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## Invitation for Bid

### Memorial Park Improvements Project

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City of Auburn  
210 East Ninth Street  
Auburn, IN 46706  
PH: 260-925-6450

**Notice is hereby given**, that the City of Auburn, DeKalb County, Indiana, by and through its Board of Public Works & Safety, hereinafter referred to as the Owner, will receive sealed bid packets for the construction of the Memorial Park Improvements Project.

Sealed bids must be received by the City of Auburn Clerk-Treasurer's Office at 210 East Ninth Street, Auburn, Indiana 46706 no later than 9:30 A.M. (Local Time) on Thursday, August 22, 2024. Bids received after such hour will be returned unopened. Bids received prior to this time shall be opened and publicly read at the public meeting scheduled to take place on Thursday, August 22, 2024, at 10:00 A.M., in the Norman E. Yoder Council Chambers located at 206 East Ninth Street, Auburn, IN 46706. All interested citizens are invited to attend. The City of Auburn will make reasonable accommodations to people with disabilities. Any person with special needs should contact the ADA Coordinator, Bill Brandon at (260) 925-6455 or the Clerk-Treasurer's Office at (260) 925-6450 at least 72 hours before the scheduled meeting to discuss necessary special accommodations.

A **pre-bid meeting** will be held at 10:00 A.M. (Local Time) on Friday, July 26, 2024, in the Norman E. Yoder Council Chambers located at 206 East Ninth Street, Auburn, IN 46706. All prime contractors, subcontractors, small, minority or women-owned enterprises, and other interested parties are invited to attend.

The Project will be constructed in one (1) contract which is defined and outlined as follows:

#### **Memorial Park Improvements Project:**

The Project will take place at Memorial Park, located at 604 Hazel St., Auburn, IN 46706 and will include: general site work and demolition necessary to accommodate the installation and construction of the proposed amenities and associated utilities; construction of a new 1,250 square foot, ADA compliant restroom with a 920 square foot attached shelter; installation of approximately 4,000 lineal feet of 10' wide asphalt pedestrian pathways throughout the park with 8 benches; installation of 8 concrete fitness nodes with equipment; installation of 2 ADA compliant combination drinking fountain/hand sanitizing stations with shade structures; construction of a new community meeting node with memorial space and performance space with shade structure; rehabilitation of the existing basketball court; construction of a new pickleball facility with 6 courts; installation of shade structures at the pickleball and basketball courts; construction of concrete pads for the grilling area and permanent cornhole game; and installation of new neighborhood ball diamond.

Plans and Specification for the Project are on file and may be examined at the following locations:

Plans, specifications, bid forms, and instructions to bidders are available, for a deposit of \$50 per physical set. A check must be transmitted to Eastern Engineering Supply Reprographics, 1239 Wells St., Fort Wayne, Indiana 46808 (Phone: 260-426-3119 or FAX: 260-426-3101). The check shall be made payable to MartinRiley architects engineers. Sets may be purchased or downloaded online at: <http://distribution.easternengineering.com>. The deposit will be refunded provided a bid is submitted and said plans and specifications are returned to Eastern Engineering Supply Reprographics in good order within ten (10) days of the bid date.

The work to be performed and the bid to be submitted shall include sufficient and proper sums for all general construction, mechanical installation, labor, materials, permits, licenses, insurance, and so forth incidental to and required for the

construction of the facilities.

Each bid must be enclosed in a sealed envelope bearing the title of the Project and the name and address of Bidder. All bids must be submitted on the bid forms as identified in the Contract Documents and Specifications.

Each bid shall be accompanied by a certified check or acceptable bidder's bond made payable to the Owner, in a sum of not less than five percent (5%) of the total amount of the highest aggregate bid, which check, or bond will be held by the Owner as evidence that the bidder will, if awarded the contract, enter into the same with the Owner upon notification from him to do so within ten (10) days of said notification.

Bids of "equivalent" or "approved equal" items of substantially the same quality, style, and features are invited. However, to receive consideration, such equivalent bids must be accompanied by sufficient descriptive literature and/or specifications to clearly identify the units and provide for competitive evaluation. Substitution requests should follow instructions found in the specifications in section 01 1500 Procurement Substitution Procedures.

Approved performance and payment bonds guaranteeing faithful and proper performance of the work and materials, to be executed by an acceptable surety company, will be required of the Contractor at the time of contract execution. The bonds will be in the amount of 100% of the Contract Price and must be in full force and effect throughout the term of the Construction Contract plus a period of twelve (12) months from the date of substantial completion.

The Owner reserves the right to reject any bid, or all bids, or to accept any bid or bids, or to make such combination of bids as may seem desirable, and to waive any and all informalities in bidding. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No bid may be withdrawn after the scheduled closing time for receipt of bids for at least ninety (90) days.

