CITY OF ABILENE

NOTICE IS HEREBY GIVEN THAT THE CITY OF ABILENE WILL RECEIVE SEALED, WRITTEN PROPOSALS IN THE OFFICE OF THE PURCHASING ADMINISTRATOR, CITY HALL, 555 WALNUT STREET, ROOM 201-A, ABILENE, TEXAS 79601 UNTIL 2:00 P.M. ON THE 1ST DAY OF AUGUST A.D., 2018 FOR:

1. WATER METER REPLACEMENT AND AMI PROJECT INSTALLATION, INTEGRATION AND PROJECT MANAGEMENT – PROPOSAL #CB-1855

A **MANDATORY** PRE-PROPOSAL MEETING WILL BE HELD ON **JULY 18, 2018** AT **1:00 P.M.** IN THE CITY HALL COUNCIL CHAMBERS, 555 WALNUT STREET, ABILENE, TEXAS 79601.

PROPOSALS DOCUMENTS MAY BE OBTAINED VIA CIVCAST AT WWW.CIVCASTUSA.COM.

PROPOSAL DOCUMENTS MAY BE EXAMINED AT THE ENGINEER'S OFFICE, ENPROTEC / HIBBS & TODD, INC., 402 CEDAR STREET, ABILENE, TEXAS, MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M., AND THE CITY'S PURCHASING DEPARTMENT, 555 WALNUT, STE. 201-A, ABILENE, TEXAS, MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. AND 5:00 P.M.

EACH PROPOSAL SHALL BE ACCOMPANIED BY A CASHIER'S CHECK OR BID BOND, ACCEPTABLE TO THE OWNER, IN AN AMOUNT NOT LESS THAN FIVE PERCENT (5%) OF THE TOTAL AMOUNT PROPOSED, AS A GUARANTEE THAT THE SUCCESSFUL PROPOSER WILL ENTER INTO A PROPER CONTRACT AND EXECUTE BONDS ON THE FORMS PROVIDED IN THE CONTRACT DOCUMENTS. BID SURETIES WILL BE RETURNED TO ALL BUT THE THREE LOWEST ACCEPTABLE PROPOSERS WITHIN FIVE DAYS AFTER THE OPENING OF PROPOSALS. REMAINING BID SURETIES WILL BE RETURNED AFTER COMPLETE EXECUTION OF THE CONTRACT.

THE SURETY COMPANY PROVIDING THE BID BOND MUST CONFORM TO THE SAME REQUIREMENTS FOR SURETY COMPANIES PROVIDING PERFORMANCE AND PAYMENT BONDS DESCRIBED BELOW.

THE SUCCESSFUL PROPOSER MUST FURNISH PERFORMANCE AND PAYMENT BONDS ON THE FORMS FURNISHED WITH THE CONTRACT DOCUMENTS IN THE AMOUNT OF ONE HUNDRED PERCENT (100%) OF THE TOTAL CONTRACT PRICE, FROM A SURETY COMPANY HOLDING A PERMIT FROM THE STATE OF TEXAS TO ACT AS SURETY. THE SURETY COMPANY MUST HAVE A MINIMUM BEST'S KEY RATING OF "B" OR BETTER. THE SURETY COMPANY, THE AGENCY AND AGENT ISSUING THE PERFORMANCE AND PAYMENT BOND MUST BE AUTHORIZED TO ISSUE SUCH BONDS IN TEXAS IN AN AMOUNT EQUAL TO OR GREATER THAN THE TOTAL CONTRACT PRICE.

THIS CONTRACT IS CONTINGENT UPON RELEASE OF FUNDS FROM THE TEXAS WATER DEVELOPMENT BOARD. ANY CONTRACT OR CONTRACTS AWARDED UNDER THIS REQUEST FOR PROPOSALS ARE EXPECTED TO BE FUNDED IN PART BY FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD. NEITHER THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) OR THE STATE OF TEXAS, NOR ANY OF ITS DEPARTMENTS, AGENCIES, OR EMPLOYEES, ARE OR WILL BE A PARTY TO THIS REQUEST FOR PROPOSALS OR ANY RESULTING CONTRACT.

