Mount Pleasant Waterworks

Invitation for Bid
For
Chemical Storage Tanks
(STR0906)

BID SUBMITTAL DATE, TIME, & LOCATION:
July 27, 2009 @ 2:30 PM
Mount Pleasant Waterworks Operations Center
1619 Rifle Range Road
Mount Pleasant, SC 29464

FAX or EMAIL QUESTIONS TO:
Phone (843) 375-5476
Fax (843) 375-5477
Brian King, Budget Supervisor
Financial Services Division
Mount Pleasant Waterworks
bking@mpwonline.com

*MAIL BIDS TO:
Mount Pleasant Waterworks
Post Office Box 330
Mount Pleasant, SC 29465-0330
Attention: Brian King

HAND CARRY BIDS TO:
Mount Pleasant Waterworks
1619 Rifle Range Road
Mount Pleasant, SC 29464

MARK ENVELOPE:
“Chemical Storage Tanks Bid”
Attn: Brian King, Budget Supervisor

* Respondents mailing bids should allow a sufficient mail delivery period to ensure timely receipt of their bids by Mount Pleasant Waterworks.
INVITATION FOR BIDS

Chemical Storage Tanks (STR0906)

Mount Pleasant Waterworks (MPW) invites interested vendors to offer formal, “Sealed Bids” as described herein.

GENERAL BIDDING INSTRUCTIONS

1) Vendors must submit two (2) copies of each bid within the time frame indicated for submission.

2) Vendors shall submit their bids, identifying the contents clearly marked on the outside of the envelope “Chemical Storage Tanks Bid”, by the submission deadline to: Brian King, Budget Supervisor, Mount Pleasant Waterworks, 1619 Rifle Range Rd., P.O. Box 330, Mount Pleasant, S.C. 29465-330. MPW will accept bids until 2:30 p.m. Monday July 27, 2009 at which time they will be publicly opened and the bidders read aloud. The amount of the bids will not be disclosed until an award is made.

3) All vendors shall comply with and complete the documents contained in the attached Appendix A (Mandatory Supplemental General Conditions for the South Carolina State Revolving Fund Program Funded by the American Recovery and Reinvestment Act of 2009 (ARRA) as applicable. All required documents must accompany bid submission.

4) MPW shall have a period of forty-five (45) days after the opening of bids in which to award the contract to the lowest responsible bidder after taking into consideration servicing capability, workmanship, and a history of satisfactory service.

5) Submission of a bid will be considered as conclusive evidence of the bidders complete examinations and understanding of the specifications as provided by MPW.

6) Bids for equivalent equipment are acceptable and shall be considered. Bids must include adequate brochures, latest printed specifications, and advertising literature describing the equipment offered in such a fashion as to permit ready comparison with the listed specifications on an item-by-item basis.

7) In the event after award, equipment is delivered to MPW which does not comply with standard approved specifications listed in the bid packet and has not been approved by MPW, the vendor, upon notification, shall immediately remove from
the premises any such equipment and replace it in full accordance with the specifications outlined herein.

8) Bids received after the time and date specified will not be considered and will be deemed unresponsive.

9) Any manufacturers’ names, trade names, brand names, or catalog numbers used in the specifications are for the purpose of describing and establishing quality levels. **Such references are not intended to be restrictive.** Unless noted otherwise, bids will be considered for any brand that meets or exceeds the quality of the specifications listed for any equipment as deemed appropriate by MPW.

10) The equipment must be furnished as described and specified, delivered FOB Destination, Freight Prepaid.

11) Prices quoted shall include all discounts to be considered in making the award and shall be net, including delivery to Mount Pleasant Waterworks Operations Center. State and local taxes, as applicable, should be included in the bid price.

12) If a tabulation of bids is desired, please enclose a self-addressed, stamped envelope when submitting sealed bid. No bid tabulations will be faxed.

**GENERAL TERMS AND CONDITIONS**

1) Mount Pleasant Waterworks reserves the right to reject any and all bids in whole or in part and to waive all technicalities as deemed appropriate.

2) Awards shall be made to the lowest responsible bidder who submits a responsive bid, which is most advantageous to MPW.

3) In case of default by the vendor, MPW reserves the right to purchase like equipment on the open market charging the vendor with any additional costs. Should such charges be assessed, no subsequent bids of the defaulting vendor shall be considered until the assessed charges have been satisfied.

4) Unit prices shall govern over extended prices.

5) Bid prices shall reflect all equipment: (F.O.B. Destination, Freight Prepaid).

6) Ambiguous bids, which are uncertain as to terms, delivery, quantity, and/or compliance with specifications, may be rejected or otherwise disregarded.
7) All bids shall be executed and submitted in a sealed envelope. The face of the envelope shall contain the following:

   a. Chemical Storage Tanks Bid
   b. Bid Date: July 27, 2009
   c. Time: 2:30 p.m.
   d. Attention: Brian King

8) Bidders and/or their representatives shall direct all inquiries and all other communications regarding this bid to Brian King. All questions shall be in writing or electronic mail in order to forward the answers to all prospective bidders. No oral answers to bid questions shall be permitted. This shall ensure fairness and give all bidders an equal opportunity to be considered.

9) Any addenda to the bid documents will be issued in writing. No oral statements, explanations or commitments shall be of any effect unless incorporated in the addenda.

10) MPW reserves the right to contact bidders individually for the purpose of clarifying bids and/or request additional information.

11) MPW is not liable for any cost incurred by the bidders in connection with the development and submittal of their bids.

12) In estimating the lowest cost, MPW will consider any of the following in addition to bid price; delivery; quality; service; performance analysis; reference checks of other clients; location of support operations and size of the support staff in relationship to number of systems being serviced by the staff; and size, fiscal stability and longevity of the providing company. This list is not all-inclusive.

13) Bid prices will include all costs related to the delivery and start up (as applicable) of the equipment. The successful bidder will deliver the equipment to the location specified on the issued Purchase Order.

14) Equipment bid as new shall be new, not used, and subject to the inspection, tests, and approval of MPW. The bidder shall guarantee the materials and workmanship against defect due to faulty materials or faulty workmanship or negligence for the stated period in the warranty. Proposed equipment must perform for the intended purpose for which it is bid.

15) Discussions or communications (written or oral) concerning the bid, the bidders, the bidder’s competitors or the award of the bid with members of the Commission shall be basis for disqualification of the affected party’s bid.

16) Vendor shall provide training on the equipment as applicable. All costs associated with training shall be included as part of the total purchase price.
17) All warranties provided on proposed equipment shall commence once MPW inspects, tests, and accepts equipment as specified in the bid document.

18) A copy of the warranty documents, if applicable, must accompany the bids.

19) A list of all recalls in the last year applicable to the equipment being bid shall be included in the bid.

**Bid Evaluation and Award**

The bid shall be awarded to the lowest responsible and responsive bidder who meets the requirements set forth in the bid documents.
CHEMICAL STORAGE TANK SPECIFICATIONS (STR0906)

FIBERGLASS REINFORCED PLASTIC CHEMICAL STORAGE TANKS

PART 1 - GENERAL

1-1. **SCOPE.** This section covers tanks fabricated of fiberglass reinforced plastic and accessories for aboveground bulk storage of chemical solutions as indicated herein. All items in the specification will be furnished by the OWNER for installation by the CONTRACTOR.

Piping, pipe supports, valves, and accessories which are not an integral part of the equipment or are not specified herein are covered in other sections.

1-2. **GENERAL.** Equipment furnished under this section shall be fabricated and assembled in full conformity with the drawings, specifications, engineering data, instructions, and recommendations of the equipment manufacturer unless exceptions are noted by Engineer.

1-2.01. **Coordination.** Contractor shall coordinate the installation of the Owner provided tanks specified herein. Contractors shall work between the suppliers of equipment to be used with or connected to the storage tanks to ensure that all required provisions for mounting the accessories and connecting piping are included.

Where two or more units of the same class of equipment are required, they shall be the product of a single manufacturer; however, all the component parts of the system need not be the products of one manufacturer.

1-2.02. **General Equipment Stipulations.** The General Equipment Stipulations shall apply to all equipment furnished under this section. If requirements in this specification differ from those in the General Equipment Stipulations, the requirements specified herein shall take precedence.

1-2.03. **Governing Standards.** Except as modified or supplemented herein, materials and construction methods shall conform with the applicable provisions of the following standards:

1-2.04. Nameplates. Each tank shall be provided with a nameplate. The nameplates shall be of white phenolic material with black engraved lettering 3 inches high, and shall be mounted on the tank straight shell. The chemical name and the tank tag number indicated on the Tank Data Sheet shall be engraved on the nameplate.

1-2.05. Certification Plates. A stainless steel certification plate shall be mounted below each storage tank’s nameplate. The following data shall be included on the certification plate:

- Name of tank fabricator
- Date of manufacture
- Manufacturer's serial number
- Resin designation for entire tank (structural and corrosion barrier)
- Maximum allowable concentration and temperature of the specified chemical solution that can be stored safely

1-3. SUBMITTALS.

1-3.01. Drawings and Data. Complete drawings, details, and specifications covering the storage tanks, connections, and accessories shall be submitted in accordance with the Submittals section.

The data shall include full information on all tank fabrication materials and test data confirming the chemical resistance of the proposed resins to the intended tank contents.

Drawings shall include a profile diagram of the entire tank wall laminated system indicating the thickness, resin designation, reinforcement, and surfacing matt material of each layer including the structural and corrosion barrier layers.

The data shall also indicate the sizes of all major tank components; size, spacing, and design loading of supporting saddles; anchor bolt locations and details; and full information and details concerning field assembly and installation.

A total of three cutouts from each tank shall be provided and shipped with and attached to the associated tank. The cutouts shall consist of one from the roof and two from the tank wall. The cutouts shall be from any of the tank connections with a diameter of 2 inches or larger.

1-3.02. Operation and Maintenance Data and Manuals. Adequate operation and maintenance information shall be supplied as required in the Submittals section. Operation and maintenance manuals shall be submitted in accordance with the Submittals section. The operation and maintenance manuals shall be in addition to any instructions or parts lists packed with or attached to the equipment when delivered.
1-4. **DELIVERY, STORAGE, AND HANDLING.** Shipping shall be in accordance with the Shipping section and the manufacturer’s recommendations. Handling and storage shall be in accordance with the Handling and Storage section and the manufacturer’s recommendations.

**PART 2 - PRODUCTS**

2-1. **PERFORMANCE AND DESIGN REQUIREMENTS.** Each tank shall be designed for storage of the chemical or chemicals at the design conditions specified in the attached Tank Data Sheet(s).

Useable capacity shall be measured from the invert of the tank overflow nozzle to the top of the pump suction nozzle.

Vertical tanks shall be vertical cylinders with a bottom and top constructed as specified herein. Tanks shall be provided with a suitable overflow connection. Tanks shall be vented and will normally be used to store the specified chemical at atmospheric pressure, but shall be designed to withstand the hydrostatic head resulting from the tank being surcharged to 6 inches above the top of the tank.

2-1.01. **Tank Bases.** Unless otherwise indicated or specified, all tanks will be installed on concrete bases at least 6 inches high. The tanks will be anchored to the concrete base with suitable anchor bolts.

2-2. **RECOMMENDED MANUFACTURERS.** Recommended manufacturers shall be as specified in the Tank Data Sheet.

