

**ADDENDUM NO. 1**

Date September 24, 2021

City of Austin

Project Name Hornsby Bend BMP Centrifuges

C.I.P. No. 3164.077 IFB No.: 6100 CLMC872

This Addendum forms a part of the Contract and corrects or modifies original Bid Documents, issued on September 6, 2021. **Acknowledge receipt of this addendum in space provided on bid form.** Failure to do so may subject bidder to disqualification.

A. Project Manual Revisions:

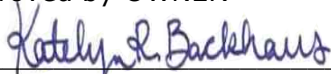
- 1) **Section 00020:** Remove Section 00020 in its entirety and replace with the attached Section 00020.
- 2) **Section 00440:** Remove Section 00440 in its entirety and replace with the attached Section 00440.
- 3) **Section 17000:** Remove Paragraph 1.05.C under this section and replace with the following:

“C. The following Instrumentation/Controls Contractors, listed in no particular order, have been pre-approved to provide all instrumentation and controls works except HMI configuration and programming service. Additional Instrumentation/Controls Contractors can be considered for pre-approval by submitting their qualifications, in accordance with Section 00400 and herein, to the authorized contact person(s) by September 29, 2021.

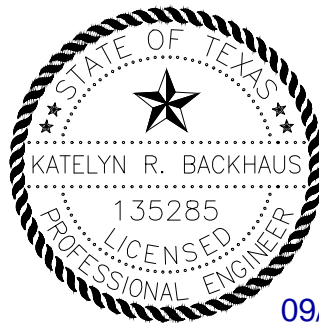
1. Prime Controls
2. Control Panels USA Inc.
3. Tesco Controls”

This addendum consists of 9 page(s)/sheet(s).

Approved by OWNER



Approved by ENGINEER/ARCHITECT (as applicable per license requirements)



09/24/21

**END**

**1. OVERVIEW AND PROJECT INFORMATION**

Following is a summary of information for this Project. Bidder is cautioned to refer to other sections of the Project Manual, Drawings and Addenda (Bid Documents) for further details.

The City of Austin, hereafter called OWNER, is requesting Bids for furnishing all labor, materials, equipment, supervision, and incidentals, and for performing all Work required for the following:

Project:	Hornsby Bend BMP Centrifuges
Located at:	2210 S FM 973, Austin, Texas 78725
CIP ID No.:	3164.077
Solicitation No.:	CLMC872

The Work consists of furnishing all tools, labor, materials, equipment, and miscellaneous items necessary for the complete construction of the above-referenced project. The Project consists of miscellaneous rehabilitation to the existing Thickener Complex and equipment therein. The Contract includes but is not limited to the following:

1. Maintenance and erosion of controls and tree protection within the limits of construction.
2. Construction of driveway and overhead door on southwest side of Thickener Complex.
3. Removal of the following, including all associated linework and electrical / instrumentation components:
  - a. Two (2) progressive cavity feed pumps
  - b. Two (2) gravity belt thickeners
  - c. One (1) progressive cavity discharge pump
  - d. Two (2) vertical turbine (wet pit) pumps
4. Installation of the following, including all associated linework and required electrical / instrumentation components:
  - a. Two (2) macerators
  - b. Two (2) rotary lobe feed pumps
  - c. Two (2) thickening centrifuges
  - d. Two (2) progressive cavity discharge pumps
  - e. Two (2) vertical turbine (wet pit) pumps
5. Miscellaneous electrical and instrumentation improvements related to the new mechanical equipment, including updates to the existing MCC.
6. Odor exhaust ductwork.
7. Replacement of above-grade non-potable water (NPW) pipe and potable water pipe.
8. Testing of new centrifuge thickening systems.
9. Removal of all construction debris and site clean up and revegetation.
10. All remaining and associated work items contained in the Contract Documents.

The Work shall also include the following allowances per the requirements of Section 01020 – Allowances:

1. Disassembly of the Temporary Thickening System.
2. Unforeseen underground appurtenances.
3. Non-potable water system unforeseen conditions.
4. Non-potable water system metering.
5. Thickener Complex process area heater purchase and installation.
6. Electrical design adjustment.

