

**CITY OF GEORGETOWN
PORT TANK REHABILITATION
PROJECT NO: 1513
ADDENDUM #1
February 27, 2020**

General Information:

This addendum is being posted on the City's website for access by all interested bidders. The receipt of this addendum must be acknowledged by inserting its number and date in the space provided on page 1 of the Bid Form. Failure to acknowledge receipt of this addendum may result in the disqualification of the bidder.

Modifications:

This addendum modifies the Project Manual as follows:

1. Paragraph 12 of the Information to Bidders section has been modified to read as follows:

BID, PAYMENT AND PERFORMANCE BONDS

When a construction contract is awarded in excess of One Hundred Thousand Dollars (\$100,000) a payment and performance bond shall be delivered by the successful bidder to the City and shall become binding on the parties upon execution of the contract.

Simultaneously with bidder's delivery of the executed contract, the Contractor shall furnish a surety bond or bonds as secured for the faithful performance of this contract and for the payment of all persons performing labor on the project under this contract, as specified in General Conditions included herein. The surety on such bond or bonds shall be a duly authorized surety company. An agent must be provided with a South Carolina license authorized to sign and execute the bond(s). Countersignature by an agent residing in South Carolina will not be required, but execution by an agent holding a South Carolina non-resident license is required. The Bid Bond shall be an amount equal to or at least five percent (5%) of the amount of the bid. The Performance Bond shall be in the amount of one-hundred and ten percent (110%) of the bid and the Payment Bond shall be in the amount of one-hundred percent (100%) of the bid.

2. The attached Bid Bond, Section 00350, has been updated and shall replace the Bid Bond included in the original Project Manual.
3. The attached Performance Bond, Section 00600.1, has been updated and shall replace the Bid Bond included in the original Project Manual.
4. The attached Payment Bond, Section 00601.1, has been updated and shall replace the Bid Bond included in the original Project Manual.

5. Paragraph 16 of the Information to Bidders section has been modified to read as follows:

METHOD OF AWARD - LOWEST QUALIFIED BIDDER

If at the time this contract is to be awarded, the lowest base bid or combination of base bid plus alternate bid(s) submitted by a responsible bidder does not exceed the amount of funds estimated by the Owner as available to finance the contract, the contract will be awarded on the basis of the base bid plus a combination of alternate(s). If the bid exceeds such an amount, the Owner may reject all bids or may award the contract on the base bid combined with alternates applied in any order, irrespective of the order in which they are listed in the Form of Bid, as produces a net amount which is within the available funds.

The Owner will decide which the lowest qualified bidder is, and in determining such bidder, the following elements will be considered for each bidder:

- Maintains a permanent place of business.
- Has successfully completed other work with the City
- Has adequate plant equipment and personnel to perform the Work properly and expeditiously.
- Has a suitable financial status to meet obligations incident to the work.
- Has appropriate technical experience with a minimum of five (5) years of practice.

-- END OF ADDENDUM #1 --

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

**SECTION 00350
BID BOND**

KNOW ALL MEN BY THESE PRESENT:

That we, the undersigned _____, as Principal, and _____, as Surety, are hereby held and firmly bound unto the **City of Georgetown, South Carolina**, as Owner, in the penal sum of (5% of total bid) _____ Dollars _____ Cents (\$ _____), for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed this _____ day of _____, 20_____.

The condition of the above obligation is such that:

WHEREAS, the Principal has submitted to _____ a certain Bid, attached hereby and by reference made a part hereof, to enter into a contract in writing for the **PORT TANK REHABILITATION**.

NOW, THEREFORE,

- (A) If said Bid shall be rejected, or
- (B) If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a Bond for faithful performance of said contract, and for the payment of all persons performing labor furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid, then this obligation shall be void; otherwise the same shall remain in force and effect - it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its Bond shall be in no way impaired or affected by an extension of the time within which the Owner may accept such Bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

Principal

(Corporate Seal)

By : _____(L.S)

Surety

(Corporate Seal)

By : _____(L.S)

Important: Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

(END OF SECTION)

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

**SECTION 00600.1
PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS THAT

(NAME OF CONTRACTOR)

(ADDRESS OF CONTRACTOR)

A Corporation Partnership, hereinafter called Principal, and

(NAME OF SURETY)

(ADDRESS OF SURETY)

Hereinafter called Surety, are held and firmly bound unto

THE CITY OF GEORGETOWN, SOUTH CAROLINA
(NAME OF OWNER)

PO BOX 939, GEORGETOWN, SC 29442
(ADDRESS OF OWNER)

hereinafter called Owner, in the penal sum of (110% of total bid)
_____ Dollars _____ Cents (\$ _____),
in lawful money of the United States, for the payment of which sum well and truly to be made,
we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally,
firmly by these present.

