

## ADVERTISEMENT TO BID

### NORTH MORGANTOWN SANITARY SEWER PROJECT

THE MORGANTOWN UTILITY BOARD  
CITY OF MORGANTOWN  
MONONGALIA COUNTY, WEST VIRGINIA

The Morgantown Utility Board will receive sealed Bids for the North Morgantown Sanitary Sewer Project until 1:30 PM, Tuesday, December 1, 2009 at the Morgantown Utility Board Office, 278 Greenbag Road, P.O. Box 852, Morgantown, West Virginia 26507, at which time they will be publicly opened and read aloud.

The work includes construction of +/-11,400 feet of 36" DI Force Main, +/- 2,531 feet of 24" PVC Gravity Sewer, Cast in Place Concrete Splitter Box, and all other related manholes and appurtenances.

Bids are to be submitted in accordance with Article 13 of the "Instructions to Bidders." The two-envelope system will be used for the Bid opening procedures. All Bids submitted via U.S. Postal service must be addressed to Morgantown Utility Board, P.O. Box 852, Morgantown, West Virginia 26507-0852. All Bids hand-delivered or submitted via commercial carrier (such as UPS or Federal Express) must be addressed to Morgantown Utility Board, 278 Greenbag Road, Morgantown, West Virginia 26501. No relief shall be provided for a mailed or delivered Bid not bring received by the prescribed time for Opening of Bids.

Bidding Documents may be obtained from the Issuing Office which is the Morgantown Utility Board, 278 Greenbag Road, Morgantown, West Virginia 26507-0852, (304) 292-8443. A nonrefundable fee of \$100.00 will be required for Bidding Documents including full-sized drawings. Overnight mailing of Bidding Documents will not be provided.

Bidding Documents may be examined at the following locations:

Morgantown Utility Board  
278 Greenbag Road  
Morgantown, WV 26507-0852

McGraw Hill Construction Dodge  
600 Waterfront Drive, Suite 200  
Pittsburgh, PA 15222

Contractor's Association of West Virginia  
2114 Kanawha Boulevard, East  
Charleston, WV 25311

No Bid will be received unless accompanied by a Bid Bond equal to at least five percent of the Bid, payable to the Owner as a guarantee that after a Bid is accepted, Bidder will execute and file the Agreement, Insurance Certificate, and 100% Performance and Payment Bonds within fifteen days after the Notice of Award. Bids will be accepted from only those Bidders who obtain Documents from the Owner.

Bidders who submit a Bid must be a Plan Holder of Record at the Issuing Office. Bids from Bidders who are not on the Plan Holders List may be returned as not being responsive. Plan Holders are requested to provide an e-mail address if they wish to receive Addenda and other information electronically. Plan Holders are requested to designate whether they are a prime contractor, subcontractor, or supplier if they want this information posted on the Project Holders list.

Bidders shall comply with all provisions of the Code of West Virginia and the Davis-Bacon Act with respect to wage scales. The higher of the two wage requirements shall apply in any case.

### **“DBE REQUIREMENTS”**

Each Bidder must fully comply with the requirements, terms, and conditions as set forth in the contract documents to achieve Disadvantaged Business Enterprise (DBE) participation during the performance of this contract. The bidder commits itself to the program for DBE participation and all other requirements, terms, and conditions of the bid conditions by submitting a properly signed bid.

The bidder agrees to make “good faith efforts” to subcontract a total portion of the total value of the contract to Disadvantaged businesses. This shall be done in compliance with the six (6) good faith efforts as outlined in 40 CFR 31.36(e). Failure to demonstrate good faith efforts may lead to rejection of bids. For the purpose of this program, the term “subcontractor” includes all construction, modification, and service work contracted for by the bidder in the execution of the work under this contract.

### **“NONDISCRIMINATION IN EMPLOYMENT”**

Bidders on this work will be required to comply with the President’s Executive Order No. 11246. The requirements for bidders and contractors under this order are explained in the specifications.

### **“SUSPENSION AND DEBARMENT**

Recipient shall not entertain the use of businesses that are listed on the “Excluded Parties List System” at [www.epls.gov](http://www.epls.gov) in accordance with 2 CFR Part 1532 and Subpart B and C of 2 CFR Part 180.”

Bidders must comply with the requirements for Affirmative Action and Minority Business Enterprises participation, Title VI of the Civil Rights Act of 1964, the Davis-Bacon Act, the Copeland Act, the Contract Work Hours and Safety Act, and the West Virginia Division of Labor Wages for Construction of Public Improvements pursuant to West Virginia Code 21-5A-3.

The Contractor shall comply with the Buy American provisions of the American Recovery and Reinvestment Act (ARRA) in accordance with final guidance from the EPA and OMB. All iron, steel, and manufactured goods used in this project must be produced in the United States. This term will not apply in any case or category of cases where (1) applying the term and condition would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of satisfactory quality; or (3) inclusion of iron, steel, and manufactured goods produce in the United States will increase the cost of the overall project by more than 25 percent. The lowest responsive, responsible bidder must certify their compliance with the Buy American provisions or receive an approved waiver of these provisions from the United States EPA prior to purchasing materials for this project.

Any Contractor submitting a Bid on this project hereby certifies, indicates, and acknowledges that he/she has a Contractor’s license from the State of West Virginia and meets all the qualifications required by the statutes of the state and subdivision in which the work is to be performed.

A mandatory pre-bid conference will be held at 10:00 AM on the 12<sup>th</sup> day of November, 2009 at the Morgantown Utility Board offices at 278 Greenbag Road, Morgantown, WV. Representatives of Owner will be present to discuss the project. Bidders are required to attend and participate in the conference. Owner will transmit to all prospective Bidders of record such Addenda as Owner considers necessary in response to questions arising at the conference. Oral statements may not be relied upon and will not be binding or legally effective. Bids will be accepted only from those Bidders who have attended the pre-bid conference.

The Morgantown Utility Board reserves the right to reject any or all Bids and to accept any Bid which it deems advantageous. All Bids shall remain subject to acceptance for **90** days after the time set for opening Bids.

Dated at Morgantown, West Virginia  
October 26, 2009  
November 2, 2009

Published by the authority of the Morgantown Utility Board  
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