

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 3:00 p.m., Thursday, July 30th, 2020, and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of:

Water Plant No. 3 Improvements for The City of Montgomery

The work consists of providing the necessary labor, materials, equipment, supervision, and planning for construction of one (1) 600-gpm Closed Circuit Cooling Tower System; demolition of the existing 100,000-gallon Ground Storage Tank (GST) No. 1 and foundation; construction of one (1) 210,000-gallon GST including foundation; construction of one (1) 10,000-gallon hydropneumatic tank; installation of one (1) 900-gpm booster pump (Alternate Bid Item); replacement of fan assemblies for existing cooling tower unit; miscellaneous coating; and all additional items needed for a complete and operational system, complete as specified and shown in the drawings.

The project is located at 109 Business Park Drive, Montgomery, Texas 77356 (Key Map 124-P).

The bidder shall submit a five percent (5%) bid bond of the maximum total bid amount. Make the 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) and a certificate of filing at the time of the city's execution of the contract. 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 at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas 77316 at 3:00 p.m., Thursday, July 9th, 2020 and at 3:00 p.m., Thursday, July 23rd, 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 No bid may be withdrawn until the expiration of 60 days from the date bids are open.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.

This contract is subject to the federal requirements of Subpart C of 2 CFR Part 180 and Part 1532 regarding Debarment and Suspension. The Contractor will comply with the assurances provided with the bid that leads to a contract.

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 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 23rd day of June, 2020.
/s/ Susan Hensley, City Secretary