

ADDENDUM NO. 1

TO THE CONTRACT DOCUMENTS

Project No.:D3521300

for the construction of

MYERS WTP SCADA UPGRADES

for the

MOBILE AREA WATER AND SEWER SYSTEM
MOBILE, ALABAMA

To All Planholders and/or Prospective Bidders:

The following changes, additions, and/or deletions are hereby made a part of the Contract Documents for the construction of Myers WTP SCADA Upgrades dated February 2025 as fully and completely as if the same were fully set forth therein:

A. PART 1 – PRE-BID CONFERENCE

The annotated Agenda from the Pre-Bid Conference as held on March 20, 2025 is herewith attached for information. This agenda does not alter the contract documents but only consolidates information already found in the contract documents or included in this addendum.

The sign -in sheet from the Pre-Bid Conference is herewith attached for information.

B. PART 2 – MAWSS STANDARD SPECIFICATIONS

1. Section 00 00 01 Proposal and Subcontracting Pan is hereby REISSUED to ADD the SSO and Unpermitted Discharge Notification which is required to be completed and signed. Not doing so may cause for rejection of a bid.
2. The wage rate determination, General Decision Number AL20250110 dated 01/03/2025, is being ADDED to the SRF Supplemental General Conditions and is herewith attached.

C. PART 3 – TECHNICAL SPECIFICATION

1. Section 01 45 33 Special Inspection, Observation, and Testing has been DELETED as there are no special inspections required on this project.

D. PART 4 – QUESTIONS AND RESPONSES

1. Q – Do you currently have a process control automation group to handle the SCADA, cybersecurity and PAC/PLC programming?
R – PAC/PLC programming and HMI programming along with related network equipment configuration with software and cybersecurity implementation are being provided by the Automation Solutions Provider (ASP) which has already been awarded by the Owner. Control panels, all network equipment including software, cybersecurity, and related equipment (not configuration) will be provided by the Process Instrumentation and Control Supplier (PICS), which will be awarded from this bid package.

E. PART 5 – GENERAL INFORMATION

1. A Sample Bid Package with instructions and colored sheets is herewith attached for information.

All Bidders shall acknowledge receipt and acceptance of this Addendum No. 1 in the Bid Form AND by submitting the Addendum with the bid package. Bid Forms submitted without acknowledgment or without this Addendum will be considered in nonconformance.

Jacobs



Shannon Beale

Project Manager

Appended hereto and part of Addendum No. 1:

03/20/2025 Prebid Conference Annotated Agenda
03/20/2025 Prebid Conference Sign-In Sheet
Section 00 00 01 Proposal and Subcontracting Pan
General Decision Number AL20250110
Sample Bid Package

Myers WTP SCADA Upgrades Prebid Conference

Meeting Date: March 20, 2025
Meeting Time: 10:00
Location: Myers WTP, 1475 Hubert Pierce Rd Mobile, AL 36608
Project name: Myers WTP SCADA Upgrades
Project no: D3521300
Prepared by: MAWSS/Jacobs

Agenda Items

Attendee Sign-In and Overview of Agenda

Attendance is for the pre-bid conference is mandatory for all bidders.

Introductions

MAWSS

- Doug Cote –Director – Plant Operations – **Not Present**
- Markus Moore –Engineer, Water Facilities
- Randy Sullivan – Myers WTP Manager
- **John Jordan – Stickney WTP Manager**
- Fatima Washington – Supplier Diversity Program – Not Present

Jacobs

- Shannon Beale – Project Manager
- Chris Harris – Design Manager

Security Engineering

- Josh Edwards

ACS

- Ken Faul
- Conner Stokes

Overview of Project

- Purpose of Project – **Myers WTP: Upgrade legacy PAC controllers, minor I/O additions, replace fiber network, upgrade the plant HMI and OT network, update the control room, wall off the server room, add wall in 1st floor admin area, and replace glass entrance walls with storefront windows. Stickney**

WTP, Gaillard PS, and Saraland PS: new Plant HMI workstations. Remote sites: New PAC control panels and I/O for generators.

- SRF Loan – Must adhere to ADEM Supplementary Conditions throughout project **which can be found starting on page SGC – 5 in the specifications.**
 - Wage Rates were updated February 2025. These can be found using the website provided in the specifications. Bidders should be certain to use Mobile County, AL rates for Heavy Construction
 - **Certified Payroll will be required**
 - **American Iron & Steel (AIS) certification will be required from manufacturer, not the supplier. Letters should include the project name and number, material, and city/state of manufacturer.**
 - **If a prime is using a subcontractor, you must solicit DBE/WBE subs in each category for which you intend on using a sub. Solicitations should be done by emails and you must provide a summary table of who was solicited. The summary should include the subs' category type. If a DBE/WBE cannot be found for a category, the prime must provide a documentation on where they searched. Even if you have identified a DBE/WBE, you must solicit in each category you are using a sub.**
- Base Bid Major Components:
 - Myers Water Treatment Facility
 - Stickney Water Treatment Facility, Saraland Pump Station, Gaillard Pump Station
 - Remote Water Sites
- Deductive Alternate Bid Items:
 - None
- Alternate Bid Items:
 - None

Supplier Diversity Program

- Fatima Washington – Supplier Diversity Program Manager
 - **A good faith effort to have 15% of the contract amount awarded to DBE/WBE subd. Documentation as required under the SRF requirements will be required.**

Questions on Supplier Diversity should be addressed to Fatima at 251.694.3194. Bidder are encouraged to reach out to ensure requirements are met.

Details of Bid Submittal

- Bids will only be accepted from document holders of record (ie – Obtained from Jacobs)
- Submittal Location - **Director's office via Business Entrance, 4725 Moffett Road, Mobile, AL**
- Submit by April 7, 2025 @ 12:00 PM
- Opened at scheduled Board meeting at 1:00 PM located at **CC Williams WWTF located at 1600 Yeend St Mobile, AL 36603.**
- Include in the Bid Package all items as required by the contract documents
- Documents must be printed on the colored paper and accompanied by the tabs on colored paper as per the Information to Bidders. – **Included in Addendum 1**
- ~~The approved manufacturer/supplier table shall be completed as directed in the Proposal.~~
- Subcontracting Plan must be completed and executed for the bid to be considered as responsive.
- SSO and Unpermitted Discharge Prevention Notification must be completed and executed for the bid to be considered as responsive.
- Addendums as required to be included with the bid may be limited to the addendum form and may exclude attachments to the addendum.

