

Addendum No. 1

PROJECT: Mni Wasté Water Company
Banner Job No. 20360.06

CONTRACT: MWWC Treated Water Pipeline – Segment 3
near Eagle Butte, South Dakota

BID DATE: August 28, 2018 at 1:00 p.m. MDT

ADDENDUM ISSUE DATE: August 21, 2018

SPECIFICATIONS

- SECTION 00410 – BID FORM;** The entire section was unintentionally omitted from the Contract and Bidding Documents. **INSERT the attached Section:**
SECTION 00410 – Bid Form

Addendum will also be available at www.bannerassociates.com - follow the links under “Bid Information”.

Except as so amended herein, the remainder of the Contract Documents remain unchanged.



August 21, 2018
Date

Sigurds R. Zvejnieks, PE
BANNER ASSOCIATES, INC.

Current Planholders list is available at www.bannerassociates.com - follow the links under “Bid Information”.

Attachment: SECTION 00410 – Bid Form

END OF ADDENDUM NO. 1

**SECTION 00410
BID FORM**

PROJECT IDENTIFICATION

Mni Wasté Water Supply Project
Treated Water Pipeline - Segment 3
Near Eagle Butte, SD

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ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

Mni Wasté Water Company
228 East Prairie Road
Eagle Butte, SD 57625

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Advertisement and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all Federal, State and local Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in SC-4.02 as containing reliable “technical data”, and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable “technical data”.
- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder’s safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 – BIDDER’S CERTIFICATION

4.01 Bidder further represents that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. “corrupt practice” means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following prices as detailed in the attached Bid Schedule (Section 00421) and as summarized in the total Bid listed below. The Bid Schedule (Section 00421) and Section 00415 – Bid Item Descriptions are considered to be part of the Bid Form as if attached hereto.

The Bid Schedule includes the option of either AWWA C151 (ductile iron pipe) or, AWWA C900 (PVC Pipe) (for Bid Item 104) and the option of either AWWA C151 (ductile iron pipe) or AWWA C900 (PVC Pipe) (for Bid Item 105) or approved equal. Bidder has the option to choose which pipe material to bid and which factory applied coating system to bid for metallic pipe supplied under Bid Items 104 and 105. All coatings and linings options shall be in accordance with Section 09950 – Pipeline Coatings and Linings General Requirements, as summarized below.

The Base Bid shall include pipe surface preparation and application of an exterior coating system by pipe manufacturer at the pipe plant or at pipe manufacturer's factory with either:

1. Extruded polyolefin coating system (55 DFT for ductile iron pipe) materials applied in accordance with AWWA C215 for straight pipe sections, AWWA C209 for ductile iron fittings and specials, and AWWA C216 for field joints and Section 09950 – Pipeline Coatings and Linings General Requirements and Section 09953 – Extruded Polyolefin Coating System of these Specifications for straight pipe sections. Or,
2. Fusion bonded epoxy (FBE) coating system (16 to 20 mils (DFTM) and one or more layers of an abrasive resistant overcoat (ARO) at a total minimum dry film thickness of 26 to 32 mils (DFTM)) in accordance with AWWA C213, NACE SPO394 and CSA Standard Z245.20 and Section 09950 – Pipeline Coatings and Linings General Requirements of these Specifications. Or,
3. Engineer approved equivalent system.

[rest of page intentionally left blank]

TOTAL OF UNIT PRICES BID SCHEDULE (BASE BID): _____

_____ (use words)
(\$ _____) (figures)

- 5.02 The prices bid herein include sales tax and all other applicable taxes and fees.
- 5.03 Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions.
- 5.04 All specified cash allowances (if any) are included in the price(s) set forth above and have been computed in accordance with Paragraph 11.02 of the General Conditions
- 5.05 Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
 - A. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) in an amount of ten percent (10%) of the Bidder's maximum Bid price made payable to the Owner issued by a surety meeting the requirements of Paragraphs 5.01 and 5.02 of the General Conditions or a cashier's or certified check made payable to the Owner in an amount of five percent (5%) of the Bidder's maximum Bid price. The Bid Bond shall be accompanied by a certified copy of Power-of-Attorney.

- B. Evidence of authority to do business in the state or jurisdiction of the Project; or a written covenant to obtain such license within the time frame for acceptance of Bids;
 - C. Evidence of Bidder's ability to obtain a State Contractor's License and a covenant by Bidder to obtain said license within the time for acceptance of Bids;
 - D. If Bid amount exceeds \$10,000, signed Compliance Statement (RD 400-6). Refer to specific equal opportunity requirements set forth in paragraph 18.10 of the General Conditions;
 - E. If Bid amount exceeds \$25,000, signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions (AD-1048);
 - F. If Bid amount exceeds \$100,000, signed RD Instruction 1940-Q, Exhibit A-1, Certification for Contracts, Grants, and Loans.
 - G. Bid Schedule (Section 00421) for the Base Bid.
 - H. Form LLL, Disclosure of Lobbying Activities.
- 7.02 The apparent Successful Bidder (and other Bidder's, upon request) shall submit to Engineer within 24 hours after the Bid Opening the following:
- A. Bidder's Statement of Qualifications with supporting data (Section 00450 – Bidder's Statement of Qualifications).
 - B. Any other information required to be submitted that is identified in the Bidding Documents.

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

[Remainder of page intentionally left blank]

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual:

Name (typed or printed): _____

By: _____
(Individual's Signature)

Doing business as: _____ (SEAL)

A Partnership:

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner – attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation:

Corporation Name: _____ (SEAL)

State of Incorporation: _____

Type (General Business, Professional, Service, Limited Liability): _____

By: _____
(Signature – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____
(CORPORATE SEAL)

Attest: _____
(Signature of Corporate Secretary)

Date of Authorization to do business in South Dakota is: _____

A Joint Venture:

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner – attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is party to the joint venture should be in the manner indicated above.)

Bidder's Business Address _____

Phone No. _____
Fax No. _____
E-mail Address _____

SUBMITTED on _____, 201____.

State Contractor License No. _____ (if applicable)

END OF SECTION