

**BID SOLICITATION NOTICE  
STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
FLORIDA'S TURNPIKE ENTERPRISE**

Orlando, Florida  
June 20, 2016  
Advertisement No. 1

Sealed bids will be received in the Turnpike Enterprise Office, Department of Transportation, Turkey Lake Service Plaza, Florida's Turnpike, Milepost 263.0, Building 5315, Ocoee, Florida, 34761 until 2:30 P.M. (Local Time) on Tuesday, the 19th day of July, 2016, for the following work.

The sealed bids received in the above referenced location will be publicly opened and the Bid totals for each bid submitted will be read aloud at 2:30 PM, July, 19, 2016 in the Turnpike Headquarters, Building 5315, Ocoee, Florida. Agenda: a) Opening Remarks; b) 15 minutes of public input; c) Reading of bids; d) Closing.

Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should send an e-mail to: [contracts.admin@dot.state.fl.us](mailto:contracts.admin@dot.state.fl.us) or call telephone number (407) 264-3885. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting. Bidders may obtain preliminary bid results at <http://www.dot.state.fl.us/contractsadministrationturnpike>.

All vendors wishing to do business with any State agency must register at the following web site: <http://dms.myflorida.com/mfmp>.

**DOCUMENT ORDERING INFORMATION**

All work is to be done in accordance with the Plans, Specifications, and Special Provisions of the State of Florida Department of Transportation. **PHONE ORDERS CAN NO LONGER BE ACCEPTED.** Requests for orders must be signed and submitted on the ORDER FORM provided. For orders of plans and specifications, the signed Order Form can be faxed to Judy Hilliard at FAX (407) 264-3058 or emailed to [judy.hilliard@dot.state.fl.us](mailto:judy.hilliard@dot.state.fl.us). There is no charge.

**DEADLINE FOR PROPOSALS AND PROPOSAL HOLDERS LIST**

The deadline for obtaining bid packages shall be 24 hours prior to scheduled letting date and time. A list of plan holders may be obtained by visiting the District Contracts Administration website at: <http://www.dot.state.fl.us/contractsadministrationturnpike/>, click "[Letting and Project Information](#)" and select letting date from the Lettings Menu. For compliance with Florida Statute 337.168(2), additional bidders and plan and specifications holders are not published (updated) beginning three working days prior to the letting.

**---NOTE---**

Proposal Forms will not be issued after 2:30 P.M. (Orlando Local Time) on Monday, July 18, 2016.

**PREQUALIFICATION**

Contractors must have a current certificate of qualification in accordance with Florida Statute 337.14(1) and Rule Chapter 14-22, Florida Administrative Code, on the date of the letting to bid on construction projects over \$250,000.00 as established by the Department's budget. 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.

**PREQUALIFIED CONTRACTORS CURRENT CAPACITY**

In order for the Department to have the information required to determine a prequalified bidder's Current Capacity, it is necessary that the prequalified contractor certify the total dollar amount of all work the contractor 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](http://www.dot.state.fl.us/cc-admin/PreQual_Info/prequalified.shtm) to the Department every 30 calendar days.

**CONFLICT OF INTEREST**

A contractor who performs a constructability review on a design contract or who participates in a value engineering study workshop or cost risk analysis workshop, is prohibited from bidding on the construction of that contract.

**SCRUTINIZED COMPANIES**

A company that is on the Scrutinized Companies with activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List may not bid on, submit a proposal for, or enter into a contract with an agency or local government entity for goods or services of \$1 million or more.

**BID REJECTION**

Bidders are hereby notified that the Department reserves the right to reject all bids 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. 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, FAX (850) 414-5264. Failure to file a protest within the time prescribed in Section 120.57(3), F.S., or failure to post the bond or other security required by law within the time allowed for the filing a bond 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 affected 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. 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 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, FAX (850) 414-5264. 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.

Unless otherwise prohibited by Florida Statute or Federal Regulation, in the event multiple responsive bidders submit identical proposals, the Department will determine the order in which Proposals are to be considered for Contract award in accordance with Rule 60A-1.011, Florida Administrative Code.

### **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 Districts Contracts Administration website at: <http://www.dot.state.fl.us/contractsadministrationturnpike/>, click "**Letting and Project Information**" and select letting date from the Lettings Menu. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid. **All addenda shall be acknowledged when submitting bids.**

### **BID QUESTIONS**

All work is to be done in accordance with the Plans, Specifications, and Special Provisions of State of Florida Department of Transportation. Direct questions regarding the advertised projects by posting them to the Department website at the following URL address: <https://fdotwp1.dot.state.fl.us/BidQuestionsAndAnswers/Proposal.aspx/SearchProposal>.

### **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 substantially 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. 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). If an electronic bid bond is not being submitted, the bidder must submit an original bid bond. (A fax or a copy sent as an attachment will not be accepted.)

### **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 ten (10) Calendar days of award, excluding Saturdays, Sundays, and state holidays, unless noted otherwise in the project specifications. A 100% Payment and Performance Bond will be required for all projects unless noted otherwise in the project specifications. 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 it 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.

