

June 16th, 2023

**CITY OF CARTERSVILLE
REQUEST FOR PROPOSAL
CONSTRUCTION MANAGER AT RISK SERVICES FOR
FIRE STATION #5**

The City of Cartersville is soliciting competitive sealed proposals from qualified contractors for **Construction Manager at Risk Services for Pre-Construction and Construction Services** for a new Fire Station.

Proposals must be returned in a sealed package marked on the outside with the Request for Proposal – City of Cartersville / Fire Station #5. Proposals will be received until **10:00 A.M. local time Monday, July 17th, 2023**, at the Cartersville City Manager’s Office, 1 N. Erwin Street, Cartersville, Georgia 30120. Any proposal received after this date and time will not be accepted. Proposals will be publicly opened in the City Manager’s Conference room and only names of submitting firms will be read at 10:05 A.M. Proposals are legal and binding upon the bidder when submitted. **One unbound original, four (4) bound copies without FEE SCHEDULE should be submitted and one form of electronic media in Adobe PDF format should be submitted.**

A pre-proposal conference is scheduled for **10:00 A.M. on June 22nd, 2023**, at the City of Cartersville Public Safety Headquarters, 195 Cassville Rd. Cartersville GA 30120. All contractors are urged to attend. Questions regarding proposals should be directed to Freddy Morgan, at fmorgan@cityofcartersville.org no later than 3:00 P.M. on June 29th, 2023.

Successful contractor will be required to meet insurance requirements. The Insurance Company should be authorized to do business in Georgia by the Georgia Insurance Department and must have an A.M. Best rating of A-5 or higher.

The written proposal documents supersede any verbal or written prior communications between the parties.

Selection criteria is outlined in the request for proposal documents. The City of Cartersville reserves the right to reject any or all proposals to waive technicalities, and to make an award deemed in its best interest.

We look forward to your proposal and appreciate your interest in the City of Cartersville.

Freddy Morgan
Assistant City Manager

REQUEST FOR QUALIFICATIONS AND FEE PROPOSALS

Construction Manager at Risk Services

City of Cartersville, GA, as “Owner” is seeking Statements of Qualifications and Fee Proposals from firms interested in providing construction manager at risk (CMAR) services. All respondents to this Request for Qualifications/Proposals are subject to instructions and additional terms and conditions communicated in this document. The City reserves the right to reject any or all statements of qualifications, and to waive technicalities and informalities at the discretion of Owner.

I. GENERAL PROJECT INFORMATION

PROJECT DESCRIPTION

The City of Cartersville is planning to construct the following facility:

Fire Station – Facility is to be located at 51 Carter Grove Blvd. Cartersville Ga.. The fire station is being proposed as a single-story structure of approximately 9,000 square feet onto an approximate 8-acre site. A detention pond has already been developed on the site for use by this new facility.

Optional Storage Garage- There will be an add-on option for a heated/lighted three bay garage that is separate from the main structure. No potable water or other utilities. This is expected to be of a prefabricated construction that will be utilized for storage of reserve equipment with storage space. That compliments the design of the primary fire station. It is anticipated that this structure would be approximately 4800 sq with three single powered roll-up doors that match the doors of the primary fire station structure. Final decision for this option will be made once total prices have been reviewed and accepted.

CONSTRUCTION MANAGEMENT SERVICES

The prospective CMAR will provide preconstruction services which may include technical review, cost verification, cost evaluation, value engineering, schedule development, and schedule evaluation, in addition to management of the construction. The CMAR will be expected to work collaboratively with the Design Professional to develop separate bid packages during the course of the project. In addition, CMAR will be responsible for methods of construction, safety, and the scheduling and coordination of the work of all construction and miscellaneous contracts required for completion of the project within its predetermined budget and schedule. The successful CMAR will be required to work harmoniously with the Design Professional and the Owner.

II. SCHEDULE OF EVENTS

The following Schedule of Events represents the Owner’s best estimate of the schedule that will be followed. All times indicated are Eastern Standard Time. The Owner reserves the right to adjust the schedule as the Owner deems necessary.

a. Owner issues RFP	6/16/23	
b. Pre-proposal Meeting at Public Safety Headquarters	6/22/23	10:00 AM
c. Deadline for questions about the Statements of Qualifications	6/29/23	3:00 PM
d. Owner provides responses to questions from interested firms	7/05/23	
e. Deadline for submission of Statement of Qualifications and Fee Proposals	7/17/23	10:00 AM
f. Interviews, if required – sometime between: July 24 th -26 th 2023	7/26/23	TBA
e. Owner Recommends firm to City Council	8/3/23	

Pre-proposal Meeting is not mandatory. However, attendance is encouraged and recommended since project specific information will be discussed, and a visit to the site will be arranged for immediately after the meeting. This site visit will be the only scheduled time to view site conditions.

