

NOTICE

INVITATION TO BID TO THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FOR

39th STREET CONDUIT REHABILITATION
PHASE 2, SSA
CHICAGO, ILLINOIS

CONTRACT 01-103-AS

PROPOSALS ARE DUE TUESDAY, MAY 21, 2024

Sealed proposals, endorsed as above, will be submitted back to the Metropolitan Water Reclamation District of Greater Chicago (District) via an electronic upload to the Bonfire Portal only, from the date of the Invitation to Bid, up to 11:00 A.M. Central Time (CT), on the bid opening date, and will be opened publicly by the Director of Procurement and Materials Management or designee at 11:00 A.M. CT on Tuesday, May 21, 2024. The public cannot attend but can view the bid opening at <https://mwrld.org/bid-opening>.

NO BIDS WILL BE ACCEPTED AFTER 11:00 A.M. CENTRAL TIME ON THE ABOVE SCHEDULED BID OPENING DATE. ALL BIDS FAXED, MAILED, EMAILED, OR HAND DELIVERED WILL NOT BE CONSIDERED AND WILL BE RETURNED TO THE BIDDER. THERE IS NO BID DEPOSITORY SAFE AVAILABLE FOR MAILING OR HAND DELIVERING BIDS. THE DISTRICT WILL ONLY ACCEPT BIDS ELECTRONICALLY UPLOADED TO THE BONFIRE PORTAL (HTTPS://MWRD.BONFIREHUB.COM/). PLEASE SEE SPECIFIC INSTRUCTIONS ON HOW TO UPLOAD YOUR BID TO THE BONFIRE PORTAL IN THE BID DOCUMENT ENTITLED “SUBMISSION VIA THE BONFIRE PORTAL.” BIDS WILL BE DEEMED NON-RESPONSIVE IF NOT SUBMITTED USING THE BONFIRE-PROJECT SPECIFIC URL LINK, PROVIDED BY THE DISTRICT WITH THE BIDDING DOCUMENTS.

Tenders are invited for the work consisting of furnishing all materials, labor, and equipment required to rehabilitate approximately 367 feet of 24’-0”x27’-0” semi-elliptic concrete sewer, 2,466 feet of 22’-0”x23’-0” semi-elliptic concrete sewer, concrete spall repairs in 447 feet of 12’-0”x16’-0” rectangular double barrel concrete sewer; rehabilitation of seven (7) large connecting structures and three (3) small connecting structures, rehabilitation of six (6) manholes; removal of all stop logs and replacement of dual flap gate within DS-P1, and all other work as specified in the Specifications and as shown on the Plans.

The site of construction is located under Pershing Road (39th Street), between the Racine Avenue Pumping Station and Lake Shore Drive, in the City of Chicago, County of Cook, State of Illinois.

The Contract 01-103-AS consists of 8 items. The work shall be completed within 730 calendar days after approval of the contract's bond. The Bidder must bid on all items for a bid to be considered responsive. The District intends to issue one Contract to one bidder for all the work to be performed.

The estimated cost of the work under Contract 01-103-AS, is between \$27,930,000.00 and \$33,810,000.00.

The Voluntary Technical Pre-Bid Conference will be held online via Zoom meeting on Wednesday, April 3, 2024, at 11:00 a.m. CDT. The link to the Zoom meeting is attached in a separate document under the "Additional Documents" column on the District's website at mwrld.org → Doing Business → Procurement & Materials Management → Contract Announcements → (Find Contract) → Bidding Documents. **Alternatively, the webpage can be accessed** at: <https://apps.mwrld.org/ContractAnnouncements/>. The purpose of the Voluntary Technical Pre-Bid meeting is to review the scope of work, to provide for identification and discussion of potential problems that might arise during the administration of this Contract and seek clarification of technical or procedural aspects of this Contract. There will be a Q&A session at the end of the meeting. Also, suppliers must give their contact information to register prior to entering the Zoom Pre-Bid meeting.

Bidders are **STRONGLY URGED** to inspect all areas of the worksites prior to bidding, and shall familiarize themselves with the nature of the work and the method of accomplishing the same. Since the worksites are open to the public, no appointments are necessary.

Specifications, proposal forms and/or plans may be obtained from the Department of Procurement and Materials Management by downloading online from the District's website at www.mwrld.org (Doing Business → Procurement and Materials Management → Contract Announcements). No fee is required for the Contract Documents. Any questions regarding the downloading of the Contract Document should be directed to the following email: contractdesk@mwrld.org or call 312-751-6643.

Further, the District assumes no liability or responsibility for the failure or inability of any Bidder to successfully download any and all contract documents, including but not limited to specifications, proposal forms and/or plans, as a result of any type of technological computer and/or software system failure or breakdown that restricts, prohibits or prevents successful downloading of any and all District contract documents by the Bidder, whether caused by the District or other parties, directly or indirectly.

