

Augusta County, Virginia

Notice of Invitation for Bids



Issue Date: October 29, 2020

IFB# 81010-20-03_____

Title: **DELIVERY OF NUTRIENT AND SEDIMENT CREDITS**

Using Agency And/Or Location

Where Work Will Be Performed: Department of Community Development

Sealed Bids Will Be Received Until _____ 2:00 pm on December 30, 2020

For Furnishing The Goods/Services Described Herein And Then Opened In Public.

Location to Submit Bids: Elana Sorrell, VCO, Senior Purchasing Assistant
Finance Department
18 Government Center Ln
PO Box 590
Verona, VA 24482

Additional copies of this Notice may be obtained along with the complete Invitation to Bid at www.co.augusta.va.us or by contacting the Bid Officer:

Elana Sorrell, VCO, Senior Purchasing Assistant
Central Accounting
Phone: (540) 245-5741
Email: esorrell@co.augusta.va.us

In compliance with this Invitation For Bids (IFB) and all conditions imposed in this IFB, the undersigned firm hereby offers and agrees to furnish all goods and services required by this IFB at the prices indicated in the pricing schedule, and the undersigned firm hereby certifies that all information provided below and in any schedule attached hereto is true, correct, and complete.

Name And Address Of Firm:

Date: _____

By: _____

(Signature In Ink)

Name: _____

(Please Print)

eVA Vendor ID or DUNS #: _____

Fax Number: (____) _____

Title: _____

E-mail Address: _____

Telephone Number: (____) _____

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, sexual orientation, gender identity, political affiliation, or veteran status or any other basis prohibited by state law relating to discrimination in employment. Faith-based organizations may request that the issuing agency not include subparagraph 1.e in General Terms and Condition C. Such a request shall be in writing and explain why an exception should be made in that invitation to bid or request for proposal.

Augusta County, Virginia

Proposed Schedule of Events

Schedule of Events:

1. Advertise Project: October 28, 2020
2. Pre-Bid Conference: NA
3. Bid Due Date: December 30, 2020 2:00 P.M.
4. Review Initial Lowest Bid: Week of January 4th, 2021
5. Board of Supervisor Approval: January 13, 2021
6. Notice of Intent to Award January 14, 2021
7. Contract Signing January 25, 2021
8. Notice to Proceed: TBD

OVERVIEW

Under Augusta County’s Municipal Separate Storm Sewer System (MS4) permit, issued by the Virginia Department of Environmental Quality, the County is required to achieve quantitative nutrient and sediment reductions as part of Virginia’s obligation to comply with the Chesapeake Bay Total Maximum Daily Load (TMDL) cleanup plan. In Virginia, these reductions are required to be achieved over three MS4 permit cycles, which, for Augusta, will end in 2028.

Among the many options available to meet permit requirements, MS4 permittees may claim nutrient and sediment reduction credits towards these TMDL requirements by purchasing Nutrient Trading credits from authorized nutrient banks.

This solicitation is intended to award contracts for sale to one or more qualified vendors for delivery of nutrient and sediment reduction credits from nutrient banks in order to complement the County’s efforts and to increase the pace and efficiency of obtaining nutrient and sediment reduction credits for the Bay TMDL.

The contract(s) derived from this solicitation will be used to support applications to the Virginia Stormwater Local Assistance Fund (SLAF). Contracts will be contingent upon receipt of SLAF funding, though the county, may choose to purchase from the contract regardless of whether or not SLAF funds are awarded. Simultaneously with this bid, the county continues to consider firms who submitted proposals for “proposed projects” under RFP 81010-20-01.

