

**BID SOLICITATION NOTICE - DISTRICT 5**  
**FLORIDA DEPARTMENT OF TRANSPORTATION**  
**CONSTRUCTION AND MAINTENANCE PROGRAMS**

Deland, Florida  
April 14, 2008  
April 21, 2008  
Advertisement No. 1

Sealed bids for work included in this notice will be received at any of the following Florida Department of Transportation location(s) until 2:00 P.M. (Eastern Time) on **Tuesday, May 06, 2008**.

<b>Location</b>	<b>Address</b>	<b>City</b>	<b>Number</b>
District 5	719 South Woodland Blvd.	Deland	Purchasing, 4th Floor, Rm. 4C32 (used for Hand-deliver)
District 5	719 South Woodland Blvd.	Deland	District 5 Mail Room (used for Mail-deliver)

Bids submitted for the subjects letting must be received by 2:00 P.M., **May 06, 2008** at any of the above referenced location(s). 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 after 2:00 P.M., **May 06, 2008** in the Osceola Conference Room, 4th Floor, Deland, Florida. If the bid amount is greater than \$250,000.00 on construction projects, the contractor must be pre-qualified 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.

Bids for Construction projects with a budget of \$5 million or more, must be submitted using Bid Express. For more information on Bid Express, please visit the Contracts Administration Website at: <http://www.dot.state.fl.us/cc-admin>

**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/cc-admin/distweb.htm> Select the appropriate district and click on "Plan Holder Lists", then click on the applicable letting date. 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 Statutes 337.168(2).

-----NOTE-----

**Proposals will not be issued after 2:00 P.M. (Eastern Time) on Monday, May 05, 2008.**

**DOCUMENT ORDERING INFORMATION**

Unless otherwise specified, orders for these documents should be directed to the District Five Contracts Office, Florida Department of Transportation, 719 South Woodland Blvd., Deland, Florida 32720. Phone: (386) 943-5525. Checks should be made payable to the State of Florida Department of Transportation. Please 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 (386) 740-4208 by using a FAX ORDER Form.** Orders should be placed to allow a minimum of three days for processing time and delivery. The Fax Order Form can be downloaded from <http://www.dot.state.fl.us/cc-admin/distweb.htm> select District, then choose Fax Order Form. A Current State of Florida Vendor Registration Number is required for order processing; [http://dms.myflorida.com/egovernment\\_tools/myflorida\\_marketplace](http://dms.myflorida.com/egovernment_tools/myflorida_marketplace) for more information or call 1-866-352-3776 for assistance. No refund will be made. Phone orders will no longer be accepted.

**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. 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, 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. Maintenance contracts that require qualification, the contractor must be qualified in accordance with Section 337.14(1), Florida Statutes, and Rule 14-22, Florida Administrative Code.

**BID REJECTION**

The Department reserves the right to reject any or all bids. Bids for projects under \$250,000 that are (15%) under/above and for projects over \$250,000 that are (10%) under/above the Official Engineer's Estimate, the decision to award or reject must be made by the Award Committee with appropriate minutes to document decisions. In the event any of the bids are rejected for this reason, the project may be deferred for re-advertising until a more competitive situation exists. In addition, award of all federally funded projects will be subject to Federal Highway Administration concurrence.

### **PROTEST 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 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 pre-qualified 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 DOT Rule 14-25 and 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. 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 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 contract award for which bidders are not required to be pre-qualified 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.

### **BID BOND**

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. To obtain a Digital ID please contact Bid Express at <http://www.bidx.com>

### **INSURANCE**

The successful bidder shall submit current general liability insurance and workman's compensation insurance certificates for the duration of the contract. 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.**

## **CONSTRUCTION**

PROPOSAL ID: E5L83 PROJECT(S): 41904015201 COUNTY: BREVARD

### **DESCRIPTION:**

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 5 CONSTRUCTION CONTRACT NO. E5L83 FINANCIAL PROJECT NO. 419040-1-52-01 FY 2008** - INTENT AND SCOPE: Work specified in this Contract consists of Joint repairs, located in Brevard County, Florida (70050), Bridge Nos.: 700174 and 700181 of US 192 spanning over the Indian River IWW. Total Project Length is 2592.5 feet, from M.P. 16.637 to M.P. 17.128.

