BID SOLICITATION NOTICE - District 1
FLORIDA DEPARTMENT OF TRANSPORTATION
CONSTRUCTION AND MAINTENANCE PROGRAMS

Bartow, Florida
January 20, 2009
Advertisement No. 1

Bids for construction projects listed in this Bid Solicitation Notice with a budget of $5 million or more must be submitted using Bid Express only. No other means of submission of bids will be accepted. Please visit the Contracts Administration Website at: http://www.dot.state.fl.us/cc-admin for more information on Bid Express.

Bids for construction projects listed in this Bid Solicitation Notice with a budget of less than $5 million can be submitted using Bid Express or can be submitted at any of the following Florida Department of Transportation locations until 2:00 PM Local Time on **Thursday, February 19, 2009**. To obtain a Digital ID please contact Bid Express at http://www.bidx.com.

Location	Address	Room Number
District 1	801 N. Broadway Bartow, Florida 33830	Procurement Services Conference Room

The sealed bids received in the above referenced location(s) will be publicly opened and the Bid totals for each bid submitted will be read aloud at 2:00 PM **February 19, 2009** in the Procurement Services Conference Room, Bartow, Florida. Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should send an e-mail to: contracts.admin@dot.state.fl.us or call telephone number (863) 519-2559 . Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting. If the budget amount is greater than $250,000.00 on construction projects, the contractor must be prequalified as required by Florida Statute 337.14(1) and Rule Chapter 14-22. Bidders may obtain preliminary bid results at: http://www3.dot.state.fl.us/TrnsportLASBidLetting/, select district then click on appropriate date.

DEADLINE for PROPOSALS and PROPOSAL HOLDERS LIST

The deadline for obtaining bid packages shall be 24 hours prior to scheduled letting date. A list of plan holders may be obtained by visiting the District Contracts Administration website at: http://www.dot.state.fl.us/contractsadministrationdistrict1/, and select letting date from the District 1 Lettings Menu. Please note that the list of proposal holders is confidential two working days from the deadline for obtaining bid packages (or three working days prior to scheduled letting date) and the list of Proposal, Plan and Specification Holders will be deleted and no longer available, per Florida Statues 337.168(2).

-----NOTE-----
Proposals will not be issued after 2:00 PM Local Time on Wednesday, February 18, 2009.

Document Ordering Information
Unless otherwise specified, orders for these documents should be directed to District Contracts Administrator, Distrct Contracts Office, Mail Station 1-18, Florida Department of Transportation, 801 North Broadway, Bartow, Florida 33830, or PO Box 1249, Bartow, Florida 33831, Phone: (863) 519-2559. Checks should be made payable to the State of Florida Department of Transportation. All orders must include a FAX Order Form (375-000-02) with your payment. **Contractors that want to charge to a credit card (American Express, Visa, MasterCard and Discover accepted) can FAX orders to (863) 519-2661 by using the Fax Order Form noted above**. Orders should be placed early enough to allow a minimum of three (3) working days for processing time and delivery. The Fax Order Form can be downloaded from http://www.dot.state.fl.us/contractsadministrationdistrict1/. A current State of Florida Vendor Registration Number is required for order processing; please visit https://vendor.myfloridamarketplace.com/ for more information or call 1-866-352-3776 for assistance. No refund will be made. Phone orders will no longer be accepted. If you wish to pick up your bid package, place your Fax order first and we will call you when it is ready for pick-up.

PREQUALIFICATION

A contractor desiring to bid for the performance of any construction contract in excess of $250,000.00 must first be certified by the Department as qualified in accordance with Section 337.14(1), Florida Statutes, and Rule 14-22, Florida Administrative Code. Maintenance contracts do not require a contractor to have a certificate of qualification, unless stipulated in the project description and specifications. If deemed necessary by the Department, certain maintenance contracts will contain specific requirements for maintenance contractor eligibility.

