

CITY OF KNOXVILLE

INVITATION TO BID

Project No. SW2020-10

Project: On-Call Construction Services

Sealed bids will be received by the City of Knoxville, in Room 667-674, City County Building, 400 Main St., Knoxville, Tennessee, until 11:00 a.m., on October 20, 2021, for the On-Call Construction Service. The work consists of as-needed construction services relating to stormwater, drainage, roadway, excavating, and other site work as requested and directed by the Engineer and any other work needed to complete the project(s) as directed by the Engineer.

Project plans, specifications, and bid packages may be obtained from the Engineering Department after completing the Bid Document Request Form available on the City of Knoxville's procurement website @ www.knoxvilletn.gov/bids. Completed Bid Document Request Forms shall be emailed to civilengineeringplans@knoxvilletn.gov. You will then receive a response email containing a link to download PDF files of the project plans, specifications, and bid packages.

Drawings, Specifications, and other Contract Documents may be examined at the Knoxville Builders Exchange, Urban League, Black Contractors Association, the Purchasing Division of the City of Knoxville, and can be reviewed online at the iSqFt website @ www.isqft.com.

All bidders must be licensed contractors and must have an HRA – Highway, Railroad and Airport Construction classification.

A Pre-Bid Conference will be held virtually on Zoom at 10:00 a.m. on Wednesday October 06, 2021, via the following instructions:

City of Knoxville Purchasing is inviting you to a scheduled Zoom meeting.

Topic: Pre-Bid - On-Call Stormwater Construction
Time: Oct 6, 2021 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86973391582?pwd=d2YvaUVhcFZ3T2Q3S1ZnUU9KeDc0dz09>

Meeting ID: 869 7339 1582

Passcode: 533546

One tap mobile

+19292056099,,86973391582#,,,,*533546# US (New York)

+13017158592,,86973391582#,,,,*533546# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 869 7339 1582

Passcode: 533546

Find your local number: <https://us02web.zoom.us/j/86973391582?pwd=UkZwSI>

All interested potential bidders are strongly encouraged to view the “Invitation to Bid and Information for Bidders” on the City of Knoxville’s procurement website @ www.knoxvilletn.gov/bids.

INFORMATION FOR BIDDERS

Bids will be received by the City of Knoxville, Tennessee (Herein called the "Owner") by the Purchasing Division of the City of Knoxville, acting for the Mayor, in Room 667-674, City County Building, 400 Main Avenue, Knoxville, Tennessee, 37902 until 11:00 A.M. on October 20, 2021, and then at said office publicly opened and read aloud.

City of Knoxville Purchasing is inviting you to a scheduled Zoom meeting.

Topic: Bid Opening - On-Call Stormwater Construction
Time: Oct 20, 2021 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84312312512?pwd=UGRuNk85S3prWFFLazJWZVdvWFE2dz09>

Meeting ID: 843 1231 2512

Passcode: 736669

One tap mobile

+13126266799,,84312312512#,,,,*736669# US (Chicago)

+19292056099,,84312312512#,,,,*736669# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 843 1231 2512

Passcode: 736669

Find your local number: <https://us02web.zoom.us/j/84312312512?pwd=UGRuNk85S3prWFFLazJWZVdvWFE2dz09>

Each Bid must be submitted in a sealed envelope, addressed to the Purchasing Division for the City of Knoxville; Room 667-674, City County Building; 400 Main Street; Knoxville, Tennessee 37902. If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed to the Owner.

Bids may also be submitted electronically through the City's Procurement website. DO NOT EMAIL YOUR SUBMISSION. All proposers/bidders must register as a vendor in order to submit an electronic file.

Step One: Register as a City of Knoxville vendor (Vendors are encouraged to complete this step now to ensure seamless submission process prior to deadline.)

To register as a vendor: Visit the website at www.knoxvilletn.gov/purchasing

Click the "Vendor Registration" tab; then "Click here to register as a City of Knoxville Vendor" Follow the prompts to complete online registration. Note: You will be asked for a PIN. This PIN will be emailed to you and may have been sent to your spam or junk folder. DO NOT WAIT UNTIL SUBMISSION DEADLINE TO REGISTER AS A VENDOR. The electronic submission link will be disabled at 11:00:00 a.m. Eastern time. Vendors will not have the ability to submit any electronic files once the deadline has passed and the City will accept no late submissions.

