

## INVITATION TO BID

Sealed Bids for the construction of the Sheyenne River Benching Project – **Phase 41B (WP-41B)** project will be received at the office of Ohnstad Twichell, 444 Sheyenne Street, Suite 102, West Fargo, ND 58078, until 1:00 p.m. local time on May 14, 2026. At 1:00 p.m. the Bids received will be publicly opened and read via live video conference which can be accessed at this link:

[https://urldefense.com/v3/\\_\\_https://teams.microsoft.com/meet/23745855517158?p=uOM9K3J95eJlYDLr7R\\_\\_!!B5cixuoO7ltTeg!HB3o4V0hCrTEOP-eJKDpA5yMJqxFib7oV1XxF0\\_xvzyksbYntuD3Pgl2NDMOGAUZOReAeXLRbdiqPRjpAVULFM\\$](https://urldefense.com/v3/__https://teams.microsoft.com/meet/23745855517158?p=uOM9K3J95eJlYDLr7R__!!B5cixuoO7ltTeg!HB3o4V0hCrTEOP-eJKDpA5yMJqxFib7oV1XxF0_xvzyksbYntuD3Pgl2NDMOGAUZOReAeXLRbdiqPRjpAVULFM$)

Or via telephone at: +1 323-457-5870,,38011620# United States, Los Angeles

Phone conference ID: 380 116 20#

The Sheyenne River Benching Project will include road and driveway improvements; tipping and salvaging trees; salvaging sod mat; hauling in of tree, sod mat and other materials to each benching site; excavation of floodplain benches; placement of the excavated material in a spoil embankments; installation of toe wood sod mat, flotation silt curtains, sediment protection, and erosion control; and seeding and mulching; and site cleanup; and maintenance of the benching site for 3 years following construction. Work will take place at multiple work areas: the river benching sites along the Sheyenne River, a road improvement along 81st Street S north of County Highway 16, as well as one (1) tree tipping borrow site located on a parcel south of Horace, ND. Each site has varying construction requirements. The Work shall consist of furnishing all tools, equipment, materials, supplies, and manufactured articles; furnishing all labor, transportation, and services, including fuel, power, water, and essential communications.

Bids will be received for a single Contract. Bids will be on a unit price and lump sum basis.

This Project will be 100 percent funded by a combination of North Dakota State Water Commission funds, City of Fargo sales tax revenues, and Cass County sales tax revenues.

The Issuing Office for the Bidding Documents is: <https://us1.aconex.com> (Aconex). Prospective Bidders may obtain copies of the Bidding Documents from the Issuing Office as described below.

Following Aconex registration, Prospective Bidder shall e-mail the Program Management Consultant (PMC) via [FMDiversion@ch2m.com](mailto:FMDiversion@ch2m.com) to request access to the bid package. Allow up to 48 hours for access to be granted. After access is granted, a complete set of Bidding Documents may be downloaded from the Issuing Office in portable document format (PDF) files. Printed sets of the Bidding Documents will not be available from the Issuing Office.

Bidding Documents may also be examined at Jacobs, 4784 Amber Valley Parkway S., Suite 200, Fargo, ND 58104, Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m., by appointment. Please contact Diane Spaeth at [Diane.Spaeth@jacobs.com](mailto:Diane.Spaeth@jacobs.com) to set up an appointment.

Prospective Bidders shall visit the sites during a pre-bid review to inform themselves as to all existing conditions and limitations. Sites visits will take place between Thursday, April 23, 2026, to Wednesday, May 6, 2026. There will be no pre-bid conference. The sites are located in areas that are not open to the public and one benching site is located within an active construction site managed by another contractor to the Metro Flood Diversion Authority Red River Valley Alliance with ASN Constructors. The Prospective Bidders must have a Metro Flood Diversion Authority escort for the pre-bid site review visits to access to the benching sites. To coordinate the pre-bid review visit, please submit requests for site visits to Aconex as RFIs at least 4 working days before the site visit. The Prospective Bidder will be contacted individually

to set up an appointment for the pre-bid review visit. The Prospective Bidder should arrange personal safety equipment (e.g., hard hat) and transportation for the site visit.

Each Bid shall be accompanied by a separate envelope containing a Bidder's bond in a sum equal to five percent (5%) of the full amount of the Bid, executed by the Bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's Bid be accepted and the contract awarded to them, within ten (10) days after notice of award Bidder will execute and effect a contract in accordance with the terms of the Bid and a contractor's bond as required by law and the regulations and determinations of the governing board. Each bid shall include an acknowledgement of receipt of Addenda. Such acknowledgement shall be on the form provided in the Instructions to Bidders and shall be included in the separate envelope with the Bid Bond and North Dakota Contractor's License or acknowledge receipt of Addenda on the outside of the Bid envelope.

All Bidders should be advised that if awarded, the Contractor shall comply with the (i) American Iron and Steel requirements; (ii) Civil Rights requirements; (iii) Equal Employment Opportunity requirements; (iv) create an affirmative action plan; (v) provide evidenced of compliance with the Disadvantaged Business Enterprises (DBE) participation; (vi) and provide evidence of compliance with the Davis Bacon Act as more fully set forth in the draft Contract. Each bid shall be accompanied, in the same envelope, by bidder's completed (i) MBE/WBE Subcontractor Solicitation Information form; (ii) Certification regarding Debarment, Suspension, and other Responsibilities form; (iii) DBE Subcontractor Utilization form, and (iv) DBE Subcontractor Performance form.

In compliance with Section 43-07-12 of the North Dakota Century Code, each contractor submitting a bid must have a copy of Bidder's North Dakota Contractor's License or certificate of renewal thereof, issued by the North Dakota Secretary of State and enclosed in the separate bid bond envelope; must be licensed for the highest amount of Bidder's total bid combination; and such license must have been in effect at least ten (10) days prior to the date of the bid opening.

No bid will be read or considered which does not fully comply with the provisions herein as to bonds and licenses, MBE/WBE form, Disbarment form, DBE forms, and acknowledgment of Addenda. Any deficient bid submitted will be resealed and returned to bidder immediately.

Bid security shall be made payable to the Owner. Bid securities of the two lowest Bidders will be retained until Contract has been awarded and executed, but not longer than 30 days.

The Owner reserves the right to reject any or all Bids and to waive informalities therein.

Owner: Metro Flood Diversion Authority.

By: Paul E Barthel P.E., Owner's Representative.

**END OF SECTION**