BID REJECTION

Bidders are hereby notified that all bids on any of the following projects are likely to be rejected if the lowest responsive bid received exceeds the engineer's estimate by more than ten percent (10%). In the event any of the bids are rejected for this reason, the project may be deferred for re-advertising. In addition, award of all federally funded projects will be subject to Federal Highway Administration concurrence.

PROTEST RIGHTS

Pursuant to Section 337.11, Florida Statutes, any person adversely affected by a **bid solicitation** shall file both a notice of protest and bond within 72 hours of the receipt of the bid documents, and shall file a formal written protest within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid solicitation pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid solicitation that requires qualification of bidders, the Bond shall be $5,000. For an action protesting a bid solicitation for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be $2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Pursuant to Section 337.11, Florida Statutes, any person adversely affected by a **bid rejection or contract award** shall file both a notice of protest and bond within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely effected person must file both the notice of protest and bond within 72 hours after receipt of the notice of intent. A formal written protest must be filed within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid rejection or contract award pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid rejection or contract award that requires qualification of bidders, the Bond shall be equal to one percent of the lowest bid submitted or $5,000, whichever is greater. For an action protesting a bid rejection or contact award for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be $2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

A protest is not timely filed unless the notice of protest, bond and the formal protest are each received by the Clerk of Agency Proceedings within the required time limits. A protest which is filed prematurely will be deemed abandoned unless timely renewed.

INSURANCE

The successful bidder shall submit current general liability insurance and workman's compensation insurance certificates for the duration of the contract in the dollar amounts and manner specified in the most current edition of the Department's Standard Specifications for Road and Bridge Construction. Insurance companies must be authorized to do business in the State of Florida. Proof of such insurance shall be filed with the District Contracts and Procurement Office before the contract can be executed. BE SURE THAT THE CONTRACT NUMBER IS ON EACH INSURANCE CERTIFICATE.

ADDENDA

No negotiations, decisions, or actions will be initiated or executed by a potential bidder as a result of any oral discussion with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department. Notices of changes (addenda) will be posted on the District Contracts Administration website at: http://www.dot.state.fl.us/contractsadministrationdistrict1/, and select letting date from the District 1 Lettings Menu. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid. **All addenda will be acknowledged by signature and subsequent submission of addenda with the bid when so stated in the addenda.**

BID QUESTIONS

Direct questions regarding the advertised projects by posting them to the Department website at the following URL address: http://www2.dot.state.fl.us/construction/bidquestionmain.asp

CONSTRUCTION

PROPOSAL ID: **E1H03** PROJECT(S): 20121375201 (*) COUNTY: POLK

DESCRIPTION: Lump Sum
This contract is being reserved for bidding by "Small Businesses," see last page of advertisement for further explanation. The improvements under this Contract consist of drainage improvements on State Road 400 (I-4), near the State Road 700 (US 98) interchange, in Polk County.

- Contract Days: 40
- Budget Amount: $98,926.00
- Proposal Package Fee(plans+proposal): $0.00
- Plans Only Fee: $0.00
- Specs Only Fee: $0.00

PROPOSAL ID: **E1H20** PROJECT(S): 42378915201 (*) COUNTY: MANATEE

DESCRIPTION:
Contractors must be prequalified in Drainage to bid on this contract. The improvements under this contract consists of drainage improvements, signalization and pavement marking on State Road 43 (US 301) from 19th Avenue East, easterly 0. 330 miles to 24th Avenue East in Ellenton, Manatee County.

- Contract Days: 75
- Budget Amount: $278,353.00
- Acquis/Flexible Start Time: 120 DAYS (FLEX TIME)
- Proposal Package Fee(plans+proposal): $5.00
- Plans Only Fee: $5.00
- Specs Only Fee: $0.00

MAINTENANCE

PROPOSAL ID: **E1H18-R0** PROJECT(S): 42595617201 (*) COUNTY: CHARLOTTE LEE

DESCRIPTION:
The work within this contract consists of providing all material, labor, equipment and incidentals necessary to perform spot asphalt repair in Charlotte & Lee Counties.

