

Town of Mendon Massachusetts

INVITATION FOR BIDS

Professional Conservation of Historic Gravestones and Tombs in the

Old Cemetery

Mendon, MA

March 7, 2016

SUBMIT COMPLETED BIDS TO:

Town of Mendon c/o Diane Willoughby
Mendon Town Hall 20 Main Street
Mendon, MA 01756

NOTICE TO BIDDERS

The Town of Mendon, (“the Town”), acting through Town Administrator Kimberly Newman and the Mendon Board of Selectmen, invites the submission of sealed bids for services related to the Professional Repair and Conservation of Historic Gravestones located in the Old Cemetery Mendon, Ma.

The Invitation for Bids Packet (“IFB”) may be obtained from the Office of the Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, between 8:00 A.M. and 3:00 P.M. local time, Monday, Tuesday, and Thursday, beginning on Monday March 7, 2016. Bid Documents will also be available at www.mendonma.gov.

Sealed Bids will be received until **11:00 A.M. local time, Wednesday March 30, 2016**, at the Office of Mendon Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, at which time and place all bids will be publicly opened and read. A 5% bid bond or deposit is required.

All Bids shall comply with the IFB issued by the Town. Interested parties are advised to fully familiarize themselves with this IFB and visit the proposed job site to fully understand the scope of work. Bidders will also be responsible for contacting Town Administrator Kimberly Newman to register as a participant and provide contact information in the event any addendums are issued prior to the close of the bid process.

All work must comply with the Secretary of the Interiors Standard for the Treatment of Historic Properties. This project is funded through a Grant from the Community Preservation Act for Historic Preservation.

The Town reserves the right to waive any informality in or to reject any, any part of, or all Bids in the best interest of the Town.

Old Cemetery Preservation Plan Priority 1

Contents

Section 1: Project Description

- Introduction
- Historic Overview

Section 2: General Scope of Work

- Examination
- Recommended Treatment Plan
- Proceed with Treatment Plan
- Documentation and Final Presentation

Section 3: General Information - Bid Process

- General Bid Information
- Schedule of Bid Process

Section 4: Qualifications

- Conservator and Staff Qualifications
- References
- Prevailing Wage

Section 5: Bid Submission Requirements

Section 6: Selection Process and Award

- Performance and payment schedule
- Successful Bidders Responsibilities

Section 7: Compliance with Laws

Section 8: Insurance

Section 9: Indemnification

Section 10: Use of Alcohol and Controlled Substances

Section 11: No Smoking

Attachments:

- A. Preservation Plan Conservation Methods
- B. Inventory Assessment Chart

Appendices:

- Appendix 1: Town of Mendon Bid Form
- Appendix 2: Certificate of Non-Collusion
- Appendix 3: Certificate of Tax Compliance
- Appendix 4: Conflict of Interest Certification
- Appendix 5: Certificate of Corporate Bidder
- Appendix 6: Certificate of Compliance with M.G.L. c. 151B
- Appendix 7: Certificate of Compliance with applicable EEO/AA/SDO Provisions
- Appendix 8: Certificate of Non Debarment
- Appendix 9: Form of Contract
- Appendix 10: Prevailing Wage Rates

INVITATION TO BID
Town of Mendon

Old Cemetery Professional Conservation Services

Section 1:

Introduction

This Invitation for Bid (IFB) sets forth the procedures and requirements to be used by the Town of Mendon in the selection process for a qualified conservator who will complete restoration and conservation of the identified Priority Level 1 gravestones and surface tombs located in Mendon's Old Cemetery. This is in following with the Conservation and Preservation Plan developed in 2015 by Historic Gravestone Services of New Salem, MA.

The Mendon Historical Commission has acquired Community Preservation Funds available through the Community Preservation Act (CPA), and as approved by a Town Meeting vote to fund the Conservation and Restoration of the 111 Priority 1 Markers and the Two Surface Tombs located in the Old Cemetery.

Qualified conservators shall be in compliance with **the Secretary of the Interiors Standards for Historic Properties** and follow the **American Institute for Conservation (AIC)** ethics for working on historic artworks.

