

# **Shelby County Highway Department**

Bid Package of Proposed Project:

SCP 59-889-18

Right Turn Lane on County Road 17 at County Road 44  
Grade, Drain, Base and pave, Widening



February15, 2023



**SHELBY COUNTY**  
**HIGHWAY DEPARTMENT**  
506 HIGHWAY 70  
COLUMBIANA, ALABAMA 35051  
(205) 669-3880  
[www.ShelbyAL.com](http://www.ShelbyAL.com)

January 25, 2023

**MEMORANDUM**

TO: Prospective Bidders

FROM: Cody Long, P.E., PTOE  
Chief Civil Engineer

The following shall be made a part of this bid proposal as if it were included in the original proposal.

**PRE-BID MEETING**

All prospective bidders shall attend the mandatory Pre-Bid Meeting scheduled for Thursday, February 9, at 10:00 A.M. at the office of the County Engineer.

**INSURANCE AND LICENSING REQUIREMENTS**

The Shelby County Commission shall not execute this contract until the successful bidder has supplied in a timely manner, as outlined in the attached Contract Specifications:

- A. A Section 84 State/County privilege license and all other required license(s).
- B. Proof of Insurance containing additional coverage for the Shelby County Commission, its successors, or assigns.

**IMMIGRATION COMPLIANCE REQUIREMENTS**

The successful bidder shall comply with current Shelby County vendor requirements for Immigration Law Compliance. This includes but is not limited to the E-Verify MOU (Memorandum of Understanding). Required documents and further information are on the Shelby County website: [www.shelbyal.com](http://www.shelbyal.com).

**DISQUALIFICATION OF BIDS**

Bids may be disqualified before awarding of the Contract for any of the following:

- A. Failure to mark envelope as required;
- B. Failure to sign or notarize the bid document;
- C. Failure to include requested information for other details of the bid; or,
- D. Failure to include bid bond.

**METHOD OF AWARD**

The award will be made to the lowest responsible bidder meeting specifications. It is not the policy of the Shelby County Commission to purchase on the basis of low bid only. Quality, conformity with specifications, purpose for which required, terms of delivery, and past service and experience are among the factors that may be considered in determining who the responsible bidders are.

The Shelby County Commission reserves the right to award this Contract for each item if in the best interest of the Shelby County Commission. Upon awarding of this Contract and bid, the Shelby County Commission receives the sole right to end said Contract at its sole discretion.

LEGAL NOTICE  
NOTICE TO CONTRACTORS

Sealed bids will be received to Project No. SCP 59-889-18 by the Shelby County Commission at the Office of the County Manager, Conference Room, Shelby County, 200 West College Street Columbiana, Alabama 35051 until 2:00 p.m. Wednesday February 15, 2023, and at that time publicly opened on the items listed below. Description of items of proposed work is as follows:

Clearing and Grubbing, 201A-002  
Unclassified Excavation, 210A-000  
Crushed Aggregate Base Course, 301A-020  
Bituminous Treatment A, 401A-000  
Tack Coat, 405A-000  
Bituminous Concrete Wearing Surface, 424A-361  
Bituminous Concrete Upper Binder, 424B-650  
36" Roadway Pipe, 530A-104  
36" Roadway Pipe End Treatment, 619A-259  
Topsoil, 650A-000  
Seeding, 652A-100  
Solid Sodding, 654A-001  
Silt Fence, 665J-002  
Wattle, 665Q-002  
Various Traffic Stripe, Markings, Legends, and Pavement Markers

This bid is intended to comply with the Rebuild Alabama Act, No. 2019-2, and Alabama Code Title 39, of the Alabama Public Works Law. Bidders shall be required to comply with the provisions of the Rebuild Alabama Act, No. 2019-2 and Title 39 of the Alabama Code regardless if the requirement is explicitly detailed in the bid proposal or not.

A mandatory Pre-Bid will be held at 10:00 a.m. on Thursday, February 9, 2023 at the office of the Shelby County Engineer located at 506 Highway 70, Columbiana, AL 35051.

Plans and proposals will be available on Shelby County's E-Bid portal beginning at 10:00 a.m. Wednesday, January 25, 2023.

PROPOSAL FOR  
RIGHT TURN LANE ON COUNTY ROAD 17 AT COUNTY ROAD 44  
GRADE, DRAIN, BASE AND PAVE, WIDENING IN  
SHELBY COUNTY, ALABAMA  
PROJECT NUMBER SCP 59-889-18

DATE \_\_\_\_\_

PROPOSAL

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LICENSE  
NUMBER \_\_\_\_\_ OF \_\_\_\_\_

For Right Turn Lane on County Road 17 at County Road 44 Grade, Drain, Base and pave,  
Widening in the County of Shelby, State of Alabama.

