

## ADVERTISEMENT FOR BIDDERS

Sealed Bids for Water System Improvements, for the Town of Liberty (herein called the "OWNER") will be received by the OWNER at Town Hall, 1 S. Fairground Street, Liberty, IN 47353 until June 6, 2022 at 3:30 pm (local time) and at the Union County Courthouse, 23 W. Union Street, Suite 204, Liberty, IN 47353 until June 6, 2022 between 3:30 pm and 6:00 pm (local time). Any Bids received later than the above times will be returned unopened. All Bids will be publicly opened and read aloud on June 6, 2022 at 6:00 pm at the Union County Courthouse, 23 W. Union Street, Suite 204, Liberty, IN 47353.

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.

All interested citizens are invited to attend and should any citizen require special provisions, such as handicapped modifications or non-English translation personnel, the OWNER will provide such provisions as long as the request is made by May 30, 2022.

The Base Bid Unit Price work shall include:

Water Main Line G which includes the installation of 1,390 LF of 8" DI water main by open cut, 210 LF of 8" Restrained Joint DI water main by open cut, 25 LF of 6" DI water main by open cut, 50 LF of 4" DI water main by open cut, valves, hydrants, water services, pavement repair, cleanup and site restoration, and all other work necessary for a complete installation.

The Mandatory Add Alternate Bid No. 1 work shall include:

Water Mains Lines B, C, D, and E which includes the installation of 2,265 LF of 6" DI water main by open cut, 240 LF of 4" DI water main by open cut, valves, hydrants, water services, pavement repair, cleanup and site restoration, and all other work necessary for a complete installation.

The Mandatory Add Alternate Bid No. 2 work shall include:

Water Mains lines A and F which includes the installation of 565 LF of 4" DI water main by open cut, and 445 LF of 4" Restrained Joint DI water main by open cut, valves, hydrants, water services, pavement repair, cleanup and site restoration, and all other work necessary for a complete installation.

Work shall be constructed under a Unit Price Contract.

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.

Bids shall be properly and completely executed on a State Board of Accounts Form 96 (Revised 2013). Each Bid shall be accompanied by the Contractor's Bid Attachment (included with the Contract Specifications) to Form 96, a Financial Statement (completely filled out and signed) and a bid security in the form of an acceptable certified check payable to the Owner or an acceptable

Bidder's bond, in an amount of not less than 5% of the total bid price, in accordance with the Contract Specifications. Said 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. 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.

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.

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. The Contract will be awarded in accordance with the provisions of IC 5-16-13 for Public Works projects awarded after June 30, 2015. Pursuant to IC 5-16-13-7, the provisions of the law are incorporated by reference.

The construction of the project is 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 through its Wastewater and Drinking Water Program. The Contractor to whom the work is awarded shall comply with all requirements of said agency. 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.

In accordance with the Davis-Bacon requirements, all contractor and subcontractors are required to pay not less than the Federal prevailing wage rates published by the U.S. Department of Labor for each classification of work performed on this project.

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 Specifications. Section 3 of the Housing and Urban Development Act of 1968 provides that to the greatest extent feasible, training and employment opportunities shall be made available to lower-income residents of project areas and that contracts be awarded to small businesses located within the project area or owned in substantial part by project area residents.

The Bidder's attention is also called to the "Minority/Women Business Participation" requirements. The Office of Community and Rural Affairs has adopted a State goal of 10% participation for minority and female-owned businesses for construction-related 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; and others that may be appropriate or necessary.

In addition, the Contract Division 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 Indiana Code 36-1-9 and Indiana Code 36-1-12.

A conditional or qualified bid will not be accepted. Award will be made to the low, responsive, responsible bidder and must be approved by the Indiana Office of Community and Rural Affairs.

The low 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.

For contracts over \$300,000.00, in accordance with IC 5-16-13-10 and IC 8-23-10-0.5, Contractor must be qualified under either IC 4-13.6-4 or IC 8-23-10 (Indiana Department of Administration or Indiana Department of Transportation) before doing any work on a public works project.

In accordance with IC 22-5-1.7-11.1, Contractors entering into a contract with the Owner, and contractors of any tier as defined in IC 5-16-13-4, will be required to enroll in and verify the work eligibility status of all newly hired employees through the E-Verify program (effective July 1, 2011), and comply with the reporting requirements of IC 5-16-13-11.

In accordance with IC 5-22-16.5, Contractors entering into a contract with the Owner will be required to provide an Indiana Iran Investment Certification.

In accordance with IC 5-16-13-11, Contractor shall submit an Employee Drug Testing Plan with their Bid and contractors of any tier as defined in IC 5-16-13-4 must comply with the drug testing requirements set forth in IC 4-13-18. Contractors shall complete a Drug Testing Plan Certification to be submitted with their Bid.

The Owner reserves the right to waive any informalities or minor defects in bids or bidding procedure, or reject any and all bids, or to accept the bid from the lowest most responsible and responsive bidder as exclusively determined by the Owner. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. No Bidder may withdraw a bid within 90 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the Owner and the Bidder determined by the Owner to be the lowest most responsible and responsive.

Submission of a signed Bid by the Bidder constitutes acknowledgment of and acceptance of all the documents and terms and conditions of the Contractual-Legal Requirements and Technical Sections of the specifications in the Project Manual.

The Contractor to whom the work is awarded will be required to furnish an acceptable Performance and Payment Bond each 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 Contractor to whom the work is awarded will be required to purchase and maintain insurance coverage as described in the Contract Documents on an "occurrence basis".

Copies of the Drawings and Specifications for the work are on file (for viewing purposes only) at Liberty Police Station, 1 S. Fairground Street, Liberty, IN 47353; and the Engineer's office, Wessler Engineering, 6219 S. East Street, Indianapolis, Indiana 46227, Telephone (317) 788-4551. All copies are distributed to Contractors and other interested parties by Wessler Engineering, Inc. ([www.wesslerengineering.com/planroom/](http://www.wesslerengineering.com/planroom/)) for a non-refundable fee. A complete digital set of bidding documents is available for \$100.00. A complete hard copy set of bidding documents is available for \$150.00.

An up-to-date Planholders List may be viewed at <http://wesslerengineering.com/planroom/>.

A Pre-Bid Conference will be held at 10:00 am (local time) on May 17, 2022 at the Union County Public Library (2 E. Seminary Street) in Liberty, Indiana. Bidders are required to attend the Pre-Bid Conference.

TOWN OF LIBERTY,  
LIBERTY, INDIANA

/S/ Matt Barnhizer, President

Attest: /S/ Melissa Shepler, Clerk-Treasurer

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