

Koehler Engineering & Land Surveying, Inc.

194 Coker Lane

Cape Girardeau, MO 63701

PH: (573) 335 - 3026 FX: (573) 335 - 3049

Addendum No. 1

DATE:	December 14, 2016
PROJECT:	BRO B016(031) Cape Gir. Cty Road 477 Bridge Replacement New Bridge No. 2570019, Cape Girardeau County
ENGINEER'S PROJECT NO.:	35870
OWNER:	Cape Girardeau County, Missouri
ENGINEER:	Koehler Engineering & Land Surveying, Inc.

General Information for Bidders:

1. The State Wage order in the contract book has been reviewed and is still effective for this project.
2. The Federal Wage order in the contract book has been reviewed and is still effective for this project.
3. Bids remain due at the same time, date, and location indicated in the original notice to bid.

Included with this Addenda are the following:

1. Revised Bid Form. Bids must be completed using the attached, revised form. Quantities for several pay items were revised.
2. Copy of the Pre-Bid meeting Sign in Sheet.
3. Copy of the Pre-Bid Meeting Agenda.

Answers to Questions asked / Clarifications regarding Bid:

1. Is the Telephone line attached to the south side of the existing bridge live?
A: The line is live, and AT&T is aware of the project and is planning to relocate the line. AT&T's current schedule is to have the line relocated in mid to late January.
2. Is the construction joint required at the bottom of the casing?
A: If working in the dry, the construction joint will be required. The contractor may adjust the elevation above the bottom of the casing if necessary. This will be field coordinated.
3. Are all exposed surfaces required to be painted / sealed?
A: You may limit painting / sealing to the outside faces of the outside beams, and the outer 1/3 of the exterior beams.
4. Bents 1 and 4 appear based on the borings to be above rock. How do we proceed?
A: We took additional probes during design that indicated rock was generally higher at the actual bent location than indicated by the 1st borings. We will require the foundation to bear on rock, and this may require additional excavation and extension of the bent walls vertically. Additionally, the end bents are required to be keyed into rock approximate six inches. The foundations will not be required to bear 100% on competent rock, some fissures may be cleaned and filled with lean grout. Additionally, the footing should be pinned to the rock using 2 rows of #8 bars @ 24" on center, epoxied 12" into the foundation bedrock. Some field fitting and adjustment of the foundations of each end bent should be anticipated.

5. Should the casing pipes be cleaned and painted?
Yes, the four main pier casings should be cleaned and painted in accordance with MoDot standard specifications.
6. Are pilot holes and cross hole sonic logging required?
No. We will inspect the rock sockets for the piers with an underwater camera to ensure competency, and if required, increase the depth of the rock sockets.
7. Will you consider allowing us to delay ordering rebar for piers end walls until the final bottom elevation of same is determined?
Yes
8. Can the contractor have the option of pouring the piers in place without the permanent casing?
No.
9. Who is providing Builders Risk insurance?
This is required of the contractor.

END OF ADDENDUM NO. 1



Federal Project # BRO 016(031)
 Bridge #2570019
 Location: Cape Girardeau County CART#477 over Whitewater River

Cape Girardeau County Bridge Replacement					Phone #	9:00 AM
Pre-Bid Sign In Sheet						
Name	Company or Organization	Email:				
Chris Koehler	Koehler Engineering	ckoehler@koehlerengineering.com	573-335-3026			
ALLEN FRIEDRICH	ECAD	afriedrich@capecounty.us	573-243-5270			
Elguin Areala	MoDOT	elguin.areala@mo.gov	417-469-6280			
Charlie Hayes	Millstone Water	Charlie.Hayes@MillstoneWater.com	636-688-8797			
Clay Rando	Penzel Construction	clayr@penzel.com	573-216-0111			
Dewoyne Mabry	u	dewoyne.m@penzel.com	573-979-9702			
Joey Young	Young's Gen. Contracting Inc	Kyle VBCI@hotmail.com	573-785-1501			
Keith Simpson	Keith Simpson Contracting	Keith.simpson@kscontracting.com	573-270-4923			
Rocky Robertson	Joe's Bridge & Grading	Joe's@Baycon-online.com	573-715-7669			
Ty Milner	Robertson Contractors, Inc.	ty.m@robertsoncontractors.com	573-785-0880			
CARIN ROGERS	BRANUMBER CONSTRUCTION	CARIN@BRANUMBER.COM	573 756 2516			
Dan Schwachart Jr	Luppe Cement Finishing	luppecement@cclink.net	573-547-5713			
DARRELL HIBBITS	JOKERST INC	jokerstinc@yahoo.com	573-883-7401			



Cape Girardeau County Commission



Koehler Engineering & Land Surveying, Inc.

