

Saline Road Improvements – Phase 1
STP-5403 (642)

BIDDER'S FORMS

(Item A to be completed and turned in by all potential Bidders immediately after downloading bidding documents)

A. Plan Holder Contact Information form

(Items below to be completed and turned in by the Contractor prior to Bid Opening)

B. Notice to Contractor

C. Bid Form

D. Bid Bond

E. Bidder's Acknowledgement

F. Affidavit of Federal Employment Authorization

G. DBE Submittal Forms

H. Contractor to Enclose Bid Security

I. Contractor to Enclose Certificate of Insurance

Name of Contractor: _____

Address: _____

Phone and Fax: _____

Note: Three copies of Items "B" through "I" above are to be filled in by the Contractor and turned in with the bid.

This project has Federal Funding so the following terms apply:

The prime contractor must be on MoDOT's approved contractor listing at least 7 days before the day of the bid opening in order for MoDOT to concur with the award of this project.

Only work performed by DBE subcontractors that appear on MoDOT's approved listing at the time of the bid opening will be applied towards calculating the DBE Goal.

DBE submittal forms shall be completed and submitted with the bid proposal or delivered by the low and second low bidder by 4:00 p.m. on the third working day after the bid opening date. Failure to deliver the completed DBE submittal forms will be cause for rejection of the low bid and the proposed guaranty will become the property of the Owner.

MoDOT will only concur with awarding the contract to a responsible bidder who has submitted the lowest, responsive bid. A responsive bid is one that meets all requirements of the advertisement and proposal, and "responsible" is defined as one who is physically organized and equipped with the financial wherewithal to undertake and complete the contract.

**** Prospective Bidders are to read and give special attention to Provision Numbers 37 & 38 found on pages GC-16 & GC-17 of the General Conditions pertaining to Federal Employment Authority and OSHA Training before bidding.**

PLAN HOLDER CONTACT INFORMATION

All potential bidders must complete this form and submit it to the Jefferson County email address listed below in order to provide contact information as required. All other plan holders may submit this form at their own option. Addendums will be posted on the county website. In the event of disruption of website services, all such information will be communicated to all registered plan holders.

Project:
Plans &
Specifications:
Bid Opening Date:
Estimate:

\$0.00 AVAILABLE ONLINE

Company Name*:
Contact Name*:
Address*:

Phone*:
Email*:

*required information

Email this
completed form to:

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NOTICE TO CONTRACTORS

Sealed bids for the proposed work will be addressed and delivered to the office of The County Clerk, 729 Maple Street, Jefferson County Administration Center, Hillsboro, Missouri until 2:00 o'clock P.M. (**CST**) on **March 10, 2015**, and at that time will be publicly opened. All bids shall be submitted in triplicate in an opaque sealed envelope, marked with the Project title, name and address of the Bidder, and accompanied by the other required documents. Bids submitted via fax or electronic will be rejected. Late Bids will not be accepted and will be returned to the sender, unopened.

(1) PROPOSED WORK: The proposed work, hereinafter called the work, includes:

New pavement and base, curb and gutter, curb inlets, drainage structures, storm sewers, guardrail and retaining walls. Driveway modifications, pavement markings, erosion protection, traffic control will also be included in the project.

(2) COMPLIANCE WITH CONTRACT PROVISIONS: The bidder, having examined and being familiar with the local conditions affecting the work, and with the contract, contract documents, including the Missouri Highways and Transportation Commission's "Missouri Standard Specifications for Highway Construction, 2011," and "Missouri Standard Plans for Highway Construction, 2009" and Supplemental Revisions (if applicable), their revisions, and the request for bid, including appendices, the special provisions and plans, hereby proposes to furnish all labor, materials, equipment, services, etc., required for the performance and completion of the work. All references are to the Missouri Standard Specifications for Highway Construction, as revised, unless otherwise noted.

The following documents are available on the Missouri Department of Transportation web page at www.modot.mo.gov under "Business with MoDOT" "Standards and Specifications". The effective version shall be determined by the letting date of the project.

General Provisions & Supplemental Specifications

Supplemental Plans to October 2009 Missouri Std. Plans
For Highway Construction (if applicable)

These supplemental bidding documents contain all current revisions to the bound printed versions and have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

Please note that within the above-listed documents, the term "Commission" shall be replaced with the term, "County of Jefferson", and the term "Engineer" is a reference to the County Director of Public Works/Highway Engineer.

