

**DEPARTMENT OF PUBLIC WORKS**

**DIVISION OF CIVIL ENGINEERING**

**INVITATION TO BID**

**2019 BRICK STREET REHABILITATION**  
**(15% MBE PARTICIPATION GOAL)**

Bids will be received by the Director, Department of Public Works, City of Dayton, Ohio until 12:00 o'clock **NOON**, Dayton time, **THURSDAY, OCTOBER 17, 2019** for the following improvement in accord with the bid forms, plans, and specifications therefore on file in the office of the City Engineer. Bids must be deposited in the Bid Box located in the Fifth Floor reception area. The Bid Opening will be held in the City Commission Chambers.

A mandatory pre-bid conference will be held at 11:00 o'clock a.m., Dayton time, **TUESDAY, OCTOBER 8, 2019** in the City Commission Chambers, located on the Second Floor of the City Hall, 101 West Third Street, Dayton, Ohio. Minority Business Enterprise (MBE) subcontract bidders on this project must be certified with the City of Dayton Human Relations Council as such. **Prime Contractors must attend the pre-bid conference meeting in its entirety.** Any company not present for the entirety of the pre-bid conference will be prohibited from bidding on this project as a prime contractor. The purpose of the pre-bid conference is to explain Section 35.14, 35.15 and 35.16 of the City of Dayton's Revised Code of General Ordinances (R.C.G.O.) regarding Equal Employment Opportunity, along with various rules and regulations of the Human Relations Council regarding the utilization of Minority Business Enterprises (MBEs) under the City's Procurement Enhancement Program (PEP).

**The City of Dayton encourages all bidders to review the list of certified companies in our Procurement Enhancement Program at <http://daytonhrc.org/business-technical-assistance/certification/> (click the "Certification List" link under Procurement Enhancement Program).** This Project is being bid with a **15% MBE** participation goal. A company must be certified as **MBE for the MBE goal** at the time of the bid opening and must be pre-qualified to perform the proposed subcontracted work. You are advised to obtain a copy of the company's certification letter and to review the Certification List. The participation must be submitted with your bid form on the "**PEP-Certified MBE Participation Form**" (for the MBE goal) provided by the City of Dayton Human Relations Council (HRC). Participation Forms must be completely filled out in accordance with the instructions listed on the forms. Any total or partial request for waiver of the MBE goal must be submitted on the **enclosed "PEP Participation Commitment and/or Waiver Request Form."**

**CHANGES TO THE BID EVALUATION PROCESS**

**Each Bidder must submit an executed "PEP Participation Commitment and/or Waiver Request Form" to summarize the Bidder's overall PEP participation plan and/or to request a full or partial waiver of a PEP participation goal. For each PEP firm whose participation is being counted toward a goal, a Bidder must also submit one (1) executed "PEP-Certified SBE/MBE/WBE/DLSB Participation Form" describing the PEP firm's participation on the Base Bid and on Alternates. Participation will be evaluated based on the Base Bid plus Alternates as selected by the awarding department.**

**If unable to meet the project's PEP participation goal(s), a Bidder must submit a waiver request with its Bid. A Bidder must maintain supporting documentation of its Good Faith Efforts to meet the participation goal(s). If requesting a waiver, documentation of Good Faith Efforts must be submitted to the HRC within two (2) business days of the Bid Opening date. Bidders will receive no further reminders about this deadline.**

**A waiver will be granted based on a Bidder's Good Faith Efforts, and only when the HRC determines that a Bidder has completed all of the following activities:**

- 1. Solicited the interest of all PEP-Certified Firms having the capability to perform the work of the contract. The Bidder must solicit this interest at least ten (10) business days before the Bid Opening Date in order to allow the PEP-Certified**

Firm sufficient time to respond to the solicitation. Electronic communication will not be deemed as sufficient Good Faith Efforts, if it is the sole method of communication used.

2. Divided contract work items into economically feasible units to facilitate PEP participation, even when the Bidder/Proposer might otherwise prefer to perform these work items with its own forces.
3. Negotiated in good faith with PEP-Certified Firms and considered the firms' prices and capabilities as well as the contract goals. Rejected PEP-Certified Firms as being unqualified only for reasons based on a diligent investigation of their capabilities. The Bidder's standing within its industry; membership in specific groups, organizations, or associations; and political or social affiliations (for example, union vs. non-union employee status) are not legitimate causes to reject or not solicit bids from particular PEP-Certified Firms.
4. Provided interested PEP-Certified Firms with plans and specifications at no cost, or directed them to the Greater Dayton Minority Business Assistance Center (Dayton MBAC) for information about the project's plans, specifications, and requirements at least ten (10) business days prior to the Bid Opening Date in order to assist them in responding to a solicitation.
5. Sought the Dayton MBAC's assistance or used the services of community organizations; contractors' groups; local, state or federal business assistance offices; or similar organizations to find PEP-Certified Firms. Contacting the HRC for a list of certified companies will not be deemed as sufficient Good Faith Efforts.

NOTE: In determining whether a Bidder has made Good Faith Efforts, the HRC may take into account the performance of other Bidders in meeting the goal(s). For example, when the apparent low bidder fails to meet a participation goal but others meet it, the HRC may reasonably raise the question of whether, with additional reasonable efforts, the apparent low bidder could have met the goal.

If you have questions regarding PEP participation or the waiver request process, please contact the Human Relations Council at (937) 333-1403.

**Description of Improvement**

**Location**

This project consists of the rehabilitation of the brick wearing surface on West Norman Avenue beginning at North Main Street and continuing west to Cherry Drive. The work will include removing and resetting street bricks and items incidental to this work.

**2019 BRICK STREET REHABILITATION  
(15% MBE PARTICIPATION GOAL)**

**Completion Date**

**DECEMBER 30, 2019**

**CHARGE FOR SPECIFICATIONS: \$10.00  
IF MAILED, TOTAL CHARGE FOR SPECIFICATIONS,  
AND MAILING FEE: \$15.00**

**(ALL CHARGES ARE NON-REFUNDABLE)**