If any potential Bidder contemplating submission of a proposal is in doubt as to the true meaning of any part of the specifications or other bidding documents, such inquiry should be submitted online at the District's website, www.mwrld.org. The path is as follows: Doing Business → Procurement and Materials Management → Contract Announcements. **Alternatively, the webpage can be accessed** at: <https://apps.mwrld.org/ContractAnnouncements/>. The District will provide an online response to such inquiries, as the District deems appropriate. Strings of appropriate questions and answers regarding the bidding documents will be available online on the District's website until the bid opening date of the bidding documents. No questions will be accepted by telephone, fax, email, mail, or any other such form of delivery.

The District will only respond to questions received online up to ONE WEEK prior to the bid opening date of the bidding documents. The District will not respond to questions received after

this date. The District does not guarantee the timeliness of responses provided online, nor does the District guarantee that such responses will be provided in adequate time to affect the submission of bids. The District shall provide responses online ONLY if the responses do not interpret or otherwise change the bidding documents.

The District's online responses are NOT official responses and, hence, are not binding to the contract documents. Any official interpretations or changes to the bidding documents will be made only by addenda duly issued to all plan holders on record by the Director of Procurement and Materials Management.

Bidding documents are only available online, and all addenda issued for this contract will be available online at the District's website, www.mwrd.org. The path is as follows: Doing Business→Procurement and Materials Management→Contract Announcements. **Alternatively, the webpage can be accessed at:** <https://apps.mwrd.org/ContractAnnouncements/>. A copy of such addenda will also be emailed/faxed to each person which downloads a set of such contract documents.

Each proposal must be accompanied by a bid deposit in the form of a bid bond in the amount of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00). Each bid bond must be underwritten by a surety licensed to do business in the State of Illinois, listed in the latest copy of the Federal Register and approved by the Director of Procurement and Materials Management. The bid bond must contain signatures from the Bidder and Surety Company. Failure to provide signatures on the bid bond will result in the rejection of the bid. Photographic and/or stamped signatures are acceptable. Any proposal submitted without being accompanied by the required bid deposit, in the aforesaid form, will not be considered and will not be read after it is publicly opened.

Prior to award of the contract, the lowest responsible bidder must demonstrate compliance with the Multi-Project Labor Agreement (Cook County) by submitting to the Director of Procurement and Materials Management a signed Certification of Compliance with Multi-Project Labor Agreement. The Agreement and Certificate of Compliance are contained in the Contract Documents.

The bid money value of all materials purchased directly by the Contractor, together with the bid money value of all work performed by personnel and facilities provided directly by the Contractor, shall not be less than 35% of the money value of all work performed under this Contract. Any bid money value of work performed by the Subcontractors for work on the job site utilizing Subcontractors' materials, labor and facilities cannot be included in the percent of work to be completed by the Contractor.

Bidders on contracts in excess of Ten Thousand Dollars (\$10,000.00) will be required to comply with the President's Executive Order No. 11246, as amended to date, regarding NON-DISCRIMINATION IN EMPLOYMENT. The requirements for bidders and contractors under this order are explained in Appendix C of the Contract Documents. The provisions of Appendix C also apply to each Subcontractor on contracts in excess of Ten Thousand Dollars (\$10,000.00).

The Bidder agrees to fulfill the Special Training Provisions for Apprentices as specified in the Appendix K and to provide training opportunities throughout the life of the contract. The requirements of the Special Training Provisions for Apprentices are **2770 Minority and 980 Female Hours** for the purposes of this contract.

The bidder shall submit with the Proposal the VBE Commitment Form and a signed and completed MBE/WBE Utilization Plan, which lists the firms intended to be used as MBE/WBE, the type of work or service each will perform, and the dollar amount to be allocated to each MBE/ WBE.

- 1) Each bidder must submit with their proposals a signed and completed **MBE/WBE Utilization Plan** which lists each business intended to be used as a MBE and WBE on pages UP-2 and UP-3, and supplemental pages as necessary. **The Bidder must sign the Signature Section page on UP-4.** Failure to submit a signed MBE/WBE Utilization Plan will result in a bid being deemed non-responsive and the bid will be rejected. Also, if a Waiver is sought, the Bidder is required to sign pages UP-4 and UP-5, the Waiver Request Form. Failure to do so will be viewed as non-responsive and the bid will be rejected.
- 2) Each Bidder must submit **with their bid package** an original or facsimile copy of **MBE/WBE Subcontractor's Letter of Intent, page UP-6** for each subcontractor listed on their MBE/WBE Utilization Plan. The submitted MBE/WBE Subcontractor's Letter of Intent must be completed and signed by the subcontractor and accompanied with a copy of the subcontractor's current Letter of Certification from a state, local government or agency or documentation demonstrating that the subcontractor is a MBE or WBE within the meaning of the **Affirmative Action Ordinance, Revised Appendix D**. Failure to submit the MBE/WBE Utilization Plan signed by the Bidder at the time of the bid opening and the MBE/WBE Subcontractor's Letter of Intent signed by each MBE and WBE will be viewed as non-responsive and the bid will be rejected.
- 3) If the Bidder exceeds the allowable **Supplier Utilization** amount which is stated in the bid documents, the bid will be viewed as non-responsive. Therefore, the Bidder may not exceed the use of a MBE or WBE supplier for more than 50% of each of the respective MBE or WBE goal, unless the Administrator has authorized a Supplier's Exception notated on page AU-1.
- 4) The MBE/WBE Utilization Plan **MUST** be signed by the bidder, even if the bidder requests a waiver and/or offers itself to meet any of the Affirmative Action Ordinance Revised Appendix D goals. If the bidder offer itself to satisfy any of the Affirmative Action Ordinance Revised Appendix D goals, then its name shall be shown in the appropriate space(s) on the MBE/WBE Utilization Plan.
- 5) Each Bidder must submit with their proposals a completed **VBE Commitment Form** which lists each business intended to be used as a VBE. The Bidder must make a **"Good Faith Effort"** to identify eligible Veteran Owned-Businesses by completing the VBE Commitment Form. If the Bidder is unable to identify qualified VBE subcontractors capable of providing goods and services required by the Contract, the Bidder must write **"no participation"** on the VBE Commitment Form. Where a Bidder has failed to meet the VBE participation goal, the Administrator shall require the Contractor to submit a Veteran's Business Enterprise Good Faith Efforts Documentation Request Form and provide additional documentation of its good faith efforts in attempting to fulfill the VBE goal.
- 6) **The Contractor must use the District's online compliance monitoring system administered by the Diversity Section for payment and reporting purposes, in order to fulfill the Affirmative Action Program requirements.**