- Contract Days: 365
- Budget Amount: $140,000.00
- Proposal Package Fee(plans+proposal): $0.00
- Plans Only Fee: $0.00
- Specs Only Fee: $0.00

BID BOND

For bids over $150,000.00, the standard proposal guaranty of 5% of the bid will be required. A Proposal Guaranty of not less than five percent (5%) of the total actual bid in the form of either a certified check, cashier's check, trust company treasurer's check, bank draft of any national or state bank, or a Surety Bid Bond made payable to the Florida Department of Transportation must accompany each bid in excess of **$150,000.00**. A check or draft in an amount less than five percent (5%) of the actual bid will invalidate the bid. The guaranty amount shall include all bid items except construction days for A+B bidding and lane closure for Lane Rental Bidding. Bid Bonds shall conform to DOT Form 375-020-09 furnished with the Proposal. Surety2000 or SurePath electronic Bid Bond submittal may be used in conjunction with Bid Express internet bid submittal. For more information please visit http://www.surety2000.com for Surety2000 or http://www.insurevision.com for SurePath. Paper Bid Bonds will be also be accepted for bids submitted through Bid Express provided they are received prior to the deadline for receiving bids, by the location(s) identified in this Bid Solicitation Notice for receiving bids for the advertised project(s).

BIDDERS CURRENT CAPACITY

In order for the Department to have the information required to determine a bidder's Current Capacity, it is necessary that the bidder certify the total dollar amount of all work the bidder has underway. This certification shall be accomplished electronically by submitting the Certification of Work Underway (Online Web Application) http://www.dot.state.fl.us/cc-admin/PreQual_Info/prequalified.shtm to the Department concurrently with the bid submittal for the first letting in the calendar month that the bidder submits a bid.

EXECUTION OF CONTRACT

Pursuant to Subsections 3-6 and 3-7 of the Standard Specifications, the successful bidder shall execute the necessary contract documents and return the agreement along with a satisfactory Performance and Payment Bond within twenty (20) Calendar days of award unless noted otherwise in the project specifications. A 100% Payment and Performance Bond will be required for all projects unless noted otherwise in the project specifications. All work is to be done in accordance with the Plans, special Provisions of the State of Florida Department of Transportation.

Prior to execution of the contract with the Department, **a corporation must show proof that is authorized to do business in the State of Florida**. Florida corporations should provide a copy of the certificate of Incorporation and foreign corporations should provide a copy of Certificate of Authority from the Florida Department of State.

Important note: Actual commitment and final execution of the contract is contingent upon an approved legislative budget and funds availability.

PROPOSAL REVISIONS

The Department will accept legible facsimile (fax) proposal revisions pursuant to the project specifications at Fax No. (863) 519-2661 if received in full by 2:00 PM Local Time on the day of the letting. A faxed proposal revision will not be considered if received at a different fax number. The bid/proposal must be received in the District Contracts and Procurement Office prior to receiving changes through the Fax.

DBE PARTICIPATION

Disadvantaged Business Enterprise (DBE) Availability Goal Information is contained in the Bid Solicitation Package. Please complete, sign, and return the applicable "Anticipated DBE Participation Statement" form and the "DBE/MBE Bid Opportunity List" form which shall be submitted with bid as stipulated in the subject bid packages.

DEBARMENT/SUSPENSION

All bids submitted to the Department shall include a statement that by signing and submitting this proposal, the bidder certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

MANDATORY PRE-BID CONFERENCE

Proposal forms (bid packages) will be issued only to attendees of the mandatory pre-bid conference **(if there is a mandatory pre-bid conference for a project)**.

LATE ARRIVALS TO MANDATORY PRE-BID MEETINGS

All bidders must be present and signed in prior to the start of the mandatory prebid meeting. Anyone not signed in at the commencement of the meeting will be considered late and will not be allowed to bid on the project.

