



pennsylvania
DEPARTMENT OF GENERAL SERVICES

DATE: Wednesday, February 21, 2024

Bob Biter Electrical Enterprises, Inc.
PO Box 227
Cresson, PA, 16630-0227
Vendor No. 175800

Re: Notice of Award/Letter of Intent
Project No. DGS - C-0373-0009-001-Bid
Contract No. DGS - C-0373-0009.4 - Electrical
SCI Mahanoy - Repairs/Renovations to Switchgear & Generators
SCI Mahanoy
Schuylkill, Pennsylvania
Date of Bid - 12.05.2023
Federal ID# - 25-1301034
Amount of Contract - \$9,000,000.00
SDB Commitment - 0.00 %
VBE Commitment - 0.00 %
Base Bid No. - BB-1
Calendar Days - 929

Ladies and Gentlemen:

Pursuant to Section 3911(a) of the Commonwealth Procurement Code, the Department has determined that your firm submitted the lowest responsible and responsive bid to perform work on this project. Also, pursuant to §906 of the Commonwealth Procurement Code, the Department is issuing this binding Letter of Intent to contract with your firm for the above-referenced work. **Upon receipt of this letter, you are directed to start off-site work including:**

- **submission of your submittal schedule based on the submittal register in the eBuilder submittal module; and**
- **submission of shop drawings and submittals for long lead materials and equipment for design approval; and**
- **submission of all administrative submittals required to execute work including, but not limited to your proposed principal staff assigned to this project (provide the names, addresses, email addresses and phone numbers for a maximum of three* individuals), the CPM Schedule,**

Contractors schedule of values, purchase orders, and sub-contractor agreements); and to incur costs in preparation for performance of the contract. All items must be submitted through the eBuilder Enterprise Software platform. In addition, please thoroughly review specification section 013100, the contract documents, the 2020 Administrative Procedures and the 2020 General Conditions of the Construction Contract for important instructions regarding your timely submittal of these and other items. * Note that only two individuals will be permitted to have eBuilder roles.

No physical work on the construction site shall be commenced and no payment shall be made until the contract is fully executed.

Attached is the Contract and Contract Bond for your execution for the subject contract. In order to expedite execution, you are required to execute the Contract and Contract Bond (including providing a Power of Attorney and evidence of signature authority), and submit your Insurance Certificates as required by Article 10 of the General Conditions of the Construction Contract 2020 Edition.

All documents must be uploaded to e-Builder for the Commonwealth's execution to commence. However, you must submit the original hardcopies of all the documents you uploaded to the Bureau of Capital Projects Planning & Procurement, 2nd Floor Arsenal Building, 1800 Herr Street, Harrisburg, Pennsylvania 17103 within ten (10) days of receipt of the Contract in e-Builder in order to achieve full execution of the Contract and Contract Bond.

Please execute the Contract and Contract Bond in accordance with the Instructions to Bidders and as follows:

- The Contract and Contract Bond are to be signed by a senior corporate officer but, if not, provide evidence of the person's authority to sign the Contract and Contract Bond on the corporation's behalf.
- The Contract Bond is to have the name, mailing address, and state of incorporation of Surety Company inserted in the spaces indicated on the Contract Bond. The date of execution should be inserted in the space provided.
- The Contract Bond is to be executed by Contractor and the Surety Company. Include the Power of Attorney authorizing the Attorney in Fact to sign on behalf of the Surety Company, with a current certification date and bearing the signature of a corporate officer.

Under each signature, please print the names of persons signing or witnessing the contract, as well as their corporate office. If the contract and bond are not properly executed and returned, your proposal guaranty may be subject to forfeiture.

According to Section 543 of the Commonwealth Procurement Code, your firm **will not have a contract with the Department until the last Commonwealth official executes the contract.** Issuance of this Notice of Award / Letter of Intent shall not constitute a waiver of the Department's right to rescind the award. The Department explicitly reserves the right to rescind the award until the last Commonwealth official executes the contract. The Department will notify you through e-Builder of a fully executed contract. Understand and agree that a stamped "APPROVED ELECTRONICALLY" or similar wording by the Commonwealth on the Contract and Contract Bond signature pages constitute a valid, binding contract with the Commonwealth and represents that all approvals required by Commonwealth contracting procedures have been obtained. The fully executed Contract and Contract Bond may not contain "ink" signatures by the Commonwealth.

If a contract is not fully executed, your firm is entitled to reimbursement for its actual expenses reasonably incurred pursuant to this letter up to the time you receive notification not to proceed from the Department. Reimbursement may include actual labor costs, bond, and insurance cost. Reimbursement shall not include any loss of anticipated profit, loss of use of money or administrative or overhead costs. Examples of administrative and/or overhead costs include, but are not limited to, salaries of upper-level management, accounting/payroll services, and utilities.

The Department will notify you of the date, time and place of the Initial Job Conference. Your firm must commence on-site work within ten (10) days after the Initial Job Conference. Please remember that the number of calendar days allotted for the completion of this contract is calculated from the date of the Initial Job Conference.

Sincerely,

Greg Kirk

Greg Kirk
Deputy Secretary for Capital Programs, Department of General Services

Bob Biter Electrical Enterprises, Inc.
Contract No. DGS C-0373-0009.4 - Electrical
Contractor Telephone No. 814-886-7111

Cc: Bureau of Construction
Eastern Region
Requesting Agency – Corrections
Susan Stanisic
Ed Olivieri

Paula Murphy
Curtis Burwell

Professional: HF Lenz Company
1407 Scalp Ave
Johnstown, PA, 15904

REQUESTING AGENCY – Please ensure that a copy of this Notice of Award/Letter of Intent is forwarded to your Comptroller.

INSTRUCTIONS - Please use the links below for the instructions /Notifications for the Contractor.

[Notification to all contract awardees.](#)

[Welcome to the Supplier Service Center.](#)