

LEGAL NOTICE OF INVITATION FOR BIDS
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
OFFICE OF THE COUNTY ENGINEER

Bids are being solicited for a capital construction project known as:

Project Name **2023/2024 Street Resurfacing Project**
Project ID No. **R-2023-01**
Bid Date **December 6th, 2023**
Contract Time **210 Calendar Days**
Estimated Value **\$9,000,000 to \$11,000,000**

Bids will be received until 8:45 a.m. on the above date, the Office of the Unified Government Clerk, Municipal Office Building, 701 North Seventh Street, Kansas City, Kansas, 66101. At 9:00 a.m., in the Commission Chambers, the bids will be publicly opened and read aloud.

Project goals for MBE and WBE participation **are** part of this solicitation.
Prevailing Wage Rate **is not** part of this solicitation.

Printed copies of the Bidding Documents consisting of the drawings and specifications, together with information to bidders, bid proposal form and forms of contracts, performance bond and statutory bond may be obtained from Drexel Technologies at <http://www.drexeltech.com/>. Additionally, Bidding Documents may be picked up at Drexel Technologies on a CD or downloaded electronically. See the Drexel Technologies website for pricing. All purchases are non-refundable. Drexel Technologies can be contacted by phone at (913) 371-4430 or electronically at <http://www.drexeltech.com/>. Bidding Documents will be shipped only if the requesting party assumes responsibility for all related shipping charges. Corporate, certified, or cashier's checks shall be made payable to Drexel Technologies.

The Bidding Documents may be examined online at http://www.drexeltech.com, in person during regular business hours at Drexel Technologies 10840 West 86th Street Lenexa, KS 66214-1632 or at the office of the County Engineer, 701 N. 7th Street, Kansas City, KS.

A **Mandatory** Pre-Bid Conference will be held at:

Location: East Municipal Building, Unified Government of WYCO/KCK City Hall
Address: 701 North Seventh Street, Kansas City, Kansas
Room: 7th Floor East Conference Room
Date: Wednesday, November 29th, 2023
Time: 10:00 AM

Bid security is required. The Unified Government reserves the right to reject any or all bids. Instructions to Bidders contains additional requirements.

The Unified Government of Wyandotte
County/Kansas City, Kansas

County Engineer

INSTRUCTIONS AND INFORMATION TO BIDDERS

1. Sealed bids will be received until the date and time stated in the Legal Notice of Invitation for Bids at which time in the Council Chambers the bids will be publicly opened and read aloud.
2. Bids shall be submitted in sealed envelopes, addressed to the Unified Government Clerk, Municipal Office Building, One McDowell Plaza, Kansas City, Kansas. The outside of each sealed envelope containing a Bid Form shall plainly be marked "Bid" and shall state the name of the project and the name and address of the bidder. If forwarded by mail, the sealed envelope containing the Bid Form must be mailed inside another envelope to the addressee.
3. Within ten days from the date of receipt of the notice of award, the successful bidder shall come into compliance with chapter 11 of the Procurement Code and Regulations regarding Affirmative Action and Equal Employment Opportunity as required by Sections 18-137 and 18-138 of the Code of Ordinances of the Unified Government of Wyandotte County/Kansas City, Kansas. For information regarding compliance requirements, contact the Contract Compliance Division located on the 3rd Floor of the Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas 66101, Room 318 or call (913) 573-5443.
4. Along with the bid, all bidders must submit, on the form provided, a completed Affidavit of Intended Utilization, listing the names of Subcontractors and Suppliers proposed for use and designating which Work each is to perform. Affidavit of Intended Utilization is required whether or not project goals are established. The Unified Government encourages solicitations from local-, minority-, and women-owned businesses, on all projects whether or not project goals are established. Prime bidders may access a listing of L/M/WBE firms by visiting www.wycokck.org and clicking the link titled "Supplier Database."
5. When a project goal for participation by MBEs or WBEs is established in the agreement, additional submittals are required. These additional requirements are located in the section of this project manual titled "Additional Requirements when MBE/WBE Goals are Established".
6. All bids shall be submitted on the printed Bid Form, or photocopy thereof, included in the Bidding Documents. All blank spaces must be filled in, in ink or typewritten, and the Bid Form must be fully completed and executed when submitted. Only one executed copy of the Bid Form is required. All other forms required to be submitted shall be completed by the bidder and submitted with the Bid Form. The Bid Form and all required forms shall be fastened together in one package. A second complete copy of the Bid Form and all other required forms, fastened as a second package, shall be submitted in the same envelope.
7. All Bids in excess of \$50,000.00 must be accompanied bid security in the form of a bank-certified check, cash, or a Bid Bond underwritten by a surety company licensed to issue Bid Bonds in the State of Kansas. The bid security shall be in an amount not less than five percent (5%) of the total bid. The Bid Bond shall be in substantially the Bid Bond form provided in these Bidding Documents. The check or Bid Bond shall be made payable to the Unified Government of Wyandotte County/Kansas City, Kansas. As soon as the bids have been

compared, the Unified Government will return the checks or cash of all except the three lowest responsible bidders. Upon execution of the contract by the Unified Government, the checks or cash shall be returned to all bidders.