Historic Overview:

The Old Cemetery was established in 1669. Less than a mile from the center of the Town on Providence Street, it contains 274 markers dating from 1702 - 1917. The oldest marker being that of Sargent Abraham and Mary (Randall) Staples. Abraham was one of the original proprietors' and settlers of Mendon, Ma.

The Old Cemetery contains the graves of many significant members and builders of this community including the Taft, Rawson, Davenport, Hastings, Hayward, Penniman, Thayer, Russell, Ammidon, Torrey and Wheelock families. It is the final resting place of forty, (40) Revolutionary War soldiers. Inside the stonewalls of this historic cemetery lies the history of a community, of new settlers in a new land whose journey marks their effort to survive and to build a new home. They would survive harsh weather conditions, disease, poverty, fire and abandonment in order to build the Town of Mendon. They were visionaries and patriots and dedicated their lives to building this community. This cemetery is now inactive.

In 2015, a comprehensive Assessment and Restoration Plan was prepared. The Restoration Plan is included in this IFB and will be used to instruct and guide the restoration process and acceptable conservation methods to be used.

This cemetery contains 197 Slate Markers, 85 Marble Markers and 1 Granite Marker. The inventory revealed that 23 markers lay on the ground. One stone, broken in several pieces, is now located in the Historical Society Museum. 85 markers have significant mower damage and most are sinking and tilting. In addition there is significant biological material on the markers.

Based on this inventory completed by Historic Gravestone Services of New Salem MA, the Old Cemetery has 111 Priority 1 Markers that are in need of immediate repair. These include, but are not limited to, cap repairs, submerged fragments and whole stones, broken plinths, broken pins, stone splintering and cleaning.

Section 2: General Scope of Work

The Successful Bidder, as conservator and contractor, is responsible for providing all materials, labor and equipment and anything else necessary to complete the conservation work specified in the Preservation Plan for Priority Level 1 stones and tombs (Rawson Tomb and Inventory #221 Tomb).

The conservator will review the 2015 Preservation Plan and prepare a condition assessment and documentation for all Priority 1 headstones, footstones and surface tombs that are scheduled to receive conservation treatment and /or resetting under this contract.

Examination

Examine each stone on the list prior to beginning work (Attachment B, Priority Level 1). Descriptions of conditions, as well as recommended treatments included with the list, are for the purpose of identifying the markers that will be treated and for giving a general description of the conditions and recommended treatments. The short description is not intended to define all of the treatments or treatment steps that may be required. It is the responsibility of the conservator to examine each stone to determine its proper treatment and to submit a conservation plan for approval prior to proceeding with any work.

Recommend Treatment Plan

The conservator is to submit for review a detailed treatment plan for the grave markers and tombs scheduled for treatment. The Treatment Plan is to include any changes in scope, materials and/or methodologies from what has been specified. No work may commence on the markers until the treatment plan has been reviewed and approved. The plan must include detailed descriptions of materials and methods to be used in each treatment as well as manufacturer's data on each product. Material Safety Data Sheets for each product must be submitted separately. The plan must include sequence of treatments.

Proceed with Treatment Plan

Following review and acceptance of the recommended Treatment Plan conservator will complete the repair work on the Priority Level 1 stones and the two surface tombs. Treatments include but are not limited to: removal and resetting, removal of prior repairs and pins, gluing of pieces separated along cleavage planes, gluing and pinning of pieces broken across cleavage planes or bedding planes, grouting of fissures, cracks and seams, application of mortar caps, composite mortar repairs and laying down of flaking areas as well as attaching new pieces of stone to existing markers. The short description is not intended to define all of the treatments or treatment steps that may be required. It is the responsibility of the bidder to examine each stone on the list prior to submitting a bid. All work will be performed in accordance with the methodology as indicated in the Preservation Plan (Attachment A) unless an agreed upon alternative method is warranted and approved by the conservator and the Historical Commission representatives. Conservators shall be in compliance with **the Secretary of the Interiors Standards for Historic Properties** and follow the **American Institute for Conservation (AIC)** ethics for working on historic artworks.

