

CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY
1523 Route 9 North
Cape May Court House, NJ 08210
Phone: (609) 465-9026 Fax: (609) 465-9025

ADDENDUM NO. 1
to the
CONTRACT DOCUMENTS

2024 MISCELLANEOUS SERVICES - BURIED PIPING SERVICES

CONTRACT MISC-32-23

To All Document Holders:

The following changes, additions and/or deletions are hereby made a part of the Contract Documents for the above referenced contract as fully and completely as if the same were fully set forth herein:

NOTICE OF DATE CHANGE FOR BID OPENING

NOTICE IS HEREBY GIVEN that sealed Bids will be received by the Cape May County Municipal Utilities Authority, 1523 Route 9 North, Cape May Court House, New Jersey, up to **2:00 p.m.** prevailing time, on **Thursday October 26, 2023** at which time the Bids will be publicly unsealed and the contents announced.

SECTION II GENERAL INSTRUCTIONS TO BIDDERS

Remove Page 13 of 24 and Replace with the attachment provided.

All bidders shall acknowledge the receipt and acceptance of this Addendum No. 4 by indicating Addendum Number in the space provided on the Acknowledgement of Receipt of Addenda Form. Bids submitted without this Addendum Acknowledgement will be considered non-responsive.

X. BID SECURITY AND BONDING REQUIREMENTS

THE PROVISIONS BELOW, IF INDICATED BY AN (X), ARE MANDATORY REQUIREMENTS OF THE BID SUBMISSION

BID GUARANTEE

Bidder shall submit with the Bid a certified check, cashier's check or Bid Bond in the amount of ten percent (10%) of the total price Bid, but not in excess of \$20,000, payable unconditionally to the Cape May County Municipal Utilities Authority. If a Bid Bond is submitted, in accordance with N.J.S.A. 40A:11-22, a Consent of Surety from a Surety Company authorized to do business in the State of New Jersey and acceptable to the Owner shall be furnished in the full amount of the Bid Bond. A valid Power of Attorney authorizing the Attorney-in-Fact named on the Consent of Surety from the Surety Company shall also be furnished.

The check or Bid Bond of the Bidder to whom the Contract is awarded shall be retained until a Contract is executed. The check or Bid Bond of the Successful Bidder shall be forfeited if the Bidder fails to enter into a Contract pursuant to N.J.S.A. 40A:11-21.

In lieu of a Consent of Surety, a Bidder may offer a bond of an individual. Bidder shall submit with the Bid a certificate signed by such individual similar to that required of a Surety Company. The Owner may reject any such Bid if it is not satisfied with the sufficiency of the individual surety offered.

Failure to submit a Bid Guarantee shall result in rejection of the Bid.

Failure to submit a Consent of Surety along with a Bid Bond shall result in rejection of the Bid.

Pursuant to N.J.S.A. 40A:11-24a, all checks or Bid Bonds, except the Bid Guarantee of the three (3) apparent lowest responsible Bidders, shall be returned, unless otherwise requested by the Bidder, within ten (10) days after the opening of the Bids, Sundays and holidays excluded, and the Bids of such Bidders shall be considered as withdrawn.

Within three (3) days, Sundays and holidays excluded, after the awarding and signing of the Contract Agreement by the Owner and the Successful Bidder and the approval of the Performance Bond, if applicable, the Bid Guarantee of the remaining unsuccessful Bidders shall be returned to them. The Bid Guarantee submitted by the three (3) apparent lowest responsible bidders shall not be deemed rejected, notwithstanding acceptance of one of the Bids, until the Contract has been executed by both the Owner and the Successful Bidder.

CONSENT OF SURETY FOR PERFORMANCE AND PAYMENT BOND

Bidder shall submit with the Bid a Consent of Surety with Power of Attorney for the full amount of Bid price from a Surety Company authorized to do business in the State of New Jersey, and acceptable to the Owner, stating that it will provide said Bidder with a Performance Bond AND Payment Bond in the full amount of the Bid.

This Consent of Surety shall be obtained in order to confirm that the Bidder to whom the Contract is awarded will furnish a Performance Bond AND Payment Bond from an acceptable Surety Company on behalf of said Bidder, any or all Subcontractors, or by each respective Subcontractor or by any combination thereof, which results in performance security equal to the total amount of the Contract,