8. Bids may be modified or withdrawn by written notice received in the office of the Unified Government Clerk, Municipal Office Building, One McDowell Plaza, Kansas City, Kansas, prior to the time and date for bid opening. No bidder may withdraw or modify a bid with in sixty (60) days after the actual date of bid opening.
9. The Unified Government may issue amendments to Bidding Documents prior to the time for receipt of bids. The bidder shall acknowledge receipt of all amendments by executing and submitting them with the bid. Amendments shall be sent to all prospective bidders known to have received an Invitation for Bids. All postponements of the opening date of bids shall be effectuated by amendment.
10. Any information obtained from an officer, agent or employee of the Unified Government or any other person shall not modify or change the Invitation for Bids and shall not affect the risk or obligation assumed by the bidder or relieve him from fulfilling any of the conditions of the Invitations for Bids. Should a prospective bidder be in doubt as to the meaning of any provisions of the Invitation for Bids, he may submit to the Unified Government a written request for an interpretation. Any written request for interpretation shall be submitted to the Unified Government no later than seven (7) days from the date set for bid opening. Any interpretation of the Invitation for Bids shall be made by amendment.
11. Bidders shall visit the site of work and existing facilities and shall fully inform themselves of existing conditions and limitations. Responsibility for differing site conditions shall be determined in accordance with the Clause in the Invitation for Bids entitled "Differing Site Conditions" (Section 16 - General Conditions.) Bidder shall study all reports of subsurface exploration and other technical data which may be identified in the bidding documents. Bidder shall be familiar with all federal, state, and local laws and regulations that may affect cost, progress, or performance of the work. Bidder shall prepare bid from complete bidding documents.
12. A conditional or qualified bid will be rejected. Unified Government reserves the right to waive minor irregularities in a bid and to correct obvious mathematical errors on a bid form. The Unified Government reserves the right to reject any or all bids, as provided in Sections R3-201.04 and R3-201.05, of the Procurement Regulations of the Unified Government of Wyandotte County/Kansas City, Kansas, and all Bidders must agree that such rejection shall create no liability on the part of the Unified Government of Wyandotte County/Kansas City, Kansas because of such rejections; and the filing of any bid in response to this Invitation shall constitute an agreement of the Bidder to these conditions.
13. Bid consists of unit price tabulation for one or more geographical sites and a single grand total. Comparison of bids will be based on the grand total. A single bidder will be selected.

14. The contract for the work shall be awarded to the lowest responsive and responsible bidder whose bid does not exceed available funds as certified by the appropriate Fiscal Officer. Bidder's not complying with all of the requirements contained in the Legal Notice of Invitation for Bids and the Instructions and Information to Bidders may be judged nonresponsive. Bidder's responsibility or nonresponsibility shall be determined under Section R3-301 of the Procurement Regulations. Bidders shall supply information as requested by the Procurement Officer concerning the responsibility of such bidder. The Unified Government may waive informalities in its determination of responsiveness and responsibility.
15. Written notice of award shall be sent to the successful bidder. The successful bidder shall within ten (10) days from the date of receipt of the notice of award perform the following:
 - (a) If the contract is in excess of \$50,000, submit a performance bond in the amount of 100% of the contract price.
 - (b) If the contract is in excess of \$50,000, submit a payment bond to the State of Kansas in the amount of 100% of the price specified in the contract for the protection of all persons supplying labor, materials, equipment and supplies to the contractor or its subcontractor. Said bond shall comply with the requirements of K.S.A. 60-1111, as amended, and shall be filed with the Clerk of the District Court of Wyandotte County, Kansas.
 - (c) If the contractor is not a corporation or a resident of the State of Kansas, submit execute copy of the Appointment of Process Agent Form which has been filed in the office of the Clerk of the Wyandotte County District Court.
 - (d) If the contractor is a foreign corporation, has applied to and been authorized by the Kansas Secretary of State to do business in Kansas in accordance with K.S.A. 17-7301 et seq., has a resident agent in the State of Kansas, and executes the foreign Corporation Resident Agent Designation form.
 - (e) Submit a certificate of insurance evidencing insurance as required by the Clause in the Invitation for Bids entitled "Insurance" (Section 27 - General Conditions).
 - (f) Execute the agreement.

The Unified Government may at its option declare the bidder in default if the bidder fails to perform all of the above-enumerated conditions, in which case the bid security shall become the property of the Unified Government.

16. All bonds required by the Bidding Documents shall contain all terms and conditions contained in the provided bond forms and shall be executed by a surety company authorized to do business in the State of Kansas and countersigned by an agent licensed by the Unified Government of Wyandotte County/Kansas City, Kansas. The attorney in fact who signs bonds must file with each bond a certified and effective dated copy of their power of attorney.

17. The Unified Government, within thirty (30) days of Bidders' compliance with all the conditions contained in paragraph number 15 of this Information to Bidders, shall sign and return to the contractor a photocopy of the executed agreement. Should the Unified Government not execute the Agreement within thirty (30) days period, the Bidder may by written notice withdraw his signed agreement. Such notice of withdrawal shall be effective upon receipt of notice by the Unified Government.
18. The Notice to Proceed will be issued within thirty (30) days of the execution of the Agreement by the Unified Government. Should there be reasons why the Notice to Proceed cannot be issued within such period, the time may be extended by mutual agreement between the Unified Government and the Contractor. If the Notice to Proceed has not been issued within the thirty (30) day period or within the period mutually agreed upon, the Contractor may, by Written Notice, terminate the Agreement without further liability on the part of either party.
19. Prior to contract award, the successful bidder(s) must ensure that all occupational taxes are paid. For information, contact the Unified Government of Wyandotte County/Kansas City, Kansas License Division at (913) 573-8690.
20. *It is the respondent's responsibility to ensure **bids** are received by the closing date and time.* Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity shall not excuse **late bid** submissions. Respondents shall be responsible for actual delivery of the response to the appropriate office identified in the document.