



STATE OF COLORADO  
OFFICE OF THE STATE ARCHITECT  
STATE BUILDINGS PROGRAMS

**INFORMATION FOR BIDDERS**

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Institution or Agency: University of Colorado at Boulder  
Project No./Name: CP 129733 - RL-2 - RM 367A – Green Data Center

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1. **BID FORM:** Bidders are required to use the Bid form attached to the bidding documents. Each bidder is required to bid on all alternates and indicate the time to substantial completion in calendar days, and if applicable because designated in the Advertisement For Bids, the bidder is required to indicate the period of time agreed to finally complete the project after the date of substantial completion, also in calendar days. Bids indicating times for substantial completion or final acceptance in excess of the number of days indicated in the Advertisement for Bids may be found non-responsive and may be rejected. The bid shall not be modified or conditioned in any manner. Bids shall be submitted in sealed envelopes bearing the address and information shown below. If a bid is submitted by mail, this aforementioned sealed envelope should be enclosed in an outer envelope and sent to the following addressee:

**INSERT NAME OF AGENCY AND ADDRESS WHERE BID SHOULD BE DELIVERED**

The outside of the sealed inner envelope should bear the following information:

Project # CP 129733  
Project Name RL-2 - RM 367A – Green Data Center  
Name and Address of Bidder \_\_\_\_\_  
Date of Opening 11/24/10  
Time of Opening 12:00 PM

A bid with missing or inconsistent information may be considered non-responsive and may not be evaluated. The University will be the sole judge in determining the acceptability of an offer. **The University also reserves the right to reject any or all bids in part or in whole and to waive technicalities.** Any decision shall be considered final

2. **INCONSISTENCIES AND OMISSIONS:** Bidders may request clarification of any seeming inconsistencies, or matters seeming to require explanation, in the bidding documents at least three (3) business days prior to the time set for the opening of Bids. Decisions of major importance on such matters will be issued in the form of addendum.
3. **APPLICABLE LAWS AND REGULATIONS:** **APPLICABLE LAWS AND REGULATIONS:** The bidder's attention is called to the fact that all work under this Contract shall comply with the provisions of all state and local laws, approved state building codes, ordinances and regulations which might in any manner affect the work to be done or those to be employed in or about the work. Attention is also called to the fact that the use of labor for work shall be governed by the provisions of Colorado law which are hereinafter set forth in Articles 27 and 52E of the GENERAL CONDITIONS.
4. Note that the Special Provisions of the General Conditions of the Contract includes the following language: UNAUTHORIZED IMMIGRANTS – PUBLIC CONTRACTS FOR SERVICES - CRS 8-17.5-101 and 24-76.5-101. The Contractor certifies that the Contractor shall comply with the provisions of CRS 8-17.5-101 et seq. The Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract or enter into a contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. The Contractor represents, warrants, and agrees that it (i) has verified that it does not employ any illegal aliens, through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and Department of Homeland Security, and (ii) otherwise will comply with the requirements of CRS 8-17.5-102(2)(b). The Contractor shall comply with all reasonable requests made in

the course of an investigation under CRS 8-17.5-102 by the Colorado Department of Labor and Employment. If the Contractor fails to comply with any requirement of this provision or CRS 8-17.5-101 et seq., the State may terminate this contract for breach and the Contractor shall be liable for actual and consequential damages to the State.

A Contractor that operates as a sole proprietor hereby swears or affirms under penalty of perjury that the Contractor (i) is a citizen of the United States or otherwise lawfully present in the United States pursuant to federal law, (ii) shall comply with the provisions of CRS 24-76.5-101 et seq, and (iii) shall produce one of the forms of identification required by CRS 24-76.5-103 prior to the effective date of this Contract. Except where exempted by federal law and except as provided in CRS 24-76.5-103(3), a Contractor that receives federal or state funds under this contract must confirm that any individual natural person eighteen years of age or older is lawfully present in the United States pursuant to CRS 24-76.5-103(4) if such individual applies for public benefits provided under this contract.

