

## INVITATION TO BIDDERS

NOTICE IS HEREBY GIVEN THAT THE Board of Public Works OF THE CITY OF BLOOMINGTON, INDIANA, WILL RECEIVE SEALED SUBMISSIONS FOR Liberty Drive Sidewalk Project, THROUGH THE CITY'S PROCUREMENT PORTAL AT <https://procurement.opengov.com/portal/bloomingtonin>

This project shall include, but is not limited to, the modifying of drives and adding approximately 360' of sidewalk along Liberty Drive south of West 3rd Street. This work will be adjacent to the properties located at 3477 West 3rd Street and 3535 West 3rd Street. This work will require removing and replacing the private entrances of these properties. Work will also include the addition of approximately 360' of sidewalks, vegetation removal and replacement, and tree removal with adding 6 new trees.

### 1.1. Bid Opening and Award

Bids are to be submitted in proper form, as described in the "Instructions to Bidders". Bids will be received, at or before 12:00 pm local time on Monday, December 4, 2023. Bids will be publicly opened and read aloud at a work session of the Board of Public Works at 12:00 Noon local time on Monday, December 4th 2023 in the Council Chambers of City Hall at the Showers Building, 401 N. Morton Street, Bloomington, Indiana, and via Zoom by using the following link: <https://bloomington.in.gov/boards/public-works>. Any Bids received after the designated time will not be accepted. Bids will be reviewed and the award may be made at the December 5, 2023 , regular meeting of the Board of Public Works which will be held in the Council Chambers of City Hall at the Showers Building, 401 N. Morton Street, Bloomington, Indiana, and by using the link provided above, or a subsequent meeting of the Board of Public Works.

### 1.2. Bidding Requirements

Each Bidder shall include with their 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; and
6. a copy of the bidder's written plan for an employee drug testing program to test the employees of the bidder for drugs.

For projects utilizing Federal funding, wage rates shall be in compliance with the Davis Bacon Act. 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 and their written Harassment Plan at least twenty-four (24) hours prior to the deadline for submission of Bids. 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 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 Bloomington Municipal Code 2.28, the Bloomington Living Wage Ordinance, 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 public works 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.*

For Bids in excess of \$300,000 on Public Works projects that are for the construction, improvement, alteration, repair, or maintenance of a road, highway, street, or alley, the Contractor must be pre-qualified with the Indiana Department of Transportation in accordance with Indiana Code 8-23-10.

For Bids in excess of \$300,000 on Public Works projects that are not for the construction, alteration or repair of a highway, street or alley, the Contractor must be pre-qualified with the Indiana Public Works Certification Board in accordance with Indiana Code 4-13.6-4-2.5.

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 Board of Public Works reserves the right to waive any informality and to accept or reject any or all bids submitted. Bids may be held by the Board of Public Works 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.

Board of Public Works, City of Bloomington, Indiana

Kyla Cox Deckard, President