



To: Preregistered Contractors of Port KC

From: Richard Grenville V.P. Multimodal Logistics

Date: August 29, 2022

Re: Grading and Paving Project (Phase 1) – INVITATION TO BID

Port KC (The Port Authority of Kansas City, Missouri) is accepting Bids from contractors that have registered with Port KC and are currently included on the "Registered Contractors List" maintained by Port KC. **Contractors that have not registered with Port KC are ineligible to submit a Bid.**

Interested contractors are advised to verify their registration status by visiting www.portkc.com/rfps-rfqs/prequalified-contractors prior to submitting a Bid. Contractors desiring to register with Port KC may do so by visiting <http://portkc.com/wp-content/uploads/2022/06/Request-for-Qualifications-Registered-Contractors-List-1.pdf>

SCOPE OF WORK:

Phase 1 includes removing existing damaged paving, grading as per engineering plans, and repaving at the Port of Kansas City – Woodswether Terminal located at 1724 Market Street, Kansas City, MO 64105 (the "Project"). The Project encompasses approximately three (3) acres of the approximately 9.5 acre terminal.

See "Exhibit A" for engineered drawings and specific requirements.

STANDARD TERMS:

The terms attached hereto as "Exhibit B", including all addendums thereto, are incorporated into this Invitation to Bid.

SPECIAL TERMS:

Project award is contingent on receiving funding from the state of Missouri for FYE 2023 Port Capital Improvement funding. In the event Port KC does not receive that funding, or receives funding in an amount that is insufficient to complete the Project, Port KC may elect to reject all bids, proceed with the Project utilizing other funding sources, or negotiate a reduced Project scope with the selected contractor without issuing any additional Invitation to Bid.

Submitted,

Richard Grenville

Richard L Grenville V.P. Multimodal Logistics



Exhibit A



Existing Conditions

Exhibit B

1. Submission of Bids.

- a. Bids will be accepted until 1:00 p.m., Central Standard Time, on **23rd, September**, 2022, at which time bidding will be closed.
- b. All Bids will be opened and read aloud at 1:30 p.m., Central Standard Time, on **23rd, September**, 2022. The Bid must contain all required submissions. No Bid may be withdrawn for a period of ninety (90) days after the Bid is opened. Bid security shall likewise continue for the same ninety (90) days unless earlier released by Port KC. The successful Bidder shall comply with all Bidding and contract requirements. Bids, once opened and read, may not be withdrawn without forfeiture of the Bid security.
- c. Any and all questions connected to the project should be submitted in writing to info@portkc.com on or before 5pm **21st, September, 2022.**
- d. All Bids must comply with the terms of this Invitation to Bid.
- e. All Bids shall be sealed and delivered to the following address:

Port KC

Attn: Vice President of Multimodal Logistics 110 Berkley
Plaza
Kansas City, MO 64120

2. On-Site Pre-Bid Meeting. There shall be a mandatory pre-bid meeting at the Project site at 9 a.m., Central Standard Time, on **9th**, **September**, 2022. Bidders visiting the Project site shall be responsible for their own safety.
3. Consideration of Bids. Port KC will determine the lowest responsible Bid. Port KC may reject any or all Bids. If Port KC rejects all Bids, Port KC may elect to resolicit Bids following Port KC's normal solicitation procedure. No Bidder responding to this Invitation to Bid has the right to be awarded any contract or be compensated in any way for costs incurred by it in responding to this Invitation to Bid.

Bids shall be submitted as a lump sum bid covering the entirety of the Scope of Work to be performed.

4. Evidence of Competency to Perform. Each Bidder shall furnish with the Bid satisfactory evidence of Bidder's competency to perform the Project. Such evidence of competency shall consist of the following:
 - a. Identify the key personnel proposed for the Project.
 - b. Discuss generally the tasks involved in the Project.
 - c. Illustrate clearly and concisely Bidder's understanding of the technical elements that must be addressed for successful completion of the Project.
 - d. Submit a proposed Project schedule with anticipated milestones for Project delivery.
 - e. Describe key issues that might affect the Project schedule and how Bidder proposes to address them.
 - f. Describe how Bidder proposes to address any unique safety issues for the Project.
 - g. Describe Bidder's safety record and environmental compliance record along with its OSHA reportable accident rates on recent comparable size projects.
 - h. Identify any other special issues or problems that are likely to be encountered. Outline the manner in which Bidder suggests resolving them.
 - i. Statement regarding all work performed two (2) years immediately preceding the date of the Bid, that contains either (a) a contract by contract listing of any written notices of violations of any federal or state prevailing wage statute in which prevailing wage penalties were assessed against the Bidder or

paid by the Bidder; or (b) a statement that there have been no such written notices of violations or such penalties assessed.

