

SECTION 00301

PROPOSAL

**TO: THE CITY OF CONCORD, NORTH CAROLINA**

**FROM: BIDDER** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

\_\_\_\_\_

**DATE OF BID:** FEBRUARY 5, 2014

The undersigned hereby signifies that it is \_\_\_\_\_ (his/their) intention and purpose to enter into a formal Contract with the City of Concord, N.C. to furnish all labor, materials, tools, equipment, apparatus, supplies, etc., required and to do all the work necessary for and because of the construction, erection, and/or installation of the proposed

**ROCKY RIVER GREENWAY, MOSS CREEK – PHASE 2  
NCDOT TIP: SR-5001BN**

for the City of Concord, N.C. in accordance with the Consulting Engineers' Specifications; the terms of the **Notice to Bidders** (copy of which is bound herein); the foregoing Instructions to Bidders, General Conditions and Specifications; this Proposal; the following forms of Contract and Bonds; and the Plans and/or Drawings, including Addenda Nos. \* \_\_\_\_\_; and pursuant with the requirements of the Notice and Instructions to Bidders. There is deposited, herewith, cash, a certified check in the amount of: \_\_\_\_\_

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_),  
or a Bid Bond in the amount of five percent of the total aggregate amount of this Bid made payable to the Mayor and City Council of the City of Concord, the same to be refunded to the undersigned under the conditions of and in accordance with the terms of this Proposal which are as follows:

\* Fill in appropriate Addenda number.

**THAT:** The undersigned has carefully examined the Plans and Specifications and all other Contract Documents and fully understands them.

**THAT:** The undersigned has carefully examined the site of the Project and is familiar with the conditions under which the work, or any part thereof, is to be performed and the conditions which must be fulfilled in furnishing and/or installing, erecting or constructing any or all items of the Project.

**THAT:** The undersigned will provide all necessary tools, machinery, equipment, apparatus, and all other means necessary to do all the work and will furnish all labor, materials and all else required to complete such Contract as may be entered into, in the manner prescribed in and in accordance with the terms of the Specifications and Contract and in accordance with the true intent and meaning thereof, and in accordance with the Plans and/or Drawings and the requirements of the Engineer under them, in a first class manner.

**THAT:** The rights of the Owner and the recommendations of the Engineer are not to be questioned in the Award of Contracts.

**THAT:** It is the intention of the City of Concord to let Contracts on a basis of the Bids received in accordance with GS 143-129 and in such manner as they may deem to be for the best interests of the Owner.

**THAT:** The Owner reserves the right to reject any or all Proposals.

**THAT:** The Contract is to be awarded to the lowest responsible, responsive bidder, provided the Bid has been submitted in accordance with the requirements of the Bidding Documents, is judged to be reasonable, and does not exceed the funds available. .

**THAT:** On being awarded the Contract, the undersigned will execute a Performance Bond and a Payment Bond, on the forms included herein, each equal to one hundred percent of the Contract price, as security for the faithful performance of the Contract.

**THAT:** The undersigned shall submit, in the blank spaces provided, all data efficiencies, guarantees, and other information called for.

**THAT:** The undersigned shall submit, herewith, Drawings or Cuts and Specifications showing and describing in detail the equipment, material, and/or apparatus which the undersigned proposes to furnish.

**THAT:** This Proposal shall be signed and submitted in the manner prescribed in the Instructions to Bidders.

**THAT:** Should this Proposal not be accepted by the Mayor and City Council of the City of Concord, the certified check, in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) or the five percent Bid Bond, deposited herewith will be returned to the undersigned.

**THAT:** Should the Owner accept this Proposal and the undersigned fail or neglect to execute the Contract and furnish the required Bonds within fifteen days after receiving notifications of the acceptance of the Proposal and/or receipt of the formal Contract and Bond forms, the cash or certified check, in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) or the Bid Bond deposited herewith shall be retained by the Owner as liquidated damages, it being understood that the Owner reserves the right to extend the time allowed for executing the Contract and/or furnishing the Bond.

