

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
CONSTRUCTION AND MAINTENANCE PROGRAMS
BID SOLICITATION NOTICE

JANUARY ADVERTISEMENT 2004
12/15/03

NOTICE IS HEREBY GIVEN, that District Five, Florida Department of Transportation, is soliciting bids for the following projects. All requests for Bid Documents and Proposal Forms along with Plans and Specifications, must be submitted with the attached request form and sent to Fax No. 386/740-4208. A list of plan holders may be obtained until 8:00AM THURSDAY before bids are due by calling District Contracts at 386/943-5523. **FOR BID RESULTS PLEASE CALL 386/943-5534 AFTER 2:00PM ON BID OPENING DAY.** A first time bidders orientation meeting will be on Thursday, January 22, 2004 at 10:00 AM, District Office at 719 South Woodland Boulevard, DeLand, Florida 32720. **Please contact Cindy Maluda at 386/943-5523 if you plan to attend.**

SEALED BIDS FOR THE FOLLOWING 1 PROJECT WILL BE ACCEPTED UNTIL 2:00PM (Eastern Time), TUESDAY, February 03, 2004 AT: Florida Department of Transportation, District Five Office, 719 S. Woodland Blvd., DeLand, Fl. 32720, Purchasing, 4th Floor, Rm. 4C75. Mailed or Overnight bids must be received, via mail/overnight, in the District Five mail room by the 2PM deadline.

ADDRESS MAILED PACKAGES: "SEALED BID, MS522P, ATTENTION CINDY MALUDA. Bids will be publicly opened shortly after the 2:00PM deadline in the Osceola Conference Room, 4th floor of the District Five Office. Proposal Forms for the following 1 project, will not be issued after 2:00PM (Eastern Time) Monday, February 2, 2004.

BID POSTING. Unless bidders are notified by certified mail or express delivery, return receipt, the summary of bids for these 1 project will be posted in the main Lobby, 1st floor of the DeLand District Office, 719 South Woodland Blvd., DeLand, Florida on February 17, 2004 & March 2, 2004. Posting will provide notice of the Department's intent to award a contract or to reject any or 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.

****CONTRACT No. E-5F89, FINANCIAL No. 40709615201 (BRRP), SR 40, VOLUSIA COUNTY:** Work consists & includes installing pile jackets at bridge nos. 790018, 790019 & 790920 located on SR 40 over Haw and Middle Haw Creeks. **THIS IS A LUMP SUM CONTRACT. (90 Calendar Days)**

BID BOND

A Proposal Guaranty of not less than five per cent (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 Department of Transportation must accompany each bid in excess of \$150,000.00. A check or draft in an amount less than five per cent (5%) of the actual bid will invalidate the bid. Bid Bonds shall conform to DOT Form 375-020-09, which will be furnished with the Proposal forms.

The Department will accept legible facsimile (fax) proposal revisions pursuant to the project specifications at Fax No. 386/740-4208, if received in full by 2:00 P.M. (Eastern Time) on the day the bids are due. A faxed proposal revision will not be considered if received at a different fax number.

AFFIRMATIVE ACTION

The State of Florida Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement minority business enterprises 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, or national origin in consideration for an award.

THE DISADVANTAGED BUSINESS ENTERPRISE GOALS FOR THESE PROJECTS HAVE BEEN REMOVED IN THIS BID SOLICITATION NOTICE. PLEASE CHECK THE SPECIAL PROVISIONS FOR INSTRUCTIONS FOR SUBMISSION OF DBE AFFIRMATIVE ACTION PLAN.

Note: A contractor must be prequalified in accordance with Rule Chapter 14-22 on the date of the letting in order to submit a bid in excess of \$250,000.00 on construction projects. A double asterisk (**) in the left side margin of this Notice denotes projects for which any contractor may receive bidding documents. However, any bid on a construction project in excess of \$250,000.00, submitted by a contractor which is not prequalified in accordance with Rule Chapter 14-22 on the date of the letting, shall be declared "IRREGULAR" and will be REJECTED.

In order for the Department to have the information required to determine a bidder's current capacity, it is necessary that the bidder submit on the day of the letting, a Certification of Current Capacity that shall be executed under oath and be accompanied and supported by a Status of Contracts on Hand Report. These documents must be included in at least one proposal for each letting that the contractor submits bids. Failure to submit these documents may result in a determination that all bids submitted by the contractor for that letting are non-responsive or irregular and not to be considered.

BID SOLICITATION PROTESTS RIGHTS

Pursuant to DOT Rule 14-25 and 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. The formal written protest shall state with particularity the facts and law upon which the protest is based. Any person who files a notice of protest as to 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 for which bidders must be prequalified by the Department to be eligible to bid, the Bond shall be \$5,000.00. 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 \$2,500.00. 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.

AWARD/NON AWARD PROTEST RIGHTS

Any person who feels they are adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file, with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Room 550, Tallahassee, Florida, 32399-0458, 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 affected person must file both the notice of protest and bond within 72 hours after receipt of the notice of intent. 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 \$5,000.00, whichever is greater; for an action protesting a bid rejection or an award that does not require qualification of the bidders, the bond shall be \$2,500.00.

Additionally, a formal written protest must be filed within ten days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. All protests must be submitted in accordance with Section 337.11, Florida Statutes and DOT Rule 14-25. 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.

MINIMUM WAGE

Wage Rates: Pursuant to the Fair Labor Standards Act, the Minimum Wage Rates for the project(s) included in this Notice shall be \$5.15 per hour.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

George M. Gilhooley, P.E.

Director of Operations

District Five