EQUAL OPPORTUNITY IN EMPLOYMENT: ALL QUALIFIED APPLICANTS WILL RECEIVE CONSIDERATION FOR EMPLOYMENT WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX (INCLUDING PREGNANCY), SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN, AGE (40 OR OLDER), DISABILITY, OR GENETIC INFORMATION. PROPOSERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE DEPARTMENT OF LABOR REGULATIONS AT 41 CFR PART 60-4, RELATING TO CONSTRUCTION CONTRACTORS--AFFIRMATIVE ACTION REQUIREMENTS, WHICH INCLUDE THE PRESIDENT'S EXECUTIVE ORDER NO. 11246, AS AMENDED BY EXECUTIVE ORDER NO. 11375 AND EXECUTIVE ORDER NO. 13672, IN THE AWARD AND ADMINISTRATION OF CONTRACTS AWARDED UNDER TWDB FINANCIAL ASSISTANCE AGREEMENTS. FAILURE BY THE CONTRACTOR TO CARRY OUT THESE REQUIREMENTS IS A MATERIAL BREACH, WHICH MAY RESULT IN THE TERMINATION OF THE AWARDED FINANCIAL ASSISTANCE.

ALL LABORERS AND MECHANICS WORKING ON THE WORK SITE AND EMPLOYED BY CONTRACTORS AND SUBCONTRACTORS ON PROJECTS FUNDED DIRECTLY BY OR ASSISTED IN WHOLE OR IN PART BY AND THROUGH THE DRINKING WATER STATE REVOLVING FUND SHALL BY PAID WAGES AS DESCRIBED IN THE SECTION, MANDATORY DAVIS-BACON ACT CONTRACT CONDITIONS.

DAVIS-BACON PREVAILING WAGE REQUIREMENTS APPLY TO THE CONSTRUCTION, ALTERATION OR REPAIR OF TREATMENT WORKS CARRIED OUT, IN WHOLE OR IN PART, WITH ASSISTANCE MADE AVAILABLE BY THE CLEAN WATER STATE REVOLVING FUND (CWSRF) OR A CONSTRUCTION PROJECT FINANCED, IN WHOLE OR IN PART, FROM THE DRINKING WATER STATE REVOLVING FUND (DWSRF).

THE DAVIS-BACON PREVAILING WAGE REQUIREMENTS APPLY TO CONTRACTORS AND SUBCONTRACTORS PERFORMING ON FEDERALLY FUNDED OR ASSISTED CONTRACTS IN EXCESS OF $2,000 FOR THE CONSTRUCTION, ALTERATION OR REPAIR (INCLUDING PAINTING) OF A TREATMENT WORKS PROJECT UNDER THE CWSRF OR A CONSTRUCTION PROJECT UNDER THE DWSRF.

FOR PRIME CONTRACTS IN EXCESS OF $100,000, CONTRACTORS AND SUBCONTRACTORS MUST ALSO, UNDER THE PROVISIONS OF THE CONTRACT WORK HOURS AND SAFETY STANDARDS ACT, AS AMENDED, PAY LABORERS AND MECHANICS, INCLUDING GUARDS AND WATCHMEN, AT LEAST ONE AND ONE-HALF TIMES THEIR REGULAR RATE OF PAY FOR ALL HOURS WORKED OVER 40 IN A WORK WEEK. THE FAIR LABOR STANDARDS ACT MAY ALSO APPLY TO DAVIS-BACON COVERED CONTRACTS.

ANY CONTRACTS OR SUBCONTRACTS IN EXCESS OF $2,000 MUST INCLUDE THE PROVISIONS OF THE DAVIS-BACON WAGE RATE REQUIREMENTS FOUND IN TWDB GUIDANCE NO. DB-0156.