The contracting authority for this contract is **County of Jefferson**.

(3) PERIOD OF PERFORMANCE: If the bid is accepted, the bidder agrees that work shall be diligently prosecuted at such rate and in such manner as, in the judgment of the engineer, is necessary for the completion of the work within the time specified as follows in accordance with Sec 108:

Working Days: **200**

(4) LIQUIDATED DAMAGES: The bidder agrees that, should the bidder fail to complete the work in the time specified or such additional time as may be allowed by the engineer under the contract, the amount of liquidated damages to be recovered in accordance with Sec 108 shall be as follows:

Liquidated damages per day **\$ 1,225**

(5) **BID GUARANTY:** The bidder shall submit a Bid Guaranty meeting the requirements of Section 102 of the Missouri Standard Specifications for Highway Construction (if applicable). The project bid bond form is included in the bid book. The bidder shall mark the box below to identify the type of Bid Guaranty.

- Paper Bid Bond
- Cashier's Check

(6) **CERTIFICATIONS FOR FEDERAL JOBS:** By signing and submitting this bid, the bidder makes the certifications appearing in Sec. 102.18.1 (regarding affirmative action and equal opportunity), Sec. 102.18.2 (regarding disbarment, eligibility, indictments, convictions, or civil judgments), Sec. 102.18.3 (regarding anti-collusion), and Sec. 102.18.4 (regarding lobbying activities). Any necessary documentation is to accompany the bid submission, as required by these sections. As provided in Sec. 108.13, the contracting authority may terminate the contract for acts of misconduct, which includes but is not limited to fraud, dishonesty, and material misrepresentation or omission of fact within the bid submission.

(7) **ANTIDISCRIMINATION:** The Contracting Authority hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, businesses owned and controlled by socially and economically disadvantaged individuals will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

(8) **FEDERAL AND STATE INSPECTION:** The Federal Government is participating in the cost of construction of this project. All applicable Federal laws, and the regulations made pursuant to such laws, shall be observed by the contractor, and the work will be subject to the inspection of the appropriate State or Federal Agency in the same manner as provided in Sec 105.10 of the Missouri Standard Specifications for Highway Construction with all revisions applicable to this bid and contract.

(9) **PREVAILING WAGE (FEDERAL AND STATE):** This contract requires payment of the prevailing hourly rate of wages for each craft or type of work required to execute the contract as determined by the Missouri Department of Labor and Industrial Relations, and requires adherence to a schedule of minimum wages as determined by the United States Department of Labor. For work performed anywhere on this project, the contractor and the contractor's subcontractors shall pay the higher of these two applicable wage rates. The applicable state wage rates for this contract are detailed in "**Annual Wage Order No. 21**", that is attached to this bidding document. The applicable federal wage rates for this contract are the effective Davis-Bacon federal wage rates posted the tenth day before the bid opening date and are attached herein.

These supplemental bidding documents have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

(10) **WORKER ELIGIBILITY REQUIREMENTS:** Execution of the construction contract for this project is dependent upon the awarded bidder providing an Affidavit of Compliance AND E-Verify Memorandum-of-Understanding (MOU) between the bidder and Department of Homeland Security to the Contracting Authority as required by section 285.530 RSMo. **The cover page and signature page of the E-Verify MOU and the Affidavit must be submitted with the bid.**

A sample Affidavit of Compliance can be found at the Missouri Attorney General's website at the following link:

http://ago.mo.gov/forms/Affidavit_of_Compliance.pdf

All bidders must also be enrolled in the E-Verify Program, and include their MOU prior to contract execution. Bidders who are not enrolled will need to go to the following website link and select "Enroll in the Program" to get started. After completing the program, they will receive their E-Verify MOU with Department of Homeland Security. This document will need to be printed out and kept on file so that a copy can be attached to the Affidavit of Compliance.

http://www.dhs.gov/files/programs/gc_1185221678150.shtm

This requirement also applies to subcontractors and contract labor, but this contract only requires submittal of the verification documents for the prime contractor. It is the prime contractor's responsibility to verify the worker eligibility of their subcontractors in order to protect their own company from liability as required by section 285.530 RSMo.

