

## INVITATION TO BID

Sealed bids in duplicate addressed to The City of Montgomery will be received at the **City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas 77316, until 10:30am, Wednesday, July 1, 2020**, and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of: Downtown Waterline Replacement for The City of Montgomery. Any bids received after the bid deadline will not be accepted for consideration.

The project is located adjacent to the northern right-of-way of State Highway 105 beginning 118 linear feet west of Shepperd Street and ending at the intersection of State Highway 105 and McCowan Street, adjacent to the eastern right-of-way of Houston Street beginning at the intersection of State Highway 105 and ending at the City of Montgomery Water Plant, adjacent to the eastern right-of-way of Pond Street beginning at the intersection of State Highway 105 and ending at the intersection of Farm to Market Road 149, and adjacent to the eastern right-of-way of Farm to Market Road 149 beginning 500 linear feet south of the intersection of Clepper Street and ending at the intersection of Berkley Street. (Montgomery County Key Map No. 123-V). The project includes but is not limited to approximately 3,400 linear feet of 12-inch (12") waterline replacement by open cut and trenchless methods; 1,100 linear feet of fusible 12-inch (12") waterline by pipebursting; 10 flushing valves; and site restoration.

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 amount. 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 bonds payable to the Owner.

Plans, specifications, and bidding documents are available at [www.civcastusa.com](http://www.civcastusa.com). Said documents may be examined without charge by appointment in the office of Jones & Carter, Inc. 1575 Sawdust Road, Suite 400, The Woodlands, Texas 77380.

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 from (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 two pre-bid conferences at the **City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas 77316, at 10:30am, Wednesday, June 17, 2020 and 10:30am, Wednesday, June 24, 2020**. Attendance is not 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 days from the date bids are open.

This contract is contingent upon release of funds from the Texas Water Development Board. Neither the U.S. Environmental Protection Agency (EPA) or the State of Texas, nor any of its departments, agencies, or employees, are or will be a party to this bid or any resulting contract. Any contract awarded under this Invitation for Bids is subject to the American Iron and Steel (AIS) requirements of federal law, including federal appropriation acts.

This contract is subject to the Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) Program, which includes EPA-approved fair share goals toward procurement of Minority and Women-owned

Business Enterprise (M/WBE) businesses. EPA rules require that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to M/WBEs through demonstration of the six affirmative steps. For more details of the DBE program and the current, applicable fair share goals, please visit <http://www.twdb.texas.gov/dbe>.

Equal Opportunity in Employment - 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 to Construction Contractors--Affirmative Action Requirements, which include the President's Executive Order No. 11246, as amended by Executive Order No. 11375 and Executive Order No. 13672, in the 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 the Clean Water State Revolving Fund (CWSRF) or a construction project financed, in whole or in part, from the Drinking Water State Revolving Fund (DWSRF). 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 or a construction project under the DWSRF. 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 watchmen, 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 or subcontracts in excess of \$2,000 must include the provisions of the Davis-Bacon Wage Rate Requirements found in TWDB Guidance No. DB-0156. Wage Determinations - U.S. Department of Labor (DOL) wage determination must be included in the bidding and contract documents. DOL wage determinations may be obtained online at <http://www.wdol.gov/>. Once it is determined that Davis-Bacon wage rates will apply to a construction contract, the Applicant must state in the solicitation that Davis-Bacon prevailing wage rates are applicable and bid packages must include the current Davis-Bacon general wage determination for the area where construction will occur. While the solicitation remains open, the Applicant must monitor [www.wdol.gov](http://www.wdol.gov) on a weekly basis to ensure that the wage determination contained in the solicitation remains current. The Applicant must amend the solicitation if the DOL issues a modification 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 Applicant may request a finding from TWDB that there is not reasonable time to notify interested Contractors of the modification of the wage determination. For additional information on Davis-Bacon Wage Rate Requirements and its applicability to this contract, please consult TWDB Guidance No. DB-0156.

Given under my hand and seal of office, Montgomery, Texas this the 21<sup>st</sup> day of May, 2020.  
/s/ Susan Hensley, City Secretary