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**SECTION I**

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INVITATION TO BIDDERS

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### **Bloomington Detention Design Projects Sites 1 & 2**

NOTICE IS HEREBY GIVEN THAT THE UTILITIES SERVICE BOARD OF THE CITY OF BLOOMINGTON, INDIANA WILL RECEIVE SEALED BIDS FOR THE BELOW-DESCRIBED WORK AT THE LOCATION INDICATED.

*This project shall include, but is not limited to, the construction of storm water detention facilities located at (Site 1 – W Fountain Dr, Bloomington, IN 47404 & Site 2 – W 7<sup>th</sup> St., Bloomington, IN 47404).*

Bids are to be submitted in proper form, as described in the "Instructions to Bidders" which can be found on the Utilities' website at <https://bloomington.in.gov/utilities/bids>. Sealed bids shall be received by the Utilities Department, at 600 East Miller Drive, Bloomington, Indiana, at or before **3:00 PM** local time on Thursday, **June 29, 2023**. Any Bids received after the designated time will be returned unopened. Bids will be publicly opened and read aloud by the Utilities Service Board which begins at **4:00 PM** local time on Thursday, **June 29, 2023**. The meeting will be held in the Board Room of the Utilities Department at 600 East Miller Drive, Bloomington, Indiana. Bids will be reviewed after the meeting and the award may be made at the following regular meeting of the Utilities Service Board on **July 3, 2023** or a subsequent meeting of the Board.

Bids are to be submitted in proper form, as described in the "Instructions to Bidders" included in the Bid Packet on the Utilities' website at <https://bloomington.in.gov/utilities/bids>.

Each Bidder shall file with his or her sealed bid:

- (1) A properly executed Non-collusion Affidavit as required by the laws of the State of Indiana;
- (2) A Questionnaire Form 96 of the State Board of Accounts;
- (3) A cashier's check or certified check drawn on an acceptable bank or a Bid bond equal to five (5) percent of the total amount of bid;
- (4) A properly executed Trench Safety Systems Affidavit, if project may require creation of a trench of at least five (5) feet in depth;
- (5) A properly executed Employee Drug Testing Program Affidavit for a public works project estimated to cost at least \$150,000;
- (6) A copy of the bidder's written plan for an employee drug testing program to test the employees of the bidder for drugs;
- (7) A properly executed Living Wage Ordinance Affidavit as required by the laws of the City of Bloomington, Indiana.

For bids of \$100,000.00 or more, the successful bidder shall furnish both a performance bond and a payment bond for one hundred percent (100%) of the contract amount prior to the execution of the contract, and the performance bond and the payment bond shall remain in effect for a period of one (1) year after final acceptance of the work.

Each Bidder must ensure that to the greatest extent feasible, opportunities for training and employment should be given to lower income residents of the project area and purchases and/or contract for work in connection with the project should be awarded to small business concerns which are located in, or owned in substantial part, by persons residing in the area of the project.

The City of Bloomington is an equal opportunity employer, and Bidder shall meet all requirements for equal employment under Title VII of the 1964 Civil Rights Act as amended and under the Bloomington Human Rights Ordinance, as amended.

Each Bidder for proposals over \$10,000.00 shall submit and have approved by the City of Bloomington Contract Compliance Officer, Audrey Brittingham, his/her written Affirmative Action Plan at least twenty-four (24) hours prior to the deadline for submission of bid. Bidders who fail to submit acceptable plans by the deadline are subject to disqualification. Each Bidder must ensure that all employees and applicants for employment are not discriminated against because of race, religion, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status or housing status. All the protected classes must be included in your Affirmative Action Plan for it to be acceptable. In addition to other requirements, your plan MUST include a workforce breakdown, an internal grievance procedure, a non-retaliation statement, designation of a person by name or position who is responsible for implementation of the Plan, applicability to both applicants and employees, recruitment of minorities, equal access to training programs, and an explanation of your method of communicating the operations of your affirmative action plan to employees and prospective applicants. Audrey Brittingham, Contract Compliance Officer, may be contacted at (812) 349-3429, 8:00 a.m. to 5:00 p.m. Monday through Friday.

Each Bidder required to submit an affirmative action plan now must also submit a harassment plan. The harassment plan must, at minimum, include a definition of harassment, the name or title of the individual designated to receive and investigate complaints and a statement that the contractor will not retaliate against an employee for complaining about harassment. A model harassment policy is included for your convenience, which you may amend and adapt as your own. Please note that this harassment policy requirement is new, adopted by the Bloomington Common Council in June 2019.

In accordance with City Ordinance 2.28, otherwise known as the "Living Wage Ordinance" or "LWO", contractors that are considered "covered employers" are required to pay their covered employees at least a living wage. Currently the living wage is \$15.29 per hour for covered employees, and up to 15% of that amount, or \$2.29, may be in the form of the covered employer's contribution to health insurance available to the covered employee.

In accordance with Indiana Code 36-1-12-24, each Contractor that submits a bid for a City of Bloomington Utilities project that is estimated to cost \$150,000 or more shall submit with his/her bid a written plan for an employee drug testing program that complies with Indiana Code 4-13-18 *et seq.*

If the project may require creation of a trench of at least five (5) feet in depth, the low bidder shall be required to submit a trench safety plan to the project engineer at least ten (10) days prior to beginning work on the project.

The Utilities Service Board reserves the right to waive any informality and to accept or reject any or all bids submitted. Bids may be held by the Utilities Service Board for a period not-to-exceed sixty (60) days from the date of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of the Bidders prior to awarding the contract.

Utilities Service Board, City of Bloomington Indiana

Amanda Burnham, President