The plans are composed of drawings identified as follows:

SHELBY COUNTY PROJECT NO. SCP 59-889-18

The specifications are hereto attached.

TO THE SHELBY COUNTY ENGINEER:

SIR: The following proposal is made on behalf of the undersigned and no others.  
Evidence of authority to submit the proposal is herewith furnished.

The undersigned has carefully examined the plans for this project, the State of Alabama highway Department Standard Specifications, 2022 Edition, including the special provisions hereto attached, and has also personally examined the work site. On the basis of the specifications and plans, the undersigned proposes to furnish all necessary machinery, tools, apparatus and other means of construction, and do all the work and furnish all material in the manner specified.

**The undersigned further agrees to complete the entire project within 30 working days of the execution of this agreement.**

The undersigned understands that the quantities below are approximate only and are subject to either increase or decrease and hereby proposes to perform any increased or decreased quantities of work in accordance with said Specifications. **The undersigned further understands and specifically agrees that in making this proposal, in case of error in the extension of prices in the bid, the unit price will govern.**

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## Section B: CONTRACTOR'S CERTIFICATION

The Contractor proposes to perform all "Force Account or Extra Work" that may be required on the basis provided in the Specification hereto attached, and to give such work personal attention in order to see that it is economically performed.

The contractor further proposes to execute the Contract Agreement in a form to be attached as soon as the work is awarded to the Contractor and to begin and complete the work within the respective time limit provided for in the Specifications hereto attached.

The Contractor also proposes to furnish a Performance Bond, acceptable to the County, in an amount equal to the total amount of the Contract. This bond shall serve not only to guarantee the completion of the work but also guarantee the excellence of both workmanship and materials until the work is finally accepted.

The Contractor encloses a certified check or bid bond for the lesser of 5 percent (5%) or \$10,000. The contractor hereby agrees that in case of failure to execute a Contract and furnish performance bonds within ten (10) days after notice of award, the awarding authority shall retain from the proposal guaranty, if it a certified check, or recover from the principal and/ or the sureties, if the guaranty is a bid bond, the difference between the amount of the Contract as awarded and the amount of the proposal of the next lowest acceptable bidder. If no other bids are received, the full amount of the proposal guaranty shall be so retained and / or recovered as Liquidated Damages for such default. It is understood that in case the work is not awarded to the Contractor, the proposal guaranty, if a certified check, will be returned as provided in the State of Alabama Highway Department Standard Specification, 2022 Edition.

## COLLUSION

It is further certified that neither the person, firm, partnership or corporation submitting this bid, nor any of their officers, have directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this contract.

## BEST MANAGEMENT PRACTICES PLAN

When a BMP is not required on a project, the following certification shall not apply. When a BMP is required, it will be covered by a Special Provision or Supplemental Specification and included in the proposal, and the following certification shall apply and the contractor shall mark any documents he proposes to use other than #1 and #2:

I certify that I am aware of the Best Management Practices for the prevention and minimization of nonpoint sources of pollution in storm water runoff contained and described in documents #1 and #2, and other documents as marked below. I certify that all appropriate pollution abatement / prevention facilities, and structural and nonstructural BMPs, as described in these documents, or Department approved equivalent BMPs will be implemented and maintained as needed at the facility in accordance with good engineering practices and ADEM regulations under the guidance of a qualified pollution prevention / control professional. I understand that full implementation and regular maintenance of the BMPs will be requirements for coverage under the general permit. I am aware there are significant penalties for submitting false information,

including possible fines and imprisonment for knowing violations. I understand that, at the signing of the bid proposal, I become a co-permittee with the Department if awarded the Contract.

1. Alabama Nonpoint Source Management Program Document, as amended, prepared by ADEM, Water Division - Mining and Nonpoint Source Section, in accordance with Section 319 of the Federal Clean Water Act, as amended.
2. EPA Stormwater Pollution Prevention For Construction Activities, Office of Wastewater Enforcement and Compliance, U.S. Environmental Protection Agency, Washington, D.C. 20460, as amended.

\_\_\_\_ Best Management Practices Plan - Magnolia Pipeline, Basin Pipeline Corporation, 2101 Sixth Avenue North, Birmingham, AL 35203.

\_\_\_\_ Best Management Practices For Nonpoint Source Runoff Control, Mobile & Baldwin Counties, Alabama, South Alabama Regional Planning commission, January 1989.

\_\_\_\_ Best management Practices for Controlling Sediment and Erosion from Construction Activities, Birmingham Regional Planning Commission, August 1980.

\_\_\_\_ Best management Practices For Agricultural Nonpoint Source Control, Volume III-Sediment, North Carolina Agricultural Extension Service, Biological and Agricultural Engineering Department, North Carolina State University, August 1982.

