

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
DISTRICT 5
CONSTRUCTION AND MAINTENANCE
ADVERTISEMENT/BID SOLICITATION NOTICE**

**AUGUST ADVERTISEMENT
July 16, 2007
July 23, 2007**

NOTICE IS HEREBY GIVEN, that District Five, Florida Department of Transportation, is soliciting bids for the following projects.

All vendors wishing to do business with any State agency must register at the following web site: <http://dms.myflorida.com/dms/purchasing/myfloridamarketplace>. If you have questions, call 1-866-352-3776 for assistance.

All requests for Bid Documents and Proposal Forms and/or Plans and Specifications **must be submitted on a Fax Order Form** (www.dot.state.fl.us/contractsadministrationdistrict5/Fax%20Form.pdf) and sent to **Fax No. (386) 740-4208**. If any bidder requests a replacement CD-ROM during a seven calendar day period prior to the letting, the request must be by Internet E-mail addressed to vickie.wyche@dot.state.fl.us and lorena.valencia@dot.state.fl.us.

A list of plan holders may be obtained until 8:00 a.m. THURSDAY before bids are due by going to the District Five Web-site or calling District Contracts at (386) 943-5525.

For Preliminary Bid Results, please check the Web-Site **AFTER 3:00 p.m. ON BID OPENING DAY** at <http://www.dot.state.fl.us/contractsadministrationdistrict5>.

A first time bidder's orientation meeting will be held on **Thursday, July 26, 2007 at 10:00 a.m.**, District Office, 719 South Woodland Boulevard, DeLand, Florida 32720. Please contact Vickie Wyche (386) 943-5525 or Lorena Valencia (386) 943-5517 if you plan to attend.

SEALED BIDS FOR THE FOLLOWING (3) PROJECTS WILL BE ACCEPTED UNTIL 2:00 p.m. (Eastern Time), **Tuesday, August 7, 2007** at: Florida Department of Transportation, District Five Office, 719 South Woodland Boulevard, DeLand, Florida 32720, Procurement, 4th Floor, Rm. 4C32. Mailed or Overnight bids must be received, via mail/overnight, in the District Five mail room by the 2:00 p.m. deadline. Bids delivered elsewhere in the building may not be in the proper hands and are subject to being rejected if not at this location prior to the time stated above for bids to be received.

ADDRESS MAILED PACKAGES: "SEALED BID", MS522P, ATTENTION VICKIE WYCHE. Bids will be publicly opened shortly after the 2:00 p.m. deadline in the Osceola Conference Room, 4th floor of the District Five Office. Proposal Forms for the following (3) projects will not be issued after 2:00 p.m. (Eastern Time) Monday, **August 6, 2007**.

BID POSTING. Unless bidders are notified by certified mail or express delivery, return receipt, the Summary of Bids for these (3) Projects will be posted in the main Lobby, 1st floor of the DeLand District Office, 719 South Woodland Boulevard, DeLand, Florida on, **August 21, 2007** or as an alternate date on **September 4, 2007**. 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.

The deadline for Technical Questions is July 24, 2007. All technical questions arising from this Bid Solicitation Notice must be posted on the Department's website at the following URL: <http://www2.dot.state.fl.us/construction/bidquestions.asp>

There is no deadline for contractual or administrative questions. Any contractual or administrative questions should be directed to Vickie Wyche, (386)943-5525, or Lorena Valencia, (386)943-5517.

ANY CONTRACTOR WHO FAILS TO ATTEND A MANDATORY PRE-BID CONFERENCE IN ITS

ENTIRETY WILL NOT ELIGIBLE TO BID THE PROJECT. IF A MANDATORY PRE-BID CONFERENCE IS REQUIRED.

District Five requires that the Contractor submit their Bid as a Hard Copy Bid submittal and along with the 3.5 Diskette in accordance with Section 2-2.4 of the Standard Specifications for Road and Bridge Construction 2007 version, unless otherwise specified. District Five will accept, as the official bid, the set of proposal forms generated from the Expedite (version 5.6b) Proposal file along with a complete proposal package delivered in hard copy and along with the 3.5 Diskette in accordance with the instructions and requirements in Sections 2-5 and 2-8 of the Standard Specifications for Road and Bridge Construction 2007 version, unless otherwise specified.

MAINTENANCE CONTRACTS:

****CONTRACT No. E-5J79 FINANCIAL No. 42204247201 (D) Orange & Seminole Counties:** Work specified in this Contract consists of cleaning and reshaping of ditches, reworking shoulders, utility strips and medians on various State Roads. **THIS PROJECT IS ESTIMATED TO BE OVER \$250,000.00. (120 Calendar Days)**

***CONTRACT No. E-5J90 FINANCIAL No. 41578327203 & 41380925202 (DS) Marion County:** The work specified in this Contract consists of: Thermoplastic striping and pavement markings on recently completed construction projects; RPM's and painted striping and thermoplastic pavement markings on various state maintained roadways. **CONTRACTORS HAVE TO BE PREQUALIFIED IN PAVEMENT MARKINGS TO BID THIS PROJECT. FIXED BUDGETARY CEILING OF \$1,063,950.00. FUNDS FY 2008, Plans and Specifications are \$5.00. (730 Calendar Days)**

CONSTRUCTION CONTRACTS:

***CONTRACT No. E-5L58 FINANCIAL No. 42213115201 (BRRP) Brevard County:** The Improvements under this Contract consist of slope protection repairs on bridge Nos. 700210 and 700211 carrying SR A1A over George King Boulevard. **CONTRACTORS HAVE TO BE PREQUALIFIED IN MINOR BRIDGE REPAIR AND REHABILITATION TO BID THIS PROJECT. THIS PROJECT IS ESTIMATED TO BE UNDER \$250,000.00. FUNDS FY 2008. (30 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 or Withdrawals 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 or Withdrawal will not be considered if received at a different fax number.

AFFIRMATIVE ACTION

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.

PRE-QUALIFICATION INFORMATION

Construction Contracts: 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**. Any bid for the performance of any construction contract in excess of \$250,000.00 submitted by a contractor not certified by the Department as qualified shall be declared **"IRREGULAR"** and will be **REJECTED**.

Maintenance contracts do not require a contractor to have a certificate of qualification. If deemed necessary by the Department, certain maintenance contracts will contain specific requirements for maintenance contractor eligibility.

*** Denotes Pre-qualified Contractors only may bid on these contracts.**

****Denotes anyone may bid on these contracts**

BIDDER'S 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 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.

WAGE RATE

Wage Rates: Pursuant to the Fair Labor Standards Act, the Minimum Wage Rates for the project(s) included in this Notice shall be \$6.67 per hour.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
Alan E. Hyman, P.E.
Director of Transportation Operations
District Five