(11) OSHA TEN HOUR TRAINING REQUIREMENTS: Missouri Law, 292.675 RSMO, requires any awarded contractor and its subcontractor(s) to provide a ten-hour Occupational Safety and Health Administration (OSHA) Construction Safety Program (or a similar program approved by the Missouri Department of Labor and Industrial Relations as a qualified substitute) for their on-site employees (laborers, workmen, drivers, equipment operators, and craftsmen) who have not previously completed such a program and are directly engaged in actual construction of the improvement (or working at a nearby or adjacent facility used for construction of the improvement). The awarded contractor and its subcontractor(s) shall require all such employees to complete this ten-hour program, pursuant to 292.675 RSMO, unless they hold documentation on their prior completion of said program. Penalties, for Non-Compliance include contractor forfeiture to the Contracting Authority in the amount of \$2,500, plus \$100 per contractor and subcontractor employee for each calendar day such employee is employed beyond the elapsed time period for required program completion under 292.675 RSMO.

(12) BUY AMERICA REQUIREMENTS: Construction contracts shall assure compliance with Section 165 of the Surface Transportation Assistance Act of 1982, Section 337 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, and 23 CFR 635.410 regarding Buy America provisions on the procurement of foreign products and materials. On all contracts involving Federal-aid, all products of iron, steel, or a coating of steel which are incorporated into the work must have been manufactured in the United States. The Contracting Authority may allow minimal amounts of these materials from foreign sources, provided the cost does not exceed 0.1 percent of the contract sum or \$2,500, whichever is greater. The Contractor certifies that these materials are of domestic origin. Additional information regarding the "Buy America" requirements can be found at:

<http://www.fhwa.dot.gov/programadmin/contracts/b-amquck.cfm>

(13) ADDENDUM ACKNOWLEDGEMENT: The undersigned states that all addenda (if applicable) have been received, acknowledged and incorporated into their bid, prior to submittal. For paper bids, staple addenda to the bid in the appropriate part of the bid.

(14) SIGNATURE AND IDENTITY OF BIDDER: The undersigned states that the following provided information is correct and that (if not signing with the intention to bind themselves to become the responsible and sole bidder) they are the agent of, and they are signing and executing this, as the bid of

_____, which is the correct **LEGAL NAME** as stated on the contractor questionnaire (if applicable).

a) The organization submitting this bid is a(n) (1) individual bidder, (2) partnership, (3) joint venturer (whether individuals or corporations, and whether doing business under a fictitious name), or (4) corporation. Indicate by marking the appropriate box below.

sole individual partnership joint venture

corporation, incorporated under laws of state of _____.

b) If the bidder is doing business under a fictitious name, indicate below by filling in the fictitious name

Executed by bidder this _____ day of _____ 20____.

THE BIDDER CERTIFIES THAT THE BIDDER AND ITS OFFICIALS, AGENTS, AND EMPLOYEES HAVE NEITHER DIRECTLY NOR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE COMPETITIVE BIDDING IN CONNECTION WITH THIS BID, AND THAT THE BIDDER INTENDS TO PERFORM THE WORK WITH ITS OWN BONAFIDE EMPLOYEES AND SUBCONTRACTORS, AND DID NOT BID FOR THE BENEFIT OF ANOTHER CONTRACTOR.

THE BIDDER ACKNOWLEDGES THAT THIS IS AN UNSWORN DECLARATION, EXECUTED UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND/OR FALSE DECLARATION UNDER THE LAWS OF MISSOURI, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS. THE FAILURE TO PROVIDE THIS CERTIFICATION IN THIS BID MAY MAKE THIS BID NON-RESPONSIVE, AND CAUSE IT TO BE REJECTED.

THE BIDDER CERTIFIES THAT THE BIDDER'S COMPANY KNOWINGLY EMPLOYS ONLY INDIVIDUALS WHO ARE AUTHORIZED TO WORK IN THE UNITED STATES IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAWS AND ALL PROVISIONS OF MISSOURI EXECUTIVE ORDER NO. 07-13 FOR CONTRACTS WITH THE CONTRACTING AUTHORITY.

Check this box ONLY if the bidder REFUSES to make any or all of these certifications. The bidder may provide an explanation for the refusal(s) with this submittal.

Signature of Bidder's Owner, Officer, Partner or Authorized Agent

Please print or type name and title of person signing here

Attest:

Secretary of Corporation if Bidder is a Corporation

Affix Corporate Seal (If Bidder is a Corporation)

NOTE: If bidder is doing business under a fictitious name, the bid shall be executed in the legal name of the individual, partners, joint ventures, or corporation, and registration of fictitious name filed with the secretary of state, as required by sections 417.200 to 417.230 RSMo. If the bidder is a corporation not organized under the laws of Missouri, it shall procure a certificate of authority to do business in Missouri, as required by section 351.572 et seq RSMo. A certified copy of such registration of fictitious name or certificate of authority to do business in Missouri shall be filed with the Missouri Highways and Transportation Commission, as required by the standard specifications.

