



Nice Matters!

**Town of Emerald Isle**  
7500 Emerald Drive  
Emerald Isle, NC 28594

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**Mayor**  
Eddie Barber

**Mayor Pro-Tem**  
Floyd Messer, Jr.

**Board of Commissioners**  
Candace Dooley  
Steve Finch  
Jim Normile  
Mark Taylor

**Town Manager**  
Matt Zapp  
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December 5, 2019

## Request for Bids

### DEMOLITION OF THE BLUEWATER SOUNDSIDE PIER – HURRICANE FLORENCE DAMAGES

#### I. BIDS DUE

All bids are requested by December 19, 2019, no later than 11:00 am (EST). Interested bidders may submit written bids to the attention of Alesia Sanderson, Parks and Recreation Director.

Written bids may be submitted in the following methods:

Mailing Address: Town of Emerald Isle, 7500 Emerald Drive, Emerald Isle, NC 28594  
Physical Deliveries: Town of Emerald Isle, 7509 Emerald Drive, Emerald Isle, NC 28594

#### II. RIGHTS

The Town of Emerald Isle Commissioners reserve the right to waive any informalities, to reject any or all bids, and to accept that bid or bids which appear to be in the Town's best interest. The Town reserves the right to award all or part of this Request for Bids.

#### III. BACKGROUND

The Bluewater pier is a wooden walkway/pier located between address 7012 and 7014 Emerald Drive. The pier is located on Bogue Sound and is used for recreational purposes (i.e., walking, viewing, fishing, kayaking, etc.). During September 2018, Hurricane Florence cause significant damage to the pier resulting in the need for the structure to be demolished.

#### IV. SCOPE

The Bluewater Pier is currently 5'x810'. The original structure is to be demolished. The Contractor will be responsible to provide their own means of electricity for all work. Contractor must demolish existing pier structure and remove all materials including: pilings, framing, decking, railing steps and associated hardware. The following specifications must be included in the bid:

- All demolition costs associated with the removal of the existing structure
- All demolished materials must be disposed of at NC DEQ permitted site, contractor shall provide disposal tickets upon request.

Work should be completed within 6 weeks, during the daylight hours Monday – Saturday. The area of work is confined to previously disturbed area only.

Permits and Inspections necessary will be required, but permit fees will be paid for by the Town.

Inspection of the property is required. Contractors should contact Alesia Sanderson, Parks and Recreation Director at (252) 354-6350 to schedule a site visit, prior to submitting a bid. Bids will not be accepted if site visit not conducted. An affidavit is required to be signed once site visit is complete.

## **V. BIDS**

All bids should include the following:

- Experience and Qualifications - Provide a description and history of work experience, including references;
- Copy of General Contractor Licensure; and
- Completed and Signed Bid Form (Attached).

## **VI. TERMS & CONDITIONS**

The terms of this Request for Bids and your response thereto will be incorporated into the terms of the final agreement if your firm is the successful bidder.

- The bidder receiving the award shall furnish active NC General Contractors License Number.
- The bidder receiving the award will obtain or possess the following insurance coverages, and will provide Certificates of Insurance to the Town, with the Town listed as Additional Insured:
  - Workers' Compensation (as required by the State of North Carolina)
  - Commercial General Liability for bodily injury, property damage, or personal injury
  - Business Automobile Liability
- The bidder awarded this contract shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least five (5) years after completion of the contract resulting from this RFB.
- The bidder agrees to the following Federal provisions as applicable: Equal Employment Opportunity (41 C.F.R. Part 60); Davis-Bacon Act (40 U.S.C. 3141-3148); Copeland "Anti-Kickback" Act (40 U.S.C. 3145); Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708); Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387); Debarment and Suspension (Executive Orders 12549 and 12689); Byrd Anti-Lobbying Amendment (31 U.S.C. 1352); Procurement of Recovered Materials (2 C.F.R. § 200.322); and Record Retention Requirements (2 CFR § 200.324) - See Section IX-Federal Contract Provisions.
- The bidder agrees to comply with the E-Verify requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if contractor utilizes a subcontractor, contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
- The Town of Emerald Isle reserves the right to reject any and all bids.

**VII. CONTACTS & ADDITIONAL INFORMATION**

For additional information please contact: Alesia Sanderson, Parks and Recreation Director at (252) 354-6350.

**VIII. BID FORM – TOWN OF EMERALD ISLE  
DEMOLITION OF THE BLUEWATER SOUNDSIDE PIER – HURRICANE FLORENCE DAMAGES**

**DATE:** \_\_\_\_\_

**CONTRACTOR** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CITY/ST/ZIP** \_\_\_\_\_

**TELEPHONE** \_\_\_\_\_

**Total Price BID:** The undersigned having carefully reviewed the Scope of Work items listed in the attached Request for Bids for Demolition of the Bluewater Soundside Pier – Hurricane Florence Damages, dated \_\_\_\_\_ including applicable addenda, as well as the premises and conditions affecting the work, proposes to furnish all services, labor, materials and equipment called for to complete the project in accordance with the Scope of Work for the following total price:

\$ \_\_\_\_\_

**COMPANY NAME:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**CORPORATE SEAL**

## IX. FEDERAL CONTRACT PROVISIONS – TOWN OF EMERALD ISLE

### Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials. -- A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75888, Dec. 19, 2014]