September 7, 2010

ADDENDUM NUMBER 2

TO: All Bid Package Holders

PROJECT NAME: Work Consists of a Pre-Event Traffic Signal Repair District Wide Contract

FINANCIAL PROJECT NUMBER: TBD

DISTRICT CONTRACT NO.: Z-7016

COUNTY: District Wide

BIDS TO BE RECEIVED: Monday, September 13, 2010 @ 2:30 P.M.

The following addendum constitutes Addendum Number 2 to the above referenced project:

Contract Calendar Days for the initial term of this Pre-Event Emergency-Response Contract are increased from the standard 365 Calendar Days to 548 Calendar Days in order to move the contract ending date beyond the hurricane season.

The three (3) subsequent optional renewal terms remain at 365 Calendar Days.

We are attaching a new Bid Blank sheet denoting that change in the initial term.

We are also attaching a revised page from the Project Advertisement with the new initial term shown as noted above.

We are also attaching a new Proposal Of form with the initial term changed as indicated above.

And, finally we are attaching a new Page 2 of the Contract Scope changing the initial term.

Your bids are now due at 2:30 P.M. on Monday, September 13, 2010.

Approved By:

John D. Ellis
District Contracts Administrator

District Contracts Office M.S. 7-830
Florida Department of Transportation
11201 N. McKinley Drive
Tampa, Florida 33612-6403

DATE: September 7, 2010

TO: All Contractors
FROM: John D. Ellis

Please acknowledge receipt of Addendum Number _1_ for Project Z-7016.
Please sign and fax back to 813-975-6191.

_____
SIGNATURE

_____
COMPANY NAME

_____
DATE OF RECEIPT ACKNOWLEDGEMENT

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
DISTRICT CONTRACTS CONSTRUCTION AND MAINTENANCE PROGRAM
BID SOLICITATION NOTICE

Tampa Tribune Official Advertisement
Advertisement No. 1
August 11, 2010
August 18, 2010

Sealed bids will be received in Conference Room B-1 of the District Seven Headquarters, Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612 until **2:30 P.M. (Local Time)** on **Wednesday, the 8th of September, 2010** for the following work. Contractors who do not wish to hand-deliver their bids to the bid opening meeting may send same to the attention of John Ellis Room B-300 at the District Seven Headquarters, Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612. However, bids must be received on or before the 2:30pm deadline on the above stated dated to be included in this month's bid opening proceeding. 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. The Department will accept legible Facsimile (FAX) Proposal Revisions or Withdrawals provided they are submitted according to stipulations enumerated in the Project Specifications at FAX number (813) 975-6611 and are received in full by 2:30 p.m. on the day of the letting. A FAX Proposal Revision or Withdrawal will not be considered if received at a different FAX number. Please be advised, this fax is only monitored on Bid Opening Day. Do not use to order packages. Please call to verify that your fax has been received prior to the 2:30 PM deadline. 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.

BID PACKAGE ORDERS

All work is to be done in accordance with the Plans, Specifications, and Special Provisions of the State of Florida Department of Transportation. Orders for Plans, Specifications, Special Provisions, and Bid Documents should be directed to John D. Ellis, District Contracts Administrator, 11201 North McKinley Drive, Tampa, Florida 33612 Phone: (813) 975-6036 or (800) 226-7220, Fax: (813) 975-6191. **NOTE: Proposal Forms will not be issued after 2:30 P.M. (Local Time), September 07, 2010.**

BID PACKAGE AVAILABILITY

Bid Packages will be available until twenty-four (24) hours prior to the bid opening.

CONFIDENTIALITY OF BID PACKAGE REQUESTERS

Florida Statutes, Chapter 337.168 (1) (b), requires that the identity of persons requesting bid packages be kept confidential for the period beginning two working days from the deadline for obtaining bid packages (or three working days before the bid opening) and ending with the opening of bids.

BID BOND

No Bid Bond is needed for this project. However, Bidders must submit with their bid a **current letter from a surety company or bonding agent** authorized to do business in the State of Florida and written on company letterhead **to document the bidder's present ability to obtain a performance bond.** Failure by the bidder to provide this letter with his or her bid will constitute a nonresponsive determination for that bid.