- The Bid Bond may be in the form of a Certified Check, Bond, or Irrevocable Letter of Credit acceptable to MAWSS in the amount of 5% of Bid but not to exceed \$10,000.
- "Other" tab must be followed by the following:
 - Applicable licenses
 - Bidder's experience per Section 2 Par 2.01 and the Special Conditions
- Sealed bids shall be clearly labeled "**Bid for Constructing Project # D3521300 – Myers WTP SCADA Upgrades, to be opened at 1:00 p.m., Local Time, April 7, 2025**" with bidder's name and Alabama State Contractor's license number and discipline.
- If mailed, place sealed bid package in another envelope.
- Basis of Award - Lowest responsive, responsible bidder for lump sum price including any combination of Additive/Deductive Alternatives, as selected by MAWSS.
- Award Timing- If the amounts of the Proposal are within the budgeted fund, MAWSS may authorize a director's award of the contract subject to the proposal's review and a recommendation of Jacobs.

Addenda & Inquiries

- Document holders should have received no addenda to date
- Email or send any questions to Charley Golden (Charley.Golden@jacobs.com) by April 1, 2025.
- At least one addendum will be issued to current plan holders, including this meeting agenda, and responses to questions raised at this meeting and up through April 1, 2025.

Construction Details

- Issued Documents
 - Project Specifications
 - Project Drawings
 - Bid Package with bid format directions - This item will be included in Addendum 1
- Project Final Completion in 372 calendar days

Estimated Project Schedule

- Bid Opening – April 7, 2025
- Notice of Award (Tentative) – late April 2025 (Presumes a Director's award)
- Contractor to sign contract and furnish Performance and Payment Bonds within 15 days of NTP
- Notice To Proceed/Preconstruction Conference – May 2025
- Final Completion (372 days) – May 2026

General Specification and Drawing Notes

- Note per Section 10.24 that MAWSS is exempt from sales tax and Contractor shall adhere to the contract provisions to preclude payment of sales tax.
- Note in the Special Conditions the added language regarding normal working hours and limitations to and conditions for working outside of normal hours.
- Note ADEM SRF Special Conditions with Wage Rates Determination
- Storefront windows should be installed after October and before August to avoid peak hurricane season and high temperatures.
- Note construction observation by the Engineer is periodic averaging three days per week over the duration of the contract. Contractor shall coordinate with Engineer for the observation of the work prior to each structural wall demolition and replacement.
- No special inspections are required.

Meeting Agenda

- ~~Note per Drawings Sheet 01-G-006, Special Inspections of any Delegated Engineered components are to be provided by the Delegated Engineer. Special Inspections by Delegated Engineers shall be coordinated by the Contractor with the Delegated Engineer.~~
- Upcoming Addendum 1 will include the additional scope of rearranging server room floor vents and provide corrections and adjustments to security infrastructure.
- Automation Solutions Provider for the project will be ACS, as determined by Owner.
- Security equipment provider outside of this project will be Security Engineering, as determined by Owner.

General Discussion and Questions

- Questions will be verbally accepted at this meeting. Where the response is readily available it will be made at the meeting. If it has a bearing on the contract cost or schedule, that response will be repeated in an upcoming addendum.

Site Access for Review

- The Myers WTP will be available for review by interested parties following the meeting.

Questions and Responses that do not change Contract Documents:

- Question: In the specifications, is there a bill of materials? Response: No.
- Question: Are the elevators serviced and who is the service provider? Response: Quarterly service is provided. The service provider is Kone.
- Question: Regarding final inspection of the control and server room, will the server room meet fire code and pass final inspection with respect to the fire suppression system? Response: MAWSS will be responsible for relocating the fire suppression system as necessary.
- Question: What material of sleeving, if required, is specified under the road? Response: Clarification will be provided by addendum.
- Question: Will the underground ductwork require a continuous ground? Response: Clarification will be provided by addendum.
- Question: Are the existing wire numbers being kept? Response: This will be addressed in Addendum 2.
- Question: Is ACS or the contractor responsible for the loop sheets? Response: ACS will be responsible for the loop sheets.
- Question: How many filters can be down at a time? Response: Two filters per panel can be down at a time. Coordination with MAWSS during this time is required.
- Question: Are temporary facilities necessary? Response: Coordination with MAWSS can be done such that temporary facilities should not be necessary.



**Myers WTP SCADA Upgrades
Mobile Area Water and Sewer System
Mobile, AL**

Jacobs Project No. D3521300

March 20, 2025 at 10:00 AM

Mandatory Pre-Bid Conference Attendee Sign-In

Organization/Company	Contact Name	Email Address	Signature
Owner			
MAWSS	Doug Cote	DCote@MAWSS.com	
MAWSS	Markus Moore	MaMoore@MAWSS.com	<i>Markus Moore</i>
MAWSS	Randy Sullivan	LSullivan@MAWSS.com	<i>Randy Sullivan</i>
MAWSS	Fatima Washington	FWashington@MAWSS.com	
<i>MAWSS</i>	<i>John Jordan</i>	<i>JJordan@MAWSS.com</i>	<i>John Jordan</i>
Engineer			
Jacobs	Shannon Beale	Shannon.Beale@jacobs.com	<i>Shannon Beale</i>
Jacobs	Chris Harris	CHarris@jacobs.com	<i>Chris Harris</i>
Security Engineering	Josh Edwards	josh.edwards@seceng.com	<i>Josh Edwards</i>
ACS	Ken Faul	ken.faul@autoconserv.com	
ACS	Conner Stokes	conner.stokes@autoconserv.com	<i>Conner Stokes</i>

PROPOSAL

TO: BOARD OF WATER AND SEWER COMMISSIONERS
OF THE CITY OF MOBILE, ALABAMA

Submitted: _____
(Date)

The undersigned, as Bidder, hereby declares that he has examined the site of the Work and informed himself fully in regard to all conditions pertaining to the place where the Work is to be done; that he has examined the Plans and Specifications for the Work and all Contract Documents relative thereto, and has read the Board's Standard Specifications and all General Conditions and Special Provisions furnished; and that he has satisfied himself relative to the Work to be performed.

The Bidder proposes and agrees, if this Proposal is accepted, to contract with the Board of Water and Sewer Commissioners of the City of Mobile, Alabama, in the form of contract specified to furnish all materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the following Work:

MYERS WTP SCADA UPGRADES
JACOBS PROJECT NO. D3521300

in full and complete accordance with the shown, noted, described and reasonably intended requirements of the Plans, Specifications and all other Contract Documents to the full and entire satisfaction of the Board of Water and Sewer Commissioners of the City of Mobile, Alabama with a definite understanding that no money will be allowed for extra work except as set forth in the attached General Conditions and other Contract Documents for the lump sum or unit prices listed opposite each item.

