



1.0 Project Background:

1.1 Sevier County has received grant money, under the American Recovery and Reinvestment Act grant entitled the Energy Efficiency and Conservation Block Grant (EECBG). The overall purpose of this grant is to help municipalities to reduce their energy consumption. Sevier County has elected to apply a portion of its grant money to a lighting retrofit for the Sevier County Courthouse as well as the addition of occupancy sensors in various rooms. The contractor selected will be responsible for supplying all materials and labor for the project.

2.0 Scope of Project:

2.1 The scope of this project is to provide the materials and labor to remove and replace the existing lighting in the Sevier County Courthouse (125 Court Avenue, Sevierville, TN 37862) with more energy efficient technology. The scope also includes providing the materials and labor for the installation of occupancy sensors throughout the Sevier County Courthouse where applicable.

3.0 General Electrical Requirements:

3.1 Reference Standards – All work shall comply with the most recently revised versions of all local, state, and federal codes, ordinances of the authority having jurisdiction, laws, rules and regulations. Any modifications required by any of the above shall be made without any additional cost to the owner. Where requirements between governing Codes and Regulations vary, the more restrictive provision shall apply.

3.2 All materials shall comply with standards of the following:

- NEC – National Electrical Code
- NFPA – National Fire Protection Association
- ANSI – American National Standards institute
- IES – Illuminating Engineering Society
- OSHA – Occupational Safety and Health Act
- IBC – International Building Codes
- U.L. – Underwriter’s Laboratory

4.0 Instructions to Bidders:

- 4.1 Contractors shall submit appropriate documents of insurance (certificates of accord); workers compensation, liability, and coverage pertaining to vehicles, property damage and public liabilities, personal injury, etc. and shall hold Sevier County blameless in any incident involving the contractor, its employees, his/her equipment, and vehicles. Please see Attachment 1, Insurance and Bonds requirements.
- 4.2 Contractors shall provide a copy of their TN Contractor's License.
- 4.3 Project specifications and building electrical and lighting plans will be provided prior to the pre-bid meeting upon request from Perrin Anderson at the Sevier County Mayors Office, 125 Court Ave., Suite 102E, Sevierville, TN 37862, Telephone number (865) 774-3643 or panderson@seviercountyttn.org. However, bidders shall visit the Sevier County Courthouse and familiarize themselves with the scope of the project.
- 4.4 A pre-bid meeting and building walk-through will be held on Monday, April 5, 2010. The pre-bid meeting will be held at 10:00 am in Suite 102E at the Sevier County Courthouse at 125 Court Ave., Sevierville, TN 37862.
- 4.5 The contractor shall submit a list of references complete with names, address, phone number and a primary contact, which will allow Sevier County to verify ability to meet the terms of this document.
- 4.6 The contractor must clean their job area daily and dispose of all trash and debris leaving the area broom clean.
- 4.7 It is the responsibility of the contractor to verify all existing conditions.**
- 4.8 Following the award of the contract, all work must be completed no later than June 1, 2010.

5.0 ARRA Stipulations:

- 5.1.1 Compliance with Section 1512 (c) of the Recovery Act:
- 5.1.1.1 First-tier recipients must maintain current registrations in the Central Contractor Registration (<http://www.ccr.gov>) at all times during which they have active federal awards funded with Recovery Act funds.
- 5.1.1.2 A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (<http://www.dnb.com>) is one of the requirements for registration in the Central Contractor Registration.
- 5.1.2 Davis-Bacon Wage Provisions: Contractor must agree to compensate the mechanics and laborers working on this job according to Davis-Bacon wages. The selected contractor for this project will use wages in accordance to General Decision Number: TN080082, dated 12/11/2009, and also known as TN82. TN080082 is provided as an attachment at the end of this document (Attachment 2). These wages must be incorporated into the contractor's bid when factoring labor cost.
- 5.1.2.1 Contractor is required to pay all laborers on the work site weekly.
- 5.1.2.2 Contractor must submit a certified payroll report containing the information required in the Wage and Hour Division of the Department of Labor's WH-347 form, at minimum, to Sevier County on a weekly basis.