- j. Statement that Bidder is current on payment of Federal and State income tax withholdings and unemployment insurance payments.
 - k. Statement regarding all work performed two (2) years immediately preceding the date of the Bid, that contains either (a) a contract by contract listing of any written notices of violations of any federal, state or local DBE/MBE/WBE program and any damages assessed; or (b) a statement that there have been no such written notices of violations or such penalties assessed.
 - l. Statement that the Bidder has not been rescinded or debarred from any bidding, contractual, procurement, or other such programs by federal, state or local entities.
 - m. Statement of Bidder's litigation and/or arbitration history over the past five (5) years including final ruling.
 - n. Statement of Bidder's bond history over the past five (5) years including any incidences of failure to perform.
5. Completion of Scope of Work. The successful Bidder will be required to complete the entirety of the Scope of Work and submit its invoice for the same by a date not later than June 15, 2023. Port KC reserves the right to extend the completion date due to a force majeure event(s) that would preclude completion by the specified date. Failure to complete the Scope of Work by the completion date, or any extension thereto, shall result in the imposition of liquidated damages in the amount of Five Hundred Dollars (\$500.00) for each and every calendar day after the applicable completion date and continuing until such time as the work is completed in full.
6. Waiver of Bid Requirements. Port KC may waive any requirements imposed by this solicitation when failure to grant the waiver will result in an increased cost to Port KC and the requirement waived would be waived for all Bidders for this solicitation and it is in the best interest of Port KC to grant the waiver. Port KC reserves the right to waive any irregularities and/or formalities as deemed appropriate.
7. Late Bids. Bids and modifications of Bids received after the exact hour and date specified for receipt will not be considered unless Port KC extends the time after the deadline for a force majeure event that could potentially affect any or all Bidders' ability to meet the deadline. Bidders are advised that they are solely responsible for selecting a delivery method sufficient to ensure a timely submittal.
8. Interpretations and Addenda. All questions shall be directed to info@portkc.com. Interpretations or clarifications considered necessary by the Vice President of Multimodal Logistics in response to such questions will be issued by addenda. Questions received less than five (5) calendar days prior to the date for opening of Bids may not be answered. Only answers issued by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
9. Bid Security Requirements. All Bids submitted must be accompanied by a Bid deposit in the amount of five percent (5%) of the Bid which shall be in the form of a Bid Bond, Cashier's Check, Letter of Credit, Certificate of Deposit or other instrument approved in advance by Port KC.
10. Forfeiture of Security. If the selected Bidder fails or refuses to execute a contract when requested by Port KC, any Bid security given to Port KC shall immediately become due and payable and forfeited to Port KC as liquidated damages.
11. Post Bid Required Submissions. The successful Bidder will be required to submit the following documents prior to the execution of any contract:
- a. Properly signed, dated, and sealed Performance Bond
 - b. Property signed, dated, and sealed Payment Bond;
 - c. Properly completed certificates of insurance;
 - d. Current Certificate of Good Standing or Fictitious Name Registration from the Missouri Secretary of State.
12. Public Contracting Requirements. The successfully Bidder shall be required to comply with the provisions of the attached policies (as applicable) in the performance of the Project.
13. Nondiscrimination. Port KC will affirmatively ensure that in any contract entered into pursuant to this advertisement, businesses owned and controlled by socially and economically disadvantaged individuals will be

afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

14. Debarment and Suspension. By submitting a bid under this solicitation, the bidder certifies that neither it nor its principals are presently debarred or suspended by any Missouri department or agency from participation in this transaction.
15. Affidavit of Non-Collusion. Each bid shall be accompanied by an executed affidavit in a form substantially equivalent to that attached to this Invitation.
16. Buy American. Pursuant to the requirements of Section 34.353, RSMo, any manufactured goods or commodities used or supplied in performing the Scope of Work shall be manufactured or produced in the United States. This provision may be waived in the event only one line of a particular good or product required for the performance of the Scope of Work is manufactured or produced in the United States.
17. Engineered Work. All engineered drawings, plans or specifications required for the performance of the Scope of Work shall be signed and sealed by a registered Missouri professional engineer in good standing.
18. Environmental Permitting. Any permits required by any applicable federal, state or local jurisdiction for the performance of the Scope of Work shall be secured by the selected Bidder and no work shall be permitted to commence or continue in the absence of such permits.
19. Indemnification. The contract will contain a requirement that the successful Bidder indemnify, defend and hold harmless Port KC and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the contract, caused in whole or in part by the successful Bidder, its employees, agents or subcontractors, or caused by others for whom the successful Bidder is liable. The contract will require the successful Bidder to obtain specified limits of insurance to insure the indemnity obligation. The successful Bidder has the opportunity to recover the costs of the required insurance by including the cost of that insurance in the Bid amount.