

SECTION 00020 INVITATION TO BID

The City of Elkton, South Dakota, will receive sealed bids for their Utility Improvements – Phase III Project until **Thursday, February 27, 2025 at 2:00 P.M. (local time)**. Bids can be delivered to the Finance Office at 109 Elk Street, in Elkton, South Dakota. Received sealed bids will be publicly opened and read aloud at the above time.

The major elements associated with the Utility Improvements – Phase III project are:

Bid Schedule A (Phase III): Approximately 2,140 tons of furnished base course, 7,270 tons of salvaged base course, 3,260 tons of asphalt, 2,890 square yards of 8" PCC pavement, 900 linear feet of eight-inch water main, 3,000 linear feet of six-inch water main, 43 water service lines, 5,700 linear feet of eight-inch sewer main, 17 sanitary sewer manholes, 63 sanitary sewer services, 1,790 linear feet of four-inch service line, 60 linear feet of six-inch service line, 190 linear feet of culverts, and all related appurtenances to the aforementioned work.

The approximate quantities 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, including drawings and specifications, is on file with the Finance Officer, Elkton, 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 can be ordered with a non-refundable payment of \$50 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 Elkton, 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.

Bids will be evaluated and a contract award made to the lowest bid, inclusive of selected alternates, if applicable, from a responsive and responsible bidder deemed to be in the best interest of the Owner and as allowed by project budget. Past performance by Bidders on other City of Elkton projects will be considered in determining whether a bidder is responsive and responsible.

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. All requirements of the funding agency 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 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 (1.5%) and the goal for Woman-Owned Business Enterprise (WBE) on this project is four percent (2.4%). 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 Buy American 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.

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 I of these 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 I of these 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.

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  _____
City of Elkton, South Dakota

Date: 2/12, 20 25
Published two times at a total cost of _____