- 5.1.3 ARRA Reporting: Contractor will be responsible for completing the required ARRA documentation and reporting throughout the length of the project according to the instructions in the attached document (Attachment 3), titled "Requirements for sub-recipients working with Sevier County on EECBG."
- 5.1.4 Buy American Provision: All materials purchased to complete this project must comply with the Buy American provision of the American Recovery and Reinvestment Act of 2009 (section 1605 of Title XVI). This section as well as a detailed explanation of this section and how it pertains to this grant has been provided in Attachment 4 of this document. Please note that some Nationwide Categorical Waivers have been made for Electronic Ballasts, LED Traffic Lights, and CFLs . Please visit http://www1.eere.energy.gov/recovery/buy_american_provision.html for more information about the Buy American requirements in relation to this grant.

6.0 Demolition:

- 6.1 Contractors must remove existing light fixtures, lamps, and ballasts covered by this specification.
- 6.2 Items mentioned in 5.1 must be disposed of in accordance with the state and local regulations and according to EPA regulations.

7.0 Specifications:

- 7.1 Fixtures selected to replace the existing must, at minimum, maintain the existing foot candle level in each space, or improve it.
- 7.2 Proposed replacement fixtures must require fewer watts to operate, thus resulting in energy savings.
- 7.3 Occupancy sensors will be added to private offices, restrooms, storage rooms, file rooms, kitchenettes, break rooms, conference rooms, and closets with lighting fixtures. These occupancy sensors must be the type most applicable for the use of the space (wall switches, ceiling sensors, and/or multi-tech sensors).
- 7.4 As stated above, building plans and existing fixture schedules will be available upon request.
- 7.5 The Sevier County Courthouse is registered in the National Register of Historic Places. As such, the lighting fixtures replaced must match the design and style of the existing fixtures. Please refer to 36CFR800 for more information about complying with the National Historic Preservation Act.

8.0 Energy Savings:

- 8.1 Bidders must include an energy savings analysis with the bid to show the anticipated savings and payback time of the installation. Calculations shall be based on \$0.0946 per KWH and a burn time of 8 hours per day.

8.2 A line item budget must be included in this analysis, showing the energy cost savings and analysis of each fixture type.

9.0 Execution:

9.1 Contractors must comply with the manufacturer's written instructions for installing fixtures, hardware, accessories and all other components.

9.2 Contractors must provide all items necessary to complete the job such as lifts, permits, or any other miscellaneous materials necessary to complete the project.

9.3 Work is to be performed between the hours of 8:00 am to 10:00 pm (during business hours and after business hours depending on the court schedule and the department preference).

9.4 As previously state, all work must be completed no later then June 1, 2010.

Article 8 Insurance and Bonds

8.1 Insurance Required of the Construction Manager

During both phases of the Project, the Contractor on behalf of the Owner shall purchase and maintain liability and property insurance, including waivers of subrogation, as set forth in Sections 11.2 and 11.4 of A201-1997. Such insurance shall be written for not less than the following limits, or greater if required by law:

- 8.1.1 Workers' Compensation and Employers' Liability meeting statutory limits mandated by state and federal laws. If (1) limits in excess of those required by statute are to be provided, or (2) the employer is not statutorily bound to obtain such insurance coverage or (3) additional coverages are required, additional coverages and limits for such insurance shall be as follows:
- 8.1.2 Commercial General Liability including coverage for Premises-Operations, Independent Contractors' Protective, Products-Completed Operations, Contractual Liability, Personal Injury and Broad Form Property Damage (including coverage for Explosion, Collapse and Underground hazards):
- | | |
|-------------|---|
| \$1,000,000 | Each Occurrence |
| \$2,000,000 | General Aggregate |
| \$2,000,000 | Personal and Advertising Injury |
| \$2,000,000 | Products-Completed Operations Aggregate |
- .1 The policy shall be endorsed to have the General Aggregate apply to this Project only.
- .2 Products and Completed Operations shall be maintained for a period of at least (2) year(s) after either 90 days following Substantial Completion or final payment, whichever is earlier.
- .3 The Contractual Liability insurance shall include coverage sufficient to meet the obligations in Section 3.18 of A201-1997.
- 8.1.3 Automobile Liability (owned, non-owned and hired vehicles) for bodily injury and property damage:
- | | |
|-------------|---------------|
| \$1,000,000 | Each Accident |
|-------------|---------------|

8.1.4 Other coverage:

Umbrella Access Liability: \$2,000,000 over primary insurance.

(If Umbrella Excess Liability coverage is required over the primary insurance or retention, insert the coverage limits. Commercial General Liability and Automobile Liability limits may be attained by individual policies or by a combination of primary policies and Umbrella and/or Excess Liability policies. If Project Management Protective Liability Insurance is to be provided, state the limits here.)