County’s current estimate of required nutrient credits and documented reductions is as follows

			40% Requirement (lbs/yr)		
			TP	TN	TSS
2018-2023 Permit Cycle			104	843	87,750
			100% Requirement (lbs/yr)		
			TP	TN	TSS
2023-2028 Permit Cycle			260	2,108	219,376
			Achieved Reductions (lbs/yr)		
Type of BMP	Project Name	Location	TP	TN	TSS
Septic to Sewer Connections	Septic to Sewer Connections	Various Locations within the MS4	0	422.5	0
Total Achieved			0	422.5	0
% of 2023 Achieved			0%	50%	0%
% of 2028 Achieved			0%	20%	0%
Remaining Needed by 2023			104	421	87,750
Remaining Needed by 2028			260	1,685	219,376

SCOPE OF SERVICES

Specific Requirements

Contractor shall submit pricing and documentation to supply Water Quality Trading (WQT) credits sufficient to meet various levels of need as described in this invitation for the County's current (2023) MS4 permit.

- A. Bidders shall be the owner or authorized representative of a nutrient bank(s) that meet all eligibility requirements and is/are/will be approved by the Virginia Department of Environmental Quality (DEQ). The nutrient bank(s) shall be active or planned to operate in compliance with applicable federal and state permits, laws, and regulations and be in good regulatory standing. If available, a letter from the DEQ authorizing the bank(s) to operate shall be included with your bid, otherwise, a copy of the submittal to DEQ must be provided.
- B. The nutrient bank(s) must be physically located within Augusta County.
- C. The nutrient bank(s) shall have submitted all required documentation to Virginia DEQ for approval as a Nutrient Credit Bank by the bid due date, December 30, 2020. Additionally, the bank must have an anticipated release for sale of the required number of perpetual nutrient credits specified herein by June 30, 2021. If available, a copy of each nutrient bank's current ledger must be provided with the bid submission as proof of the number of perpetual nutrient credits available and approved for sale by the DEQ.
- D. The nutrient bank(s) shall include with its bid submission the Bank's typical Agreement for Credit Purchase & Sale. This agreement is subject to review and approval by the County.
- E. Notwithstanding other statements in this invitation to bid, a Bid Bond is NOT required.

Augusta County, Virginia

Instruction to Bidders

The Invitation For Bids (IFB) consists of the Notice, this Instruction To Bidders, the Bid Form, the Pre-Bid Question Form, the proposed Construction Contract with General Conditions, the Special Conditions (if any), the Scope of Work as described by the Plans and Specifications, other documents listed in the Specifications including any applicable forms to be used, and any addenda which may be issued, specifically including any report from a Pre-Bid Conference, all of which request qualified Bidders to submit competitive prices or bids for providing the described work on the project.

1. CONDITIONS AT SITE OR STRUCTURE: Bidders shall visit the site and shall be responsible for ascertaining pertinent local conditions such as location, accessibility, general character of the site or building, and the character and extent of existing work within or adjacent to the site. Claims, as a result of failure to have done so, will not be considered by the County.

2. EXPLANATIONS TO BIDDERS: No oral explanation in regard to the meaning of drawings and specifications will be made and no oral instructions will be given before the award of the contract. Discrepancies, omissions or doubts as to the meaning of any IFB document, drawings or specifications shall be communicated in writing to the designated Bid Officer for interpretation. Bidders should use the "Pre-bid Question Form" provided in the bid documents. Bidders must so act to assure that questions reach the Bid Officer at least ten (10) business days prior to the time set for the receipt of bids to allow a sufficient time for an addendum to reach them before the submission of their bids. If, however, there are two (2) weeks or less between the first bid advertisement and the time set for receipt of bids, then bidders must submit questions so that they reach the Bid Officer no later than three (3) business days prior to the time set for receipt of bids. Any interpretation made will be in the form of an addendum to the IFB which will be forwarded to all Bidders, and its receipt shall be acknowledged by the Bidder on the Bid Form.

3. TIME FOR COMPLETION:

(a) The Contract Completion Date will be designated by the County in the Notice to Proceed in one of the following manners:

(1) If the County specified a mandatory Contract Completion Date in the Invitation for Bids, the date designated in the Notice to Proceed will be no later than that date, or

(2) If a mandatory Contract Completion Date was absent from the Invitation for Bids, the Contract Completion Date designated in the Notice to Proceed will be determined through the bidding process taking into account the Contractor's proposed Time for Completion.