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The Work shall also include the following alternate per the requirements of Section 01030 – Alternates:

1. Remove the sludge from the Flow Equalization Basin (FEB) and clean the FEB for inspection by Owner’s Representative per Section 02050 – FEB Sludge Removal, Cleaning and Inspection.
2. Thoroughly clean the interior of the Thickener Complex process area, including the walls, floor, ceiling, outside of all equipment, tanks, etc, to remove all debris and cobwebs. Pressure wash surfaces per Section 02060 – Pressure Washing for Cleaning (Alternate). Repaint interior exposed walls with color of Owner’s choice per the requirements of 09912 – Interior Architectural Painting.

**2. BID DOCUMENTS**

Bid Documents are obtained through the City’s Vendor Connection website, log on [www.austintexas.gov/financeonline/vendor\\_connection/index.cfm](http://www.austintexas.gov/financeonline/vendor_connection/index.cfm). A complete set of Bid Documents, including all sections of the Project Manual and Drawings, are included in the attachments section of each solicitation.

All addenda and answers to Bidders’ questions will also be posted in the attachments section for each solicitation on the City’s Vendor Connection website.

**3. SUBMISSION OF BIDS**

Sealed Bids may be submitted to the Capital Contracting Office Bid Opening Desk located at One Texas Center, 505 Barton Springs Rd., Suite 365, Austin, Texas 78704, or may be submitted electronically (see [eResponse](#), Attachment 1 -Submitting Bids in Austin Finance Online).

Sealed Bid may be mailed using address below:

<b>Address for US Mail (If mailed to the physical address, the proposal will be returned unopened)</b>	
City of Austin	
Capital Contracting Office	
P. O. Box 1088	
Austin, Texas 78767-8845	

**NOTE: Bids must either be received and time stamped in the Capital Contracting Office prior to the Due Date and Time or submitted electronically via Austin Finance Online. The time of record for those electronically submitted is the time received in Austin Finance OnLine. It is the responsibility of the Offeror to ensure that their Bid arrives at the reception desk in the Capital Contracting Office or electronically prior to the time and date indicated. Arrival at the City’s mailroom, mail terminal, or post office box will not constitute the Proposal arriving on time.**

**Public Bid Opening Update**

Due to the unprecedented event of COVID-19 and to help prevent the further spread, Capital Contracting Office will NOT be conducting an in person bid opening. Bidders must either submit their bids and compliance plans no earlier than 10:00 AM and prior to 2:00 PM on the date bids are due to One Texas Center, 505 Barton Springs Rd., Suite 365, Austin, Texas 78704; or must submit Bids and Compliance Plans electronically via Austin Finance Online prior to 2:00 PM on the day proposals are due. Bids and compliance plans submitted after 2:00 PM on the date bids are due will not be accepted. The Capital Contracting Office

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will open both the sealed bids and bids received electronically via Austin Finance Online at 3:00 PM on the date bids are due.

Bidders may watch the bid opening online using the following Web link: [CCO Web Bid Opening Click Here](#)

Disclaimer: The result of the bid opening does not become final until all bids are verified, and the bid tab is certified. The pencil bid tab and certified bid tab will be posted in Austin Finance Online at the following link:

[https://www.austintexas.gov/financeonline/account\\_services/solicitation/solicitations.cfm](https://www.austintexas.gov/financeonline/account_services/solicitation/solicitations.cfm)

**ALL BIDS AND COMPLIANCE PLANS ARE DUE PRIOR TO (Austin time) 2:00 PM on OCTOBER 14, 2021.**

**BIDS WILL BE OPENED AT (Austin time) 3:00 PM on OCTOBER 14, 2021.**

**ALL BIDS AND COMPLIANCE PLANS NOT RECEIVED PRIOR TO THE DATE AND TIME SET FORTH ABOVE WILL NOT BE ACCEPTED FOR CONSIDERATION.** The time stamp clock in SUITE 365 is the time of record and is verified with [www.time.gov](http://www.time.gov), the official U.S. time. For Bids submitted electronically via Austin Finance Online, the time of record is the time received in Austin Finance Online.

