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

DeLand, Florida
December 4, 2009
Advertisement No. 1

Bids for construction projects 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 with a budget of less than $5 million and all maintenance projects **can** be submitted using Bid Express or **can** be submitted at any of the following Florida Department of Transportation locations until 2:00 p.m. Local Time on **Tuesday, January 5, 2010. For maintenance/construction projects sealed bids will be received at the following locations:**

Location	Address	Room Number
District 5	719 South Woodland Blvd. Deland, Florida 32720	Procurement, 4th Floor, Rm. 4C32 (used for hand-deliver)
District 5	719 South Woodland Blvd. Deland, Florida 32720	District 5 Mail Room (used for Mail-deliver)

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., January 5, 2010** in the Osceola Conference Room, 4th Floor, DeLand, 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 (386) 943-5525. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting. If the bid 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/contractsadministrationdistrict5/. Choose your letting, then select "Plan and Spec Holders" or "Proposal Holders". 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 p.m. (Local Time) on Monday, January 4, 2010.

DOCUMENT ORDERING INFORMATION

All orders must be requested on a Fax Order Form (375-000-02). The Fax Order Form can be downloaded from http://www.dot.state.fl.us/contractsadministrationdistrict5/ under the District Office Menu. 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. Fax Number (386) 943-5405. When a charge is listed on the project advertisement, payment must be included with the FAX Order Form. Checks should be made payable to the State of Florida Department of Transportation. **For Contractors wanting to charge to a credit card, American Express, Visa, MasterCard and Discover accepted. Credit card information shall be provided on the Fax Order Form.** Orders should be placed to allow a minimum of three days for processing time and delivery. No refunds will be made. Phone orders will no longer be accepted. If you wish to pick up your bid package please place your order first and we will call you when it is ready for pick up.

Direct all Technical Questions regarding the advertised projects to the Department website at the following URL address: http://www2.dot.state.fl.us/construction/bidquestions.asp.
Questions posted to this site before 5:00 p.m. (EST) on the **seventh calendar** day prior to the bid opening will be responded to by the Department. For questions posted after this time, an answer cannot be assured.

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.

FLORIDA VENDOR REGISTRATION

A current State of Florida Vendor Registration Number is required for bidding. Please visit https://vendor.myfloridamarketplace.com/ for more information or call 1-866-352-3776 for assistance. Any bid for the performance of any contract submitted by a contractor without a current State of Florida Vendor Registration Number shall be declared "IRREGULAR" and will be REJECTED.

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. 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 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. 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 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/contractsadministrationdistrict5 Choose the specific Letting, then select "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.**

CONSTRUCTION

Bids for construction projects with a budget of less than $5 million can be submitted using Bid Express or can be submitted at 719 South Woodland Blvd., Deland, FL 32720.

PROPOSAL ID: E5M94 PROJECT(S): 425684-2-72-02 COUNTIES: Orange
DESCRIPTION:
The work specified in this contract consists of dewatering, desilting and lining storm drains along SR 424 Edgewater Drive in Orange County.
Pre-Qualification Required: Drainage OR Cured-in-Place Pipe Lining and Rehabilitation OR Pipe Desilting, Video Inspection and Pipe Liner
CONTRACT DAYS: 90
PROPOSAL BUDGET ESTIMATE OVER: $250,000.00
PROPOSAL PACKAGE FEE (plans & proposal): $0.00 PLANS ONLY FEE: $0.00 SPEC ONLY FEE: $0.00

PROPOSAL ID: E5N58 PROJECT(S): 238002-3-52-02 COUNTIES: District Wide
DESCRIPTION:
Work conists of providing a means whereby the Department can provide a quick response for installing traffic operational improvements such as: creating new or modifying existing turn lanes, median modifications, concrete (curb, gutter and separator), removal of flexible pavement, asphalt, striping and sodding for locations along SR 50 in eastern Orange County. Budgetary Ceiling of $460,000.00 or bid amount whichever is less.
Pre-Qualification Required: Flexible Pavement
CONTRACT DAYS: 365
PROPOSAL BUDGET ESTIMATE OVER: $250,000.00
PROPOSAL PACKAGE FEE (plans & proposal): $ 5.00 PLANS ONLY FEE: $5.00 SPEC ONLY FEE: $5.00