### **DBE PARTICIPATION**

Disadvantaged Business Enterprise (DBE) Availability Goal 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 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.

### **FIRST TIME BIDDERS**

Bidders bidding for the first time with the Department can obtain the information about the bidding/contracting process from the Contracts Administration Internet web site. The New Bidder's Orientation can be accessed at [http://www.dot.state.fl.us/cc-admin/Cpp\\_Online\\_Ordering/NEW%20BIDDERS%20ORIENTATION.pdf](http://www.dot.state.fl.us/cc-admin/Cpp_Online_Ordering/NEW%20BIDDERS%20ORIENTATION.pdf)

### **POSTING NOTICE**

The bid tabulation and intent to award will be posted on **July 21, 2016** or **July 25, 2016** at <http://www.dot.state.fl.us/contractsadministrationturnpike/>, click the "[Letting and Project Information](#)" and select letting date from the Listings Menu. 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.

### **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, 42 USC 2000d to 2000d-4 and related authorities, 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 insure that in any contract entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated against on the basis of race, color, national origin, or sex in consideration for an award. Further, it is the policy of the Department to not discriminate against bidders on the grounds of race, color, national origin, religion, sex, age, or disability/handicap in consideration for an award. A bidder must have an approved DBE Affirmative Action (DBE/AA) Plan prior to contract award. Please use the following link [http:// www.dot.state.fl.us/ccadmin/](http://www.dot.state.fl.us/ccadmin/)

[cpp\\_online\\_ordering/bidder\\_assist.shtm](http://cpp_online_ordering/bidder_assist.shtm), Standard Specifications for Road and Bridge Construction and the Special Provisions for instructions for submission of a DBE/AA Plan. The DBE/AA Plan should be submitted for approval prior to the bidding.

#### **MINIMUM WAGE**

The minimum wage for all hours worked in Florida is available at <http://www.floridajobs.org>.

#### **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/ccadmin/distco.shtm>.

#### **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.

By submitting a bid, the contractor/consultant/vendor agrees to comply with section 20.055(5) Florida Statute, and to incorporate in all subcontracts the obligation to comply with section 20.055(5) Florida Statute.

#### **SPECIAL NOTES**

***For the following contracts, the following shall apply:***

- 1. No Bid Bond is required, No Performance Bond is required. Executed contracts will require Labor and Materials Payment Bond when authorization is written.***
- 2. No Pre-Bid Conference.***
- 3. Award is contingent upon legislative budget approval and availability of funds.***
- 4. Awarded Contractor must execute documents within 5 days. Work cannot begin until written authorization is given which will be on an as-needed basis.***
- 5. General Liability, Auto and Workman's Compensation Insurances are required. The State of Florida Department of Transportation, Turnpike Enterprise shall be endorsed as additional insured with regards to the General Liability Insurance.***
- 6. Contractor must be pre-qualified by Central Office in Debris Removal on day and time of letting. Bid packages will only be issued to qualified contractors.***
- 7. No cost for plans, specs, bid documents.***

#### **PRE-EVENT CUT AND TOSS**

**CONTRACT NO. Z8041**, COUNTIES: Orange, Lake Sumter. Work consists of providing all labor, materials, equipment and incidentals necessary to perform "cut and toss" as directed. "Cut and Toss" is defined as cutting and/or pushing/clearing the debris off of the roadway sufficiently to allow safe vehicular traffic on all lanes at various locations along Florida's Turnpike Mainline, Milepost (MP) 254 to MP 308; Beachline Expressway, MP 0 to MP 8.4; and East-West Expressway, MP 0 to MP 1. Pre-Positioning (per crew) (per day) is \$3,500.00.

**CONTRACT NO. Z8042**, COUNTY: Seminole. Work consists of providing all labor, materials, equipment and incidentals necessary to perform "cut and toss" as directed. "Cut and Toss" is defined as cutting and/or pushing/clearing the debris off of the roadway sufficiently to allow safe vehicular traffic on all lanes at various locations along Seminole Expressway, MP 37.8 to MP 55.4. Pre-Positioning (per crew) (per day) is \$3,500.00.

**CONTRACT NO. Z8043**, COUNTY: Polk. Work consists of providing all labor, materials, equipment and incidentals necessary to perform "cut and toss" as directed. "Cut and Toss" is defined as cutting and/or pushing/clearing the debris off of the roadway sufficiently to allow safe vehicular traffic on all lanes at various locations along the Polk Parkway, MP 0 to MP 24.38. Pre-Positioning (per crew) (per day) is \$3,500.00.

**CONTRACT NO. Z8044**, COUNTIES: Hillsborough, Pasco, and Hernando. Work consists of providing all labor, materials, equipment and incidentals necessary to perform "cut and toss" as directed. "Cut and Toss" is defined as cutting and/or pushing/clearing the debris off of the roadway sufficiently to allow safe vehicular traffic on all lanes at various locations along the Veterans Expressway, MP 1.5 to MP 17.5; Suncoast Parkway, MP 17.5 to MP 54.9. Pre-Positioning (per crew) (per day) is \$3,500.00.