#### **4. VENDOR REGISTRATION AND NON-DISCRIMINATION**

Prime Contractors must be registered with the OWNER prior to submitting a Bid electronically via Austin Finance Online. All CONTRACTORS must be registered to do business with OWNER prior to the Contract Award. All Subcontractors must be registered with the OWNER prior to execution of a contract. Prime Contractors are responsible for ensuring that their Subcontractors are registered as vendors with the City of Austin. Registration can be done through the OWNER's on-line Vendor Registration system. Log onto and follow directions: [https://www.austintexas.gov/financeonline/account\\_services/account/login.cfm](https://www.austintexas.gov/financeonline/account_services/account/login.cfm)

The City of Austin, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

#### **5. MBE/WBE PROCUREMENT PROGRAM**

All City procurements are subject to the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program found at Chapter 2-9-A of the City Code, as amended. The Program provides Minority-Owned and Women-Owned Business Enterprises (MBEs/WBEs) or Disadvantaged Business Enterprises (DBEs) full opportunity to participate in all City contracts. Goals for MBE/WBE or DBE participation are stated for each solicitation. Information on achieving the goals or documenting good faith efforts to achieve the goals are contained in the MBE/WBE Procurement Program Package or DBE Procurement Program Package attached to the solicitation. When goals are established, Bidders are required to complete and return the MBE/WBE or DBE Compliance Plan with their Bid. If a Compliance Plan is not submitted prior to the date and time set forth in the solicitation, the Bid will not be accepted for consideration. (See Section 00820 for MBE/WBE requirements on "no goal" solicitations.)

#### **6. BID GUARANTY**

## **Bidding Requirements, Contract Forms and Conditions of the Contract**

All Bids shall be accompanied by an acceptable Bid guaranty in an amount of not less than five percent (5%) of the total Bid, as specified in Section 00100, Instructions to Bidders.

### **7. BONDS AND INSURANCE**

Performance and payment bonds when required shall be executed on forms furnished by OWNER. Each bond shall be issued in an amount of one hundred percent (100%) of the Contract Amount by a solvent corporate surety company authorized to do business in the State of Texas, and shall meet any other requirements established by law or by OWNER pursuant to applicable law.

Minimum insurance requirements are specified in Section 00810, Supplemental General Conditions.

### **8. WAGE COMPLIANCE**

Minimum wage rates have been established and are specified in Section 00830, Wage Rates and Payroll Reporting.

### **9. CONTRACT TIME**

Contract Time is of the essence and all Work shall be substantially completed within five hundred and fifty (550) Calendar Days after date specified in the Notice to Proceed, in accordance with the Bid Form, Section 00300.

Final completion shall be achieved within fifty (50) Calendar Days after substantial completion.

Liquidated damages are one thousand six hundred and sixty dollars (\$1660) per Calendar Day for failure to substantially complete the work and one thousand dollars (\$1000) per Calendar Day for failure to achieve final completion within fifty (50) Calendar Days after substantial completion, in accordance with the Bid Form, Section 00300.

### **10. OWNER'S RIGHTS**

OWNER reserves the right to reject any or all Bids and to waive any minor informality in any Bid or solicitation procedure (a minor informality is one that does not affect the competitiveness of the Bid).

### **11. PRE-BID CONFERENCE**

A **mandatory** Pre-Bid Conference will be held on September 16, 2021 at 1pm (Austin time), via webinar and teleconference. Bidders may participate in the virtual pre-bid conference by clicking this link: [CLMC872 Pre-Bid Meeting Teams Link](#) or by calling 512-831-7858 United States, Austin (Toll), Conference ID: 436 759 121# For those calling in, please send an email to Steven.Cocke@austintexas.gov with the subject line CLMC872, indicate in the body of the email your name, the firm you are representing, your contact information and whether you are a prime firm or subcontractor. Please send this by **5:00 pm** on the day of the virtual pre-bid meeting.

A **mandatory** Site-Visit will be held on September 23, 2021 at 10am (Austin time), Hornsby Bend Biosolids Management Plant, 2210 S FM 973, Austin, Texas 78725.

## **Bidding Requirements, Contract Forms and Conditions of the Contract**

Attendance is mandatory unless otherwise stated. Bidders must attend any mandatory Site-Visit and are encouraged to attend any non-mandatory Site-Visit. If the Site-Visit is mandatory the Bidder must arrive and sign-in within fifteen (15) minutes of the scheduled start time of the Site-Visit, otherwise the Bidder will not be allowed to submit a Bid for the project.

