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NOTICE TO BIDDERS (DWSRF)

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

**OCWUT Project WT-0224-1
DWSRF Project No. P40-1020902-12
Clearwell Improvements
Draper Water 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 **23rd** day of **April, 2025**.

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.bidnetdirect.com/oklahoma/cityofoklahomacityandtrusts>.

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: **Water 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 EMBARK, 431 W Main Street, Suite B, Large Conference Room, Oklahoma City, OK 73102 on **April 4, 2025** at 9:00 a.m. All potential bidders are responsible to read all Bidding Documents and submit questions in writing through the electronic bidding system by **April 9, 2025** at 5:00 p.m. Answers, if any, will be published in an addendum. Joint ventures, see Bidding Documents.

Pre-Bid Site Visit: Mandatory Pre-Bid Site Visit will be held April 4, 2025, at 11:00 AM, at the Draper Water Treatment Plant following the Pre-Bid Conference. For further information, contact Kendra Alexander at kendra.alexander@okc.gov.

Bidder must complete this Project in accordance with the Bidding Documents, Addenda, and Oklahoma City Standard Specifications for Construction of Public Improvements within **Four Hundred Fifty (450)** 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 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 Drinking Water State Revolving Fund (DWSRF) and shall be referred to as **DWSRF Project No. P40-1020902-12**. 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 DEQ Guidance and Procedures, DW-700.

- A. Each bidder must fully comply with the requirements, terms and conditions of the Oklahoma Department of Environmental Quality (DEQ), 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 Oklahoma Department of Environmental Quality Guidance and Procedures, DW-700.
- B. Equal Opportunity in Employment: All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, age or 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.
- C. **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. 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 <https://www.wdol.gov> and <https://www.SAM.gov>."
- D. American Iron and Steel provisions also apply to projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Safe Drinking Water Act, Section 1452(a)(4), requiring that all iron and steel products used for a project for the construction, alteration, maintenance or repair of a public water system are produced in the United States.
- E. This project is subject to Build America, Buy America (BABA) Act requirements. The BABA Act requires none of the funds made available for a Federal financial assistance program for infrastructure, including each deficient program, may be obligated for a project unless all of the **iron, steel, manufactured products, and construction materials** used in the project are produced in the United States. The BABA Act requirement does not supersede the AIS requirement, and both provisions still apply and work in conjunction.
- F. **System for Award Management (SAM) registration is required** for all DWSRF program applicants and Awardees (Entities, prime contractors, subcontractors, vendors) in order to be awarded contracts by the DWSRF program. 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. New Applicants and awardees please go to <http://www.SAM.gov> to complete the registration process.

Note: In order to register in SAM, a Unique Entity Identification (UEI) number will be required. A UEI is a 12-character (alpha-numeric) code that uniquely identifies all entities. Any entity registering to do business with the government in terms of contracts or grants and assistance awards is required to have one. Unique Entity IDs are issued by SAM.gov and are a part of an entity's record in the Entity Information section of <http://www.SAM.gov>.

- G. All bidders must comply with the Anti-Kickback Act and the Contract Work Hours Standards Act.
- H. Tied bid are non-restrictive: In order for a tied bid proposal to be accepted, it must be lower than the sum of low separate bids.
- I. The time of completion is 450 calendar days

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 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.

February 24, 2025

Date

Kendra Alexander

Typed or Printed Name

Kendra E. Alexander

Signature

Civil Engineer III, Project Manager

Title