

PUBLIC NOTICE OF A REQUEST FOR SEALED BIDS FOR THE RESTORATION OF CAPACITY OF THE DITCH AND THE RE-CONSTRUCTION OF A SMALL AREA OF PAVING NEAR THE INLET AT EAST PENNSBORO ELEMENTARY SCHOOL

Notice is hereby given by the East Pennsboro Area School District ("District") that it hereby solicits sealed bids from interested parties for excavation work at the East Pennsboro Elementary School, 840 Panther Parkway, Enola, Pennsylvania. The project involves the restoration of capacity of the ditch and the re-construction of a small area of the paving near the inlet to insure the capture and conveyance of the runoff through the school property to the downstream channel.

Sealed bids should be delivered to Mrs. Elizabeth Holley, Business Administrator, East Pennsboro Area School District Administration Building, 890 Valley Street, Enola Pennsylvania, 17025, **no later than May 30, 2017 at 9:00 a.m.** at which time and place, all sealed bids received in accordance with the terms and conditions of the sealed bids shall be opened and publicly read aloud. The District in its sole discretion and authority can waive deficiencies or discrepancies in bids received. The successful bid will be awarded or all bids will be rejected at a regular meeting of the District Board within 30 days of the receipt of the bids. The District expressly reserves the right, in its sole and absolute discretion, to reject any and all bids in the best interest of the district.

THE FOLLOWING TERMS AND CONDITIONS OF THE SALE SHALL APPLY:

1. The project is located on the south side of the school complex near East Pennsboro Elementary School, 840 Panther Parkway, Enola Pennsylvania. The project involves the restoration of a ditch and reconstruction of a small area of a bituminous play area. The purpose of the project is to restore drainage patterns to meet the design of the project and reduce flows onto downstream residential properties in Pine Ridge Estates. The ditch will be restored to a 4 foot bottom width with a longitudinal slope of 1.3%. The ditch will have a depth of three feet. The flow depth will be 1 foot and an additional foot of free board is provided. The bottom and sides will be rock-lined with R-3 rock. The rock lining provides erosion control, reduces flow velocities and encourages infiltration and nutrient removal. Some landscaping/tree planting will be done to restore/stabilize disturbed areas as shown on the plans.

2. All sealed bids for the Property shall be delivered to the Business Administrators office of the East Pennsboro Area School District, Administration Building, 890 Valley Street, Enola, Pennsylvania 17025, no later than May 30, 2017 at 9:00 a.m., prevailing time, at which time and place all sealed bids will be opened. The successful bid will be awarded or all bids will be rejected at a regular meeting of the District Board within 30 days of the receipt of the bids. The District

expressly reserves the right, in its sole and absolute discretion, to reject any and all bids in the best interest of the District.

3. All sealed bids must be accompanied by a down payment or deposit in the form of a bidder's certified check, bank treasurer's check, bank money order, or a cashier's check, drawn on a bank authorized to do business within the Commonwealth of Pennsylvania in an amount of no less than 10% of the bid amount and made payable to "East Pennsboro Area School District" (the "Deposit"). The Deposit and the proceeds thereof shall be retained by the School District as liquidated damages should the successful bidder fail to make settlement on the transaction within the time and on the terms and conditions herein specified. All checks of unsuccessful bidders shall be returned by U.S. First Class Mail, posted within seven (7) business days after the awarding of the bid to the successful bidder by the Board of School Directors in public meeting or after the rejection of all bids by the Board of School Directors, as applicable.

4. IT IS UNDERSTOOD AND AGREED THAT THE BOARD OF SCHOOL DIRECTORS IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. ALL BIDDERS ACKNOWLEDGE THAT THEY HAVE NOT RELIED ON AND WILL NOT RELY ON, AND THE BOARD OF SCHOOL DIRECTORS IS NOT LIABLE FOR OR BOUND BY, ANY EXPRESS OR IMPLIED WARRANTIES, GUARANTIES, STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY OR RELATING THERETO, OR ANY AGENT REPRESENTING OR PURPORTING TO REPRESENT THE BOARD OF SCHOOL DIRECTORS, TO WHOMEVER MADE OR GIVEN, DIRECTLY OR INDIRECTLY, ORALLY OR IN WRITING. ALL BIDDERS AGREE, ACKNOWLEDGE AND REPRESENT THAT PRIOR TO SUBMITTING A BID HE/SHE/IT HAVE BEEN GIVEN THE OPPORTUNITY TO CONDUCT SUCH DUE DILIGENCE, INVESTIGATIONS, INSPECTIONS AND TESTING OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS OF THE PROPERTY, ALL AS THE BIDDER DEEMS NECESSARY OR DESIRABLE TO SATISFY HIMSELF/HERSELF/ITSELF AS TO THE CONDITION OF THE PROPERTY AND THE EXISTENCE OR NONEXISTENCE OR CURATIVE ACTION TO BE TAKEN WITH RESPECT TO THE PROPERTY, AND WILL RELY SOLELY UPON THE SAME AND NOT UPON ANY INFORMATION PROVIDED BY OR ON BEHALF OF THE BOARD OF SCHOOL DIRECTORS OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO. ARRANGEMENTS FOR INSPECTION OF THE PROPERTY CAN BE MADE AS SET FORTH IN SECTION 6 BELOW. UPON SETTLEMENT, THE BUYER SHALL ASSUME THE RISK THAT ADVERSE MATTERS, INCLUDING BUT NOT LIMITED TO, CONSTRUCTION DEFECTS AND ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT BE REVEALED BY BUYER'S INVESTIGATIONS, AND BUYER, UPON SETTLEMENT, SHALL BE DEEMED TO HAVE WAIVED, RELINQUISHED AND RELEASED THE BOARD OF SCHOOL DIRECTORS (AND ITS AGENTS, SUCCESSORS AND ASSIGNS) FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING CAUSES OF ACTION IN TORT), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES) OF ANY AND EVERY KIND OR CHARACTER, KNOWN OR UNKNOWN, WHICH BUYER MIGHT HAVE ASSERTED

OR ALLEGED AGAINST THE BOARD OF SCHOOL DIRECTORS (AND ITS AGENTS, SUCCESSORS AND ASSIGNS) AT ANY TIME BY REASON OF OR ARISING OUT OF ANY LATENT OR PATENT CONSTRUCTION DEFECTS OR PHYSICAL CONDITIONS, VIOLATIONS OF ANY APPLICABLE LAWS AND ANY AND ALL OTHER ACTS, OMISSIONS, EVENTS, CIRCUMSTANCES OR MATTERS REGARDING THE PROPERTY.

5. Interested bidders are advised to investigate all applicable portions of any relevant East Pennsboro Township Ordinances and other local, state and federal codes, regulations, ordinances and laws which may be applicable.

6. Any interested party may inspect the Property by appointment by contacting Chad Reigle, Director of Safety, Security and Facilities, at 717-303-9830 between the hours of 7:30 a.m. and 2:30 p.m. Monday through Friday.