
Sample Invitation for Bid Publication

Please read thoroughly and edit appropriately.

Notice is hereby given, that the *Town of Americana, Flag County, Indiana*, by and through its Town Council, hereinafter referred to as the Owner, will receive sealed bid packets for the construction of the *Division A and B Waterworks Project*.

Sealed bids must be received by the *Town of Americana* no later than *5:00 P.M. (Local Time)* on *May 30, 20XX*. Bids received after such hour will be returned unopened. Bids received prior to this time shall be opened and publicly read at the public meeting scheduled to take place on *May 30, 20XX* at *7:00 P. M.* at the *Americana Town Hall*. All interested citizens are invited to attend and should any citizens require special provisions, such as handicapped modifications or non-English translation personnel, the Town will provide such provisions as long as the request is made by *May 15, 20XX*.

A pre-bid meeting will be held at *11:00 A.M. (Local Time)* on *May 15, 20XX* at the *Town Hall, Americana, Indiana*. All prime contractors, subcontractors, small, minority or women owned enterprises and other interested parties are invited to attend.

The Project will be constructed in two (2) contract divisions which are defined and outlined as follows:

Division A - Distribution System Improvements

The Contract Division A will consist of the replacement of existing water lines with a new 6" water main inside the Town limits. Included will be all looping connections, cross connections, hydrants, valves and appurtenances.

Division B - New 500 GPM Production Well

The Contract Division B will consist of the installation and development of a new 500 gpm raw water production well, chlorine feed system, valves and appurtenances.

Plans and Specification for the Project are on file and may be examined at the following locations:

- *XYS Engineering, Indianapolis, Indiana*
- *Town of Americana, Americana, Indiana*
- *F.W. Dodge Office, Indianapolis, Indiana*

Copies of the Plans and Contract Documents and Specifications for each division of work may be obtained at XYS Engineering, at 333 Smith Road, Indianapolis, Indiana.

The work to be performed and the bid to be submitted shall include sufficient and proper sums for all general construction, mechanical installation, labor, materials, permits, licenses, insurance, and so forth incidental to and required for the construction of the facilities.

Each bid must be enclosed in a sealed envelope bearing the title of the Project and the name and address of Bidder. All bids must be submitted on the bid forms as identified in the Contract Documents and Specifications.

Each bid shall be accompanied by a certified check or acceptable bidder's bond made payable to the Owner, in a sum of not less than five percent (5%) of the total amount of the highest aggregate bid, which check or bond will be held by the Owner as evidence that the bidder will, if awarded the contract, enter into the same with the Owner upon notification from him to do so within ten (10) days of said notification.

Approved performance and payment bonds guaranteeing faithful and proper performance of the work and materials, to be executed by an acceptable surety company, will be required of the Contractor at the time of contract execution. The bonds will be in the amount of 100% of the Contract Price and must be in full force and effect throughout the term of the Construction Contract plus a period of twelve (12) months from the date of substantial completion.

The Owner reserves the right to reject any bid, or all bids, or to accept any bid or bids, or to make such combination of bids as may seem desirable, and to waive any and all informalities in bidding. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bid may be withdrawn after the scheduled closing time for receipt of bids for at least ninety (90) days.

A conditional or qualified Bid will not be accepted.

Award will be made to the low, responsive, responsible bidder. The low, responsive, responsible bidder must not be debarred, suspended, or otherwise be excluded from or ineligible for participation in federally assisted programs under Executive Order 12549.

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the project throughout.

Bids shall be properly and completely executed on bid forms included in the Specifications. Bids shall include all information requested by Indiana Form 96 (Revised 2013) included with the Specifications. Under Section III of Form 96, the Bidder shall submit a financial statement. A copy of the proposed Financial Statement to be submitted with the bid is included in the bid documents section to these specifications. The Owner may make such investigations as deemed necessary to determine the ability of the Bidder to perform the work and the Bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such Bidder fails to satisfy the Owner that such Bidder

is properly qualified to carry out the obligations of the Agreement and to complete the work contemplated therein.

Each Bidder is responsible for inspecting the Project site(s) and for reading and being thoroughly familiar with the Contract Documents and Specifications. The failure or omission of any Bidder to do any of the foregoing shall in no way relieve any Bidder from any obligation with respect to its Bid.

Wage rates on the project shall not be less than the federal wage scale published by the U.S. Department of Labor.

Bidders on this work shall be required to comply with the provisions of the President's Executive Order No. 11246, as amended. The Bidders shall also comply with the requirements of 41 CFR Part 60 - 4 entitled Construction Contractors - Affirmative Action Requirements. A copy of 41 CFR Part 60 - 4 may be found in the Supplemental General Conditions of the Contract Documents and Specifications.

Bidders shall be aware of the requirements set by the Bipartisan Infrastructure Law of 2021, which mandate that all iron and steel, manufactured products, and construction materials used in a federal project must be produced in the United States. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

The Bidders attention is also called to the "Minority/Women Owned Business Participation" and "Indiana Veteran Owned Small Business Program" requirements contained in the Project Specifications. The State of Indiana has set a goal of 10% participation for minority and women owned businesses and 3% participation of veteran owned businesses for construction or purchase related contracts for the work.

The Contractor must meet guidelines and practices established by the Indiana Office of Community and Rural Affairs and appropriate federal regulations including: 1) Executive Order 11246, 2) Section 3 of the Housing and Community Development Act of 1968, as amended, 3) Certification of Non-Segregated Facilities, 4) OMB Circular A-102, 5) Title VI of the Civil Rights Act of 1964, 6) Section 504, Rehabilitation Act of 1973, 7) Age Discrimination Act of 1975, 8) Executive Order 12138, 9) Conflict of Interest Clause, 10) Retention and Custodial Requirements for Records Clause, 11) Contractors and Subcontractors Certifications, 12) Build America, Buy America Act (BABAA) requirements under Title IX of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. 117-58, 13) OMB's Memorandum M-24-02; Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure, 14) U.S. Housing and Urban Development CPD Notice 23-12; CPD Implementation Guidance for the Build America, Buy America Act's domestic content procurement preference as part of the Infrastructure Investment and Jobs Act and others that may be appropriate or necessary.

Contract procurement is subject to the federal regulations contained in the OMB Circular A-102, Sections B and O and the State of Indiana requirements contained in IC-36-1-9 and IC-36-1-12.

Any contract(s) awarded under this Advertisement for Bids are expected to be funded in part by a grant from the Department of Housing and Urban Development, as administered by the Indiana Office of Community and Rural Affairs. Neither the United States nor any of its departments, agencies or employees is or will be a party to this Advertisement for Bids or any resulting contract.

Pursuant to Chapter 5, 5-5 of the Labor Standards Administration and Basic Enforcement Handbook 1344.1 Rev 3; "No contract may be awarded to any contractor that is debarred, suspended or otherwise ineligible to participate in Federal or Federally assisted contracts or programs. Any contract awarded to a prime contractor or subcontractor that is found to be ineligible for award must be terminated immediately." Prior to contract award prime contractors are to be actively registered or seeking registration with SAM.gov to determine eligibility/debarment status.