2-3. **MATERIALS.**

<table>
<thead>
<tr>
<th>Material</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resin</td>
<td>Bisphenol-A polyester or vinyl ester resins suitable for use with the specified chemical as recommended by the resin manufacturer.</td>
</tr>
<tr>
<td>Reinforcement</td>
<td>Glass fiber with a suitable coupling agent.</td>
</tr>
<tr>
<td>Surfacing Mat</td>
<td>Burlington Formed Fabrics &quot;Nexus Veil&quot; or Nicrofibers &quot;Surmat 100&quot;.</td>
</tr>
<tr>
<td>Plastic Laminate</td>
<td>In conformity with the applicable governing standards.</td>
</tr>
</tbody>
</table>

*Also reference the attached Tank Data Sheet(s) for additional materials requirements.*

2-4. **CONSTRUCTION.** The tanks shall be of hand lay-up, spray-up, or filament-wound construction in accordance with the applicable governing standard. The finished laminate shall be constructed of a single generic type of thermoset resin and shall not contain
colorants, dyes, fillers, or pigments unless otherwise specified. Ultraviolet absorber shall be added to the resin used in the fabrication of tanks indicated in the Tank Data Sheet(s) for installation in outdoor locations.

The inner surface layer of sodium hypochlorite tanks shall consist of a resin rich corrosion barrier with a minimum thickness of 120 mils. The surface of the corrosion barrier exposed directly to the corrosive chemical shall consist of a two-ply surfacing veil with a minimum thickness of 20 mils. The remainder of the corrosion barrier shall consist of two layers or more of chopped strand mat or equivalent.

The inner surface layer of all other tanks shall consist of a resin rich corrosion barrier with a minimum thickness of 110 mils. The surface of the corrosion barrier exposed directly to the corrosive chemical shall consist of a singly-ply surfacing veil with a minimum thickness of 10 mils. The remainder of the corrosion barrier shall consist of two layers or more of chopped strand mat or equivalent.

Sodium hypochlorite tanks shall be catalyzed with a benzoic peroxide/dimethyl aniline (BPO/DMA) catalyst system, and shall undergo a 180°F four hour dry oven post-cure after fabrication per the resin manufacturer’s recommendation. Use of thixotropic resin additives will not be allowed. Alternative catalyst systems will be considered if written confirmation from the resin manufacturer verifying the effectiveness of the proposed system is provided.

When a vertical tank with a flat or closed top is required, the top of the tank shall be reinforced as specified in the applicable governing standard. Additional reinforcement shall be provided as necessary to support the required accessories and personnel loads. Tank roofs shall be provided with a nonslip finish over the entire roof surface.

Bracketed flat surfaces shall be provided on the tank for installation of nameplate and certification plate.

The tank shall be provided with the appropriate number and size of lifting lugs for handling and installation and hold-down lugs for anchoring the tank to the concrete base.

2-5. ACCESSORIES

2-5.01. Special Tools and Accessories. Equipment requiring special devices for lifting or handling shall be furnished complete with those devices.

2-5.02. Access Manways. Access manways shall have a nominal diameter of 24 inches. The number and location of access manways on the tank shall be as indicated in the Tank Nozzle Schedule. Each manway shall be flanged, fully gasketed, and furnished with a fabricated blind flange having the same properties as the tank wall laminate. Flange diameter and drilling shall conform to (ANSI B16.5, Class 150) ASTM D3299 Table 5. Side access manways shall be centered approximately 3 feet [0.9 m] above the bottom of the tank.
2-5.03. **Hinged Covers.** Not used.

2-5.04. **Flanged Nozzles.** Nozzles for connecting piping and accessories shall be provided on each tank at the locations and of the sizes as indicated in the Tank Data Sheet.

Each nozzle shall be flanged, with flange diameter and drilling conforming to ANSI B16.5, Class 150. Nozzles shall extend at least 4 inches from outside face of tank to face of flange.

Flanged nozzles shall be fabricated of the same material as the tank and shall be gusseted to the tank or otherwise reinforced in accordance with the governing standard.

The mounting flange for ultrasonic type transmitters shall be not less than 18 inches [450 mm] above the maximum liquid level. The center line of the nozzle shall be at least 24 inches [600 mm] from the tank sidewall, fill nozzle, and other obstructions.

Nozzles for drain connections shall be installed so the invert is flush with the bottom of the tank to allow complete draining of the tank.

2-5.05. **Vents.** The tank shall be provided with a vent of the size recommended by the manufacturer, but not less that the size indicated on the Tank Nozzle Schedule, to prevent pressurizing the tank during filling or drawing a vacuum inside the tank during pumping or draining. The vent shall be as specified in the Tank Data Sheet.

2-5.06. **Tank Insulation.** Not used.

2-5.07. **Tank Heater.** Not used.

2-5.08. **Ladders and Handrail.** When specified in the Tank Data Sheet, tanks shall be provided with an exterior ladder. Tanks with a total height greater than 16 feet from the finished floor shall be provided with a safety cage. The ladder shall be supported on and anchored to the concrete base and bracketed to the tank shell as needed. When specified in the Tank Data Sheet, safety handrails and kickplates meeting current OSHA requirements shall be provided around the top of each tank. The handrail shall be attached to the ladder siderails, and anchored to the tank head. The ladder shall be fabricated of fiberglass reinforced plastic shapes, stainless steel, aluminum, or carbon steel completely coated with at least 1/8 inch of reinforced resin after fabrication. Uncoated or exposed carbon steel parts or fasteners will not be acceptable. The ladder shall have a clear width of at least 16 inches, with rungs at least 3/4 inch in diameter and spaced not more than 12 inches apart, and a clearance of at least 7 inches between the back of the ladder and the tank wall.

2-5.09. **Sight Level Gauge.** Each tank shall be provided with a sight level gauge. The gauges shall be clear type or magnetic flag type, as specified in the Tank Data Sheet.
2-5.09.01. **Clear Type Level Gauge.** Not used.

2-5.09.02. **Magnetic Flag Type Gauges.** When specified in the Tank Data Sheet, magnetic flag type level indicators shall be externally mounted and consist of a chemical resistant magnetic float, externally mounted float housing, magnetic flag indicator assembly and scale. The indicator housing shall fasten to openings in the side of the tank, with the float assembly the full height of the tank. Each indicator shall have a 2 inch pipe housing oriented so that the scale is visible from the normal personnel working area. The float housing material shall be PVC, CPVC, AISI Type 316 stainless steel, or Carpenter 20 Cb-3, as required. The float assembly shall be provided with isolation valves as indicated on the drawings. The level indicators shall have two-colored magnetic flags that flip colors to indicate liquid level. The level indicators shall include a metal scale to provide a numerical readout of the liquid level in gallons. The level indicators shall be GEMS "SureSite Indicators", PenBerthy, or equal.

The level indicators on tanks NOCL-TNK-111, -112, -113, and -114 shall each be provided with a low level switch and a high level switch as indicated on the drawings. Level alarm switches shall be field adjustable and shall have spdt contacts rated not less than 1 ampere at 120 VAC.

2-5.10. **Saddles.** Not used.

2-5.11. **Ultrasonic Level Transmitter.** Each ultrasonic level transmitter shall be a microprocessor-based electronic unit consisting of a sensor assembly, a signal converter/transmitter, and an interconnecting cable. The sensor shall be encapsulated in a chemical and corrosion-resistant material such as kynar or CPVC, and shall be suitable for operation over a temperature range of -20° to +150°F and a relative humidity of 10 to 100 percent. The sensor shall be compatible with the process media being measured. Sensors mounted in direct sunlight shall be provided with sunshades.

The supplier shall coordinate the sensor mounting requirements and furnish drawings complete with dimensions and elevations.

The ultrasonic level transmitter shall have automatic compensation for changes in air temperature at the sensor location. If separate temperature sensing probes are provided, they shall be mounted with or adjacent to the ultrasonic sensor as recommended by the manufacturer. The transmitter shall have a four-digit LCD display scaled to read in engineering units. Digit height shall be approximately 1/2 inch. The transmitter shall be designed to ignore momentary level spikes, false targets, or momentary loss-of-echo. A loss-of-echo condition shall be indicated on the transmitter unit and shall be available as an alarm contact output. The transmitter output shall be an isolated 4-20 mA dc signal linearly proportional to the measured tank level range, or, shall be characterized to be proportional to the tank volume. Calibration parameters shall be entered through a keypad on the unit and shall be stored in nonvolatile EEPROM memory. Accuracy of the transmitted signal shall be ±0.5 percent of the level range.
A sufficient length of sensor-to-transmitter signal cable shall be furnished with the instrument to locate the sensor 25 to 50 feet from the signal converter.

For outdoor installation, the signal converter electronics shall be housed in a weatherproof, corrosion-resistant NEMA Type 4 enclosure suitable for wall or pipestand mounting and for operating temperatures of -5° to +122°F and a relative humidity of 10 to 100 percent. A thermostatically controlled strip heater shall be provided in the signal converter enclosure.

The signal converter shall be of the ac-powered type. The ultrasonic level transmitter shall be Siemens HydroRanger 200, Endress & Hauser Prosonic, or STI/Magnetrol “Echotel 344.”

2-5.12. Chemical Truck Unloading Panel. One chemical truck unloading panel shall be furnished and installed as indicated on the drawings.

The panel shall be a NEMA 4X stainless steel or fiberglass enclosure. A sun shade shall be provided over panels which are mounted out-of-doors, and the panel shall be oriented to avoid direct sunlight on the indicator face. The panel shall contain a face-mounted weatherproof digital level indicator. As an alternate, and indicator may be mounted behind a weatherproof glass window in the panel. A high level switch, with adjustable alarm contacts set at 95% of tank volume and high alarm indicating light shall be mounted on the face of the panel. An audible alarm, with local silence pushbutton shall be provided on the panel. The panel shall be powered from 120 volt, ac, single phase.

PART 3 - EXECUTION

3-1. INSTALLATION. Equipment furnished under this section will be installed in accordance with the Chemical Storage Tank Installation section.
# TANK DATA SHEETS

**FIBERGLASS REINFORCED PLASTIC CHEMICAL STORAGE TANKS**

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</tr>
<tr>
<td>P&amp;ID drawing reference.</td>
</tr>
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<td>Tank tag number(s).</td>
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<td>Number of tanks.</td>
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<tr>
<td><strong>Design Requirements</strong></td>
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<td>Chemical concentration, percent by weight.</td>
</tr>
<tr>
<td>Maximum specific gravity.</td>
</tr>
<tr>
<td>Maximum temperature.</td>
</tr>
<tr>
<td>Installed location.</td>
</tr>
<tr>
<td>Tank configuration.</td>
</tr>
<tr>
<td>Tank bottom.</td>
</tr>
<tr>
<td>Tank top.</td>
</tr>
<tr>
<td>Usable capacity.</td>
</tr>
<tr>
<td>Tank diameter.</td>
</tr>
<tr>
<td>Straight shell length/height.</td>
</tr>
<tr>
<td>Maximum total length/height.</td>
</tr>
<tr>
<td>Recommended manufacturers.</td>
</tr>
<tr>
<td>Tank insulation required.</td>
</tr>
<tr>
<td>Tank heating required.</td>
</tr>
<tr>
<td>Protective coating required for metal parts.</td>
</tr>
<tr>
<td><strong>Materials</strong></td>
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<tr>
<td>Protected metal.</td>
</tr>
<tr>
<td>Assembly bolts, nuts, and washers.</td>
</tr>
<tr>
<td>Accessories</td>
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<tr>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Gaskets.</td>
</tr>
<tr>
<td>Tank vent.</td>
</tr>
<tr>
<td>Ladder required.</td>
</tr>
<tr>
<td>Handrail required.</td>
</tr>
<tr>
<td>Sight level gauge.</td>
</tr>
<tr>
<td>Material for Magnetic flag type.</td>
</tr>
<tr>
<td>Ultrasonic level transmitter required.</td>
</tr>
<tr>
<td>Drawings for nozzle orientation.</td>
</tr>
<tr>
<td>Ultrasonic level transmitter required.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tank Nozzle Schedule</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity</td>
<td>Connection</td>
</tr>
<tr>
<td>1</td>
<td>Tank fill.</td>
</tr>
<tr>
<td>1</td>
<td>Pump suction.</td>
</tr>
<tr>
<td>1</td>
<td>Drain.</td>
</tr>
<tr>
<td>2</td>
<td>Level gauge.</td>
</tr>
<tr>
<td>1</td>
<td>Overflow.</td>
</tr>
<tr>
<td>1</td>
<td>Vent.</td>
</tr>
<tr>
<td>2</td>
<td>Manway.</td>
</tr>
<tr>
<td>1</td>
<td>Level sensor.</td>
</tr>
</tbody>
</table>
# Tank Data Sheet – Sodium Hypochlorite Dilution Tanks

