Purchasing Division, Finance Department
218-730-5340 | purchasing@duluthmn.gov
Room 120 | 411 West First Street | Duluth, Minnesota 55802
www.duluthmn.gov

Addendum 1
Solicitation 26-99767
BAYVIEW, ORPHANAGE AND PROCTOR BOOSTER STATION POWER SYSTEM UPGRADE

This addendum serves to notify all bidders of the following changes to the solicitation documents:

NOTICE:

- The Invitation to Bid has been updated and is attached to this addendum
    - Sections 3, 4 and 6 have been updated.
- The BidExpress solicitation has been updated to include a checkbox certifying that the bidder's will comply with the Community Benefits Provisions.

Please acknowledge receipt of this Addendum by checking the acknowledgement box within the solicitation at www.bidexpress.com.

Posted: November 6, 2026

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INVITATION TO BID
BAYVIEW, ORPHANAGE AND PROCTOR BOOSTER STATION POWER SYSTEM UPGRADE

BID NUMBER: 26-99767 **BIDS DUE:** Tuesday, November 24, 2026 at 2:00 PM CT

PROJECT DESCRIPTION:

The City of Duluth is looking for a contractor to upgrade the power systems at the Bayview Booster Station, the Orphanage Booster Station and the Proctor Booster Station.

ANTICIPATED START DATE: January 4, 2027
SUBSTANTIAL COMPLETION DATE: November 17, 2027
FINAL COMPLETION DATE: December 20, 2027

PRE-BID MEETING:

A **virtual** pre-bid meeting will be held at 1:00 PM CT on Friday, November 6, 2026. All interested bidders are strongly encouraged to attend.

QUESTIONS:

Please submit any questions regarding this project via e-mail to Purchasing@duluthmn.gov. Responses will be issued as an addendum to this solicitation. Deadline to submit questions is November 19, 2026.

The selected contractor will be issued a construction contract (draft included in the Standard City Contracting Forms in the Bid Express solicitation as well as the City's Forms & Contracts page. Notice to Proceed will be issued once the agreement is fully executed.

Specification may be viewed and downloaded at no cost at www.bidexpress.com. Bidders must create a free account with Bid Express®; and login to search for city projects (search by City of Duluth or the bid number). Bid Express® does charge a nominal fee for bid submission. More information can be found at https://bidexpress-help.zendesk.com/hc/en-us.

Proposal forms, contract documents, plans and specifications may also be on file at the following offices: Minnesota Builder's Exchange and Builder's Exchange of Wisconsin.

INSTRUCTIONS TO BIDDERS

Bids must be submitted electronically through Bid Express® at www.bidexpress.com. Bid surety in the amount of 5% of the total bid must be submitted with each bid. Bid bonds may be submitted electronically, either through Surety2000 or Tinbu within the Bid Express solicitation or emailed to purchasing@duluthmn.gov. Paper bid bonds, certified checks or bank drafts payable to the City of Duluth may be mailed or dropped off at

City Hall, 411 W. 1st Street, Room 120, Duluth, MN 55802. Regardless of the method of submission, bid surety must be received by Purchasing prior to the bid opening.

The City Purchasing Agent or their designee will conduct a public bid opening immediately after the deadline for receiving bids. Bidders may view the opening by going to the City's Bids & Requests for Proposals page and selecting the appropriate link.

No alternatives to the specification will be considered unless specifically requested. Erasures or other changes to the bid must be initialed and dated, however no special conditions shall be made or included in the bid form by the bidder.

The City of Duluth reserves the right to split the award where there are savings to the City, to waive informalities and to reject any and all bids. Price may not be the only consideration for bid award. Bids must be firm for a minimum of 60 days.

Responsible Contractor Form A-2, Additional Subcontractors List - Contractors must complete the Responsible Contractor Form and Attachment A-1 within BidExpress as part of their bid submission. The awarded contractor is *also* required to complete and submit Responsible Contractor Form A-2 whenever additional subcontractors are added to the project. This form can be found in the Standard Contract Documents section of the BidExpress solicitation and as part of the Responsible Contractor Form found at the City's Forms & Contract's page.

