

**NOTICE
INVITATION TO BID
TO
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO
FOR**

SERVICES OF HEAVY EQUIPMENT WITH OPERATORS

CONTRACT 25-699-11

PROPOSALS ARE DUE NOVEMBER 5, 2024

Sealed Proposals, endorsed as above, will be submitted 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 her designee at 11:00 A.M. CT on November 5, 2024. The public cannot attend but can view the bid opening at <https://mwrđ.org/bid-opening>.

No bids will be accepted after 11:00 am CT 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://mwrđ.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.” The Bonfire link is unique to each solicitation. Bids will be deemed non-responsive if not submitted using the project-specific Bonfire URL link provided by the District with the bidding documents.

Tender are invited to furnish all necessary labor, supervision, tools, equipment, materials and appurtenances, including transportation, for the services of up to 4 wheelloaders with operators to be used for material handling at the Lawndale Avenue Solids Management Area (LASMA), and up to 4 wheelloaders with operators to be used for material handling at the Calumet Solids Management Area (CAL SMA), process sites, and other sites, commencing on March 1, 2025, or upon approval of the Contractor’s Bond, whichever occurs later, and terminating December 31, 2027, or upon expenditure of available funds, whichever occurs sooner.

The Contract is divided, for purposes of bidding, into two (2) Groups. Bidders may submit a bid for either or both Groups as set forth in the Proposal. When bidding on any Group, Bidders must submit bids for all items in that Group or the bid for that group will be rejected as non-responsive. For any Group not bid, the Bidder shall insert “NO BID” in the appropriate place. The District reserves the right to award a Contract or Contracts to any Bidder or Bidders for any Group or combination of Groups as it may deem to be in the best interest of the District to do so.

The estimated cost of work under this Contract is as follows:

<u>Group/Area:</u>	<u>Estimated Cost:</u>
A – Lawndale Avenue Solids Management Area (LASMA):	\$1,707,000.00
<u>B – Calumet Solids Management Area (CALSMA):</u>	<u>\$1,755,000.00</u>
TOTAL FOR BOTH GROUPS:	\$3,462,000.00

There is no bid deposit required for this Contract. A Contractor's bond will be required. Please refer to the Agreement section and the Contractor's Bond section for additional information about this requirement.

Funding of all Contract items is subject to the Board of Commissioners' approval of the District's budget for all years under this Contract.

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.mwrd.org (Doing Business → Procurement & 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@mwrd.org or call 312-751-6643.

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.

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. A copy of such addenda will also be emailed/faxed to each person which downloads a set of such contract documents.

Bidders shall acknowledge receipt of each addendum issued in the space provided on the Proposal signature page or submit a signed copy of each addendum with the Bidder's Proposal at the time and date set to receive bids.

Any Proposal which indicates multiple or alternate bids will be deemed non-responsive and will be rejected by the Director of Procurement and Materials Management.

Proposals shall conform to all the terms and conditions of the Bidding Requirements attached hereto. Failure to submit the required documents as specified may render the bid non-responsive and the bid may be rejected.

If any potential Bidder contemplating to submit a Proposal is in doubt as to the true meaning of any part of the specifications or other Contract documents, such inquiry should be submitted online at the District's website, www.mwrd.org. The path is as follows: Doing Business → Procurement and Materials Management → Contract Announcements → (Find correct project) → Ask a Question. 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 (1) 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 responses online are NOT official responses and, therefore, are not binding to the bidding documents. Any official interpretation or change 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.

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 withdrawal of Proposal.

The contact person for this Contract is Mr. Raphael Frost. Mr. Frost will provide online responses to online inquiries.

Prior to award of the Contract, the lowest responsible Bidder must demonstrate compliance with the District's Multi-Project Labor Agreement by submitting to the Director of Procurement and Materials Management a signed Certificate of Compliance with the Multi-Project Labor Agreement. The Agreement and Certificate of Compliance are contained in the Contract Documents.

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 the Contract in excess of Ten Thousand Dollars (\$10,000.00).

Each Bidder must submit with their Proposals a signed and completed **MBE/WBE Utilization Plan** which lists each business intended to be used as an MBE and/or 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, which are the Signature Section and the Waiver Request Form; failure to do so will be viewed as non-responsive and the bid will be rejected.

Each Bidder must submit **with their bid package** an original or facsimile copy of the **MBE/WBE Subcontractor's Letter of Intent, page UP-6** for each subcontractor listed on their MBE/WBE Utilization Plan. **If the Bidder lists itself on the MBE/WBE Utilization Plan, an MBE/WBE Subcontractor's Letter of Intent from the Bidder to**

itself must be included. 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 an 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.