(b) Unless otherwise specified, the Contractor shall achieve Final Completion within thirty (30) days after the date of Substantial Completion.

(c) The Contractor, in preparing and submitting his bid, is required to take into consideration normal weather conditions. Normal weather does not mean statistically average weather, but rather means a range of weather conditions which might be anticipated (*i.e.*, conditions which are not extremely unusual). Normal weather conditions shall be determined from the public historical records available for the Augusta County area, including the U.S. Department of Commerce, Local Climatological Data Sheets, Oceanic and Atmospheric Administration/Environmental Data and Information Service, National Climatic Center and the National Weather Service. No additional compensation will be paid to the Contractor because of adverse weather conditions;

however, an extension of time for abnormal weather will be considered by the County as indicated in the General Conditions.

4. PREPARATION AND SUBMISSION OF BIDS:

- (a) Bids shall be submitted on the forms furnished, or copies thereof, and shall be signed in ink. Erasures or other changes in a bid must be explained or noted over the signature of the bidder. Bids containing any conditions, omissions, unexplained erasures, alterations or items not called for in the proposal, or irregularities of any kind, may be rejected by the County as being incomplete or non-responsive.
- (b) Each bid must give the complete legal name and full business address of the Bidder and be signed by the Bidder, or the Bidder's authorized representative, with his usual signature. Bids by partnerships must be signed in the partnership name by one of the general partners of the partnership or an authorized representative, followed by the designation/title of the person signing, and a list of the partners. Bids by corporations must be signed with the legal name of the corporation followed by the name of the state in which it is incorporated and by the signature and title of the person authorized to bind it in this matter. The name of each person signing shall be typed or printed below the signature. A signature on a bid by a person who identified his title as "President," "Secretary," "Agent," or other designation without disclosing the principal firm, shall be held to be the bid of the individual signing. When requested by the County, satisfactory evidence of the authority of the officer signing on behalf of the corporation shall be furnished. Trade or fictitious names may be referenced by using "t/a _____," but bids shall be in the legal name of the person or entity submitting the bid.
- (c) Bids with the bid guarantee shall be enclosed in a sealed envelope which shall be marked and addressed as indicated by the advertisement. If a contract is for one hundred twenty thousand dollars (\$120,000) or more, or if the total value of all construction, removal, repair or improvements undertaken by the bidder within any twelve-month period is seven hundred fifty thousand dollars (\$750,000) or more, the bidder is required under Title 54.1, Chapter 11, Code of Virginia (1950), as amended, to be licensed in Virginia as a "Class A Contractor." If a contract is for seven thousand five hundred dollars (\$7,500) or more, but less than one hundred twenty thousand dollars (\$120,000), the bidder is required to be licensed in Virginia as a "Class B Contractor." Unless otherwise specified in the Notice of Invitation to Bid, a Class B contractor may bid on project. The bidder shall place on the outside of the envelope containing the bid and shall place in the bid over his signature whichever of the following notations is appropriate and insert his Contractor license/registration number:

Licensed Class ____ (A or B) Virginia Contractor No. _____

If the bidder fails to provide this information on his bid or on the envelope containing the bid and fails to promptly provide said Contractor license number to the County in writing when requested to do so before or after the opening of bids, he shall be deemed to be in violation of Section 54.1-1112 of the Code of Virginia (1950), as amended, and his bid will not be considered.

- (d) The Board for Contractors has interpreted its regulations to mean "a licensed Contractor can bid on a contract which contains work outside his license classification(s) as long as he subcontracts those items for which he is not qualified to perform to licensed contractors with the appropriate License Classification and the work of the second party is incidental to the contract." Therefore, the County may, as a part of determining whether the Bidder is "responsible," require the apparent low Bidder to submit a listing of his subcontractors along with the license number and classification or specialty of each.
- (e) The bidder must also place its Employer Identification Number (SSN or EIN) in the space provided at the bottom of the Bid Form.