Subject: Pre-Bid Meeting

**Date: Dec. 8, 2016
9:00 a.m.**

**Project: County Road 477 Bridge No. 2570019 over Whitewater River
BRO-B016(31)
Cape Girardeau County**

Prepared By: Chris Koehler, PE

Meeting Agenda

Introductions

Opening Remarks

- This is a mandatory meeting.
- Bids must be turned in to the Clerk's Office of Cape Girardeau County no later than 9:00 a.m. on Monday, December the 19th, 2016.
- Controlling specifications for jobs shall be the 2011 Edition of the **MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION**, including **SUPPLEMENTAL SPECIFICATIONS TO 2011 MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION**.

Concurrence of Award

- After the bid opening, if bids are acceptable, Cape Girardeau County will recommend to, and request from MoDOT concurrence that a contract be issued. Upon receipt of the Notice of Award from MoDOT and Cape Girardeau County, the Contractor is to begin Work within the next thirty (30) Calendar days. Working days will be assessed following the 30 Calendar Day interval.

Schedule

- The project must be completed within **one hundred (110) calendar days**. Each working day that exceeds the allowable time will have \$950.00 assessed in liquidated damages for each calendar day that exceed the allowable time.

Traffic Control

- Must be in place prior to construction. Signs must meet Modot crash worthy standards.
- Full road closure.
- All residents affected by this project must have full access to their property at all times.

Temporary Erosion Control

- Must be in place during construction until final stabilization of site can be completed.

Existing Improvements

- Concrete bridge materials, trees, spoils, etc. are to be legally disposed of. There were no lead based paints or asbestos containing materials noted in any of the existing bridge items. Coordinate with Allen Friedrich, Cape Girardeau County Highway Administrator (573) 243-5270.



Cape Girardeau County Commission



Koehler Engineering & Land Surveying, Inc.

Utilities

- All utilities except the telephone line attached to the bridge should be outside of construction limits. That line is to be relocated shortly. We will have the schedule for the relocation issued in an addendum within the next couple of days.
- Locates **MUST** be called in prior to construction.
- Contractor responsible for coordinating with Utility Companies.
- Contact for utility companies are located on Sheet C0.2 of Design plans.

Rip Rap

- Filter fabric is **NOT** required underneath proposed rip rap.
- Structure concrete may be used as rip rap if broken into acceptable size and all reinforcing bars cut flush with the exposed concrete surface(s). No reduction in the rip rap quantity if material from "on-site" is used.

Staking

- Koehler Engineering will provide limited construction staking for the easements and right of way. We will provide control points on centerline with station noted for the road and the layout of bridge end bents. Benchmark elevations will be provided.

Requirements of Contractors

- Pay Estimates to be submitted monthly
- Payroll Reports submitted weekly
- Subcontractors
- DBE & WBE Certifications (Goal is 6%)
- Approved MoDOT Concrete Mix and Asphalt Mix to be supplied prior to beginning Work.
- Shop drawings will be required for the pre-cast concrete beams. Material certifications, mill tests, concrete certifications and concrete test cylinder breaks must be supplied when the precast units are delivered.
- Standard Reinforced concrete beams will not be allowed as an alternate.
- Shop drawings and Mill Certifications will be required for reinforcing steel, the contractor is responsible for verifying that the correct bar size and number of bars are installed per Plan details.
- Certifications must be provided for all work being done on the project as well as all materials needed for the project. All materials must meet the "Buy America" criteria. All material incorporated in the work including signs, silt fence, galvanization, etc. must have proper certifications.

Authority of Engineer

- Koehler Engineering & Land Surveying will be the Engineer on the Project.
- All correspondence for Contractor to be directed to Koehler Engineering.
- All correspondence for Subcontractor to be directed to Prime Contractor.

Other items to note:

- All bidders and subcontractors are to be on MoDOT's approved list, and must be on the approved list 7 days prior to submission of bids.



Cape Girardeau County Commission



Koehler Engineering & Land Surveying, Inc.

