

SECTION 00 11 16
INVITATION FOR BIDS

Sealed bids will be received by the Berkeley County Public Service Water District for Contract No. 5 Potomac River Water Treatment Facility Upgrade & Expansion Project until 5:00 PM, prevailing local time, on March 25, 2024 at the Berkeley County Public Service Water District (Attn: Steve De Ridder) at 251 Caperton Boulevard, Martinsburg, WV 25403, at which time, date and place such Bids will be opened and read aloud publicly. The work includes construction of existing raw water intake building renovations including new pumps, piping and airburst screen cleaning system; two (2) new sedimentation basins with chain and scraper sludge collectors; new membrane pre-strainers; two (2) new submerged membrane filtration units and retrofitting existing membrane equipment and instrumentation; chemical feed system and sludge handling system upgrades; new finish water pumps and electrical building; site piping, site work; demolition; new plant instrumentation, telemetry and plant control system upgrade; HVAC; plumbing and electrical upgrades. Bids will be received for a single prime contract.

Bidding Documents including drawings and specifications are available for review during normal business hours (Monday thru Friday, 8:00 A.M. to 5:00 P.M.) at the Issuing Office, Gwin, Dobson & Foreman, Inc., Engineers, 3121 Fairway Drive, Altoona, PA 16602 between the hours of 8:00 A.M. to 5:00 P.M. Phone 814-943-5214; e-mail: akordish@gdfengineers.com. Bidding documents are available electronically at no cost. Hard copy sets of Bidding Documents can be obtained from the Engineer upon payment for each set of a non-refundable fee of One Thousand Five Hundred Dollars (\$1,500.00). Payment is also accepted using VISA or MasterCard; there will be an additional charge for express delivery requests. Addenda, if any, will be issued to officially registered Bidders on record at the Issuing Office as having obtained Bidding Documents. **Bidders must contact Issuing Office for a Bid to be considered.**

Any contract or contracts awarded under this invitation for bids are expected to be funded in part by grants and loans from: the West Virginia Department of Environmental Protection State Revolving Fund. Neither the United States, the State of West Virginia nor any of their departments, agencies or employees are or will be a party to this invitation to bid or any resulting contract.

A **mandatory** pre-bid meeting will be held at Owner's office on February 7, 2024 at 10:00 AM in the Board Room.

Each Bid must include a certified check, bank check or Bid Bond naming the Owner as obligee in the amount of five percent (5%) of the total Bid amount as security for proper execution of the Agreement and submitting other documents required by the Bidding Documents. The Successful Bidder will be required to execute the Agreement and to furnish performance and payment Bonds, each in the amount of one hundred percent (100%) of the Contract Price, all in the respective forms provided in the Bidding Documents. The successful Bidder must furnish evidence of insurance coverage as required by the Bidding Documents.

All Bonds must be executed by sureties named in the current list, "Companies Holding Certificates of Authority as Acceptable Sureties in Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 by the Audit Staff, Bureau of Government Financial Operations, U.S. Treasury Department and shall be acceptable to the Berkeley County Public Service Water District and the State of West Virginia. The surety executing Bonds must be licensed in West Virginia to transact surety insurance, and to be authorized to transact business in the State of West Virginia.

Prospective Bidders should note that this contract will include the following critical requirements as identified in the contract documents:

1. Affirmative Action Program Requirements and Goals
2. Certification of Non-Segregated Facilities
3. Specific Labor Standard Provisions (Davis-Bacon Wage Rates Apply)
4. WV Contract Licensing Act – All bidders are required to have a WV Contractor's License per Section 30-42-12 of the WV Code.
5. American Iron and Steel Requirement – P.L. 113-76, Section 436

The project will be funded, in part, by the Infrastructure Investment and Jobs Act which includes provisions for Buy America preferences (including American Iron and Steel requirements), Federal Labor Standards Provisions of the US Department of Housing and Urban Development, US Department of Labor Wages Rates under the Davis-Bacon Act, USEPA WV DWTRF/SAP DBE Utilization (Fair Share Goals: 7% (2% MBE/5% WBE) total contract value) and other requirements. Requirements of all funding-related requirements are included in the Bidding Documents. In addition, compliance with all local and state rules, regulations and laws is required including the WV Drug-Free Workplace Act.