5. BID GUARANTEE:

- (a) All construction bids (including the Total Base Bid plus all Additive Bid items) shall be accompanied by a Bid Bond or Certified Check payable to the County as obligee in an amount equal to five percent (5%) of the amount of the bid. A Bid Bond must be issued by a surety company which is legally authorized by the Virginia State Corporation Commission to do fidelity and surety business in the Commonwealth of Virginia. Such Bid Bond shall guarantee that the bidder will not withdraw his bid during the period of thirty (30) days following the opening of bids; that if his bid is accepted, he will enter into a formal contract with the County in accordance with the Contract included as a part of the IFB Documents; that he will submit a properly executed and authorized Standard Performance Bond and Standard Labor and Material Payment Bond acceptable in form and content to the County; and that in the event of the withdrawal of said bid within said period, or failure to enter into said contract and give said bonds within ten (10) days after he has received notice of acceptance of his bid, the bidder shall be liable to the County for the difference between the amount specified in said bid and such larger amount of which the County may contract with another party to perform the work covered by said bid, up to the amount of the bid guarantee. This amount represents the damage to the County on account of the default of the bidder in any particular hereof. See Virginia Code § 2.2-4336.
- (b) See Virginia Code § 2.2-4338 for provisions allowing alternative forms of bid security in lieu of a Bid Bond.
- (c) The Bid Bonds or other bid security will be returned to all except the three lowest bidders after the formal opening of bids. The remaining Bid Bonds or bid security will be returned to the Bidders after the County and the accepted Bidder have executed the Contract and the Performance Bond and the Payment Bond have been approved by the County.
- (d) If the required Contract and bonds have not been executed within thirty (30) days after the date of the opening of the bids, then the bond or other bid security of any Bidder will be returned upon his request, provided he has not been notified of the acceptance of his bid prior to the date of such request.

6. MODIFICATION OF BIDS: A bidder may withdraw or modify their bid provided that the designated officer or agency of the county has received written notice prior to the deadline fixed for bid receipt. The withdrawal or modification must be signed again by the authorized representative of the contractor making the modification or withdrawal. Written modification may be made by a revised sealed bid form, by a writing on the envelope, or by a separate document. The modification should state specifically what is to be modified and by what amount or state the item to be modified and what the correct amount should be. **Unless otherwise specified by the Bidder, the modification will be applied to the TOTAL BASE BID amount shown on the Bid Form.** In order to maintain the integrity of the sealed bidding process, modifications should be phrased as increases or decreases in the total bid (i.e. minus \$5000); they should not state a new total base bid. **The County will not accept bid withdrawals or modifications by telegram, facsimile, or email.**

7. RECEIPT OF BIDS:

- (a) Bids will be received at or before the date and the hour and at the place stipulated in the Invitation for Bids as may be modified by subsequent Addenda.
- (b) It is the responsibility of the Bidder to assure that his bid and any bid modifications are delivered to the place designated for receipt of bids by the date and hour (deadline) set for receipt of bids. Therefore, it is the Bidder's responsibility to take into account all factors which may impact on its bid deliverer/courier's ability to deliver the bid and to implement whatever actions are necessary to have the bid delivered to the proper bid receipt location prior to the bid receipt deadline. No

bids or bid modifications submitted or offered after the date and hour designated for receipt of bids will be accepted or considered. **Again, the County will not accept any bid, bid withdrawal, or bid modification by telegram, facsimile, or email.**

- (c) The Bid Officer is the County's representative designated to receive bids at the time and place noted in the IFB and to open the bids received at the appointed time.
- (d) **The official time used for the receipt of responses is determined by reference to the clock designated by the Bid Officer.** The Bid Officer shall determine when the Bid Receipt Deadline has arrived and shall announce that the Deadline has arrived and that no further bids or bid modifications will be accepted. All bids and bid modifications in the possession of the Bid Officer and his assistants at the time the announcement is completed are deemed to be timely, whether or not the bid envelope has been physically date/time stamped or otherwise marked by the time the Bid Officer makes the deadline announcement.