## General
- **Chemical service.** Sodium Hypochlorite
- **P&ID drawing reference.** ID702
- **Tank tag number(s).** NOCL-TNK-111, NOCL-TNK-112, NOCL-TNK-113
- **Number of tanks.** Three

## Design Requirements
- **Chemical concentration, percent by weight.** 6 to 12.5%
- **Maximum specific gravity.** 1.175
- **Maximum temperature.** 100° F
- **Installed location.** Indoor
- **Tank configuration.** Vertical cylindrical
- **Tank bottom.** Flat
- **Tank top.** Flat
- **Usable capacity, per tank.** 2,000 Gal
- **Tank diameter.** 7 ft
- **Straight shell length/height.** 8 ft
- **Maximum total length/height.** 8 ft
- **Recommended manufacturers.** Augusta Fiberglass, Belding, Edwards Fiberglass
- **Tank insulation required.** No
- **Tank heating required.** No
- **Protective coating required for metal parts.** Yes

## Materials
- **Protected metal.** ASTM A36 Carbon Steel with fiberglass reinforced coating
- **Assembly bolts, nuts, and washers.** Stainless steel, ASTM F593, Alloy Group 1 or 2, ASTM F594, Alloy Group 1 or 2
- **Gaskets.** Viton (FKP)

## Accessories
<table>
<thead>
<tr>
<th>Connection</th>
<th>Location</th>
<th>Size (in)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tank fill.</td>
<td>Top</td>
<td>4</td>
</tr>
<tr>
<td>Pump suction.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>Drain.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>Level gauge.</td>
<td>Side top and bottom</td>
<td>2</td>
</tr>
<tr>
<td>Overflow.</td>
<td>Side top</td>
<td>6</td>
</tr>
<tr>
<td>Vent.</td>
<td>Top</td>
<td>4</td>
</tr>
<tr>
<td>Handhole</td>
<td>Top</td>
<td>12</td>
</tr>
</tbody>
</table>
### Tank Data Sheet – Sodium Bisulfite – Additive Alternative

<table>
<thead>
<tr>
<th>General</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Chemical service.</td>
<td>Sodium Bisulfite</td>
</tr>
<tr>
<td>P&amp;ID drawing reference.</td>
<td>ID705</td>
</tr>
<tr>
<td>Tank tag number(s).</td>
<td>NHS-TNK-201</td>
</tr>
<tr>
<td>Number of tanks.</td>
<td>One</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design Requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical concentration, percent by weight.</td>
<td>38%</td>
</tr>
<tr>
<td>Maximum specific gravity.</td>
<td>1.31</td>
</tr>
<tr>
<td>Maximum temperature.</td>
<td>100° F</td>
</tr>
<tr>
<td>Installed location.</td>
<td>Indoor</td>
</tr>
<tr>
<td>Tank configuration.</td>
<td>Vertical cylindrical</td>
</tr>
<tr>
<td>Tank bottom.</td>
<td>Flat</td>
</tr>
<tr>
<td>Tank top.</td>
<td>Flat</td>
</tr>
<tr>
<td>Usable capacity.</td>
<td>1270 Gal</td>
</tr>
<tr>
<td>Tank diameter.</td>
<td>6 ft</td>
</tr>
<tr>
<td>Straight shell length/height.</td>
<td>7 ft</td>
</tr>
<tr>
<td>Maximum total length/height.</td>
<td>7 ft</td>
</tr>
<tr>
<td>Recommended manufacturers.</td>
<td>Augusta Fiberglass, Belding, Edwards Fiberglass</td>
</tr>
<tr>
<td>Tank insulation required.</td>
<td>No</td>
</tr>
<tr>
<td>Tank heating required.</td>
<td>No</td>
</tr>
<tr>
<td>Protective coating required for metal parts.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Materials</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Protected metal.</td>
<td>ASTM A36 Carbon Steel with fiberglass reinforced coating</td>
</tr>
</tbody>
</table>
Assembly bolts, nuts, and washers. | Stainless steel, ASTM F593, Alloy Group 1 or 2, ASTM F594, Alloy Group 1 or 2
---|---
Gaskets. | Viton (FKP)

**Accessories**

<table>
<thead>
<tr>
<th>Tank vent.</th>
<th>Connect to vent piping system</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Ladder required.</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handrail required.</td>
<td>Yes</td>
</tr>
<tr>
<td>Sight level gauge.</td>
<td>Magnetic flag type</td>
</tr>
<tr>
<td>Material for Magnetic flag type.-</td>
<td>PVC</td>
</tr>
<tr>
<td>Ultrasonic level transmitter required.</td>
<td></td>
</tr>
</tbody>
</table>

**Drawings for nozzle orientation.** | MD102 |

| Ultrasonic level transmitter required. | Yes |

**Tank Nozzle Schedule**

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Connection</th>
<th>Location</th>
<th>Size (in)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tank fill.</td>
<td>Top</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td>Pump suction.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td>Drain.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Level gauge.</td>
<td>Side top and bottom</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td>Overflow.</td>
<td>Side top</td>
<td>3</td>
</tr>
<tr>
<td>1</td>
<td>Vent.</td>
<td>Top</td>
<td>4</td>
</tr>
<tr>
<td>1</td>
<td>Handhole</td>
<td>Top</td>
<td>12</td>
</tr>
</tbody>
</table>
### Tank Data Sheet – Sodium Hypochlorite Dilution Tanks – Additive Alternative

<table>
<thead>
<tr>
<th>General</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical service.</td>
<td>Sodium Hypochlorite</td>
</tr>
<tr>
<td>P&amp;ID drawing reference.</td>
<td>ID702</td>
</tr>
<tr>
<td>Tank tag number(s).</td>
<td>NOCL-TNK-114</td>
</tr>
<tr>
<td>Number of tanks.</td>
<td>One</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design Requirements</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical concentration,</td>
<td>6 to 12.5%</td>
</tr>
<tr>
<td>percent by weight.</td>
<td></td>
</tr>
<tr>
<td>Maximum specific gravity.</td>
<td>1.175</td>
</tr>
<tr>
<td>Maximum temperature.</td>
<td>100° F</td>
</tr>
<tr>
<td>Installed location.</td>
<td>Indoor</td>
</tr>
<tr>
<td>Tank configuration.</td>
<td>Vertical cylindrical</td>
</tr>
<tr>
<td>Tank bottom.</td>
<td>Flat</td>
</tr>
<tr>
<td>Tank top.</td>
<td>Flat</td>
</tr>
<tr>
<td>Usable capacity, per</td>
<td>2,000 Gal</td>
</tr>
<tr>
<td>tank.</td>
<td></td>
</tr>
<tr>
<td>Tank diameter.</td>
<td>7 ft</td>
</tr>
<tr>
<td>Straight shell length/height.</td>
<td>8 ft</td>
</tr>
<tr>
<td>Maximum total length/height.</td>
<td>8 ft</td>
</tr>
<tr>
<td>Recommended manufacturers.</td>
<td>Augusta Fiberglass, Belding, Edwards Fiberglass</td>
</tr>
<tr>
<td>Tank insulation required.</td>
<td>No</td>
</tr>
<tr>
<td>Tank heating required.</td>
<td>No</td>
</tr>
<tr>
<td>Protective coating</td>
<td>Yes</td>
</tr>
<tr>
<td>required for metal parts.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Materials</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Protected metal.</td>
<td>ASTM A36 Carbon Steel with fiberglass reinforced coating</td>
</tr>
<tr>
<td>Assembly bolts, nuts,</td>
<td>Stainless steel, ASTM F593, Alloy Group 1 or 2, ASTM F594, Alloy Group 1 or 2</td>
</tr>
<tr>
<td>and washers.</td>
<td></td>
</tr>
<tr>
<td>Gaskets.</td>
<td>Viton (FKP)</td>
</tr>
</tbody>
</table>
## Accessories

<table>
<thead>
<tr>
<th>Tank vent.</th>
<th>Connect to vent piping system</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Magnetic flag type</td>
</tr>
<tr>
<td>Material for Magnetic flag type.</td>
<td>CPVC</td>
</tr>
<tr>
<td>Drawings for nozzle orientation.</td>
<td>MD102</td>
</tr>
<tr>
<td>Ultrasonic level transmitter required.</td>
<td>No</td>
</tr>
</tbody>
</table>

## Tank Nozzle Schedule

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Connection</th>
<th>Location</th>
<th>Size (in)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tank fill.</td>
<td>Top</td>
<td>4</td>
</tr>
<tr>
<td>1</td>
<td>Pump suction.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td>Drain.</td>
<td>Side bottom</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Level gauge.</td>
<td>Side top and bottom</td>
<td>2</td>
</tr>
<tr>
<td>1</td>
<td>Overflow.</td>
<td>Side top</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>Vent.</td>
<td>Top</td>
<td>4</td>
</tr>
<tr>
<td>1</td>
<td>Handhole</td>
<td>Top</td>
<td>12</td>
</tr>
</tbody>
</table>
**BID CONSTITUTES OFFER**

By submitting a bid, the respondent agrees to be bound by all the requirements, terms and conditions set forth in this bid document. A bid containing variations from the requirements, terms and conditions set forth herein may, at the sole discretion of the Commission, may be declared non-responsive. The requirements, terms and conditions set forth in this document will become part of the successful vendors contractual obligations upon award of the contract.

**The bidder understands that quoted prices are inclusive of all costs and that no additional costs, incidental or otherwise shall apply.**

<table>
<thead>
<tr>
<th>VENDORS FED. ID NUMBER</th>
<th>OFFEROR/VENDOR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>(SEAL)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AUTHORIZED SIGNATURE</th>
<th>PRINTED SIGNATURE</th>
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<tbody>
<tr>
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<table>
<thead>
<tr>
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<tbody>
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</table>

<table>
<thead>
<tr>
<th>CITY, STATE AND ZIP CODE</th>
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</thead>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>TELEPHONE NUMBER</th>
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<table>
<thead>
<tr>
<th>FAX NUMBER</th>
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<table>
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<tr>
<th>E-MAIL ADDRESS</th>
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</table>
MOUNT PLEASANT WATERWORKS
PRICING WORKSHEET
For
CHEMICAL STORAGE TANKS

Pricing:

Purchase Amount $__________________________

Sales Tax $______________________________

Delivery Fee $___________________________

Other Fees and Charges $____________________

Total Purchase Amount $______________________________

I authorize that all pricing stated in this bid document is correct and binding.

Authorized Signature:___________________________(SEAL)

Printed Signature:______________________________

Date:_____/___/_____
DEVIATIONS FROM SPECIFICATIONS

Please list all deviations from specifications in the space provided below. Please note the item number for which you are showing deviations.

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DEVIATIONS</th>
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</tr>
</tbody>
</table>

Company Name ___________________________ Name of Authorized Representative ___________________________
**LIST THREE REFERENCES OF OTHER USERS:**

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>CONTACT NAME</th>
<th>PHONE/EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>
APPENDIX A

Mandatory Supplemental General Conditions

For The

South Carolina State Revolving Fund Program Funded by the

American Recovery and Reinvestment Act of 2009 (ARRA)

May 2009

Following is the standard language that must be incorporated into all solicitations for offers and bids for (1) construction contracts, (2) subcontracts in excess of $10,000, (3) equipment, and (4) material to be funded by the State Revolving Fund Program using funds from the American Recovery and Reinvestment Act of 2009 (ARRA).

