

## INVITATION FOR BIDS

The City of Childress, Texas, will receive bids for construction of sewer system improvements until 10:00 A.M. on the 9th day of July, 2024, at OJD Engineering, 2420 Lakeview Drive, Amarillo, TX 79109, at which time and place all bids received will be publicly opened and read aloud.

Bids are invited for the construction of the following:

Lift Station  
Pond Liner  
Stabilization Pond

Contract documents, including plans and specifications, are available at the office of OJD Engineering, LLC., 2420 Lakeview Drive, Amarillo, Texas, 79109, Phone 806-352-7117, FAX 806-352-7188. Copies may be purchased at a cost of \$150.00 per set. This fee is not refundable. Questions concerning this project should be addressed to Lucas Johnson, P.E., OJD Engineering, LLC, 2420 Lakeview Dr., Amarillo, Texas, 79109, Phone 806-352-7117, FAX 806-352-7188, or e-mail – lucas.johnson@ojdengineering.com.

A Bid Bond in the amount of 5% of the bid, issued by an acceptable surety, shall be submitted with each bid. A certified check or bank draft payable to the City of Childress, or negotiable U.S. Government Bonds (at par value) may be submitted in lieu of the Bid Bond.

Attention is called to the fact that not less than the federally determined prevailing (Davis-Bacon) wage rate, as issued by the Texas Department of Commerce and contained in the Contract Documents must be paid on the project. In addition, the successful bidder must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

Attention is called to General Condition 140, "Restrictions on Public Buildings and Public Works Projects". The Bidder certifies by the submission of its bid that it:

1. Is not a Contractor of a foreign country included on the USTR list.
2. Has not and will not enter into any subcontract with a subcontractor of a foreign country included on the USTR list.
3. Will not provide any product of a foreign country included on the USTR list.

This contract is contingent upon release of funds from the Texas Water Development Board (TWDB).

Each Contractor awarded a construction contract must furnish performance and payment bonds:

(a) The performance bond shall include without limitation guarantees that work done under the contract will be completed and performed according to approved plans and specifications and in accordance with sound construction principles and practices;

(b) The performance and payment bonds shall be in a penal sum of not less than 100 percent of the contract price and remain in effect for one year beyond the date of approval by the Engineer of the political subdivision; and

(c) The Contractor shall utilize a surety company which is authorized to do business in Texas in accordance with Surety Bonds and Related Instruments, Chapter 3503 of the Insurance Code.

Funding for this project is expected to be provided in part by the Texas Water Development Board. Neither the State of Texas, nor any of its departments, agencies or employees is, or will

be, a party to this contract or any lower tier contract. This contract is subject to applicable provisions 31 TAC Chapter 371 (DWSRF) or 375 (CWSRF) in effect on the date of the assistance award for this project.

This contract is subject to the Environmental Protection Agency's (EPA) Disadvantaged Business Enterprise (DBE) Program, which includes EPA-approved fair share goals toward procurement of Minority and Women-owned Business Enterprise (M/WBE) businesses. EPA rules require that applicants and prime contractors make a good faith effort to award a fair share of contracts, subcontracts, and procurements to M/WBEs through demonstration of the six affirmative steps. For more details of the DBE Program and the current, applicable fair share goals, please visit <http://www.twdb.texas.gov/dbe>

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. Bidders 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

The current fair share goals for the State of Texas are as follows:

CATEGORY	MBE	WBE
CONSTRUCTION	24.50%	11.34%
NON-CONSTRUCTION	24.05%	19.35%
TOTAL COMBINED CONSTRUCTION & NON-CONSTRUCTION	24.16%	17.38%

Any contract or contracts awarded under this Invitation for Bid (IFB), Request for Proposals (RFP), or Request for Qualifications (RFQ) are expected to be funded in part by financial assistance from the TWDB. 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 IFB, RFP, RFQ, or any resulting contract.

For CWSRF, include – Any contract(s) awarded under this Invitation for Bids is/are subject to the American Iron and Steel (AIS) requirements of Section 608 of the Federal Water Pollution Control Act. For DWSRF, include – Any contract(s) awarded under this Invitation for Bids is/are subject to the American Iron and Steel (AIS) requirements of federal law, including federal appropriation acts.

Acknowledgement of any special requirements such as mandatory pre-bid conference. (k) Right to reject any and all bids. (l) 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). (m) 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. (n) 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 workweek. The Fair Labor Standards Act may also apply to Davis-Bacon covered contracts. (o) 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. (p) Wage Determinations - U.S. Department of Labor (DOL) wage determination must be included in the bidding and contract documents. DOL wage determinations may be obtained online at <http://www.wdol.gov/>. Once it is determined that Davis-Bacon wage rates will apply to a construction contract, the Applicant must state in the solicitation that Davis-Bacon prevailing wage rates are applicable and bid packages must include the current Davis-Bacon general wage determination for the area where construction will occur. While the solicitation remains open, the Applicant must monitor [www.wdol.gov](http://www.wdol.gov/) on a weekly basis to ensure that the wage determination contained in the solicitation remains current. TWDB-0550 Rev 07/2021 Page 8 of 47 The Applicant must amend the solicitation if the DOL issues a modification more than 10 days prior to the closing date (i.e. bid opening) for the solicitation. If DOL modifies or supersedes the applicable wage determination less than 10 days prior to the closing date, the Applicant may request a finding from TWDB that there is not reasonable time to notify interested Contractors of the modification of the wage determination. (q) For additional information on Davis-Bacon Wage Rate Requirements and its applicability to this contract, please consult TWDB Guidance No. DB-0156.

The City of Childress reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the City of Childress for a period not to exceed thirty (30) days from the date of the bid opening for the purpose of reviewing the bids and investigating the bidders' qualifications prior to awarding of the contract.