8. OPENING OF BIDS:

- (a) Bids will be opened at the time and place stated in the Invitation for Bids or as modified by subsequent Addenda, and their contents publicly announced. The Bid Officer shall decide when the specified time for bid opening has arrived. No responsibility will be attached to any officer or agent for the premature opening of a bid not properly addressed and identified.
- (b) The provisions of § 2.2-4342 of the Code of Virginia (1950), as amended, shall be applicable to the inspections of bids received.

9. ERRORS IN BIDS: A Bidder may withdraw his bid from consideration if the price bid was substantially lower than the other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or an unintentional omission of a quantity of work, labor or material made directly in the compilation of a bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection or original work papers, documents and materials used in the preparation of the bid sought to be withdrawn.

County policy requires that bidders for public construction contracts be given an opportunity to withdraw their bids due to error. The withdrawal procedure outlined below will be utilized:

Withdrawal procedure: the Bidder shall give notice in writing of his claim of right to withdraw his bid within two (2) business days after the conclusion of the bid opening procedure and shall submit original work papers, documents, and materials used in the preparation of the bid with such notice. The contract shall not be awarded until the two (2) working day period has lapsed.

The delivery of a Bidder's original work papers, documents, and other materials used in preparation of the bid must be submitted either in person or by registered mail. The County will treat the materials as trade secrets or proprietary information subject to the conditions of subsection F of Virginia Code § 2.2-4342.

No bid shall be withdrawn under this section when the result would be the awarding of the contract to another bid of the same Bidder or of another Bidder in which the ownership of the withdrawing bidder is more than five (5) percent.

No Bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor to or perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.

If a bid is successfully withdrawn, the lowest remaining bid shall be deemed to be the lowest bid. However, the County may deny the withdrawal of a bid subsequent to Virginia Code § 2.2-4330. The County must notify the Bidder in writing of its decision stating its reasons and award the contract to such Bidder at the bid price, provided that such Bidder is responsible and responsive.

10. REJECTION OF BIDS: The County reserves the right to cancel the Invitation to Bid and to reject all bids at its sole discretion when such rejection is in the interest of the County, or to reject the bid of any Bidder who is determined to be not responsive or responsible. A statement justifying the decision to reject all bids will be placed in the procurement file.

11. DETERMINATION OF RESPONSIBILITY: Each bidder shall be prepared, if so requested by the County, to present evidence of his experience, qualifications and financial ability to carry out the terms of the Contract.

Prior to award of the Contract, an evaluation will be made to determine if the low Bidder has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance, and who has been pre-qualified, if required. Factors to be evaluated include, but are not limited to:

- (a) sufficient financial ability to perform the contract as evidenced by the bidder's ability to obtain payment and performance bonds from an acceptable surety;
- (b) appropriate experience to perform the Work described in the bid documents;
- (c) any judgments entered against the bidder, or any officers, directors, partners or owners for breach of a contract for construction;
- (d) any substantial noncompliance with the terms and conditions of prior construction contracts with a public body without good cause where the substantial noncompliance is documented;
- (e) a conviction of the bidder or any officer, director, partner, project manager, procurement manager, chief financial officer, or owner in the last five years of a crime relating to governmental or non-governmental construction or contracting; or
- (f) any current debarment of the contractor, any officer, director or owner, from bidding or contracting by any public body of any state, any state agency, or any agency of the federal government.