Step Two: Submit all materials electronically as two (2) files to City's Procurement website PRIOR to 11:00:00 a.m. (Eastern Time) on October, 20, 2021.

To submit electronic file: Visit the procurement website at www.knoxvilletn.gov/bids

Click “On-Call Construction Services”

Click “Submit Bid” (red button located at top of screen)

Follow the prompts to upload and submit electronic file. The City prefers only two (2) submission files per submission. Files MUST use the following naming convention and be named as the firm’s name followed by the title of the project. Example: BobsBurgers – On-Call Construction Services Outside of Envelope.pdf and BobsBurgers – On-Call Construction Services.pdf. Should you need to merge multiple documents into one PDF, please utilize Google to download a free software intended for merging pdf documents.

No bid will be received or accepted after the above-specified time for the opening of bids. Bids that arrive late due to the fault of U.S. Postal Service, United Parcel Services, DHL, FEDEX, any delivery/courier service, or any other carrier of any sort are still considered late and shall not be accepted by the City. Such bids shall remain unopened and will be returned to the submitting entity upon request.

All Bids must be made on the required bid form supplied with the Contract documents. All blank spaces for bid prices must be filled in, in ink or typewritten, and the bid form must be fully completed and executed when submitted. Only one copy of the bid form is required.

All Bidders must be licensed contractors as required by the Contractors Licensing Act of 1994, and all Acts amendatory thereof and must have an HRA - Highway, Railroad and Airport Construction classification. Bidder's name, address, license number, date of expiration of license, and that part of the license classification applying to the Bid must be placed on the sealed envelope containing the bid. Prior to submitting their bids, bidders are to be registered with the Purchasing Division through the City of Knoxville’s online Vendor Registration system. Instructions for registering on-line are available at www.knoxvilletn.gov/purchasing.

Bid submissions from un-registered bidders may be rejected.

Bidders are advised that the City intends to award a fixed price agreement to the most responsive, responsible bidder(s), reserving the right to exercise the option to purchase pay items as specified herein at the same terms and conditions within the term of the agreement. Term of the agreement shall be for one year with two optional one-year renewals if agreed to by the City and the Contractor. The City does not guarantee nor does it commit to the purchase of any quantities of the pay items listed in the Bid Schedule. Bidders are further advised that cost of labor is to be included in the bid pricing for all pay items.

If applicable, sub-contractors for electrical work, plumbing work, and HVAC must be shown on the outside of the envelope along with their respective license numbers, expiration date, and classification; where the total cost of the masonry portion of the project exceeds \$100,000 in materials and labor, the license number, expiration date, and classification must be listed on the outside of the envelope for the masonry sub-contractor. The envelope must be plainly marked, “Bid on (project) to be opened on (date) at (time),” otherwise the bid cannot be opened or considered. Any bid envelope which contains the listing of more than one contractor in each classification shall be considered in violation and the bid shall not be opened or considered. These requirements are detailed in Tennessee Code Annotated § 62-6-119 (B), the State of Tennessee, Department of Commerce and Insurance Board for licensing contractors can provide additional information if required.

Attention is called to Chapter 2, Article VIII (Procurement Code) of the Knoxville City Code, which requires that prevailing wages shall be paid workmen on all buildings and construction projects wherein any City funds are expended for such purposes. The Contractor agrees to comply with and to post the prevailing wage laws as provided in the “Prevailing Wage Act of 1975,” Tennessee Code Annotated § 12-4-401 et seq. For the purpose of this contract the prevailing wage rates shall be the wage rate incorporated in these documents. The City reserves the right to demand the payroll records of Contractor at any time to monitor compliance with the wage rate/discrimination clause(s). Failure by Contractor to provide City with said records within ten working days of the written notice shall constitute a breach of this agreement.

Any Bid may be withdrawn prior to the above scheduled time for the opening of the Bids or authorized postponement thereof. Any Bid received after the time and date specified shall not be considered. No Bidder

may withdraw a Bid within ninety (90) days after the actual date of the opening thereof. Should there be reasons why the Contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the Owner and the Bidder.