It is agreed that the description under each item, being briefly stated, implies, although it does not mention, all incidentals and that the prices stated are intended to cover all such work, materials and incidentals as constitute Bidder's obligations as described in the Specifications and any details not specifically mentioned, but evidently included in the Contract shall be compensated for the item in which it most logically is included.

The Owner reserves the right to award the Contract to the lowest responsible and responsive Bidder. The basis of award for this project shall be based upon the Total Base Bid plus the total amount of additive alternates and less the total amount of deductive alternates that are selected by the Owner.

Bidder will complete the work in accordance with the Contract Documents for the following price:

_____ Dollars and _____ Cents
(words)

\$ _____
(numerals)

The Bidder shall include an Owner's Allowance in the amount of \$100,000.00 in the total base bid price.

The Base Bid Summary is as follows:

Lump Sum Base Bid Price:	\$ _____
Owner's Allowance:	\$ <u>100,000.00</u>
TOTAL BASE BID (total of above and equal to total bid)	\$ _____

The Bidder further proposes and agrees hereby to commence the Work with an adequate force, plant and equipment at the time stated in the notice to the Contractor from the Engineers to proceed, and fully complete performance within 372 consecutive calendar days from and after the date stated in said notice.

The undersigned further agrees that, in case of failure on his part to execute the said Contract and the bond within 10 consecutive calendar days after written notice being given of the award of the Contract, the check or bid bond in the amount of 5 percent of this bid accompanying this bid, and the monies payable thereon, shall be paid into the funds of the Board of Water and Sewer Commissioners of the City of Mobile, Alabama as liquidated damages for such failure; otherwise the check or bid bond accompanying this Proposal shall be returned to the undersigned:

Attached hereto is a certified check on the _____
_____ Bank of _____
or a Bid Bond for the sum of _____
_____ Dollars (\$ _____)
made payable to the Board of Water and Sewer Commissioners of the City of Mobile, Alabama.

By _____
(Legal Signature)

(Printed Name and Title)

Witness: _____
(Legal Signature)

Witness: _____

(Legal Signature)

ADDRESS:

CONTRACTOR'S LICENSE NO:

BIDDER acknowledges receipt of the following ADDENDA:

IFB #
SDP POLICY ACKNOWLEDGEMENT*

A copy of the SDP (Supplier Diversity Program) policy that applies to this Invitation For Bid has been included in this package. It is the responsibility of the bidder to read and make efforts to meet the goals of this policy. Please contact the Supplier Diversity Department at supplier.diversity@mawss.com for any questions regarding this policy. **Bidders MUST acknowledge receipt of this policy and submit the documentation with the bid proposal.**

Bidders shall take all necessary and reasonable steps in accordance with this Policy to ensure that Diverse Contractors/Suppliers have the maximum allowable opportunity to compete for subcontracts and contracts for services, supplies, or other goods. Bidders shall not discriminate in awarding subcontracts and supplier contracts on the basis of race, color, national origin, ethnicity, or sex, during the bid process as well as during performance of a MAWSS contract.

The following documentation must be included in the bid proposal.

- SDP Policy Acknowledgement and
- Subcontracting Plan

Please refer to the attached policy for more information regarding these requirements as well as all other requirements, if participating in the SDP Program.

The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the all of the requirements of this policy.

Company Name _____

Submitted By _____ Title _____
Please Print

Signature _____ Date _____

***Required to sign and return with bid**

IFB#
SUBCONTRACTING PLAN/GOOD FAITH EFFORT*

In order for your proposal to be considered, must complete all blanks in this Subcontracting Plan and sign with a handwritten signature where indicated below and include this form in your proposal.

Failure to fill in the blanks on this Subcontracting Plan and/or to include a handwritten signature may cause for rejection of your bid.

It is MAWSS's goal that in all contracts, contractors shall make a demonstrated good faith effort to award 15% of the contract amount to certified Diverse Contractors/Suppliers as subcontractors and/or suppliers performing commercially useful functions which are consistent with contract requirements.

Copies of MAWSS SDP Policy 16-01 (for public works projects), SDP/Supplier Diversity Policy 17-01 (for contracts for other goods and services), MAWSS's list of certified Disadvantaged Business Enterprises (SDPs) / Diverse Suppliers, and lists of organizations that have information on SDPs/Diverse Suppliers are available from MAWSS's Supplier Diversity Office by emailing supplier.diversity@mawss.com.

STATE WHAT PERCENTAGE OF THE WORK FOR THIS CONTRACT YOU PLAN TO AWARD TO SDP/DIVERSE SUPPLIER SUBCONTRACTORS AND/OR VENDORS	TOTAL %
ESTIMATED TOTAL DOLLAR AMOUNT TO BE AWARDED TO SDP/DIVERSE SUPPLIER	TOTAL \$
AMOUNT BID FOR THIS CONTRACT	TOTAL \$

Please list below all subcontractors and suppliers which you plan to use for this contract. Also indicate which of these are SDPs / Diverse Suppliers by writing "Yes" or "No" where indicated. Also list for each the percentage of the total contract amount to be performed by each and the certification group the SDP / Diverse Supplier is certified with. Attach additional sheets if needed.

SUBCONTRACTOR/VENDOR NAME	SDP/DIVERSE SUPPLIER (Yes or No)	% OF CONTRACT	CERTIFICATION GROUP (ALDOT, ADECA, SRMSDC, BCIA)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CAUTION: ACCURATELY COMPLETE ALL PARTS OF THIS FORM AND SIGN BELOW.

GOOD FAITH EFFORT ACKNOWLEDGEMENT/AFFIDAVIT

I/WE EXERCISED GOOD FAITH TO COMPLY WITH THIS PLAN AND MAWSS' SDP REQUIREMENTS.

BIDDER/COMPANY

BY (Signature)

***Required to sign and return with bid**

Failure to affix a handwritten signature at the end of the following notification may be cause for rejection of bid.

SSO AND UNPERMITTED DISCHARGE PREVENTION NOTIFICATION:

Sanitary Sewer Overflows (SSOs) and unpermitted discharges of wastewater to the environment are a violation of Federal and State laws, as well as a breach of this Contract. The Contractor and associated subcontractors, vendors, and other entities and persons chosen to complete this Work shall not, through act or omission, discharge untreated wastewater to the environment or cause wastewater to back up into a building. The Contractor hereby agrees to indemnify the Owner if the Owner is assessed penalties or fines, receives regulatory actions, or has claims, actions, or suits filed against it by any person or entity as a result of SSOs or unpermitted discharges caused by act or omission of the Contractor and/or any entity or person performing Work in the Contractor’s behalf under this Contract. The Contractor shall reimburse the Owner for all damages, losses, penalties, fines, judgments, interest, costs, and expenses of every nature incurred by the Owner, including but not limited to reasonable attorney’s fees, arising from or associated with each SSO or unpermitted discharge. In addition, the Contractor shall pay the following penalties to the Owner for SSOs and unpermitted discharges caused by the Contractor or any entity or person performing Work in the Contractor’s behalf, regardless of whether such SSOs or discharges reach waters of the State.

