BID SOLICITATION NOTICE
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Miami, Florida
January 17, 2008
Advertisement No. **1**

Sealed bids for work included in this notice will be received in the **State of Florida Department of Transportation, District Six Main Building, Front Lobby, 1000 Northwest 111 Avenue, Miami, Florida 33172** until **2:00 P.M.** (Eastern Standard Time (EST)) on **February 28, 2008** for the following work.

Sealed bids may be mailed or delivered and must be received by **2:00 p.m.** (EST) on the letting date stated above. All bids shall be sent to the attention of **Kenneth Robertson, District Contracts and Procurement Manager, Florida Department of Transportation, Room 6203, 1000 Northwest 111 Avenue, Miami, Florida 33172**.

The Department will accept legible Facsimile (Fax) bid/proposal changes pursuant to the project specifications at Fax number **(305) 499-2440**, if received in full by 2:00 p.m. (EST) on the letting date specified above. **The bid/proposal must be received in the District Contracts and Procurement Office prior to receiving changes through the Fax.**

Bids received will be opened and publicly read aloud in the **Florida Department of Transportation, District Six Main Building, Conference Room 6204A, 1000 Northwest 111 Avenue, Miami, Florida 33172,** after the receipt of bids.

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Proposal Forms and Bid Package requests will not be processed after **2:00 P.M.** (EST) on **February 27, 2008.**

In order to ensure a timely response, technical questions need to be submitted in writing at least *7 business* days before the letting to **Kenneth Robertson, District Contracts and Procurement Manager, Florida Department of Transportation, 1000 Northwest 111 Avenue, Room 6203, Miami, Florida 33172,** faxed to (305) 470-5717 or e-mailed to **d6.contracts@dot.state.fl.us**.

CALL ORDER: 001	CONTRACT NO.: E-6D85 (PUSH-BUTTON)	FIN NO(S).: 405611-9-52-01	COUNTY(IES): MIAMI-DADE
SEALED BIDS ARE REQUESTED FOR A PUSH-BUTTON CONTRACT FOR PROVIDING LABOR, EQUIPMENT AND MATERIALS FOR COUNTYWIDE GRAFFITI, STAIN REMOVAL AND PRESSURE CLEANING. THE VARIOUS ITEMS SHALL BE PERFORMED IN ACCORDANCE WITH THE SPECIFICATIONS AND IN CONFORMITY WITH THE EXISTING LINES, GRADES, AND DIMENSIONS. THE WORK WILL BE PERFORMED AT VARIOUS LOCATIONS IN MIAMI-DADE COUNTY AS DIRECTED BY THE MAINTENANCE ENGINEER WITHIN THE LIMITS OF THE CONTRACT.			
LENGTH OF CONTRACT:	365 CALENDAR DAYS		
PREQUALIFICATION REQUIREMENTS:	N/A		
CHARGE FOR DOCUMENTS:	CHARGE FOR PLANS: NONE CHARGE FOR SPECIFICATIONS: NONE		
BUDGET AMOUNT:	$214,000.00 (BUDGETARY CEILING)		
DBE AVAILABILITY:	N/A		
IMPORTANT NOTE:	ACTUAL COMMITMENT AND FINAL EXECUTION OF THE CONTRACT IS CONTINGENT UPON AN APPROVED LEGISLATIVE BUDGET AND FUNDS AVAILABILITY.		

PRELIMINARY BID RESULTS

Bidders can obtain preliminary bid results after **2:00 p.m**. at: **www.dot.state.fl.us/contractsadministrationdistrict6**. Click on "Preliminary Bid Results", then "Click here", then click "D-6.", then click on the applicable letting date.

PLAN HOLDERS LIST

A list of plan holders may be obtained until 2:00 p.m. the MONDAY before bids are due by visiting the District Six website at **www.dot.state.fl.us/contractsadministrationdistrict6**. Click on "Plan Holder Lists", then click on the applicable letting date. Please note that the list of proposal holders is confidential seventy two (72) hours (three working days) prior to the 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).

REQUESTING DOCUMENTS

Florida Statutes 119.07 now requires that the Department obtain certification from all Contractors and Consultants who request building plans or bridge structure plans or drainage structure plans attesting to their acceptance of responsibility for the exempt nature of the public records information that they are receiving along with their agreement to maintain the exempt status of this information. Requests for Bid Documents, Proposal Forms, along with Plans and Specifications must be signed and submitted on a State of Florida Department of Transportation, Fax Order Form 375-000-02, containing the required public records exemption certification at the time of the request. This required form is available on the District Six website at **www.dot.state.fl.us/contractsadministrationdistrict6** .

The completed, signed Fax Order Form can be faxed to 305-470-5717 or mailed to the Florida Department of Transportation, District Contracts and Procurement Office, Room 6203, 1000 Northwest 111 Avenue, Miami, Florida 33172. PHONE ORDERS WILL NOT BE ACCEPTED.

Checks or money orders for projects associated with a charge should be made payable to the State of Florida Department of Transportation. Please include a completed signed Fax Order Form with your payment. For payment with a credit card,(American Express, Visa, MasterCard and Discover accepted), please select the type of card using and fill in the required information on the Fax Order Form and Fax the order to 305-470-5717. Orders should be placed to allow a minimum of five (5) days for processing time and delivery. Bidders shall be responsible for ensuring that they have received complete bidding documents, plans and/or specifications. No refunds will be made.