AMERICAN IRON AND STEEL REQUIREMENT

P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), includes an "American Iron and Steel (AIS)" requirement in section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works.

NONDISCRIMINATION IN EMPLOYMENT

Bidders on this work will be required to comply with the President's Executive Order No. 11246. The requirements for bidders and contractors under this order are explained in the specifications.

SUSPENSION AND DEBARMENT

Recipient shall not entertain the use of businesses that are listed on the "System for Award Management (SAM)" at www.sam.gov in accordance with 2 CFR Part 1532 and Subpart B and C of 2 CFR Part 180.

WV ALCOHOL AND DRUG FREE WORKPLACE ACT

West Virginia Code 21-1D-5 provides that any solicitation for a Public Improvement Construction Contract requires each vendor that submits a bid for the work to submit at the same time an Affidavit of Compliance with the Bid. The enclosed Drug-Free Workplace Affidavit must be signed and submitted in the first envelope as evidence of the vendor's compliance with the provisions of Article 1D, Chapter 21 of the West Virginia Code. Failure to submit the signed Drug-Free Workplace Affidavit in the first envelope shall result in disqualification of such Bid. **However, Bidders must contact Issuing Office for a Bid to be considered.**

DBE REQUIREMENTS

Each Bidder must fully comply with the Disadvantaged Business Enterprises and Affirmative Action Requirements, as identified in the Contract Documents.

The Bidder agrees to make "positive efforts" to subcontract a portion of the total value of the contract to Disadvantaged Business Enterprises. This shall be done in compliance with the six (6) affirmative steps as outlined in 40 CFR 33.240. Failure to demonstrate positive efforts to do so may lead to rejection of bids. For this program, the term "subcontract" includes all construction, modification and service work contracted for by the Bidder in the execution of the work under this contract.

CONTRACTOR'S SALES TAX EXEMPTION

The Berkeley County Public Service Water District is exempt from West Virginia Sales Taxes and, by West Virginia Code §11-15-8d, can now extend this tax exemption to Contractors supplying goods on their behalf. The Contractor shall coordinate with the Berkeley County Public Service Water District the filing of any and all applications to the State of West Virginia, exempting the purchase of the specified Goods from West Virginia Sales Tax and hereby agrees to include the savings from such sales tax exemption in its total base bid.

The Successful Bidder must possess a valid Berkeley County Contractor's License and State of West Virginia Contractor's License, and pay required Berkeley County Business and Occupational taxes.

A **two-envelope system** will be used. Envelope No. 1 must have the following information presented on the front:

**NAME AND ADDRESS OF BIDDER
BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT
ATTN: STEVE DERIDDER
251 CAPERTON BOULEVARD
MARTINSBURG, WV 25403**

**BID FOR: POTOMAC RIVER WATER TREATMENT FACILITY
UPGRADE & EXPANSION**

Envelope No. 2 must be labeled "Bid Proposal," and shall be placed inside of Envelope No. 1.

Envelope No. 1 will be opened first and the Bid Opening Requirements items checked for compliance as outlined in the Bid Opening Checklist included on Page 7 of the Bid Form of the Instructions to Bidders. If such documents contain proper documentation, Envelope No. 2 "Bid Proposal", will then be opened and will be publicly read aloud. If the documents required to be contained in Envelope No. 1 do not contain proper documentation, Envelope No. 2 "Bid Proposal" will not be opened and the Bid will be considered non-responsive and will be returned to the Bidder.

The Berkeley County Public Service Water District reserves the right to reject any or all bids.

Bidding and Contract Documents are available at the following plan room depositories or web-sites: Construction Employees Association of North Central West Virginia, Contractors Association of West Virginia, Pennsylvania Builders Exchange Pittsburgh Planroom, Pennsylvania Builders Exchange Harrisburg Planroom, Dodge Data & Analytics, The Blue Book Building and Construction Network and ConstructConnect.

Bids will remain open for a period of ninety (90) days from the date of Bid opening. No Bidder may withdraw his bid within ninety (90) days after the actual date of the opening thereof.