FIRST TIME BIDDERS

Bidders bidding for the first time with the Department can request an orientation meeting to obtain information about the bidding/contracting process. Contact the office listed for ordering plans. Please call (863) 519-2559 or (800) 292-3368 for further details.

POSTING NOTICE

Unless otherwise notified by certified mail, express delivery, hand delivery, fax, or email, receipt acknowledgment, the Summary of Bids will be posted at the District Contracts Administration web site http://www.dot.state.fl.us/contractsadministrationdistrict1/, and select letting date from the District 1 Lettings Menu, on **March 17, 2009** or in the alternative **March 17, 2009**. Additionally a hard copy will be posted on the first floor bulletin board at the District One Headquarters Building, Florida Department of Transportation, District Office Complex, 801 North Broadway Avenue. Bartow, Florida 33830, and will remain posted for a period of seventy-two (72) hours. By calling (863) 519-2559, during each posting period, information concerning the posted projects can be obtained. The posting provides notice of the Department's intent to award a contract or reject all bids. The Department's Notice of Intent regarding a project will be posted on only one of the alternate posting dates. Bidders are solely responsible for timely monitoring or otherwise verifying on which of the specified alternate posting dates the posting of award or rejection of all bids actually occurs.

If the posting dates are revised, all bidders for the subject project will be notified of the Department's intended decision.

Bidders must acknowledge receipt of the notice of the revised date.

AFFIRMATIVE ACTION (EQUAL EMPLOYMENT OPPORTUNITY)

The Florida Department of Transportation (hereinafter referred to as the "Department"), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and related authorities and Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises and disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation. Further, the Department will not discriminate against bidders on the grounds of race, color, national origin, sex, age, or disability/handicap in consideration for an award. No company will be awarded a contract unless they have an approved DBE Affirmative Action Program Plan. **Please review the "DBE Bid Package" and the Special Provisions for instructions for submission of a DBE Affirmative Action Plan.**

MINIMUM WAGE

Pursuant to the Florida Minimum Wage Act, Article X, Section 24, Constitution of the State of Florida, the minimum wage for all hours worked in Florida shall be $7.21 per hour effective January 1, 2009.

EMAIL SUBSCRIPTION LIST

To get on the e-mail subscription list, go to http://www2.dot.state.fl.us/ContractsAdministration/bsnmail.asp and fill out the necessary information to "Subscribe". To obtain information concerning other districts, go to http://www.dot.state.fl.us/cc-admin/distco.shtm

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Cheryl L. Sanchious
District Contracts Administrator

NOTICE TO ALL BIDDERS

To report bid rigging activities call: 1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m. local time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

Business Development Initiative Contract E1H03

The Business Development Initiative calls for the following and contract **E1H03** is being advertised in compliance with FDOT Innovative Contracting authority provided by Sec. 337.025 F.S. and is reserved for bidding by "Small Businesses."

- These businesses are classified as not having a contract awarded to them by the Florida Department of Transportation during the past twelve months and
- The Small Business shall be either a **Certified Disadvantaged Business Enterprise (DBE)** under the Florida's Unified Certification Programs **or must meet the definition of small businesses as defined by the USDOT** (49CFR Part 26.65). For details, refer to: http://www.dot.state.fl.us/equalopportunityoffice/sizestandards.shtm
- **Must** submit Form 275-000-01 (Business Development Initiative Affidavit and Profile) provided in bid documents attesting to meeting the requirements as defined by USDOT (40 CFR Part 26.65)
- **Must** submit Form 275-000-02 (Business Development Initiative Reference Sheet) provided bid documents listing your prior work experience in the last 12 months.
- **Must** submit Form F (Experience Worksheet) provided in bid documents listing references for work experience in drainage improvements within the last five years.
- Low Bidder **must** have an approved DBE Affirmative Action Plan prior to award of contract.