** Bond posted by a contractor to guarantee that all contractors, sub-contractors and material suppliers will be paid.

**Performance Bond:** Bond issued by financial institution guaranteeing fulfillment of a contract.

The municipal codes includes requirements on each bond type.







- Municipalities
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- Requirements
- Exemptions
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# Process - Advertising

## Advertising

Refer to municipal code. Varies depending upon municipality class. Advertisement must be in a publicly viewed publication.

Where to Advertise?

Local newspapers

Municipal website

Contractor websites



More Advertising = More Bidders

# Process – Site Showing

## Site Showing

A gathering of potential bidders to review the proposed work site and bid packet details.

- Often require attendance to submit a bid.
- Helps obtain accurate, competitive bids.
- District attendance is recommended.





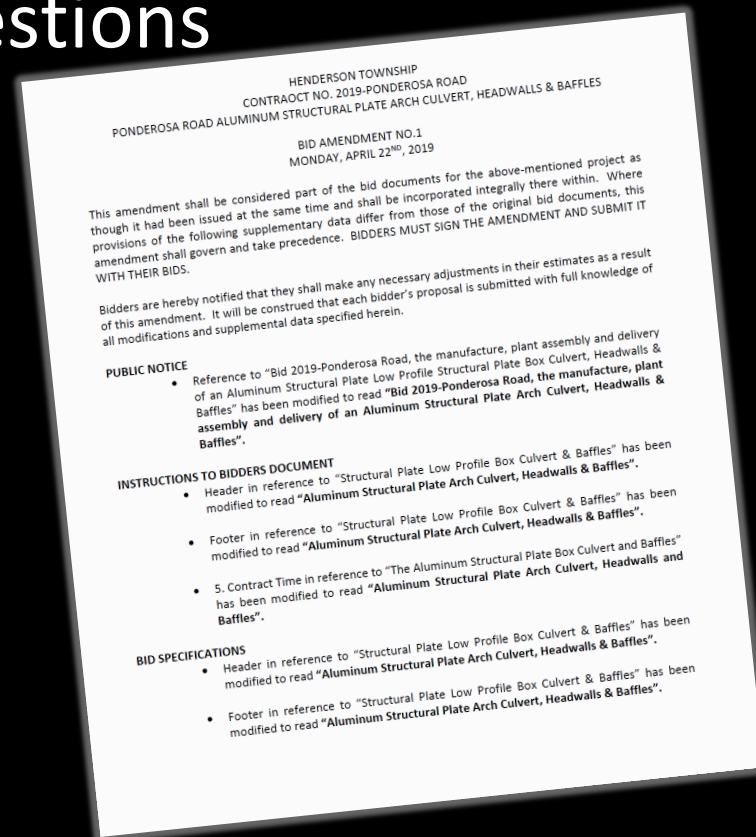
# Process - Addendums

## Addendums

Written information adding to, clarifying or modifying the bidding documents during the bidding process.

Site Showings often produce questions or revisions that need to be addressed in an addendum.

Provide any clarifications to ALL bidders in written form.



# **Process – Submittal, Opening & Award**

## **Submittal**

- Bids submitted in writing by a specified date, time & location. Submitted in sealed envelope.

## **Bid Opening**

- Bid opening date, time and location included in advertisement.
- Public proceeding - May have an audience for opening.

## **Award**

- Bid Opening & Award may be held at the same time or at separate meetings.
- Lowest qualified bidder.





- Municipalities
- Bidding Thresholds
- Requirements
- Exemptions
- Prevailing Wages
- Bid Templates
- Bid Bonds
- Process of Bidding
- **Common Oversights**
- DGLVR Resources

# Common Oversights

## Oversights & Issues

- No indication of a DGLVR funded project & program specific requirements (e.g. – stream crossings & stream substrate replacement for AOP)
- Construction Deadlines
- Project Scheduling
- Indication of CD Inspection Role
  - Recommend the Project Owner use the terms “Owner or Owner’s Designee” in the bid package.

# Common Oversights

## Oversights & Issues

- DSA Specifications
  - DSA Request for Quote Form
- Limitations imposed by MS944 bid form – Only State Approved Materials as written. Important for large fill projects.
- Over complicated bid packets
  - MasterSpec can become large very easily.
  - Keep clear & concise.