PERFORMANCE AND PAYMENT BOND

Since award and execution of this pre-event emergency-response contract will be based on a zero-dollar-encumbrance and since funds will only be encumbered and allocated to this contract if and when the Department has need of these services, a performance and

not required to be prequalified by the Department to be eligible to bid, the bid bond should be $2,500. The required notice of protest, bond, and formal written protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 562, 605 Suwannee Street, Tallahassee, Florida 32999-0458. 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 m Section 120.53(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 written protests are each received by the Clerk of Agency Proceedings within the required time limits.

BID POSTING

Unless bidders are notified by certified mail or express delivery, return receipt, the Summary of Bids for these projects will be posted at 2:30 P.M. (Local Time) in the Front Lobby of the District Seven Headquarters, Florida Department of Transportation, 11201 North McKinley Drive, Tampa, FL 33612 on **Wednesday, September 29, 2010 or as an alternate date on Wednesday, October 6, 2010.** Posting will provide notice of the Department's intent to award a contract or to reject any or all bids.

AWARD/NON-AWARD PROTEST

Any persons who feel they are adversely affected by the intended decision of the Department to award a contract or to reject any or all bids shall file, with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Room 562, Tallahassee, Florida, 32399-0458, both a notice of protest and bond within 72 hours after posting 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 to award. 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 an award that does not require qualification of the bidders, the bond should be $2,500. 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 written protests are each received by the Clerk of Agency Proceedings within the required time limits. An award 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 proof of insurance pursuant to requirements set forth in Subsection 7-13 of the Standard Specifications within seven (7) calendar days of award unless noted otherwise in the project description.

MINIMUM WAGE

Wage Rate: Pursuant to the Fair Labor Standards Act, the Minimum Wage Rates of the project(s) included in this Notice shall be $7.21 per hour.

RIGHT TO REJECT ANY OR ALL BIDS

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

CORRECTIONS

All prospective bidders are urged to always read the second (subsequent) newspaper advertisement as any error noted in the first (original) newspaper advertisement will be corrected in the second printing.

FIRST-TIME BIDDERS ORIENTATION MEETING

The Department is offering first-time bidders the opportunity to attend an orientation meeting. Please call (813)975-6036 or (800) 226-7220 for further details.

keep in force a performance and payment bond (as required in Article 3-5.1 of the Division 1 Specification for this Contract). This bond shall be on the form provided by the Department and provided by a surety authorized to do business in the State of Florida, payable to the Department.

The contractor shall provide prior to contract execution an insurance certificate for the types and amounts of insurance as are set forth in subsection 7-13 of the Department's Standard Specifications for Road and Bridge Construction.

Once executed the contract is valid for ~~365~~ 548 days unless mutually shortened or extended by the Department and the contractor. **This Contract may be renewed Annually for a period up to three (3) years.**

In the event that the storm event impacts another District or Districts, the Department has the right to require the contractor to perform his or her services in those other Districts and the terms and conditions of this contract would apply to work in the other affected District.

Wage Rate Provision

For this Contract, payment of predetermined minimum wages applies. The U.S. Department of Labor Wage Rates applicable to this Contract are listed in Wage Rate Decision Number(s) FL 36 and FL 39, as modified up through ten days prior to the opening of bids. Obtain the applicable General Decision(s) (Wage Tables) through the Department's website and ensure that employees receive the minimum wages applicable. Review the General Decisions for all classifications necessary to complete the project. If additional classifications are needed, request them through the Engineer's office.

When multiple wage tables are assigned to a Contract, general guidance of their use and examples of applicability are available on the Department's website. Contact the Department's Wage Rate Coordinator before bidding if there are any questions concerning the applicability of multiple wage tables. The URL for obtaining the Wage Rate Decisions is www.dot.state.fl.us/construction/wage.htm. Contact the Department's Wage Rate Coordinator at (850) 414-4251 if the Department's website cannot be accessed or there are questions.