VENDOR REGISTRATION

Effective immediately, all Contractors/Consultants/Vendors must be registered in the State of Florida's MyFloridaMarketplace system by the time and date the bids are due or they will be considered non-responsive. All Contractors/Consultants/Vendors that are not registered should go to **https://vendor.MyFloridaMarketplace.com/** and complete the on-line registration, or call 1-866-352-3776 for assisted registration. A current State of Florida Vendor Registration Number is required for order processing.

DISADVANTAGED BUSINESS ENTERPRISE AVAILABILITY

THE DISADVANTAGED BUSINESS ENTERPRISE AVAILABILITY, IF APPLICABLE, FOR THESE PROJECTS ARE SHOWN ALONG WITH THE LENGTH AND DESCRIPTION IN THIS BID SOLICITATION NOTICE, PLEASE CHECK THE SPECIAL PROVISIONS FOR INSTRUCTIONS FOR SUBMISSION OF DBE AFFIRMATIVE ACTION PLAN.

All work is to be done in accordance with the plans, specifications, and special provisions of the State of Florida Department of Transportation.

PREQUALIFIED CONTRACTOR NOTE

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.

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 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 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 the Department of Transportation Form 375-020-09 furnished with the Proposal.

WAGE RATES

Wage Rates: 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.

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.

DBE/MBE PARTICIPATION DATA BASE INFORMATION

Please complete, sign, and return the applicable DBE/MBE 'Bid Opportunity List" Forms as stipulated in the subject bid packages.

DEBARMENT OR SUSPENSION OF CONTRACTOR

The following statement shall be included in all bids submitted to the Department: 'By signing and submitting this 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."

AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA

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

INSURANCE

The successful bidder shall submit current general liability insurance and workers'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.

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 Six website at **www.dot.state.fl.us/contractsadministrationdistrict6**. Click on "Addenda", select the current year, and then select the applicable letting date. 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.**

NOTICE OF INTENT TO AWARD (POSTING NOTICE)

Unless bidders are notified by Fax transmission, express delivery, e-mail or certified mail, return receipt, the Department's intended award will be posted at the **Florida Department of Transportation, District Contracts and Procurement Office, Room 6203, 1000 Northwest 111 Avenue, Miami, Florida 33172**, **at 5:00 p.m. (EST), on March 20, 2008** and will remain posted for a period of seventy-two (72) hours. The Posting Notice will also be available on the District Six website at **www.dot.state.fl.us/contractsadministrationdistrict6.** Posting provides notice of the Department's intent to award a contract or to reject any or all bids.

RIGHT TO REJECT ANY OR ALL BIDS

Bidders are hereby notified that when bids for projects under $250,000.00 are 15% under/above and for projects over $250,000.00 are 10% under/above the Official Engineer's Estimate, the decision to award or reject must be made by the Awards 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 for bids until such time that a more competitive situation exists. In addition, award of all federally funded projects will be subject to Federal Highway Administration concurrence.

The Department reserves the right to reject any or all bids.

PROTEST RIGHTS: BID SOLICITATION / NON AWARD / CONTRACT AWARD

Pursuant to Florida Statutes, Section 337.11 (5)(a), any person who files an action protesting a bid solicitation, a bid rejection, or an award pursuant to this section shall post with the Department, at the time of filing a notice of protest, a bond payable to the Department in the following amounts:

1. For an action protesting a bid solicitation that requires qualification of bidders, the bond shall be $5,000.

2. 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.

3. For an action protesting a bid solicitation, bid rejection, or contract award that does not require qualification of bidders, the bond shall be $2,500.

   (a) The bond required by this subsection shall be conditioned upon the payment of all costs which may be adjudged against the person filing the protest in the administrative hearing in which the action is brought and any subsequent appellate court proceeding. If, after completion of the administrative hearing process and any appellate court proceedings, the Department prevails, it shall recover all costs and charges which shall be included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person filing the protest, the bond shall be returned to him or her. If the person filing the protest prevails, he or she shall recover from the Department all costs and charges which shall be included in the final order or judgment, excluding attorney's fees. The entire amount of the bond shall be forfeited if the administrative law judge determines that a protest was filed for a frivolous or improper purpose, including, but not limited to, the purpose of harassing, causing unnecessary delay, or causing needless cost for the Department or parties.

   (b) As an alternative to any provision in Florida Statutes 120.57(3)(c), the Department may proceed with the bid solicitation or contract award process when the head of the Department sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process in order to avoid a substantial loss of funding to the state.

   (c) A person may not file a protest on any project for which he or she is not certified to bid pursuant to Florida Statutes 337.14.

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, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Call for bond forms and pertinent information.

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.

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.

EMAIL SUBSCRIPTION LIST

To be included 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.**

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 305-470-5404 for further details.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Kenneth J. Robertson

Kenneth Robertson
District Contracts and Procurement Manager
District Contracts and Procurement Office

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, 6:00 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 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.