III. SELECTION PROCESS AND EVALUATION CRITERIA

The Owner will receive and evaluate Statements of Qualifications and Fee Proposals to determine the firm that is most advantageous to the City of Cartersville. Selection of the CMAR will be a multi-step process – an evaluation of qualifications and fee proposals and an interview.

Step I – Qualifications/Fee Proposal Review, is initiated with this **RFP**, which is issued for the purpose of acquiring Statements of Qualifications from prospective CMAR firms. A selection of finalist firms will be made by a Selection Team consisting of representatives of City Staff. The Selection Team will receive and review Statements of Qualifications submitted in response to this RFP. To be deemed eligible for evaluation, firms must meet the following minimum qualifications:

Minimum Qualifications Required

- Firm must have sufficient bonding capacity for anticipated total cost of work (\$8,000,000). Only those sureties listed in the Department of Treasury's Listing of Approved Sureties (Department Circular 570) are acceptable to the Owner. At the time of issuance, all insurance and bonds must be issued by a company licensed by the Georgia Insurance Commissioner to transact the business of insurance in the State of Georgia for the applicable line of insurance. Such company shall be an insurer (or, are qualified self-insurers or group self-insureds, a specific excess insurer providing statutory limits) with an A.M. Best Financial Strength rating of "A-" or better and an A.M. Best Financial Size Category of Class V or larger.
- Firm must have a current Contractor's Public Liability Insurance policy, and must be insurable in the following amounts: Bodily injury, including death- limits of \$1,000,000 for each accident. Property damage- limits of \$2,000,000 for each accident and \$4,000,000 for the aggregate of operations. (The Owner reserves the right to require additional limits and/or coverage for actual contract.)
- Firms must have all necessary, valid and current licenses to do business in the State of Georgia
- Firm must demonstrate sufficient cash flow to undertake the project as evidenced by a current ratio (assets/liabilities) of 1.0 or higher
- The firm must demonstrate a commitment to safety with regard to Worker's Compensation by having a current Experience Modification Rating (EMR) of 1.2 or less.

Criteria for evaluation of Statements of Qualifications and Fee Proposals.

0-15 Points: Stability of the firm, including the firm's corporate history, growth, resources, form of ownership, litigation history, financials, etc.

0-30 Points: Firm's relevant project experience and qualifications, including the demonstrated ability of firm in effective management of construction of facilities comparable in complexity, size, and function, for Owners such as the City of Cartersville and other similarly-structured organizations. This includes relevant experience and qualifications of the firm's principal Project Executive, Project Manager, and/or Superintendents; and the demonstrated proficiency of the firm in projects similar to this Project.

0-40 Points: Firm's suitability to provide services for project, including the firm's apparent fit to the project type and/or needs of the Owner, any unique qualifications for the project, current and projected workloads, the proximity of office to project location, and special services for

project-related concerns. The suitability and overall quality of proposed project management plan and approach.

0-15 Points: Firm's Fee Proposal to provide preconstruction and construction services.

During the first phase of the evaluation, the Evaluation Team will have access to all proposal materials except the **separately sealed Pricing**. Proposals will initially be scored based on the technical criteria. The selection team may short list the highest scoring firms before opening Fee Schedules. The number of respondents short listed will be at the discretion of the selection team. The City reserves the right to negotiate price and scope of work with the consultant scoring highest in an attempt to reach agreement. If negotiations with the highest scoring consultant are unsuccessful, the City may then negotiate with the second highest scoring consultant and so on until a satisfactory agreement has been reached.

IV. SUBMITTAL OF QUESTIONS AND REQUEST FOR CLARIFICATION

Questions about any aspect of the RFP, or the project, shall be submitted in writing via email to: Freddy Morgan, fmorgan@cityofcartersville.org. The deadlines for submission of questions relating to the RFP are the times and dates shown in the (*Schedule of Events-Section II*). From the issue date of this solicitation until a successful firm is selected and the selection is announced, respondents are not allowed to communicate for any reason with any members of the City.