A conditional or qualified Bid will not be accepted.

Award will be made to the low, responsive, responsible bidder. The low, responsive, responsible bidder must not be debarred, suspended, or otherwise be excluded from or ineligible for participation in federally assisted programs under Executive Order 12549.

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the project shall apply to the project throughout.

Bids shall be properly and completely executed on bid forms included in the Specifications. Bids shall include all information requested by Indiana Form 96 (Revised 2010) included with the Specifications. Under Section III of Form 96, the Bidder shall submit a financial statement. A copy of the proposed Financial Statement to be submitted with the bid is included in the bid documents section to these specifications. The Owner may make such investigations as deemed necessary to determine the ability of the Bidder to perform the work and the Bidder shall furnish to the Owner all such information and data for this purpose as the Owner may request. The Owner reserves the right to reject any bid if the evidence submitted by, or investigation of, such Bidder fails to satisfy the Owner that such Bidder is properly qualified to carry out the obligations of the Agreement and to complete the work contemplated therein.

Each Bidder is responsible for inspecting the Project site(s) and for reading and being thoroughly familiar with the Contract Documents and Specifications. The failure or omission of any Bidder to do any of the foregoing shall in no way relieve any Bidder from any obligation with respect to its Bid.

Contractors and subcontractors are required to pay in accordance with the prevailing wage rates on the project which shall not be less than the Federal Davis-Bacon wage scale published by the U.S. Dept. of Labor per Davis Bacon Wage Decision #: IN20240002. *Note: The wage decision is subject to change and the one in effect on the date of the bid opening will be*

*applicable to the total project so long as the contract award occurs within 90 days of bid opening. If not, the applicable wage decision becomes the one that is in effect on the date that contracts are signed.*

Bidders on this work shall be required to comply with the provisions of the President’s Executive Order No. 11246, as amended. The Bidders shall also comply with the requirements of 41 CFR Part 60 - 4 entitled Construction Contractors - Affirmative Action Requirements. A copy of 41 CFR Part 60 - 4 may be found in the Supplemental General Conditions of the Contract Documents and Specifications.

The Bidders attention is also called to the “Minority/Women Business Participation” requirements contained in the Project Specifications. The Indiana Office of Community and Rural Affairs has adopted a State goal of 10% participation for minority and women-owned businesses for construction related or purchase related contracts for the work.

This project is being funded in part through the Indiana Office of Community and Rural Affairs Hoosier Enduring Legacy Program (HELP) utilizing Community Development Block Grant CARES Act (CDBG-CV) funding from the Department of Housing and Urban Development (HUD). As such, the Contractor must meet guidelines and practices established by the Indiana Office of Community and Rural Affairs and appropriate federal regulations including: 1) Executive Order 11246, 2) Section 3 of the Housing and Community Development Act of 1968, as amended, 3) Certification of Non-Segregated Facilities, 4) OMB Circular A-102, 5) Title VI of the Civil Rights Act of 1964, 6) Section 504, Rehabilitation Act of 1973, 7) Age Discrimination Act of 1975, 8) Executive Order 12138, 9) Conflict of Interest Clause, 10) Retention and Custodial Requirements for Records Clause, 11) Contractors and Subcontractors Certifications, and others that may be appropriate or necessary.

Buy America Build America Act (BABA) requirements do not apply to this project. Since OCRA received their CDBG-CV allocation being utilized to fund this HELP project from HUD prior to November 15, 2022, per the Waiver described in Docket No. 6331-N-10A, this project is exempt from the BABA requirements.

Contract procurement is subject to the federal regulations contained in the OMB Circular A-102, Sections B and O and the State of Indiana requirements contained in IC-36-1-9 and IC-36-1-12.

Any contract(s) awarded under this Advertisement for Bids are expected to be funded in part by a grant from the Department of Housing and Urban Development, as administered by the Indiana Office of Community and Rural Affairs. Neither the United States nor any of its departments, agencies or employees is or will be a party to this Advertisement for Bids or any resulting contract.

Pursuant to Chapter 5, 5-4 of the Labor Standards Administration and Basic Enforcement Handbook 1344.1 Rev 2; “No contract may be awarded to any contractor that is debarred, suspended or otherwise ineligible to participate in Federal or Federally assisted contracts or programs. Any contract awarded to a prime contractor or subcontractor that is found to be ineligible for award must be terminated immediately.” Prior to contract award prime contractors are to be actively registered or seeking registration with SAM.gov to determine eligibility/debarment status.

By the order of the City of Auburn Board of Public Works & Safety.

Dated this 16<sup>th</sup> day of July, 2024. Attest: Lorrie K. Pontius, Clerk-Treasurer

*July 16, 2024 – 1st Advertisement      (Please verify/confirm dates. These dates will not be printed in advertisement)*  
*July 25, 2024 – 2nd Advertisement*