



INVITATION TO BID

**BID #2009-48 EDINBURG WWTP EXPANSION PROJECT – PHASE 1, STAGE
2 TWDB CWSRF PROJECT**

The City of Edinburg, Texas is soliciting sealed separate bids for the above referenced as requested by the Utilities Department. The bid shall be received no later than **3:00 p.m., Wednesday, April 15, 2009.** Any bid received after the time set for opening will be returned to bidder unopened. Bidder(s) must provide an original and shall be addressed to:

**CITY OF EDINBURG
C/O CITY SECRETARY
415 W. UNIVERSITY DRIVE
P.O. BOX 1079
EDINBURG, TEXAS 78540-1079**

Bids must be submitted in an envelope sealed with tape and prominently marked on the lower left hand corner of the bid envelope with corresponding bid number and title. All bids will be opened and publicly read aloud at the above designated time at the City of Edinburg (New City Hall) Conference Room, 1st Floor, located at 415 W. University Drive, Edinburg, Texas. Bids sent via facsimile shall not be accepted. A pre-bid conference will be held at **10:00 a.m., Friday, April 3, 2009,** at the City of Edinburg Conference Room located at 415 W. University Drive, Edinburg, Texas 78541. All prospective bidders are encouraged to attend.

The City of Edinburg reserves the right to accept or reject bids submitted, waive formalities in bidding, accept the bid deemed most advantageous to the City of Edinburg, and to hold the bids for a period of ninety (90) days without taking action thereon. If you have any questions or require additional information regarding this bid, please contact Mr. Jose A. Villegas, Director of Utilities, at (956) 388-8212.

If you choose not to submit a bid and would like to remain on the City of Edinburg bidder's list for future bids, you must respond in writing.

Sincerely,


Pedro Garza III, Purchasing Agent



**210 W. McIntyre • P.O. Box 1079 • Edinburg, Texas 78540
Phone (956) 383-5661 • Fax (956) 383-7111**



SECTION 00030

INVITATION TO BID

EDINBURG WWTP EXPANSION PROJECT
PHASE 1, STAGE 2
TWDB CWSRF PROJECT

RECEIPT OF BIDS: Sealed Bids addressed to the City of Edinburg (hereinafter called owner), will be received on April 15, 2009, until 3:00 p.m. at the office of City of Edinburg, 415 W. University Drive, Edinburg, Texas, 78541 at which time they will be publicly opened and read aloud. Any Bids received after the specified time and date will not be considered and returned to bidder unopened.

Envelopes must be clearly marked: Bid No. 2009-48
Edinburg WWTP Expansion Project
Phase 1, Stage 2
TWDB CWSRF Project

OPENING OF BIDS: The Bids will be publicly opened and read aloud at 3:00 p.m. on April 15, 2009, at the City of Edinburg Community Room.

COMPLETION OF WORK: The WORK must be completed within 400 successive days after the commencement date stated in the Notice to Proceed.

DESCRIPTION OF WORK: The WORK consists of the construction of a new plant lift station, new headworks station (screening, degritting, flow division, flow measurement functions), and the miscellaneous appurtenances and yard piping necessary to connect to existing treatment facilities.

SITE OF WORK: The site of the WORK is located at the Edinburg WWTP site on "M" Road in Edinburg, Texas.

OBTAINING BID DOCUMENTS: The Bid Documents are entitled Edinburg WWTP Expansion Project, Phase 1, Stage 2, TWDB CWSRF Project. The Bid Documents may be obtained at the office of Allan F. Booe, P.E., Melden & Hunt, Inc., 115 W. McIntyre, Edinburg, Texas 78541 upon payment of \$300.00 (non-refundable) for each set of Bid Documents (including technical specifications and accompanying full or reduced-scale drawings). The scale of the reduced drawings is about one-half of the original scale. Plans and specifications may be reviewed at Rio Grande Valley branches of the A.G.C, or at the office of Melden & Hunt, Inc. The geotechnical report for the project is included in the Contract Documents and is also available for review at the office of Melden & Hunt, Inc.

BID SECURITY: Each Bid shall be accompanied by a certified or cashier's check or Bid Bond in the amount of 5 percent of the Total Bid Price payable to City of Edinburg, as a

guarantee that the Bidder, if its Bid is accepted, will promptly execute the Agreement. If a bid bond is provided, the contractor shall utilize a surety company which is authorized to do business in Texas in accordance with Art. 7.19-1. Bond of Surety Company; Chapter 7 of the Insurance Code. A bid shall not be considered unless one of the forms of Bidder's security is enclosed with it.

A performance bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

A payment bond on the part of the contractor for one-hundred percent (100%) of the contract price will be required. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in execution of the work provided for in the contract documents.

BIDS TO REMAIN OPEN: The Bidder shall guarantee the Total Bid Price for a period of 90 calendar days from the date of bid opening.

PRE-BID CONFERENCE: There will be a pre-bid conference to discuss the scope of the project and bidding requirements at 10:00 a.m. on April 3, 2009, at the office of City of Edinburg Community Room, 415 W. University Drive, Edinburg, Texas. Prospective bidders are encouraged to attend. Detailed technical questions may be submitted in writing, but technical questions will be answered, if warranted, by addenda later. Oral statements may not be relied upon and will not be binding or legally effective.