The requirements in these Supplemental General Conditions shall not relieve the participants in this project of responsibility to meet any requirements of other portions of this contract or of other agencies, whether any other requirements are more or less stringent. The requirements in these Supplemental General Conditions must be satisfied in order for work to be funded in the State Revolving Fund Program.
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Special Notice to Bidders ............................................................. 10


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Notice of Requirement for Affirmative Action .................................. 20

Attachment A – Contacts for Procurement of DBEs ............................... 27

Attachment B – Forms .......................................................... 28

   EPA Form 6100-2, DBE Subcontractor Participation Form
   EPA Form 6100-3, DBE Subcontractor Performance Form
   EPA Form 5700-52A, MBE/WBE Utilization Under Federal Grants, Cooperative
     Agreements, and Interagency Agreements

   DHEC 2323, EEO Documentation Form
   DHEC 3590, Certification Regarding Debarment, Suspension and Other Responsibility Matters
   DHEC 3591, Prime Contractor’s Subagreement Certification
   DHEC 3592, Certification by Proposed Prime or Subcontractor Regarding Equal Employment
     Opportunity
   DHEC 2556, Bidder’s “Buy American” Certification
General Instructions

Submittal and Approval of DBE and EEO Documentation

It is the policy of the State Revolving Loan Fund (SRF) to assure that:

(a) Disadvantaged business enterprises (DBEs) have the opportunity to participate in a fair share of the funds awarded for contracts and subcontracts for supplies, construction, equipment or services; and

(b) Discrimination in employment practices on the basis of race, color, religion, national origin, sex, age or handicap (referred to as Equal Employment Opportunity) is prohibited.

Compliance with these provisions is required in order for project costs to be eligible for SRF funding. Failure on the part of the tentatively selected bidder to submit required information may be grounds for rejecting the bid.

The Contractor must submit the following items to the Project Sponsor (Owner):

1. The DBE Compliance Documentation listed on page 7. The South Carolina Department of Health and Environmental Control (DHEC) cannot authorize the Project Sponsor (Owner) to award the construction contract(s) until the project’s “good faith efforts” (See page 6) are approved.

   The following forms must be submitted as part of the DBE package:

   - **The “Prime Contractor’s Subagreement Certification” (DHEC 3591)** (See Attachment B – Forms) listing all proposed subcontractors, both DBE firms and non-DBE firms. Each prime contractor must submit this form.

   - **The “DBE Subcontractor Performance Form” (EPA Form 6100-3)** (See Attachment B – Forms). Each DBE subcontractor must submit this form which captures an intended DBE subcontractor’s description of the work to be performed for the prime contractor and the price of the work submitted to the prime contractor.

2. The “EEO Documentation Form” (DHEC Form 2323) and all required attachments (See Attachment B – Forms). Each prime contractor and any subcontractor whose contract amount exceeds $10,000 must submit this information. DHEC cannot authorize the Project Sponsor to award the construction contract(s) until the EEO documentation is approved.

3. The “Certification by Proposed Prime or Subcontractor Regarding Equal Employment Opportunity” (DHEC 3592) (See Attachment B – Forms). Each prime contractor and any subcontractor whose contract amount is expected to exceed $10,000 must submit this form.
4. The “Certification Regarding Debarment, Suspension and Other Responsibility Matters” (DHEC Form 3590) (See Attachment B – Forms). Each prime contractor and any subcontractor whose contract amount is expected to equal or exceed $25,000 must submit this form.

5. The “Bidder’s Buy American Certification” (DHEC Form 2556) (See Attachment B – Forms). Each prime contractor must certify that all of the iron, steel and manufactured goods used in the project are produced in the United States unless a waiver is granted by the U. S. Environmental Protection Agency.

The tentatively selected bidder is required to submit the above information in duplicate to the Project Sponsor after bid opening. As part of the bid package, the Project Sponsor must forward one copy of the information to DHEC at the address listed below.

During Construction, the Prime Contractor must submit the following items:

1. A copy of each DBE subcontract.

2. “MBE/WBE Utilization under Federal Grants, Cooperative Agreements, and Interagency Agreements” (EPA Form 5700-52A) (See Attachment B – Forms). This report must be submitted by April 15th and October 15th.

3. Weekly Certified Payrolls for each prime contractor and all subcontractors. Payrolls should be submitted at least monthly to the Project Sponsor. Project Sponsors must retain payroll records for three years from the completion of the project.

4. Changes, substitutions or additions to the approved list of subcontractors (DHEC Form 3591) must be reported immediately. (See “Reporting Requirements During Construction” on page 8.) Use of any unapproved subcontractor on the project may delay payment or result in costs associated with that subcontract declared ineligible for SRF assistance.

The above items must be submitted to the Project Sponsor. The Project Sponsor must forward one copy of the above items (except for item number 3, payroll records) to DHEC at the address listed below:

Janice C. Griffin, SRF Procurement Manager
State Revolving Fund Section
Water Facilities Permitting Division
South Carolina Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

The SRF Procurement Manager can be reached at the following:

Telephone: (803) 898-4395; Fax: (803) 898-4215; Email: griffijc@dhec.sc.gov
THE DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM IN THE STATE REVOLVING FUND PROGRAM

Objective

The objective of the State Revolving Fund (SRF) Program’s DBE program is to ensure Project Sponsors and their prime contractors utilize DBEs as subcontractors to the fullest extent possible. Compliance with these provisions is required in order for the project costs to be eligible for SRF funding. Failure on the part of the prime contractor to submit required documentation and obtain DBE approval may be grounds for rejecting the bid or result in subcontractor costs declared ineligible for SRF assistance.

Policy

It is SRF policy to require the Project Sponsor to implement procedures to ensure DBE firms are given opportunities for meaningful participation if subcontracts are awarded. A fair share goal of 3.6% MBE and 2.4% WBE of the funds awarded for prime contracts or subcontracts for supplies, construction, equipment or services, must be made available to organizations owned and controlled by socially and economically disadvantaged individuals, women, disabled Americans, historically black colleges and universities, and minority institutions. Prime contractors must include the fair share goal in their bid documents for subcontracts.

NOTE: The fair share goal is subject to change each fiscal year. Therefore, prior to bidding, it is the Project Sponsor’s responsibility to check with the SRF Procurement Manager for the current fair share percentage to be included in bid documents.

DBE Definitions

A Disadvantaged Business Enterprise (DBE) is defined as a business which meets the criteria cited below:

- Owned by socially disadvantaged individuals who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities;

- Owned by economically disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities, as compared to others in the same line of business who are not socially disadvantaged. An individual claiming disadvantaged status must have an initial and continued personal net worth of less than $750,000.

For purposes of this definition, disadvantaged individuals include the following:

<table>
<thead>
<tr>
<th>Black Americans</th>
<th>Asian Americans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>Hispanic Americans</td>
</tr>
<tr>
<td>Disabled Americans</td>
<td>Native Americans</td>
</tr>
<tr>
<td>Minority Institutions</td>
<td>Historically Black Colleges and Universities</td>
</tr>
</tbody>
</table>
To qualify as a DBE firm, at least 51 percent of an independent business must be owned and controlled by a socially and economically disadvantaged individual whose personal net worth is less than $750,000. The minority or woman owner’s interest must be real, substantial and continuing. The control determination will revolve around the minority or woman owner’s involvement in the day-to-day management of the business enterprise.

**DBE Certification**

DHEC does not determine the DBE status of businesses. Instead, the SRF Program accepts certification of DBE status from other sources already established to make this determination, such as:

- South Carolina Minority Business Enterprise Center (MBEC)
- South Carolina Governor’s Office of Small & Minority Business Assistance
- South Carolina Chamber of Commerce
- South Carolina Department of Transportation
- Other agencies or organizations that provide procurement assistance to DBEs if their definition of a DBE matches the criteria established above.

Note: See Attachment A for a listing of the addresses, telephone numbers and web addresses for the above referenced agencies.

**DBE Requirements – “Six Good Faith Efforts”**

Project Sponsors and their prime contractors must comply with the following “Six Good Faith Efforts” before a contract is awarded:

1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. This will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. This will involve dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

5. Use the services and assistance of the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce.
(6) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (1) through (5) of this section.

The prime contractor must employ the “Six Good Faith Efforts” to subcontract with DBEs, even if the prime contractor has achieved its fair share objectives.

**Solicitation of DBE Firms**

Solicitation should allow adequate time for price analysis; as stated above, whenever possible, contact should be made not later than 30 days before bid opening. Efforts taken to comply with these requirements must be documented in detail.

Prime contractors must create and maintain a Bidders List. This list must include all firms that bid or quote subcontracts including both MBE/WBEs and non-MBE/WBEs. The Bidders List must be kept until the project period has ended. The following information must be obtained from all subcontractors:

- Subcontractor’s name with point of contact,
- Subcontractor’s mailing address, telephone number and e-mail address;
- The procurement (scope of work) on which the subcontractor bid or quoted and when; and
- The subcontractor’s status as an MBE, WBE, or non-MBE/WBE.

The prime contractor is **required** to use the services of the Minority Business Enterprise Centers. These Centers are funded by the U.S. Department of Commerce to provide technical, financial and contracting assistance to minority and women’s business enterprises. These Centers are located in a number of Regional cities. Use of the services provided by these Centers does not absolve the prime contractors from pursuing additional efforts to comply with this requirement. See Attachment A for a listing of the address, telephone number and web address for the South Carolina Minority Business Enterprise Center as well as other resource agencies.

**DBE Compliance Documentation**

If subcontracts are awarded, prime contractors must submit the following items as documentation of their good faith efforts, **even if the prime contractor has achieved its fair share objectives**:

1. A copy of the prime contractor’s Bidders List.
2. Evidence of solicitation to certified prospective DBE firms, such as copies of solicitation letters/emails listing specific scope/volume of work, phone logs, fax confirmation sheets, printouts of online searches with results of said searches, etc. The prime contractor is strongly encouraged to follow-up each written, faxed or emailed solicitation with at least one logged phone call.
(3) Copies of letters asking for assistance from the South Carolina Minority Business Enterprise Center, the South Carolina Governor’s Office of Small & Minority Business Assistance, or other agencies or organizations that provide procurement assistance to DBEs. **Note:** As outlined in the “Good Faith Effort” Number 5 above, it is mandatory that prime contractors contact the South Carolina Minority Business Enterprise Center.

(4) List by trade the names of certified DBE subcontractors solicited but not selected, including name, address, telephone number, contact person, date of contact, and outcome of contact, including dollar amount of quote.

(5) List any job-specific criteria that disqualified a certified DBE firm that submitted a low bid for a subcontract. Attach a copy of the disqualified bid or quote along with the bid or quote from the selected subcontractor for comparison.

(6) Proof of DBE certification from an acceptable source for each subcontractor listed as a MBE or WBE.

(7) DHEC form entitled “Prime Contractor’s Subagreement Certification” (DHEC Form 3591) (See Attachment B – Forms) listing all proposed subcontractors, both DBE firms and non-DBE firms.

(8) Require all DBE subcontractors to complete EPA Form 6100-3, “DBE Subcontractor Performance Form” (See Attachment B – Forms). This forms captures an intended DBE subcontractor’s description of work to be performed for the prime contractor and the price of the work submitted to the prime contractor.

**Reporting Requirements for Prime Contractors During Construction**

► Forward a copy of each DBE subcontract as soon as possible after contract award.

► Pay subcontractors for satisfactory performance no more than **30 days** from the prime contractor’s receipt of payment.

