

## SECTION 00020 INVITATION TO BID

The City of Wagner, South Dakota, will receive sealed bids for their Walnut Avenue Water Distribution and Street Improvements Project until **July 9, 2024, 2:00 p.m.**, at the Finance Office located at 60 Main Avenue SE, Wagner, South Dakota. Received sealed 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. 336 Ft Curb and Gutter Removal
2. 7,002.0 SqYd Asphalt Concrete Pavement Removal
3. 562.0 SqYd Concrete Pavement Removal
4. 183.0 SqYd Concrete Sidewalk Removal
5. 2,562 CuYd Unclassified Excavation
6. 4,867.3 Ton Base Course
7. 52.7 Ton Gravel Cushion
8. 1,720.0 Ton Class E Asphalt Concrete
9. 1,472.9 SqYd 8" Nonreinforced PCC Pavement
10. 62.6 SqYd 6" PCC Approach Pavement
11. 134.8 SqYd 6" PCC Fillet Section
12. 1,784 Ft 8" PVC Water Main
13. 1 LS Miscellaneous Traffic Control
14. 183.4 SqYd 8" Concrete Valley Gutter
15. 1748.5 SqFt 5" Concrete Sidewalk
16. 190.2 SqFt Type 1 Detectable Warning Panels
17. Miscellaneous Seeding and Erosion Control.

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 Finance Officer, Wagner, 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](http://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 Wagner, 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 Department of Transportation Community Access Grant, the City of Wagner, and 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.

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

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.

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.

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 \_\_\_\_\_  
Debra Houseman, Finance Officer  
City of Wagner, South Dakota

Date: \_\_\_\_\_, 20\_\_\_\_\_

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