



Invitation to Bid (“ITB”)
Sludge Removal & Digester, thickener
Cleaning

ITB NO. 22-003

EVENT	DATE
Issuance of ITB	Tuesday, November 23, 2021
1 st Publication Date	Tuesday, November 23, 2021
2 nd Publication Date	Tuesday, November 30, 2021
<u>Mandatory</u> Pre-Bid Meeting/Tour @ 1:30 p.m.	Wednesday, December 1, 2021
Electronic Submission Request Deadline (3:00 p.m.)	Wednesday, December 8, 2021
ITB Question Deadline (5:00 p.m.)	Friday, December 3, 2021
Bid Submission Deadline (10:00 a.m.)	Thursday, December 9, 2021
City Council Consideration/Award	Thursday, December 16, 2021

***A mandatory pre-bid meeting/tour is scheduled to discuss the City's requirements under this ITB and tour the facility where the work will be performed. Bids will not be accepted from BIDDERS who do not attend the pre-bid meeting/tour.**

INTENT

The City of Brenham (hereinafter referred to as “City”) is requesting proposals from companies experienced in sludge removal and Digester, thickener cleaning. The work will be done at 2005 Old Chappell Hill Road, Brenham, Texas.

Bidders shall provide a per cubic yard price. All proposals must be submitted on the form provided by the City, and further must be properly executed in the space(s) provided.

RECEIPT AND OPENING OF PROPOSALS

Proposers shall submit **one (1) original and two (2) copies** of the Proposal on the form provided by the City. The original Proposal must be clearly marked “**Proposal for ITB No. 22-003**” and include an original signature, in ink, in order to be accepted. Proposals must be received in the City Secretary’s Office no later than **10:00 a.m. (CST) on Thursday, December 9, 2021**. It is the Proposer’s sole responsibility to assure that the Proposal is delivered in a timely fashion. Proposals received after this time will be rejected and returned unopened. Proposals will be opened and read aloud for public record. **Any proposal received after 10:00 a.m. on Thursday, December 9, 2021 shall not be considered.**

To the extent allowed by applicable law, and subject to the ruling of any administrative agency or court having jurisdiction, the City intends that trade secrets and confidential information contained in the proposals and clearly identified as “Confidential” in **bolded font** will not be open for public inspection at any time, even after a contract has been awarded and executed, whether or not the proposer wins the contract.

Proposals shall be delivered using one of the following methods:

Hand-deliver to:

200 W. Vulcan Street
Suite 203
Brenham, TX 77833

Mail to:

P.O. Box 1059
Brenham, TX 77834-1059
ATTN: City Secretary

Ship to (FedEx, UPS, DHL, etc.):

200 W. Vulcan Street
Brenham, TX 77833
ATTN: City Secretary

The city does accept electronic bids via download into a secure electronic depository. Bids submitted by e-mail will not be accepted. If a bidder would like to submit electronically, they must notify the city no later than 3:00 p.m. Wednesday December 8, 2021.

Notifications for electronic submissions must be sent to Kyle Branham, Purchasing and Fleet Supervisor, P. O. Box 1059 (200 W. Vulcan St.), Brenham, Texas 77834, or e-mailed to kbranham@cityofbrenham.org. All e-mails must indicate “ITB No. 22-003–Electronic Submission Request” in the subject line. It is the sender’s responsibility to verify receipt of email; read receipt is acceptable.

MANDATORY PRE-BID MEETING/TOUR

A mandatory pre-bid meeting/tour is scheduled for **Wednesday, December 1, 2021 @ 1:30 p.m.** This mandatory pre-bid meeting/tour will provide Bidders an opportunity to discuss the City’s requirements pursuant to this ITB and tour the facility where the work will be performed. Attendance at this pre-bid meeting is mandatory. The address of the facility is 2005 Old Chappell Hill Road, Brenham, Texas.

QUESTIONS AND INQUIRIES

Any questions and/or inquiries about this request for proposals shall be submitted in writing to the City Secretary/Director of Administrative Services, P. O. Box 1059 (200 W. Vulcan Street), Brenham, TX 77834, or emailed to kbranham@cityofbrenham.org. The deadline for written questions is **5:00 p.m. on Friday, December 3, 2021.**

METHOD OF AWARD

Bids will be evaluated by the CITY. The CITY will consider the completeness of a BIDDER's bid and how well the bid meets the needs of the CITY. In evaluating the bids, the CONTRACT will be awarded to the BIDDER who provides the services specified herein at the best value for the CITY, in compliance with Texas Local Government Code, Section 252.043.

The City of Brenham reserves the right to waive any informalities or technical errors, or consider alternate bids and award as lump sum, individual basis, or any combination that in its judgment will best serve the interests of the CITY.

The CITY reserves the right to request that any BIDDER clarify its bid or supply any additional material deemed necessary to assist in the evaluation of the bid.

The CITY reserves the right to make an award without further discussion of the submittals. Therefore, the bid should be initially submitted on the most favorable terms the BIDDER can offer. The BIDDER selected as the VENDOR will be expected to enter into a CONTRACT with the CITY based on the CITY's standard contract terms and conditions, attached hereto as EXHIBIT A to this ITB.

SCOPE OF WORK AND GENERAL INFORMATION

The Bidder shall furnish all supervision, labor, materials, and equipment to properly remove and dispose of all sludge at a TCEQ approved site.