► Report any proposed changes/additions from the approved subcontractor list to the Project Sponsor **prior to initiation of the action** along with the following items:

  ■ A revised/updated “Prime Contractor’s Subagreement Certification” (DHEC Form 3591) (See Attachment B – Forms).

  ■ Reason for the proposed deviation.

  ■ Evidence of the prime contractor’s continued good faith efforts to secure a DBE firm for the new and/or replacement subcontract work.
- A “DBE Subcontractor Performance Form” (EPA Form 6100-3) (See Attachment B – Forms) if work is subcontracted to a **new** DBE firm.

- A “EEO Documentation Form” (DHEC Form 2323) (See Attachment B – Forms) from the **new** subcontractor if the subcontract amount exceeds $10,000.

- A “Certification by Proposed Prime or Subcontractor Regarding Equal Employment Opportunity” (DHEC 3592) (See Attachment B – Forms) from the **new** subcontractor if the subcontract amount exceeds $10,000.

- A “Certification Regarding Debarment, Suspension and Other Responsibility Matters” (DHEC 3590) (See Attachment B – Forms) from the **new** subcontractor if the subcontract amount equals or exceeds $25,000.

Use of any unapproved subcontractor on the project may delay loan draw requests or result in costs associated with that subcontract declared ineligible for SRF assistance.

- Submittal of the “MBE/WBE Utilization under Federal Grants, Cooperative Agreements, and Interagency Agreements” (EPA Form 5700-52A) to the Project Sponsor. The reporting period is semiannual, with reporting periods ending March 31st and September 30th. Submission of this report is required even if there is no MBE/WBE activity to report; this is called a Negative Report.

- Provide EPA Form 6100-2, “DBE Subcontractor Participation Form”, to all DBE subcontractors. This form gives a DBE subcontractor the opportunity to describe the work the DBE subcontractor received from the prime contractor, how much the DBE subcontractor was paid and other concerns the DBE subcontractor might have. DBE subcontractors may send completed copies of EPA Form 6100-2 directly to EPA DBE Coordinator, EPA Region 4, 61 Forsyth Street, SW, Atlanta, Georgia, 30303.
**SPECIAL NOTICE TO BIDDERS**

**Number 1:** The State Revolving Fund Program requires the Equal Employment Opportunity (EEO) commitment of the prime contractor and all subcontractors with a contract in excess of $10,000 to the requirements of Executive Order 11246. EEO Affirmative Action is mandated throughout the duration of the contract. The tentatively selected bidder is required to submit the EEO documentation as outlined in the “General Instructions” of these Supplemental General Conditions. Failure to submit the EEO documentation may subject the contractor to sanctions under Executive Order 11246.

**Number 2:** By the submission of this bid, each bidder acknowledges that he understands and agrees to be bound by the equal opportunity requirements of EPA regulations (40 CFR Part 8, particularly Section 8.4(b)), which shall be applicable throughout the performance of work under any contract awarded pursuant to this solicitation. Each bidder agrees that if awarded a contract, it will similarly bind contractually each subcontractor. In implementation of the foregoing policies, each bidder further understands and agrees that if awarded a contract, it must engage in affirmative action directed at promoting and ensuring equal employment opportunity in the workforce used under the contract. The bidder understands and agrees that “affirmative action” as used herein shall constitute a good faith effort to achieve and maintain minority employment in each trade in the on-site workforce used on the project.

**Number 3:** Each bidder is required to certify that they are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participating in a contract using federal funds. In turn, prime contractors will require subcontractors whose contract amount is expected to equal or exceed $25,000 to also submit such certification using the “Certification Regarding Debarment, Suspension and Other Responsibility Matters” (DHEC Form 3590) (See Attachment B – Forms).

**Number 4:** Bonding requirements are as follows:

(a) Bid guarantee equivalent to five percent of the bid price. The bid guarantee shall be in the form of a certified check or bid bond.

(b) Performance bond equal to 100 percent of the contract price; and

(c) Payment bond equal to 100 percent of the contract price.

Bonds must be obtained from companies holding Certificates of Authority as acceptable sureties, issued by the U.S. Treasury.

**Number 5:** The Project Sponsor and contractors must follow the flood hazard area requirements of the Flood Disaster Protection Act of 1973 contained in 40 CRF Part 30.

**Number 6:** Fire and Extended Coverage Insurance (Builder’s Risk):

(a) The Contractor shall maintain, as applicable, in an Insurance Company or Insurance Companies acceptable to the Project Sponsor, Fire, Extended Coverage and Vandalism and Malicious Mischief Insurance on buildings and structures, while in the course of construction, including foundations, additions, attachments and all permanent fixtures.
belonging to and constituting a part of said buildings or structures. The policy or policies shall also cover machinery if the cost of machinery is included in the contract. The amount of insurance must at all times be at least equal to the actual cash value of the insured property. The policy shall be in the name of the Project Sponsor and the Contractor, as their interests may appear, and shall also cover the interests of all subcontractors performing work.

(b) The Contractor shall provide the Project Sponsor with satisfactory evidence certifying that the foregoing insurance is in force; and such evidence shall include provisions that the insurance shall not be cancelled, allowed to expire or be materially changed without giving the Project Sponsor advance notice by registered mail.

(c) Cancellation and Re-Insurance: If any insurance should be cancelled or changed by the insurance company or should any insurance expire during the period of this Contract, the Contractor shall be responsible for securing other acceptable insurance to provide the coverage specified in this section to maintain continuous coverage during the life of this Contract.

**Number 7:** The Project Sponsor and contractors shall comply with the Buy American provision, Section 1605, of the American Recovery and Reinvestment Act of 2009 (ARRA).

The contractor acknowledges to and for the benefit of the Project Sponsor and the State Revolving Fund (SRF) Program that it understands the goods and services under this Agreement are being funded with monies made available by the federal ARRA (or are being made available for a project being funded with monies made available by the federal ARRA) and such law contains provisions commonly known as “Buy American”; that requires all of the iron, steel, and manufactured goods used in the project be produced in the United States (“Buy American Requirements”) including iron, steel, and manufactured goods provided by the contractor pursuant to this Agreement. The contractor hereby represents and warrants to and for the benefit of the Project Sponsor and the SRF Program that (a) the contractor has reviewed and understands the “Buy American Requirements”, (b) all of the iron, steel, and manufactured goods used in the project will be and/or have been produced in the United States in a manner that complies with the “Buy American Requirements”, unless a waiver of the requirements is approved, and (c) the contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the “Buy American Requirements”, as may be requested by the Project Sponsor or the SRF Program. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the contractor shall permit the Project Sponsor or the SRF Program to recover as damages against the contractor any loss, expense or cost (including without limitation attorney’s fees) incurred by the Project Sponsor or the SRF Program resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the SRF Program or any damages owed to the SRF Program by the Project Sponsor). While the contractor has no direct contractual privity with the SRF Program, as a lender to the Project Sponsor for the funding of its project, the Project Sponsor and the contractor agree that the SRF Program is a third-part beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the SRF Program.

The prime contractor must certify “Buy American” compliance using DHEC Form 2556.
DAVIS-BACON AND RELATED ACTS

LABOR STANDARDS PROVISIONS FOR FEDERAL AND FEDERALLY ASSISTED CONTRACTS

Wage Rates are county specific for Heavy Construction and can be found at:

http://www.gpo.gov/davisbacon/sc

1. **Minimum wages:**

   i. All laborers and mechanics employed or working upon the site of the work will be paid unconditionally and not less often than once a week and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at the time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: provided, that the employer’s payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractor at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

   ii. A. The contracting officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting office shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

       1. The work to be performed by the classification requested is not performed by a classification in the wage determination; and

       2. The classification is utilized in the area by the construction industry; and
3. The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

B. If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration (W&H, ESA), U. S. Department of Labor, Washington, DC 20210. The Administrator W&H, ESA, or an authorized representative will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

C. In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator W&H, ESA for determination. The Administrator W&H, ESA, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

D. The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(B) or (C) of this paragraph, shall be paid to all workers performing work in the classification under this contract, from the first day on which work is performed in the classification.

iii. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

iv. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, provided, that the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. **Withholding:**

The U. S. Environmental Protection Agency (EPA) or the South Carolina Department of Health and Environmental Control (DHEC) shall upon its own action or upon written request of an authorized
representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with same prime contractor, or any other Federally assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract.

In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, the U. S. Environmental Protection Agency or DHEC may, after written notice to the contractor, Project Sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. **Payrolls and Basic Records:**

i. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and Social Security Number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits, or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

ii. A. The contractor shall submit weekly to the Project Sponsor or Project Sponsor’s representative for each week in which any contract work is performed a copy of all payrolls. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under section 5.5(a)(3)(i) of Regulations 29 CFR Part 5. This information may be submitted in any form desired. Optional Form WH-347 is available for this purpose and may be purchased from the Superintendent of Documents (Federal Stock Number 029-005-00014-1), U.S. Government Printing Office, Washington, DC 20402. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors.

B. Each payroll submitted shall be accompanied by a "Statement of Compliance", signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:
1. That the payroll for the payroll period contains the information required to be maintained under section 5.5(a)(3)(i) of 29 CFR Part 5 and that such information is correct and complete; and

2. That each laborer or mechanic (including each helper, apprentice and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations 29 CFR Part 3.

3. That each laborer or mechanic has been paid not less than the applicable wage rate and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

C. The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (3)(ii)(B) of this section.

D. The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

iii. The contractor or subcontractor shall make the records required under paragraph (3)(i) of this section available for inspection, copying, or transcription by authorized representatives of the U.S. Environmental Protection Agency, the South Carolina Department of Health and Environmental Control (DHEC), or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, DHEC may, after written notice to the contractor and Project Sponsor, take such action as may be necessary to cause compliance with conditions of the Loan Agreement. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees:

i. Apprentices: Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in an bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training, or with a State Apprenticeship Agency recognized by the Bureau, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate
on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator W&H, ESA determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Bureau of Apprenticeship and Training, or a State Apprenticeship Agency recognized by the Bureau, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

ii. **Trainees:** Except as provided in 29 CRF 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at the trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate for the work actually performed. In the event the Employment and Training Administration withdraws approval of the training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

iii. **Equal employment opportunity:** The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. **Compliance with Copeland Act requirement:** The contractor shall comply with the requirements of 29 CFR Part 3.
6. **Subcontracts:** The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. **Contract termination:** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. **Compliance with Davis-Bacon and Related Act requirements:** All rulings and interpretations of the Davis-Bacon and Related Act contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. **Disputes concerning labor standards:** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the EPA, DHEC, the U.S. Department of Labor, or the employees or their representatives.

10. **Certification of Eligibility:**

   i. A. The contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

   B. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

   C. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. Sec. 1001.

   ii. **Contract Work Hours and Safety Standards Act:** The Administrator, EPA shall cause or require the contracting officer to insert the following clauses set forth in paragraphs (ii)(A), (B), (C), and (D) of this section in full in any contract subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by section 5.5(a) or section 4.6 of Part 4 of this title. As used in this paragraph, the terms “laborers” and “mechanics” include watchmen and guards.

   A. **Overtime requirements:** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

   B. **Violation; liability for unpaid wages; liquidated damages:** In the event of any violation of the clause set forth in paragraph (ii)(A) of this section, the contractor and any subcontractor responsible therefore shall be liable for the unpaid wages. In addition, such contractor and
A subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (ii)(A) of this section, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (ii)(A) of this section.

C. **Withholding for unpaid wages and liquidated damages:** The U.S. Environmental Protection Agency or the South Carolina Department of Health and Environmental Control shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (ii)(B) of this section.

