

CALL FOR BIDS
CITY OF MINNEAPOLIS
MINNESOTA

Official Publication No. 7713

October 4th, 2012

PURCHASING DEPARTMENT
330 Second Avenue South - Suite 552
Minneapolis, MN 55401

Minneapolis Park and Recreation Board

AN AFFIRMATIVE ACTION EMPLOYER

For information call
(612) 673-2834 David Schlueter
david.schlueter@minneapolismn.gov

"BIDS FOR CONSTRUCTION OF THE 6TH DISTRICT DOG PARK"

To provide all materials, labor, equipment and incidentals necessary for the Construction of the 6th District Dog Park, located at 3900 King's Highway for the Minneapolis Park and Recreation Board.

Complete project documents are available for electronic download at <http://www.questcdn.com> for **\$10.00** by entering **ebid doc #2290407** on the "Search Projects" page. Please contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance.

All plan holders who order electronic proposals through QuestCDN will receive addenda as they are released; however, it is the Contractor's full responsibility to ensure they have received all addenda prior to the submittal of bids.

Project specifications and drawings are available for review at City of Minneapolis Purchasing – 330 2nd Ave. So. Suite # 552 – Minneapolis, MN 55401.

Please e-mail questions in writing no later than October 17th, 2012 to david.schlueter@minneapolismn.gov.

A pre-bid meeting will be held at 10 AM on October 16th, 2012 at the MPRB South Side Service Center – 3800 Bryant Ave. So. – Minneapolis, MN. **All interested bidders are encouraged to attend this meeting.**

The SUBP goals for this contract are 2% MBE and 3% WBE. The selected vendor must comply with the Small & Underutilized Business Enterprise Program (SUBP), as detailed in Chapter 423 of the Minneapolis Code of Ordinances. The SUBP Ordinance applies to any construction or development project, in excess of one hundred thousand dollars (\$100,000), and any contract for the provision of goods and services in excess of fifty thousand dollars (\$50,000). Successful bidder shall be subject to a pre-award Affirmative Action Compliance Review by the Minneapolis Department of Civil Rights in accordance with Chapter 139.50(b) of the Minneapolis Code of Ordinances.

The successful bidder shall be subject to a pre-award compliance and payroll review by the Minneapolis Department of Civil Rights (MDCR) in accordance with Section 139.50 (Civil Rights – Contract Compliance), Chapter 423 (Small and Underutilized Business Enterprises Program – SUBP), and Chapter 24 (Prevailing Wage) of the Minneapolis Code of Ordinances. In addition to the pre-award review, MDCR will also monitor SUBP participation, minority and female employment participation, and prevailing wage throughout all construction projects or as required. **As of May 1, 2012 the employment goals for onsite labor on all City construction contracts are 6% female and 32% minority.** Prevailing wage/employment reports are required to be filed electronically. Filing information can be obtained on the web at www.minneapolis.diversitycompliance.com. Questions about compliance can be directed to the Department of Civil Rights at (612) 673-3012.

The City of Minneapolis hereby notifies all bidders that in regard to any invitations to bid, advertisements, solicitations, or contracts to be entered into pursuant to this Plan, businesses owned and controlled by minorities or women will be afforded maximum feasible opportunity to submit bids and/or proposals in response and will not be subjected to discrimination on the basis of race, color, sex, age, religion, ancestry, affectional preference, disability, public assistance status, marital status or national origin.

Prospective bidders' attention is called to Minnesota Statutes 13.591 Business Data. This section states in part:

Data submitted by a business to a government entity in response to a request for bids as defined in Section 16C.02, Subdivision 11, are private or non-public until the bids are opened. Once the bids are opened, the name of the bidder and the dollar amount specified in the response are read and become public. All other data in a bidder's response to a bid are private or non-public data until completion of the selection process. For the purposes of this section, "completion of the selection process" means that

the government entity has completed its evaluation and has ranked the responses. After a government entity has completed the selection process, all remaining data submitted by all bidders are public with the exception of trade secret data as defined and classified in Section 13.37. A statement by a bidder that submitted data are copyrighted or otherwise protected does not prevent public access to the data contained in the bid.

Bidders are hereby advised that their bid document may become available to the public once a successful bidder has been chosen.

The City of Minneapolis has adopted an Environmental Purchasing Policy (EPP) that is incorporated into all bids. A copy of the policy can be found at this link:

http://www.minneapolismn.gov/sustainability/approach/policies/sustainability_purchasing

Prompt Payment: Per Minnesota Statutes 471.425 contractors shall pay all certified small subcontractors for undisputed work completed, within ten (10) days after the City of Minneapolis has paid the contractor for the completed work.

Chapter 471.895 of the Minnesota Statutes prohibits gifts from interested persons to local officials. Local Officials includes any individuals who purchase or advise or recommend on the purchase of goods and/or services.

