

## ADVERTISEMENT AND INSTRUCTIONS TO BIDDERS

1. Separate sealed BIDS for the construction of:

The installation of 250 l.f. of 8" SDR 11 PE pipe by horizontal directional drilling under the Browns River in Underhill, VT. After installation and testing, the new pipe shall be connected to the system and the existing stream crossing shall be abandoned.

will be received by the Jericho-Underhill Water District at the following address: O'Leary-Burke Civil Associates, 1 Corporate Drive, Suite #1, Essex Junction, VT 05452 until 2:00 PM, (Prevailing Local Time) July 23, 2009, and then at said office publicly opened and read aloud.

2. All Bids must be made on the blank form of the BID proposal attached hereto. No lines on the BID may be left blank. **Failure to fully complete the BID will render the Bidder non-responsive, and the Bid will not be read.** In the event there is any discrepancy in the PROPOSAL between any price in words, figures, or the extended totals, the price in words shall govern and the extended totals in each case shall be corrected accordingly.

3. A Bid Bond or Certified Check in the amount of 5% of the total Bid submitted must accompany the Bid. **Failure to submit such with the Bid will render the Bidder non-responsive, and the Bid will not be read.**

4. A Bidder may withdraw any proposal submitted prior to the hour set for the closing of the Bids provided the request is signed in a manner identical with the proposal being withdrawn. No Bidder may withdraw a Bid within 45 days after the actual date of the opening.

5. **"Buy American" provisions of (40 CFR '31.36(c)(5)) and of the American Recovery and Reinvestment Act of 2009, and Federal Wage Rates under the Davis-Bacon Act (40 CFR '31.36(i)(5)) apply to this contract.**

5.1 **The Davis Bacon Act applies to this CONTRACT.** The CONTRACTOR must comply with the minimum rates for wages for laborers and mechanics as determined by the Secretary of Labor in accordance with the Procurement requirements - Davis-Bacon Act (40 CFR '31.36(i)(5)) and the U.S. DOL Memorandum 207 of May 29, 2009 and Related Acts. During the course of the WORK, for each and every week work under the contract is in progress, the CONTRACTOR and their sub-contractors shall submit weekly Payroll reports to the Owner and for a period not less than 3 years from the Final Completion of Work, the CONTRACTOR and sub-contractors shall maintain and allow for inspection of all payroll and basic records related to this CONTRACT. Refer to related information in the Supplemental General Conditions section of these specifications.

5.2 **"Buy American" provisions of (40 CFR '31.36(c)(5)) and the recently passed American Recovery and Reinvestment Act of 2009 (ARRA) apply to this CONTRACT.** The ARRA require that all of the iron, steel, and manufactured goods used in this project be produced in the United States. In applying this provision, the United States Environmental Protection Agency maintains the authority to approve waiver requests if ... a.) application of this provision would be inconsistent with the public interest; b.) "iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of satisfactory quality"; or c.) "inclusion of iron, steel and the relevant manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent".

6. The Bidder's attention is directed to General Conditions #9 which refer to Disadvantaged Business Enterprise (DBE) requirements. Bidders are advised to use the Vermont Transportation Agency's website to obtain the current certified DBE list. That site is: <http://www.aot.state.vt.us/CivilRights/DBEDirectory.htm>.

7. It is understood that the State of Vermont must concur with this Contract award.

8. The Owner will be responsible for payment in accordance with the terms of the Contract.

9. No prearranged site visits are currently scheduled. The prospective Bidders are responsible for inspecting the site and for reading and being thoroughly familiar with the Contract Documents. The failure or omission of a Bidder to do any of the foregoing shall, in no way, relieve any Bidder from any obligation in respect to his Bid.

10. A pre-bid meeting and site inspection is scheduled to be held at the project site on July 17, 2009 at 8:00 AM prevailing local time.

Jericho-Underhill Water District