

**Addendum No. 2
TO**

Project: IE EC24-00-097

**Nickeus Park Inclusive Playground RFP
Jamestown, ND**

Date Issued: December 17, 2024

**THE FOLLOWING ADDITIONS, CORRECTIONS AND/OR
CLARIFICATIONS SHALL BE MADE TO THE REQUEST FOR
PROPOSAL (RFP):**

CLARIFICATION:

N/A

SUPPLEMENTAL DATA:

N/A

SPECIFICATIONS:

Add attachment "Information for Bidders".

PLANS:

N/A

NOTE: The receipt of this addendum shall be acknowledged in the space provided on the Bidder's Form and on the Bid Envelope or by the download on the QuestCDN Website.

END OF ADDENDUM No. 2

INFORMATION FOR BIDDERS

102-1 Proposals will be received by the OWNER as specified in the Request for Proposals (RFP) for performing work as set forth in the RFP.

102-2 PROPOSAL GUARANTEE: All proposals are to be submitted on the basis of cash payment for the work and are to be enclosed in a sealed envelope addressed to the undersigned Authorized Representative accompanied by a bidder's bond in a separate outside envelope for a sum equal to five (5) percent of the full amount of the bid, executed by the bidder as Principal and by a Surety Company authorized to do business in this state, conditioned that if the Principal's bid be accepted and the contract awarded to him, he will, within ten days after Notice of Award, execute and effect a contract in accordance with the terms of his bid and a contractor's bond. Bid security shall be as required in Section 48-01.2-05 of the North Dakota Century Code as amended.

All bidders must be licensed for the highest amount of their bids, as required by Section 43-07-07 of the North Dakota Century Code.

No proposal will be read or considered which does not fully comply with the above provisions as to bonds and licenses, and any deficient bid submitted will be resealed and returned to the bidder immediately.

As soon as the proposals have been compared, the OWNER will return the bid securities of all except the three (3) highest ranking responsible bidders. When the Contract is awarded, the bid securities of the two remaining unsuccessful bidders will be returned. The bond of the successful bidder will be retained until the Agreement and Surety Bond have been executed and approved, after which it will be returned.

102-3 CONTRACT AND BOND: The party to whom the Contract is awarded will be required to execute the Agreement and a Performance Payment Bond within ten (10) calendar days from the date when the written "Notice of Award" is mailed to the Bidder at the address given by him. If any Bidder to whom a contract is awarded fails or refuses to enter into such Agreement when requested to do so, the bond accompanying his bid shall be retained by the OWNER as liquidated damages for such failure. The bond shall be delivered to the OWNER and shall be credited by him to the fund from which the consideration for such work is payable. The sufficiency of any bond filed by a bidder shall be determined by the governing body at the time it considers the bids.

Proposal and Bid Bond must be executed by a principal. The Bid Bond must identify the name and title of the individuals who executed the Bid Bond. Signatures by other than a president, vice president, or CEO, must be accompanied by sufficient evidence (duly executed meeting minutes, resolution, power of attorney, etc) to indicate that the signatory has the authority to bind the company or organization.

102-4 PERFORMANCE AND PAYMENT BOND: A Performance and Payment Bond in the amount of one hundred percent (100%) of the Contract price with a Corporate Surety approved by the OWNER and the ENGINEER will be required for the faithful performance of the Contract, and the bidder shall state in the proposal the name and address of the Surety or Sureties who will sign this bond in case the Contract is awarded to him. The Contract Bond shall be as required by Section 48-01.2-10 of the North Dakota Century Code as amended.

A maintenance guarantee for the repair of all damages due to improper materials or workmanship for a period of one year after the acceptance of the work by the OWNER will also be required.