Conflict of Interest/Code of Ethics: Contractor agrees to be bound by the City's Code of Ethics, Minneapolis Code of Ordinances, Chapter 15. Contractor certifies that to the best of its knowledge, all City employees and officers participating in this Agreement have also complied with that Ordinance. It is agreed by the Parties that any violation of the Code of Ethics constitutes grounds for the City to void this Agreement. All questions relative to this section shall be referred to the City and shall be promptly answered.

All successful bidder(s) will be required to comply fully with the Americans with Disabilities Act of 1990 (ADA).

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Sealed bids will be received and time stamped by receptionist until **10 AM, Local Time, October 23rd, 2012** at which time they will be publicly opened and read aloud. **Do not fax** sealed bids to Purchasing.

Successful bidder will be required to enter into a formal contract and provide Performance Bond and Payment Bond in the full amount of the contract.

Bids must be accompanied by a bid deposit in the amount of **5%** of the total amount bid in the form of a certified check or bidder's corporate surety bond made payable to the Minneapolis Finance Officer.

Envelopes must bear the name of the firm submitting the bid and be addressed as follows:

**City of Minneapolis Purchasing Department
Offl. Publ. # 7713– BIDS FOR CONSTRUCTION OF THE 6TH DISTRICT DOG PARK
Bids opened 10 AM, Local Time, October 23rd, 2012
330 Second Avenue South - Suite 552
Minneapolis, MN 55401**

The City of Minneapolis reserves the right to waive informalities in bids, to accept or reject any or all bids. Bids must be typewritten, or printed in ink, and signed in ink in handwriting.

TWO complete bid form responses, including attachments, are to be returned, one of which **must** be an original.

BIDS CONTAINING ANY ALTERATION OR ERASURE WILL BE REJECTED UNLESS ALTERATION OR ERASURE IS CROSSED OUT AND CORRECTION PRINTED IN INK OR TYPEWRITTEN AND INITIALED IN INK BESIDE CORRECTION BY THE PERSON SIGNING THE BID.

Instructions to Bidders

IF the Call for Bids, indicates a bid deposit is required, the bid deposit should be in the form of a certified check, cashier's check or bidder's corporate surety bond. If certified check or cashier check is used, it shall be made payable to the Party named in the Call for Bids. Said bid deposit shall be retained by the City of Minneapolis or Board as liquidated damages and not a penalty, in the event the bid is selected by the City of Minneapolis or Board and the bidder fails to execute a contract, therefore, and upon request of the City of Minneapolis or Board, a performance bond and payment bond, as may be required by the City of Minneapolis subsequent to award of contract.

By submitted a bid, bidder agrees that said liquidated damages shall cover only the damages sustained by the City of Minneapolis or Board, from additional administrative costs, expenses or re-advertising and re-bidding and other damages sustained by the City of Minneapolis or Board as a result of failure of successful bidder to execute a written contract, and a performance bond and payment bond when so required, but shall not cover nor preclude the City of Minneapolis or Board from claiming damages on account of delay, price change, loss of other contracts, loss of income, inability of City of Minneapolis or Board to fulfill other contracts, loss of other benefits of this contract, or damages, direct or consequential arising out of breach of contract by the successful bidder.

Whenever separately numbered categories as to materials, equipment or services are set forth in the specifications and in the bid form, unless specifications or bid form is qualified by the statement "ALL OR NONE", bidder may submit a bid upon each, or all, or any selected number of categories, and in such case separate category shall be considered as a separate bid letting procedure, and the City of Minneapolis shall have the right to make separate awards to the lowest and best bidder in any particular category, or to the overall lowest and best bidder where it is found to be in the best interest of the City.

Bidder is responsible to ensure they are in receipt of all addenda. Contact the buyer if questions.

The City of Minneapolis is subject to Minnesota Sales and Use Tax for taxable items in accordance with the Minnesota Department of Revenue.

If a lump sum bid for materials and/or equipment includes labor and all incidentals, the bidder is responsible for all applicable sales tax on taxable items required in the performance of the bid and should be included in the total amount bid.

Specification Information

Unless qualified by the provision "NO SUBSTITUTE", the use of the name of a manufacturer brand and/or catalog description in specifying any item does not restrict bidders to that manufacturer, brand or catalog description identification. This is used simply to indicate the character, quality, and/or performance equivalence of the commodity desired, but the commodity on which bids are submitted must be of such character, quality, and/or equivalence that it will serve the purpose for which it is to be used equally well as that specified, and be acceptable to the using department.

In submitting a bid on a commodity other than specified, bidder shall furnish complete data and identification with respect to the commodity he proposes to furnish. Consideration will be given to bids submitted on commodities to the extent that such action is deemed to serve the best interest of the department or boards of the City of Minneapolis.

If a Bidder does not indicate that the commodity he proposes to furnish is other than specified, it will be construed to mean that the bidder proposes to furnish the exact commodity as described.