THIS CONTRACT IS SUBJECT TO THE ENVIRONMENTAL PROTECTION AGENCY'S (EPA) "FAIR SHARE POLICY", WHICH INCLUDES EPA-APPROVED "FAIR SHARE GOALS" FOR MINORITY BUSINESS ENTERPRISE (MBE) AND WOMEN BUSINESS ENTERPRISE (WBE) FIRMS IN THE CONSTRUCTION, SUPPLIES, EQUIPMENT, AND SERVICES PROCUREMENT CATEGORIES. EPA'S POLICY REQUIRES THAT APPLICANTS AND PRIME CONTRACTORS MAKE A GOOD FAITH EFFORT

TO AWARD A FAIR SHARE OF CONTRACTS, SUBCONTRACTS, AND PROCUREMENTS TO MINORITY BUSINESS ENTERPRISE AND WOMEN-OWNED BUSINESS ENTERPRISE FIRMS. ALTHOUGH EPA'S POLICY DOES NOT MANDATE THAT THE FAIR SHARE GOALS BE ACHIEVED, IT DOES REQUIRE APPLICANTS AND PRIME CONTRACTORS TO DEMONSTRATE USE OF THE SIX AFFIRMATIVE STEPS. THE CURRENT FAIR SHARE GOALS FOR THE STATE OF TEXAS ARE AS FOLLOWS:

CATEGORY	MBE	WBE
CONSTRUCTION	12.94%	8.72%
EQUIPMENT	7.12%	5.39%
SERVICES	10.84%	5.72%
SUPPLIES	9.68%	9.34%

WHICH ARE ALSO AVAILABLE ONLINE AT
HTTP://WWW.TWDB.TEXAS.GOV/FINANCIAL/PROGRAMS/DBE/DBE.ASP

EACH PROPOSER MUST **SUBMIT THE PRIME CONTRACTOR AFFIRMATIVE STEPS CERTIFICATION AND GOALS (WRD-0217) WITH THEIR PROPOSAL**, TO DEMONSTRATE THE PROPOSER'S UNDERSTANDING AND COMMITMENT TO TAKING AFFIRMATIVE STEPS.

UPON REQUEST, THE PROPOSER MUST PROVIDE THE OWNER WITH THE INFORMATION REQUIRED FOR DBE CERTIFICATION AND PARTICIPATION SUMMARY, TWDB DOCUMENT TWDB-0373 AND PROVIDE SUFFICIENT DOCUMENTATION (TWDB-0216) THAT A "GOOD FAITH EFFORT" WAS MADE IN OFFERING FAIR OPPORTUNITY FOR PARTICIPATION BY QUALIFIED DBE FIRMS. THIS INFORMATION MUST BE SUBMITTED PRIOR TO THE CONTRACT AWARD SO THE INFORMATION CAN BE APPROVED AND PRESENTED TO THE TWDB FOR FUNDING OF THIS CONTRACT.

THIS PROJECT IS SUBJECT TO THE AMERICAN IRON AND STEEL (AIS) REQUIREMENTS OF 33 U.S.C §1388 FOR CLEAN WATER STATE REVOLVING FUND PROJECTS OR PUBLIC LAW 114-113, CONSOLIDATED APPROPRIATIONS ACT, 2016, OR SUBSEQUENT APPROPRIATIONS ACTS, FOR DRINKING WATER STATE REVOLVING FUND PROJECTS. ANY CONTRACT(S) AWARDED UNDER THIS REQUEST FOR PROPOSAL IS/ARE SUBJECT TO THE AMERICAN IRON AND STEEL (AIS) REQUIREMENTS OF THESE LAWS.

ALL PROPOSALS MUST SUBSTANTIALLY COMPLY WITH SPECIFICATIONS.

THE CITY OF ABILENE RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS AND TO AWARD THE LOWEST RESPONSIVE, RESPONSIBLE PROPOSER.