

SECTION 00010
ADVERTISEMENT FOR BIDS

Notice is hereby given that the City of Beresford will receive sealed bids for construction of the Beresford Seventh Street Utility Extension Project. Project scope will include the following:

- Excavation, grading, and gravel surfacing for access road.
- Approximately 1,542 LF 12-inch diameter PVC gravity sewer pipe with manholes, services and appurtenances.
- Approximately 1,164 LF 6-inch PVC watermain with valves, fire hydrants, water services and appurtenances.

The Bids must be prepared on bid forms supplied in the Bidding Documents and filed with the City of Beresford at 101 N Third Street, Beresford, SD 57004 not later than 2:00 p.m., Local Time, October 15, 2024, at which time and place all Bids will be publicly opened and read aloud in the presence of Bidders and their representatives. No bids will be received after the specified hour and date, and Bids which are not prepared and filed in accordance with "Instructions to Bidders", may be rejected.

The Issuing Office for the Bidding Documents is:

Banner Associates, Inc.
409 22nd Avenue South
Brookings, SD 57006
(605) 692-6342

Prospective Bidders may obtain or examine the Bidding Documents at the Issuing Office. Upon a non-refundable payment of \$106.00, including applicable taxes and fees, a paper copy of Bidding Documents may be obtained. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Bidding Documents can be downloaded from www.bannerassociates.com and/or www.questcdn.com (reference Quest number 9290334). Register with QuestCDN.com and submit the \$22.00 fee to download the Bidding Documents. Downloading is recommended as plan holders receive automatic notice of addenda and bid updates. Interested parties may view the Bidding Documents at no cost after registration and prior to deciding to become a plan holder. Contact QuestCDN Customer Support at 952-233-1632 or Support@questcdn.com for assistance in membership registration and downloading digital Bidding Documents.

Upon request, in accordance with South Dakota Codified Law 5-18B-1, one paper copy of Bidding Documents shall be furnished, without charge, to each prime contractor resident in South Dakota who intends, in good faith, to submit a bid to the Owner. Additionally, if a paper copy is provided under the conditions of SDCL 5-18B-1, in consideration of the documents being provided at no charge, unsuccessful bidders agree to return the documents to the Issuing Office within thirty (30) days after the bid opening.

All official notifications, addenda, and other Bidding Documents will be offered only through the designated websites.

The Bidder to whom the contract is awarded will be required to furnish a construction performance bond and a construction payment bond to the Owner in the amount of one hundred percent (100%) of the contract award for each bond, in conformance with the requirements of the Contract Documents. The construction performance bond and construction payment bond shall remain in full force until the completion of the Contract as specified in the General Conditions.

All bids must be accompanied by a Bid security. Bid security will take the form of a bid bond in an amount of ten percent (10%) of the Bidder's maximum Bid price or a cashier's or certified check made payable to Owner in an amount of five percent (5%) of the Bidder's maximum Bid price. The Bid security will be retained by the Owner as liquidated damages if the successful bidder refuses or fails to enter into an Agreement within fifteen (15) days after

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Notice of Award or fails at time of executing the contract to furnish a construction performance bond and construction payment bond guaranteeing the faithful performance of the work.

Bids may not be withdrawn after the time fixed for opening them. The Owner reserves the right to reject any and all bids, and to waive any irregularities therein.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents. Bid security shall be furnished in accordance with Article 8 of the Instructions to Bidders. Performance and payment bonds shall be furnished in accordance with Article 19 of the Instructions to Bidders.

Any contract or contracts awarded under this Advertisement are expected to be funded in part by a loan from the South Dakota State Revolving Loan Fund. This procurement will be subject to regulations contained in Title 40 CFR 35.

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive Order 12138 (WBE). The MBE goal for this project is 1% of the total dollar value of the job while the WBE goal is 4% of the total dollar value of the job.

Bidders on this work will be required to comply with the President's Executive Order Nos. 11246 (Equal Employment) as amended, 11518 (Small Business Concerns), and 11625 (MBE) as amended.

The goal for female utilization which shall be included in all federal and federally assisted construction contracts and subcontracts in excess of \$10,000 shall be 6.9%. The goal for minority utilization which shall be included in all federal and federally assisted construction contracts and subcontracts in excess of \$10,000 shall be 1.2%. The goals are applicable to the Contractor's aggregate on-site construction workforce whether or not part of that workforce is performing work on a federal and federally assisted contract or subcontract.

Davis-Bacon and related acts provisions apply to this project. All provisions relative to those acts must be met.

The low responsive bidder will be required to certify to compliance with the American Iron and Steel provisions of the Consolidated Appropriations Act of 2014. This certification form may be found on page AIS-21 of the State Revolving Fund (SRF) General Conditions and must be included in the bid proposal.

Please be advised that waivers or exemption from the American Iron and Steel provision that cite International Trade Agreements DO NOT comply with the Consolidated Appropriations Act of 2014 as it applies to the SRF programs. Claims from suppliers that the American Iron and Steel provision does not apply to certain products based on the International Trade Agreement exemptions of the Consolidated Appropriations Act of 2014 will not be accepted.

The low responsive bidder must assure compliance with the requirements of Public Law 115-232, Section 889, Prohibition on Certain Telecommunications & Video Surveillance Services or Equipment. Contractors must assure that telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities), and video surveillance and telecommunication equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities) **WILL NOT** be supplied for the project.

This project may be partially funded using American Rescue Plan Act (ARPA) funds. As a condition of the ARPA funding guidelines, the Contractor shall meet the following minimum requirements:

Based on the "Build America, Buy America" provisions of the Infrastructure Investment and Jobs Act (IIJA) and E.O. 14005 which provide that, as appropriate and to the extent consistent with law, a preference will be provided to Contractors for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to non-iron and steel metals, lumber, cement, and other manufactured products.) The Contractor shall provide documentation of their efforts to meet the provisions of "Build America, Buy America" upon request.

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A copy of the ARPA funding guidance that outlines the requirements associated with projects that utilize this funding can be found at the following link: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/>

Bids may not be withdrawn after the time fixed for opening them. The Owner reserves the right to reject any and all bids, and to waive any irregularities therein.

BY ORDER of the City Council of Beresford, South Dakota.

Date: Sept. 16, 2024

By _____
Jerry Zeimetz, City Administrator

Published twice at the approximate cost of \$_____.