

ADVERTISEMENT FOR BIDS
CITY OF OSHKOSH
WATER FILTRATION PLANT
OZONE AND SCADA SYSTEMS REPLACEMENT PROJECT
CITY CONTRACT NO. 24-17

NOTICE IS HEREBY GIVEN that electronic bids will be received up to **11:00 a.m., Monday, November 25, 2024**, through the online bidding service of QuestCDN.com, www.QuestCDN.com, for the Oshkosh Water Filtration Plant (WFP) Ozone and SCADA Systems Replacement Project. Bids will be opened and publicly read in Room 310 of City Hall, 215 Church Avenue, Oshkosh, Wisconsin and through a Zoom virtual meeting.

CITY CONTRACT 24-17 – Water Filtration Plant (WFP) Ozone and SCADA Systems Replacement Project involves the installation of Owner-furnished replacement Ozone System Package including equipment, piping, controls, and electrical systems and the installation of new WFP Supervisory Control and Data Acquisition (SCADA) system hardware and associated communication wiring. The Work generally consists of the following:

1. Phased demolition of the WFP liquid oxygen (LOX) storage and ozone generation system.
2. Installation of facility provisions for Owner-leased temporary LOX storage and oxygen feed equipment.
3. Phased installation of Owner-furnished WFP SCADA system hardware.
4. Reconstruction of LOX Storage Area and installation of Owner-furnished LOX storage replacement equipment.
5. Phased installation of Owner-furnished Ozone System Package equipment, piping, controls, and electrical systems in conjunction with minor structural repairs to ozone facilities.
6. Acceptance of assignment of the Owner's Ozone System Package Purchase Agreement with the Ozone System Supplier, Xylem Water Solutions USA, Inc.

All work will be awarded in a single contract. The Work will be completed in all respects within **460** calendar days from the date when the Contract Time commence to run. The construction contract is expected to be signed by all parties on **December 20, 2024**. Notice to proceed with construction work is expected by **December 31, 2024**.

To maintain continuous, reliable WFP operation, the Work will be completed in three phases generally described below:

Phase 0 – Install provisions for Owner-furnished temporary LOX storage and oxygen gas (GOX) feed; modify existing ozone system to enable Phase 1 removal of a portion of the system from service for upgrade in Phase 1 while maintaining operation of the remainder of the existing ozone system.

Phase 1 – Install new SCADA system hardware and associated wiring. Demolish existing LOX Storage Area and reconstruct with new area concrete pad and install and commission replacement LOX storage and GOX feed equipment, piping, and controls. Demolish a portion of the existing ozone system and install and commission a portion of the replacement Owner-furnished Ozone System Package equipment, piping, electrical, and controls.

Phase 2 – Demolish the remainder of the original ozone system and install and commission remaining portion of the Owner-furnished Ozone System Package equipment, piping, electrical, and controls.

This Project is being financed in whole or in part by the Wisconsin Department of Natural Resources (WDNR) through the Safe Drinking Water Loan Program (SDWLP). Municipalities constructing projects designated as Federal Equivalency must comply with the following federal laws and all applicable state and federal laws, rules, and regulations, and must ensure that their contractor(s) also comply with these laws, rules and regulations:

1. Title VI of the Civil Rights Act (Public Law [P.L.] 88-352), the Rehabilitation Act of 1973 (P.L. 93-1123, 87 Statute 355, 29 United States Code [USC] Section 794), the Older Americans Amendments of 1975 (P.L. 94-135 Section 303, 89 Statute 713, 728, USC Section 6102), and subsequent regulations that ensure access to facilities or programs regardless of race, color, national origin, sex, age, or handicap.
2. Executive Order (E.O.) 11246, as amended by E.O. 11375 and E.O. 12086 and subsequent regulations, prohibits employment discrimination on the basis of race, color, religions, sex, or national origin. Inclusion of the seven clauses in Section 202 of E.O. 11246 as amended by E.O. 11375 and E.O. 12086 are required in all project contracts and subcontracts for municipalities over 3,300 population.
3. Executive Orders 11625, 12138, and 12432; 40 CFR Part 33; Section 129 of P.L. 100-590 Small Businesses Reauthorization & Amendment Act of 1998; P.L. 102-389 (42 USC 437d); a 1993 appropriations act (“EPA’s 8% statute”); and P.L. 101-549, Title X of the Clean Air Act Amendments of 1990 (42 USC 7601 note) (“EPA’s 10% statute”) encourage recipients to award construction, supply, and professional service contracts to minority and women’s business enterprises (MBE/WBE) and small businesses and require recipients to utilize affirmative steps in procurement.
4. 40 CFR Part 33 – Participation by Disadvantaged Business Enterprises in Procurement under EPA Financial Assistance Agreements sets forth a narrowly-tailored EPA program to serve the compelling government interest of remedying past and current racial discrimination through agency-wide DBE procurement objections.
5. Executive Order 12549, 3 CFR, 189; and 40 CFR Part 32, Subparts B and C, prohibit entering into contracts or subcontracts with individuals or businesses who are debarred or suspended. Borrowers are required to check to the status of all contractors (construction and professional services) and must require contractors to check the status of subcontractors expected to be equal to or over \$25,000 at SAM.gov/content/exclusions.
6. Executive Order 13202, as amended by Executive Order 13208, does not allow bid specifications, project agreements, or other controlling agreements to require or prohibit bidders, contractors, or subcontractors to enter into or to adhere to project labor agreements.
7. Section 513 of the federal Water Pollution Control Act (33 USC 1372) or Section 1450e of the Safe Drinking Water Act (42 USC 300j-9(e)), as applicable, requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined the Secretary of Labor in accordance with subchapter IV of Chapter 31 of Title 40, USC. With respect to the labor standards specified in this section, the Secretary of Labor has the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Statute 1267; 5 USC) and Section 3145 of Title 40, USC.