PROJECT FUNDING: Any contract awarded under this Invitation for Bid is expected to be funded in part by a loan from the Texas Water Development Board. Neither the State of Texas nor any of its departments, agencies, or employees are or will be a party to this Invitation for Bids or any resulting contract. This contract is contingent upon release of funds from the Texas Water Development Board.

EQUAL OPPORTUNITY IN EMPLOYMENT: All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap or national origin. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended by Executive Order 11375, and as supplemented in Department of Labor Regulations 41 CFR Part 60.

MINORITY AND WOMEN OWNED BUSINESSES: This contract is subject to the Environmental Protection Agency (EPA) "fair share policy" which includes EPA approved "fair share goals" for Minority Business Enterprise (MBE) & 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 SMWBE's. 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. TWDB Document Guidance for Utilization of Small, Minority and Women Owned Businesses, SRF-052 v .5 describes the requirements of this program. The guidance document and required forms are included in Appendix A of the construction contract documents. The current fair share goals for the State of Texas are:

MBE: CONSTRUCTION 34%; SUPPLIES 18%; SERVICES 22%; EQUIPMENT 13%.
WBE: CONSTRUCTION 8%; SUPPLIES 29%; SERVICES 26%; EQUIPMENT 13%.

DEBARMENT AND SUSPENSION CERTIFICATION: The contract will be subject to the provisions the federal Debarment and Suspension requirements of 40 CFR Part 32.

PROJECT ADMINISTRATION: All communications relative to this WORK shall be directed to the ENGINEER prior to opening of the Bids.

Melden & Hunt, Inc.
115 W. McIntyre
Edinburg, Texas 78541
Telephone: (956) 381-0981
Email: abooe@meldenandhunt.com
Attention: Allan F. Booe, P.E.

OWNER'S RIGHTS RESERVED: The OWNER reserves the right to reject any or all bids, to waive any informality in a bid, and to make awards to the lowest responsive, responsible bidder as it may best serve the interest of the OWNER.

END OF SECTION

BOND AND INSURANCE REQUIREMENTS

(A) If the contract amount is over \$25,000 for construction or facility improvements, the successful bidder shall provide a bid guarantee, give a good and sufficient bond in the amount of the contract price for the faithful performance of such contract, executed by a surety company authorized to do business in the state, in accordance with state statutes, as amended. A payment bond in the full amount of the contract price to assure payment is required by law of all persons supplying labor and material in execution of work provided for in the contract.

(1) A bid guarantee equivalent to 5% of the bid price is required from each bidder. The bid guarantee shall consist of a firm commitment such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his or her bid, execute such contractual documents as may be required within the specified time.

(2) A performance bond on the part of the contractor for 100% of the contract price is required. A "performance bond" is one executed in connection with the contract to secure fulfillment of all the contractor's obligations under such contract. It is solely for the protection of the City awarding the contract; in the amount of the contract; and is conditioned on the faithful performance of the work, in accordance with the plans, specifications, and contract documents, including warranties. The performance bond shall remain in effect during the warranty period of the contract or for one year, whichever is longer.

(3) A payment bond on the part of the contract for 100% of the contract price is required. A "payment bond" is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in execution of the work provided for in the contract. The payment bond is solely for the protection and use of payment bond beneficiaries who have a direct contractual relationship with the prime contractor or a sub-contractor to supply labor or material and is in the amount of the contract.

(4) Failure of a contractor to comply with this section authorizes the City Manager to terminate the contract and retain any applicable security.

(B) A bid guarantee, performance and payment bond will not be required for contracts zero to \$25,000. The City will specify in the contract that no money will be paid to the contractor until the project has been completed and final acceptance has been made by the City.

(C) Staff may waive insurance requirements for contracts \$0 - \$4,999.99, including but not limited to contracts for food, materials, supplies, and construction. Workers' Compensation in amounts which satisfy statutory coverage shall be required for construction projects.

(D) The following insurance requirements will be included in all City contracts of \$5,000.00 - \$14,999.99. In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of \$100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	Limits of Liability
Worker's Compensation	Statutory Coverage
Comprehensive General Liability (City named as additional insured) Bodily Injury	\$250,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits

(E) The following insurance requirements will be included in all City contracts of \$15,000 or more.

(1) The successful bidder will be required to carry the following insurance coverage and limits of coverage, as well as list the City as an additional insured to liability coverage as requested by the City. In addition, the successful bidder shall provide the City with evidence of coverage and furnish acceptable proof of payment of insurance premiums.

(2) The successful bidder will be required to secure and/or have insurance coverage in force with an admitted property and casualty insurance company licensed by the State of Texas to conduct business in the State of Texas.

(3) In contracts not involving building and construction projects, as that activity is defined in TEX. LABOR CODE §406.096, contractors may obtain alternative form of worker accident insurance with minimum limits of liability of \$100,000 per claim.

Minimum Insurance Requirements	
Type of Coverage	Limits of Liability
Worker's Compensation	Statutory Coverage
Employer's Liability	Bodily Injury by Accident: \$100,000 each accident Bodily Injury by Disease: \$100,000 each employee/\$500,000 policy limit
Comprehensive General Liability Bodily Injury	\$250,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits
Comprehensive Auto Liability Bodily Injury	\$100,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits
City's Protective Liability Bodily Injury	\$250,000 each person/\$500,000 each occurrence
Property Damage	\$100,000 each occurrence/\$100,000 aggregate or \$500,000 combined single limits