(15) TRAINEES: By submitting this bid, the bidder certifies that the bidder is familiar with the Training Provision in the Missouri Highways and Transportation Commission's "General Provisions and Supplement Specifications" which are available on the Missouri Department of Transportation web page at www.modot.mo.gov under "Business with MoDOT" "Standards and Specifications". The number of trainee hours provided under this contract will be **1 slots at 1000 hours per slot or 1000 hours.**

(16) SUBCONTRACTOR DISCLOSURE: Requirements contained within Sec 102.7.12 of the Missouri Standard Specification for Highway Construction shall be waived for this contract.

(17) PROJECT AWARD: This project will be awarded to the lowest, responsive, responsible bidder.

(18) MATERIALS INSPECTION: All technicians who perform, or are required by the FHWA to witness, such sampling and testing shall be deemed as qualified by virtue of successfully completing the requirements of EPG 106.18 Technician Certification Program, for that specific technical area.

(19) PRIME CONTRACTOR REQUIREMENTS: The limitation in Sec 108.1.1 of the Missouri Standard Specifications for Highway Construction that "the contractor's organization shall perform work amounting to not less than 40 percent of the total contract cost" is waived for this contract. Instead, the less restrictive terms of the Federal Highway Administration's rule at Title 23 Code of Federal Regulations (CFR) § 635.116(a) shall apply, so that the contractor must perform project work with its own organization equal to and not less than 30 percent of the total original contract price. Second-tier subcontracting will not be permitted on this contract. All other provisions in Sec 108.1.1 et seq. of the Missouri Standard Specifications for Highway Construction shall remain in full force and effect, and shall continue to govern the contractor and its subcontractors, in accordance with the provisions of Title 23 CFR § 635.116.

(20) SALES AND USE TAX EXEMPTION: County of Jefferson, a tax exempt entity, will furnish a Missouri Project Exemption Certificate as described in Section 144.062 RSMo to the awarded contractor who in turn may use the certificate to purchase materials for a specific project performed for the tax exempt entity. Only the materials and supplies incorporated or consumed during the construction of the project are exempt. The certificate will be issued to the contractor for a specific project for a defined period of time.

ITEMIZED BID: The bidder should complete the following section in accordance with Sec 102.7. The bidder proposes to furnish all labor, materials, equipment, services, etc. required for the performance and completion of the work, as follows:

BID FORM

TO: **JEFFERSON COUNTY, MISSOURI**
BID FOR: **SALINE ROAD IMPROVEMENTS PHASE 1**
FEDERAL PROJECT NO. STP-5403 (642)

1. The undersigned BIDDER proposes and agrees, if this BID is accepted, to enter into an Agreement with the County in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the Instructions to Bidders. This Bid will remain open for sixty days after the day of Bid opening. BIDDER will sign the Agreement and submit all documents required within fifteen (15) days after the COUNTY'S Notice of Award.
3. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:
 - (a) BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary; and
 - (b) This Bid is genuine and not made in the interest of or on behalf on any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the County.
4. Bidder will complete project for the following unit prices. It is understood that the quantities given for the following bid items are not guaranteed by the Jefferson County Public Works Department and are used solely for the purpose of comparing bids and awarding the contract, and may or may not represent the actual quantities encountered on the job: and that the sum of quantities listed below, multiplied by the unit price shall constitute the gross sum bid.

BID ITEMS:

Roadway Items					
Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
201-20.10	Clearing and Grubbing	LS	1		
202-20.10	Removal of Improvements	LS	1		
203-10.00	Class A Excavation	CY	14,145		
203-20.00	Class C Excavation (Rock Benching)	CY	549		
203-60.00	Compacting Embankment	CY	1,436		
206-30.00	Class 3 Excavation	CY	3,624		
206-31.00	Class 3 Excavation in Rock	CY	1,543		
207-99.09	Linear Grading, Special	LF	1,000		
304-05.04	Type 5 Aggregate for Base (4 in. Thick)	SY	19,287		
310-60.03	Gravel Type A or Chat (C)	SY	294		
405-10.00	Temporary Pavement, 6-Inch Thick Asphalt	SY	1,246		
401-12.09	Bituminous Pavement Mixture PG64-22, (BP-1)	TON	1,712		
401-30.00	Bituminous Pavement Mixture PG64-22, (Base)	TON	6,802		
407-10.05	Tack Coat	Gal	710		
408-10.10	Prime-Liquid Asphalt RC 70 or MC 30	Gal	4,920		
502-11.06	Concrete Pavement (6" Non-Reinforced)	SY	468		
603-10.30	Adjust Water Service Valve and Box to Grade	EA	18		
603-10.31	Adjust Water Meter	EA	13		
603-10.99	Adjust Gas Service Valve to Grade	EA	4		
604-05.08	8" Yard Inline Drain	EA	2		
604-12.01	Single Curb Inlet, Untrapped	EA	6		
604-14.04	Area Inlet, Single, Open 4 Sides, Untrapped	EA	1		
604-20.00	Remove and Replace Hydrant	EA	2		
604-20.10	Adjusting Manhole to Grade	EA	1		

Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
604-20.11	Miscellaneous (Pullboxes, Other)	EA	5		
604-80.06	Slotted Vane Drain	LF	90		
606-10.10	Guardrail, Type A	LF	572		
606-30.15	Type A Crashworthy End Treatment	EA	1		
606-66.10	End Anchor	EA	1		
607-10.10A	42" Chain Link Fence	LF	276		
697-10.10B	6' Wood Privacy Fence	LF	495		
607-10.10C	48" White Vinyl Privacy Fence	LF	72		
607-30.00	Walk Gate (Chain-Link)	EA	1		
607-50.00	Chain-Link Fence Retaining Wall	LF	82		
608-50.06	Paved Approach (6")	SY	1,105		
608-60.04	Concrete Sidewalk, 4 In.	SY	18		
608-70.00	Concrete Steps	SF	190		
609-10.10	Concrete Curb (6 In. Height and Under) Type S	LF	61		
609-10.52	Curb and Gutter Type B	LF	8,710		
609-20.12	Integral Curb (6 In. Height and Under) Type B	LF	32		
609-20.13	Integral Curb Type M	LF	47		
609-20.32	Concrete Curb Low Profile Type F	LF	76		
609-30.15	Asphalt Curb (4 Inch)	LF	75		
611-99.05	Rock Blanket Type 2	SY	92		
618-10.00	Mobilization	LS	1		
622-10.01	Coldmilling Bituminous Pavement for Removal of Surfacing (3 In. Thick or Less)	SY	233		
627-40.00	Contractor Furnished Surveying and Staking	LS	1		
712-35.00	Railings For Steps	LF	30		
720-10.00	Mechanically Stabilized Earth Wall Systems	SF	1,483		
720-99.04	Mechanically Stabilized Earth Wall Systems – Large Block	SF	2,282		
726-10.12	12 In. Pipe Group A	LF	232		

Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
726-10.15	15 In. Pipe Group A	LF	2,668		
726-10.18	18 In. Pipe Group A	LF	636		
726-10.24	24 In. Pipe Group A	LF	530		
726-10.36	36 In. Pipe Group A	LF	16		
726-11.15	Temporary 15" Corrugated Metal Pipe	LF	135		
726-54.04	4" Polyvinyl Chloride Pipe	LF	65		
726-54.08	8" Polyvinyl Chloride Pipe	LF	144		
731-00.42	Precast Concrete Manhole – 42 In.	EA	3		
731-10.42	Precast Concrete Drop Inlet 4 Ft X 2 Ft	FT	5		
731-99.02	Precast Drop Inlet with Grate and Frame	EA	52		
732-06.15A	15 In. or Allowed Substitute Group A Flared End Section	EA	3		
732-06.24A	24 In. or Allowed Substitute Group A Flared End Section	EA	3		
806-10.19	Silt Fence	LF	4,060		
806-10.25	Inlet Check	EA	58		
806-41.24	Type 5 Erosion Control Blanket	SY	1,142		
Subtotal=					

<i>Signing/Striping Items</i>					
Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
616-10.05	Construction Signs	SF	612		
616-10.28	Channelizer	EA	207		
616-10.31	Type III Moveable Barricade with Light	EA	13		
616-10.98	Changeable Message Sign, Contractor Furnished (Rental)	EA	4		
617-36.00D	Temporary Traffic Barrier, Contractor Furnished/Retained	LF	392		
620-60.00B	4 In. White Acrylic Waterborne Pavement Marking Paint	LF	15,530		
620-60.01B	4 In. Yellow Acrylic Waterborne Pavement Marking Paint	LF	15,720		

Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
620-61.24	Acrylic Waterborne Pavement Marking Paint, 24 In., White	LF	12		
903-50.10	Permanent Signing	SF	323		
Subtotal=					

<i>Landscaping Items</i>					
Pay Item No.	Description	Unit	Quantity	Unit Cost	Amount
604-10.00	Topsoil (4" Thick)	CY	1,090		
805-10.00A	Seeding – Cool Season Mixtures	ACRE	2.02		
Subtotal=					

PROJECT TOTAL = _____

NOTICE TO BIDDER- Bidders must complete the submitted section in its entirety.

5. BIDDER agrees that the work will be completed within **200 Working days** or the CONTRACTOR shall pay the COUNTY, not as a penalty but as **liquidated damages**, a sum equal to **One Thousand Two Hundred and Twenty-five Dollars (\$1,225.00)** for each day, as defined by Sec 108 of the 2011 Edition of the "Missouri Standard Specifications for Highway Construction", elapsing between the expiration of such time limit plus such extensions as may be necessary to cover contingencies beyond the CONTRACTOR'S control and the date of the full completion.

The County reserves the right to negotiate additional terms for the time of completion with the successful bidder.

5.1 **Acceptance of Provision for Asphalt Cement Price Index:** Bidder has the option to accept the following provision for Asphalt Cement Price Index, if applicable. The bidder must mark the box below if they choose to accept the provision. No price adjustments will be made, due to asphalt price changes, for bidders that do not accept this provision. This provision applies only to projects that have a quantity of asphalt wet ton mix pay items over 1000 tons.

Asphalt Cement

Asphalt Cement Price Index adjustments will be made to the payments due the Contractor for any plant mix bituminous base, plant mix bituminous pavement, and plant mix bituminous surface leveling that contains PG64-22, PG70-22 or PG76-22 when it

has been determined that the monthly average price of PG64-22 for St. Louis, Missouri area has fluctuated from the monthly average price of the month the project was bid. The St. Louis, Missouri "Asphalt Price Index" will be obtained from MoDOT's website:

http://www.modot.mo.gov/business/contractor_resources/bid_opening_info/bidGenInfo.shtml

The monthly base price, established prior to the bid opening, shall apply to payment estimates for the following month.

The adjusted contract unit price will be applied to the actual amount of asphalt binder used by the Contractor for all asphalt items. The adjustment will be applied to projects that have a quantity of asphalt wet ton mix pay items over 1000 tons. The percentage of virgin asphalt as shown in the job mix formula, in accordance with Sec 401, Sec 403 and Sec 413, will be the basis for adjustments for any asphalt mix type placed on the project during the monthly index period. The effective asphalt obtained from the use of Recycled Asphalt Pavement (RAP) and/or Recycled Asphalt Shingles (RAS) will not be eligible for adjustment. The base price index for PG64-22 will be applied to the asphalt mix for mixes using PG64-22, PG70-22 or PG76-22.

Basis of Payment To determine the adjustment for any material specified in this provision the following formula will be used.

$$A = (B \times C) \times (D-E)$$

Where: A = Adjustment for mix placed during monthly average index period

B = Tons of Mix Placed during the monthly average index period

C = % of virgin asphalt binder as listed in the job mix formula in use

D = Asphalt Price Index, as published by MoDOT for the month prior to the month of mix placement (*Ex: if asphalt material placed in August, use Price Index listed for July*)

E = Asphalt Price Index, as published by MoDOT for the month prior to the letting (*Ex: if project bid in June, use Price Index listed for May*)

The engineer will make adjustment payments, as defined above, for the applicable work completed during each month except for projects on which the contractor is being charged liquidated damages, due to working beyond the project completion date, in accordance with Sec 108. In this case, the "D" value used for the price adjustment will be either the last "D" value prior to the date that liquidated damage assessment began or the current monthly "D" value, whichever is lower. If the contractor is being charged liquidated damages due to the contract being beyond the project completion date and the current months "D" value results in a deduction, then the current monthly "D" value will be used.

Optional This provision is optional. If the bidder wishes to be bound by this provision, the bidder shall execute the acceptance form in the Bid. Failure by the bidder to execute the acceptance form will be interpreted to mean election to not participate in the Asphalt Cement Price Index. If the Asphalt Cement Price Index is accepted, asphalt binder for the project will not be eligible for a material allowance as described in Sec 109.