Addendum

- Will be administered by early next week. We will do a wage check at that time and notify if there has been a new federal or state wage order issued.
- There will be a new bid form with modifications a few quantities, including the driveway asphalt. We will also check and verify / revise as necessary other quantities noted, including bid item # 6, Type 2 Rock Blanket, #14, Silt Fencing, and Item #21, Class B Concrete.
- We are checking the foundation / rock elevations to verify a discrepancy in the boring top of rock and the bottom of the foundation elevation. An explanation or modified plan sheet will be forth coming with the addendum.
- The addendum will include a list of current plan holders, and the agenda and sign in sheet from the pre-bid meeting.

QUESTIONS / DISCUSSION:

1.

BID PROPOSAL

NOTICE TO CONTRACTORS

Sealed bids, addressed to Cape Girardeau County Commission, #1 Barton Square, Jackson, Missouri 63755, for the proposed work will be received by the Cape Girardeau County Commission until 9:00 AM (prevailing local time) on December 19th, 2016, at the office of Cape Girardeau County, #1 Barton Square, Jackson, Missouri 63755, and at that time will be publicly opened. Bids should be delivered to: #1 Barton Square, Jackson, Missouri 63755.

A pre-bid conference will be held at 9:00 AM, local time, December 8th, 2016, at the office of Cape Girardeau County, #1 Barton Square, Jackson, Missouri 63755. Representatives of the Owner and Engineer will be present to discuss the project. Bidders are required to attend and participate in the pre-bid conference. The Engineer will transmit to all prospective Bidders of record such Addenda as Engineer considered necessary in response to questions arising at the conference. Oral statements may not be relied upon and will not be binding or legally effective.

(1) PROPOSED WORK: The proposed work, hereinafter called the work, includes:

The project consists of furnishing all labor, tools, equipment and materials for construction of a replacement bridge including removal of the existing bridge and improvements, excavation and embankment construction, reinforced concrete substructure, drilled rock sockets, furnishing and placement of precast, prestressed concrete deck beams, rip rap placement, approach road construction and surfacing, restoration of adjacent grades, seeding and mulching and any other associated items to complete the project in accordance with the plans and specifications prepared by Koehler Engineering and Land Surveying, Inc.

(2) COMPLIANCE WITH CONTRACT PROVISIONS: The bidder, having examined and being familiar with the local conditions affecting the work, and with the contract, contract documents, including the Missouri Highways and Transportation Commission's "Missouri Standard Specifications for Highway Construction, 2011," and "Missouri Standard Plans for Highway Construction, 2009", their revisions, and the request for bid, including appendices, the special provisions and plans, hereby proposes to furnish all labor, materials, equipment, services, etc., required for the performance and completion of the work. All references are to the Missouri Standard Specifications for Highway Construction, as revised, unless otherwise noted.

The following documents are available on the Missouri Department of Transportation web page at www.modot.mo.gov under "Business with MoDOT" "Standards and Specifications". The effective version shall be determined by the letting date of the project.

General Provisions & Supplemental Specifications

Supplemental Plans to October 2009 Missouri Std. Plans
For Highway Construction

These supplemental bidding documents contain all current revisions to the bound printed versions and have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project. I

Please note that within the above-listed documents, the term "Commission" shall be replaced with the term, "Cape Girardeau County Commission", and the term "Engineer" is a reference to the Engineer of Record from Koehler Engineering & Land Surveying, Inc.

(3) PERIOD OF PERFORMANCE: If the bid is accepted, the bidder agrees that work shall be diligently prosecuted at such rate and in such manner as, in the judgment of the engineer, is necessary for the substantial completion of the work within the time specified as follows in accordance with Sec 108:

Calendar Days: 110 Days
Completion date: Appx. May 15, 2017 (Actual completion date to be set at time of notice to proceed).

Commencement of Work is to be undertaken 15 calendar days following receipt of the Notice to Proceed. Final papers are to be completed and presented for final payment in accordance with the Project Standard Specifications within 30 CALEDER DAYS following completion and acceptance of all Work.

(4) **LIQUIDATED DAMAGES:** The bidder agrees that, should the bidder fail to complete the work in the time specified or such additional time as may be allowed by the engineer under the contract, the amount of liquidated damages to be recovered in accordance with Sec 108 shall be as follows:

Liquidated damages per day \$ 950.00

(5) **BID GUARANTY:** The bidder shall submit a Bid Guaranty meeting the requirements of Section 102 of the Missouri Standard Specifications for Highway Construction. The project bid bond form is included in this bid book. The bid bond form included with this bid book is mainly for informational purposes and if Contractor chooses to implement their own bid bond form, they may do so. The bidder shall mark the box below to identify the type of Bid Guaranty.

