

FIRST-READ BRIEF

Township of Newton / Water Main Replacement, Phase 2

Section references throughout point back to the source RFP. Items are graded by whether they bar bidders, drive responsiveness, or shape pricing.

DECISION

CLARIFY FIRST

Solid civil scope and a fair budget. Confirm your bonding capacity and PennBid prequal status before you spend time on the bid.

OWNER

Township of Newton, Bucks County, PA

SCOPE

8,200 LF water main replacement + paving

BID DUE (RECEIPT DEADLINE)

Thu Mar 19, 2:00 PM ET

ENGINEER'S ESTIMATE

\$3.8M

Prepared by Apex Frame Systems LLC, Lancaster, Pennsylvania. This brief is provided as a structured first read of a public Request for Proposals. It is not legal, contractual, or engineering advice. Section references point to the source RFP document. Bidders are responsible for verifying all requirements against the official bid documents.

TOP OF BID

Three risks worth pricing now

Issues that affect the total bid price or the firm's ability to deliver. Each tied to its section in the source document.

01 Bonding capacity.

Per § 4.3, 100% performance and payment bonds are required within 10 days of award. At \$3.8M engineer's estimate, that's a real bonding requirement against most small-civil surety lines. Call your surety this week. If they can't sit on \$7.6M of aggregate capacity, find a co-surety before you spend time on the bid.

02 Prevailing wage compliance.

Per § 7.2, PA Prevailing Wage Act applies. Weekly certified payroll on PennDOT Form CS-409 or equivalent. Missing or late certified payroll triggers payment withholding under § 8.5. If your last PW project bled hours on payroll prep, build that cost into your fee or don't bid.

03 Liquidated damages.

Per § 9.1, LDs run \$1,500 per calendar day past substantial completion (180 calendar days from NTP). \$5,000 per day past final completion (30 days after substantial). Build a real schedule with float, not the optimistic one. A 30-day overrun is \$45,000 minimum.

DECISION CHECK

Bid / No-Bid Scan

Six checks. Start here. A check marked needs-attention means get answers before estimating time goes in.

! **Bonding capacity?**

100% performance + 100% payment bonds at award.

\$3.8M each, \$7.6M aggregate on this job. If your surety line is under \$5M single-project or under \$10M aggregate, line up a co-surety before bid day.

! **Prequalification status?**

PennBid registration + PennDOT prequal OR Township vendor approval.

Per § 3.1. PennDOT prequal in water/sewer (work code 0530 or 0540) satisfies it. Township vendor approval also satisfies it. Verify your status. Don't assume.

! **Prevailing wage capacity?**

PA Prevailing Wage Act applies. Weekly certified payroll required.

Per § 7.2. Wage determination posted in the bid package. If your back-office can't deliver weekly CS-409s on time, either fix that now or don't bid.

! **Insurance thresholds?**

GL \$2M/\$4M, auto \$1M, excess \$5M, WC statutory.

Per § 4.5. Township named as additional insured with primary/non-contributory wording. Pollution liability \$1M/\$2M required (per § 4.5.3) because of disturbed soils near former gas station parcel.

! **MBE/WBE participation?**

12% MBE + 7% WBE participation goals (combined 19%).

Per § 5.6. Goals, not quotas, but a credible plan is required. Good-faith effort documentation expected. If you're MBE or WBE certified yourself, declare on signature page.

+ **Site access and staging?**

Township provides staging area at municipal yard, free of charge.

Per § 6.2. Approximately 0.4 acres, 0.5 miles from the work corridor. Suitable for trench plate, pipe storage, equipment. Saves real money vs. bidding without a yard.

SUBMISSION

Submission checklist

Miss any of these and the bid is non-responsive on receipt. Walk this list back-to-front before upload.

- 01 Bid uploaded to PennBid by 2:00 PM ET on March 19.** PennBid timestamps server-side. The clock that matters is theirs, not yours. Upload by 1:30 to leave room for last-minute trouble. § 2.4
- 02 Bid bond at 10% of total bid amount.** AIA A310 or equivalent. Surety must be Treasury-listed and licensed in PA. Missing or insufficient bid bond is automatic rejection. § 4.2
- 03 Non-collusion affidavit signed and notarized.** Form in Appendix B. Notary seal required, not just a signature. Missing notary is cause for rejection. § 5.1, App. B
- 04 PA Public Works Employment Verification Form.** State law (Act 127 of 2012) requires E-Verify enrollment statement on PA-funded public works. Form in Appendix C. § 5.2, App. C
- 05 Steel Products Procurement Act compliance statement.** PA Act 3 of 1978. Required on any public works using PA funds. Statement of intent on Form D. Skip it and you're non-responsive. § 5.3, App. D
- 06 Bidder qualifications statement with three similar projects.** Each completed within last five years, \$2M+ in value, water main or similar utility scope. Owner name and phone for each. § 3.2
- 07 Proposed superintendent resume with OSHA 30 and confined space cert.** Minimum 8 years water/sewer experience. OSHA 30 must be current (within 5 years). Confined space competent person required for trench work. § 3.4
- 08 Unit price bid schedule complete, no blanks, no alternates left empty.** Per § 2.6, any blank line item is treated as zero, which is grounds for an unbalanced bid finding. Fill every line even if zero is the right answer. § 2.6
- 09 MBE/WBE participation plan with named subcontractor commitments.** Per § 5.6, list firms by name, certification type, dollar value, and scope. Good-faith effort documentation if goals are not met. § 5.6
- 10 Insurance certificates name the Township as additional insured.** GL and auto must carry primary/non-contributory wording. Pollution liability separately required. Your default policy probably needs an endorsement. Get it in writing from your broker. § 4.5