V. SUBMITTAL OF STATEMENTS OF QUALIFICATIONS

Proposals must be returned in a sealed package marked on the outside with Request for Proposal – City of Cartersville Fire Station #5 Project and Company Name. Proposals will be received until **10:00 A.M. local time on Monday, July 17, 2023** at the Cartersville City Manager's Office – 1 N. Erwin Street, Cartersville, Georgia 30120. Any proposal received after this date and time will not be accepted. Proposals will be publicly opened and only names of submitting firms will be read at 10:05 A.M. Proposals are legal and binding upon the bidder when submitted. **One unbound original, four (4) bound copies without FEE SCHEDULE should be submitted and one form of electronic media in Adobe PDF format should be submitted.**

All expenses for preparing and submitting responses are the sole cost of the party submitting the response. The Owner is not obligated to any party to reimburse such expenses. All submittals upon receipt become the property of the Owner. Labeling information provided in submittals such as "proprietary", "confidential", or any other designated of restricted use will not protect the information from public view. Subject the provisions of the Open Records Act the details of the proposal documents will remain confidential until final award.

VI. INSTRUCTIONS FOR PREPARING STATEMENTS OF QUALIFICATIONS AND FEE PROPOSALS

Submittals must be prepared in a manner that when printed would typically fit on standard (8 ½" x 11") paper. Responses are limited to using a minimum of an 11-point font. **(The entire response shall not exceed 35 pages. All pages count, no exceptions.)** Emphasis should be on completeness, relevance, and clarity of content. To expedite the review of submittals, it is essential that respondents follow the format and instructions outlined below. Each Statement of Qualifications shall be prepared simply and economically, providing straightforward, concise delineation of respondent's capabilities. The content of all statements of qualifications must be categorized and numbered, as outlined below, and responsive to all requested information:

A. Description and Resources of Firm

A1 Provide basic company information: Company name, address, name of primary contact, telephone number, fax number, E-mail address, and company website (if available). If the firm has multiple offices; the qualification statement shall include information about the parent company and branch office separately. Identify office from which project will be managed and this office's proximity to the project site. Provide ownership, including state of residency or incorporation, and number of years in business. Is the offeror a sole proprietorship, partnership, corporation, Limited Liability Corporation (LLC), or other structure?

A2 Briefly describe the history and growth of your firm(s). Provide general information about the firm's personnel resources; including disciplines, number of employees, locations, and staffing of offices.

A3 Has the firm been involved in any litigation in the past five (5) years? Describe your experience with litigation with Owners, Architects or Consulting firms and/or Contractors. List any active or pending litigation and explain.

A4 List the firm's annual revenue for the past 5 years and supply main financial and banking references.

A5 Has firm ever been removed from a contract or failed to complete a contract as assigned? Elaborate.

A6 The firm, in order to be deemed eligible for evaluation, must provide supporting documentation asserting that the firm meets the minimum qualifications required for this project

- a. Confirm that your firm has sufficient bonding capacity for anticipated total cost of work and our surety and insurance companies are in the current Department of Treasury's Listing of Approved Sureties (Department Circular 570). All insurance and bonds will be obtained through a company licensed by the Georgia Insurance Commissioner to transact the business of insurance in the State of Georgia for the applicable line of insurance. The company is an insurer (or qualified self-insurers or group self-insureds, a specific excess insurer providing statutory limits) with an A.M. Best Financial Strength rating of "A-" or better with an A.M. Best Financial Size Category of Class V or larger. **Provide** a letter or other supporting documentation from your firm's surety indicating the firm has bonding capacity of \$8,000,000.00.
- b. Confirm your firm has a current Contractor's Public Liability Insurance policy, and your firm is insurable in the following amounts: Bodily injury, including death- limits of \$1,000,000 for each accident. Property damage- limits minimum of \$1,000,000 for each accident and \$4,000,000 for the aggregate of operations. The Owner reserves the right to require additional limits and/or coverage for actual contract. **Provide** current insurance certificate.
- c. Confirm your firm has all necessary, valid and current licenses (including a valid and current Georgia General Contractor's License) to do business in the State of Georgia. *General Contractor **must** provide a valid and current Georgia General Contractor License at the time of submission of qualifications.* **Provide** a valid copy of your Georgia General Contractor license, and a Georgia Certificate of Existence or Certificate of Authority demonstrating your firm has registered with the Georgia Secretary of State and is authorized to do business in Georgia.
- d. Confirm your firm has sufficient cash flow to undertake the project as evidenced by a current ratio (assets/liabilities) of 1.0 or higher. **Provide** a one page statement evidencing your current ratio.

e. Confirm your firm demonstrates a commitment to safety with regard to Worker's Compensation by having a current Experience Modification Rating (EMR) of 1.2 or less. **Provide** evidence from your firm's carrier on their letterhead of your firm's EMR.