- ☐ Paper Bid Bond
- ☐ Cashier's Check

The Bid security of Successful Bidder will be retained until such Bidder has executed the Agreement, furnished the required contract security and met the other conditions of the Notice of Award, whereupon the Bid security will be returned. If the Successful Bidder fails to execute and deliver the Agreement and furnish the required contract security within fifteen days after the Notice of Award, Owner may annul the Notice of Award and the Bid security of that Bidder will be forfeited. The Bid security of other Bidders whom Owner believes to have a reasonable chance of receiving the award may be retained by Owner until the earlier of the seventh day after the Effective Date of the Agreement or the sixty-first day after the Bid opening, whereupon Bid security finished by such Bidders will be returned. Bid security with Bids which are not competitive will be returned within seven business days after the Bid opening.

(6) **CERTIFICATIONS FOR FEDERAL JOBS:** By signing and submitting this bid, the bidder makes the certifications appearing in Sec. 102.18.1 (regarding affirmative action and equal opportunity), Sec. 102.18.2 (regarding disbarment, eligibility, indictments, convictions, or civil judgments), Sec. 102.18.3 (regarding anti-collusion), and Sec. 102.18.4 (regarding lobbying activities). Any necessary documentation is to accompany the bid submission, as required by these sections. As provided in Sec. 108.13, the contracting authority may terminate the contract for acts of misconduct, which includes but is not limited to fraud, dishonesty, and material misrepresentation or omission of fact within the bid submission.

(7) **ANTIDISCRIMINATION:** The Contracting Authority hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, businesses owned and controlled by socially and economically disadvantaged individuals will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

(8) **FEDERAL AND STATE INSPECTION:** The Federal Government is participating in the cost of construction of this project. All applicable Federal laws, and the regulations made pursuant to such laws, shall be observed by the contractor, and the work will be subject to the inspection of the appropriate State or Federal Agency in the same manner as provided in Sec 105.10 of the Missouri Standard Specifications for Highway Construction with all revisions applicable to this bid and contract.

(9) **PREVAILING WAGE (FEDERAL AND STATE):** This contract requires payment of the prevailing hourly rate of wages for each craft or type of work required to execute the contract as determined by the Missouri Department of Labor and Industrial Relations, and requires adherence to a schedule of minimum wages as determined by the United States Department of Labor. For work performed anywhere on this project, the contractor and the contractor's subcontractors shall pay the higher of these two applicable wage rates. The applicable state wage rates for this contract are detailed in "Annual Wage Order No. 23", that is attached to this bidding document. The applicable federal wage rates for this contract are the effective Davis-Bacon federal wage rates posted the tenth day before the bid opening date and are attached herein.

These supplemental bidding documents have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project. The Contractor, and all subcontractors, shall submit WEEKLY certified payroll reports to the City for all Work performed during the week.

(10) **WORKER ELIGIBILITY REQUIREMENTS:** Execution of the construction contract for this project is

dependent upon the awarded bidder providing an Affidavit of Compliance AND E-Verify Memorandum-of-Understanding (MOU) between the bidder and Department of Homeland Security to the Contracting Authority as required by section 285.530 RSMo. The cover page and signature page of the E-Verify MOU and the Affidavit must be submitted prior to award of this contract.

An Affidavit of Work Authorization form (Affidavit of Compliance) is included in the Bid Documents.

http://ago.mo.gov/forms/Affidavit_of_Compliance.pdf

All bidders must also be enrolled in the E-Verify Program, and include their MOU prior to contract execution. Bidders who are not enrolled will need to go to the following website link and select "Enroll in the Program" to get started. After completing the program, they will receive their E-Verify MOU with Department of Homeland Security. This document will need to be printed out and kept on file so that a copy can be attached to the Affidavit of Compliance.

http://www.dhs.gov/files/programs/gc_1185221678150.shtm

This requirement also applies to subcontractors and contract labor, but this contract only requires submittal of the verification documents for the prime contractor. It is the prime contractor's responsibility to verify the worker eligibility of their subcontractors in order to protect their own company from liability as required by section 285.530 RSMo.

(11) **OSHA TEN HOUR TRAINING REQUIREMENTS:** See Job Special Provisions, Section 34.