- 11 **Proposed schedule showing substantial completion within 180 calendar days of NTP.** Bar chart or simple Gantt acceptable. Show critical path. Anything past 180 days requires a written variance request in the bid. § 9.1, 9.2
 - 12 **Authorized signatory signed AND dated on every required form.** Common defect: someone signs the bid form but forgets to date it, or signs the bond but not the non-collusion affidavit. Run the package back-to-front before upload. § 2.5
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SCHEDULE

The dates that matter

Six dates between now and award. The receipt deadline is the hard cutoff.

Wed Feb 25	Mandatory pre-bid meeting + site walk. 10:00 AM at Township Municipal Building, then field walk of the corridor. Attendance is mandatory; firms not represented may not bid. § 2.2
Mon Mar 2	Last day to submit written questions via the PennBid Q&A portal. Late questions will not be answered. § 2.3
Fri Mar 6	Final addendum posted on PennBid by 5:00 PM. Check for changes that affect your bid. § 2.3
Thu Mar 19 2:00 PM ET	Bid receipt deadline. PennBid upload only. No paper copies accepted. Late submissions are rejected automatically by the system. Upload early. § 2.4
Wed Apr 1	Apparent low bidder notified. Subject to bid review, references check, and Township Board approval. § 10.1
Fri Apr 17	Notice of award + Notice to Proceed, contingent on executed contract, bonds, and insurance certificates received within 10 days of award notice. § 10.2

AWARD BASIS

How they're scoring this

This is a low-bid solicitation, not best-value. Price wins, but only among responsive and responsible bidders.

The Township awards to the lowest responsible bidder whose bid is responsive to the bid documents. "Responsible" and "responsive" are separate hurdles. Either one can disqualify you regardless of price.

01 Responsive bid (pass/fail).

Your submission includes everything required, signed and notarized correctly, on the right forms, with no unauthorized changes to the bid documents. The Submission Checklist above is the responsiveness test.

Lever: don't lose on a paperwork miss. Run the checklist back-to-front before upload.

02 Responsible bidder (pass/fail).

Per § 3, the Township evaluates bonding capacity, prequalification status, project history (three similar projects in five years), key personnel, and financial standing. The Township can reject a low bid for being non-responsible.

Lever: front-load your qualifications statement. Don't bury the relevant projects. Township engineer will read this first if your price is in striking distance.

03 Total bid price.

Sum of all unit prices × quantities, plus any lump-sum items. No alternates on this project. Mathematically lowest bid that clears the responsive/responsible bar wins.

Lever: get your unit prices right on the high-volume items like pipe, fittings, restoration. A 10% miss on a \$400K line is a \$40K miss on the bid.

04 Reserved right to reject.

Per § 10.3, the Township reserves the right to reject any or all bids and to waive informalities. Standard language. In practice, the Township engineer's recommendation drives the award decision.

Lever: be the bid the engineer wants to recommend. Clean package, credible qualifications, no red flags on the corridor walk.

BID PACKAGE CONTENTS

What goes in the bid

Order does not matter to the portal but it matters to the engineer reading it.

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- 01 **Bid form**, signed and dated by an authorized signatory. Use the form in Appendix A. § 2.5, App. A

 - 02 **Unit price bid schedule**, complete with no blanks. Total bid amount carried forward to bid form. § 2.6

 - 03 **Bid bond at 10% of total bid amount**. AIA A310 or equivalent. Treasury-listed surety licensed in PA. § 4.2

 - 04 **Non-collusion affidavit**, signed and notarized. Form in Appendix B. § 5.1, App. B

 - 05 **PA Public Works Employment Verification (Act 127)**. E-Verify enrollment statement. Form in Appendix C. § 5.2, App. C

 - 06 **Steel Products Procurement Act statement (Act 3 of 1978)**. Form D. § 5.3, App. D

 - 07 **Bidder qualifications statement** with three similar projects, owner contacts, and key personnel resumes. § 3.2, 3.4

 - 08 **MBE/WBE participation plan** naming subcontractor commitments and good-faith effort documentation if goals are not met. § 5.6

 - 09 **Insurance certificates** naming Township as additional insured with primary/non-contributory language. Pollution liability separate. § 4.5

 - 10 **Proposed construction schedule** showing substantial completion within 180 calendar days of NTP. § 9.1, 9.2

 - 11 **Signed and acknowledged addenda receipt** for each addendum issued. § 2.3
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PROCESS RISKS

What can derail a clean submission

Things that go wrong between now and bid day, even when the qualifications are in order.