A7 Provide the firm's federal employer identification number and a completed IRS Form W9.

A8 Complete City of Cartersville E-Verify Form (Exhibit A).

B. Experience and Qualifications

B1 Provide an organizational chart, professional qualifications and description of experience for the project team. Qualifications should be provided for, at a minimum, the Project Executive, Project Manager, and Superintendent.

B2 Provide information on the firm's experience with projects of similar type, size, function and complexity. Describe no more than eight (8) and no less than five (5) projects, in order of most relevant, which demonstrate the firm's capabilities to perform the **anticipated services listed in this RFP for the incumbent project**. For each project, the following information should be provided:

- a. Project name, location and dates during which services were performed.
- b. Brief description of project and physical description (square footage, number of stories, site area).
- c. Exact services performed by your firm and **relevance to services required for the incumbent project. List each similar service performed.**
- d. Owner's stated satisfaction in service of your firm (include letters or statements of reference).
- e. Architect's and Owner's current contact information.

C. Statement of Suitability

C1 Provide any information that may serve to differentiate the firm from other firms in suitability for the project. Provide evidence of the firm's fit to the project and/or needs of the Owner, any special or unique qualifications for the project. Provide current and projected workloads, the proximity of office to project location, and any services offered by the firm that may be particularly suitable for this project.

C2 Provide firm's overall project management plan and approach for this specific project. Describe approach, at a minimum, related to management of cost, schedule, quality installation, safety and close-out process.

D. Fee Proposal – Unit Prices

D1 See Fee Proposal Form attached as Exhibit B. This form must be completed and submitted in a separately sealed envelope.

Exhibit A

Solicitation Name & No. Construction Manager at Risk Services for Preconstruction and Construction Services for Fire Station #5 to be located at 51 Carter Grove Blvd., Cartersville, GA 30120.

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with City of Cartersville has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with City of Cartersville, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the City of Cartersville at the time the subcontractor(s) is retained to perform such service.

The undersigned Contractor is using and will continue to use the federal work authorization program throughout the contract period.

EEV/Basic Pilot Program* User Identification Number

BY: Authorized Officer or Agent
(Contractor Name)

Date

Contractor/Entity Name

Title of Authorized Officer or Agent of Contractor

Contractor Address

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20____

Notary Public
My Commission Expires:

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV/Basic Pilot Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

**Exhibit B
PROPOSAL FEE SCHEDULE**

(Submit Proposal Fee Schedule in Separate Sealed Envelope)

1. CMAR'S FEE:

Basis of Fee. The CMAR's fee is the amount agreed to by both parties, which is the full amount of compensation due to the CMAR as gross profit, and for any and all expenses of the Project not included and identified as a Cost of the Work, provided that the CMAR performs all the requirements of the Contract Documents within the time limits established.

A. PRE-CONSTRUCTION FEE:

Pre-Construction Fee		\$
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B. CONSTRUCTION FEE:

Construction Fee. Construction Fee shall be expressed as a percentage (%) of the Cost of the Work and Overhead Costs and Expenses.

Construction Fee		%
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2. CMAR'S OVERHEAD COSTS AND EXPENSES (Construction Phase Services):

A. CONSTRUCTION COSTS

The CMAR's Overhead Costs. The maximum amount for the CMAR's overhead cost is inclusive of all direct and incidental expenses including but not limited to travel, sustenance, reproduction, salaries, wages, design and field office expenses, and those costs listed in the General Requirements. If authorized by the Owner to proceed with Construction Phase Services, the CMAR will execute the work and be reimbursed for the actual costs as defined in the Contract Documents. **The Maximum Overhead and Direct Expenses is inclusive of all incidental and direct expenses including but not limited to: travel, sustenance, reproduction, salaries, wages, design and field office expense, bonds, insurance and those costs listed in the Contract Documents and as correctly depicted in attached Detailed Itemization.**

