

Shelby County Highway Department

Bid Package of Proposed Project:

SCP 59-962-24



March 22, 2024



SHELBY COUNTY
HIGHWAY DEPARTMENT
506 HIGHWAY 70
COLUMBIANA, ALABAMA 35051
(205) 669-3880
www.ShelbyAL.com

March 22, 2024

MEMORANDUM

TO: Prospective Bidders

FROM: Ty Wilson, P.E.
Senior 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

There will be no pre-bid meeting for this project.

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.

Sales Tax Exemption

The purchase of construction materials used on this project pertains to the construction of highways, roads, or bridge projects. Based upon guidance from the Alabama Department of Revenue, the purchase of construction materials for this project are exempt from sales tax and the project should be bid as such. It is the responsibility of the Contractor to comply with all applicable state laws concerning sales tax. It is also the responsibility of the Contractor to prepare and file tax-exempt certifications as required by the Alabama Department of Revenue.

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 59-962-24 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 PM Thursday, April 11, 2024, and at that time publicly opened on the items listed below. Description of items of proposed work is as follows:

Bituminous Treatment Type "JG" (With Polymer Additive), 401A-013

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.

There will be no pre-bid meeting for this project. Requests for information shall be accepted from bidders until Tuesday, April 9, 2024 at 12:00 PM. Bidders with questions may submit them via email, mail, telephone, or in person at the Office of the Shelby County Engineer located at 506 Highway 70, Columbiana, AL 35051. Responses to inquiries shall be provided until Wednesday, April 10, 2024 at 12:00 PM.

Plans and proposals will be available on Shelby County's E-Bid portal beginning at 10:00 AM Friday, March 22, 2024.

PROPOSAL FOR
THE "JG" SURFACE TREATMENT OF VARIOUS COUNTY ROADS IN
SHELBY COUNTY, ALABAMA
PROJECT NUMBER SCP 59-962-24

DATE _____

PROPOSAL

LICENSE
NUMBER _____ OF _____

For "JG" Surface Treating various County Roads in Shelby County, State of Alabama.

The plans are composed of drawings identified as follows:

SHELBY COUNTY PROJECT NO. SCP 59-962-24

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 Alabama Department of Transportation Standard Specifications for Highway Construction, 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 60 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.**

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 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 Alabama Department of Transportation Standard Specifications for Highway Construction, 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 County 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 County 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.

Signature of Contractor: If 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:

(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 _____, 2024.

NOTARY PUBLIC

PROPOSAL WILL NOT 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 Shelby County Highway Department shall issue a "Notice to Proceed" to the successful bidder. Upon failure of the Contractor to complete the contract within **60 Working Days**, the Contractor shall be assessed liquidated damages per Section 108.11 for Work Day 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 provide the County in writing of a request to extend time within fifteen days of said delay.
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. 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.
5. There will be no weekend work allowed unless specifically set up in the project or specifically and directly approved by the County Engineer. Any work done on the weekend without this specific permission will not be paid for.
6. Shelby County reserves the right to further restrict working hours on a specific unit at the sole discretion of the County Engineer or his authorized designee.
7. If at any time the County Engineer or his designee determines that Traffic Control is inadequate to handle ongoing operations, he or she will order that work be stopped until the issue is resolved to his or her satisfaction.

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SPECIAL PROVISIONS

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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:

Delay Begin Work Date (County Projects)	22GA0006
Mobilization	22GA0010
Roadway Signs	22GA0013
Moving and Covering Traffic Control Signs	22GA0015
Contractor's Advertisement of Completion	22GA0036
Liquidated Damages	22LD0001

COLLUSION AFFIDAVIT

STATE OF ALABAMA
COUNTY OF SHELBY

PROJECT NO. SCP 59-962-24

LETTING DATE: April 11, 2024

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 _____, 2024.

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.

Shelby County Highway Department Project Bid Form

Project: SCP 59-962-24

"JG" Surface Treatment For Various County Roads

Contractor: _____

Item	Description	Units	Est. Quantity	Unit Price	Extended
401A-013	Bituminous Treatment JG, CRS-2 (With Polymer Additive)	SY	18,718		

TOTAL: _____