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 an MBE or WBE supplier for more than 50% of each respective MBE or WBE, goal, unless the Administrator has authorized a Supplier's Exception notated on page AU-1.

In addition, 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 or 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.

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 offers 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.

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.

Each Bidder's Utilization Plan must commit to MBE and/or WBE participation equal to or greater than the associated goals unless the Bidder indicates a partial or total waiver request on Page UP-5. If a waiver from Appendix D requirements is sought, the Bidder will be required to provide documentation of "Good Faith Efforts" to meet the Appendix D utilization goals, as defined in Section 15(e) of the Affirmative Action Ordinance Revised Appendix D. Subsequent to the bid opening, and if it is determined by the Diversity Administrator that a Contractor's Information Form is required from the apparent low Bidder, the Bidder must complete and submit the form within (3) calendar days of receiving the written request.

The work under this Contract is classified as "Excavation Services" for the Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE), and Veterans Business Enterprises (VBE) Utilization goals contained in the Affirmative Action

Ordinance Revised Appendix D. **The associated goals are 20% Minority-owned Business Enterprises (MBE), 9% Women-owned Business Enterprises (WBE), and 3% Veterans Business Enterprises (VBE) for Groups A and B. Should you have any questions, please contact the Diversity Office at 312-751-4035.**

It is required that the prospective Bidder indicates participation on either Group A or Group B, by signing each applicable MBE/WBE Utilization Plan (Exhibit A / Exhibit B) contained within the Contract Documents. If the Bidder chooses to participate on only Group A, or only Group B, it should be clearly indicated by writing "NO BID" on the unused MBE/WBE Utilization Plan.

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.

Further, 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, for Groups A and B, as shown below:

For Group A: The requirements of the Special Training Provisions for Apprentices are 380 Minority and/or Female hours for the purposes of Group A of this Contract.

For Group B: The requirements of the Special Training Provisions for Apprentices are 380 Minority and/or Female hours for the purposes of Group B of this Contract.

The Bidder to whom the Contract(s) is (are) awarded must be prepared to comply with the requirements, goals, terms, and conditions of Appendix C, the Affirmative Action Ordinance Revised Appendix D, Appendix V, and Appendix K throughout the life of the Contract, as they pertain to Group A and/or Group B as applicable. Should you have any questions, please contact the Diversity Office at 312-751-4035.

A Voluntary Technical Pre-Bid Conference will be held online via a Zoom meeting on Tuesday, October 22, 2024, at 10:00 A.M. CT. The link to the Zoom meeting is attached in a separate Word document under the "Additional Documents" column on the District's website at mwr.org (Doing Business → Procurement & Materials Management → Contract Announcements (Find correct project/Contract) → Bidding Documents). The purpose of the Voluntary Technical Pre-Bid Conference 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 to seek clarification of technical or procedural aspects of this Contract. There will be a Q&A session at the end of the meeting. Also, Bidders must give their contact information in order to register for the conference, prior to entering the Zoom Pre-Bid meeting.

In addition to being able to raise questions at this Voluntary Technical Pre-Bid Conference, all Bidders for all Groups are hereby reminded they may also raise questions to the District's Question and Answer Board hosted online at the District's website, www.mwr.org. The path is as follows: Doing Business → Procurement and Materials Management → Contract Announcements → (Find correct project) → Ask a Question.

Bidders are **STRONGLY URGED** to inspect all areas of the work sites, prior to bidding, to familiarize themselves with the nature of the work and the method of accomplishing the same. To schedule a site inspection, Bidders are asked to contact the Engineer, Mr.

Raphael Frost for Group A, at (708)588-4302, or Mr. Andrew Gierut for Group B, at (773)256-3704 between the hours of 8:00 a.m. and 3:00 p.m. CT, Monday through Friday. Bidders are reminded that no questions will be taken during any site inspections.

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

All Contracts for the Construction of Public Works are subject to the Illinois Prevailing Wage Act (820 ILCS 130/0.01 et seq.)(the "Act"). Note that submission of certified payroll records when requested by the District's Affirmative Action Administrator in accordance with Section 14(b) of the District's Affirmative Action Ordinance does not relieve a contractor of its obligation to submit certified payroll records to the Illinois Department of Labor pursuant to the Act.

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
October 9, 2024