



**Purchasing Division**  
100 City Hall, 411 W. 1st Street  
Duluth, MN 55802-1189  
TEL. 218-730-5340  
[purchasing@duluthmn.gov](mailto:purchasing@duluthmn.gov)

## **ADVERTISEMENT FOR BIDS**

BIDS DUE August 16, 2019 at 2:00 PM

**BID NUMBER:** 19-0509

**PROJECT NAME:** Western Waterfront Trail Wayfinding and Amenities Project

**NOAA Award Number:** NA17NOS4190062

**ANTICIPATED START DATE:** September 1, 2019

**FINAL COMPLETION DATE:** June 30, 2020

The City of Duluth, Minnesota requests sealed bids for the above named project. Bids may be submitted electronically through Bid Express® at [www.bidexpress.com](http://www.bidexpress.com) until the stated bid deadline. The City Purchasing Agent will conduct a public bid opening in City Hall, Room 100, immediately after the deadline for receiving bids.

**PROJECT DESCRIPTION & MAJOR WORK ITEMS:** Provide and install signs and benches along the length of the Western Waterfront Trail in Duluth, MN. The restoration project will use a trail parking lot as a staging area and portion of the Western Waterfront Trail for access to the project area. Please see project and specifications for more information.

**QUESTIONS:** Deadline for questions or requests for approved equals to be submitted is 5:00 pm central time on August 6, 2019. All questions should be directed to [purchasing@duluthmn.gov](mailto:purchasing@duluthmn.gov) or 218-730-5340. Answers will be provided to all bidders in the form of an addendum.

This project is funded in whole or in part with funding from a National Oceanic and Atmospheric Administration (NOAA) Coastal Management Program grant. Additional conditions required by the grant are included in the BidExpress solicitation.

The selected contractor will be issued a construction contract (draft included in the BidExpress solicitation). Notice to Proceed will be issued once all required documentation has been submitted.

Plans and specifications may be viewed and downloaded at no cost at [www.bidexpress.com](http://www.bidexpress.com). Bidders must create a free account with Bid Express®; and login to search for city projects (search by "City of Duluth" or bid number), regardless of whether the bidder is submitting an electronic or paper bid.

If submitting a bid electronically, bidders will be required to create an Info Tech Digital ID in order to bid, which can take up to five (5) business days to process. Please allow ample time to obtain your digital id prior to the bid deadline. Bid Express® does charge a nominal fee for bid submission. More information can be found at [https://www.bidexpress.com/vendor\\_resources](https://www.bidexpress.com/vendor_resources).

Plans and specifications are on file for inspection at the City Engineering office, Duluth Builders Exchange, Minnesota Builder's Exchange, BXWI-Fox Valley Plan Room, and Blue Book Building and Construction Network.

Bidders must review the 2019 edition of the City of Duluth Public Works/Utilities Department – Engineering Division Standard Construction Specifications (available at <http://www.duluthmn.gov/engineering/standard-construction-specifications/>) as these Specifications are incorporated by reference.

# INSTRUCTIONS TO BIDDERS

All bids must be complete, signed, and transmitted in a sealed envelope plainly marked with the bid number, subject matter, and opening date.

Bids may be submitted electronically through Bid Express® at [www.bidexpress.com](http://www.bidexpress.com) or via paper to the Purchasing address above. Electronic bids are preferred; suppliers wishing to submit a paper bid must contact the purchasing office. **E-MAIL BIDS OR BONDS WILL NOT BE ACCEPTED.** The City Purchasing Agent will conduct a public bid opening in City Hall, Room 120, immediately after the deadline for receiving bids. Bids must be held firm for 60 days. Contractor will be required to execute city standard construction documents and provide performance and payment bonds for the full amount of the contract prior to Notice to Proceed.

Bids must be received in Purchasing before 2:00 PM local time on the bid opening date specified on the Invitation for Bids. The City Purchasing Agent or her designee will conduct a public bid opening in Room 120 immediately following receipt of the bids. Once all bids have been reviewed, bid results will be posted online at <http://www.duluthmn.gov/purchasing/bids-request-for-proposals/>.

No alternatives to the specification will be considered unless specifically requested. Erasures or other changes to the bid must be initialed and dated, however no special conditions shall be made or included in the bid form by the bidder.