Please note that the following requirements also apply to this project, and any additional required documents must be submitted prior to award/contract execution.

1. **Insurance** – Contractor must provide proof of Public Liability and Automobile Liability Insurance with limits not less than $1,500,000 Single Limit within 7 calendar days of award. The City of Duluth must be named as an additional insured. Please refer to the draft Contract, Section 8.

2. **Performance & Payment Bonds** – The awarded contractor will be required to submit performance and payments bonds in the full amount of the project cost within 7 calendar days of award.

3. **Project Labor Agreement (PLA)** - A PLA will be required for any bid that is over $150,000. A copy of the City standard PLA can be found at Purchasing Forms & Contracts (https://duluthmn.gov/purchasing/forms/). The PLA is binding on all contractors and subcontractors working on the project. Contractors not already party to a Local Area Labor Agreement must comply with the applicable terms of that agreement for each craft employed on the project. Wages may not be less than those required under the Minnesota Prevailing Wage Act. Covered employees must be classified according to the work performed but are not required to join a union or pay union dues or fees as a condition of working on the project; Contractors are required to pay fringe benefits in the amounts established by the relevant Local Area Labor Agreements into the employee benefit funds established by those Agreements. These contributions are required, even if Contractors are paying other fringe benefits as required by prevailing wage laws.

4. **Community Benefits Provisions** - Per City Code 2-29(d), Contractor must agree to include and implement the Community Benefit Provisions as defined in City Code 2-29(c). A Community Benefits Best Efforts Plan will be required to be submitted within 3 calendar days of award for any project that includes a PLA. The required form, as well as additional information about the Community Benefits program, can be found at Purchasing Forms & Contracts (https://duluthmn.gov/purchasing/forms/).

5. **Out of State Contractor** - Unless a State of Minnesota Certificate of Exemption is provided, any out-of-state bidder receiving a bid award will have 8% retained from invoice payments on any contracts over $50,000. Submit a signed copy of the Exemption from Surety Deposits for Non-Minnesota Contractors form when submitting Payment and Performance Bonds.

6. **Prevailing Wage** - All covered projects must comply with applicable prevailing wage rates as indicated

in the bid documents.

In addition to prevailing wage information elsewhere within the bid documents, City Code 2-25 and 2-26 requires contractors or subcontractors to be paid at least the prevailing wage rate set by the State of Minnesota Department of Labor and Industry. This includes anyone performing manual labor on the project site, including administrative staff – owners, partners, executives, managers, etc. - when they are performing manual tasks, as well as truck drivers with few exceptions. Also, all contractors and subcontractors working on the project (including trucking companies transporting materials with few exceptions) are required to submit documentation of prevailing wage payment.

Applicable prevailing wage schedules must be included in subcontracts and available at the project site, either posted or carried by the site supervisor. Employees must be paid at least weekly, and fringe benefits must be paid in cash or to an employee benefit plan approved by the U.S. Department of Labor. Contractors and subcontractors must submit project payroll records to the City weekly using U.S. Department of Labor standard forms or equivalent forms. Only apprentice-trainees recognized under the City Code may participate in training programs on covered projects. Violations constitute a misdemeanor, with each day considered a separate offense, and the City may withhold contract payments until prevailing wage deficiencies are corrected.

If a project labor agreement is in place for the contracted work, and Contractor does not participate in the employee benefit funds established by the Local Area Labor Agreements, Contractor is additionally required to pay contributions to the established employee benefit funds in the amounts designated in the Local Area Labor Agreements.

The City of Duluth is an Equal Opportunity Employer. Contractor shall comply with all applicable Equal Employment Opportunity laws and regulations.

CITY OF DULUTH
Patrice Stalvig
Purchasing Agent