**THAT:** The undersigned will complete such Contract as may be entered into within the number of consecutive calendar days specified in the Contract from the date specified in the Notice to Proceed.

**THAT:** It is the intent of these Contract Documents to obtain a Contract based on Unit Prices applied to the various portions of the work, except where Lump Sum Bid Prices are specifically requested. In the event of errors in the arithmetical extension of unit prices to total prices, the unit price bid shall govern, and the Award of the Contract shall be based on the recomputed total prices. If a Bidder submits a Bid showing a unit price for a particular item and omits an extended total for that item, or a Bidder submits a Bid showing an extended total for a particular item and omits a unit price for that item, the omitted numbers shall be computed using the following equation:  
Estimated Quantity x Unit Price = Total Price

so that the omission shall render the Bid neither non-responsive nor incomplete. If the Bidder leaves blank any lines or spaces indicated for the dollar amount of any item in the Bid, that omission shall be understood and treated as if the Bidder had written in \$0.00 for that particular item in the Bid. Before applying the preceding two sentences of this paragraph, the following rule shall apply in the special case that it describes: In places where it is indicated that a Bid should show both words and numerals for a particular dollar amount, and the Bid shows the

dollar amount in numerals but omits to show any dollar amount in words (or vice versa), the Bid shall be treated as if it had shown the indicated dollar amount in both numerals and words.

**THAT:** The undersigned proposes to enter into a Contract in accordance with this Proposal and the Contract Documents included herein, for the price, or prices, shown on the following pages. Bidder acknowledges that the following quantities are approximate only and are given as the basis for comparison of Bids. The Owner may increase or decrease the quantity of any item or portion of the work as may be deemed necessary or expedient. An increase or decrease in the quantity of any item will not be regarded as sufficient grounds for an increase or decrease in the unit prices, nor in the time allowed for the completion of the work, except as provided for in the General and Supplemental Conditions.

**THE FOLLOWING FORMS AND DOCUMENTATION SHALL BE COMPLETELY FILLED OUT AND SUBMITTED WITH THE BIDS.**

1. Proposal
2. Certified List of Material Manufacturers
3. Certification Affidavit
4. Contractor's Certificates Affidavit of Organization and Authority and Sworn Statement
5. Non-Discrimination Clause
6. E-Verify Affidavit
7. Acknowledgement
8. Notice To Contractor Regarding Intrusions Beyond Project Limits
9. Execution of Bid-Non-Collusion Affidavit, Debarment Certification and Gift Ban Certification
10. Listing of DBE Subcontractors
11. Execution of Bid (Non-collusion affidavit, debarment certification, and gift ban certification)

**BID PROPOSAL**

**ROCKY RIVER GREENWAY, MOSS CREEK – PHASE 2  
NCDOT TIP: SR-5001BN**

**(BID FORM)**

NOTE TO CONTRACTORS: DO NOT REMOVE THIS ITEMIZED PROPOSAL FROM THE SPECIFICATIONS

**BID FOR UNIT PRICE CONTRACT**

Bidder agrees to perform all work described in the specifications and shown on the Contract Drawings for the unit prices listed below.

