

# KENEDY RETAIL

## INVITATION AND INSTRUCTIONS TO BIDDERS

### 1.0 Invitation

Metate Construction, Inc. (Contractor) is requesting bid proposals for the construction of a shell retail project located at 131 Business Park Dr., Kenedy, TX. 78119. The project, KENEDY RETAIL, includes a 12840 s.f. retail shell building and associated site work and is depicted in the design documents listed below. All costs associated with the subcontractor's scope of work related to this project shall be included in the bid proposal. The subcontractor shall provide and pay for all trade related permits required by their scope of work.

### 1.1 Receipt and Opening of Bids

The Subcontractor is invited to submit a bid for the Work based upon the Bid Documents described below:

Architectural, Structural and MEP plans and specifications entitled KENEDY RETAIL as prepared by GARY SHAW Architects and dated Nov. 19, 2012.

Geotechnical Engineering Report No. g212253 prepared by Rock Engineering & Testing Laboratory, Inc. dated September 26, 2012.

Civil Engineering plans and specifications entitled KENEDY JUNCTION – Lot 1-A prepared by Kimbell/Bruehl and dated Dec. 11, 2012.

Any addenda issued prior to the bid date that may modify the scope of the above referenced documents.

**Bids will be received until 6:00 p.m. Wednesday, January 9, 2013.** A Bid Form is attached and is required to be filled out in its entirety, signed and sealed. A Schedule of Values form is attached and is required to be filled out in full and submitted within 24 hours after bid time. If after reviewing the above documents the Subcontractor declines to bid, please notify the Metate Immediately.

### 1.2 Preparation of Bids

A. If the bid is made by a Partnership or Corporation, the name and address of the Partnership or Corporation shall be stated on the Bid Form and shall be signed by a General Partner of the Partnership or a duly authorized employee of the Corporation. The capacity in which the signer executes the proposal shall be stated under the signature.

- B. The Owner for this project is:  
Kenedy Retail LLC  
574 N. Lamar Blvd., Suite 203  
Austin, TX 75703

The Architect for this project is:  
Gary Shaw Architects  
1821 Margaret Street  
Austin, Texas 78704  
512-416-8471

The Project Manager for this project is:  
David Watson Consulting, L.L.C.

- D. Completed bid proposals shall be e-mailed to Metate no later than 6:00 PM, January 9, 2013.
- E. The Subcontractor shall carefully examine the Bid Documents and shall visit the site and become fully informed as to all existing conditions, facilities, restrictions, and other factors which may affect the Work or the cost thereof. Objections to any provisions of the Bidding Documents listed in paragraph 1.1 above shall be made in writing and set out in the bid.

### **1.3 Rejection of Bids**

Metate reserves the right to waive formalities and to reject any or all bids, or any part thereof, or to accept my bid, or any part thereof; regardless of the amount thereof, as in its sole judgment will best serve the purposes and interests of Metate.

### **1.4 Bonds**

- A. Performance, labor and material payment bonds in an amount equal to one hundred per cent (100%) of the Contract Sum, executed in favor of Metate and assuring the full and faithful performance of the Work and payment of all obligations arising thereunder, **may be required by the Owner.** The surety company used must be listed on the current edition of the U.S. Department of Treasury Listing of acceptable sureties. The performance bond shall extend for not less than a period of two years from the date of the written acceptance of the Bid Proposal by Metate to cover the guarantees set forth in the Bidding Documents. Deliver the bonds to Metate no later than five days after the date of execution of the Master Subcontract Agreement. Failure or neglecting to deliver the bonds will be considered as having abandoned the contract. The cost of such bonds shall be included as an alternate and be stated separately in the bid form, where indicated.

### **1.5 Subcontractor's Certification**

- A. Subcontractor certifies that this Bid Proposal and all Work contracted for with Metate shall be governed by the terms and conditions of the Bidding Documents as far as applicable to their Work

#### **1.6 Revisions to Bidding Documents**

Metate reserves the right to extend the bid period, to supply further information, and to make revisions in the Bidding Documents and/or in any other documents furnished during the bid period. In such event, Metate will issue written instructions and interpretations or issue an addendum in the case of a revision to the Scope of Work. All such items and addenda shall be taken into account in the bidding. No oral instructions or interpretations will be binding on Metate unless confirmed in writing by Addenda.

#### **1.7 Furnished Documents**

Plans, specification and Geotech report will be sent to all bidders by Metate via electronic pdf files.

#### **1.8 Form of Agreement**

The successful Subcontractor shall complete and accomplish the Work Bid in accordance with Metate's MASTER MULTI-PROJECT SUBCONTRACT AGREEMENT.

#### **1.9 Sales Tax**

The Subcontractor's bid shall include all applicable sales and use taxes imposed on the Work.

#### **1.10 Insurance**

The successful Subcontractor shall provide the insurance coverage as per the attached Insurance Requirements.

#### **1.11 Implied Work**

Any work that is not directly noted in the Bidding Documents but is necessary for the proper carrying out of the obvious intention of same is to be understood as "Implied" and the cost is to be provided by the Subcontractor in his bid as fully as if specifically described or delineated.

#### **1.12 Testing and Inspections**

All testing and inspections to be performed by a Testing Laboratory selected by the owner. **ALL TESTING AND INSPECTIONS TO BE PAID FOR BY OWNER AND COORDINATED BY GENERAL CONTRACTOR.**

#### **1.13 Temporary and Permanent Electricity**

General Contractor will be required to apply for and take out temporary and permanent electrical power until project turnover to owner or tenant.

**1.14 Schedule Requirements**

**Bid Date Wednesday, January 9, 2013 at 6:00 p.m.**

Date of Commencement and start of construction to be as set out in approved "Construction Schedule"

**Substantial Completion Date for all construction to be 120 calendar days from the date of commencement.**

**Metate's Contact Information:**

**Metate Construction, Inc. Fax (512) 419-1961**

**Robert J. Poth, President [rjpoth@metate.com](mailto:rjpoth@metate.com)**

**Mobile (512) 848-2862 office (512) 419-1800**

**M. Kay Poth office (512) 419-1800 ext. 2**