2.0 SERVICES TO BE PROVIDED BY THE CONTRACTOR

The signal repair/replacement services shall be performed by the Contractor in coordination with the FDOT District 7 personnel or their designated representative. Some intersections may require signal repair/replacement; other intersections may not.

2.1 Signal Repair Services

- The Contractor will provide labor, equipment and/or materials necessary to perform emergency traffic signal repairs/replacement on signal installations as directed by the FDOT or its designated representative (this will include the removal of all temporary

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

BID BLANK
STATE JOB

375-020-17
CONTRACTS ADMINISTRATION
OGC - 05/04

Let by: District 7 - Tampa

(Void if used by any bidder other than one this Form issued to)

FINANCIAL PROJECT NO(S). TBD

ROAD(S) NO(S). VARIOUS LOCATIONS

CONTRACT NO. Z-7016

CONTRACT CALENDAR DAYS 548 CAL DAYS

DATE BIDS DUE: September 13, 2010

TOTAL AMOUNT:

$ _____

DATE OF AWARD: _____

DATE OF CONTRACT EXECUTION: _____

_____ **% DBE Availability**

PROPOSAL

To Accompany
THE STANDARD SPECIFICATIONS AS AMENDED BY THE SPECIFICATIONS PACKAGE AND ANY SUPPLEMENTAL SPECIFICATIONS PACKAGES, AND THE PLANS.

FOR ABOVE PROJECT(S)

WORK CONSISTS OF PRE-EVENT TRAFFIC SIGNAL REPAIR DISTRICT WIDE. PRIME CONTRACTOR MUST BE PREQUALIFIED WITH THE F.D.O.T. IN TRAFFIC SIGNAL AND WILL BE REQUIRED TO PERFORM AT LEAST 30% OF THE WORK WITH ITS OWN FORCES. THIS IS A PRE-EVENT EMERGENCY CONTRACT. BIDS WILL BE DUE ON SEPTEMBER 13, 2010 AT 2:30 P.M.

in DISTRICT WIDE County(ies)

NOTE: Attach your Proposal Guaranty to this bid blank. All Extensions must be carried out. Any changes made in unit bid prices must be initialed by bidder.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PROPOSAL
OF

375-020-08
CONTRACTS ADMINISTRATION
OGC - 03/10

_____
(Proposer's Firm Name) (Prequalified Name, if Applicable)

_____
(Proposing Firm's Physical Address -- City -- State -- Zip)

F.E.I.D. No. _____ Telephone No. (____) _____ FAX No. (____) _____

Email Address: _____

for constructing or otherwise improving a Bridge(s) and/or Section(s) of Road(s) No(s). or building(s) _____

VARIOUS LOCATIONS

in DISTRICT WIDE County(ies),

WORK CONSISTS OF PRE-EVENT TRAFFIC SIGNAL REPAIR DISTRICT WIDE. PRIME CONTRACTOR MUST BE

PREQUALIFIED WITH THE F.D.O.T. IN TRAFFIC SIGNAL AND WILL BE _____ approximately _____ mile(s)

in length, and known as Federal Aid Project No(s).: DISTRICT CONTRACT Z-7016

Contract No.: Z-7016 Financial Project No(s).:TBD

REQUIRED TO PERFORM AT LEAST 30% OF THE WORK WITH ITS OWN FORCES.

TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION: Submitted September 13, 2010

The Bidder, hereby declares that no person or persons, firm or corporation, other than the Bidder, is interested, in this proposal, as principals, and that this Proposal is made without collusion with any person, firm or corporation, and we have carefully and to our full satisfaction examined the Proposal forms, the Standard Specifications as amended by the Specifications Package and any Supplemental Specifications Packages, and the Plans, and that we have made a full examination of the location of the proposed work and the sources of supply of materials, and we hereby agree to furnish all necessary labor, equipment, and materials, fully understanding that the quantities shown herewith are approximate only, and that we will fully complete all necessary work in accordance with the Plans and Specifications, and the requirements under them of the Engineer, within the time limit specified in this Proposal for the following unit prices, to wit:

Was an addendum issued on this project?