# Common Oversights

## Oversights & Issues

- No Pre-Bid Site Showing
  - HIGHLY Recommended
    - Provides Contractors the chance to review the site and ask questions
    - Contractors may bring up issues that were missed from a design stand point.
- No Pre-Construction Meeting
  - Pre-Construction meetings set expectations.
  - Define inspectors (CD, Township, Engineer)

# Common Oversights

## Oversights & Issues

- Use of Roads – Large fill and DSA projects. Road bonding issues.
- Disposal of Waste Products
- Road Closure Notifications & Traffic Control
- PA One Call
- Prevailing Wage



# Common Oversights

## Oversights & Issues

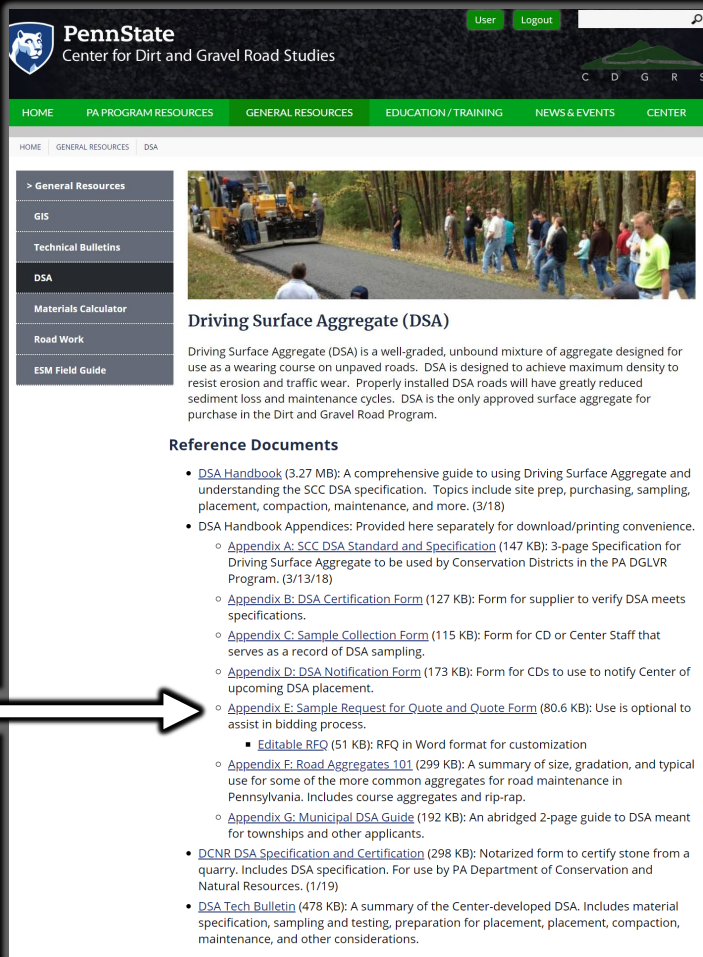
- Borrow Sites
- Clear delineation of who is providing what to the job when mixing municipal and contracted equipment and labor.
- Clear specifications of materials (e.g. fill, woven or non- woven geofabric, etc.)
  - These are to be covered in the specification within the bid package.
  - Product Submittals



- Municipalities
- Bidding Thresholds
- Requirements
- Exemptions
- Prevailing Wages
- Bid Templates
- Bid Bonds
- Process of Bidding
- Common Oversights
- **DGLVR Resources**

# DGLVR Resources

## DSA RFQ & Stream Crossing RFP



The screenshot shows the PennState Center for Dirt and Gravel Road Studies website. The navigation bar includes links for HOME, PA PROGRAM RESOURCES, GENERAL RESOURCES, EDUCATION / TRAINING, NEWS & EVENTS, and CENTER. The left sidebar lists General Resources: GIS, Technical Bulletins, DSA, Materials Calculator, Road Work, and ESM Field Guide. The main content area features a photo of a road construction site and the title "Driving Surface Aggregate (DSA)". Below the photo is a paragraph describing DSA as a well-graded, unbound mixture of aggregate designed for use as a wearing course on unpaved roads. A "Reference Documents" section follows, listing various resources with links and descriptions. A large white arrow points from the left towards the "Reference Documents" section.