D. **Subcontracts:** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (ii)(A) through (D) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (ii)(A) through (D) of this section.

iii. In addition to the clauses contained in paragraph (ii), in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in section 5.1, the Administrator of EPA shall cause or require the contracting officer to insert a clause requiring that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, Social Security Number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Further, the Administrator EPA shall cause or require the contracting officer to insert in any such contract a clause providing that the records to be maintained under this paragraph shall be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the U.S. Environmental Protection Agency, the South Carolina Department of Health and Environmental Control, and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview employees during working hours on the job.
Wage Rates are county specific for *Heavy Construction* and can be found at:

http://www.gpo.gov/davisbacon/sc
GENERAL DECISION: SC20080034 02/08/2008 SC34

Date: February 8, 2008
General Decision Number: SC20080034 02/08/2008

Superseded General Decision Number: SC20070034

State: South Carolina

Construction Types: Heavy Treatment Plant

Counties: Berkeley, Charleston and Dorchester Counties in South Carolina.

SEWAGE AND WATER TREATMENT PLANT CONSTRUCTION PROJECTS
(Including Water and Sewage Utility Lines on the Plant Site)

Modification Number Publication Date
0 02/09/2008

SUSC1996-003 04/18/1996

<table>
<thead>
<tr>
<th>Rates</th>
<th>Fringes</th>
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<tbody>
<tr>
<td>Carpenter (Excluding Form Work).................$ 10.05</td>
<td></td>
</tr>
<tr>
<td>Carpenter (Form Work Only).....$ 9.00</td>
<td></td>
</tr>
<tr>
<td>Cement Mason/Finisher.............$ 10.00</td>
<td></td>
</tr>
<tr>
<td>Electrician......................$ 12.33</td>
<td>.58</td>
</tr>
<tr>
<td>Laborer.........................$ 6.88</td>
<td></td>
</tr>
</tbody>
</table>

Power equipment operators:
  Backhoe.........................$ 11.00
  Loader.........................$ 9.50

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.
WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

* an existing published wage determination
* a survey underlying a wage determination
* a Wage and Hour Division letter setting forth a position on a wage determination matter
* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=Davis-Bacon&docid=SC2008... 5/29/2009
NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)
EEO Notice

Following is the standard language which must be incorporated into all solicitations for offers and bids on all Federal and Federally-assisted construction contracts or subcontracts in excess of $10,000 to be performed in designated geographical areas:

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)

1. The Offerer's or Bidder's attention is called to the "Equal Opportunity Clause" which is included in the Nondiscrimination Provision and Labor Standards, and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.

2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

<table>
<thead>
<tr>
<th>Timetables</th>
<th>Goals for minority participation for each trade</th>
<th>Goals for female participation in each trade</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3.6%</td>
<td>2.4%</td>
</tr>
</tbody>
</table>

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or Federally assisted) performed in the covered area.

The Contractor's compliance with the Executive Order and the regulations in 41 CRF Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minority and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of $10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.
EEO Specifications

Following is the standard language which must be incorporated into all solicitations for offers and bids on all Federal and Federally-assisted construction contracts or subcontracts in excess of $10,000 to be performed in designated geographical areas:

1. As used in these specifications:
   a. "Covered area" means the geographical area described in the solicitation from which this contract resulted;
   b. "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
   d. "Minority" includes:
      1. Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
      2. Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);
      3. Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
      4. American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).

2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of $10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.
3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.

4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. The Contractor is expected to make substantially uniform progress toward its goals in each craft during the period specified.

5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications and Executive Order 11246, or the regulations promulgated pursuant thereto.

6. In order for the non-working training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.

7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully and shall implement affirmative action steps at least as extensive as the following:

   a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

   b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community
organizations when the Contractor or its unions have employment opportunities available and maintain a record of the organizations' responses.

c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union, or if referred, not employed by the Contractor, this shall be documented in the file with the reason therefore, along with whatever additional actions the Contractor may have taken.

d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and training programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.

f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.

g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, lay-off, termination or other employment decisions including specific review of these items with on-site supervisory personnel such as Superintendents, General Foreman, etc., prior to the initiation of construction work on any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.

i. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female
recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.

j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's workforce.

k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.

l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.

m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.

n. Ensure that all facilities and company activities are non-segregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.

o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.

p. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the contractor is a member and participant may be asserted as fulfilling any one or more of its obligations under 7a through p of these specifications provided that the contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply; however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.
9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.

11. The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the "Equal Opportunity Clause", including suspension, termination and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any Contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of these specifications, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41 CFR 60-4.8.

14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof, as may be required by the Government and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, Social Security Number, race, sex, status (e.g. mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.

15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).
ATTACHMENT A

Contacts for Procurement of DBEs

South Carolina Minority Business Enterprise Center
1515 Richland Street
Columbia, SC 29201
Office: (803) 779-5905
Fax: (803) 779-5915
E-mail: busdev@scmbec.com

Office of Small & Minority Business Assistance
South Carolina Office of the Governor
1205 Pendleton Street, Suite 418
Columbia, SC 29201
Telephone: (803) 734-0657
Website: www.govoepp.state.sc.us/osmba

South Carolina Chamber of Commerce
1201 Main Street, Suite 1700
Columbia, SC 29201
Telephone: (803) 799-4601
Website: www.scminoritybusiness.net

South Carolina Department of Transportation
Office of DBE & Special Projects
Post Office Box 191
Columbia, SC 29202
Telephone: (803) 737-1372
Website: www.scdot.org
ATTACHMENT B

FORMS
Disadvantaged Business Enterprise Program
DBE Subcontractor Participation Form

<table>
<thead>
<tr>
<th>NAME OF SUBCONTRACTOR</th>
<th>PROJECT NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td>CONTRACT NO.</td>
</tr>
<tr>
<td>TELEPHONE NO.</td>
<td>EMAIL ADDRESS</td>
</tr>
</tbody>
</table>

PRIME CONTRACTOR NAME

Please use the space below to report any concerns regarding the above EPA-funded project (e.g., reason for termination by prime contractor, late payment, etc.).

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

<table>
<thead>
<tr>
<th>CONTRACT ITEM NO.</th>
<th>ITEM OF WORK OR DESCRIPTION OF SERVICES RECEIVED FROM THE PRIME CONTRACTOR</th>
<th>AMOUNT SUBCONTRACTOR WAS PAID BY PRIME CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

Subcontractor Signature

Title/Date

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)
Disadvantaged Business Enterprise Program
DBE Subcontractor Participation Form

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information; processing and maintaining information; and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency’s need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Participation Form to this address.
Environmental Protection Agency

Disadvantaged Business Enterprise Program
DBE Subcontractor Performance Form

<table>
<thead>
<tr>
<th>NAME OF SUBCONTRACTOR</th>
<th>PROJECT NAME</th>
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<table>
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<th>BID/PROPOSAL NO.</th>
<th>TELEPHONE NO.</th>
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<table>
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<tr>
<th>PRIME CONTRACTOR NAME</th>
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<table>
<thead>
<tr>
<th>CONTRACT ITEM NO.</th>
<th>ITEM OF WORK OR DESCRIPTION OF SERVICES BID TO PRIME</th>
<th>PRICE OF WORK SUBMITTED TO PRIME CONTRACTOR</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Currently certified as an MBE or WBE under EPA’s DBE Program? _____ Yes _____ No Signature of Prime Contractor Date Print Name Title ____________________________
_____________________________ Signature of Subcontractor Date ____________________________ Print Name Title

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)
Environmental Protection Agency

Disadvantaged Business Enterprise Program
DBE Subcontractor Performance Form

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency’s need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Performance Form to this address.
**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**MBE/WBE UTILIZATION UNDER FEDERAL GRANTS, COOPERATIVE AGREEMENTS, AND INTERAGENCY AGREEMENTS**

**PART 1.** (Reports are required even if no procurements are made during the reporting period.)

1A. **FEDERAL FISCAL YEAR**  
200_____

1B. **REPORTING PERIOD** (Check ALL appropriate boxes)  
- 1st (Oct-Dec)  
- 2nd (Jan-Mar)  
- 3rd (Apr-Jun)  
- 4th (Jul-Sep)  
- Annual

- Check if this is the last report for the project (Project completed).

1C. **REVISION OF A PRIOR REPORT? Y or N**  
Year: _________  
Quarter: _________

**BRIEFLY DESCRIBE THE REVISIONS YOU ARE MAKING:**

2A. **EPA FINANCIAL ASSISTANCE OFFICE ADDRESS**  
(ATTN: DBE Coordinator)

2B. **EPA DBE COORDINATOR**  
Name:  
E-mail:  
Fax:  

2C. **PHONE:**  
Name:  
E-mail:  
Fax:  

3A. **RECIPIENT NAME AND ADDRESS**

3B. **RECIPIENT REPORTING CONTACT:**  
Name:  
E-mail:  
Fax:  

4A. **FINANCIAL ASSISTANCE AGREEMENT ID NUMBER**  
(SRF State Recipients, refer to Instructions for Completion of blocks 4A, 5A, and 5C.)

4B. **FEDERAL FINANCIAL ASSISTANCE PROGRAM TITLE or CFDA NUMBER:**

5A. **TOTAL ASSISTANCE AGREEMENT AMOUNT**  
(SRF State Recipients, refer to Instructions for Completion of blocks 4A, 5A, and 5C.)

- EPA Share: $_______________________  
- Recipient Share: $_____________________

5B. If NO procurement and NO accomplishments were made this reporting period, check and skip to Block No. 7.  
**Procurements** are all expenditures through contract, order, purchase, lease or barter of supplies, equipment, construction, or services needed to complete Federal assistance programs.  
**Accomplishments** in this context, are procurements made with MBEs and/or WBEs.

5C. **Total Procurement and MBE/WBE Accomplishments This Reporting Period**  
(Only include amount not reported in any prior reporting period)

Were sub-awards issued under this assistance agreement? Yes_____ No_____  
Were contracts issued under this assistance agreement? Yes_____ No_____  
Total Procurement Amount $_______________________  
(Include total dollar values awarded by recipient, sub-recipients and SRF loan recipients.)

Actual MBE/WBE Procurement Accomplished:  
(Include total dollar values awarded by recipient, sub-recipients, SRF loan recipients and Prime Contractors.)

<table>
<thead>
<tr>
<th>Construction</th>
<th>Equipment</th>
<th>Services</th>
<th>Supplies</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$MBE:</td>
<td></td>
<td></td>
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<tr>
<td>$WBE:</td>
<td></td>
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</table>

6. **COMMENTS:** (If no MBE/WBE procurements were accomplished during the reporting period, please explain what steps you are taking to achieve the MBE/WBE Program requirements specified in the terms and conditions of the Assistance Agreement.)

7. **NAME OF RECIPIENT’S AUTHORIZED REPRESENTATIVE**  
**TITLE**

8. **SIGNATURE OF RECIPIENT’S AUTHORIZED REPRESENTATIVE**  
**DATE**

EPA FORM 5700-52A available electronically at http://www.epa.gov/osbp/pdfs/5700_52a.pdf
### MBE/WBE Procurements Made During Reporting Period

**EPA Financial Assistance Agreement Number:** _______________

<table>
<thead>
<tr>
<th>1. Procurement Made By</th>
<th>2. Business Enterprise</th>
<th>3. $ Value of Procurement</th>
<th>4. Date of Award MM/DD/YY</th>
<th>5. Type of Product or Services (Enter Code)</th>
<th>6. Name/Address/Phone Number of MBE/WBE Contractor or Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Prime</td>
<td>Minority</td>
<td>Women</td>
<td>Type of product or service codes:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 = Construction</td>
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<td>2 = Supplies</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4 = Equipment</td>
<td></td>
</tr>
</tbody>
</table>

**Type of product or service codes:**

- 1 = Construction
- 2 = Supplies
- 3 = Services
- 4 = Equipment

Note: Refer to Terms and conditions of your Assistance Agreement to determine the frequency of reporting. Recipients are required to submit MBE/WBE reports to EPA beginning with the Federal fiscal year quarter the recipients receive the award, continuing until the project is completed.