O Yes O No

I (We) hereby acknowledge receipt of the following Addenda issued during the bidding period.

Addendum No.	Dated	Addendum No.	Dated

The Bidder agrees to perform all necessary work, as provided for in the contract, and if awarded the contract, to execute the Contract within 5 calendar days, excluding Saturdays, Sundays, and state holidays, after the date on which the notice of award has been given, and to fully complete all necessary work under the same within not more than 548 calendar days. It is understood and agreed that the date on which calendar days will begin to be charged to the project shall be either (1) the 5 calendar day from the date of issuance of the initial notice to begin work or (2) the date on which the Bidder actually begins work, whichever date is the earlier. The Bidder further agrees to furnish a sufficient and satisfactory bond in the sum of not less than 100 percent of the Contract price of the work as indicated by the approximate quantities shown herein.

The Bidder further agree(s) to bear the full cost of maintaining all work until final acceptance, as provided in the Contract.

If the total amount of this bid exceeds $150,000.00, a bid guaranty of five percent (5%) of the bid, payable to the Florida Department of Transportation, must accompany this proposal. The guaranty amount shall include all bid items except construction days for A+B Bidding and lane closure for Lane Rental Bidding. If this proposal is accepted and the Bidder fails to execute the Contract under the conditions of this proposal, the bid guaranty shall be forfeited to the Department; otherwise, said guaranty is to be returned to the Bidder upon delivery of a satisfactory bond. The Florida Department of Transportation officials and employees are prohibited by law from soliciting and accepting funds or gifts from any person who has, maintains, or seeks business relations with the Department pursuant to Section 334.195, Florida Statutes.

The Bidder, hereby certifies that it has carefully examined this proposal after the same was completed, and has verified each item placed thereon. The Bidder agrees to indemnify, defend, and save harmless, the Department against any cost, damage, or expense which it may incur or be caused by any error in the Bidder's preparation of same. By signing and submitting this 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.

The Bidder hereby certifies that the submitted unit price sheets are generated from the diskette provided by the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION or accurate reproductions generated from the Department's issued Expedite Bidding System (EBS) program. If any errors have been made by the Bidder in preparing the generated sheets, the Bidder hereby consents that such errors will be applied by the Department in the manner most beneficial to the Department.

The Bidder hereby certifies and obligates its firm as "Principal (bidder)" to the attached Bid or Proposal Bond, (Form 375-020-09) as if and to the same effect as if the Bidder had affixed its signature thereon.

Section 287.134(3)(a), Florida Statutes, requires: An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as as contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Section 553.62, Florida Statutes, incorporates the Occupational Safety and Health Administration's (OSHA) safety standards, 29 CFR s. 1926.650 Subpart P, as the state standard. The Department of Labor and Employment Security may adopt updated or revised versions by rule. Other state or political subdivisions may also have standards that are applicable. If trench excavation will be required on the project in excess of five feet in depth, the Bidder must identify the cost of compliance with the applicable trench safety standards below. If there will be no trench excavation on the project in excess of five feet in depth, write "not applicable" below.

	Trench Safety Measure (Description)	Units of Measure	Quantity	Unit Cost	Extended Cost
A.					
B.					
C.					

(ATTACH SEPARATE SHEET IF NECESSARY)

TOTAL: $ _____

If applicable, this certifies that all trench excavation done within the control of the contractor will be in accordance with all applicable standards and with the specifications, and all requirements of Sections 553.63(1)(a), 553.63(1)(b), and 553.63(1)(c), Florida Statutes.

Job No(s):

TBD

The Bidder hereby declares that the undersigned is the person or persons responsible within the firm for the final decision as to the price(s) and amount of this bid and the Bidder further declares that:

1. The price(s) and amount of this bid have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition with any other contractor, bidder or potential bidder.

2. Neither the price(s) nor the amount of this bid have been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the bid opening.

3. No attempt has been made or will be made to solicit, cause, or induce any firm or person to refrain from bidding on this project, or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.