ITEM	STD. ITEM NO.	SECT.	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
10	0000100000-N	800	MOBILIZATION	1	LS		
20	0000400000-N	801	CONSTRUCTION SURVEYING	1	LS		
30	0001000000-E	200	CLEARING & GRUBBING	1	LS		
40	0043000000-N	226	GRADING	1	LS		
50	0057000000-E	226	UNDERCUT EXCAVATION & REMOVAL	100	CY		
60	0194000000-E	230	SUITABLE OFFSITE FILL, PROVIDE & COMPACT	100	CY		
70	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	44	LF		
80	2220000000-E	838	24" REINFORCED ENDWALLS	3	CY		
90	2286000000-N	840	BRICK JUNCTION BOX	1	EA		
100	1121000000-E	520	AGGREGATE BASE COURSE	960	TON		
110	1275000000-E	600	PRIME COAT	500	GAL		
120	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	228	TON		
130	8622000000-E	876	GEOTEXTILE FOR DRAINAGE	200	SY		
140	1115000000-E	1056	GEOTEXTILE FOR PAVEMENT STABILIZATION	2295	SY		
150	3628000000-E	876	RIP RAP, CLASS I	30	TON		
160	6000000000-E	1605	TEMPORARY SILT FENCE	3954	LF		
170	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	44	TON		
180	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	150	TON		
190	6012000000-E	1610	SEDIMENT CONTROL STONE	25	TON		
200	6084000000-E	1660	SEEDING & MULCHING	1.5	ACR		
210	8210000000-N	422	BRIDGE APPROACH SLABS	10	EA		
215	8897000000-E	422	CONCRETE END BENTS	8	EA		
220	3575000000-E	SP1	DIAMOND RAIL FENCE	480	LF		
230	1881000000-E	SP2	BOARDWALK	304	LF		
240	4600000000-N	SP3	FIXED BOLLARD	2	EA		
250	4600000000-N	SP4	COLLAPSIBLE BOLLARD	1	EA		
260	8322000000-E	SP5	TIMBER PILES, 8" MIN. TIP	1080	LF		
270	6065000000-E	1631	MATTING FOR EROSION CONTROL	2700	SY		

**Project Total** \_\_\_\_\_

Note: Proposal Signature  
required on Page 25

Contractor \_\_\_\_\_  
(Print)

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**CERTIFICATION AFFIDAVIT**

THE PRIOR INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER UNDERSTAND AND AGREE THAT, IF AWARDED A CONTRACT, THIS CERTIFICATION SHALL BE ATTACHED THERETO AND BECOME A PART THEREOF.

NAME OF SIGNER: \_\_\_\_\_  
(Please Print or Type)

TITLE OF SIGNER: \_\_\_\_\_  
(Please Print or Type)

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**BID SECURITY:**

Accompanying this Proposal is a (a) \_\_\_\_\_ in the amount of (b) \$ \_\_\_\_\_.

NOTE: (a) Insert the words "bank draft", "certified check", "bid bond" as the case may be.

(b) Amount must be equal to at least five percent of the Total Base Bid.

**CONTRACTOR'S LICENSE:**

The undersigned certifies that (he/they) \_\_\_\_\_ (is/are) licensed as a Contractor under the specific State law regulating \_\_\_\_\_ (his/their) particular trade and that the number of \_\_\_\_\_ (his/their) license, under which (he/they) \_\_\_\_\_ (is/are) now operating is \_\_\_\_\_.

**LIQUIDATED DAMAGES:**

The undersigned agrees, further, that the Owner may retain those amounts indicated below from the amount of Compensation due the undersigned, under the terms of the Contract, for each and every day that the work remains incomplete beyond the completion date specified in the Notice to Proceed. This amount is agreed upon as the proper measure of liquidated damages the Owner will sustain, per day, by the failure of the undersigned to complete the work, within the stipulated time, and it is not to be construed, in any sense, as a penalty.

Total  
Liquidated  
Damages  
\$500.00 per  
day

No Contractor shall have a claim against the Owner as a result of other construction Contractor's lack of progress or project completion.

**PROPOSAL SIGNATURE:** (Signature required on Page 25)

**CORPORATION:**

The Bidder is a corporation organized and existing under the laws of the State of \_\_\_\_\_, which operates under the legal name of:

\_\_\_\_\_

and the full names of its officers are as follows:

President \_\_\_\_\_

Secretary/Treasurer \_\_\_\_\_

Manager \_\_\_\_\_

and it does have a corporate seal. The President is authorized to sign construction proposals and contracts for the company by action of its Board of Directors taken \_\_\_\_\_, a certified copy of which is hereto attached. (Strike out this last sentence if not applicable.)