8.2 Insurance Required of the Owner

During both phases of the Project, the Contractor on behalf of the Owner shall purchase and maintain liability and property insurance, including waivers of subrogation, as set forth in Sections

11.2 and 11.4 of A201-1997. Such insurance shall be written for not less than the following limits, or greater if required by law:

8.2.1 Property Insurance:

\$5,000	Deductible Per Occurance
\$10,000	Aggregate Deductible

8.2.2 Boiler and Machinery insurance with a limit of:
(If not a blanket policy, list the objects to be insured.)

8.3 Performance Bond and Payment Bond

8.3.1 The Construction Manager shall furnish bonds covering faithful performance of the Contract and payment of obligations arising thereunder. Bonds may be obtained through Construction Mangers usual source, and the cost thereof shall be included in the Cost of the Work. The amount of each bond shall be equal to One Hundred Percent (100%) of the Contract Sum.

8.3.2 The Construction Manager shall deliver the required bonds to the Owner at least three days before the commencement of any Work at the Project site.

PLUM0102-005 05/01/2009

	Rates	Fringes
PIPEFITTER.....	\$ 24.88	9.99

SFTN0669-001 04/01/2009

	Rates	Fringes
SPRINKLER FITTER (Fire Sprinklers).....	\$ 23.95	12.80

SHEE0005-014 06/01/2009

	Rates	Fringes
SHEET METAL WORKER (Including HVAC Duct Installation).....	\$ 23.16	8.65

SUTN2009-065 09/21/2009

	Rates	Fringes
ACOUSTICAL CEILING MECHANIC.....	\$ 11.25	0.52
CARPENTER, Including Drywall Hanging (Excluding Acoustical Ceiling Installation).....	\$ 14.38	0.78
CEMENT MASON/CONCRETE FINISHER...	\$ 11.14	1.51
GLAZIER.....	\$ 14.09	1.79
HVAC MECHANIC (System Installation Only).....	\$ 14.14	1.50
LABORER: Common or General.....	\$ 11.21	0.00
LABORER: Mason Tender - Brick...	\$ 12.39	0.00
OPERATOR: Grader/Blade.....	\$ 15.05	1.42
OPERATOR: Roller.....	\$ 12.00	0.00
PLUMBER.....	\$ 14.91	9.22
ROOFER, Including Rubber Roof and Shake and Shingle.....	\$ 15.38	0.00
TRUCK DRIVER: Dump Truck.....	\$ 11.37	1.50

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

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Unlisted classifications needed for work not included within

the scope of the
classifications listed may be added after award only as
provided in the labor
standards contract clauses (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates
listed under the
identifier do not reflect collectively bargained wage and
fringe benefit
rates. Other designations indicate unions whose rates have
been determined
to be prevailing.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can
be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on
a wage
determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests
for summaries
of surveys, should be with the Wage and Hour Regional Office
for the area in
which the survey was conducted because those Regional Offices
have
responsibility for the Davis-Bacon survey program. If the
response from this
initial contact is not satisfactory, then the process described
in 2.) and
3.) should be followed.

With regard to any other matter not yet ripe for the formal
process
described here, initial contact should be with the Branch of
Construction
Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an
interested party
(those affected by the action) can request review and
reconsideration from
the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR

Part 7).
Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

Requirements for sub-recipients working with Sevier County on EECBG

As part of the EECBG program, recipients are required to make reports on the progress of the grant through the DOE Web Site. Sub-recipients will need to go to:

http://www.energy.gov/recovery/ARRA_Reporting_Requirements.htm

And follow the instructions below:

Reporting in 3 Steps for Sub-Recipients

Step 1: Getting Started: Familiarize yourself with the reporting process.

Step 2: Pre-Registration Requirements: Once you have reviewed the checklist, confirm that you have registered with [D-U-N-S](#) and/or [Central Contractor Registration \(CCR\)](#).

Step 3: [Federalreporting.gov](#) Registration and Reporting: After locating your D-U-N-S and CCR numbers, you may begin the reporting process at [FederalReporting.gov/](#).

Sevier County will work with sub-recipients to ensure guidelines are met – however, sub-recipients will be required to do their own reporting.

