



City of Duluth
Public Works & Utilities Department
Engineering Division
411 West First Street, Duluth, MN 55802

*******ADVERTISEMENT FOR BIDS*******

BIDS DUE DECEMBER 18, 2019 AT 2:00 P.M.

BID NUMBER: 19-99660

PROJECT NAME: Cross City Trail Phase 2

STATE/CITY PROJECT NUMBER: City of Duluth Project No. 0595TR

ANTICIPATED START DATE: January 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 until 2:00 p.m. local time on December 18, 2019. The City Purchasing Agent will conduct a public bid opening in City Hall, Room 120, immediately after the deadline for receiving bids.

PROJECT DESCRIPTION & MAJOR WORK ITEMS: This work provides for new construction of the Cross City Trail - Phase 2 from Grassy Point Trail to Carlton Street in Duluth, Minnesota. The work consists of grading, aggregate base, bituminous surfacing, fencing, and structure modifications.

PREBID MEETING: A pre-bid meeting will not be held for this project.

Questions pertaining to this project should be directed to: Patrick Loomis via email at ploomis@duluthmn.gov.

Plans and specifications may be viewed and downloaded at no cost at 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). 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

Plans and specifications are on file for inspection at the City Engineering office, Minnesota Builder's Exchange, Builder's Exchange of Wisconsin 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 <https://www.duluthmn.gov/engineering/standard-construction-specifications/>) as these Specifications are incorporated by reference.

Bid surety in an amount equal to five per cent (5%) of the total bid shall be submitted with each bid. Electronic bid surety can be submitted using Surety 2000 or SuretyWave. Paper bid surety must be mailed or dropped off in person at the purchasing office prior to the bid opening. Please clearly mark the envelope with the name of the bidder and the bid number.

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 when possible.

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.

Please note that the following requirements also apply to this project, and any additional required documents must be submitted prior to award/contract execution.

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, which can be found in the contract documents at the bottom of the Bid Express solicitation.

2. **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.

3. **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

4. **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.

Minimum wage rates to be paid by the Contractors have been predetermined and are subject to the Work Hours Act of 1962, P.L. 87-581 and implementing regulations.

**READ CAREFULLY THE WAGE SCALES AND DIVISION A OF THE SPECIAL
PROVISIONS AS THEY AFFECT THIS/THESE PROJECT/PROJECTS**

The Minnesota Department of Transportation hereby notifies all bidders:

in accordance with Title VI of the Civil Rights Act of 1964 (Act), as amended and Title 49, Code of Federal Regulations, Subtitle A Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, it will affirmatively assure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded maximum opportunity to participate and/or to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, disability, age, religion, sex or national origin in consideration for an award;

in accordance with Title VI of the Civil Rights Act of 1964 as amended, and Title 23, Code of Federal Regulations, Part 230 Subpart A-Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including supportive services), it will affirmatively assure increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry, and that on any project constructed pursuant to this advertisement equal employment opportunity will be provided to all persons without regard to their race, color, disability, age, religion, sex or national origin;

in accordance with the Minnesota Human Rights Act, Minnesota Statute 363A.08 Unfair discriminatory Practices, it will affirmatively assure that on any project constructed pursuant to this advertisement equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age;

in accordance with the Minnesota Human Rights Act, Minnesota Statute 363A.36 Certificates of Compliance for Public Contracts, and 363A.37 Rules for Certificates of Compliance, it will assure that appropriate parties to any contract entered into pursuant to this advertisement possess valid Certificates of Compliance.

If you are not a current holder of a compliance certificate issued by the Minnesota Department of Human Rights and intend to bid on any job in this advertisement you must contact the Department of Human Rights immediately for assistance in obtaining a certificate.

The following notice from the Minnesota Department of Human Rights applies to all contractors:

"It is hereby agreed between the parties that Minnesota Statute, section 363A.36 and Minnesota Rules, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based on this specification or any modification of it. A copy of Minnesota Statute 363A.36 and Minnesota Rules, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency."

"It is hereby agreed between the parties that this agency will require affirmative action requirements be met by contractors in relation to Minnesota Statute 363A.36 and Minnesota Rules 5000.3600. Failure by a contractor to implement an affirmative action plan or make a good faith effort shall result in revocation of its certificate or revocation of the contract (Minnesota Statute 363A.36, Subd. 2 and 3)."

A minimum goal of 4.2 % Good Faith Effort to be subcontracted to Disadvantaged Business Enterprises.

The City of Duluth reserves the right to waive informalities and to reject any or all bids.

Amanda Ashbach, City Purchasing Agent