

ADVERTISEMENT FOR BID

The City of Marlin is requesting Bids for construction of the following Project:

Water Quality and Drainage System Improvements Texas Water Development Board Water Quality Protection and Stormwater Management

This project includes the installation of the following water quality and drainage system improvements within project areas as described below:

BASE BID - (Project Areas A, C, & D): Project A – Storm sewer improvements along a portion of First Street and Falls Street; Project C – Storm sewer improvements along a portion of Commerce Street; Project D – Storm sewer improvements along a portion of Falls Street, George Street, & Little Street.

ALTERNATE 1 - Is the DEDUCT price whereby the scope of work as defined in Projects A as just milling and restoration is removed from the Work.

ALTERNATE 2 - Is the DEDUCT price whereby the scope of work as defined by Project C is removed from the Work.

ALTERNATE 3 - Is the DEDUCT price whereby the scope of work as defined by Project D is removed from the Work.

Sealed Bids must be addressed to **Mr. Cedric Davis, Sr., City Manager, City of Marlin**, and will be received at the city office located at 101 Fortune Street, Marlin, Texas 76661 until **2:00 PM local time on July 11, 2023**. The sealed envelope containing the Bid shall be enclosed in a separate package plainly marked on the outside with the notation "BID ENCLOSED – WATER QUALITY AND DRAINAGE SYSTEM IMPROVEMENTS, TEXAS WATER DEVELOPMENT BOARD WATER QUALITY PROTECTION AND STORMWATER MANAGEMENT". As soon as practical after this closing time, all Bids will be publicly opened and read aloud. Bids received after this time will be returned unopened.

Electronic PDF copies may be obtained free of charge by logging onto www.CivCastUSA.com. Bid documents must be obtained from this site by any/all prospective bidders. A non-mandatory pre-Bid conference for the project will be held **June 27, 2023, at 2:00 PM. at the Marlin City Hall at 101 Fortune Street, Marlin, Texas 76661**. The prospective bidders may inspect the site immediately following the pre-Bid conference.

Copies of the contract document, including Drawings and Specifications, are on file and may also be examined without charge at the following locations:

City of Marlin, Texas
101 Fortune St
Marlin, TX 76661

MRB Group, PC
303 W. Calhoun Ave
Temple, TX 76501

All questions and comments shall be directed to CivCastUSA.com under the project's question and answer section.

As detailed in the Instructions to Bidders, a Bid must be accompanied by Bid security made payable to **the City of Marlin** in the amount of five percent (5%) of Bidder's maximum Bid price, as a guarantee that the Bidder will execute a contract for the work if it is awarded by the Owner. Bidders must execute documents associated with this Project using forms provided in the Project Manual. Performance and Payment Bonds are required. This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).

The **City of Marlin** reserves the right to adopt the most advantageous interpretation of the Bids submitted in the case of ambiguity or lack of clearness in stating Bid prices, to reject any or all offers, and/or waive

formalities. This Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

Equal Opportunity in Employment – All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Bidders are required to comply with the President’s Executive Order No. 11246, as amended by Executive Order 11375, and as supplemented in department of Labor regulations 41 CFR Part 60.

Any contract or contracts awarded under this Invitation for Bid (IFB) or Request for Qualifications (RFQ) are expected to be funded in part by financial assistance from the TWDB. 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 IFB, RFQ, or any resulting contract.

This project is subject to the American Iron and Steel (AIS) requirements of 33 U.S.C §1388 for Clean Water State Revolving Fund projects or Public Law 114-113, Consolidated Appropriations Act, 2016, or subsequent appropriations acts, for Drinking Water State Revolving Fund projects. Any contract(s) awarded under this Invitation for Bids is/are subject to the American Iron and Steel (AIS) requirements of these laws.

Disadvantaged Business Enterprises

The Texas Water Development Board’s (TWDB) Clean Water and Drinking Water State Revolving Fund programs receive federal funds from the U. S. Environmental Protection Agency (EPA). As a condition of federal grant awards, EPA regulations require that loan recipients make a "good faith effort" to award a fair share of work to Disadvantaged Business Enterprises (DBE) who are Minority Business Enterprises (MBE's), and Women-owned Business Enterprises (WBE's) whenever procuring construction, supplies, services and equipment. More information on DBE requirements is available in the Supplemental Contract Conditions section of this guidance No. 14. Disadvantaged Business Enterprises.

The current fair share goals for the State of Texas are as follows:

<u>CATEGORY</u>	<u>MBE</u>	<u>WBE</u>
Construction	19.44%	9.17%
Equipment	16.28%	11.45%
Services	20.41%	13.66%
Supplies	25.34%	8.82%

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. Any contracts or subcontracts must include the provisions of the Davis-Bacon Wage Rate Requirements found in TWDB Guidance No. DB-0156.

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.

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.

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>"

City of Marlin

Mr. Cedric Davis, Sr., City Manager

Published two times – **June 14, 2023 and June 21, 2023**