SUPPLEMENTAL INSTRUCTIONS TO BIDDERS

These conditions are a supplement to the HUD 5369 Instructions to Bidders and provides information to help clarify articles of that document. Any articles or paragraphs not specifically mentioned shall remain as printed in HUD 5369 without change.

1. Add to Paragraph 1, subparagraph i:

   i. The bid documents required for the complete bid all consist of the following (all shall be signed originals):

      1. Form of Bid
      2. Bid Guaranty
      3. Non Collusive Affidavit
      4. HUD Form 2530
      5. HUD 5369A

2. Add to paragraph 3 subparagraph b) 1.:

   b) 1. Bidders shall indicate receipt of addendum on Bid Form. No other acknowledgment is required.

3. Add to paragraph 5, subparagraph h:

   h. No bid shall be withdrawn for a time period of ninety (90) calendar days from the bid openings. The foregoing limitation upon withdrawal of bids prior to opening shall be subject to the right of withdrawal of a bid made in error as provided by Section 9.31, Ohio Revised Code, to the extent that such statutory provision is applicable.

4. Add to paragraph 7, subparagraph (b) Phyllis G. Hitte
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5. Add to paragraph 9, subparagraph a and b:

   a. All bid bonds shall be issued by Surety Companies licensed to issue bonds in the State of Ohio and listed in Federal Register Circular #570. The current power of attorney for the person who signs for any Surety Company shall be attached to such bid bond.

   b. The BMHA will have the right to retain the bid security of bidders to whom an award is being considered until either (a) the contract has been executed and bonds, if required, have been submitted, (b) the specified time has elapsed so that bids may be withdrawn, or (c) all bids have been rejected.

6. Add paragraph 13. Minority Business Enterprise:

It is the **goal** of BMHA to obtain 20 percent Minority Business participation on this project. A line has been provided on the Form of Bid to show the percentage of your bid amount which will be awarded to minority businesses. Insert the percentage MBE participation included in your bid amount.

7. Add paragraph 14. Lead Based Paint:

Any contractor awarded a contract for modernization shall comply with 24 CFR (Code of Federal Regulations) Part 35 prohibiting the use of lead based paint.

8. Add paragraph 15. Sales Tax Exemption:

The contractor shall take whatever steps required by law to relieve the owner from payment of excise tax and Ohio sales tax on materials, specialties and equipment. The owner is tax exempt, and upon request will provide a statement to that effect.

9. Add paragraph 16. Liquidated Damages

This project has liquidated damages which will be charged against contractors who do not complete work on time. All of paragraph 33 of the HUD General Conditions and Supplemental General Conditions may apply. The liquidated damage amount for this contract is as described in Section 01040, Coordination and Scheduling.

10. Add paragraph 17. Pre-Bid Conference

A pre-bid conference for prospective contractors will not be held. Prospective bidders can visit the site at their leisure and are encouraged to do so.

Before presenting a bid, the contractor is advised to have visited the site and be thoroughly familiar with the scope of work and the conditions under which it will be executed. Failure to do so will not release contractor of his obligation to furnish all material and labor necessary to carry out all provisions of the contract.

11. Add paragraph 18. Definitions

Addenda are written or graphic instruments issued by the BMHA or

Architect prior to the execution of the Contract which modify or interpret the Bidding Documents by additions, deletions, clarifications or corrections.

A **Bid** is a complete and properly signed proposal to do the Work for the sums stipulated therein, submitted in accordance with the Bidding Documents.

The **Base Bid** is the sum stated in the Bid for which the Bidder offers to perform the Work described in the Bidding Documents as the base, to which Work may be modified in Alternate Bids.

An **Alternate Bid** (or Alternate) is an amount stated in the Bid to be added to or deducted from the amount of the Base Bid if the corresponding change in the Work, as described in the Bidding Documents, is accepted.

A **Unit Price** is an amount stated in the Bid as a price per unit of measure for materials, equipment or services or a portion of the Work as described in the Bidding Documents.

A **Bidder** is a person or entity who submits a Bid.

A **Sub-Bidder** is a person or entity who submits bid to a Bidder for materials, equipment or labor for a portion of the Work.

12. Add paragraph 19. Form and Style of Bids

a). Bids shall be submitted on forms identical to the form included with the Bidding Documents.

b). All blanks on the Bid Form shall be filled in by typewriter or manually in ink.

c). Where so indicated by the makeup of the Bid Form, sums shall be expressed in both words and figures, and in case of discrepancy between the two, the amount written in words shall govern.

d). Interlineations, alterations and erasures must be initialed by the signer of the bid.

e). All requested Alternates shall be bid. If no change in the Base Bid is required, enter “No Change.”

f). Each copy of the Bid shall include the legal name of the Bidder and a statement that the Bidder is a sole proprietor, partnership, corporation or other legal entity. Each copy shall be signed by the person or persons legally authorized to bind the Bidder to a contract. A Bid by a corporation shall further give the state of incorporation.

A Bid submitted by agent shall have a current power of attorney attached certifying the agent’s authority to bind the Bidder.

-END OF SUPPLEMENTAL INSTRUCTIONS TO BIDDERS-