### **12. ANTI-LOBBYING AND PROCUREMENT**

On June 14, 2018, the Austin City Council adopted Ordinance No. 20180614-056 replacing Chapter 2.7, Article 6 of the City Code relating to Anti-Lobbying and Procurement. The policy defined in this Code applies to Solicitations for goods and/or services requiring City Council approval under City Charter Article VII, Section 15 (Purchase Procedures). The City requires Offerors submitting Offers on this Solicitation to certify that the Offeror has not in any way directly or indirectly had communication restricted in the ordinance section 2-7-104 during the No-Lobbying Period as defined in the Ordinance. The text of the City Ordinance is posted on the Internet at:

[https://assets.austintexas.gov/purchase/downloads/New\\_ALO\\_Ordinance\\_No\\_20180614-056.pdf](https://assets.austintexas.gov/purchase/downloads/New_ALO_Ordinance_No_20180614-056.pdf)

### **13. AUTHORIZED CONTACT PERSONS**

The persons listed below may be contacted for information regarding the Invitation for Bid.

PROJECT MANAGER: Jules Parrish, phone 512-974-9385, email Jules.Parrish@austintexas.gov

CAPITAL CONTRACTING OFFICE CONTACT: Steve Cocke, phone 512-974-7998, email Steven.Cocke@austintexas.gov

SMALL & MINORITY BUSINESS RESOURCES DEPARTMENT CONTACT: John Wesley Smith, phone 512-974-7758, email John.Wesley-Smith@austintexas.gov

**END**

**NON-COLLUSION, NON-CONFLICT OF INTEREST  
AND ANTI-LOBBYING**

**State of Texas**

**County of Travis**

The term "**Bidder**", as used herein, includes the individual or business entity submitting the bid includes the directors, officers, partners, managers, members, principals, owners, agents, representatives, employees, other parties in interest of the Bidder, and anyone or any entity acting for or on behalf of the Bidder, including a subcontractor in connection with this bid.

The terms "**City**" and "**Owner**" are synonymous.

1. **Anti-Collusion Statement.** The Bidder has not and will not in any way directly or indirectly:
  - a. colluded, conspired, or agreed with any other person, firm, corporation, bidder or potential bidder to the amount of this bid or the terms or conditions of this bid.
  - b. paid or agreed to pay any other person, firm, corporation bidder or potential bidder any money or anything of value in return for assistance in procuring or attempting to procure a contract or in return for establishing the prices in the attached bid or the bid of any other bidder.
2. **Preparation of Invitation for Bid and Contract Documents.** The Bidder has not received any compensation or a promise of compensation for participating in the preparation or development of the underlying bid or contract documents., In addition, the Bidder has not otherwise participated in the preparation or development of the underlying bid or contract documents, except to the extent of any comments or questions and responses in the bidding process, which are available to all bidders, so as to have an unfair advantage over other bidders, provided that the Bidder may have provided relevant product or process information to a consultant in the normal course of its business.
3. **Participation in Decision Making Process.** The Bidder has not participated in the evaluation of bids or proposals or other decision making process for this solicitation, and, if Bidder is awarded a contract hereunder, no individual, agent, representative, consultant or sub contractor or consultant associated with Bidder, who may have been involved in the evaluation or other decision making process for this solicitation, will have any direct or indirect financial interest in the Contract, provided that the Bidder may have provided relevant product or process information to a consultant in the normal course of its business.
4. **Present Knowledge.** Bidder is not presently aware of any potential or actual conflicts of interest regarding this solicitation, which either enabled Bidder to obtain an advantage over other bidders or would prevent Bidder from advancing the best interests of OWNER in the course of the performance of the Contract.

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5. **City Code.** As provided in Sections 2-7-61 through 2-7-65 of the City Code, no individual with a substantial interest in Bidder is a City official or employee or is related to any City official or employee within the first or second degree of consanguinity or affinity.
6. **Chapter 176 Conflict of Interest Disclosure.** In accordance with Chapter 176 of the Texas Local Government Code, the Bidder:
  - a. does not have an employment or other business relationship with any local government officer of OWNER or a family member of that officer that results in the officer or family member receiving taxable income;
  - b. has not given a local government officer of OWNER one or more gifts, other than gifts of food lodging transportation or entertainment accepted as a guest, that have an aggregate value of more than \$100 in the twelve-month period preceding the date the officer becomes aware of the execution of the Contract or that OWNER is considering doing business with the Bidder; and
  - c. does not have a family relationship with a local government officer of OWNER in the third degree of consanguinity or the second degree of affinity.