6. Communications concerning this Bid shall be addressed to the following:

Address:

7. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract Documents have the meanings assigned to them in the General Conditions.

8. **CERTIFICATIONS FOR FEDERAL JOBS:** By signing and submitting this bid, the bidder makes the certifications appearing in Sec. 102.18.1 (regarding affirmative action and equal opportunity), Sec. 102.18.2 (regarding disbarment, eligibility, indictments, convictions, or civil judgments), Sec. 102.18.3 (regarding anti-collusion), and Sec. 102.18.4 (regarding lobbying activities). Any necessary documentation is to accompany the bid submission, as required by these sections. As provided in Sec. 108.13, the contracting authority may terminate the contract for acts of misconduct, which includes but is not limited to fraud, dishonesty, and material misrepresentation or omission of fact within the bid submission.

9. BIDDER has examined copies of all the Contract Documents and of the following addenda:

Date:

Number:

(receipts of all of which is hereby acknowledged) and also copies of the Bid Notice and the Instructions to Bidders:

SUBMITTED on _____, 20____

By _____

(Corporation Name)

_____ (State of incorporation)

By _____

(Name of person authorized to sign)

(Signature and typed)

_____ (Title)

(Corporate Seal)

Attest _____

(Secretary)

(Signature and typed)

Business address: _____

Phone No.: _____

BID BOND

Suitable bid security in the amount of:

(\$ _____) Dollars and equal to five (5%) percent as called for in the advertisement for bids which accompanies this proposal. This sum is to be forfeited to the County of Jefferson if the party or parties making the proposal fail to enter into a contract with the approved securities within fifteen (15) days after the Notice of Award has been made. The undersigned has examined the Plans and Specifications for the work to be done and has satisfied himself as to the work to be done and the conditions under which it must be carried out.

The Contractor shall commence work within three (3) days after the date of a written Notice to Proceed from the County and shall fully complete all work under this proposal within the scheduled time established by the Contract Documents. This proposal shall be equally binding to all heirs, administrators, executors, successors and assigns.

FIRM NAME _____

BY _____

TITLE _____

ATTEST _____

TITLE _____

ADDRESS _____

TELEPHONE _____

BIDDER'S ACKNOWLEDGMENT

(Complete and fill out all parts applicable, and strike out all parts not applicable)

On this _____ day of _____ 20_____, before me appeared _____ to me personally known, who, being by me first duly sworn, did say that he executed the forgoing Proposal with full knowledge and understanding of all its terms and provisions and of the plans and specifications; that the correct legal name and address of the Bidder (including those of all partners or joint ventures) is fully and correctly set out above; that all statements made therein by or for the Bidder are true; and

(if a sole individual) acknowledged that he executed the same as his free act and deed.

(if a partnership or joint venture) acknowledged that he executed the same, with written authority from, and as the free act and deed of, all said partners or joint venturers.

(if a corporation) that he is the _____
(President or other agent)

of _____; that the above Proposal was signed and sealed in behalf of said corporation by authority of its board of directors; and he acknowledged said proposal to be the free act and deed of said corporation.

Witness my hand and seal at _____, _____
The day and year first above written.

(SEAL) _____ Notary Public

My commission expires 20

ANNUAL WORKER ELIGIBILITY VERIFICATION AFFIDAVIT

(for joint ventures, a separate affidavit is required for each business entity)

On the _____ day of _____, 20____, before me appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be a person whose name is subscribed to this affidavit, who being by me duly sworn, stated as follows:

- I, the Affiant, am of sound mind, capable of making this affidavit, and personally certify the facts herein stated, as required by Section 285.530, RSMo, to enter into any contract agreement with the state to perform any job, task, employment, labor, personal services, or any other activity for which compensation is provided, expected, or due, including but not limited to all activities conducted by business entities.
 - I, the Affiant, am the _____ of _____, and I am duly authorized, directed, and/or empowered to act officially and properly on behalf of this business entity.
 - I, the Affiant, hereby affirm and warrant that the aforementioned business entity is enrolled in a federal work authorization program operated by the United States Department of Homeland Security, and the aforementioned business entity shall participate in said program to verify the employment eligibility of newly hired employees working in connection with any services contracted by the Jefferson County. I have attached documentation to this affidavit to evidence enrollment/participation by the aforementioned business entity in a federal work authorization program, as required by Section 285.530, RSMo.
 - I, the Affiant, also hereby affirm and warrant that the aforementioned business entity does not and shall not knowingly employ, in connection with any services contracted by Jefferson County, any alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. § 1324a(h)(3).
 - I, the Affiant, am aware and recognize that, unless certain contract and affidavit conditions are satisfied pursuant to Section 285.530, RSMo, the aforementioned business entity may be held liable under Sections 285.525 though 285.550, RSMo, for subcontractors that knowingly employ or continue to employ any unauthorized alien to work within the state of Missouri.
 - I, the Affiant, acknowledge that I am signing this affidavit as a free act and deed of the aforementioned business entity and not under duress.