<u>Estimated Volume Spilled</u>	<u>Penalty Amount</u>
0 to 10,000 gallons	\$1,000
10,001 to 25,000 gallons	\$2,000
25,001 to 50,000 gallons	\$2,500
50,001 to 150,000 gallons	\$3,000
More than 150,000 gallons	\$6,000

I, having authority to execute this document, have reviewed the above Notification, therein.

Contractor Name

Street

City

Signature

"General Decision Number: AL20250110 01/03/2025

Superseded General Decision Number: AL20240110

State: Alabama

Construction Type: Heavy

County: Mobile County in Alabama.

HEAVY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

<p>If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:</p>	<ul style="list-style-type: none"> . Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$17.75 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2025.
<p>If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:</p>	<ul style="list-style-type: none"> . Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$13.30 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2025.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number Publication Date
 0 01/03/2025

ENGI0653-013 06/03/2024

	Rates	Fringes
POWER EQUIPMENT OPERATOR (PIPELINE)		
Backhoe, Excavator, Trackhoe.....	\$ 48.89	18.00
Bulldozer.....	\$ 48.89	18.00

SUAL2015-038 08/02/2017

	Rates	Fringes
CARPENTER, Includes Form Work....	\$ 19.05	7.86
CEMENT MASON/CONCRETE FINISHER, Includes Water Sewer Lines.....		
	\$ 13.78 **	0.00
ELECTRICIAN.....	\$ 19.56	0.00
LABORER: Common or General, Includes Water Sewer Lines.....	\$ 15.21 **	6.16
LABORER: Pipelayer, Includes Water Sewer Lines.....	\$ 11.95 **	0.00
OPERATOR: Backhoe/Excavator/Trackhoe, Includes Water Sewer Lines (Excludes, PIPELINE).....	\$ 13.56 **	0.00
OPERATOR: Loader, Includes Water Sewer Lines.....	\$ 17.64 **	2.14
TRUCK DRIVER: Dump Truck, Includes Water Sewer Lines.....	\$ 12.56 **	2.12

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.75) or 13658 (\$13.30). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons

resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (iii)).

The body of each wage determination lists the classifications and wage rates that have been found to be prevailing for the type(s) of construction and geographic area covered by the wage determination. The classifications are listed in alphabetical order under rate identifiers indicating whether the particular rate is a union rate (current union negotiated rate), a survey rate, a weighted union average rate, a state adopted rate, or a supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than ""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by

computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

1) Has there been an initial decision in the matter? This can be:

- a) a survey underlying a wage determination
- b) an existing published wage determination
- c) an initial WHD letter setting forth a position on a wage determination matter
- d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests for summaries of surveys, should be directed to the WHD Branch of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

Branch of Wage Surveys
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Regarding any other wage determination matter such as conformance decisions, requests for initial decisions should be directed to the WHD Branch of Construction Wage Determinations. Requests can be submitted via email to BCWD-Office@dol.gov or by mail to:

Branch of Construction Wage Determinations
Wage and Hour Division

U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210.

=====

END OF GENERAL DECISION"

THE BOARD OF WATER AND SEWER COMMISSIONERS
OF THE
CITY OF MOBILE, ALABAMA
Project # D3521300
MYERS WTP SCADA UPGRADES
BID PACKAGE

Item	Paper Color
Invitation for Bid	White
Page divider tabbed "ADDENDUMS"	Yellow
All issued addendums	White
Page Divider tabbed "BID TOTAL"	Yellow
Proposal Page 1	White
Proposal Pages 2 and 3	Yellow
Page divider tabbed "SUBCONTRACTING PLAN"	Yellow
SDP Policy & Subcontracting Plan	Yellow
Page divider tabbed "SSO NOTIFICATION"	Yellow
SSO Notification	Yellow
MAWSS DBE Policy with Change of Sub-Contractor Form (8 pages)	White
Page divider tabbed "BID BOND"	Yellow
Bid Bond form	Yellow
Page divider tabbed "OTHER"	Yellow
Any other documents as required for a complete bid	White

INVITATION FOR BIDS

Sealed bids will be received by the Board of Water and Sewer Commissioners of the City of Mobile, Alabama ("Board"), at the Wesley A. James Operations Center, 4725 Moffett Road, Suite A, Mobile, AL 36618-0249 until **12:00 p.m.**, Local Time, **April 7, 2025**, and then publicly opened and read at **1:00 p.m.** at the Board meeting located at the C.C. Williams WWTF, located at 1600 Yeend Street, Mobile, AL 36603, for furnishing all labor, materials, and performing all work for the following project: Contract No:D3521300, Project Name: **Myers WTP SCADA Upgrades**.

The project is funded by the Alabama Department of Environmental Management State Revolving Fund (SRF) Loan Program. The selected bidder shall comply with all conditions and requirements of the program as they pertain to this Project.

Plans and Specifications may be inspected at the Board's offices at 4725 Moffett Road, Suite A, Mobile, AL, or at the office of Jacobs Engineering (Jacobs), Consulting Engineers, 25 W. Cedar Street, Suite 350, Pensacola FL. 32502 (by appointment).

A complete set of electronic contract documents including Drawings, Specifications, and referenced documents, and a modeled bid package may be obtained from Charley Golden via e-mail from Charley Golden at charley.golden@jacobs.com. No Contract documents will be issued later than twenty-four (24) hours prior to bid submission time.

Questions regarding the Contract Documents must be submitted in writing or electronically to Jacobs no later than **April 1, 2025**, in order for responses to be provided via addendum prior to the bid date.

A **mandatory** Pre-bid Conference will be held at the Myers Water Treatment Plant, 1475 Hurbert Pierce Road, Mobile, AL 36608, on **March 20, 2025**, at 10:00 a.m., Local Time, to discuss bidding and project requirements. Prospective bidders required to attend, and subcontractors are encouraged to attend.

Bids must be submitted on the standard forms included with the Contract Documents in the tabbed and color-coded format as indicated.

Envelopes containing bids must be sealed and delivered to the Director, Board of Water and Sewer Commissioners of the City of Mobile, Alabama, 4725A Moffett Road, Mobile, Alabama 36618-0249: "Bid for constructing Project # D3521300 - **Myers WTP SCADA Upgrades** to be opened at **1:00 p.m., Local Time, April 7, 2025**". The Bidder's Alabama State Contractor's License Number and discipline shall be on the envelope. Hand-delivered bid packages shall be delivered to the receptionist at the main entrance of the MAWSS office complex, 4725A Moffett Road, Mobile AL 36618.

