

**CITY OF PHILIP, SOUTH DAKOTA
INVITATION TO BID
HANSEN AVENUE UTILITY & STREET IMPROVEMENTS**

The City of Philip will receive sealed bids for their Hansen Avenue Utility and Street Improvements project until **Tuesday, October 31, 2023, at 1:00 PM (Mountain Time)**. Bids can be hand delivered to the City Office at 140 South Howard Avenue where the bids will be publicly opened and read aloud at the above time. Bids can also be mailed to PO Box 408, Philip SD 57567 prior to the bid opening date.

The major elements associated with the construction of the project are:

Approximately 1,080 LF of six-inch PVC water main, 16 water service lines, 836 LF of eight-inch PVC sewer main, 16 sanitary sewer service lines, 5 sanitary sewer manholes, 3 storm sewer inlets, 300 LF 18-inch storm sewer pipe, 50 LF 24-inch storm sewer pipe, 5,000 cubic yards of unclassified excavation and embankment, 820 tons of asphalt surfacing, 2,000 LF of curb and gutter, 2,230 tons of gravel base course, and all related appurtenance to the aforementioned work.

The approximate quantities mentioned above are subject to increase or decrease. It will be agreed by bidders that all quantities of work will be performed in accordance with the provisions of the plans and specifications and at the unit price bid. Bidders agree to furnish all labor, material, and equipment necessary to complete all the work as shown in the plans and specifications.

The complete set of Contract Documents, including drawings and specifications, is on file with the City Administrator, Philip, South Dakota, and/or at the office of Schmucker, Paul, Nohr and Associates, 2100 North Sanborn Blvd, Mitchell, South Dakota 57301. A paper copy of the contract documents and plans can be ordered with a non-refundable payment of \$35 plus applicable sales taxes. The contract documents and plans will also be made available at the SPN web site www.spn-assoc.com with a non-refundable payment of \$20. Upon request, one copy of the contract documents and plans will be furnished at no charge as required by SDCL 5-18B-1 to each Contractor who is a South Dakota resident and who intends to bid the project.

Each bid must be accompanied by a certified check or bank draft payable to the order of the City of Philip, South Dakota, in an amount equal to five percent (5%) of the total bid. A bid bond in an amount equal to ten percent (10%) of the total bid will be accepted in lieu of a certified check or bank draft. Surety for bid bond must be authorized to do business in the State of South Dakota.

Pursuant to State Law, a copy of the bidder's sales and use tax license and a copy of the bidder's excise tax license as issued by the State of South Dakota must accompany the bid. In lieu of a copy of the license, the bidder shall submit appropriate evidence that the bidder and all affiliates have the appropriate licenses.

Bidders are advised that any contracts awarded on this project will be partially funded by the South Dakota Housing Infrastructure Financing Program (SDHIFP). All requirements of the funding agency for construction projects shall be met by all contractors and/or subcontractors performing work on this project. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this Invitation to Bid or any resulting contract. This procurement will be subject to EPA regulations contained in 40 CFR 35.936, 35.938 and 35.939.

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive Order 12138. The goal for Minority-Owned Business Enterprise (MBE) on this project is one percent (1%) and the goal for Woman-Owned Business Enterprise (WBE) on this project is four percent (4%). The goals and other requirements for bidders and contractors under this regulation which concerns utilization of disadvantaged/minority business enterprises are explained in the Contract Documents.

NOTICE OF REQUIREMENT FOR AFFIRMATIVE
ACTION TO ENSURE EQUAL EMPLOYMENT
OPPORTUNITY (EXECUTIVE ORDER 11246)

Bidders on this work will be required to comply with Title 40 CFR 35 Title 40 CFR 33 and Executive Order 12138. The goals and other requirements for bidders and contractors under this regulation which concerns utilization of disadvantaged/minority business enterprises are explained in Part 1 of these Contract Documents.

The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications". The requirements for bidders and Contractors under this order are explained in Part 1 of these Contract Documents.

Bidders are also reminded that not less than the minimum wages as determined by the Davis-Bacon Act and set forth in the Contract Documents must be paid on this project and that the contractor and/or subcontractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or natural origin.

In addition to all of the above-listed Federal requirements for work on this project, compliance with the contract Work Hours and Safety Standards Act, Executive Order 11375, Copeland Act, the Clean Air Act, and Water Pollution Control Act and subsequent amendments to all of the above will be required of contractors and/or subcontractors performing work on this project.

The bidder must assure compliance with the requirements of Public Law 115-232, Section 889, Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment.

Bidders on this work are prohibited from doing business with the governments of China, Iran, North Korea, Russia, Cuba, and Venezuela per South Dakota Executive Order 2023-02. The apparent low bidder will also be required to provide certification that the contractor is not owned, influenced, or affiliated with any of these countries.

In accordance with the "Byrd Anti-lobbying Agreement" each bid must be accompanied with the proper certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352.

Bids may be held by The City of Philip for not more than thirty (30) days from the date of opening of bids for the purpose of reviewing the bids, investigating the qualifications of the bidders and completing financial arrangements prior to awarding the Work. The Owner reserves the right to reject any or all bids and to waive any informalities in the bidding and make awards to the Owner's best interest.

By: /s/ Brittany Smith, City Administrator

Dated: September 27, 2023

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