The City of Duluth reserves the right to split the award where there is a substantial savings to the City, to waive informalities and to reject any and all bids. Price may not be the only consideration for bid award. Bids must be firm for a minimum of 60 days.

## **The following documents must be submitted with your bid:**

1. **Bid Bond** - A certified check or bank draft, payable to the order of the City of Duluth, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the bidder and acceptable surety, in an amount equal to five per cent (5%) of the total bid. Bids may be withdrawn without forfeiture of surety if the request is submitted by the Bidder and received at the Purchasing Office in writing or by e-mail prior to the scheduled bid opening.
2. **Acknowledgment of Addendum** – any changes to this solicitation will be announced via Addendum. Bidders must indicate that they have reviewed any addendum(s) by checking the appropriate box within the BidExpress solicitation. Failure to acknowledge addendum(s) may result in your bid being deemed non-responsive.
3. **Responsible Contractor** - No construction contract in excess of \$50,000 will be awarded unless the Bidder is a "responsible contractor" as defined in Minnesota Statute §16C.285, subdivision 3. All Bidders submitting a proposal for this project must verify that they meet the minimum criteria specified in the statute by submitting a Responsible Contractor Verification and Certification of Compliance form with their bid. Bidders submitting a bid electronically through BidExpress may certify within the solicitation. For bidders submitting a paper bid, the owner or officer of the company must sign the form under oath verifying compliance with each of the minimum criteria. Making a false statement under oath will render the Bidder or subcontractor that makes the false statement ineligible to be awarded a construction project and may result in termination of a contract awarded to a Bidder or subcontractor that submits a false statement. Bidders must obtain verification of compliance from all subcontractors. Bidders must submit signed copies of verifications and certifications of compliance from subcontractors at the City's request.

**Please note that the following requirements also apply to this project, and any additional required documents must be submitted prior to award/contract execution. Submitting these documents with your bid will assist in expediting the process.**

1. **Insurance** – Contractor must provide proof of Public Liability and Automobile Liability Insurance with limits not less than \$1,500,000 Single Limit prior to the commencement of work. The City of Duluth must be named as an additional insured. Please refer to the draft Contract, Section 7.

2. **Affidavit of Non-Collusion** – The successful bidder shall be required to execute the attached affidavit stating that he/she has not entered into a collusive agreement with any other person, firm, or corporation in regard to any bid submitted.
3. **Performance & Payment Bonds** – The awarded contractor will be required to submit performance and payments bonds in the full amount of the project cost prior to award.
4. **Affirmative Action/EEO** - The contractor must take affirmative action to ensure that the employees and applicants for employment are not discriminated against because of their race, color, creed, sex or national origin, and must meet the affirmative action goals. Contractors are encouraged to subcontract with Disadvantaged Business Enterprises (DBEs) when possible. A current list of certified DBEs is available on the Minnesota Unified Certification website at <http://mnucp.metc.state.mn.us> . Contractor will comply with all applicable Equal Employment Opportunity laws and regulations. Awarded contractor will submit the attached Equal Employment Opportunity (EEO) Affirmative Action Policy Statement & Compliance Certificate.
5. **Project Labor Agreement (PLA)** - A PLA will be required for any bid that is over or could virtually go over \$150,000. A copy of the City standard PLA is included in this package.
6. **Community Benefits Provisions** - A Community Benefits Best Efforts Plan will be required for any project that includes a PLA. The required form is included in the bid package, as well as a link to additional community benefits information, including the program specifications and a process flowchart.
7. **Out of State Contractor** - Unless a State of Minnesota Certificate of Exemption is provided, any out-of-state bidder receiving a bid award will have 8% retained from invoice payments on any contracts over \$50,000. Submit a signed copy of the signed exemption form when submitting Payment and Performance Bonds. This form may be found at: [http://www.revenue.state.mn.us/Forms\\_and\\_Instructions/sde.pdf](http://www.revenue.state.mn.us/Forms_and_Instructions/sde.pdf)
8. **Prevailing Wage** - Not less than the minimum salaries and prevailing wages as set forth in the contract documents must be paid on this project.

The City of Duluth is an Equal Opportunity Employer. Contractor shall comply with all applicable Equal Employment Opportunity laws and regulations.

CITY OF DULUTH

Amanda Ashbach  
Purchasing Agent