Documentation and Final Presentation

Document the condition of each grave marker or footstone scheduled to receive conservation treatments with a survey sheet and digital photographs prior to proceeding with any work. Document the locations of all treatments to stones on survey sheets. Photograph the stone during and after treatment with digital photos. Upon completion of the project, provide the town/city with four (4) copies of the following: copies of all survey sheets with proposed treatments, copies of final treatment reports plus any field reports, and project correspondences. Include material safety data sheets and manufacturer's cut sheets for all products. In addition, provide the town/city with electronic copies of all forms reports and photographs of grave markers before, during and after treatment. These documents will become the property of the Town. Electronic submissions will be in agreed upon format.

A final presentation to the Historical Commission may be requested that will explain the project, review the repair and conservation work and make recommendations for ongoing preservation of the Old Cemetery.

Section 3: General Information Bid Process:

In accordance with the provisions of Chapter 30, Section 39M of the Massachusetts General Laws (M.G.L. c. 30, §39M), the Town of Mendon, acting through the Mendon Board of Selectmen (hereinafter "the Town of Mendon" or "the Town"), invites sealed Bids for services related to the Priority 1 Level Conservation and Restoration of the Old Cemetery located at 1 Providence Street Mendon, MA.

Copies of this IFB may be obtained from the Office of the Board of Selectmen, Mendon Town Hall, 20 Main Street, Mendon, MA 01756, between 8:00 A.M. and 3:00 P.M. local time, Monday, Tuesday, and Thursday, beginning on Monday March 7, 2016. Bid documents will also be available for download at www.mendonma.gov.

Questions regarding this IFB shall be submitted in writing or by email and shall be delivered to the Selectmen's Office by the close of business (3:00 P.M. local time, Monday, Tuesday, and Thursday) on Thursday March 24, 2016. No question shall be considered which is not submitted in writing. Answers to said questions will be posted in a PDF format to the Town of Mendon website www.mendonma.gov by 2 P.M. Monday March 28, 2016. It is the responsibility of bidders to check the website for updates. By submitting a bid, bidders acknowledge that their bids are based on all addenda that have been posted on the website.

Sealed Bids marked "Town of Mendon: Sealed Bid for Services Related to Conservation of the Old Cemetery, shall be received by 11 A.M. local time, Wednesday March 30, 2016, at this address:

Office of the Mendon Board of Selectmen
Mendon Town Hall
20 Main Street
Mendon, MA 01756.

Each Bidder's name, address and contact phone number shall be clearly visible from the outside of each sealed envelope. The clock in the Selectmen's Office in the Mendon Town Hall shall be considered official. No late Bids shall be accepted. No faxed Bids shall be accepted. Conditional Bids will not be accepted. If the Office of the Mendon Board of Selectmen is closed due to weather or other emergency, the deadline for receipt of bids shall be extended until 2:00 P.M. local time on the next business day that the Office of the Mendon Board of Selectmen is open.

Each Bid shall be submitted in accordance with the Bid Submission Requirements in order to be considered for award. Any Bid submitted shall be binding for thirty (30) days subsequent to the time of the opening of Bids. A Bid Deposit in the form of a Bid bond, or cash, or a certified check shall accompany each Bid, or a treasurer's or cashier's check issued by, a responsible bank or trust company, payable to the Town of Mendon, MA. The amount of such Bid Deposit shall be five (5%) percent of the value of the Bid.

The Bid Deposits of the three (3) lowest responsible and eligible Bidders will be returned upon the execution and delivery of a Contract or, if no award is made, upon the expiration of the time prescribed herein for making an award; except that, if any Bidder fails to perform his/her/its agreement to execute a Contract and furnish a Performance Bond and a Labor and Materials Payment Bond if required, his/her/its Bid Deposit shall become and be the property of the Town, as liquidated damages; provided that the amount of the Bid Deposit which becomes the property of the Town will not, in any event, exceed the difference between his/her/its Bid price and the Bid price of the next

lowest responsible and eligible Bidder; and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other similar unforeseen circumstances affecting a Bidder, his/her/its Bid Deposit will be returned to him/her/it. The Bid Deposits of Bidders other than the three (3) lowest responsible and eligible Bidders, will be returned following award of the Contract by the Town.

