

SECTION 00020 INVITATION TO BID

The City of Tyndall, South Dakota, will receive sealed bids for their 14th Avenue Utility and Street Improvements Project until **Wednesday, July 10th, 2024, at 2:00 P.M.** Bids can be delivered to the City Office at 110 East 17th Avenue, Tyndall, South Dakota, where the bids will be publicly opened and read aloud at the above place and time.

Bids are invited upon the general items of work as follows:

1. 8,905 sqyd of remove asphalt concrete pavement
2. 871 sqyd of remove concrete sidewalk
3. 3,100 cuyd of unclassified excavation
4. 4,811 tons of base course
5. 1,707 tons of asphalt concrete composite
6. 3,508 ft of 6" PVC water main
7. 1,204 ft of 8" PVC sewer pipe
8. 730 ft of 10" PVC sewer pipe
9. 602 ft of 4" sewer service
10. 964 ft of 1" water service
11. Miscellaneous pipe fittings and valves
12. 5 each fire hydrants
13. Miscellaneous traffic control
14. 946 ft of concrete curb and gutter
15. 69 ft of concrete gutter
16. 64 sqyd of concrete valley gutter
17. 2,911 sqft of 4" concrete sidewalk
18. 6,764 sqft of 5" reinforced concrete sidewalk
19. 5 each 48" sanitary sewer manholes
20. Miscellaneous erosion control
21. 7,086 sqyd of woven separator fabric
22. All related appurtenances to the aforementioned work.

The approximate quantities mentioned above are subject to increase or decrease. It will be agreed by bidders that all quantities of work will be performed in accordance with the provisions of the specifications and at the unit price bid. Bidders agree to furnish all labor, material, and equipment necessary to complete all the work as shown in the plans and specifications.

The complete set of Contract Documents and specifications, is on file with the City Finance Officer, Tyndall, South Dakota and/or at the office of Schmucker, Paul, Nohr and Associates, 2100 North Sanborn Blvd, Mitchell, South Dakota 57301. A paper copy of the contract documents and plans can be ordered with a non-refundable payment of \$35 plus applicable sales taxes. The contract documents and plans will also be made available at the SPN web site www.spn-assoc.com with a non-refundable payment of \$20. Upon request, one copy of the contract documents and plans will be furnished at no charge as required by SDCL 5-18B-1 to each contractor who is a South Dakota resident and who intends to bid the project.

Each bid must be accompanied by a certified check or bank draft payable to the order of the City of Tyndall, South Dakota, in an amount equal to five percent (5%) of the total bid. A bid bond in an amount equal to ten percent (10%) of the total bid will be accepted in lieu of a certified check or bank draft. Surety for bid bond must be authorized to do business in the State of South Dakota.

Pursuant to State Law, a copy of the bidder's sales and use tax license and a copy of the bidder's excise tax license as issued by the State of South Dakota must accompany the bid. In lieu of a copy

of the license, the bidder shall submit appropriate evidence that the bidder and all affiliates have the appropriate licenses.

Bidders are advised that any contracts awarded on this project will be partially funded by the South Dakota State Revolving Fund (SRF) program, South Dakota Department of Transportation Community Access Grant, and the City of Tyndall. All requirements of the funding agencies for construction projects shall be met by all contractors and/or subcontractors performing work on this project. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this Invitation to Bid or any resulting contract. This procurement will be subject to EPA regulations contained in 40 CFR 35.936, 35.938 and 35.939.

Bidders are further notified that any contracts are also partially funded using American Rescue Plan Act (ARPA) funds. As a condition of the ARPA funding guidelines, the Contractor shall meet the following minimum requirements.

1. Based on the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act (IIJA) and E.O. 14005 which provide that, as appropriate and to the extent consistent with law, a preference will be provided to Contractors for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The Contractor shall provide documentation of their efforts to meet the provisions of “Build America, Buy America” upon request.
2. The Contractor shall make a good faith effort to utilize Disadvantaged Business Enterprises (DBE) and/or Minority Business Enterprises (MBE) and shall provide documentation of the effort to solicit bids from qualified entities upon request.

A copy of the ARPA funding guidance that outlines the requirements associated with projects that utilize this funding can be found at the following link: <http://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/>.

Bidders on this work will be required to comply with Title 40 CFR 35, Title 40 CFR 33 and Executive Order 12138. The goals and other requirements for bidders and contractors under this regulation which concerns utilization of disadvantaged/minority business enterprises are explained in Part 1 of the Contract Documents.

The Bidder’s attention is called to the “Equal Opportunity Clause” and the “Standard Federal Equal Employment Opportunity Construction Contract Specifications”. The requirements for bidders and Contractors under this order are explained in Part 1 of the Contract Documents.

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive Order 12138. The goal for Minority-Owned Business Enterprise (MBE) on this project is one percent (1%) and the goal for Woman-Owned Business Enterprise (WBE) on this project is four percent (4%). The goals and other requirements for bidders and contractors under this regulation which concerns utilization of disadvantaged/minority business enterprises are explained in the Contract Documents.

NOTICE OF REQUIREMENT FOR AFFIRMATIVE
ACTION TO ENSURE EQUAL EMPLOYMENT
OPPORTUNITY (EXECUTIVE ORDER 11246)

Compliance with the American Iron and Steel provision of the Consolidated Appropriations Act of 2014 is required. A certification form is included with the bidding documents and must be included with the bid. Note that waivers or exemptions from the American Iron and Steel provision which refer to International Trade Agreements do not comply with the Consolidated Appropriations Act of 2014 for SRF programs. Claims from suppliers will not be accepted which indicate that the American Iron and Steel provision does not apply to certain products based on the International Trade Agreement exemptions of the Consolidated Appropriations Act of 2014.

The low responsive bidder must assure compliance with the requirements of Public Law 115-232, Section 889, Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment.

Bidders are also reminded that not less than the minimum wages as determined by the Davis-Bacon Act and set forth in the Contract Documents must be paid on this project and that the contractor and/or subcontractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or natural origin.

In addition to all of the above-listed Federal requirements for work on this project, compliance with the contract Work Hours and Safety Standards Act, Executive Order 11375, Copeland Act, the Clean Air Act, and Water Pollution Control Act and subsequent amendments to all of the above will be required of contractors and/or subcontractors performing work on this project.

Bids may be held by the City Council for a period of not more than thirty (30) days from the date of opening of bids for the purpose of reviewing the bids, investigating the qualifications of the bidders and completing financial arrangements prior to awarding the Work. The Owner reserves the right to reject any or all bids and to waive any informalities in the bidding and make awards to the Owner's best interest.

By _____
Teresa Holland, Finance Officer

Date: _____
Published two times at a total cost of _____

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