Bid guarantee in the form of certified check, bid bond, or irrevocable Letter of Credit acceptable to the Board will be required for at least 5% of the bid amount, **not to exceed \$10,000**.

The Board reserves the right to reject any and all bids and to waive any informality in bids received.

THIS INVITATION FOR BIDS IS CONDENSED FOR ADVERTISING PURPOSES. ADDITIONAL INFORMATION/REQUIREMENTS FOR BIDDERS CAN BE FOUND IN THE CONTRACT DOCUMENTS.

THE BOARD OF WATER AND SEWER COMMISSIONERS
OF THE CITY OF MOBILE, ALABAMA

ADDENDUMS

Following this tab, insert printouts of any contract addendums
as received prior to bid opening

ADDENDUMS

Replace this sheet with printouts of any addendums as issued printed on white paper. Do not include printouts of any drawings or specifications as issued by addendums.

Bid Total

Following this tab, insert the following fully executed documents:

Page 1 of the Proposal printed on white paper,
Pages 2 and 3 of the Proposal printed on yellow paper,

PROPOSAL

TO: BOARD OF WATER AND SEWER COMMISSIONERS
OF THE CITY OF MOBILE, ALABAMA

Submitted: _____
(Date)

The undersigned, as Bidder, hereby declares that he has examined the site of the Work and informed himself fully in regard to all conditions pertaining to the place where the Work is to be done; that he has examined the Plans and Specifications for the Work and all Contract Documents relative thereto, and has read the Board's Standard Specifications and all General Conditions and Special Provisions furnished; and that he has satisfied himself relative to the Work to be performed.

The Bidder proposes and agrees, if this Proposal is accepted, to contract with the Board of Water and Sewer Commissioners of the City of Mobile, Alabama, in the form of contract specified to furnish all materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the following Work:

MYERS WTP SCADA UPGRADES
JACOBS PROJECT NO. D3521300

in full and complete accordance with the shown, noted, described and reasonably intended requirements of the Plans, Specifications and all other Contract Documents to the full and entire satisfaction of the Board of Water and Sewer Commissioners of the City of Mobile, Alabama with a definite understanding that no money will be allowed for extra work except as set forth in the attached General Conditions and other Contract Documents for the lump sum or unit prices listed opposite each item.

It is agreed that the description under each item, being briefly stated, implies, although it does not mention, all incidentals and that the prices stated are intended to cover all such work, materials and incidentals as constitute Bidder's obligations as described in the Specifications and any details not specifically mentioned, but evidently included in the Contract shall be compensated for the item in which it most logically is included.

The Owner reserves the right to award the Contract to the lowest responsible and responsive Bidder. The basis of award for this project shall be based upon the Total Base Bid plus the total amount of additive alternates and less the total amount of deductive alternates that are selected by the Owner.

Bidder will complete the work in accordance with the Contract Documents for the following price:

_____ Dollars and _____ Cents

(words)

\$ _____

(numerals)

The Bidder shall include an Owner's Allowance in the amount of \$100,000.00 in the total base bid price.

The Base Bid Summary is as follows:

Lump Sum Base Bid Price:	\$ _____
Owner's Allowance:	\$ <u>100,000.00</u>
TOTAL BASE BID (total of above and equal to total bid)	\$ _____

The Bidder further proposes and agrees hereby to commence the Work with an adequate force, plant and equipment at the time stated in the notice to the Contractor from the Engineers to proceed, and fully complete performance within 372 consecutive calendar days from and after the date stated in said notice.

The undersigned further agrees that, in case of failure on his part to execute the said Contract and the bond within 10 consecutive calendar days after written notice being given of the award of the Contract, the check or bid bond in the amount of 5 percent of this bid accompanying this bid, and the monies payable thereon, shall be paid into the funds of the Board of Water and Sewer Commissioners of the City of Mobile, Alabama as liquidated damages for such failure; otherwise the check or bid bond accompanying this Proposal shall be returned to the undersigned:

Attached hereto is a certified check on the _____
_____ Bank of _____
or a Bid Bond for the sum of _____
_____ Dollars (\$ _____)
made payable to the Board of Water and Sewer Commissioners of the City of Mobile, Alabama.

By _____
(Legal Signature)

(Printed Name and Title)

Witness: _____
(Legal Signature)

Witness: _____
(Legal Signature)

ADDRESS:

CONTRACTOR'S LICENSE NO:

BIDDER acknowledges receipt of the following ADDENDA:

SDP Policy Acknowledgement & Subcontracting Plan

Following this tab, insert the following fully executed documents:

SDP Policy Acknowledgement and the Proposed Subcontracting Plan, printed on yellow paper

IFB #
SDP POLICY ACKNOWLEDGEMENT*

A copy of the SDP (Supplier Diversity Program) policy that applies to this Invitation For Bid has been included in this package. It is the responsibility of the bidder to read and make efforts to meet the goals of this policy. Please contact the Supplier Diversity Department at supplier.diversity@mawss.com for any questions regarding this policy. **Bidders MUST acknowledge receipt of this policy and submit the documentation with the bid proposal.**

Bidders shall take all necessary and reasonable steps in accordance with this Policy to ensure that Diverse Contractors/Suppliers have the maximum allowable opportunity to compete for subcontracts and contracts for services, supplies, or other goods. Bidders shall not discriminate in awarding subcontracts and supplier contracts on the basis of race, color, national origin, ethnicity, or sex, during the bid process as well as during performance of a MAWSS contract.

The following documentation must be included in the bid proposal.

- SDP Policy Acknowledgement **and**
- Subcontracting Plan

Please refer to the attached policy for more information regarding these requirements as well as all other requirements, if participating in the SDP Program.

The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the all of the requirements of this policy.

Company Name _____

Submitted By _____ Title _____
Please Print

Signature _____ Date _____

***Required to sign and return with bid**

IFB#
SUBCONTRACTING PLAN/GOOD FAITH EFFORT*

In order for your proposal to be considered, must complete all blanks in this Subcontracting Plan and sign with a handwritten signature where indicated below and include this form in your proposal.

Failure to fill in the blanks on this Subcontracting Plan and/or to include a handwritten signature may cause for rejection of your bid.

It is MAWSS's goal that in all contracts, contractors shall make a demonstrated good faith effort to award 15% of the contract amount to certified Diverse Contractors/Suppliers as subcontractors and/or suppliers performing commercially useful functions which are consistent with contract requirements.