5. **TAXES:** The bidder's attention is called to the fact that the Bid submitted shall exclude all applicable federal excise or manufacturers' taxes and all state sales and use taxes as hereinafter set forth in Article 9C of the GENERAL CONDITIONS.
6. **OR EQUAL:** The words "OR EQUAL" are applicable to all specifications and drawings relating to materials or equipment specified. Any material or equipment that will fully perform the duties specified, will be considered "equal", provided the bid submits proof that such material or equipment is of equivalent substance and function and is approved, in writing. Requests for the approval of "or equal" shall be made in writing at least five (5) business days prior to bid opening. During the bidding period, all approvals shall be issued by the Architect/Engineer in the form of addenda at least two (2) business days prior to the bid opening date.
7. **ADDENDA:** Owner/architect initiated addenda shall not be issued later than two (2) business days prior to bid opening date. All addenda shall become part of the Contract Documents and receipt must be acknowledged on the Bid form.
8. **METHOD OF AWARD - LOWEST RESPONSIBLE BIDDER:** If the bidding documents for this project require alternate prices, additive and/or deductible alternates shall be listed on the alternates bid form provided by the Principal Representative. Bidders should note the Method of Award is applicable to this Bid as stated below.
  - A. **DEDUCTIBLE ALTERNATES:** The lowest responsible Bid, taking into account the Colorado resident bidder preference provision of Colorado law, will be determined by and the contract will be awarded on the base bid combined with deductible alternates, deducted in numerical order in which they are listed in the alternates bid form provided by the Principal Representative. The subtraction of alternates shall result in a sum total within available funds. If this bid exceeds such amount, the right is reserved to reject all bids. An equal number of alternates shall be subtracted from the base bid of each bidder within funds available for purposes of determining the lowest responsible bidder.
  - B. **ADDITIVE ALTERNATES:** The lowest responsible Bid, taking into account the Colorado resident bidder preference provision of Colorado law, will be determined by and the contract will be awarded on the base bid plus all additive alternates added in the numerical order in which they are listed in the alternates bid form provided by the Principal Representative. The addition of alternates shall result in a sum total within available funds. If this bid exceeds such amount, the right is reserved to reject all bids. An equal number of alternates shall be added to the base bid of each bidder within funds available for purposes of determining the lowest responsible bidder.
  - C. **DEDUCTIBLE AND ADDITIVE ALTERNATES:** Additive alternates will not be used if deductible alternates are used and deductible alternates will not be used if additive alternates are used.

The Advertisement for Bids can be located at the web site: [www.colorado.gov/dpa/dfp/sbrep/constructdesign.htm](http://www.colorado.gov/dpa/dfp/sbrep/constructdesign.htm)  
(Click on the link below the second paragraph Colorado Construction and Design Notices)

9. **CONTRACTOR QUALIFICATIONS:**

A. Prime Contractors:

- a. Prime Contractors bidding this project must complete "University of Colorado (UCB) Contractor Statement of Experience," and submit it with their Bid.
- b. The Prime Contractor must meet the following minimum requirements and provide written information substantiating their qualifications for evaluation. A Bidder may be found to be non-responsive and their bid rejected if the minimum requirements are not met.
  - (1) The Prime Contractor must have successfully completed three (3) projects of \$250,000.00 (or larger) in the last five (5) years which were similar in complexity and type to this project. For each project list:
    - Name and location of project, along with a brief description of the project (include size & function).
    - Name, address and phone number of client/ owner and their representative.
    - Contract value and type of contract (prime or subcontract).
    - Year in which work was completed.
  - (2) The Contractor must have successfully completed an aggregate of \$N/A.00 of projects in the last five (5) years which were similar in complexity and type on which he acted as the prime contractor (may be the same projects listed in item (1), if applicable).
  - (3) The firm must have been in business as a Contractor for the last five (5) years.

B. Subcontractors

- a. The Prime Contractor is required to provide subcontractors which meet minimum qualifications for the trades listed below.

The right is reserved to reject subcontractors that do not meet the minimum requirements. The Prime Contractor will be required to replace rejected subcontractor(s) with one(s) that meet the minimum requirements with no increase in the Bid Amount prior to the Award of Contract.

Prime Contractor and Subcontractor(s) are advised that there are conditions within the Contract Documents requiring special knowledge and experience to properly execute. The University will require verification of experience to adequately provide materials and perform labor required for the following:

  - Electrical
  - Mechanical
- b. For the trades listed (subcontractors) above, the apparent low bidder must submit, within 72 hours of receipt of bids except for holidays and weekends, the "University of Colorado Contractor's Statement of Experience.
- c. In addition to the information requested in Item (1), the Subcontractor must meet the following minimum requirements and provide written information substantiating their qualifications for evaluation. A Bidder may be found to be non-responsive and their bid rejected if the minimum requirements are not met
  - (1) The firm must have been in business for the last five (5) years as trade proposed for this work.
  - (2) The firm must have successfully completed at least two (2) projects of similar size, type, and complexity in the last five (5) years. The information must include the following:
    - (a) Building type description (function use)
    - (b) Building gross square footage
    - (c) Subcontract description (be specific)
    - (d) Subcontract amount
    - (e) Subcontract change orders

- (f) Building owner representative and current telephone number
- (g) Building architect name and current telephone number
- (h) General contract name and current telephone number

(3) This firm shall give evidence of being able to be bonded up to the value of his work for this project. A letter shall be provided by the bonding agency assuring capability of bonding this subcontract amount.

10. **SITE ACCESS:** Contractors / Bidders may schedule a time subsequent to the Site Inspection / Pre-bid Conference to take measurements or further observe existing conditions by contacting:

JP Robb, Project Manager  
University of Colorado at Boulder  
Department of Facilities Management  
(303) 492-5840

11. **BID SCHEDULE:**

Publication date:	11/10/10
Plans specification available:	11/10/10 2:00 PM
Mandatory pre-bid conference:	11/12/10 2:00 PM
Last day for questions:	11/16/10 2:00 PM
Last day for addenda issue:	11/19/10 2:00 PM
Bid date:	11/24/10 noon

END