

Advertisement for Bids

Notice is hereby given that The City of Midwest City and Midwest City Municipal Authority (hereinafter called the "Owner") will receive sealed bids in the Office of the City Clerk, Midwest City Municipal Complex, 100 N. Midwest Blvd., Midwest City, Oklahoma County, Oklahoma, until 2:00 p.m. on the 16th day of July, 2024 for the North Side Utilities Water Project.

Funding for this project is provided through American Rescue Plan Act (ARPA) grant program. As such, compliance with Labor Standards Contract Provisions is mandatory. Compliance with the Davis Bacon Act is mandatory **if the total project cost exceeds \$10,000,000 (ten million dollars).**

All bids received at said time will be opened and evaluated for completeness and correctness. All work shall be performed, and all construction and materials used and furnished shall be in accordance with the Plans and Specifications prepared by Plummer Associates, Inc. and on file at the office of Plummer Associates, Inc.

The Bid Packet and Contract Documents for this project may be examined at the following locations:

1. Plummer Associates, Inc. 531 Couch Drive, Suite #200, Oklahoma City, OK 73102
2. City of Midwest City, 100 N. Midwest Boulevard, Midwest City, OK 73110
3. _____

Plummer Associates, Inc. is utilizing CivCast (www.civcastusa.com) for distribution of all Contract Documents on this project. Contract Documents, including addenda and plan holder's list, can be viewed and downloaded free of charge to all interested parties. Additionally, the documents for this project may be viewed on the City of Midwest City's website at www.midwestcityok.org/rfps Hardcopies are available at the offices of the City of Midwest City for a fee.

Each bidder shall accompany his original bid, filed with the Owner, with a certified or Cashier's Check on a solvent bank located in Oklahoma, or a Bidder's Bond, in the amount of five (5) percent of the amount bid, as a guarantee of his ability to perform the contract bid upon, and that he will enter into a written contract with the Owner to perform said work and/or furnish said materials in accordance with said Plans and Specifications, and furnish the required bonds according to the Public Competitive Bidding Act of 1974.

The Owner will retain the deposit for liquidated damages in case the successful bidder fails to enter in said contract and furnish the required bonds provided for in the specifications within the time required. Deposit of the unsuccessful bidders will be returned upon the execution of the Contract and required bonds.

Each bidder shall accompany his bid with a sworn statement in writing that the bidder has not directly or indirectly entered into an agreement, expressed or implied, with any other bidder concerning the price or amount of such bid or any bids, the limiting of the bids or bidders, the paying to anyone any money for promotion expenses, the parceling or farming out to any bidder or bidders or other persons of any part of the contract or any part of the subject matter of the bid or of the profits thereof.

Construction, Maintenance and Statutory Payment Bonds in the amount of 100% of the contract price are required for this project. These bonds must be obtained from a Corporate Surety licensed in Oklahoma and approved by the Owner and Consulting Engineer. The bidder shall state in the proposal the name and address of the Surety or Sureties who will sign this bond in case the contract is awarded. The Maintenance Bond required will guarantee the repair of all damage due to improper materials or workmanship for a period of one (1) year after the acceptance of the work by the Owner.

This project is to be financed by the ARPA grant program managed by the Oklahoma Water Resources Board (OWRB) and shall be referred to as Project No. ARP – 23 – 0258 – G. The following requirements and regulations must be complied with:

- A. "Equal Opportunity in Employment: All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, age or physical handicap. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended."
- B. "Each bidder must fully comply with the requirements, terms and conditions of the Environmental Protection Agency's Disadvantaged Business Enterprise Requirements, which have been adopted for the OWRB ARPA program, and include employing the six (6) good faith efforts and soliciting disadvantaged business enterprises during the performance of this contract. Requirements are contained in OWRB's Guidance and Procedures, ARP-267. The bidder commits itself to following the good faith efforts to solicit disadvantaged business enterprises contained herein and all other requirements, terms, and conditions of these bid conditions by submitting a properly signed bid."
- C. **If the total project cost exceeds \$10,000,000 (ten million dollars)** "Davis Bacon Act wage rules shall apply. All laborers and mechanics employed by contractors and sub-contractors on projects funded directly by or assisted in whole or in part by and through the Federal Government shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of Chapter 31 of Title 40, United States Code and 29 CFR

parts 1,3, and 5. The Department of Labor provides all pertinent information related to compliance with labor standards, including prevailing wage rates and instructions for reporting. More information is available at <http://www.sam.gov/> and <https://www.dol.gov/agencies/whd/government-contracts/construction>

- D. System for Award Management (SAM) registration is required for all Applicants and Awardees (Entities, Prime Contractors, Subcontractors, Vendors) in order to receive funds from the ARPA program. SAM replaced the Central Contractor Registration/Federal Agency Registration, Online Representations and Certifications Application, and Excluded Parties List System. Applicants and awardees are required to complete a one-time free registration to provide basic information relevant to procurement and financial transactions. On April 4, 2022, the unique entity identifier used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov). Registrants must retain an active status to be eligible for ARPA funding. Applicants and Awardees can go to SAM.gov to complete the registration process.

The bids filed with the Owner will be opened and considered by the Owner, at a meeting to be held in the City of Midwest City Council Chambers, at 2:00 p.m. on the 16th day of July, 2024. Bids received more than ninety-six (96) hours, excluding Saturdays, Sundays and holidays, before the time set for opening of bids, as well as bids received after the time set for opening of bids, shall not be considered and shall be returned unopened.

The contract is to be awarded to the lowest, responsive, responsible bidder. The Owner reserves the right to correct any non-material clerical errors in the bidding as allowed under Oklahoma Law. The Owner reserves the right to reject any and all bids in accordance with the Oklahoma Public Competitive Bidding Act of 1974. Conditional bids shall not be accepted.

A pre-bid conference will not be held for this project. Questions may be posted on CivCast and will be responded to by Addendum. Questions may also be emailed to Chris Ferguson, PE (cferguson@plummer.com) and they will be responded to by Addendum. **Questions submitted after July 10th may not be answered.**

Approved on this 19 day of June, 2024.

Sara Hancock