The Bidder shall furnish all supervision, labor, materials, and equipment to properly clean the aeration basin.

The Bidder must have trained, confined space, entry crews on-site at all times during the project.

The City will provide uninterrupted ingress and egress, during normal operating hours, for the duration of the project.

CONTRACT TERMS AND CONDITIONS

1. GENERAL TERMS AND CONDITIONS

General Terms and Conditions for Invitations for Bid from the City of Brenham may be found in Exhibit "A" of this document. Should any contradiction be found to exist between those terms and conditions and the body of this ITB, the ITB will prevail.

2. INDEMNITY

The Contractor agrees to indemnify and hold harmless the City of Brenham and its officers, agents, and employees from any and all claims, causes of action, and damages of every kind, for injury to or death of any person and damages to property arising out of or in connection with the work done by the Contractor, and including acts or omissions of the City of Brenham, its officers, agents or employees in connection with said Contract.

3. H.B. 1295 COMPLIANCE

The Awarded Vendor for the contract shall comply with the requirements of Section 2252.908 of the Texas Government Code as adopted in 2015 as House Bill 1295. The law requires that a governmental entity may not enter in certain contracts with a business entity unless the business entity submits a Disclosure of Interested Parties to the governmental entity. The law applies only to a contract that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million.

Compliance with the law requires that the awarded Vendor utilize the Texas Ethics Commission website to enter the required information on Form 1295 and print a copy of the complete form. The form must be signed and submitted to the contracting government entity

The City of Brenham, in the case of contracts formalized by Purchase Order or by other written contract, will notify the Vendor of Award by Council and request the completed Form 1295 within five (5) working days thereafter.

4. CHAPTER 220 COMPLIANCE

The Awarded Vendor for the contract shall comply with the requirements of Subtitle F, Title 10, Government Code Chapter 2270 and shall be required to provide conformation that the Vendor:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract the above-named Company, business or individual with the City of Brenham, Texas.

Pursuant to Section 2270.001, Texas Government Code:

1. “Boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
2. “Company” means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly- owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

The City of Brenham, in the case of contracts formalized by Purchase Order or by other written contract, will notify the Vendor of Award by Council and request the required confirmation within five (5) working days thereafter. Confirmation shall, by reference, be included as a part of the contract.

4. **INSURANCE**

The awarded contractor shall obtain insurance as specified in Exhibit “A” of this ITB and shall maintain coverage in full effect through the duration of the contract. Certificates of Insurance shall be provided to the City within five (5) working days of formal notice of award by the City.

PROPOSAL SUBMISSION AUTHORIZATION

- An authorized representative must sign bids, with the Proposer's address, telephone and email information provided. Unsigned proposals may not be considered.
- If the proposal is made by an individual, the name, mailing address and signature of the individual must be shown.
- If the proposal is made by a firm or partnership, the name and mailing address of the firm or partnership and the signature of at least one of the general partners must be shown.
- If the proposal is made by a corporation, the name and mailing address of the corporation and the signature and title of the person who signs on behalf of the corporation must be shown.
- The CITY reserves the right to request documentation showing the authority of the individual signing the proposal to execute contracts on behalf of anyone, or any corporation, other than himself/herself. Refusal to provide such information upon request may cause the proposal to be rejected as non-responsive.

The undersigned certifies that the information provided above is a true representation of its company's qualifications and agrees to comply with these assurances following award of the RFP and during the performance of the Lease Agreement, once executed.

Signature: _____

Printed Name: _____

Title: _____ Date: _____

NON-COLLUSION CERTIFICATE

STATE OF _____

COUNTY OF _____

The undersigned, being duly sworn, deposes and says that the person, firm, association, co-partnership or corporation herein named, has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competition in the preparation and submission of a bid to the City of Brenham for consideration in the award of a contract on the improvement described as follows:

ITB NO. 22-003 – Sludge Removal & Digestor, Thickener Cleaning

(Name of Firm)

By: _____
(Authorized Signature)

Title: _____

Sworn to before me this _____ day of _____, 2021.

Notary Public

NOTARY SEAL:



Sludge Removal & Digester, Thickener Cleaning
Bid Form

Bid No: 22-003
Bid Opening: 10:00 A.M. (CST), **Thursday, December 9, 2021**

Submit to: Office of the City Secretary
City of Brenham
200 W. Vulcan St., Suite 203
Brenham, TX 77833

PO Box 1059
Brenham, Texas 77834-1059

Bid Documents: Sealed bids must be submitted on this form only. **Bidders are required to submit one (1) original and two (2) copies.** All bids submitted must be itemized with prices extended when practical. **Bidder must return the entire original bid document with bid or offer.**

Bid **MUST** be signed by an authorized representative of bidder. Original signature required.

Sludge Removal and Aeration Basin Cleaning \$ _____ per cubic yard

<u>Acknowledgement of Addenda(s) (if any):</u>	
Addendum No. 1 _____	Addendum No. 3 _____
Addendum No. 2 _____	Addendum No. 4 _____

Exceptions and/or Comments: (additional sheets may be added as needed):

Name of Bidder: _____
(Please print)

Authorized Signature: _____

Address: _____

Phone No: _____

Email: _____