EPA FORM 5700-52A - (Approval Expires 01/31/11)
Instructions:

A. General Instructions:

MBE/WBE utilization is based on Executive Orders 11625, 12138, 12432, P.L. 102-389 and EPA Regulations Part 30 and 31. EPA Form 5700-52A must be completed by recipients of Federal grants, cooperative agreements, or other Federal financial assistance which involve procurement of supplies, equipment, construction or services to accomplish Federal assistance programs.

Recipients are required to report 30 days after the end of each federal fiscal quarter or annually, per the terms and conditions of the financial assistance agreement. Submission dates are January 30, April 30, July 30, and October 30. The submission date for annual reports is October 30. MBE/WBE program requirements, including reporting, are material terms and conditions of the financial assistance agreement.

B. Definitions:

**Procurement** is the acquisition through contract, order, purchase, lease or barter of supplies, equipment, construction or services needed to accomplish Federal assistance programs.

A **contract** is a written agreement between an EPA recipient and another party (also considered “prime contracts”) and any lower tier agreement (also considered “subcontracts”) for equipment, services, supplies, or construction necessary to complete the project. This definition excludes written agreements with another public agency. This definition includes personal and professional services, agreements with consultants, and purchase orders.

A **minority business enterprise** (MBE) is a business concern that is (1) at least 51 percent owned by one or more minority individuals, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (2) whose daily business operations are managed and directed by one or more of the minority owners.

U.S. citizenship is required. Recipients shall presume that minority individuals include Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, or other groups whose members are found to be disadvantaged by the Small Business Act or by the Secretary of Commerce under section 5 of Executive order 11625. The reporting contact at EPA can provide additional information.

A **woman business enterprise** (WBE) is a business concern that is, (1) at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women and (2) whose daily business operations are managed and directed by one or more of the women owners.

Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify for meeting MBE/WBE procurement goals. U.S. Citizenship is required.

The following affirmative steps for utilizing MBEs and WBEs must be documented. Such documentation is subject to EPA review upon request:

1. Include of MBEs/WBEs on solicitation lists.
2. Assure that MBEs/WBEs are solicited once they are identified.
3. Divide total requirements into smaller tasks to permit maximum MBE/WBE participation, where feasible.
4. Establish delivery schedules which will encourage MBE/WBE participation, where feasible.
5. Encourage use of the services of the U.S. Department of Commerce’s Minority Business Development Agency (MBDA) and the U.S. Small Business Administration to identify MBEs/WBEs.
6. Require that each party to a subgrant, subagreement, or contract award take the affirmative steps outlined here.

C. Instructions for Part I:

1a. Specify Federal fiscal year this report covers. The Federal fiscal year runs from October 1st through September 30th (e.g. November 29, 2005 falls within Federal fiscal year 2006)

1b. Check applicable reporting box, quarterly or annually. Also indicate if this is the last report for the project.

1c. Indicate if this is a revision to a previous year or quarter, and provide a brief description of the revision you are making.

2a-c. Please refer to your financial assistance agreement for the mailing address of the EPA financial assistance office for your agreement.
The "EPA DBE Reporting Contact" is the DBE Coordinator for the EPA Region from which your financial assistance agreement was originated. For a list of DBE Coordinators please refer to the EPA OSDBU website at www.epa.gov/osdbu. Click on "Regional Contacts" for the name of your coordinator.

3a-c. Identify the agency, state authority, university or other organization which is the recipient of the Federal financial assistance and the person to contact concerning this report.

4a. Provide the Assistance Agreement or Interagency Agreement number assigned by EPA. A separate report must be submitted for each Assistance Agreement or Interagency Agreement.

*For SRF recipients: In box 4a list numbers for ALL open Assistance Agreements. SRF recipients will report activity for all Agreements on one form.

4b. Refer back to Assistance Agreement document for this information.

5a. Provide the total amount of the Assistance Agreement which includes Federal funds plus recipient matching funds and funds from other sources.

*For SRF recipients only: SRF recipients will not enter an amount in 5a. Please leave 5a blank.

5b. Self-explanatory.

5c. State whether or not sub-awards and/or subcontracts have been issued under the assistance agreement by indicating "yes" or "no".

Provide the total dollar amount of all contracts/procurements awarded this reporting period by the recipient and all sub-recipients, and SRF loan recipients. For example: Actual dollars for procurement from the procuring office; actual contracts let from the contracts office; actual goods, services, supplies, etc., from other sources including the central purchasing/procurement centers).

Where requested, also provide the total dollar amount of all MBE/WBE procurement awarded during this reporting period by the recipient, sub-recipients, SRF loan recipients, and prime contractors in the categories of construction, equipment, services and supplies. These amounts include the Federal, State and local shares in the procurement awards.

*For SRF recipients only: In 5c please enter the total procurement amount for the quarter under all of your SRF Assistance Agreements. The figure reported in this section is not directly tied to an individual Assistance Agreement identification number. (SRF state recipients report state procurements in this section)

6. If there were no MBE/WBE accomplishments this reporting period, please briefly explain what steps you are taking in furtherance of the MBE/WBE requirements specified in the terms and conditions of the Assistance Agreement.

7. Name and title of official administrator or designated reporting official.

8. Signature and month, day year report submitted.

D. Instructions for Part II:

For each MBE/WBE procurement made under this assistance agreement during the reporting period, provide the following information:

1. Check whether this procurement was made by the recipient, sub-recipient/SRF loan recipient, or the prime contractor.

2. Check either the MBE or WBE column. If a firm is both an MBE and WBE, the recipient may choose to count the entire procurement towards EITHER its MBE or WBE accomplishments. The recipient may also divide the total amount of the procurement (using any ratio it so chooses) and count those divided amounts toward its MBE and WBE accomplishments. If the recipient chooses to divide the procurement amount and count portions toward its MBE and WBE accomplishments, please state the appropriate amounts under the MBE and WBE columns on the form. The combined MBE and WBE amounts for that MBE/WBE contractor must not exceed the “Value of the Procurement” reported in column #3

3. Dollar value of procurement.

4. Date of award, shown as month, day, year. Date of award is defined as the date the contract or procurement was awarded, not the date the contractor received payment under the awarded contract or procurement, unless payment occurred on the date of award. (Where direct purchasing is the procurement method, the date of award is the date the purchase was made)
5. Using codes at the bottom of the form, identify type of product or service acquired through this procurement (eg., enter 1 if construction, 2 if supplies, etc).

6. Name, address, and telephone number of MBE/WBE firm.

**This data is requested to comply with provisions mandated by: statute or regulations (40 CFR Part 30 and 31); OMB Circulars; or added by EPA to ensure sound and effective assistance management. Accurate, complete data are required to obtain funding, while no pledge of confidentiality is provided.**

The public reporting and recording burden for this collection of information is estimated to average 1 hour per response annually. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclosure or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2136), 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Include the OMB Control number in any correspondence. Do not send the completed form to this address.
STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
EEO DOCUMENTATION FORM

1. Proposed Prime Contractor or Subcontractor: ________________________________
   Address: _______________________________________________________________
   Telephone Number: _______________________________________________________

2. Fill out and attach “Certification by Proposed Prime or Subcontractor Regarding
   Equal Employment Opportunity” (DHEC Form 3592).

3. Attach a copy of the Employer Information Report EEO-1 (also known as
   Standard Form 100) if the firm meets the criteria outlined on page 4 of this form.
   N/A______ (Check N/A if the firm does not meet the EEO-1 Report criteria.)

4. a. Name of company official responsible for EEO: ___________________________
   b. Attach a copy of the contractor’s Affirmative Action Plan.

5. a. List current construction contracts, with dollar amount:

   ______________________ $ _______ ______________________ $ _______
   ______________________ $ _______ ______________________ $ _______
   ______________________ $ _______ ______________________ $ _______

   b. List contracting federal agencies, if applicable:

   ____________________________________________________________

6. Detail the sex and race/ethnic composition of the company’s workforce,
   temporary and permanent, by job category. List statistics by percent or number.

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Male</th>
<th>Female</th>
<th>African American</th>
<th>Asian</th>
<th>Hispanic</th>
<th>Native American</th>
<th>White</th>
</tr>
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</tbody>
</table>

   Number of Disabled: ___

DHEC 2323 (9/2008)
7. Check applicable employment sources:

- Newspaper Advertisement
- Trade Schools
- Job Service
- Trade Associations
- Walk-In Applications
- Other: _______________________
- Employee Referrals

8. List anticipated employment needs for this project, indicating percentage or number of female/minority participation in each trade:

<table>
<thead>
<tr>
<th>Trade</th>
<th>Female</th>
<th>African American</th>
<th>Asian</th>
<th>Hispanic</th>
<th>Native American</th>
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</thead>
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OR Check Yes ____ if you plan to only use your existing workforce.

9. **Prime Contractors Only:** Fill out and attach “Prime Contractor’s Subagreement Certification” (DHEC Form 3591).

10. Contract Price: $______________.

11. Duration of Contract: ______________.

12. **All Prime Contractors and Any Subcontractors** whose subcontract equals or exceeds $25,000: Fill out and attach “Certification Regarding Debarment, Suspension and Other Responsibility Matters” (DHEC Form 3590).

__________________________
Signature of Authorized Official

__________________________
Print Name and Title of Authorized Official

__________________________
Date

Submit to:
SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

DHEC 2323 (9/2008)
INSTRUCTIONS FOR COMPLETING THE EEO DOCUMENTATION FORM
DHEC 2323

The purpose of the EEO Documentation Form is to document compliance with the Equal Employment Opportunity (EEO) requirements which prohibit discrimination in employment practices on the basis of race, color, religion, national origin, sex, age or handicap. The affirmative action program is designed to enhance hiring, training, and promotion opportunities for minorities and women and is governed by Executive Order 11246.

This form must be completed by each prime contractor and any subcontractor whose contract amount exceeds $10,000.

Please provide the name of the Project Sponsor, project name and State Revolving Fund (SRF) project number. Please answer each question and submit the requested attachments with this form.

DHEC Review and Filing. The Bureau of Water will use the above referenced form to document each prime contractor and subcontractor’s compliance with the EEO requirements. The form will be kept in the SRF DBE/EEO file of the project name listed on the form. The EEO Designation Form will be retained on file with the Bureau of Water for twenty years.
Under the direction of the U. S. Equal Employment Opportunity Commission, the Joint Reporting Committee (JRC) is responsible for the full-length, multi-phase processing of employment statistics collected on the Employer Information Report EEO-1. This report, also known as Standard Form 100, details the sex and race/ethnic composition of an employer’s work force by job category.

The Employer Information EEO-1 survey is conducted annually under the authority of Public Law 88-352, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972. All employers with 15 or more employees are covered by Public Law 88-352 and are required to keep employment records as specified by Commission regulations. Based on the number of employees and federal contract activities, certain large employers are required to file an EEO-1 Report on an annual basis.

The EEO-1 Report must be filed by:

(A) All private employers who are: (1) subject to Title VII of the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act of 1972) with 100 or more employees EXCLUDING State and local governments, primary and secondary school systems, institutions of higher education, Indian tribes and tax-exempt private membership clubs other than labor organizations; OR (2) subject to Title VII who have fewer than 100 employees if the company is owned or affiliated with another company, or there is centralized ownership, control or management (such as central control of personnel policies and labor relations) so that the group legally constitutes a single enterprise and the entire enterprise employs a total of 100 or more employees.