		TOTAL
Maximum Labor Costs	(Detailed Itemization Must Include a Breakdown of Salary and Labor Burden)	\$
Maximum Other Overhead Costs and Expenses	(All Other Proposed Construction Overhead Costs Not Reflected Above)	\$
MAXIMUM AMOUNT FOR CONSTRUCTION LABOR, OVERHEAD COSTS AND EXPENSES INCLUDING BONDS AND INSURANCE FOR STATION WITHOUT DETACHED STORAGE GARAGE		\$
MAXIMUM AMOUNT FOR CONSTRUCTION LABOR, OVERHEAD COSTS AND EXPENSES INCLUDING BONDS AND INSURANCE FOR STATION <u>WITH</u> OPTION OF DETACHED STORAGE GARAGE		\$

PROPOSAL FEE SCHEDULE

(Submit Proposal Fee Schedule in Separate Sealed Envelope)

Important – Proposers must attach detailed itemization of Proposed Project Costs and Fees, and any exceptions to the items requested above to the CMAR Fee Proposal Form in same sealed envelope. Proposers shall use itemization format (of their choosing), which fully delineates specific costs, expenses and fees for Construction phases, and is descriptive of all cost detail including but not limited to cost of work, in-construction services, overhead, work by others, and insurance and taxes.

Legal Business Name _____

Federal Tax ID _____

Address _____

Representative Signature _____ Printed Name _____

Telephone Number _____ Fax Number _____

E-mail address _____

PROFESSIONAL SERVICES INSURANCE REQUIREMENTS

1. Statutory Workers' Compensation Insurance
 - (a) Employers Liability:
 - ✓ Bodily Injury by Accident - \$100,000 each accident
 - ✓ Bodily Injury by Disease - \$500,000 policy limit
 - ✓ Bodily Injury by Disease - \$100,000 each employee

2. Commercial General Liability Insurance
 - (a) \$1,000,000 minimum limit of liability per occurrence for bodily injury and property damage. \$4,000,000 aggregate.
 - (b) The following additional coverage must apply:
 - ✓ 1986 (or later) ISO Commercial General Liability Form
 - ✓ Dedicated Limits per Project Site or Location (CG 25 03 or CG 25 04)
 - ✓ Additional Insured Endorsement (Form B CG 20 10 with a modification for completed operations or a separate endorsement covering Completed Operations)
 - ✓ Blanket Contractual Liability
 - ✓ Broad Form Property Damage
 - ✓ Severability of Interest
 - ✓ Underground, explosion, and collapse coverage
 - ✓ Personal Injury (deleting both contractual and employee exclusions)
 - ✓ Incidental Medical Malpractice
 - ✓ Hostile Fire Pollution Wording

3. Auto Liability Insurance
 - (a) \$500,000 limit of liability per occurrence for bodily injury and property damage
 - (b) Comprehensive form covering all owned, non-owned, leased, hired, and borrowed vehicles
 - (c) Additional Insured Endorsement
 - (d) Contractual Liability

4. Professional Liability Insurance - \$1,000,000 (project specific for the City project) limit of liability per claim/aggregate or a limit of \$1,000,000 per occurrence and \$4,000,000 aggregate.
 - ✓ Insurance company must be authorized to do business in the State of Georgia.
 - ✓ Dedicated Limits per Project Site or Location (CG 25 03 or CG 25 04 or some other form)

5. City of Cartersville should be shown as an additional insured on General Liability and Auto Liability policies.

6. The cancellation should provide 10 days' notice for nonpayment and 30 days' notice of cancellation.

7. Certificate Holder should read:
 - City of Cartersville
 - 1 N. Erwin St.
 - P.O. Box 1390
 - Cartersville, Georgia 30120

8. Insurance Company, except Worker' Compensation carrier, must have an A.M. Best Rating of A-5 or higher. Certain Workers' Comp funds may be acceptable by the approval of the Insurance Unit. European markets including those based in London and domestic surplus lines markets that operate on a non-admitted basis are exempt from this requirement provided that the contractor's broker/agent can provide financial data to establish that a market is equal to or exceeds the financial strengths associated with the A.M. Best's rating of A-5 or better.

9. Insurance Company should be licensed to do business by the Georgia Department of Insurance.
 - *See above note regarding Professional Liability

10. Certificates of Insurance, and any subsequent renewals, must reference specific bid/contract by project name and project/bid number.