BUSINESS DEVELOPMENT INITIATIVE CONTRACT E5N36

PROPOSAL ID: E5N36 PROJECT(S): 421319-1-52-01 COUNTIES: Brevard
DESCRIPTION:
The improvements under this contract consist of desilting and applying gunite to the floor and sidewalls of Bridge culvert 700178 on SR 50 at mile post 6.383 in Brevard County. THIS IS A SMALL BUSINESS DEVELOPMENT INTIATIVE CONTRACT FOR FURTHER DETAILS, PLEASE REVIEW THE SPECIFICATIONS. THE AWARD AMOUNT IS THE MAXIMUM LIMITING AMOUNT OF $185,649.20 AND NOT THE CONTRACTOR'S BID TOTAL. A BID GUARANTEE OF $500.00 MUST ACCOMPANY EACH BID.
CONTRACT DAYS: 40
PROPOSAL BUDGET ESTIMATE UNDER: $ 250,000.00
PROPOSAL PACKAGE FEE (plans & proposal): $0.00 PLANS ONLY FEE: $0.00 SPEC ONLY FEE: $0.00

The Business Development Initiative calls for the following and contract E5N36 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."

- The Small Businesses shall be either a **Certified Disadvantaged Business Enterprise (DBE)** under Florida's Unified Certification Program **or must meet the definition of small business as defined by the USDOT, (49CFR Part 26.65).** For details, refer to http://www.dot.state.fl.us/equalopportunityoffice/sizeStandards.Shtm/.
- **Must** submit (with your bid) a notarized affidavit on form 275-000-01 (Business Development Initiative Affidavit and Profile) provided in bid documents attesting to meeting the requirements as defined by USDOT (49CFR Part 26.65).
- **Must submit a Bid Guarantee of $500 with the bid.** No other bid or Performance Bond is required. The bid guarantee must be in the form of either a certified check, cashier's check, trust company treasurer's check, bank draft of any national or state bank made payable to the FDOT. **NO Personal checks will be accepted.**
- **Must** submit (with your bid) Form 275-000-02 (Business Development Initiative Reference sheet) provided in bid documents listing your prior work experience in the last 12 months.
- Low Bidder **must** have an approved DBE Affirmative Action Plan prior to award of contract.

MAINTENANCE

Bids for maintenance projects can be submitted using Bid Express or can be submitted at
719 South Woodland Blvd., Deland, FL 32720

PROPOSAL ID: E5M78 PROJECT(S): 425675-2-72-01 COUNTIES: Marion
DESCRIPTION:
The work specified in the contracts consists of removing sediment and debris from pipes (desilting), producing video records and written reports of pipes and chemically sealing pipe joints on various State maintained roads in Marion County.
CONTRACT DAYS: 365
PROPOSAL BUDGET ESTIMATE OVER: $250,000.00
PROPOSAL PACKAGE FEE (plans & proposal): $0.00 PLANS ONLY FEE: $0.00 SPEC ONLY FEE: $0.00

PROPOSAL ID: E5M74 PROJECT(S): 425636-3-72-01 COUNTIES: Orange & Osceola
DESCRIPTION:
The work specified in this contract consists of installation of concrete curbing and flumes at various bridge locations in Orange and Osceola Counties to control erosion due to runoff. Work under the scope includes, but is not limited to, maintenance of traffic, removal and/or replacement of miscellaneous asphalt, borrow or embankment, sealants and sodding.
CONTRACT DAYS: 90
PROPOSAL BUDGET ESTIMATE OVER: $250,000.00
PROPOSAL PACKAGE FEE (plans & proposal): $0.00 PLANS ONLY FEE: $0.00 SPEC 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 Sure Path. To obtain a Digital ID please contact Bid Express at http://www.bidx.com. Sealed Paper Bid Bonds will 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. 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.

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. (386) 943-5405 if received in full by 2:00 P.M. 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 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 the 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 PREBID CONFERENCE

Attendance is required for the entire duration of Mandatory Pre-Bid Conferences. Contractors will be required to sign in prior to the start of the Pre-Bid Conference. All bidders must be present and signed in prior to the start of a mandatory Pre-Bid Conference. The convener of the meeting will circulate the attendee sign-in sheet at the time the meeting is advertised to begin. Once everyone has signed, the sign-in sheet will be taken and the meeting will “officially” start. Anyone not singed in at the “official” start of the meeting will be considered late and will not be allowed to bid on the project. Anyone that does not attend the entire Pre-Bid Conference will not be credited with attending.

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 District Contracts Office at (386) 943-5525 for further details.

POSTING NOTICE

Unless otherwise notified by certified mail or express delivery, return receipt, the Summary of Bids will be posted at the District Contracts Administration web site: http://www.dot.state.fl.us/contractsadministrationdistrict5/ on **January 19, 2010** or **February 1, 2010.** Select the appropriate Letting, then select “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, 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. 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 dated.

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 and select the specific District Office.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

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Alan E. 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. 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**.**