(B) All federal contractors (private employers) who: (1) are not exempt as provided for by 41 CFR 60-1.5; (2) have 50 or more employees, and (a) are prime contractors or first-tier subcontractors, and have a contract, subcontract, or purchase order amounting to $50,000 or more; or (b) serve as depository of Government funds in any amount; or (c) is a financial institution which is an issuing and paying agent for U. S. Savings Bonds and Notes.

When filing for the EEO-1 Report for the first time, go to the web site at: [http://www.eeoc.gov/eeo1survey](http://www.eeoc.gov/eeo1survey) and select “Filing for the first time” from the information box. Fill out the electronic questionnaire to enter your company into the JRC system. Once you have completed the registration process, you will be contacted on how to proceed with the EEO-1 Report. If you have previously registered with the JRC, follow their instructions to update your information.
STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

2. Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and

4. Have not within a three year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. Sec. 1001, a false statement may result in a fine of up to $10,000 or imprisonment for up to 5 years, or both.

Name of Firm Submitting Bid

Signature and Title of Authorized Official Date

I am unable to certify to the above statements. Attached is my explanation.

Prime or Subcontractor’s Name:______________________________________________

Telephone Number:_______________________________________________________

Project No.:_________________________________

Sponsor:___________________________________

Submit to: SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

DHEC 3590 (09/1998)
STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
PRIME CONTRACTOR’S SUBAGREEMENT CERTIFICATION

SECTION I – INSTRUCTIONS

All prime contractors are required to certify whether or not they plan to utilize subcontractors for any portion of work throughout the life of their contract.

SECTION II – CERTIFICATION

I, as the authorized representative of the above named contracting firm, certify that we:

☐ Plan to subcontract a portion of this project and will submit to SCDHEC evidence of the positive steps taken to utilize minority and women’s businesses as required by Executive Order 11246 prior to entering into any subagreement. We agree to submit MBE/WBE quarterly utilization reports (U.S. EPA Form 5700-52A). (Please list each tentative subcontractor on the back of this form).

☐ Do not elect to subcontract any portion of this project. We understand that should we elect, at a later date, to subcontract a portion of this project, we will be required to provide evidence of the positive steps taken to utilize minority and women-owned businesses as required by Executive Order 11246 prior to entering into any subagreement. Failure to do so may result in costs associated with that subagreement declared ineligible for SRF assistance.

Name and Title

______________________________  ________________________________
Signature                      Date

DHEC 3591 (09/1998)
Please list all tentative subcontractors you plan to use for this project, identifying whether or not they are minority business enterprise (MBE) or a women-owned business enterprise (WBE). If more space is needed, please attach additional sheets using the same format as below.

1) Type of Work: ____________________________________________________________
Subcontractor’s Name and Address: ____________________________________________
Contact Person: ____________________________________________________________
Telephone Number: _________________________________________________________
Subcontract Amount: _________________________________________________________
Duration of Subcontract: ____________________________________________________
MBE or WBE? __________________________________________________________________

2) Type of Work: ____________________________________________________________
Subcontractor’s Name and Address: ____________________________________________
Contact Person: ____________________________________________________________
Telephone Number: _________________________________________________________
Subcontract Amount: _________________________________________________________
Duration of Subcontract: ____________________________________________________
MBE or WBE? __________________________________________________________________

3) Type of Work: ____________________________________________________________
Subcontractor’s Name and Address: ____________________________________________
Contact Person: ____________________________________________________________
Telephone Number: _________________________________________________________
Subcontract Amount: _________________________________________________________
Duration of Subcontract: ____________________________________________________
MBE or WBE? __________________________________________________________________

4) Type of Work: ____________________________________________________________
Subcontractor’s Name and Address: ____________________________________________
Contact Person: ____________________________________________________________
Telephone Number: _________________________________________________________
Subcontract Amount: _________________________________________________________
Duration of Subcontract: ____________________________________________________
MBE or WBE? __________________________________________________________________

List of subcontract work yet to be committed with approximate price and duration of subcontract
1) ____________________________________________________________________________
2) ____________________________________________________________________________
3) ____________________________________________________________________________

Submit to: SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

DHEC 3591 (09/1998)
STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
CERTIFICATION BY PROPOSED PRIME OR SUBCONTRACTOR
REGARDING EQUAL EMPLOYMENT OPPORTUNITY

INSTRUCTIONS

This certification is required pursuant to Executive Order 11246, Part II, Section 203 (b), (30 F.R. 12319-25). Any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicated that the prime or subcontractor has not filed a compliance report due under applicable instruction, such contractor shall be required to submit a compliance report.

CONTRACTOR’S CERTIFICATION

Contractor’s Name:___________________________________________________________
Address:___________________________________________________________________

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.      Yes_______  No________
2. Compliance Reports were required to be filed in connection with such contract or subcontract.       Yes_______  No________
3. Bidder has filed all compliance reports due under applicable instructions, including SF-100.        Yes_______  No________
4. If answer to item 3 is NO, please explain in detail on reverse side of this certification.

Certification – The information above is true and complete to the best of my knowledge and belief. (A willfully false statement is punishable by law – U.S. Code, Title 18, Section 1001).

Name and Title of Signer (Please Type)

Signature         Date

Submit to:
SCDHEC, Water Facilities Permitting Division, SRF Section, 2600 Bull Street, Columbia, SC 29201

DHEC 3592 (09/1998)
STATE OF SOUTH CAROLINA STATE REVOLVING FUND (SRF) PROGRAM
BIDDER’S “BUY AMERICAN” CERTIFICATION

With respect to the “Buy American” provisions of the American Recovery and Reinvestment Act of 2009 (ARRA) under Section 1605, I certify to the best of my knowledge and belief that:

1. Identification of American-made Iron, Steel and Manufactured Goods: Consistent with the terms of the Project Sponsor’s bid solicitation and the provisions of ARRA Section 1605, the bidder certifies that this bid reflect the bidder’s best, good faith effort to identify domestic sources of iron, steel, and manufactured goods for every component contained in the bid solicitation where such American-made components are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.

2. Verification of U. S. Production: The bidder certifies that all components contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the bidder agrees that it will provide reasonable, sufficient, and timely verification to the Project Sponsor of the U. S. production of each component so identified.

3. Documentation Regarding Non-American made Iron, Steel, or Manufactured Goods: The bidder certifies that for any component or components that are not American-made and are so identified in this bid, the bidder has included in or attached to this one or both of the following, as applicable:

   a. Identification of and citation to a categorical waiver published by the U. S. Environmental Protection Agency in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components;

   b. Verifiable documentation sufficient to the Project Sponsor, as required in the bid solicitation or otherwise, that the bidder has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the bidder under the applicable conditions stated in the bid solicitation or otherwise.

DHEC 2556 (05/2009)
4. Information and Detailed Justification Regarding Non-American-made Iron, Steel, or Manufactured Goods: The bidder certifies that for any such component or components that are not so available, the bidder has also provided in or attached to this bid information, including but not limited to the verifiable documentation and a full description of the bidder’s efforts to secure any such American-made component or components, that the bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under Section 1605 with respect to such component or components. The bidder further agrees that, if this bid is accepted, it will assist the Project Sponsor in amending, supplementing, or further supporting such information as required by the Project Sponsor to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

I understand that a false statement on this certification may be grounds for rejection or termination of any award.

_____________________________________
Signature of Bidder

_____________________________________
Typed Name and Title of Bidder

_____________________________________
Name of Bidder’s Company

_____________________________________
Bidder’s Address

_____________________________________
Bidder’s Telephone Number

DHEC 2556 (05/2009)
INSTRUCTIONS FOR COMPLETING BIDDER’S “BUY AMERICAN” CERTIFICATION – DHEC

The purpose of the Bidder’s “Buy American” Certification is to certify that, as required by Section 1605 of the American Recovery and Reinvestment Act of 2009 (ARRA), all of the iron, steel and manufactured goods used in the referenced State Revolving Fund (SRF) project are produced in the United States unless a waiver is granted by the U. S. Environmental Protection Agency.

All firms bidding on SRF projects funded under ARRA must complete this form.

Please provide the name of the Project Sponsor, the project name/division, and the SRF project number.

Please certify compliance with Section 1605 of ARRA by signing the form and including the typed name and title of the bidder, name of bidder’s company, bidder’s address and bidder’s telephone number.

DHEC Review and Filing. The Bureau of Water will use the above referenced form to document bidder compliance with Section 1605 of ARRA. The form will be kept in the SRF Bidding file of the project name listed on the form. The Bidder’s “Buy American” Certification will be retained on file with the Bureau of Water for twenty years.

DHEC 2556 (05/2009)
With respect to the “Buy American” provisions of the American Recovery and Reinvestment Act of 2009 (ARRA) under Section 1605, I certify to the best of my knowledge and belief that:

1. Identification of American-made Iron, Steel and Manufactured Goods: Consistent with the provisions of ARRA Section 1605, the Project Sponsor certifies that the direct purchase of ________________________________ (identify purchased equipment or material) reflect the Project Sponsor’s best, good faith effort to identify domestic sources of iron, steel, and manufactured goods for every component contained in the direct purchase solicitation where such American-made components are available on the schedule and consistent with the deadlines prescribed in or required by the direct purchase solicitation.

2. Verification of U. S. Production: The Project Sponsor certifies that all components contained in the direct purchase solicitation that are American-made have been so identified.

3. Documentation Regarding Non-American made Iron, Steel, or Manufactured Goods: The Project Sponsor certifies that for any component or components that are not American-made and are so identified in this direct purchase, the Project Sponsor has included in or attached to this one or both of the following, as applicable:

   a. Identification of and citation to a categorical waiver published by the U. S. Environmental Protection Agency in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components;

   b. Verifiable documentation that the Project Sponsor has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the direct purchase solicitation.
4. Information and Detailed Justification Regarding Non-American-made Iron, Steel, or Manufactured Goods: The Project Sponsor certifies that for any such component or components that are not so available, the Project Sponsor has also provided in or attached to this solicitation information, including but not limited to the verifiable documentation and a full description of the Project Sponsor’s efforts to secure any such American-made component or components, that the Project Sponsor believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under Section 1605 with respect to such component or components. The Project Sponsor further agrees to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

I understand that a false statement on this certification may be grounds for rejection or termination of any award.

________________________________________________________________________
Signature of Project Sponsor’s Representative

________________________________________________________________________
Typed Name and Title of Project Sponsor’s Representative

________________________________________________________________________
Name of Project Sponsor

________________________________________________________________________
Project Sponsor’s Address

________________________________________________________________________
Project Sponsor’s Telephone Number
INSTRUCTIONS FOR COMPLETING PROJECT SPONSOR’S “BUY AMERICAN” CERTIFICATION FOR DIRECT EQUIPMENT/MATERIAL PURCHASES – DHEC 2558

The purpose of the Project Sponsor’s “Buy American” Certification for Direct Equipment/Material Purchases is to certify that, as required by Section 1605 of the American Recovery and Reinvestment Act of 2009 (ARRA), all of the iron, steel and manufactured goods used in the referenced State Revolving Fund (SRF) project are produced in the United States unless a waiver is granted by the U. S. Environmental Protection Agency.

All Project Sponsors directly purchasing equipment or material on SRF projects funded under ARRA must complete this form.

Please provide the name of the Project Sponsor, the project name/division, and the SRF project number.

Please certify compliance with Section 1605 of ARRA by signing the form and including the typed name and title of the Project Sponsor’s representative, name of Project Sponsor, Project Sponsor’s address and Project Sponsor’s telephone number.

DHEC Review and Filing. The Bureau of Water will use the above referenced form to document Project Sponsor’s compliance with Section 1605 of ARRA for direct equipment/material purchases. The form will be kept in the SRF Procurement file of the project name listed on the form. The Project Sponsor’s “Buy American” Certification for Direct Equipment/Material Purchases will be retained on file with the Bureau of Water for twenty years.