Bidders must satisfy themselves of the accuracy of the estimated quantities in the Bid Schedule by examination of the site and a review of the drawings and Specifications including addenda. After Bids have been submitted, the Bidder shall not assert that there was a misunderstanding concerning the quantities of work or of the nature of the work to be done. When discrepancies occur between unit prices and total prices on the Bid Schedule, the total price submitted for each pay item will be maintained and corrections will be made to the unit prices.

The Contract documents contain the provisions required for the construction of the project. Information obtained from an officer, agent, or employee of the Owner or any other person shall not affect the risks or obligations assumed by the Contractor or relieve him from fulfilling any of the conditions of the Contract.

Inquiries pertaining to this ITB shall be made in writing and be in the hands of the Purchasing Division by the close of the business day on October 13, 2021. Questions can be submitted by letter, fax (865-215-2277), or email to the Purchasing Agent of the City of Knoxville (powens@knoxvilletn.gov) or City County Building; 400 Main Street; Room 667-674; P.O. Box 1631; Knoxville, TN 37901. The City is not responsible for oral interpretations given by any City employee, representative, or others; and no interpretation of the meaning of the plans, specifications, or other pre-bid documents will be made to any bidder orally. The issuance of written addenda is the only official method whereby interpretation, clarification, or additional information can be given. To be given consideration, such requests/questions must be received at least five (5) business days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be posted to the City's website at www.knoxvilletn.gov/bids. Submitting organizations are strongly encouraged to view this website often to see if addenda are posted. Failure of any bidder to receive any such addendum or interpretation shall not relieve such Bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the Contract Documents.

All Bids must be signed in full by the Bidder or Bidders in their business name or style and must show his or their complete address. If the Bidder be a firm or a corporation, the signature shall be a duly authorized member of the firm or officer of the corporation stating his official title or position with such firm or corporation, with the corporate seal attached, attested to by the proper officer. If the Bidder be a firm, the full names and addresses of all members of the firm must be shown. If the Bidder be a corporation, the name of the state under the laws of which it is incorporated must be shown. If the Bid is signed in the name of an agent, legal evidence of his authority to bind his principals must accompany the papers.

By execution and delivery of a bid submission, the bidder agrees that any additional terms and conditions, whether submitted to the City purposely or inadvertently, shall have no force or effect.

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the Contract throughout. Attention is called to Section 2-1016 et seq. of the Knoxville City Code, which requires that prevailing wages shall be paid workmen on all buildings and construction projects wherein any City funds are expended for such purposes. The Contractor agrees to comply with and to post the prevailing wage laws as provided in the "Prevailing Wage Act of 1975," Tennessee Code Annotated 12-4-401 et seq.

Each Bidder is responsible for inspecting the site and for reading and being thoroughly familiar with the Contract documents. The failure or omission of any Bidder to do any of the foregoing shall in no way relieve any Bidder from any obligation in respect to his Bid.

Further, the Bidder agrees to abide by the requirements under Executive Order No. 11246, as amended, including specifically the provisions of the equal opportunity clause set forth in the General Conditions. Attention is also called to Section 15-26 of the Knoxville City Code, requiring and defining a non-discrimination clause which shall be contained in all Contracts with the City of Knoxville wherein City funds

are expended for the purpose of construction, alteration, repair or demolition of any building, street, alley or sewer, or for the providing of any services, and all leases, franchises or concession through which property of the City of Knoxville is to be used.

All bidders must comply with Title VI of the Civil Rights Act of 1964, as codified in 42 U.S.C. 2000 (d). The successful bidder must follow Title VI guidelines in all areas including hiring practices, operating facilities, insurance, and wages. The City of Knoxville reserves the right to review all compliance records by a contract compliance officer designated by the City. The Drug Free Workplace Affidavit form must be submitted with the bid.

The Drug Free Workplace Affidavit, the Non-Collusion Affidavit, the Iran Divestment Act Form, and the Subcontractor/Consultant Statement from the Diversity Business Enterprise Program packet, fully executed, must be submitted with the bid.