The Town of Mendon **will not** reimburse Bidders for any costs incurred in preparing Bids in response to this IFB.

Submission of a Bid shall be conclusive evidence that the Bidder has examined this IFB and is familiar with all the conditions of the Contract. Upon finding any omissions or discrepancy in this IFB, each Bidder shall notify the Town immediately so that any necessary addenda may be issued. Failure of a Bidder to investigate completely this IFB and/or to be thoroughly familiar with this IFB shall in no way relieve any such Bidder from any obligation with respect to the Bid. Interested parties are advised to visit the proposed job site to fully understand the scope of work.

By submission of a Bid, the Bidder agrees that if his/her/its Bid is accepted, then it shall enter into a Contract with the Town of Mendon that incorporates all of the requirements of this IFB. By submission of a Bid, the Bidder further indicates acceptance of all terms and conditions of this IFB.

Changes, modifications or withdrawal of Bids shall be submitted in writing to the Office of the Mendon Board of Selectmen prior to the deadline and shall be contained in a sealed envelope clearly marked, as appropriate, "CORRECTION, MODIFICATION OR WITHDRAWAL OF SEALED BID FOR CONSERVATION SERVICES RELATED TO THE OLD CEMETERY IN THE TOWN OF MENDON". No corrections, modifications, or withdrawal of Bids shall be permitted after Bids have been opened.

M.G.L. c. 30, §39M, which is incorporated herein by reference, shall govern all procedures.

Schedule of Bid Process

Monday March 7, 2016 Advertisement goes out to Central Register and Mass. Listserv and Milford Daily News and all documents will be posted on the Town's website: www.mendonma.gov.

Monday March 7, 2016 □ Bidding and Contract Documents are available in the Selectmen's Office at the Mendon Town Hall.

Thursday March 24, 2016 Last Day for questions from Bidders.

Monday March 28, 2016 Responses are due.

Wednesday March 30, 2016 Bidding Closes 11:00 A.M. local time.

Wednesday March 30, 2016 Mendon Historical Commission Review of submitted bids.

Tuesday April 5, 2016 Final selection submitted to Board of Selectmen for review and approval.

Wednesday April 6, 2016 Execute contract.

Contract work completed by December 8, 2016.

Section 4: Qualifications

Resumes and Qualifications:

The Bidder will submit resumes and qualifications for each of the following individuals:

1. **Conservator:** (s) should have six (6) years of conservation experience with work involving documentation, evaluation, cleaning, resetting, new base construction, repairing fractures and delaminating in marble and slate, excavating, recovery of fragments, reattaching small fragments, mortar caps and fills, stone extensions, structural reattachments, and removal and remedy of failed repairs. A degree in conservation or a related field is preferable.

A Minimum of three (3) years' professional experience applying the theories, methods and practices of Conservation that demonstrates successful application and acquired proficiency and expertise in historic preservation and working in compliance with the Secretary of the Interiors Standard for the Treatment of Historic Properties.

Please include five (5) examples of projects similar in scope to the Old Cemetery Preservation Project. Include references for each project as well as phone numbers and a detailed summary and description of work performed. Supporting photographic images of completed work is recommended.

Quality of workmanship will be essential in the determination of the qualification of the conservator. Inspection of the bidders' referenced work will be evaluated to insure an acceptable conservation standard.

2. Conservation Technicians and Stone Craftsmen:

Bidder shall submit separate resumes and a list of prior projects for each individual who will be working on the project and applying conservation and preservation treatments. Technicians and Craftsmen must have five (5) years prior experience in successful execution of methods described in Conservator's section. The Bidder's personnel shall be adequately trained by the Conservator and shall be experienced in the scope of work outlined in this IFB.