Affiant Signature

Subscribed and sworn to before me in _____, _____, the day and year first above-written.
city (or county) state

Notary Public

My commission expires:

[documentation of enrollment/participation in a federal work authorization program attached]

DBE Submittal Forms

(6) DBE Submittal Forms: This form must be submitted by 4 p.m. three (3) business days after bid opening.

(A) **DBE Contract Goal:** By submitting this bid, the bidder certifies that the bidder is familiar with the DBE Program Requirements in this contract. The contract DBE goal for the amount of work to be awarded is **14%** of the total federal project price. The bidder shall also complete the DBE Submittal Form in accordance with the program requirements.

(B) **DBE Participation:** The bidder certifies that it will utilize DBE's as follows:

% OF TOTAL FEDERAL CONTRACT

NOTE: Bidder must fill in the above blank. If no percentage is specified, the bidder certifies that it agrees to, and will comply with the contract goal. If a percentage below the contract goal is specified, then the bidder must submit complete documentation of good faith efforts to meet the DBE contract goal, immediately below.

(C) Certification of Good Faith Efforts to Obtain DBE Participation: By submitting its signed bid, the bidder certifies under penalty of perjury and other provisions of law, that the bidder took each of the following steps to try to obtain sufficient DBE participation to achieve the Commission's proposed DBE Contract Goal: (Attach additional sheets if necessary).

DBE Submittal Forms

Identification of Participating DBEs: The information shown on this page must be completed. If this page is submitted but not signed, it will not be cause for rejection. The apparent low and second low bidder must file this form with the Jefferson County Public Works Department, P.O. Box 100, Hillsboro, MO 63050 by 4:00 p.m. on the third working day after the bid opening.

Fax or email transmittal is permitted. The fax number is 636-797-5565 and the email address for submittal is JJonas@jeffcomo.org. The original copy must be mailed by overnight mail to the Local Public Agency the day of the FAX or email transmittal. Contact External Civil Rights at (573) 751-7801 for questions or assistance in completion. (Note: Submittal of this form is not required if the Contract DBE Goal is 0%)

The undersigned submits the following list of DBEs to be used in accomplishing the work of this contract. The work, supplies or services, applicable value and percent of total federal contract each DBE is to perform or furnish is as follows:

(A) DBE Name & Address	(B) Bid Item numbers (Or Line numbers)	(C) \$ Value of DBE of Work ** (Unit Price x Quantity of each item in B, or Lump Sum)	(D) % Of \$ Value Applicable to DBE Goal ** (100%, 60%)	(E) \$ Amount Applicable to DBE Goal for each item (C x D)	(F) % Of Total Contract Amount for each item (E/Total Contract Amount)
1.					
2.					
3.					
4.					
Total DBE Participation					

** Cannot exceed contract amount for given item of work.

DBE Submittal

(A) DBE Name & Address	(B) Bid Item numbers	(C) \$ Value of DBE of Work ** (Unit Price x Quantity of each item in B, or Lump Sum)	(D) % Of \$ Value Applicable to DBE Goal ** (100%, 60%)	(E) \$ Amount Applicable to DBE Goal for each item (C x D)	(F) % Of Total Contract Amount for each item (E/Total Contract Amount)
Trucking Services Only used if the DBE owns the trucks or is leasing from a DBE firm			100%		
Trucking Services Trucks are leased from non-DBE source				Only Include <u>Fees</u> for Trucking Services	
Brokered Services				Only Include <u>Fees</u> for Brokered Services	
Totals (Page 1)					
Totals (Page 2)					
Totals (additional pages if needed)					
Total DBE Participation					

** Cannot exceed contract amount for given item of work.

Company: _____ Date: _____

By: _____ Title: _____