Mandatory pre-bid attendance.

Per § 2.2, firms not represented at the Feb 25 pre-bid meeting may not bid. Send someone with authority to ask questions, not just a sign-in body. If a scheduling conflict is on the calendar, resolve it this week.

Late or missed addenda.

Per § 2.3, the final addendum posts Mar 6. Addenda often shift forms, deadlines, or scope. Set a calendar reminder for Mar 6 evening and Mar 16 morning to confirm no addendum slipped in late. Bidding off a superseded RFP is non-responsive.

PennBID upload mechanics.

Server-side timestamp at § 2.4. Upload by 1:30 PM ET on bid day. File size limits and naming conventions can reject uploads silently. Test the upload path with a placeholder file the day before. The Township's clock is the one that matters.

Signature delegation.

Per § 2.5, the bid form and bonds must be signed by an authorized signatory. If the principal will be unavailable bid week, get a written delegation on file with the Township in advance. Day-of signature scrambles produce defective bids.

Bid bond timing.

Per § 4.2, the bid bond is required at submission, not at award. Sureties often need 5 to 10 business days for a clean bond on a new project. Get your surety the project information by Mar 5 at the latest.

MBE/WBE good-faith documentation.

Per § 5.6, if you do not meet the 12% / 7% participation goals, you must document a good-faith effort. Last-minute outreach to MBE/WBE firms produces thin documentation that reviewers reject. Start the outreach the week of the pre-bid meeting.

INTERNAL PREP

What you still need before pricing

Items the bid requires that are not in the documents themselves. Track these down before estimating starts.

Confirm bonding capacity for \$3.8M single project.

Call your surety. If they can't sit on \$7.6M aggregate, line up a co-surety now, not in week three of pricing.

Verify your prequalification status.

PennDOT prequal in water/sewer (work code 0530 or 0540) OR current Township vendor approval. Don't assume; pull the certificate or call the Township.

Identify MBE/WBE subs you'll commit to.

12% MBE + 7% WBE goals. Have firm names, certifications, and dollar values lined up before bid week, not after.

Walk the corridor before the pre-bid meeting on Feb 25.

Look at the road condition, driveway counts, tree canopy, traffic patterns. The site walk is at the meeting but you want your own first.

Get the geotech report

if not included in the bid package. Existing utility congestion in this corridor is on the as-built drawings, but soil conditions drive your trench and dewatering pricing.

Pull recent PA prevailing wage rates

for Bucks County. The wage determination posted in the bid package controls, but cross-check against the latest L&I posting before pricing labor.

CLARIFICATIONS

Questions to send before March 2

Submit through the PennBid Q&A portal. Township engineer's answers will be posted in the final addendum on or before March 6. Review and prioritize before sending.

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- Q01** Section 3.1 states that bidders must be either PennDOT-prequalified or hold Township vendor approval. Please confirm whether PennDOT prequal under work code 0540 (sewer and water lines) is treated as equivalent to work code 0530 (water lines only) for the purposes of this solicitation.
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- Q02** Section 6.4 requires continuous water service to residents during construction. Please clarify the maximum acceptable duration for a planned service interruption (after notice) for individual service connection transfers.
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- Q03** Section 4.5.3 requires pollution liability coverage. Please confirm the location of the "former gas station parcel" referenced in the section, and whether any prior Phase I or Phase II environmental site assessments are available to bidders.
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- Q04** Section 7.2 references the PA Prevailing Wage Act and the wage determination included in the bid package. Please confirm that the determination as issued at solicitation governs labor pricing through NTP, and that no escalation or re-determination provisions apply if the L&I posting changes between bid date and award.
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- Q05** Section 9.1 sets substantial completion at 180 calendar days from NTP. Given the seasonal restoration requirements in § 6.7 (final paving cannot be placed below 50°F), please confirm how a fall NTP would affect the substantial completion calculation and LD assessment.
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- Q06** Section 5.6 establishes MBE/WBE participation goals of 12% and 7%. Please confirm whether MBE-certified suppliers (material providers) count toward the participation goal in addition to MBE-certified subcontractors performing on-site labor.
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