Copies of MAWSS SDP Policy 16-01 (for public works projects), SDP/Supplier Diversity Policy 17-01 (for contracts for other goods and services), MAWSS's list of certified Disadvantaged Business Enterprises (SDPs) / Diverse Suppliers, and lists of organizations that have information on SDPs/Diverse Suppliers are available from MAWSS's Supplier Diversity Office by emailing supplier.diversity@mawss.com.

STATE WHAT PERCENTAGE OF THE WORK FOR THIS CONTRACT YOU PLAN TO AWARD TO SDP/DIVERSE SUPPLIER SUBCONTRACTORS AND/OR VENDORS	TOTAL %
ESTIMATED TOTAL DOLLAR AMOUNT TO BE AWARDED TO SDP/DIVERSE SUPPLIER	TOTAL \$
AMOUNT BID FOR THIS CONTRACT	TOTAL \$

Please list below all subcontractors and suppliers which you plan to use for this contract. Also indicate which of these are SDPs / Diverse Suppliers by writing "Yes" or "No" where indicated. Also list for each the percentage of the total contract amount to be performed by each and the certification group the SDP / Diverse Supplier is certified with. Attach additional sheets if needed.

SUBCONTRACTOR/VENDOR NAME	SDP/DIVERSE SUPPLIER (Yes or No)	% OF CONTRACT	CERTIFICATION GROUP (ALDOT, ADECA, SRMSDC, BCIA)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CAUTION: ACCURATELY COMPLETE ALL PARTS OF THIS FORM AND SIGN BELOW.

GOOD FAITH EFFORT ACKNOWLEDGEMENT/AFFIDAVIT

I/WE EXERCISED GOOD FAITH TO COMPLY WITH THIS PLAN AND MAWSS' SDP REQUIREMENTS.

BIDDER/COMPANY

BY (Signature)

***Required to sign and return with bid**

SSO Notification

Following this tab, insert the following fully executed documents:

SSO Notification printed on yellow paper,
MAWSS SDP Policy and Change Of Sub-Contractor Form
(8 pages) printed on white paper

Failure to affix a handwritten signature at the end of the following notification may be cause for rejection of bid.

SSO AND UNPERMITTED DISCHARGE PREVENTION NOTIFICATION:

Sanitary Sewer Overflows (SSOs) and unpermitted discharges of wastewater to the environment are a violation of Federal and State laws, as well as a breach of this Contract. The Contractor and associated subcontractors, vendors, and other entities and persons chosen to complete this Work shall not, through act or omission, discharge untreated wastewater to the environment or cause wastewater to back up into a building. The Contractor hereby agrees to indemnify the Owner if the Owner is assessed penalties or fines, receives regulatory actions, or has claims, actions, or suits filed against it by any person or entity as a result of SSOs or unpermitted discharges caused by act or omission of the Contractor and/or any entity or person performing Work in the Contractor's behalf under this Contract. The Contractor shall reimburse the Owner for all damages, losses, penalties, fines, judgments, interest, costs, and expenses of every nature incurred by the Owner, including but not limited to reasonable attorney's fees, arising from or associated with each SSO or unpermitted discharge. In addition, the Contractor shall pay the following penalties to the Owner for SSOs and unpermitted discharges caused by the Contractor or any entity or person performing Work in the Contractor's behalf, regardless of whether such SSOs or discharges reach waters of the State.

<u>Estimated Volume Spilled</u>	<u>Penalty Amount</u>
0 to 10,000 gallons	\$1,000
10,001 to 25,000 gallons	\$2,000
25,001 to 50,000 gallons	\$2,500
50,001 to 150,000 gallons	\$3,000
More than 150,000 gallons	\$6,000

I, having authority to execute this document, have reviewed the above Notification, therein.

Contractor Name

Street

City

Signature



Board of Water and Sewer Commissioners
Policy No.: Supplier Diversity 16-01
Approved: December 5, 2016
Amended: October 2017
Amended: February 1, 2021

**SUPPLIER DIVERSITY POLICY
FOR PUBLIC WORKS ACT CONTRACTS**

PURPOSE:

The purpose of this policy is to increase meaningful participation of Diverse Contractors/Suppliers in MAWSS contracts, which are subject to the bidding requirements of the Public Works Act, to establish MAWSS's goals for Supplier Diversity participation, and to set forth requirements for the MAWSS Supplier Diversity Program.

SCOPE:

This policy will apply to all MAWSS publicly bid contracts for public works and the consultants who manage these contracts. If a contract is to be paid all or in part with non-MAWSS funds, and a funding entity has Supplier Diversity program requirements that exceed or are more stringent than those of this Policy, then the additional Supplier Diversity policy provisions of the funding entity or entities will also apply as contract requirements. Contracts for public works, which do not meet the dollar threshold for public advertisement for bids, will be subject to MAWSS's Supplier Diversity Policy for Contracts for Goods, Services, and Small Public Works Projects.

In the event that MAWSS must enter into a contract for a public works project on an emergency basis, MAWSS will still seek competitive bids for the work and will declare the nature of the emergency in writing, in accordance with the Public Works Act. MAWSS reserves the right to waive or modify the requirements of this policy if the emergency is adversely affecting or presents an immediate threat to public health, safety, or the environment.

DEFINITIONS:

Contractor - An individual or business entity seeking to contract with MAWSS for a public works project and which will function in the role of general contractor for the project.

Diverse Contractor/Supplier- A for profit small business concern for which socially and economically disadvantaged individuals own at least a 51 % interest and also control management and daily business operations, certified as such on one or more of the lists of Diverse/Contractors Suppliers referenced in this Policy.

Supplier Diversity 16-01 MAWSS Disadvantage Business Enterprise Policy For Public Works Act Contracts
MAWSS - Mobile Area Water and Sewer System.

Public Works Project - This will be as defined in §39-2-1, Code of Alabama, (1975), as amended.

Subcontractor - For purposes of this Policy, a subcontractor means an individual or business entity which subcontracts with the general contractor to perform work or services for a public works project.

Supplier - For purposes of this Policy, an individual or business entity who enters into a contract with a general contractor to provide materials, equipment, or other products or items for a project.

Supplies - For purposes of this Policy, this term may include materials, equipment, supplies, or other products or items for a project.

Commercial Useful Function –As used in this Policy, refers to the role of a for- profit business which is itself responsible for execution of the contract or a distinct element of the work; refers to a company or individual who actually performs, manages, or supervises the work involved, or who itself furnishes supplies, goods, or services. It is the intent of this Policy that contracts shall be awarded only to entities, which perform commercially useful functions, as opposed to entities that only serve a “pass-through” function.