4. The bid is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any other firm or person to submit a complementary bid.

5. The Bidder has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised, or paid cash or anything of value to any other Bidder or person, whether in connection with this or any other project, in consideration for an agreement or promise by any other firm or person to refrain from bidding or to submit a complementary bid on this project.

6. The Bidder has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any other firm or person, and has not been promised or paid cash or anything of value by any other firm or person, whether in connection with this or any other project, in consideration for the firm's submitting a complementary bid, or agreeing to do so, on this project.

7. The Bidder has made a diligent inquiry of all members, officers, employees, and agents of the Bidder with responsibilities relating to the preparation, approval or submission of the firm's bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act, or other conduct inconsistent with any of the statements and representations made in this Declaration.

8. As required by Section 337.165, Florida Statutes, the Bidder has fully informed the Florida Department of Transportation in writing of all convictions of the firm, its affiliates (as defined in Section 337.165(1)(a), Florida Statutes), and all directors, officers, and employees of the firm and its affiliates for violation of state or federal antitrust laws with respect to a public contract or for violation of any state or federal law involving fraud, bribery, collusion, conspiracy, or material misrepresentation with respect to a public contract. This includes disclosure of the names of current employees of the firm or affiliates who were convicted of contract crimes while in the employ of another company.

9. The Bidder certifies that, except as noted below, neither the firm nor any person associated therewith in the capacity of owner, partner, director, officer, principal, investigator, project director, manager, auditor, and/or position involving the administration of federal funds:

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions, as defined in 49 CFR s29.110(a), by any federal department or agency;

(b) has within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or public contract; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) is presently indicted for or otherwise criminally or civilly charged by a federal, state, or local governmental entity with commission of any of the offenses enumerated in paragraph 9(b) of this certification; and

(d) has within a three-year period preceding this certification had one or more federal, state, or local government public transactions terminated for cause or default.

10. The Bidder certifies that it shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this project by any federal agency unless authorized by the Florida Department of Transportation.

11. The firm certifies that the bidder is not a nonresident alien, or a foreign corporation/entity formed under the laws of a country other than the United States.

Where the Bidder is unable to declare or certify as to any of the statements contained in the above stated paragraphs numbered (1) through (11), the Bidder has provided an explanation in the "Exceptions" portion on page 4 of 4 or by attached separate sheet.

EXCEPTIONS:

Any exception listed above will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted, indicate to whom it applies, initiating agency, and dates of agency action. Providing false information may result in criminal prosecution and/or administrative sanctions. I declare under penalty of perjury that the foregoing is true and correct.

CORPORATION:

_____
Bidder

Signature: _____
President or Vice President (Circle Title)

_____
Print Name

(Affix
Corporate
Seal)

INDIVIDUAL OR FIRM TRADING AS:

_____
Bidder

Signature: _____
Individual or Owner

_____
Print Name

PARTNERSHIP

_____
Bidder

Signature: _____
General Partner (Circle Title)

_____
Print Name

Signature: _____
General Partner (Circle Title)

_____
Print Name

JOINT VENTURE:

_____
Bidder

Signature: _____
Attorney-in-Fact

_____
Print Name

CONTRACTOR: _____ (Seal)

Signature: _____
President or Vice President (Circle Title)

CONTRACTOR: _____ (Seal)

Signature: _____
President or Vice President (Circle Title)

CONTRACTOR: _____ (Seal)

Signature: _____
President or Vice President (Circle Title)

LIMITED LIABILITY COMPANY:

_____
Contractor

Signature: _____
Manager or Member (Circle Title)

_____
Print Name

Organized and existing under the laws of the State of _____ and authorized to do business in the State of Florida, pursuant to the laws of the State of Florida, certificate of incorporation or organization or certificate of authority having been issued by the Florida Department of State.

FAILURE TO FULLY COMPLETE AND EXECUTE THIS DOCUMENT MAY RESULT IN THE BID BEING DECLARED NONRESPONSIVE

ATTACH BID BOND

Job No(s):

TBD