(12) **BUY AMERICA REQUIREMENTS:** Construction contracts shall assure compliance with Section 165 of the Surface Transportation Assistance Act of 1982, Section 337 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, and 23 CFR 635.410 regarding Buy America provisions on the procurement of foreign products and materials. On all contracts involving Federal-aid, all products of iron, steel, or a coating of steel which are incorporated into the work must have been manufactured in the United States. The Contracting Authority may allow minimal amounts of these materials from foreign sources, provided the cost does not exceed 0.1 percent of the contract sum or \$2,500, whichever is greater. The Contractor certifies that these materials are of domestic origin. Additional information regarding the "Buy America" requirements can be found at:

<http://www.fhwa.dot.gov/programadmin/contracts/b-amquck.cfm>

(13) **ADDENDUM ACKNOWLEDGEMENT:** The undersigned states that the all addenda (if applicable) have been received, acknowledged and incorporated into their bid, prior to submittal. For paper bids, staple addenda to the back side of page P-1 within the bid proposal.

List Addenda by Addendum Number and Date

(14) **SIGNATURE AND IDENTITY OF BIDDER:** The undersigned states that the following provided information is correct and that (if not signing with the intention to bind themselves to become the responsible and sole bidder) they are the agent of, and they are signing and executing this, as the bid of

_____, which is the correct LEGAL NAME as stated on the contractor questionnaire.

a) The organization submitting this bid is a(n) (1) individual bidder, (2) partnership, (3) joint venturer (whether individuals or corporations, and whether doing business under a fictitious name), or (4) corporation. Indicate by marking the appropriate box below.

☐ sole individual

☐ partnership

☐ joint venture

☐ corporation, incorporated under laws of state of _____.

b) If the bidder is doing business under a fictitious name, indicate below by filling in the fictitious name

Executed by bidder this _____ day of _____ 20____.

THE BIDDER CERTIFIES THAT THE BIDDER AND ITS OFFICIALS, AGENTS, AND EMPLOYEES HAVE NEITHER DIRECTLY NOR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE COMPETITIVE BIDDING IN CONNECTION WITH THIS BID, AND THAT THE BIDDER INTENDS TO PERFORM THE WORK WITH ITS OWN BONAFIDE EMPLOYEES AND SUBCONTRACTORS, AND DID NOT BID FOR THE BENEFIT OF ANOTHER CONTRACTOR.

THE BIDDER ACKNOWLEDGES THAT THIS IS AN UNSWORN DECLARATION, EXECUTED UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND/OR FALSE DECLARATION UNDER THE LAWS OF MISSOURI, AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS. THE FAILURE TO PROVIDE THIS CERTIFICATION IN THIS BID MAY MAKE THIS BID NON-RESPONSIVE, AND CAUSE IT TO BE REJECTED.

THE BIDDER CERTIFIES THAT THE BIDDER'S COMPANY KNOWINGLY EMPLOYS ONLY INDIVIDUALS WHO ARE AUTHORIZED TO WORK IN THE UNITED STATES IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAWS AND ALL PROVISIONS OF MISSOURI EXECUTIVE ORDER NO. 07-13 FOR CONTRACTS WITH THE CONTRACTING AUTHORITY.

☐ Check this box ONLY if the bidder REFUSES to make any or all of these certifications. The bidder may provide an explanation for the refusal(s) with this submittal.

Signature of Bidder's Owner, Officer, Partner or Authorized Agent

Please print or type name and title of person signing here

Attest:

Secretary of Corporation if Bidder is a Corporation

Affix Corporate Seal (If Bidder is a Corporation)

NOTE: If bidder is doing business under a fictitious name, the bid shall be executed in the legal name of the individual, partners, joint ventures, or corporation, and registration of fictitious name filed with the secretary of state, as required by sections 417.200 to 417.230 RSMo. If the bidder is a corporation not organized under the laws of Missouri, it shall procure a certificate of authority to do business in Missouri, as required by section 351.572 et seq RSMo. A certified copy of such registration of fictitious name or certificate of authority to do business in Missouri shall be filed with the Missouri Highways and Transportation Commission, as required by the standard specifications.

(15) **TRAINEES**: By submitting this bid, the bidder certifies that the bidder is familiar with the Training Provision in the Missouri Highways and Transportation Commission's "General Provisions and Supplement Specifications" which are available on the Missouri Department of Transportation web page at www.modot.mo.gov under "Business with MoDOT" "Standards and Specifications". The number of trainee hours provided under this contract will be 0 slots at 1000 hours per slot or 0 hours.

(16) **SUBCONTRACTOR DISCLOSURE**: Requirements contained within Sec 102.7.12 of the Missouri Standard Specification for Highway Construction shall be waived for this contract.

(17) **PROJECT AWARD**: This project will be awarded to the lowest, responsive, responsible bidder.