The County reserves the right to disqualify or refuse to accept the bid of any Bidder who has been convicted, or entered a plea of guilty or *nolo contendere*, in any federal or state court to any charge involving any unlawful, corrupt or collusive practice involving a public contract whether federal, state or local, or who has been determined in any judicial proceeding to have violated any antitrust, bid-rigging or collusive practice statute in connection with any public contract, or against whom such formal criminal prosecution or other judicial proceeding has been instituted.

A Bidder who, despite being the apparent low Bidder, is determined not to be a responsible bidder shall be notified in writing in conformance with the procedures in section 2.2-4359 of the Code of Virginia (1950), as amended.

12. AWARD OF CONTRACT:

- (a) **Basis for Contract Award:** The Contract, if awarded, will be awarded to the lowest responsive and responsible Bidder, if any, provided his bid is reasonable and it is in the best interest of the County to accept it and subject to the County's right to reject any and all bids and to waive informality in the bids and in the bidding. The Bid Form may contain a multi-part Base Bid and may contain Additive Bid Items. Determination of the lowest responsive Bidder, if any, will be based on the Total Base Bid Amount **entered on the Bid Form** including any properly submitted

bid modifications plus as many Additive Bid Items taken in sequence as the County in its discretion chooses to award. **Where the sum of the values entered in the multiple parts do not agree with the Total Base Bid amount, the Total Base Bid amount entered on the bid form, including any properly submitted bid modifications, shall take precedence. Also, where there is a discrepancy between the total base bid in its written format and the total base bid in its numeric format, the written format shall prevail.**

- (b) **Lowest Bidder:** The lowest bidder is normally the bid that guarantees the performance of the contract requirements for the least dollar amount within a reasonable amount of time. However, the County may take into account variations in the bids' times for completion by considering the possibility of either a positive or negative fiscal impact. In their discretion, the County may perform a cost-savings analysis taking into account potential profits from use, savings on other expenses, and any other financial benefits that may derive from an earlier completion date. If after such analysis a bid with a greater Total Base Bid and earlier completion date is determined to actually be the lowest bidder, that bidder will be awarded the contract.

Requested pricing is based on Phosphorous (lb/yr), however the county will also take into consideration the accompanying quantities of Nitrogen (lb/yr) and Total Suspended Solids (lb/yr) credits in determining the lowest bidder. Augusta County's reduction requirements are listed in this invitation to bid. If a bidder proposes to add additional quantities of Nitrogen and/or TSS credits above those that normally accompany their Phosphorous credits for any option, these should be listed in the bid table for that option and included in the total base bid.

- (c) **Informalities:** The County reserves the right to waive any informality in the bids when such waiver is in the interest of the County.
- (d) **Negotiation With Lowest Responsible Bidder:** If award of a contract to the lowest responsive and responsible Bidder is precluded because of limitations on available funds, under the provisions of Virginia Code § 2.2-4318 (the Public Procurement Act), the County reserves the right to negotiate the Total Base Bid amount with the lowest responsive, responsible Bidder to obtain a contract price within the available funds. This may involve changes in either the features or scope of the work included in the Base Bid. Such negotiations with the apparent low Bidder may include reducing the quantity, quality, or other cost saving mechanisms involving items in the Total Base Bid. Negotiations for Additive Bid Items are excluded. The County shall notify the lowest responsive and responsible Bidder that such a situation exists and the County and Bidder shall then conduct their negotiations in person, by mail, by telephone or by any means they find convenient. If an acceptable contract can be negotiated, the changes to the Invitation for Bid documents agreed upon in the negotiations shall be summarized in a "Post Bid Modification" and included in the contract. If an acceptable contract cannot be negotiated, the County shall terminate negotiations and reject all bids.
- (e) **Notice of Award:** The Notice of Award, the Notice of Intent to Award, or the Notice of Decision to Award will be posted at the County's standard location for posting notices. In addition the County may also post such notice on the County's website.