**CONTRACT DAYS: 30**

**PROPOSAL BUDGET ESTIMATE UNDER: \$250,000.00**

**PROPOSAL PACKAGE FEE (plans + proposal): \$0.00 • PLANS ONLY FEE: \$0.00 • SPECS ONLY FEE: \$0.00**

PROPOSAL ID: E5L90 PROJECT(S): 24249385201

COUNTY: ORANGE

### **DESCRIPTION:**

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 5 CONSTRUCTION CONTRACT NO. E5L90 FINANCIAL PROJECT NO. 242493-8-52-01 FY 2008** - INTENT AND SCOPE: Work specified in this Contract consists of striping corrections, traffic signal loop installation, relocation of an internally illuminated street sign shifting of cantilever and truss mounted sign panels and light bars to correct locations over lanes, electrical work between the sign structures and load centers to insure light bars are working correctly, installation of County Road 423 shield overlays on existing sign panels, installation of a cantilever sign structure and sign panel, removal of a truss mounted sign panel, furnishing and installing a new truss mounted sign panel, in and around the I-4 and John Young Parkway (JYP) Interchange, approximate I-4 Straight Line diagram (SLD) Mile Post 13.700, in Orange County.

**CONTRACT DAYS: 120**

**PROPOSAL BUDGET ESTIMATE UNDER: \$250,000.00**

**PROPOSAL PACKAGE FEE (plans + proposal): \$0.00 \* PLANS ONLT FEE: \$0.00 \* SPECS ONLY FEE: \$0.00**

### **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 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.

### **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 description. 100% Payment and Performance Bond will be required for all projects. 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.

### **PROPOSAL REVISIONS**

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 of the letting. A faxed proposal revision will not be considered if received at a different fax number.

### **DBE PARTICIPATION**

Disadvantaged Business Enterprise (DBE) Availability 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.

### **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/cc-admin/distweb.htm> Select the appropriate district and click on "Addenda". 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.**

### **DEBARMENT/SUSPENSION**

The following statement shall be included in all bids submitted to the Department. "By signing the submitting the proposal, we/I certify 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 PREBID 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**). Anyone not present and signed in after the start of the mandatory pre-bid conference commencement time may be considered late. The Department reserves the right to deem a bidder "non-responsive" where the bidder is late or failed to attend the mandatory pre-bid conference, and will not be permitted to bid.

### **POSTING NOTICE**

Unless otherwise notified by certified mail or express delivery, return receipt, the Summary of Bids will be posted on the District Contracts Administration web site: <http://www.dot.state.fl.us/cc-admin/distweb.htm> Select the appropriate district and click on "Posting Notice". Additionally a hard copy will be posted on the main lobby, 1st floor of the Deland District Office, 719 South Woodland Blvd., Deland, Florida 32720, on **MAY 20, 2008** or **JUNE 3, 2008** and will remain posted for a period of seventy-two (**72**) hours. By calling (386) 943-5525, 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.

### **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 \$6.79 per hour effective January 1, 2008.

### **NEW BIDDERS TRAINING SESSION**

The Department is offering first-time bidders the opportunity to attend a training session on how to do business with Florida Department of Transportation and how to properly fill out bidding documents. Please call (386) 943-5525 for further details.

### **EMAIL SUBSCRIPTION LIST**

To get on the e-mail subscription list, go to <http://www.dot.state.fl.us/cc-admin/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/distweb.htm>

## **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**

**Alan B. Hyman, P.E. Director of Transportation Operations**

### **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. eastern 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 Department of Transportation 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.