**PennState**  
Center for Dirt and Gravel Road Studies

HOME PA PROGRAM RESOURCES GENERAL RESOURCES EDUCATION / TRAINING NEWS & EVENTS CENTER

HOME GENERAL RESOURCES DSA

> General Resources

GIS

Technical Bulletins

DSA

Materials Calculator

Road Work

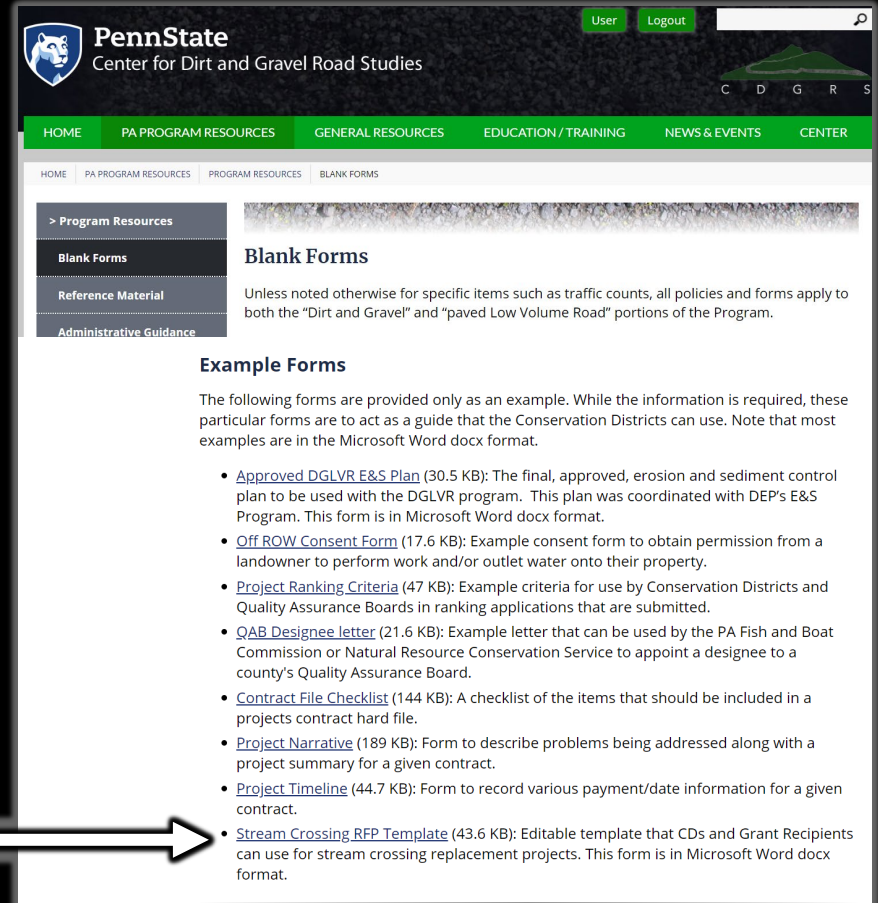
ESM Field Guide

**Driving Surface Aggregate (DSA)**

Driving Surface Aggregate (DSA) is a well-graded, unbound mixture of aggregate designed for use as a wearing course on unpaved roads. DSA is designed to achieve maximum density to resist erosion and traffic wear. Properly installed DSA roads will have greatly reduced sediment loss and maintenance cycles. DSA is the only approved surface aggregate for purchase in the Dirt and Gravel Road Program.