The Contractor shall maintain such insurance as detailed in the General Conditions section of this ITB as will protect him and/or the City from all claims including Workman's Compensation and will save harmless the City from all claims and damages which may arise out of or result from the Contractor's operations under the Contract, whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable. Certificates of insurance acceptable to the City shall be filed with the City prior to commencement of the work.

The Contract will be awarded with reasonable promptness by written notice to the responsive and responsible Bidder whose Bid is determined to contain the lowest bid price or lowest evaluated bid price in accordance with Section 2-862 of the Knoxville City Code.

The City may waive technicalities concerning bid documents and may follow up with individual organizations after the bid opening to obtain such documents when it is in the best interests of the City. The City of Knoxville reserves the right to waive any informalities or to reject any or all bids, to evaluate bids, and to accept any bid which, in its opinion, may be in the best interest of the City.

This bid serves as the basis to establish an ongoing term contract, with no guarantee of quantities to be ordered. The City reserves the right to make multiple awards to ensure the availability of all necessary and desired work.

For the satisfactory performance of this Agreement, the City shall pay the unit prices listed in the bid for the On-Call Construction for the first year of the Agreement. On the anniversary date of the contract execution and each anniversary thereafter during the remaining years of the term of the Agreement and any renewal terms thereof, the Contractor may adjust the unit prices in accordance with the increase or decrease, if any, in the cost of living, using as a basis of such adjustment the **“PPI industry data for New nonresidential building construction by contractor type/region-General contractors, South, not seasonally adjusted – Series ID PCU23640023640012”** (“Index”) for the most recent month prior to the contract anniversary date published by the Bureau of Labor Statistics of the United States Department of Labor, excepting that the maximum annual increase shall not exceed 3.5%. The new rate for each year will be calculated as per the following example:

PPI for current period: 245.609
-PPI for previous period 242.339
=Index point change 3.27

Index point change (3.27) ÷ Prior year Index (242.339) = 0.0135 x 100 = 1.35% index change. 1.35% index change x current Tipping Fee = New Rate The increase in the unit prices Fee may occur after Contractor has given the City written notice of such change and received written approval of the increase from the City’s Contract Manager.

For use in comparison of bids to determine award, the City will use the following two sample stormwater work order installations to determine the low bidder:

Sample Stormwater Work Order 1 – The engineering staff issues contractor a work order to install a new catch basin in an existing alley to alleviate flooding in low spot and connect it to existing nearby catch basin with 18 linear feet of 15" RCP. The open excavation will be brought back to the pavement surface with mineral aggregate base (Grade D) in accordance with city engineering standards. The estimated quantities are as follows:

<u>Item</u>	<u>Quantity</u>
1.10 Mobilization (per Call-Out)	1
3.13 Removal of Asphalt Pavement	14
4.20 Unclassified Excavating	27
20.12 15" RCP (0'-6')	18
22.11 Precast Catch Basin (0'-6') 4' Diameter or Eq.	1
22.15.3 Area Drain Frame and Grate EJ V5630 or Eq.	1
Labor Rates:	
34.20 Construction Area Traffic Control - Hourly Rate, Traffic Control: Single Person Flag Crew	32
34.30 Construction Area Traffic Control - Hourly Rate: Additional Flag Crew Member	32

Sample Stormwater Work Order 2 – A section of asphalt has dropped out in the roadway due to a sinkhole. Engineering staff sends a work order to the contractor that unsuitable material be removed and the sinkhole be filled with TDOT Class B riprap and flowable fill. The road will then be brought to grade with mineral aggregate base (Grade D) that is compacted to according to city engineering department standards in anticipation of paving by city service department crews. The estimated quantities are as follows:

<u>Item</u>	<u>Quantity</u>
1.10 Mobilization (per Call-Out)	1
3.13 Removal of Asphalt Pavement	40
4.20 Unclassified Excavation	40
5.10 Mineral Aggregate Base (Grade D)	35
14.10 Flowable Fill (Flowable Mortar)	20
25.80 Rip Rap, TDOT Class B	65
Labor Rates:	
34.20 Construction Area Traffic Control - Hourly Rate, Traffic Control: Single Person Flag Crew	30
34.30 Construction Area Traffic Control - Hourly Rate: Additional Flag Crew Member	30