

## INVITATION TO BID

Sealed Bids for the construction of the AP Wireless Ring Levee– **Phase 38E (WP-38E)** 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 June 11, 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/264011518100537?p=xVaOj7wuHxeGWJ9gXP\\_!!B5cixuoO7ItTeg!BkD\\_OoPvPbkcz89PcJDGgyL-Vtq\\_jMr1fgnn5S7WcsP9VRjv7Bi0w9wepVf\\_yYzMlcrf9NWsEDkDZGY98Vw\\$](https://urldefense.com/v3/https://teams.microsoft.com/meet/264011518100537?p=xVaOj7wuHxeGWJ9gXP_!!B5cixuoO7ItTeg!BkD_OoPvPbkcz89PcJDGgyL-Vtq_jMr1fgnn5S7WcsP9VRjv7Bi0w9wepVf_yYzMlcrf9NWsEDkDZGY98Vw$)

Or via telephone at: +1 323-457-5870,,768284138# United States, Los Angeles

Phone conference ID: 768 284 138#

The AP Wireless Ring Levee project is the construction of an earthen levee with topsoil stripping and spreading, an inspection trench, excavation, embankment, embankment import, storm sewer culverts, utility conduits, and other miscellaneous items, Cass County, North Dakota.

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.

A pre-bid conference will be held at 10:00 a.m. local time on May 26, 2026, via live video conference. Please contact Ian Joynes at [ian.joynes@jacobs.com](mailto:ian.joynes@jacobs.com) for an invitation to this virtual meeting. Site visits may be scheduled upon request. Submit requests for site visits to Aconex as RFIs. Arrange personal transportation for the site visit.

Attendance at the pre-bid conference and site visits are not mandatory.

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.

In the event the Metro Flood Diversion Authority elects to award a contract for this project, the Metro Flood Diversion Authority will not award the contract and will not issue a Notice to Proceed until all property rights have been obtained.

Owner: Metro Flood Diversion Authority.

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

**END OF SECTION**