As required by Chapter 176, Bidder must file the Conflicts of Interest Questionnaire with the Purchasing Department no later than the seventh business day after the commencement of contract discussions or negotiations with the City or the submission of a Bid, response to a request for proposals, or other writing related to a potential contract with OWNER. The questionnaire must be updated not later than the seventh day after the date of an event that would make a statement in the questionnaire inaccurate or incomplete. There are statutory penalties for failure to comply with Chapter 176.

7. **Anti-Lobbying Ordinance.** On June 14, 2018, the Austin City Council adopted Ordinance No. 20180614-056 replacing Chapter 2.7, Article 6 of the City Code relating to Anti-Lobbying and Procurement. The policy defined in this Code applies to Solicitations for goods and/or services requiring City Council approval under City Charter Article VII, Section 15 (Purchase Procedures). The City requires Offerors submitting Offers on this Solicitation to certify that the Offeror has not in any way directly or indirectly had communication restricted in the ordinance section 2-7-104 during the No-Lobbying Period as defined in the Ordinance. The text of the City Ordinance is included in Section 00100 of this solicitation and is also posted on the Internet at:

[https://assets.austintexas.gov/purchase/downloads/New\\_ALO\\_Ordinance\\_No\\_20180614-056.pdf](https://assets.austintexas.gov/purchase/downloads/New_ALO_Ordinance_No_20180614-056.pdf)

8. Pursuant to Texas Government Code §2271.002, the City is prohibited from contracting with any "company" for goods or services unless the following verification is included in this Contract.
  - A. For the purposes of this Section only, the terms "company" and "boycott Israel" have the meaning assigned by Texas Government Code §2271.001.
  - B. If the Bidder qualifies as a "company," then Bidder verifies that it:
    - i. does not "boycott Israel"; and
    - ii. will not "boycott Israel" during the term of this Contract.
  - C. Bidder's obligations under this Section, if any exist, will automatically cease or be reduced to the extent that the requirements of Texas Government Code Chapter 2271 are subsequently repealed, reduced, or declared unenforceable



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or invalid in whole or in part by any court or tribunal of competent jurisdiction or by the Texas Attorney General, without any further impact on the validity or continuity of this Contract.

9. Bidder certifies that it is aware of City Council Resolution No. 20191114-056, which prohibits the City from contracting with entities that engage in certain practices related to conversion therapy. By bidding and accepting this Contract, the Bidder agrees that: (1) its firm and its principals are not currently and will not during the term of the Contract engage in practicing LGBTQ+ conversion therapy; referring persons to a healthcare provider or other person or organization for LGBTQ+ conversion therapy; or contracting with another entity to conduct LGBTQ+ conversion therapy; and that (2) if the City determines in its sole discretion that Bidder has during the term of this Contract engaged in any such practices, the City may terminate this Contract without penalty to the City.

10. Pursuant to Texas Government Code Chapter 2274, Bidder certifies that if it has or will have remote or direct access to communication infrastructure systems, cybersecurity systems, the electric grid, hazardous waste treatment systems, or water treatment facilities as a result of any City contract, that Bidder is not:

A. owned by or the majority of stock or other ownership interest of its firm is not held or controlled by:

- i. individuals who are citizens of China, Iran, North Korea, Russia, or a Governor-designated country; or
- ii. a company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea, Russia, or a Governor-designated country; or
- iii. headquartered in China, Iran, North Korea, Russia, or a Governor-designated country.

11. Pursuant to Texas Government Code Chapter 2274, Bidder certifies that, if it has 10 or more full-time employees, Bidder: (1) it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) will not discriminate during the term of the resulting contract against a firearm entity or firearm trade association.

12. Pursuant to Texas Government Code Chapter 2274, Bidder certifies that, if Bidder has 10 or more full-time employees, Bidder: (1) does not boycott energy companies; and (2) will not boycott energy companies during the term of the contract.

**END**