*Revised: 0911012018*

# SECTION 901 ADVERTISEMENT FOR BIDS

Notice is hereby given that the City of Biloxi, Mississippi, will receive sealed bids at the Mayor's Office, City Hall, second floor, until 4:00 p.m. on Wednesday, the 19th of June, 2019, for the following:

# JOHN HENRY BECK PARK BATHROOMS CDBG PROJECT NUMBER: CD19

Work on which proposals are invited consists of furnishing all labor, materials and equipment for the construction of a CMU brick restroom building with two ADA compliant stalls and a storage closet. Project is located in John Henry Beck Park on Division Street, Biloxi, MS.

The maximum time allowable for completion of said project is (SIXTY) (60) calendar days following the CITY'S written order to commence (Notice to Proceed).

The successful bidder will be required to furnish a 100% Payment and Performance Bond if the bid equals or exceeds $25,000. If the bid is less than $25,000, the City of Biloxi may elect to make a lump sum payment at the completion of the job, in which case a payment and performance bond shall not be required.

Proposals must be accompanied by a Proposal Guaranty consisting of a Bid Bond, Cashier's Check or Certified Check in the amount of 5% of the amount of the bid. Such security to be forfeited as liquidated damages, not penalty, by any bidder who fails to carry out the terms of the accepted Bid and/or execute the Contract and Post Performance and Payment Bond as required within the time specified.

All persons having a contract with the City of Biloxi must adhere to the City's policy concerning non-discrimination without regard to race, creed, color, age, sex, national origin, or handicap. ·

Bids, which are for work outside of the classification listed for any bidder, shall be returned unopened.

On bids which equal or exceed $50,000, Certificate of Responsibility number issued by the Mississippi State Board of Contractors shall be written on the outside of the envelope containing the bids. Bids of less than $50,000 will be marked on the outside that the bid contained within does not exceed $50,000. When bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope shall be deemed in compliance by including the same information as an attachment with the electronic bid submittal.

Preference shall be given to resident contractors, and a nonresident bidder domiciled in a state, city, county, parish, province, nation or political subdivision having laws granting preference to local contractors shall be awarded Mississippi public contracts only on the same basis as the nonresident bidder's state, city, county, parish, province, nation or political subdivision awards contracts to Mississippi contractors bidding under similar circumstances. In order to ensure that Mississippi's so-called Golden Rule is followed, state law requires a non-resident bidder to attach to his bid a copy of his resident state's current law pertaining to such state's treatment of non-resident contractors. Resident contractors actually domiciled in Mississippi, be they

## corporate, individuals or partnerships, are to be granted preference over nonresidents in awarding of contracts in the same manner and to the same extent as provided by the laws of the state, city, county, parish, province, nation, or political subdivision of domicile of the nonresident.

Contractors have the option of submitting their bids sealed in an envelope or through the City's electronic bid submission link at www.biloxiplans. com.

The ability to obtain any insurance required by the contract documents must be demonstrated in the bid by the means specified in the contract documents. Proof of actual insurance coverage must be submitted within five (5) business days from the bid acceptance.

In compliance with the laws of the State of Mississippi, in choosing materials for the project, the successful bidder shall be required to give preference to materials grown, produced, prepared, made or manufactured within the State of Mississippi. The foregoing notwithstanding, no preference shall be given to materials grown, produced, prepared, made or manufactured in the State of Mississippi when other materials of like quality produced outside the State of Mississippi may be purchased or secured at less cost, or any other materials of better quality produced outside the State of Mississippi can be secured at a reasonable cost. The Contractor shall not use any materials on the project that are grown, produced, prepared, made or manufactured outside of the United States. If such materials are not available, then those which are grown, produced, prepared, made or manufactured outside the United States may be used.

Minority and women's business enterprises are solicited to bid on this contract as prime contractors and are encouraged to make inquiries regarding potential subcontracting opportunities and equipment, material and/or supply needs. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended, 12 U.S.C. 1701 u (Section 3).

The project is funded through HUD and all federal labor requirements are applicable to this project.

*Section 3* of the Housing and Urban Community Development Act 1968, as amended (12 U.S.C. 1701u) requires that the County and its contractors participating in HUD Federally funded projects provide opportunities for job training and employment, to the greatest extent feasible, to low income residents of the Section 3 project area and preference be given to qualified Section 3 Business concerns for work in connection with projects funded in whole or in part with U.S. Department of Housing and Urban Development funds, provided the Section 3 Business meets all of the criteria set forth in the Code of Federal Regulations Part 135 and all subparts thereof. The designated Section 3 area for this project is the limits of Harrison County, Mississippi.

*A Section 3 resident is defined as:* (1) A public housing resident; or (2) An individual who resides in the metropolitan area or non-metropolitan county in which the Section 3 covered assistance is expended, and who is a low or very low-income person, as this term is defined in section 3(b)(2) of the 1937 Act (42

U.S.C. 1437a(b)(2).

*A Section 3 business concern is defined as:*

## That is 51 percent or more owned by Section 3 residents within the geographical area of Harrison County; or

1. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or
2. That provides evidence of a commitment to by contract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set fo11h in paragraph
   1. or (2) in this definition of "Section 3 business concern"

BIDS SHALL BE DELIVERED TO THE MAYOR'S OFFICE, SECOND FLOOR, CITY HALL BUILDING, 140 LAMEUSE STREET, BILOXI, MISSISSIPPI, 39530, OR ELECTRONICALLY SUBMITTED AT [WWW.BILOXIPLANS.COM.](http://WWW.BILOXIPLANS.COM/)

Bids shall be in letter form with the envelope or electronic attachment and bid marked plainly JOHN HENRY BECK PARK BATHROOM **CD19),** and shall be addressed to the Mayor's Office, P.O. Box 429, Biloxi, Mississippi 39533. In addition, the envelope or electronic attachment shall list the Company Name and Address, and all applicable state and local license numbers.

The City reserves the right to reject any and all bids and to waive any informality in the proposal accepted. No bidder may withdraw his bid within 60 days after the actual date of the opening thereof.

The City of Biloxi is an equal opportunity employer.

Published by order of the Municipal Clerk, this the 10tth of May, 2019. SEAL

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