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SECTION 00 11 16

NOTICE TO BIDDERS (CWSRF)

Notice is hereby given that The Oklahoma City Water Utilities Trust (Awarding Public Agency) will electronically receive and open sealed Bids for the construction of:

**OCWUT ST-0154-1 and ST-0161
CWSRF - ORF-22-0002-CW
Wastewater Treatment Plant Biosolids; Odor Management
and Electrical Improvements
Deer Creek Wastewater Treatment Plant**

in the Office of the City Clerk, 2nd Floor, Municipal Building, 200 N. Walker Avenue, Oklahoma City, Oklahoma 73102, until 10:00:00 a.m. on **the 13th day of November, 2024.**

Bids must be made in accordance with this Notice to Bidders and the Bidding Documents, including all Addenda, which are available for examination through the electronic bidding system at <https://www.periscopeholdings.com/s2g> (formerly www.bidsync).

To bid on this Contract, the Bidder must be prequalified by the City of Oklahoma City's Prequalification Review Board on the Bid Date and Bid Time as: **Wastewater Facilities Contractor "A"**. In addition, any work for which a prequalification classification has been established, must be performed by persons or entities prequalified in those classifications.

Pre-Bid Conference: Mandatory Pre-Bid Conference will be held at the **Utilities Department, 1 North Walker Avenue, Large Conference Room 124-125, Oklahoma City, Oklahoma 73102 at 11:00 a.m. on October 17, 2024.** All potential bidders are responsible to read all Bidding Documents and submit questions in writing through the electronic bidding system by November 7, 2024, at 5:00 p.m. Answers, if any, will be published in an addendum. Joint ventures, see Bidding Documents.

Bidder must complete this Project in accordance with the Bidding Documents, Addenda, and Oklahoma City Standard Specifications for Construction of Public Improvements within **1,095 (one-thousand ninety-five) calendar days** of date as stated in the Work Order.

The Maintenance Bond shall be in favor of the Awarding Public Agency and shall be for a period of Two (2) years in an amount equal to one hundred percent (100%) of the Contract amount.

Additional information is contained in the Bidding Documents. Prior to bidding this Project, Bidders must carefully examine the Bidding Documents, Addenda (if any) and the City of Oklahoma City Standard Specifications for Construction of Public Improvements. These Standard Specifications are incorporated by reference into the Bidding Documents except

**ST-0154-1 and ST-0161
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as expressly superseded by the Bidding Documents. Bidder is responsible for monitoring the electronic bidding website to determine whether addenda were issued and for opening and complying with all addenda.

This Project is to be financed by a loan from the Oklahoma Water Resources Board through the Department of Environmental Quality Clean Water State Revolving Fund (CWSRF) and shall be referred to as **CWSRF - ORF-22-0002-CW**.

- A. "Equal Opportunity in Employment: All qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, age or physical handicap. Bidders on this Work will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for bidders and contractors under this order are explained in the specifications."
- B. "Each bidder must fully comply with the requirement, terms and conditions of the Department of Environmental Quality Small, Minority, Women's Businesses Requirements including affirmative steps to contract with small, minority and women's businesses during the performance of this Contract. The bidder commits itself to the affirmative steps to contract with small, minority and women's businesses contained herein and all other requirements, terms and conditions of these bid conditions by submitting a properly signed bid. Requirements are contained in (1) Oklahoma Water Resources Board Guidance and Procedures, ORF-267."
- C. "All bidders must comply with the Anti-Kickback Act and the Contract Work Hours Standards Act."
- D. "**Davis Bacon Act wage rules shall apply**. All laborers and mechanics employed by contractors and sub-contractors on projects funded directly by or assisted in whole or in part by and through the Federal Government shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of Chapter 31 of Title 40, United States Code and 29 CFR parts 1,3, and 5. The Department of Labor provides all pertinent information related to compliance with labor standards, including prevailing wage rates and instructions for reporting. For more information, please refer to Oklahoma Water Resources Board Supplemental Conditions, ORF 185 as well as <http://www.wdol.gov/>."
- E. American Iron and Steel provisions (Buy American Requirements) also apply to projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to P.L. 113-76, Consolidated Appropriations Act, 2014". Sec. 436 requires that "None of the funds made available by a State water pollution control revolving fund as authorized by Title VI of the Federal Water Pollution Control Act (33 U.S.C 1381 et seq.) or made available by a drinking water treatment revolving loan fund as authorized by Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works

unless all of the iron and steel products used in the project are produced in the United States.” For more information, please refer to Oklahoma Water Resources Board Supplemental Conditions ORF-185.

- F. System for Award Management (SAM) registration is required for all SRF programs (CWSRF and DWSRF) applicants and Awardees (Entities, Prime Contractors, Subcontractors, Vendors) in order to be awarded contracts by the SRF programs. SAM replaces Central Contractor Registration/Federal Agency Registration, Online Representations and Certifications Application, and Excluded Parties List System. Applicants and awardees are required to complete a one-time free registration to provide basic information relevant to procurement and financial transactions. Registrants must retain an active status to be eligible for SRF projects. New Applicants and Awardees can go to Sam.gov to complete the registration process.

Note: In order to register in SAM, a Data Universal Number System (DUNS) number will be required. DUNS number is a unique, non-indicative 9-digit identifier issued and maintained by Dun & Bradstreet (D&B) that verifies the existence of a business entity globally. D&B assigns DUNS numbers for each physical location of a business. All entities doing business with the U.S. Government can receive a DUNS number FREE of charge and, under normal circumstances, within 1-2 business days when using the D&B web form process at <http://fedgov.dnb.com/webform>.

The bids filed with the Awarding Public Agency as provided above will be opened and considered by the Awarding Public Agency, at a public meeting to be held in the Oklahoma City, Oklahoma, but all bids shall remain on file at least forty-eight (48) hours thereafter before a Contract will be made and entered into thereon. Bids received more than ninety-six (96) hours prior to the Bid Opening will be returned.

The Contract is to be awarded to the lowest responsive, responsible bidder. The Awarding Public Agency reserves the right to waive any informalities in the bidding and the right to reject any and all bids in accordance with the Oklahoma Competitive Bidding Act. Conditional bids shall not be accepted.

The Contractor hereby represents and warrants to and for the benefit of the Owner that: The Contractor has reviewed and understands the Davis-Bacon Act and prevailing wage rate requirements and will provide any further verified information, certification or assurance of compliance as may be required by the Owner.

The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the State that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or

assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the State.

Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser or State to recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney's fees) incurred by the Purchaser or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the Purchaser). While the Contractor has no direct contractual privity with the State, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the State is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the State

09/23/2024

Date

Joy E. Kotey, P.E.

Typed or Printed Name


Signature

Civil Engineer III/Wastewater Treatment Project Manager

Title