



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
DIVISION OF PURCHASES  
One Capitol Hill  
Providence, RI 02908-5855

Tel: (401) 574-8100  
Fax: (401) 574-8387  
Website: www.purchasing.ri.gov

Project: Competitive negotiations pursuant to R.I. Gen Laws § 37-2-20(a)  
RFQ # 7465364  
Fire Code Upgrades –Fine Arts Building – Phase 2  
University of Rhode Island, Kingston Campus

**BID CLOSING DATE AND TIME: Wednesday, August 14, 2013 at 11:00 AM (ET)**

Date: August 6, 2013

To: Department of Administration  
Division of Purchases  
One Capitol Hill  
Providence, RI 02908

Submitted by: Tower Construction Corp.  
(include address,  
tel. & FAX nos., 2158 Plainfield Pike  
and license no.  
if applicable) Cranston, RI 02921 401-943-0110 (ph) 401-944-4041 (fax)

Pursuant to R.I. Gen. Laws § 37-2-20 the Division of Purchases solicits a best and final offer for the above referenced public works project on behalf of the University of Rhode Island in accordance with the plans and specifications dated February 22, 2011.

Sealed proposals must be submitted on the Rhode Island bid solicitation forms provided. A complete, signed (in ink) offer package must be delivered to the Division of Purchases (via any mail or messenger service) at One Capitol Hill 2<sup>nd</sup> Floor, Providence, RI 02908-5855 on or before the time and date specified for the opening responses. At that time they will be opened and publicly read aloud.

Documents misdirected to other State locations or which are not submitted to the Division of Purchases at the time of opening for any reason shall be deemed to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the Division of Purchases. Postmarks shall not be considered proof of timely submission.

**1.1 BASE BID / BEST AND FINAL:**

Having examined the place of the work and all matters referred to in the bid documents and in the contract documents prepared by Hughes Associates, Inc, and their consultants for the above referenced project, and in accordance with the plans, specifications and documents of RFQ #7465364, we the undersigned, hereby offer to enter into a contract to perform the base bid work for the sum of:

Two Million One Hundred Thirty-Four Thousand Dollars and Zero Cents  
 (written, and (\$ ~~2,134,000.00~~  
numerically))

- We have included the specified allowance from Section 01201 in Division 1 of the Specifications in the above Base Bid sum as follows:

a)	Room Signage Allowance	\$ 10,000
b)	Additional Doors, Frames, Hardware, Drywall Allowance	\$ 20,000
c)	Additional Electrical Allowance	\$ 15,000
d)	Additional Mechanical Allowance	\$ 15,000
e)	Additional Fire Alarm Allowance	\$ 10,000
f)	Additional Fire Sprinkler Allowance	\$ 15,000
g)	Asbestos Abatement Allowance	\$ 25,000
h)	<u>Access Panel Installation Allowance</u>	<u>\$ 5,000</u>

Total Allowances \$115,000

- We have included the required bid security in the above base bid sum. We have included 100% payment and performance bonds in the above base bid sum.
- We have included the complete written Base Bid and the additional "public copy" as required by R.I. Gen. Laws § 37-2-18 and Procurement Regulation 5.11. (See attached)

**1.2 REQUESTS FOR INFORMATION (RFI's) OR CLARIFICATION**

Previous requests for information or clarification and their responses relative to RFQ # 7465364 are effective for this BEST AND FINAL solicitation. No further RFI's or clarification will be afforded with this solicitation.

**1.3 ACCEPTANCE**

This offer shall be open to acceptance and is irrevocable for sixty days from the bid closing date. If this bid is accepted by the Division of Purchases within the time period stated above, we will:

- Proceed under the Agreement, subject to compliance with required State regulatory agency approvals as described in the Bid Documents.

- Furnish the required bonds in compliance with amended provisions of the Instructions to Bidders.
- Commence work within seven days after receipt of a Purchase Order from URI Purchasing.

If this bid is accepted within the time stated, and we fail to commence the work, or we fail to provide the required bonds, the bid surety shall be forfeited to the Owner by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.