Any Contract awarded under this Official Advertisement for Bids is expected to be funded in part by a loan from the Wisconsin SDWLP. Neither the WDNR, nor its agencies or employees, is or will be a party to this Official Advertisement for Bids or any resulting contract.

Any Contract awarded is subject to the Use of American Iron and Steel Provisions of P.L. 114-113 Consolidated Appropriations Act, 2016. Successful Bidder will be required to certify that they understand and will comply with these requirements.

Any Contract awarded is subject to the Infrastructure Investment and Jobs Act, P.L. 117-58, Build America, Buy America Act, Sections 70901 – 70952, 2021. Successful Bidder will be required to certify that they understand and will comply with these requirements.

Any Contract(s) awarded under this Official Advertisement for Bids must demonstrate positive efforts to utilize minority and women's business enterprises (MBEs/WBEs) and other Disadvantaged Business Enterprises (DBEs). The City of Oshkosh encourages MBEs and WBEs to submit bid proposals.

The successful bidder will be required to conform to the wage requirements prescribed by the federal Davis-Bacon Act and Related Acts which require that all laborers and mechanics employed by contractors and subcontractors performing on contracts funded in whole or in part with federal funds in excess of \$2,000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, as determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area.

Any failure by the Bidder to comply with the SDWLP requirements shall permit the WDNR to recover as damages against the Bidder any loss, expense or cost (including without limitation attorney's fees) incurred by the WDNR resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part).

It is the Bidder's sole responsibility to ensure that the Bid is received by QuestCDN.com prior to the deadline set forth in this notice. No bids will be accepted after the deadline.

Pre-Bid Meeting: A MANDATORY pre-bid meeting to be attended by Bidders and the Bidder's mechanical and electrical subcontractors is scheduled for 10:00 a.m., Monday, October 21, 2024, at the Water Filtration Plant, 425 North Lakeshore Drive, Oshkosh, WI 54901.

All bids must follow the bidding instructions, including providing all attachments as required, on QuestCDN.com.

In order to perform public work, Successful Bidder and Subcontractors, prior to contract award, shall hold or obtain such licenses and registrations as required by State Statutes and Codes, and federal and local Laws and Regulations.

Bidders are required to comply with requirements of **WSA 111.321** concerning discrimination in employment.

Contractors must be qualified to submit a bid for this project. This shall be done on forms furnished by the City of Oshkosh Department of Public Works and must be filled out in proper manner and then submitted to the Department of Public Works for consideration by the Director of Public Works and the City Manager and filed not later than Thursday, November 14, 2024. Contractors will not be allowed to bid on this City Contract if complete answers to any Department of Public Works' questions or any missing documentation has not been received by

the Department of Public Works by Wednesday, November 20, 2024. The City Manager's decision as to qualifications will be final. Contractors that are prequalified with the City of Oshkosh for the calendar year 2024 for the class of work **and the Total Contract Amount** specified in the *Instructions to Bidders* do not need to prequalify again for this Project.

Complete digital Project Bidding Documents will be available at www.questcdn.com on Tuesday, October 8, 2024. Download the digital plan documents for a non-refundable fee of \$42 (Forty-Two Dollars) by inputting Quest Project No. 92777532 on the website's Project Search page. Please contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital Project information.

Drawings and Specifications may be reviewed at the office of the City Engineer, Room 301 of City Hall, beginning **Tuesday, October 8, 2024**. These documents are also available for inspection in the office of the City Clerk, Room 104, 215 Church Avenue, Oshkosh, Wisconsin.

For information concerning the proposed work, contact Linda Mohr, from Jacobs Engineering Group, Inc., at telephone number (414) 847-0205 or via email at Linda.Mohr@jacobs.com.

Sealed Bids must be accompanied by a Bid Bond payable to the City of Oshkosh, Wisconsin, **on the form provided by the City of Oshkosh** in an amount of not less than five percent (5%) of the total amount of the Bid as a guarantee that if the Bid is accepted, Bidder will execute and file proper Contract and Bond within ten (10) days after the award of the Contract. The Bid Bond can be presented in pdf format. If the successful bidder executes the Contract and files the necessary bonds within the allowed time, then the Bid Bond shall be released. If the successful bidder fails to execute the Contract and file the Contract Bond within the allowed time, then the Bid Bond shall be forfeited to the City as liquidated damages.

The Owner reserves the right to reject any and all bids, waive informalities in bidding or to accept the bid or bids, which best serve the interest of the Owner. No bid shall be withdrawn for a period of 60 days after the opening of the bids without the consent of the Owner.

City of Oshkosh
Mark Rohloff, City Manager

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