THE CONDITION OF THIS OBLIGATION is such that whereas the Principal entered into a certain Contract with the Owner dated the _____ day of _____, 2020, a copy of which is hereto attached and made part hereof for **PORT TANK REHABILITATION**

NOW, THEREFORE, if the Principal shall well, truly, and faithfully perform its duties, all the undertakings, covenants, terms, conditions, and agreements of said Contract during the original term thereof, and any extensions thereof which may be granted by the Owner, with or without notice to the Surety, and if he shall satisfy all claims and demands incurred under such contract and fully indemnify and save harmless the Owner from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the Owner all outlay and expense which the Owner may incur in making good any default, then this obligation shall be void;

PERFORMANCE BOND
00600.1-1

**PORT TANK REHABILITATION
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otherwise to remain in full force and effect.

PROVIDED FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extensions of time, alteration, or addition to the terms of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the specifications.

PROVIDED FURTHER, that no final settlement between the Owner and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in four (4) counterparts, each one of which shall be deemed an original, this the _____ day of _____, 20____.

Signed, sealed and delivered in the presence of:

(PRINCIPAL - CONTRACTOR)

(SIGNATURE)

As to Principal

By: _____

Title: _____

(SURETY)

(SIGNATURE)

As to Surety

By: _____

ATTORNEY-IN-FACT
(Power of Attorney to be attached)

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

By: _____
(AGENT)

(AGENT COMPANY NAME)

(AGENT COMPANY ADDRESS)

(AGENT ADDRESS)

NOTES:

1. Date of Bond must not be prior to date of Contract.
2. If Contractor is a Partnership, all partners should execute Bond.
3. Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

(END OF SECTION)

**PERFORMANCE BOND
00600.1-3**

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

**SECTION 00601.1
PAYMENT BOND**

KNOW ALL MEN BY THESE PRESENTS THAT

(NAME OF CONTRACTOR)

(ADDRESS OF CONTRACTOR)

A Corporation Partnership, hereinafter called Principal, and

(NAME OF SURETY)

(ADDRESS OF SURETY)

Hereinafter called Surety, are held and firmly bound unto

THE CITY OF GEORGETOWN, SOUTH CAROLINA
(NAME OF OWNER)

PO BOX 939, GEORGETOWN, SC 29442
(ADDRESS OF OWNER)

hereinafter called Owner, in the penal sum of (100% of total bid)
_____ Dollars _____ Cents (\$ _____),
in lawful money of the United States, for the payment of which sum well and truly to be made,
we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally,
firmly by these present.

THE CONDITION OF THIS OBLIGATION is such that whereas the Principal entered into a certain Contract with the Owner dated the _____ day of _____, 2020, a copy of which is hereto attached and made part hereof for PORT TANK REHABILITATION.

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the work provided for in such contract, and any authorized extension of modification thereof, including all amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such work, and all insurance premiums on said work, and for all labor, performed in such work whether

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by subcontractor or otherwise, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extensions of time, alteration, or addition to the terms of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the specifications.

PROVIDED FURTHER, that no final settlement between the Owner and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in four (4) counterparts, each one of which shall be deemed an original, this _____ day of _____, 20____.

Signed, sealed and delivered in the presence of:

(PRINCIPAL - CONTRACTOR)

(SIGNATURE)

As to Principal

By: _____

Title: _____

(SURETY)

(SIGNATURE)

As to Surety

By: _____

ATTORNEY-IN-FACT
(Power of Attorney to be attached)

**PORT TANK REHABILITATION
CITY OF GEORGETOWN**

By: _____
(AGENT)

(AGENT COMPANY NAME)

(AGENT COMPANY ADDRESS)

(AGENT ADDRESS)

NOTES:

1. Date of Bond must not be prior to date of Contract.
2. If Contractor is a Partnership, all partners should execute Bond.
3. Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

(END OF SECTION)

PAYMENT BOND
00601.1-3