Where a Bidder is a business owned and controlled by a minority woman (M/WBE), or where the Bidder utilizes an M/WBE in a joint venture or as a subcontractor, the Bidder may count the M/WBE participation toward the achievement of either its MBE or WBE goal, but not both.

It is required that the prospective Bidder indicates participation by signing each applicable MBE/WBE Utilization Plan contained with the Contract Document.

The work under this Contract is classified as “Construction Services” for the Minority-owned Business Enterprises (MBE) and Women-owned Business Enterprises (WBE) Utilization goals contained in the Affirmative Action Ordinance – Revised Appendix D. The associated tailored goals are 12% Minority-owned Business Enterprises (MBE) and/or Women-owned Business Enterprises (WBE), and 3% Veteran-owned Business Enterprises (VBE). Should you have any questions, please contact the Diversity Office at 312-751-4035.

The bidder to whom the contract is awarded must be prepared to comply with the requirements of the Affirmative Action Ordinance Revised Appendix D during the life of the contract.

Any contract or contracts awarded under this invitation for bids are expected to be funded in part by a loan from the Illinois Environmental Protection Agency (IEPA). Neither the State of Illinois nor any of its departments, agencies, or employees is or will be a party to this invitation for bids or any resulting contract. The procurement will be subject to regulations contained in the Procedures for Issuing Loans from the Water Pollution Control Loan Program (35 IAC Part 365), the Davis-Bacon Act (40 USC 276a through 276a-5) as defined by the United States Department of Labor, the Employment of Illinois Workers on Public Works Act (30 ILCS 570), Illinois Works Jobs Program Act (30 ILCS 559/20-1), and the “Use of American Iron and Steel” requirements as contained in Section 436 of the H.R. 3547, The Consolidated Appropriations Act, 2014. This procurement is also subject to the loan recipient’s policy regarding the increased use of disadvantaged business enterprises. The loan recipient’s policy requires all bidders to undertake specified affirmative efforts at least sixteen (16) days prior to bid opening. The policy is contained in the specifications. Bidders are also 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 41 CFR 60-4.

Federal Regulations regarding labor standards, the Copeland Anti-Kickback Act, equal employment opportunity and access to work shall be in effect. These regulations appear in Appendices B and I in the Contract Documents and form a part thereof. The Bidder must execute Grant Forms Nos. 1, 2, 3, 4, 5, and 6 in the appropriate place in Appendix B as part of the Proposal. **Any Proposal submitted without being accompanied by the executed Grant Forms Nos. 1, 2, 3, 4, 5, and 6 will be rejected as non-responsive.** The Bidder shall specifically take note of Section 7, “Certification,” of Appendix I regarding non-collusion requirements, and shall comply with same.

Bidders should read the bidding requirements set forth on pages R-1 through R-6, and in particular page R-2, Paragraph 6, in regard to questions on this Contract.

Failure on the part of the prospective Bidder to receive a written interpretation prior to the time of the opening of bids will not be grounds for proposal withdrawal.

The Project Manager for this contract is Ghana C. Patel. The Project Manager will provide online responses to inquiries rendered online.

All Contracts for the Construction of Public Works are subject to the Illinois Prevailing Wage Act (820 ILCS 130/.01 et.seq.)

The contract will be awarded to the lowest responsible, responsive bidder, unless all bids are rejected.

The Metropolitan Water Reclamation District of Greater Chicago reserves the right to reject any or all proposals.

METROPOLITAN WATER RECLAMATION DISTRICT
OF GREATER CHICAGO

By Darlene A. LoCascio
Director of Procurement and Materials Management

Chicago, Illinois
March 20, 2024