**Reference Documents**

- [DSA Handbook](#) (3.27 MB): A comprehensive guide to using Driving Surface Aggregate and understanding the SCC DSA specification. Topics include site prep, purchasing, sampling, placement, compaction, maintenance, and more. (3/18)
- DSA Handbook Appendices: Provided here separately for download/printing convenience.
  - [Appendix A: SCC DSA Standard and Specification](#) (147 KB): 3-page Specification for Driving Surface Aggregate to be used by Conservation Districts in the PA DGLVR Program. (3/13/18)
  - [Appendix B: DSA Certification Form](#) (127 KB): Form for supplier to verify DSA meets specifications.
  - [Appendix C: Sample Collection Form](#) (115 KB): Form for CD or Center Staff that serves as a record of DSA sampling.
  - [Appendix D: DSA Notification Form](#) (173 KB): Form for CDs to use to notify Center of upcoming DSA placement.
  - [Appendix E: Sample Request for Quote and Quote Form](#) (80.6 KB): Use is optional to assist in bidding process.
    - [Editable RFQ](#) (51 KB): RFQ in Word format for customization
  - [Appendix F: Road Aggregates 101](#) (299 KB): A summary of size, gradation, and typical use for some of the more common aggregates for road maintenance in Pennsylvania. Includes course aggregates and rip-rap.
  - [Appendix G: Municipal DSA Guide](#) (192 KB): An abridged 2-page guide to DSA meant for townships and other applicants.
- [PCNR DSA Specification and Certification](#) (298 KB): Notarized form to certify stone from a quarry. Includes DSA specification. For use by PA Department of Conservation and Natural Resources. (1/19)
- [DSA Tech Bulletin](#) (478 KB): A summary of the Center-developed DSA. Includes material specification, sampling and testing, preparation for placement, placement, compaction, maintenance, and other considerations.



The screenshot shows the PennState Center for Dirt and Gravel Road Studies website. The navigation bar includes links for HOME, PA PROGRAM RESOURCES, GENERAL RESOURCES, EDUCATION / TRAINING, NEWS & EVENTS, and CENTER. The left sidebar lists Program Resources: Blank Forms, Reference Material, and Administrative Guidance. The main content area features a photo of a road construction site and the title "Blank Forms". Below the photo is a paragraph explaining that unless noted otherwise, all policies and forms apply to both the "Dirt and Gravel" and "paved Low Volume Road" portions of the Program. An "Example Forms" section follows, listing various resources with links and descriptions. A large white arrow points from the left towards the "Example Forms" section.

**PennState**  
Center for Dirt and Gravel Road Studies

HOME PA PROGRAM RESOURCES GENERAL RESOURCES EDUCATION / TRAINING NEWS & EVENTS CENTER

HOME PA PROGRAM RESOURCES PROGRAM RESOURCES BLANK FORMS

> Program Resources

Blank Forms

Reference Material

Administrative Guidance

**Blank Forms**

Unless noted otherwise for specific items such as traffic counts, all policies and forms apply to both the "Dirt and Gravel" and "paved Low Volume Road" portions of the Program.

**Example Forms**

The following forms are provided only as an example. While the information is required, these particular forms are to act as a guide that the Conservation Districts can use. Note that most examples are in the Microsoft Word docx format.

- [Approved DGLVR E&S Plan](#) (30.5 KB): The final, approved, erosion and sediment control plan to be used with the DGLVR program. This plan was coordinated with DEP's E&S Program. This form is in Microsoft Word docx format.
- [Off ROW Consent Form](#) (17.6 KB): Example consent form to obtain permission from a landowner to perform work and/or outlet water onto their property.
- [Project Ranking Criteria](#) (47 KB): Example criteria for use by Conservation Districts and Quality Assurance Boards in ranking applications that are submitted.
- [QAB Designee letter](#) (21.6 KB): Example letter that can be used by the PA Fish and Boat Commission or Natural Resource Conservation Service to appoint a designee to a county's Quality Assurance Board.
- [Contract File Checklist](#) (144 KB): A checklist of the items that should be included in a projects contract hard file.
- [Project Narrative](#) (189 KB): Form to describe problems being addressed along with a project summary for a given contract.
- [Project Timeline](#) (44.7 KB): Form to record various payment/date information for a given contract.
- [Stream Crossing RFP Template](#) (43.6 KB): Editable template that CDs and Grant Recipients can use for stream crossing replacement projects. This form is in Microsoft Word docx format.

# Municipal Bidding

## Summary:

## QUESTIONS?

- **Thresholds:** < \$11,300 no bids, \$11,300 to \$21,000 three written/phone bids, >\$21,000 formal bids.
- **Review of Bid Packet:** Suggest CD review packet prior to advertisement.
- **Site Showing:** Strongly recommended. Can make attendance a condition of submitting bid.
- **Pre-Construction Meeting:** Strongly recommended. An hour on site before the project can save you headaches.
- **Bonding:** Consider how you get equipment and materials to the project site.
- **Construction:** L&I will consider almost all DGLVR projects as “construction” and bidding exemptions do not apply.
- **Keep Bidding Simple:** Don’t over complicate the packet, be clear, concise and provide specifications for materials.