**PARTNERSHIP:**

The Bidder is a partnership consisting of individual partners whose full names are as follows:


The partnership does business under the legal name of:

\_\_\_\_\_

**INDIVIDUAL:**

The Bidder is an individual whose full name is: \_\_\_\_\_

and if operating under a trade name, said trade name is as follows: \_\_\_\_\_

**LIMITED LIABILITY COMPANY:**

The Bidder is a [member-managed/manager-managed] limited liability company consisting of the following individual/corporate members/managers:

<b>Managers</b>		<b>Members</b>

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The limited liability does business under the legal name of:

\_\_\_\_\_  
\_\_\_\_\_  
(Sign Below)

Dated \_\_\_\_\_, 2014.

\_\_\_\_\_  
Legal Entity  
(Sign Here) By: \_\_\_\_\_  
\_\_\_\_\_  
(Printed Name)

SEAL - if Corporation

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public  
My Commission Expires:  
\_\_\_\_\_

**CONTRACTOR'S CERTIFICATES  
AFFIDAVIT OF ORGANIZATION AND AUTHORITY  
AND SWORN STATEMENT**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ being the first duly sworn on oath deposes and says that the bidder on the attached bid proposal is organized as indicated below and that all statements herein made are made on behalf of such Bidder and that this deponent is authorized to make them.

(Fill Out Applicable Paragraph)

**1. CORPORATION:**

The Bidder is a Corporation organized and existing under the laws of the State of \_\_\_\_\_ and its President is \_\_\_\_\_; its Secretary is \_\_\_\_\_, and it does have a corporate seal. The President is authorized to sign construction contracts and bids for the company by action of its Board of Directors taken \_\_\_\_\_ a certified copy of which is hereto attached. (Strike out last sentence if not applicable.)

**2. PARTNERSHIP:**

The Bidder is a partnership consisting of \_\_\_\_\_ and \_\_\_\_\_, partners doing business under the name of:

\_\_\_\_\_

**3. SOLE TRADER:**

The Bidder is an individual and if operating under a trade name, such trade name is as follows:

\_\_\_\_\_

**4. ADDRESS:**

The business address of the Bidder is as follows:

\_\_\_\_\_

Its phone number is \_\_\_\_\_

Bidder \_\_\_\_\_

By: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_ Co. \_\_\_\_\_

Notary Public

My Commission Expires:

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**PROJECT ADDENDUM**

TO: Bidding Contractors  
FROM: Stewart  
RE: Rocky River Greenway, Moss Creek – Phase 2 (SR-5001BN)  
Stewart Project# K11324  
SUBJECT: Addendum No. 2  
DATE: January 29, 2014

The following changes shall be incorporated into the plans and specifications dated December 10, 2013 and shall hereby become part of the contract documents. Original items of the project manual and information on the drawings not herein modified, amended, voided or suspended shall remain in effect.

***IN CASE OF CONFLICT BETWEEN DRAWINGS, SPECIFICATIONS AND THIS ADDENDUM, THIS ADDENDUM SHALL GOVERN. THIS ADDENDUM SUPERCEDES ALL PREVIOUS DRAWINGS, SPECIFICATIONS, AND INSTRUCTIONS PERTAINING TO THESE ITEMS.***

**GENERAL**

**1. Bid Proposal**

- A. This bid has been re-advertised with a new bid date and time. The project will re-bid at 2:00pm on February 5, 2014.
- B. A line item has been added to the bid form for Matting for Erosion Control for 2700 SY.
- C. A revised Bid Proposal section has been attached to this addendum.

***END OF ADDENDUM NO. 2***

Attachments: 00301-01 WF-MUP pages 1-7\_Add2.pdf

Submitted By: Jon Wood  
Date: January 29, 2014