POLICY:

It is MAWSS policy that Diverse Contractors/Suppliers be given ample and fair opportunities to do business with MAWSS, either directly or indirectly, by ensuring that contractors who enter into publicly bid public works contracts with MAWSS make earnest and diligent efforts to include Diverse Contractors/Suppliers as subcontractors and suppliers. Contractors who wish to bid on a MAWSS public works project shall take all necessary and reasonable steps in accordance with this Policy to ensure that Diverse Contractors/Suppliers have the maximum allowable opportunity to compete for subcontracts and supplier contracts for the project.

This Policy shall be race and gender-neutral. Contractors shall not discriminate in awarding subcontracts and supplier contracts on the basis of race, color, national origin, ethnicity, or sex, during the bid process as well as during performance of a MAWSS public works contract.

It is MAWSS’s goal that in contracts for public works, contractors shall make a demonstrated good faith effort to award fifteen percent (15%) of the contract amount to certified Diverse Contractors/Suppliers as subcontractors and/or suppliers performing commercially useful functions which are consistent with contract requirements. This percentage shall be considered a target which is subject to modifications and may be waived or adjusted by MAWSS if the contractor, after demonstrating a good faith effort, is unable to comply with the 15% goal. However, the requirement that a contractor demonstrate a good faith effort shall not be considered informality subject to waiver, except in cases of emergency as noted above.

IMPLEMENTATION - THE MAWSS SUPPLIER DIVERSITY PROGRAM:

A. Lists of Certified Diverse Contractors/Suppliers:

All contractors submitting bids for MAWSS public works contracts are required to utilize MAWSS’s most recent list of certified Diverse Contractors/Suppliers in their efforts to meet their good faith

Supplier Diversity 16-01 MAWSS Disadvantage Business Enterprise Policy For Public Works Act Contracts **Supplier Diversity requirements.** Bidders may also use the other lists specified below. If a bidder plans to use a Diverse Contractor/Supplier from one of the other lists, the bidder must notify MAWSS's Supplier Diversity Office so that the Diverse Contractors/Supplier's certification can be verified.

MAWSS's list of certified Diverse Contractors/Suppliers includes a description of the areas for which each Diverse Contractor/Supplier can provide services or supplies. **Contractors are required to use Diverse Contractors/Suppliers only in the areas for which the Diverse Contractors/Suppliers are certified.**

Diverse Contractors/Suppliers may be selected from the following lists:

- MAWSS List of Certified Diverse Contractors/Suppliers - www.mawss.com (Reciprocity from the following)
- Alabama Department of Transportation Certified List - www.dot.state.al.us
- SRMSDC Certified List [Southern Region Minority Supplier Development Council] www.srmsdc.org
- ADECA Certified List [Alabama Department of Economic and Community Affairs] www.adeca.alabama.gov
- WBENC Women's Business Enterprise National Council - www.wbenc.org
- VOSBA Veteran's Office of Small Business Administration – www.VOSBA.org

A contractor may also contact MAWSS's Supplier Diversity Office if the contractor knows of a Diverse Contractor/Supplier who would like to be added to the MAWSS certified list in order to qualify as a subcontractor or a supplier. The MAWSS Supplier Diversity Office will work with the contractor and the Diverse Contractor/Supplier to determine if the Diverse Contractor/Supplier meets certification requirements.

The current listings of Diverse Contractors/Suppliers certified by MAWSS are available on MAWSS's website: www.mawss.com or by contacting MAWSS's Supplier Diversity Office at (251) 694-3194.

B. Supplier Diversity Requirements:

Contractors who wish to enter into a public works contract with MAWSS must make good faith efforts to comply with MAWSS's goals for Diverse Contractor/Supplier participation by learning about, contacting, and negotiating with potential Diverse Contractors/Suppliers who are able and available to provide work or supplies for the project.

In addition to obtaining lists of certified Diverse Contractors/Suppliers, Contractors will contact organizations, which provide assistance to Diverse Contractors/Suppliers and obtain contact information for Diverse Contractors/Suppliers available to provide services and materials. A list of such organizations is available from the MAWSS Supplier Diversity Office.

Contractors will then contact certified Diverse Contractors/Suppliers to obtain prices and other information necessary for the contractor to evaluate the possibility of participation by Diverse Contractors/Suppliers.

Contractors bidding on MAWSS public works projects must list all Diverse Contractor/Supplier subcontractors and suppliers on the **Subcontracting Plan form** submitted in the bid package and sign the form. When

Supplier Diversity 16-01 MAWSS Disadvantage Business Enterprise Policy For Public Works Act Contracts

preparing a bid, the bidding contractor must obtain firm prices from all Diverse Contractors/Suppliers. The bid package must include correspondence from each Diverse Contractor/Supplier subcontractor/supplier on the Diverse Contractors/Suppliers letterhead in which the Diverse Contractor/Supplier confirms negotiated terms for the subcontract or supply contract, including compensation and a brief description of the scope of work or the items to be supplied.

If a contractor bidding for a MAWSS contract is unable to meet the 15% goal for Supplier Diversity participation for the project, the contractor must note this on the Subcontracting Plan form, state what percentage of the goal was achieved, if any, and sign the form. The contractor must also submit an **Affidavit of Contractor's Good Faith Efforts to Meet Supplier Diversity Goals** with the bid package setting forth the reasons the goal could not be achieved for this project. The Affidavit must include names, addresses, and contact information for each Diverse Contractor/Supplier contacted, a description of information provided to each, and a statement regarding each as to why an agreement for a subcontract or supply contract was not reached. The Affidavit must include description of the good faith efforts made to obtain Supplier Diversity participation, referencing the factors listed below. Documentation supporting the statements in the Affidavit must be attached thereto.

C. Demonstrating good faith efforts to meet MAWSS's Supplier Diversity goals for a public works contract:

When bids are received for a public works contract, MAWSS's Supplier Diversity Office will review the submittals relative to Supplier Diversity Program requirements to determine if a bidder has demonstrated a good faith effort to reach MAWSS's Diverse Contractor/Supplier participation goal, the MAWSS Supplier Diversity Office will review and consider bidder's submitted documentation as to the following factors:

- Did the bidder obtain the MAWSS List of Certified Diverse Contractor/Supplier entities? What other lists of certified Diverse Contractors/Suppliers did the bidder use, if any?
- Did the bidder use the services of available community organizations, small and/or disadvantaged business groups, local, state, and federal small or disadvantaged business assistance offices, and other organizations which provide assistance in recruitment and placement of Diverse Contractors/Suppliers, to obtain information and contact information for Diverse Contractors/Suppliers who might be able to perform work or furnish supplies for the project?
- Did the bidder attend pre-bid meetings scheduled by MAWSS to which Diverse Contractors/Suppliers were also invited, to inform Diverse Contractors/Suppliers of opportunities to provide services or supplies for the project?
- Did the bidder advertise in general circulation media and trade association publications concerning Diverse Contractor/Supplier opportunities for the project and give potential subcontractors and suppliers reasonable time to respond and negotiate?
- Did the bidder provide written notice to a reasonable number of Diverse Contractor/Supplier firms and allow them sufficient time to respond and negotiate?

