

State of Rhode Island and Providence Plantations
Department of Administration
Division of Purchases

RIVIP BIDDER CERTIFICATION COVER FORM

SECTION 1 - BIDDER INFORMATION

Bidder must be registered as a vendor on the RIVIP system at www.purchasing.ri.gov to submit a bid proposal.

Solicitation Number: 7549248A2
Solicitation Title: PRIMARY ELECTRICAL SERVICE UPGRADES - RI COLLEGE - ADDENDUM 2 (1 PG & ZIP FILE)
Bid Proposal Submission Deadline Date & Time: 2/20/2015 11:00 AM
RIVIP Vendor ID #: 9950
Bidder Name: Commercial Electric, Inc.
Address: 491 Waterman Avenue
East Providence , RI 02914
USA
Telephone: (401) 438-0707
Fax: 401 438-0709
Contact Name: Roy Dailey
Contact Title: Vice President
Contact Email: ROY@COMMERCIALELECTRICINC.COM

SECTION 2 —DISCLOSURES

Bidders must respond to every statement. Bid proposals submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No) for Disclosures 1-3, and if "Yes," provide details below. Complete Disclosure 4.

- N 1. State whether the Bidder, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Bidder or any parent, subsidiary, or affiliate has been subject to suspension or debarment by any federal, state, or municipal governmental authority, or the subject of criminal prosecution, or convicted of a criminal offense within the previous 5 years. If "Yes," provide details below.
- N 2. State whether the Bidder, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Bidder or any parent, subsidiary, or affiliate has had any contracts with a federal, state, or municipal governmental authority terminated for any reason within the previous 5 years. If "Yes," provide details below.
- N 3. State whether the Bidder, or any officer, director, manager, stockholder, member, partner, or other owner or principal of the Bidder or any parent, subsidiary, or affiliate has been fined more than \$5000 for violation(s) of any Rhode Island environmental law(s) by the Rhode Island Department of Environmental Management within the previous 5 years. If "Yes," provide details below.
4. List each officer, director, manager, stockholder, member, partner, or other owner or principal of the Bidder, and each intermediate parent company and the ultimate parent company of the Bidder. For each individual, provide his or her name, business address,

principal occupation, position with the Bidder, and the percentage of ownership, if any, he or she holds in the Bidder, and each intermediate parent company and the ultimate parent company of the Bidder.

Disclosure details (continue on additional sheet if necessary):

Frank J. Bianco, 491 Waterman Avenue, East Providence, RI 02914, President
LeRoy F.A. Dailey Jr., 491 Waterman Avenue, East Providence, RI 02914, Vice President

SECTION 3 —CERTIFICATIONS

Bidders must respond to every statement. Bid proposals submitted without a complete response may be deemed nonresponsive.

Indicate "Y" (Yes) or "N" (No), and if "No," provide details below.

THE BIDDER CERTIFIES THAT:

- Y 1. The Bidder will immediately disclose, in writing, to the State Purchasing Agent any potential conflict of interest which may occur during the term of any contract awarded pursuant to this solicitation.
- Y 2. The Bidder possesses all licenses and anyone who will perform any work will possess all licenses required by applicable federal, state, and local law necessary to perform the requirements of any contract awarded pursuant to this solicitation and will maintain all required licenses during the term of any contract awarded pursuant to this solicitation. In the event that any required license shall lapse or be restricted or suspended, the Bidder shall immediately notify the State Purchasing Agent in writing.
- Y 3. The Bidder will maintain all required insurance during the term of any contract pursuant to this solicitation. In the event that any required insurance shall lapse or be canceled, the Bidder will immediately notify the State Purchasing Agent in writing.
- Y 4. The Bidder understands that falsification of any information in this bid proposal or failure to notify the State Purchasing Agent of any changes in any disclosures or certifications in this Bidder Certification may be grounds for suspension, debarment, and/or prosecution for fraud.
- Y 5. The Bidder has not paid and will not pay any bonus, commission, fee, gratuity, or other remuneration to any employee or official of the State of Rhode Island or any subdivision of the State of Rhode Island or other governmental authority for the purpose of obtaining an award of a contract pursuant to this solicitation. The Bidder further certifies that no bonus, commission, fee, gratuity, or other remuneration has been or will be received from any third party or paid to any third party contingent on the award of a contract pursuant to this solicitation.
- Y 6. This bid proposal is not a collusive bid proposal. Neither the Bidder, nor any of its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents has in any way colluded, conspired, or agreed, directly or indirectly, with any other bidder or person to submit a collusive bid proposal in response to the solicitation or to refrain from submitting a bid proposal in response to the solicitation, or has in any manner, directly or indirectly, sought by agreement or collusion or other communication with any other bidder or person to fix the price or prices in the bid proposal or the bid proposal of any other bidder, or to fix any overhead, profit, or cost component of the bid price in the bid proposal or the bid proposal of any other bidder, or to secure through any collusion, conspiracy, or unlawful agreement any advantage against the State of Rhode Island or any person with an interest in the contract awarded pursuant to this solicitation. The bid price in the bid proposal is fair and proper and is not tainted by any collusion, conspiracy, or unlawful agreement on the part of the Bidder, its owners, stockholders, members, partners, principals, directors, managers, officers, employees, or agents.
- Y 7. The Bidder: (i) is not identified on the General Treasurer's list created pursuant to R.I. Gen. Laws § 37-2.5-3 as a person or entity engaging in investment activities in Iran described in § 37-2.5-2(b); and (ii) is not engaging in any such investment activities in Iran.
- Y 8. The Bidder will comply with all of the laws that are incorporated into and/or applicable to any contract with the State of Rhode Island.