Prevailing Wage

Prevailing wage rates as determined by the Commissioner of the Massachusetts Department of Labor and Workforce Development under the provisions of the Massachusetts General Laws, Chapter 149, and Sections 26 to 27G, as amended, apply to this work. It is the responsibility of the Bidder, before Bid submission, to request, if necessary, any additional information on Prevailing Wage Rates for those tradespeople who may be employed for the proposed work under any such Contract awarded.

Section 5. Bid Submission Requirements

Each Bidder shall submit the following with his/her/its Bid:

1. A fully executed Bid Form (Appendix 1) (which shall include certification of the following:
 - a. Bidder is an established business with a minimum of five (5) years of experience in providing services related to the conservation and preservation of historic gravestones and markers. (Bidder shall attach to the Bid Form a short statement of the status of the business, the year of incorporation/commencement, a list of any name changes, and a list of any lawsuits pending against Bidder.)
 - b. Bidder shall include resumes and work experience of the conservator and all staff assigned to work on this project.
 - c. Bidder holds all applicable State and Federal permits, licenses and approvals. (Bidder shall attach to the Bid Form copies of all applicable State and Federal permits, licenses, and approvals.)
 - d. Bidder provides a Town approved Foreman, who shall be present at the work site at all times.
 - e. Bidder provides supervision of all workers performing under all Contracts held and pledges to provide such supervision under any Contract with the Town.
 - f. Bidder holds all applicable documentation and Insurance in accordance with this IFB. (Bidder shall attach to the Bid Form copies of relevant insurance certificates hereto. Nothing in this provision, however, shall eliminate the requirement that the Bidder, if chosen as the Successful Bidder, shall submit to the Town an endorsement or a rider in compliance with Section 8 of the Contract.)

- g. Bidder shall attach to the Bid Form contact information for all clients over the last five (5) years as well as all current Contracts (contact person, address and telephone number). Bidder shall also provide a list of at least six (6) successfully completed jobs in such time, giving the name and address of these projects.
- h. Bidder has not defaulted on any Contract within the last five (5) years.
- i. Bidder maintains a permanent place of business. (Bidder shall attach to the Bid Form the address of his/her/its business.)
- j. Bidder has adequate personnel and equipment to perform the work expeditiously. (Bidder shall also attach to the Bid Form a statement of experience of his/her/its personnel and the proposed staffing plan it shall offer in reference to the work for which Bids are sought.
- k. Bidder is registered with the Secretary of the Commonwealth of Massachusetts to do business in Massachusetts.
- l. Bidder has not failed to perform satisfactorily on Contracts of a similar nature.
- m. Bidder possesses the skill, ability and integrity necessary for the faithful performance of the work.
- n. Bidder certifies that he/she/it is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work.
- 1. Bidder certifies that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least ten (10) hours in duration at the time the employee begins work and who shall furnish documentation of successful completion of said course. Bidder certifies that his/her/its materials meet the specifications.
- 2. A fully executed Certificate of Non-Collusion. (Appendix 2)
- 3. A fully executed Certificate of Tax Compliance. (M.G.L. c.62C, §49A) (Appendix 3)
- 4. A fully executed Conflict of Interest Certification. (M.G.L. c.268A) (Appendix 4)
- 5. A fully executed Certificate of Corporate Bidder, if applicable. (Appendix 5)
- 6. A fully executed Certificate of Compliance with M.G.L. c.151B. (Appendix 6)

7. A fully executed Certificate of Compliance with Applicable EEO/AA/SDO provisions. (Appendix 7)
8. A full executed Certificate of Non-Debarment. (Appendix 8)
9. A Bid Deposit in the form of a Bid bond, or cash, or a certified check on, or a treasurer's or cashier's check issued by, a responsible bank or trust company, payable to the Awarding Authority. The amount of such Bid Deposit shall be in the amount of five (5%) percent of the value of the Bid.
10. A certificate of insurability from an insurance company that is licensed to do business in the Commonwealth of Massachusetts indicating that all the provisions of the specifications can be met.
11. A letter of intent from a surety company that is licensed to do business in the Commonwealth of Massachusetts stating that the Bidder shall be able to obtain a Labor and Materials Payment Bond in the amount of fifty (50%) percent of the Contract Price.

