

**CITY OF PHILIP, SOUTH DAKOTA  
INVITATION TO BID  
STEWART AVENUE & NORTHEAST SANITARY SEWER IMPROVEMENTS**

The City of Philip, South Dakota, will receive sealed bids for their Stewart Avenue Sanitary Sewer Improvements Project and Northeast Sanitary Sewer Improvements Project until **Tuesday, October 31, 2023, at 1:00 PM (Mountain Time)**. Bids can be delivered to the City Office at 140 South Howard Avenue, Philip, 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:

**Bid Schedule A – Stewart Avenue Sanitary Sewer Improvements:**

531 LF of 8" PVC sewer main, 378 LF of 15" PVC sewer main, 909 LF post televising, 3 sanitary sewer manholes with 4.5 VF extra depth, 15 sanitary sewer service wyes, 508 LF 4" PVC sewer service pipe, 2 storm sewer manholes, 6 storm sewer inlets, 159 LF 15" RCP storm sewer, 75 LF 18" RCP storm sewer, 154 LF 24" RCP storm sewer, 8 LF 27" RCP storm sewer, 64 LF 6" PVC water main, 8 water main mechanical joint bends, 1 fire hydrant, 4,220 SY remove and dispose of asphalt surfacing and granular base, 1,878 LF remove concrete curb and gutter, 482 SY remove concrete surfacing, 951 SY remove and salvage existing gravel surfacing, 2,224 SF 4" concrete sidewalk, 317 SY 6" concrete approach pavement, 69 SY 6" concrete fillet section, 2,001 LF concrete curb and gutter, 76 SF type 1 detectable warnings, 1,008 SF retaining wall, 642 SY install salvaged gravel surfacing, 1,850 CY street excavation, 5,851 SY geotextile fabric separator, 3,390 TN gravel base course, 1,530 tons asphalt surfacing.

**Bid Schedule B – Northeast Sanitary Sewer Improvements:**

1,120 SY remove and salvage existing gravel surfacing, 12 sanitary sewer manholes, 534 LF of 8" PVC sewer main, 239 LF of 8" PVC sewer main spot repairs, 21 sanitary sewer service wyes, 1,780 LF of 8" sewer lining, 17 EA of reinstate sewer services, 40 tons of asphalt patching.

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 Administrator, Philip, 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 Philip, 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, Governor's Office of Economic Development CDBG (Community Development Block Grant), and the City of Philip. 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 Bid Schedule B – Northeast Sanitary Sewer Improvements is 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 (2%) 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: /s/ Brittany Smith, City Administrator

Dated: September 27, 2023

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