11. The Contractor shall agree to provide complete certified copies of current insurance policy (ies) or a certified letter from the insurance company (ies) if requested by the City to verify the compliance with these insurance requirements.
12. All insurance coverages required to be provided by the Contractor will be primary over any insurance program carried by the City.
13. Contractor shall incorporate a copy of the insurance requirements as herein provided in each and every subcontract with each and every Subcontractor in any tier, and shall require each and every Subcontractor of any tier to comply with all such requirements. Contractor agrees that if for any reason Subcontractor fails to procure and maintain insurance as required, all such required Insurance shall be procured and maintained by Contractor at Contractor's expense.
14. No Contractor or Subcontractor shall commence any work of any kind under this Contract until all insurance requirements contained in this Contract have been complied with and until evidence of such compliance satisfactory to the City as to form and content has been filed with the City. **The Acord Certificate of Insurance or a preapproved substitute is the required form in all cases where reference is made to a Certificate of Insurance or an approved substitute.**
15. The Contractor shall agree to waive all rights of subrogation against the City of Cartersville, the Mayor, City Council members, its officers, officials, employees, and volunteers from losses arising from work performed by the contractor for the City.
16. Special Form Contractors' Equipment and Contents Insurance covering owned, used, and leased equipment, tools, supplies, and contents required to perform the services called for in the Contract. The coverage must be on a replacement cost basis. The City will be included as a Loss Payee in this coverage for City owned equipment, tools, supplies, and contents.
17. The Contractor shall make available to the City, through its records or records of their insurer, information regarding a specific claim related to any City project. Any loss run information available from the contractor or their insurer relating to a City project will be made available to the City upon their request.
18. Compliance by the Contractor and all subcontractors with the foregoing requirements as to carrying insurance shall not relieve the Contractor and all Subcontractors of their liability provisions of the Contract.
19. The Contractor and all Subcontractors are to comply with the Occupational Safety and Health Act of 1970, Public Law 91-956, and any other laws that may apply to this Contract.
20. The Contractor shall at a minimum apply risk management practices accepted by the contractors' industry.

Cartersville, Georgia

BID BOND

KNOW ALL MEN BY THESE PRESENTS: that

(Name of Contractor)

(Address of Contractor)

a _____
(Corporation, Partnership or Individual)

hereinafter called Principal, and

(Name of Surety)

(Address of Surety)

a Corporation of the State of _____, and a surety authorized by law to do business in the State of Georgia, hereinafter called Surety, are held and firmly bound unto

City of Cartersville
(Name of Obligee)

1 N. Erwin Street, Cartersville, Georgia 30120
(Address of Obligee)

Thereinafter referred to as Obligee: in the penal sum of _____ Dollars (\$ _____) in lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

WHEREAS, the Principal is about to submit, or has submitted, to Cartersville, Georgia, a proposal for furnishing materials, labor, and equipment for:

WHEREAS, the Principal desires to file this Bond in accordance with law in lieu of a certified Bidder's check otherwise required to accompany this Proposal.

NOW, THEREFORE, the conditions of this obligation are such that if the proposal be accepted, the Principal shall within ten days after receipt of notification of the acceptance, execute a Contract in accordance with the Proposal and upon the terms, conditions, and prices set forth in the form and manner required by Cartersville, Georgia, and execute a sufficient and satisfactory Performance Bond and Payment Bond payable to Cartersville, Georgia, each in the amount of 100% of the total Contract Price, in form and with security satisfactory to said Cartersville, Georgia, and otherwise, to be and remain in full force and virtue in law, and the Surety shall, upon failure of the Principal to comply with any or all of the foregoing requirements within the time specified above, immediately pay to the City of Cartersville, Georgia, upon demand, the amount hereof in good and lawful money of the United States of America, not as a penalty, but as liquidated damages.

Cartersville, Georgia

PROVIDED, FURTHER, that Principal and Surety agree and represent that this bond is executed pursuant to and in accordance with the applicable provisions of the Official Code of Georgia Annotated, as Amended, including, but not limited to, O.C.G.A. §36-91-1 et seq., and is intended to be and shall be constructed as a bond in compliance with the requirements thereof.

Signed, sealed and dated this _____ day of _____, A.D., 20_____.

ATTEST:

(Principal Secretary)
(SEAL)

(Principal)

By: _____

(Address)

(Witness as to Principal)

(Address)

(Surety)

ATTEST:

By: _____
(Attorney-in-Fact)

Resident or Nonresident Agent

(SEAL)

(Address)

(Witness as to Surety)

(Address)

NOTE: If Contractor is Partnership, all partners should execute Bond. Surety Companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State where the Project is located.