Section 6. Selection Process and Award

By submission of a Bid, the Bidder agrees that if his/her/its Bid is accepted, then it shall enter into a Contract with the Town of Mendon, which incorporates all of the requirements of this IFB. By submission of a Bid, the Bidder further indicates acceptance of all terms and conditions of this IFB.

As soon as is reasonably possible after the deadline for Bid submission, Bids will be opened in accordance with M.G.L. 30, §39M. Bids submitted to the Town prior to the deadline will be reviewed by the Office of the Selectmen to determine compliance with the foregoing Bid Submission Requirements and this IFB.

Pursuant to M.G.L. c.30, §39M, the Town will award, within thirty (30) days of the opening of sealed Bids, one (1) Contract, if at all, to the lowest responsible and eligible Bidder, based upon the lowest total cost to provide the required services in the Main Bid Work, who complies with the Bid Submission Requirements above.

The term "lowest responsible and eligible Bidder" shall mean the Bidder: "(1) whose Bid is the lowest of those Bidders possessing the skill, ability and integrity necessary for the faithful performance of the work; (2) who shall certify that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work; (3) who shall certify that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least ten (10) hours in duration at the time the employee begins work and who shall furnish documentation of successful completion of said course and (4) who, where the provisions of Section 8B of Chapter 29 (of the Massachusetts General Laws (M.G.L.)) apply, shall have been

determined to be qualified thereunder; and (5) who obtains within ten (10) days of the notification of Contract award the security by bond required under Section 29 of Chapter 149 (of the Massachusetts General Laws (M.G.L.)); provided that for the purposes of this section the term "security by bond" shall mean the bond of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the Awarding Authority; provided further, that if there is more than one (1) surety company, the surety companies shall be jointly and severally liable". M.G.L. c.30, §39M.

Nothing in this IFB will compel the Town to award a Contract. The Town may cancel this IFB, may waive, to the extent allowed by law, any informalities, and may reject any and all Bids, if the Town, in its sole discretion, determines said action to be in the best interest of the Town of Mendon. The Town may reject as non-responsive any Bid that fails to satisfy any of the Bid Submission Requirements.

No person or firm debarred, suspended, or otherwise prohibited from practice by any federal, state, or local agency shall be awarded a Contract.

Performance and Payment Schedule

The Town of Mendon is Tax Exempt. The Town will structure a payment schedule with the successful bidder and will assign an inspector who will be responsible for inspecting all work prior to payment. For further information, please refer to the attached form of contract.

Successful Bidder Responsibilities

1. The Successful Bidder shall provide certification of insurance coverage and shall be required to indemnify and hold the Town harmless (see Section 8 below for more information).
2. The Successful Bidder shall, within ten (10) days after presentation thereof by the Town, execute a Contract in accordance with the terms of this IFB, in the form of the attached Contract.
3. The Successful Bidder who enters into a Contract with the Town shall be responsible for obtaining, at his/her/its own expense, all appropriate federal, state and local permits, licenses and approvals.
4. The Successful Bidder, as contractor, shall provide the Town with the following:
 - a. Name, business address, telephone and cell phone numbers of the president and foreman.
 - b. Name, address, and telephone number of all employees assigned to the sites. The Successful Bidder will update this list whenever there is a change in personnel.
 - c. The successful bidder will take all necessary means to protect all utilities including Town and privately owned utilities, and be responsible for any damage to utilities as a result of the activities in the execution of this contract.
 - d. The Contractor will maintain an agreed upon schedule subject to severe weather conditions.

