

## **ADVERTISEMENT FOR BIDDERS**

Sealed Bids for the Wastewater Treatment Plant Improvements Project for the City of Salem, Indiana (herein called the "OWNER") will be received by the Owner at 201 East Market Street, Suite 101, Salem, Indiana until May 23, 2018 at 10:00 AM (local time). Any Bids received later than the above time will be returned unopened. All Bids will be publicly opened and read aloud at that time.

All interested citizens are invited to attend and should any citizen require special provisions, such as handicapped modifications or non-English translation personnel, the Owner will provide such provisions as long as the request is made by May 19, 2018.

The work shall include:

The Project includes improvements to the wastewater treatment facilities at the Salem Wastewater Treatment Plant and offsite Southway Villa Lift Station. The work includes installation of a new UV disinfection system; belt filter press and sludge dewatering system; raw sewage pumps; demolition of the existing, aforementioned systems; repairs to the existing lagoon levees; repair of existing influent sewer; site fence replacement; asphalt pavement replacement; electrical and instrumentation & controls replacement and upgrades; and all yard piping, valves, electrical, instrumentation, controls, mechanical, and site work necessary for a complete installation, all in accordance with the Contract Documents and Specifications.

Work shall be constructed under a Lump Sum Contract.

Bids shall be properly and completely executed on a State Board of Accounts Form 96 (Revised 2013). Each Bid shall be accompanied by the Contractor's Bid Attachment (included with the Contract Specifications) to Form 96, a Financial Statement (completely filled out and signed) and a bid security in the form of an acceptable certified check payable to the Owner or an acceptable Bidder's bond, in an amount of not less than 5% of the total bid price, in accordance with the Contract Specifications.

The Contract will be awarded in accordance with the provisions of IC 5-16-13 for Public Works projects awarded after June 30, 2015. Pursuant to IC 5-16-13-7, the provisions of the law are incorporated by reference.

The construction of the project is expected to be funded in part by a grant from the Department of Housing and Urban Development, as administered by the Indiana Office of Community and Rural Affairs through its Wastewater and Drinking Water Program. The Contractor to whom the work is awarded shall comply with all requirements of said agency. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this Advertisement for Bids or any resulting contract.

In accordance with the Davis-Bacon requirements, all contractor and subcontractors are required to pay not less than the Federal prevailing wage rates published by the U.S. Department of Labor for each classification of work performed on this project.

Bidders on this work shall be required to comply with the provisions of the President's Executive Order No. 11246, as amended. The Bidders shall also comply with the requirements of 41 CFR

Part 60-4 entitled "Construction Contractors Affirmative Action Requirements". Section 3 of the Housing and Urban Development Act of 1968 provides that to the greatest extent feasible, training and employment opportunities shall be made available to lower-income residents of project areas and that contracts be awarded to small businesses located within the project area or owned in substantial part by project area residents.

The Bidder's attention is also called to the "Minority/Women Business Participation" requirements. The Office of Community and Rural Affairs has adopted a State goal of 10% participation for minority and female-owned businesses for construction-related or purchase-related contracts for the work.

The Contractor must meet guidelines and practices established by the Indiana Office of Community and Rural Affairs and appropriate Federal regulations including: 1) Executive Order 11246; 2) Section 3 of the Housing and Community Development Act of 1968 as amended; 3) Certification of Non-Segregated Facilities; 4) OMB Circular A-102; 5) Title VI of the Civil Rights Act of 1964; 6) Section 504, Rehabilitation Act of 1973; 7) Age Discrimination Act of 1975; 8) Executive Order 12138; 9) Conflict of Interest Clause; 10) Retention and Custodial Requirements for Records Clause; 11) Contractors and Subcontractors Certifications; and others that may be appropriate or necessary.

In addition, the Contract Division procurement is subject to the Federal Regulations contained in the OMB Circular A-102, Sections B and O and the State of Indiana requirements contained in Indiana Code 36-1-9 and Indiana Code 36-1-12.

A conditional or qualified bid will not be accepted. Award will be made to the low, responsive, responsible bidder and must be approved by the Indiana Office of Community and Rural Affairs.

The low bidder must not be debarred, suspended, or otherwise be excluded from or ineligible for participation in federally assisted programs under Executive Order 12549.

For contracts over \$300,000.00, in accordance with IC 5-16-13-10 and IC 8-23-10-0.5, Contractor must be qualified under either IC 4-13.6-4 or IC 8-23-10 (Indiana Department of Administration or Indiana Department of Transportation) before doing any work on a public works project.

In accordance with IC 22-5-1.7-11.1, Contractors entering into a contract with the Owner, and contractors of any tier as defined in IC 5-16-13-4, will be required to enroll in and verify the work eligibility status of all newly hired employees through the E-Verify program (effective July 1, 2011), and comply with the reporting requirements of IC 5-16-13-11.

In accordance with IC 5-22-16.5, Contractors entering into a contract with the Owner will be required to provide an Indiana Iran Investment Certification.

In accordance with IC 5-16-13-11, Contractor shall submit an Employee Drug Testing Plan with their Bid and contractors of any tier as defined in IC 5-16-13-4 must comply with the drug testing requirements set forth in IC 4-13-18. Contractors shall complete a Drug Testing Plan Certification to be submitted with their Bid.

The Owner reserves the right to waive any informalities or minor defects in bids or bidding procedure, or reject any and all bids, or to accept the bid from the lowest most responsible and responsive bidder as exclusively determined by the Owner. Any bid may be withdrawn prior to the

above scheduled time for the opening of bids or authorized postponement thereof. No Bidder may withdraw a bid within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the Owner and the Bidder determined by the Owner to be the lowest most responsible and responsive.

Submission of a signed Bid by the Bidder constitutes acknowledgment of and acceptance of all the documents and terms and conditions of the Contractual-Legal Requirements and Technical Sections of the specifications in the Project Manual.

The Contractor to whom the work is awarded will be required to furnish an acceptable Performance and Payment Bond each in the amount of 100% of the contract price and must be in full force and effect throughout the term of the Construction Contract plus a period of twelve (12) months from the date of substantial completion.

The Contractor to whom the work is awarded will be required to purchase and maintain insurance coverage as described in the Contract Documents on an "occurrence basis".

Copies of the Drawings and Specifications for the work are on file (for viewing purposes only) at the City of Salem, 201 East Market Street, Suite 101, Salem, Indiana; and the Engineer's office, Wessler Engineering, 6219 South East Street, Indianapolis, Indiana 46227, Telephone (317) 788-4551. All copies are distributed to Contractors and other interested parties by Wessler Engineering, Inc. ([www.wesslerengineering.com/planroom/](http://www.wesslerengineering.com/planroom/)) for a non-refundable fee. A complete digital set of bidding documents is available for \$100. A complete hard copy set of bidding documents is available for \$150.

An up-to-date Planholders List may be viewed at <http://wesslerengineering.com/planroom/>.

A Pre-Bid Conference will be held at 10:00 AM (local time) on May 15, 2018 at the Salem Government Center at 201 East Market Street, Salem, Indiana 47167. Bidders are encouraged to attend the Pre-Bid Conference.

CITY OF SALEM, INDIANA

/S/ Honorable Troy Merry, Mayor

Attest: /S/ Sally Hattabaugh, Clerk-Treasurer

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00230 - Sample Bid Documents for Public Works	6 Pages
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#### **Office of Community and Rural Affairs Contracting Provisions**

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