Supplier Diversity 16-01 MAWSS Disadvantage Business Enterprise Policy For Public Works Act Contracts

- Was the information provided by the bidder to potential Diverse Contractor/Supplier subcontractors and suppliers adequate to apprise them of the plans, specifications, and requirements for the project?
- If the bidder received initial solicitations from interested Diverse Contractors/Suppliers, did the bidder follow up by contacting the Diverse Suppliers again to determine if the Diverse Contractors/Suppliers were interested in subcontracting or furnishing supplies for the project?
- What efforts did the bidder make to determine whether the project specifications, drawings, and other documents presented opportunities for participation by Diverse Contractors/Suppliers? Did the bidder select certain portions of the work as suitable for performance by Diverse Contractor/Supplier subcontractors, or break down the work into smaller parts in order to allow participation by Diverse Contractors/Suppliers?
- For any Diverse Contractor/Supplier determined by the bidder to be unqualified or unable to participate, did the bidder offer a reasonable justification for the bidder's decision not to utilize that Diverse Contractor/Supplier?
- If the bidder contacted the MAWSS Supplier Diversity Office requesting that potential subcontractors or suppliers be considered for addition to the MAWSS certification list, this should also be documented and will be considered by MAWSS.

The foregoing list is not exclusive. Other efforts to comply may be documented by a bidder for consideration by MAWSS.

Bidders shall have until the close of business on the fourth day after the bid opening to submit complete information in compliance with the Supplier Diversity Program. Additional information, such as clarifying documentation, provided after the close of business on the fourth day after the bid opening shall only be provided and/or accepted upon request of the MAWSS' Supplier Diversity Office and such information shall be submitted as expeditiously as possible so MAWSS can determine if the bid is in compliance with this policy.

Contractors are hereby notified that bids which do not comply with MAWSS's Supplier Diversity Policy and Program requirements may be rejected as non-responsive.

D. Continuing compliance with the MAWSS Supplier Diversity Program during performance of contract:

MAWSS's Supplier Diversity Office will monitor continuing compliance with the Supplier Diversity Program requirements as contracts are performed.

If a subcontract or supply contract with a Diverse Contractor/Supplier is terminated prior to its termination date, the contractor must notify MAWSS's Supplier Diversity Office. This notification must include the reasons for the early termination as well as a description of efforts made by the contractor to engage another certified Diverse Contractors/Suppliers as a replacement subcontractor or supplier.

The contractor must file a written report with MAWSS's Supplier Diversity Office once a month documenting the contractor's continuing compliance with the Supplier Diversity Program. This report will list all Diverse Contractor/Supplier subcontractors and suppliers currently performing work or providing supplies for the project.

Information and data requested by the Supplier Diversity Office regarding compliance with the Supplier Diversity Program must be promptly provided by the contractor. Contractors shall make available to MAWSS's Supplier Diversity Office all records pertaining to use of Diverse Contractor/Supplier subcontractors and suppliers.

MAWSS reserves the right to make site visits to project locations to confirm compliance with Supplier Diversity Program requirements.

A contractor's failure to comply with this policy and MAWSS's Supplier Diversity program requirements during performance of a contract may be considered a breach of the contract and may result in its termination.

By entering into a contract with MAWSS, a contractor acknowledges and agrees that failure to comply with MAWSS's Supplier Diversity Program requirements relative to that contract shall be grounds for its termination by MAWSS.

Failure by a contractor performing a public works project for MAWSS to comply with the Supplier Diversity Program requirements may result in that contractor being determined "not a responsible bidder" in bids for future MAWSS contracts.

Contractors must maintain for three (3) years such records as are necessary to determine compliance with MAWSS's Supplier Diversity policy.

E. MAWSS tracking of Supplier Diversity Program Achievements:

MAWSS's Supplier Diversity Manager will report to the MAWSS Board semi-annually, in January and in July of each year, on Supplier Diversity utilization and on other efforts by MAWSS's Supplier Diversity Office to enhance Diverse Contractor/Supplier participation in MAWSS's public works contracts.

MAWSS may also contract for Disparity Studies as determined by the Board, to provide further information to enhance MAWSS's Supplier Diversity Program.

Change of Sub-Contractor Form

In accordance with MAWSS DBE 16-01

JOB NAME _____ Location _____

Name of General Contractor _____

Name of Original Sub-Contractor _____

Name of New Sub-Contractor _____

Reason for Change _____

This instrument is for the purpose of advising all persons involved of a change being made on the contract and job-site.

General Contractor

Supplier Diversity Office

Asst. Director

Bid Bond

Following this tab, insert the following fully executed documents:

Bid Bond
printed on yellow paper

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____
(Name of Bidder)

_____, as Principal,
(Address)

and _____
(Name of Surety)

of _____, as Surety,
(Address)

jointly and severally, hereby bind ourselves, our heirs, executors, administrators, successors, and assigns to the **Board of Water and Sewer Commissioners of the City of Mobile, Alabama**, as the Owner, in the **PENAL SUM of five percent (5%) of the amount of the Principal's bid, but in no event more than Ten Thousand Dollars (\$10,000.00)**.

THE CONDITION OF THIS OBLIGATION is that the Principal has submitted to the Owner the attached bid, which is incorporated herein by reference, for the Project identified as:

MYERS WTP SCADA UPGRADES
Project No.D3521300

NOW, THEREFORE, if, within the terms of the Bid Documents, the Owner accepts the Principal's bid and the Principal thereafter either:

- (a) executes and delivers a Construction Contract with the required Contract and Labor and Material Bonds (each in the form contained in the Bid Documents and properly completed in accordance with the bid) and delivers evidence of insurance as prescribed in the Bid Documents, or
- (b) fails to execute and deliver such Construction Contract with such Bonds and evidence of insurance, but pays the Owner the difference, not to exceed the Penal Sum of this Bond, between the amount of the Principal's Bid and the larger amount for which the Owner may award a Construction Contract for the same Work to another bidder,

then, this obligation shall be null and void, otherwise it shall remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of the Surety under this Bond shall not in any manner be impaired or affected by any extension of the time within which the Owner may accept the Principal's bid, and the Surety does hereby waive notice of any such extension.

SIGNED AND SEALED this _____ day of _____.

ATTEST:

PRINCIPAL:

By _____
Name and Title

ATTEST:

SURETY:

By _____
Name and Title

Other Attachments

Following this tab, insert any other documentation or attachments as required by the specifications printed on white paper