In the event our bid is not accepted within the time stated above, the required bid surety shall be returned to the undersigned, in accordance with the provisions of the Instructions to Bidders; unless a mutually satisfactory arrangement is made for its retention and validity for an extended period of time.

**1.4 CONTRACT TIME**

If this Bid is accepted, we will achieve Substantial Completion of the Work by December 31, 2013. We have included all premium time or additional staffing required to accommodate this schedule.

**1.5 LIQUIDATED DAMAGES**

Time is of the Essence: If we fail to achieve certification of Substantial Completion at the expiration of the agreed upon Contract Time indicated above, we acknowledge that we will be assessed Liquidated Damages for each calendar day the project continues to be in default of Substantial Completion, as follows:

**\$ 1,000.00 per calendar day.**

**1.6 REQUIREMENT FOR LICENSE NUMBER**

License numbers provided with the initial offering have been retained.

**1.7 ADDENDA**

Acceptance and acknowledgement of previously issued Addenda's with the initial offering have been retained.

**1.8 BID FORM SIGNATURE(S)**

Tower Construction Corp.  
 (Bidder / Vendor name)

By: 

Title: President

**END OF DOCUMENT**

# THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

## Bid Bond

**KNOW ALL MEN BY THESE PRESENTS**, that we **TOWER CONSTRUCTION CORP.**

2158 PLAINFIELD PIKE CRANSTON, RI 02921

(Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and

**NORTH AMERICAN SPECIALTY INSURANCE COMPANY**

650 ELM STREET MANCHESTER, NH 03101

a corporation duly organized under the laws of the State of **NEW HAMPSHIRE**

as Surety, hereinafter called the Surety, are held and firmly bound unto

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ONE CAPITOL HILL,  
PROVIDENCE, RI 02908**

(Here insert full name and address or legal title of Owner)

as Obligee, hereinafter called the Obligee, in the sum of **Five Percent of Amount Bid Dollars (\$5% )** for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

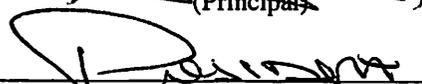
WHEREAS, the Principal has submitted a bid for **Fire Codes Upgrades, Fine Arts Building URI,  
Kingston Campus**

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid then this obligation shall be null and void, otherwise to remain in full force and effect.

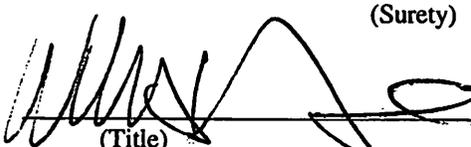
Signed and sealed this **14th** day of **August, 2013**.

  
\_\_\_\_\_  
(Witness)

**TOWER CONSTRUCTION CORP.**  
  
\_\_\_\_\_  
(Principal) (Seal)  
  
\_\_\_\_\_  
(Title)

  
\_\_\_\_\_  
(Witness)

**NORTH AMERICAN SPECIALTY INSURANCE  
COMPANY**

\_\_\_\_\_  
(Surety) (Seal)  
  
\_\_\_\_\_  
(Title)  
William F. Hertel, ATTORNEY-IN-FACT

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY  
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

WILLIAM F. HERTEL, JOSEPH A. SERVANT,

JAMES L. MASTORS and SHELLY L. ANDRADE

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9<sup>th</sup> of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature]  
Steven P. Anderson, Senior Vice President of Washington International Insurance Company  
& Senior Vice President of North American Specialty Insurance Company



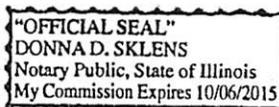
By [Signature]  
David M. Layman, Vice President of Washington International Insurance Company  
& Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 26<sup>th</sup> day of June, 2012.

North American Specialty Insurance Company  
Washington International Insurance Company

State of Illinois  
County of Cook ss:

On this 26<sup>th</sup> day of June, 2012, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature]  
Donna D. Sklens, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 14<sup>th</sup> day of August, 2013.

[Signature]  
Jeffrey Goldberg, Vice President & Assistant Secretary of  
Washington International Insurance Company & North American Specialty Insurance Company