13. ETHICS IN PUBLIC CONTRACTING: The provisions, requirements and prohibitions as contained in § 2.2-4367 *et seq.* Code of Virginia (1950), as amended, pertaining to bidders, offerers, contractors, and subcontractors are applicable to this project.

14. PRE-BID CONFERENCE: A pre-bid conference will not be held. Should any potential bidders have questions, they may submit them to Elana Sorrell using the Pre-Bid Question Form found at the end of this invitation. Forms may be submitted by emailing esorrell@co.augusta.va.us. In the event specific information not contained in this Invitation for Bids is provided to any bidder, the same specific information will be provided to any other bidders who have indicated interest in the contract with the County.

Augusta County, Virginia

Bid Form

Project Title: DELIVERY OF NUTRIENT AND SEDIMENT CREDITS

IFB # 81010-20-03

Qualification of Bidders:

Under Virginia law, all bidders must prove their eligibility to perform and / or satisfy the requirements of this contract before bidding. To this end, all bidders must be properly licensed or certified and have not been debarred.

License or Certificate Number: Not Applicable for this solicitation

Note: This should also appear on the outside of your sealed bid.

Bidders must also have the capability in all respects to fully satisfy all of the contractual requirements.

Bidder's Proposal:

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the County in the form included in the Invitation to Bid to perform all work as specified or indicated for the prices and within the time indicated in this Bid and in accordance with the terms and conditions of the Invitation to Bid.

Bidder accepts all of the terms and conditions of the Invitation to Bid including the Instructions to Bidders. Specifically, the Bidder accepts without limitation those terms and conditions dealing with the disposition of Bid Security. The Bid will remain subject to acceptance for 180 (one hundred eighty) days after the Bid opening, or for such longer period of time that the Bidder may agree to in writing upon request of the County.

Bidder's representations:

In submitting this Bid, Bidder represents, as set forth in the Invitation for Bids, that:

- A. Bidder has examined and carefully studied all documents contained in the Invitation to Bid and the following addenda, receipt of which is hereby acknowledged.

- B. Bidder has visited the site and become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, and performance of the work.
- C. Bidder is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the work.
- D. Bidder has carefully studied all applicable explorations and tests including, but not limited to, subsurface and / or hazardous environmental conditions.
- E. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the work at the price bid.
- F. Bidder is aware of the general nature of work to be performed by the County and others at the site that relates to the work.

- G. Bidder has given the County written notice of all conflicts, errors, ambiguities, or discrepancies that the Bidder has discovered in the Invitation to Bid and subsequent addendum, and the written resolution thereof by the County is acceptable.
- H. The Invitation for Bids and subsequent addendum are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the work for which this Bid is submitted.

Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over the County.

Bids shall be **LUMP SUM** and shall include **ALL COSTS** necessary to deliver the nutrient credits requested. **In the event of additions or deductions** to the work required by the Contract Documents, the Contractor will be paid extra or shall credit the Owner, as the case may be, on the basis of the unit prices quoted herein within the listed range of credits for each Option. Prices shall include all overhead, profit, labor, materials, equipment and incidental work and shall be the sum total compensation payable or creditable for such items of work in place.

Bid provides **four options**. Bidders may submit pricing in any or all of the four options. Unit pricing will be valid for any amount of credits purchased within the listed range for that option. Augusta County reserves the right to reject an individual unit price included herein. These unit prices shall be good for the duration of the contract.

TOTAL BASE BID OPTION 1 – > 75% to 100% of 2023 Requirement (> 78-104 lb/yr): (MUST BE IN NUMERIC AND WRITTEN FORMAT) \$ _____ (NUMERIC)

_____dollars (WRITTEN)
 This blank is your definite bid. Failure to correctly complete this blank will not be considered an informality under any circumstances. The written entry will take precedence over the numeric entry.