I further certify that I am the proper authorized individual or corporate official, as applicable, to make this certification that the above is true and correct and that I am the same person executing the Bid Bond on the following pages; and that I recognize, by signing this certification, I am also signing the contract proposal on behalf of the contractor in whose name the proposal is made, whether individual, partnership or corporation as might be applicable.

NOTE: PROVIDED THE BID BOND ON THE FOLLOWING PAGES IS PROPERLY EXECUTED IN THE CONTRACTOR'S NAME, SIGNED BY THE PROPER OFFICER OF THE CONTRACTOR CORPORATION (OR INDIVIDUAL OR PARTNER, WHEN NOT A CORPORATION), THE PERSON EXECUTING THE BID BOND MAY MAKE THE FOREGOING CERTIFICATIONS BY SIGNING BEFORE A NOTARY PUBLIC AFTER BEING SWORN. THE CERTIFICATIONS MUST BE PROPERLY SWORN TO, SIGNED AND NOTARIZED BELOW.

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**Signature of Contractor:** If a contractor is **INDIVIDUAL**, signature of individual is required; if contractor is a **CORPORATION**, signature of proper corporate officer is required; if contractor is a **PARTNERSHIP**, signature of a partner is required; if contractor is **JOINT VENTURE**, appropriate signatures of all contractors are required.

Legal Name of Contractor:

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(Partnership, Joint Venture, Corporation or Individual)

By: \_\_\_\_\_  
(Signature of Officer or Individual, as applicable, as signing Bid Bond)

By: \_\_\_\_\_  
IF JOINT VENTURE (Signature of Officers or Individual, as applicable, as signing Bid Bond)

The foregoing certifications are sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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NOTARY PUBLIC

**PROPOSAL WILL NO BE ACCEPTED UNLESS THIS FORM IS USED AND SIGNED. FAILURE TO SUBMIT THIS SWORN STATEMENT, AS PART OF THE BID PACKAGE WILL BE CONSIDERED A NON-RESPONSIVE BID.**

PROJECT NOTES

1. The successful bidder, upon notification by the County, shall have ten (10) days to execute a contract pertaining to the scope of work as identified within this bid proposal package. Failure to do so shall result in forfeiture of the bidder's bond subject to stipulations as provided herein.
2. After the contract is signed and executed by both parties, the county Highway Department shall issue a "Notice to Proceed" to the successful bidder. Upon failure of the Contractor to complete the contract within **30 working days**, the Contractor shall be assessed liquidated damages per Section 108.11 for Fixed Date Contracts. A monthly time statement will not be provided. If for any reason the contractor feels that they have been delayed by any actions on the County's part, or for something he or she feels is beyond their control, the contractor shall, within fifteen days of said delay, provide the County in writing of a request to extend time.
3. The contractor shall use any means necessary as required by his Best Management Practices plan or as specified by the engineer. Pay items for this will be added if they become necessary during construction.
4. **IT SHALL BE MANDATORY THAT ALL PROSPECTIVE BIDDERS ATTEND THE PRE-BID MEETING SCHEDULED FOR THURSDAY, February 9, 2023 AT 10:00 A.M. AT THE OFFICE OF THE COUNTY ENGINEER.**
5. The contractor shall provide to the County, facilities at its asphalt plants to allow for County personnel or County's consultant to conduct materials tests. These tests shall be conducted at the discretion of the project engineer.
6. Reclaimed Asphalt Shingles (RAS) will not be considered for use on this project.
7. Shelby County Reserves the right, in its sole discretion, to waive compliance with any non-material bid specification which it deems to be of no material consequence to the project.



SCP 59-889-18

SPECIAL PROVISIONS

SCP 59-889-18

SHELBY COUNTY, ALABAMA

The following clauses are a part of these specifications and have been prepared subsequent to the foregoing. In case of conflict, the following are to take precedence:

Cross Slope on HMA Pavements (non-NHS)	22GA0005
Delay Begin Work Date (County Projects)	22GA0006
Mobilization	22GA0010
Roadway Signs	22GA0013
Moving and Covering Traffic Control Signs	22GA0015

## **COLLUSION AFFIDAVIT**

STATE OF ALABAMA  
COUNTY OF SHELBY

PROJECT NO. SCP 59-889-18

LETTING DATE: February 15, 2023

I certify that \_\_\_\_\_ (Name of Contracting Firm) has not, either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the Contract.

Signed: \_\_\_\_\_  
(Name of Contracting Firm)

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

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public

(Note: Proposals will not be accepted unless this form of certificate is used. This certificate must be submitted in duplicate and two original copies are included for your convenience. Please leave attached in your bidding form.)

Failure to execute this Affidavit shall be cause for rejection of this Bid.