BUY AMERICAN

SEC. 1605. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED

GOODS. (a) None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

1. **REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS -- SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (MAY 2009)**

THIS AWARD TERM IS APPLICABLE TO ANY RECOVERY ACT FUNDS FOR CONSTRUCTION, ALTERATION, MAINTENANCE, OR REPAIR OF A PUBLIC BUILDING OR PUBLIC WORK AND THE TOTAL PROJECT VALUE IS ESTIMATED LESS THAN \$7,443,000. THIS AWARD TERM ALSO APPLIES TO ALL SUBGRANTS AND CONTRACTS.

a. Definitions. As used in this award term and condition--

(1) Manufactured good means a good brought to the construction site for incorporation into the building or work that has been—

(i) Processed into a specific form and shape; or

(ii) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

(2) Public building and public work means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works

may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

- (3) Steel means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

b. Domestic preference.

- (1) This award term and condition implements Section 1605 of the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. 111--5), by requiring that all iron, steel, and manufactured goods used in the project are produced in the United States except as provided in paragraph (b)(3) and (b)(4) of this section and condition.
- (2) This requirement does not apply to the material listed by the Federal Government as follows:

None

[Award official to list applicable excepted materials or indicate "none"]

- (3) The award official may add other iron, steel, and/or manufactured goods to the list in paragraph (b)(2) of this section and condition if the Federal Government determines that--
 - (i) The cost of the domestic iron, steel, and/or manufactured goods would be unreasonable. The cost of domestic iron, steel, or manufactured goods used in the project is unreasonable when the cumulative cost of such material will increase the cost of the overall project by more than 25 percent;
 - (ii) The iron, steel, and/or manufactured good is not produced, or manufactured in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
 - (iii) The application of the restriction of section 1605 of the Recovery Act would be inconsistent with the public interest.

c. Request for determination of inapplicability of Section 1605 of the Recovery Act .

- (1)
 - (i) Any recipient request to use foreign iron, steel, and/or manufactured goods in accordance with paragraph (b)(3) of this section shall include adequate information for Federal Government valuation of the request, including—
 - (A) A description of the foreign and domestic iron, steel, and/or manufactured goods;
 - (B) Unit of measure;
 - (C) Quantity;
 - (D) Cost;
 - (E) Time of delivery or availability;
 - (F) Location of the project;
 - (G) Name and address of the proposed supplier; and
 - (H) A detailed justification of the reason for use of foreign iron, steel, and/or manufactured goods cited in accordance with paragraph (b)(3) of this section.
 - (ii) A request based on unreasonable cost shall include a reasonable survey of the market and a completed cost comparison table in the format in paragraph (d) of this section.
 - (iii) The cost of iron, steel, and/or manufactured goods material shall include all delivery costs to the construction site and any applicable duty.

- (iv) Any recipient request for a determination submitted after Recovery Act funds have been obligated for a project for construction, alteration, maintenance, or repair shall explain why the recipient could not reasonably foresee the need for such determination and could not have requested the determination before the funds were obligated. If the recipient does not submit a satisfactory explanation, the award official need not make a determination.
 - (2) If the Federal Government determines after funds have been obligated for a project for construction, alteration, maintenance, or repair that an exception to section 1605 of the Recovery Act applies, the award official will amend the award to allow use of the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is nonavailability or public interest, the amended award shall reflect adjustment of the award amount, redistribution of budgeted funds, and/or other actions taken to cover costs associated with acquiring or using the foreign iron, steel, and/or relevant manufactured goods. When the basis for the exception is the unreasonable cost of the domestic iron, steel, or manufactured goods, the award official shall adjust the award amount or redistribute budgeted funds by at least the differential established in 2 CFR 176.110(a).
 - (3) Unless the Federal Government determines that an exception to section 1605 of the Recovery Act applies, use of foreign iron, steel, and/or manufactured goods is noncompliant with section 1605 of the American Recovery and Reinvestment Act.
- d. Data. To permit evaluation of requests under paragraph (b) of this section based on unreasonable cost, the Recipient shall include the following information and any applicable supporting data based on the survey of suppliers:

Foreign and Domestic Items Cost Comparison

Description	Unit of Measure	Quantity	Cost (dollars)*
<i>Item 1:</i>			
Foreign steel, iron, or manufactured good			
Domestic steel, iron, or manufactured good			
<i>Item 2:</i>			
Foreign steel, iron, or manufactured good			
Domestic steel, iron, or manufactured good			

List name, address, telephone number, email address, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.

Include other applicable supporting information.

*Include all delivery costs to the construction site.