Option 1 > 75% to 100% of 2023 Requirement (> 78-104 lb/yr)

Bank Name	Number of Credits (P/N/S)	Unit Price (P as base unit)	Unit of Measure	Extended Price	Proposed Date of Delivery
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
Total				\$	

Firm Name and Address:

 _____ Telephone () _____
 _____ Fax () _____

Signature: _____ Date: _____

Type/Print: _____

Title: _____ EIN#: _____

Email: _____

TOTAL BASE BID OPTION 2 – > 50% to 75% of 2023 Requirement (> 52 to 78 lb/yr): (MUST BE IN NUMERIC AND WRITTEN FORMAT) \$ _____ (NUMERIC)

_____ dollars (WRITTEN)
 This blank is your definite bid. Failure to correctly complete this blank will not be considered an informality under any circumstances. The written entry will take precedence over the numeric entry.

Option 2 > 50% to 75% of 2023 Requirement (> 52 to 78 lb/yr)

Bank Name	Number of Credits (P/N/S)	Unit Price (P as base unit)	Unit of Measure	Extended Price	Proposed Date of Delivery
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
Total				\$	

Firm Name and Address:

Telephone () _____

Fax () _____

Signature: _____

Date: _____

Type/Print: _____

Title: _____

EIN#: _____

Email: _____

TOTAL BASE BID OPTION 3 – > 25% to 50% of 2023 Requirement (>26 to 52 lb/yr): (MUST BE IN NUMERIC AND WRITTEN FORMAT) \$ _____ (NUMERIC)

_____ dollars (WRITTEN)

This blank is your definite bid. Failure to correctly complete this blank will not be considered an informality under any circumstances. The written entry will take precedence over the numeric entry.

Option 3 > 25% to 50% of 2023 Requirement (> 25 to 52 lb/yr)

Bank Name	Number of Credits (P/N/S)	Unit Price (P as base unit)	Unit of Measure	Extended Price	Proposed Date of Delivery
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
Total				\$	

Firm Name and Address:

 _____ Telephone () _____
 _____ Fax () _____

Signature: _____ Date: _____

Type/Print: _____

Title: _____ EIN#: _____

Email: _____

TOTAL BASE BID OPTION 4 - 25% of 2023 Requirement (26 lb/yr): (MUST BE IN NUMERIC AND WRITTEN FORMAT) \$ _____ (NUMERIC)

_____ dollars (WRITTEN)

This blank is your definite bid. Failure to correctly complete this blank will not be considered an informality under any circumstances. The written entry will take precedence over the numeric entry.

Option 4 25% of 2023 Requirement (26 lb/yr) (This is the minimum quantity that will be considered)

Bank Name	Number of Credits (P/N/S)	Unit Price (P as base unit)	Unit of Measure	Extended Price	Proposed Date of Delivery
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
		\$	/lb/yr	\$	
Total				\$	

Firm Name and Address:

 _____ Telephone () _____
 _____ Fax () _____

Signature: _____ Date: _____

Type/Print: _____

Title: _____ EIN#: _____

Email: _____

Augusta County, Virginia

Pre-Bid Question Form

Project Title: DELIVERY OF NUTRIENT AND SEDIMENT CREDITS

IFB: # 81010-20-03

The undersigned potential Bidder would like to request a written clarification, interpretation, or explanation to the following question or question(s):

Please note that all questions should be directed to the Bid Officer designated on the Notice of Invitation to Bid and should be received at least six (6) business days prior to the time set for the receipt of bids to allow for sufficient time for an addendum to reach all Bidders. If there are two (2) weeks or less between the issuance of the Invitation to Bid and the time set for receipt of bids, then Bidders may continue to submit questions up until three (3) business days prior to the time set for receipt of bids.

The County will endeavor to respond to all inquiries in the timeliest manner possible. However, if in their discretion they determine the inquiry to be inappropriate for any reason, the County may refuse to respond. Multiple inquiries of substantially the same question may be answered in one addendum.

Firm Name and Address:

_____	Telephone (____) _____
_____	Fax (____) _____
_____	Email _____

Signature: _____

Date: _____

Title: _____