5. The contractor shall have sufficient back-up equipment available to him in the event of breakdowns.
6. The Contractor shall have a supervisor or foreman available to direct operations and report to the Public Works Director or his designee any problems and progress.
7. Prior to the start of work, the contractor shall meet on-site with the Project Director or his designee to define the limits of work. The Town reserves the right to expand or reduce the amount of work as the job progresses to complete the project according to the Town's needs.
8. The Town may terminate any such Contract upon written notice to the Contractor if a source of money to fund the Contract is lost during the Contract term. In the alternative, the parties may agree in writing to amend any such Contract to provide for a Contract price that represents a reduced appropriation for the Contract term.
9. The Successful Bidder shall provide services as an independent contractor with the Town of Mendon and the Successful Bidder and his/her/its employees shall not be entitled to receive any benefits of employment with the Town of Mendon, including without limitation salary, overtime, vacation pay, holiday pay, health insurance, life insurance, pension or deferred compensation.
10. Should the Town terminate or suspend the project, the contractor's sole recourse shall be collection of the percentage of the total contract work completed to the Town's satisfaction after inspection.

Section 7. Compliance with Laws

The Successful Bidder shall comply with all provisions of Federal, Massachusetts and Town of Mendon law applicable to his work including, without limitation, statutes, by-laws, rules, regulations, orders and directives, as amended, and including, without limitation, the Williams-Steiger Occupational Safety and Health Act of 1970, as amended, and related regulations, as amended, in effect throughout the term of any contract awarded by the Town of Mendon and any extension or renewal thereof. Without limitation, the Successful Bidder shall comply with the applicable provisions of Chapter 149, Section 26 to 27D of the Massachusetts General Laws, as amended, and the applicable minimum wage rates as determined by the Massachusetts Commissioner of Labor and Industries. Any contract awarded by the Town of Mendon shall be considered to include in their entirety all terms respecting workers' compensation insurance and other terms required to be included in it by Chapter 152 of the Massachusetts General Laws, as amended, and applicable provisions of any other laws, including, without limitation, Chapter 30, Sections 39F, 39G, 39K, 39L, 39M, 39N, 39O, 39P, and 39R of the Massachusetts General Laws, as amended, and Chapter 149, Sections 34, 34A, and 34B of the Massachusetts General Laws, as amended, and Chapter 82, Section 40 of the Massachusetts General Laws, as amended, as though such terms were set forth in their entirety.

Section 8. Insurance

The Successful Bidder shall keep in force throughout the term of the Contract and any extension or renewal thereof the amount of insurance described in the Contract that is a part of this IFB and is incorporated herein by reference. Without limitation of other requirements of this IFB, no Contract shall be entered into by the parties unless the Successful Bidder complies with all applicable insurance requirements, including, without limitation, the required language mandating that the Town of Mendon shall be named as an additional insured on the required policies of commercial general liability insurance, automobile liability insurance, and excess liability insurance, umbrella form.

Section 9. Indemnification

The Successful Bidder shall assume the indemnification responsibilities described in the Contract that is a part of this IFB and is incorporated herein by reference.

Section 10. Use of Alcohol and Controlled Substances Prohibited

The use of alcoholic beverages, narcotics, and mood altering substances, except for current valid, legal prescriptions, by any officer, employee, agent, or representative of the Successful Bidder is prohibited on Town of Mendon property that is the subject matter of this IFB and during all hours of work under any Contract with the Town. If any officer, employee, agent, or representative of the Successful Bidder violates the foregoing provision, the Town of Mendon shall have the right to order that such officer, employee, agent, or representative of the Successful Bidder shall not be permitted to return to work under any Contract with the Town. Under such circumstances, the Successful Bidder shall promptly remove the subject officer, employee, agent, or representative from the job site and shall not permit the subject officer, employee, agent, or representative to perform further work in conjunction with any Contract with the Town.

Section 11. No Smoking

Pursuant to Massachusetts General Laws (M.G.L.) c. 270, §22, the Commonwealth of Massachusetts SmokeFree Workplace Law, the Successful Bidder, his/her/its officers, employees, agents, and representatives shall refrain from smoking and from using tobacco products in any public building in the Town of Mendon.