Certification details (continue on additional sheet if necessary):

DOCUMENT 00410 - BID FORM

Date: February 3, 2015

To: Rhode Island College
Purchasing Office
600 Mount Pleasant Avenue
Providence, RI 02908-1991

Project: Primary Electrical Service Upgrades - Phase 3
Rhode Island College, Providence, Rhode Island

Submitted by: Commercial Electric, Inc., 491 Waterman Avenue, East Providence, RI 02914
(include address, tel. & FAX nos., and license no. if applicable)
Tel: 401 438-0707; Fax: 401 438-0709

Licenses: General Contracting: 17124A; Electrical: AC-3043

1. BID

Having examined the Place of The Work and all matters referred to in the Bid Documents and in the Contract Documents prepared by RDK Engineers for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform the Work for the Sum of:

One Million, Two Hundred Fourteen Thousand, Eight Hundred Forty Dollars (\$ 1,214,840.00)
(written, and numerically)

- We have included the specified Allowances from Section 01200 in Division 1 of the Specifications in the above Bid sum as follows:

Verizon Utility Back Charges	\$80,000.00	_____
Providence Fire Back Charges	\$10,000.00	_____
Site Civil Allowances	\$35,000.00	_____
Total Allowances	\$125,000.00	_____

- We have included the required Bid security in the above Bid Sum. We have included 100% Payment and Performance Bonds in the above Bid Sum.
- We have included the original Bid and required additional "public copy" if required by Document 00210 – Supplemental Instructions to Bidders.

2. ALTERNATES

We propose to modify the above Bid Sum by the following amount(s) as identified by (a) numbered Alternative(s) specified in Section 01200 of the Specifications, and as may be selected by the Owner:

Add Alternate No.1 - Daily Cover Soil Removal

Add: Two Thousand Eight Hundred Dollars (\$ 2,800.00)

Add Alternate No.2 - Waste Soil Removal

Add: Five Thousand Forty Dollars (\$ 5,040.00)

Add Alternate No.3 - Hazardous Soil Removal

Add: Six Thousand One Hundred Sixty Dollars (\$ 6,160.00)

Add Alternate No.4 - Directional Drilling

Add: Thirty Thousand Dollars (\$ 30,000.00)

3. UNIT PRICES

Per Section 01200, provide unit prices/SF or each as noted for the following items:

Cutting and Disposing Isolated Trees	EACH	<u>(\$ 1,120.00/EA)</u>
Portland Cement Concrete Sidewalk	SY	<u>(\$ 66.00/SY)</u>
Bituminous Sidewalk	SY	<u>(\$ 50.00/SY)</u>
Bituminous Curbing	LF	<u>(\$ 10.00/LF)</u>
Remove and Reset Precast Concrete Curb	LF	<u>(\$ 11.00/LF)</u>
Remove and Reset Modular Block Wall	SF	<u>(\$ 34.00/SF)</u>
Test Pit	EA	<u>(\$ 1,120.00/EA)</u>
Loam and Seed	SY	<u>(\$ 11.00/SY)</u>
Sawcut	SF	<u>(\$ 2.25/SF)</u>
Permanent Pavement Restoration	SY	<u>(\$ 168.00/SY)</u>
Bituminous Berm	LF	<u>(\$ 10.00/LF)</u>
Bituminous Curb	LF	<u>(\$ 10.00/LF)</u>
Rock Removal (Trench)	CY	<u>(\$ 336.00/CF)</u>
Loading, transportation & disposal of soil as daily cover at RIRRC or other landfill/disposal facility		<u>(\$ 28.00 /Ton)</u>
Loading, transportation, & disposal of soil as solid waste soil at RIRRC or other landfill/disposal facility		<u>(\$ 50.00 /Ton)</u>
Loading, transportation, and disposal of soil as hazardous waste soil		<u>(\$ 62.00 /Ton)</u>

