

INVITATION TO BID

Sealed bids in duplicate addressed to the City of Montgomery will be received in the Office of the City Secretary, at the City of Montgomery City Hall, 101 Plantersville Road, Montgomery, Texas 77316, until **11:00 a.m., Thursday, May 2, 2019**, and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of:

STEWART CREEK WASTEWATER TREATMENT PLANT LIFT STATION RELOCATION

The work includes but is not limited to demolition of the existing off-site lift station; construction of a twelve-foot (12') diameter concrete wet well including three (3) submersible pumps, riser piping, valves, coatings, site work, well pointing and dewatering, Eight-inch (8") on-site force main, one (1) 250-kW diesel engine driven generator, sound attenuated weatherproof Level 2 enclosure, generator foundation, automatic transfer switch, load bank testing, lift station control panel, electrical service, disconnect switches, conduit, wire, all associated electrical work, including start-up and all else shown on the plans or specified necessary for a fully functional facility.

The project is located at 265 Buffalo Springs Drive, Montgomery, Texas 77356.

For construction contracts \$50,000 and over but less than \$250,000, the bidder shall submit a certified or cashier's check on a responsible bank in the State equal to two percent (2%) cashier's check or five percent (5%) bid bond of the maximum total bid. For construction contracts over \$250,000, the bidder shall submit either a 2% certified or cashier's check or a five percent (5%) bid bond of the maximum total bid amount. Make the cashier's check or bid bond payable to the Owner.

Plans, specifications, and bidding documents are available at www.civcastusa.com.

"ATTENTION: Pursuant to Texas Government Code 2252.908, you must be able to provide The City of Montgomery (the "City") with a printed, executed and notarized original of a completed Certificate of Interested Parties form (Form 1295) with the bid. Failure to do so will result in the City's inability to execute the contract. To complete the disclosure of interested parties form, or for further information, please visit the Texas Ethics Commission's website at <https://www.ethics.state.tx.us>."

There will be a pre-bid conference in the offices of Jones & Carter, Inc. 1575 Sawdust Road, Suite 400, The Woodlands, Texas 77380 at 1:00 p.m., April 25, 2019. **Attendance is mandatory.**

The Owner reserves the right to reject any or all bids and waive any or all irregularities. No bid may be withdrawn until the expiration of **60 calendar days** from the date bids are open.

This contract is contingent upon release of funds from the Texas Water Development Board (TWDB). Any contract(s) awarded under this Invitation for Bids are expected to be funded in part by a loan with principal forgiveness from the TWDB and a grant from the United States Environmental Protection Agency, U.S. EPA. Neither the State of Texas, the U.S. EPA, nor any of its departments, agencies, or employees, are or will be a party to this Invitation for Bids or any resulting contract.

Any contract(s) awarded under this Invitation for Bids are subject to the American Iron and Steel (AIS) requirements of 33 U.S.C §1388. The Contractor must complete the statement of understanding regarding this requirement.

All qualified applicants will receive consideration for employment without regard to race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, age (40 or older), disability, or genetic information. Bidders on this work will be required to comply with the Department of Labor regulations at 41 CFR Part 60-4, relating the President's Executive Order No. 11246, as amended by Executive Order 11375 and Executive

Order 13672, in award and administration of contracts awarded under TWDB financial assistance agreements. Failure by the Contractor to carry out these requirements is a material breach, which may result in the termination of the awarded financial assistance.

Davis-Bacon prevailing wage requirements apply to the construction, alteration or repair of treatment works carried out, in whole or in part, with assistance made available by Clean Water State Revolving Fund (CWSRF).

The Davis-Bacon prevailing wage requirements apply to Contractors and Subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration or repair (including painting) of a treatment works project under the CWSRF.

For prime contracts in excess of \$100,000, Contractors and Subcontractors must also, under the provisions of the Contract Work Hours and Safety Standards Act, as amended, pay laborers and mechanics, including guards and watchman, at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The Fair Labor Standards Act may also apply to Davis-Bacon covered contracts.

Any contracts in excess of \$2,000 must include the provisions of the Davis-Bacon Wage Rate Requirements. The following contract clauses found in TWDB Guidance DB-0156 must be inserted in full: Appendix 1; Section 3, Section 4 if the contract exceeds \$100,000, and Section 5.

Wage Determinations – U.S. Department of Labor (DOL) wage determination must be included in the bidding and contract documents. DOL wage determinations may be obtain online at <http://www.wdol.gov/>. Once it is determined that Davis-Bacon wage rated will apply to a construction contract, the Owner must state in the solicitation that Davis-Bacon prevailing wage rates are applicable and bid packages must include the current Davis-Bacon wage determination for the area where construction will occur. While the solicitation remains open, the Owner must monitor www.wdol.gov on a weekly basis to ensure that the wage determination contained in the solicitation remains current. The Owner must amend the solicitation if the DOL issues modifications more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the Owner may request a finding from the TWDB that there is not a reasonable time to notify interested Contractors of the modifications of the wage determination.

All laborers and mechanics employed or working upon the site and employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part and through the Clean Water State Revolving Fund and Drinking Water State Revolving Fund shall be paid wages as described in the section, Davis-Bacon Act Requirements of the Supplemental Contract Conditions.

For additional information on Davis-bacon Wage Rate Requirements and its applicability to this contract, please consul TWDB Guidance No. DB-0156.

/s/Susan Hensley, City Secretary