Electrical:

Furnish and install one (1) manhole (Type "EM").	<u>(\$ 7,500.00 /EA)</u>
Furnish and install one (1) handhole (Type "EH").	<u>(\$ 1,200.00 /EA)</u>
Furnish and install one (1) handhole (Type "HH").	<u>(\$ 500.00 /EA)</u>
Furnish and install one (1) 10 LF of each ductbank section with accessories (including cable).	See Attached Supplement Sheet (<u>\$/EA</u>)
Furnish and install one (1) pole and associated site lighting.	<u>(\$ 7,500.00 /EA)</u>

4. 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 Owner 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 RIC 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 security deposit 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 security deposit 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.

5. CONTRACT TIME

If this bid is accepted, Substantial Completion of the Work shall be achieved no later than August 10, 2015. We have included all premium time or additional staffing required to accommodate this schedule.

6. 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.

7. REQUIREMENT FOR LICENSE NUMBER

In compliance with the requirements of Rhode Island General Law, Section 5-65-23, my Rhode Island license number for the work to be performed by this firm as prime contractor is:

LICENSE NUMBER: AC-3043

8. BID FORM SIGNATURE(S)



(Bidder's name)

By: LeRoy Dailey

Title: Vice President

Corporate Seal:

END OF DOCUMENT

Commercial Electric, Inc.

491 Waterman Avenue
East Providence, Rhode Island 02914

Phone 401 438-0707

Fax 401 438-0709

February 20, 2015

State of Rhode Island
1 Capitol Hill
Providence, RI 02903
RE: Bid 7549248

Supplemental to Bid Form, Paragraph 3, Unit Prices, Electrical, Duct Bank Section

<u>Ductbank Type</u>	<u>Cost per Foot</u>	<u>Ductbank Type</u>	<u>Cost per Foot</u>
A-A	\$ 963.00	L-L	\$ 831.00
B-B	\$ 809.00	M-M	\$ 1,223.00
C-C	\$ 887.00	N-N	\$ 820.00
D-D	\$ 831.00	O-O	\$ 965.00
E-E	\$ 1,010.00	P-P	\$ 853.00
F-F	\$ 1,201.00	Q-Q	\$ 932.00
G-G	\$ 1,145.00	R-R	\$ 1,122.00
H-H	\$ 876.00	S-S	\$ 1,055.00
I-I	\$ 641.00	T-T	\$ 1,212.00
J-J	\$ 708.00	U-U	\$ 988.00
K-K	\$ 1,198.00		


LeRoy Dailey
Vice President
Commercial Electric, Inc.

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we **COMMERCIAL ELECTRIC, INC.** of **491 Waterman Avenue East Providence, Rhode Island** as Principal, hereinafter called the Principal, and **North American Specialty Insurance Company** 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 **DOA, State of Rhode Island**

as Obligee, hereinafter called the Obligee, in the sum of **Five Percent of the Amount of the Attached Bid**

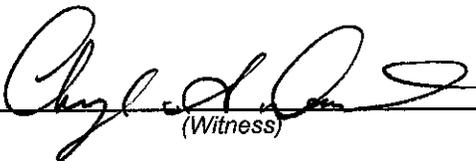
Dollars (**\$ 5% of Bid**),

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 **Primary Electrical Services Upgrade Phase III**
Project Number: 7549248

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.

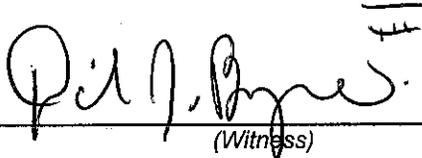
Signed and sealed this **6th** day of **February, 2015**



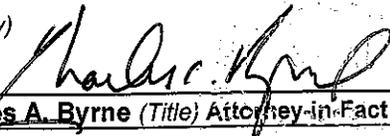
(Witness)

COMMERCIAL ELECTRIC, INC.
(Principal) (Seal)
By: 

(Title)



(Witness)

North American Specialty Insurance Company
(Surety) (Seal)
By: 

Charles A. Byrne (Title) 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:

DAVID J. BYRNE, III, CHARLES A. BYRNE,

and DENISE CHIANESE

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 9th 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 10th day of March, 2014.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook ss:

On this 10th day of March, 2014, 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 6th day of February, 2015.

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