(18) **MATERIALS INSPECTIONS**: All technicians who perform, or are required by the FHWA to witness, such sampling and testing shall be deemed as qualified by virtue of successfully completing the requirements of EPG 106.18 Technician Certification Program, for that specific technical area.

(19) **PRIME CONTRACTOR REQUIREMENTS**: The limitation in Sec 108.1.1 of the Missouri Standard Specifications for Highway Construction that "the contractor's organization shall perform work amounting to not less than 40 percent of the total contract cost" is waived for this contract. Instead, the less restrictive terms of the Federal Highway Administration's rule at Title 23 Code of Federal Regulations (CFR) § 635.116(a) shall apply, so that the contractor must perform project work with its own organization equal to and not less than 30 percent of the total original contract price. Second-tier subcontracting will not be permitted on this contract. All other provisions in Sec 108.1.1 et seq. of the Missouri

Standard Specifications for Highway Construction shall remain in full force and effect, and shall continue to govern the contractor and its subcontractors, in accordance with the provisions of Title 23 CFR § 635.116.

(20) **SALES AND USE TAX EXEMPTION:** The **Cape Girardeau County Commission**, a tax exempt entity, will furnish a Missouri Project Exemption Certificate as described in Section 144.062 RSMo to the awarded contractor who in turn may use the certificate to purchase materials for a specific project performed for the tax exempt entity. Only the materials and supplies incorporated or consumed during the construction of the project are exempt. The certificate will be issued to the contractor for a specific project for a defined period of time.

(21) **DIFFERING SITE CONDITIONS:** Procedures for changes in the Contract are outlined within the current edition of the **MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION**, including Supplemental Specifications, unless modified herein. This clause provides for the adjustment of the contract terms if the contractor encounters:

- Subsurface or latent physical conditions that differ materially from those indicated in the contract, or
- Unknown physical conditions of an unusual nature that differ materially from those ordinarily encountered and generally recognized as inherent to the work.

(22) **SUSPENSIONS OF WORK ORDERED BY THE ENGINEER:** This clause provides for the adjustment of the contract terms if the performance of all or a portion of the work is suspended or delayed by the engineer of record for the LPA, in writing, for an unreasonable period of time (not originally anticipated, customary, or inherent to the construction industry). The contractor is required to submit a request for adjustment, in writing, to the engineer of record for the LPA within 7 calendar days of receipt of the notice to resume work. Recovery of profit on costs resulting from suspensions of work is not allowed.

This clause does not preclude the recognition of construction suspensions or delays resulting from the contracting agency's actions, without written notification. The LPAs may address constructive delays and suspensions, as they chose, in their standard specifications and contract administration procedures.

Suspensions must be for unreasonable periods and do not include brief, customary suspensions for reasons inherent to highway construction (i.e., material sampling and testing; approval of shop drawings, material sources, etc.; and other reasonable and customary suspensions necessary for the supervision of construction by the contracting agency). In addition, an adjustment under this clause is not allowed if the work is suspended for other reasons or if an adjustment is provided for, or excluded, under other terms or conditions of the contract.

(23) **MATERIAL CHANGES IN THE SCOPE OF WORK:** This clause provides for the adjustment of the contract terms if the engineer of record for the LPA orders, in writing, an alteration in the work or in the quantities that significantly change the character of work. The term "significant change" shall apply only to the following circumstances:

- The altered character of the work differs materially from that of the original contract, or
- A major item of work, as defined in the contract, is increased or decreased by more than 25 percent of the original contract quantity (adjustments shall apply only to that portion in excess of 125 percent of original contract quantity, or in case of a decrease, to the actual quantity performed).

This clause provides for adjustments resulting from formal change orders by the engineer of record for the LPA, in writing, to the extent that the impacted work is part of the contract. Either party may initiate an adjustment and both must be in agreement before the work is performed. As with the suspension of work provision, this clause does not preclude the recognition of construction suspensions or delays.

(24) **RETAINAGE:** Retainage may be initiated during contract performance in accordance with Sec 109.9 of the Missouri Standard Specifications for Highway Construction.

(25) **HIERARCHY OF DOCUMENTS:** The documents included in the contract are intended to be complementary and to describe a complete work. If the Engineer determines a conflict exists between the contract documents, the following hierarchy will be applied and the Contractor shall then complete the work according to the interpretation made by the Engineer.

Hierarchy of the Contract Documents		
Job Special Provisions (JSP)	Hold over:	Project Plans, Supplementary Conditions, General Conditions, Standard Specifications, Standard Drawings / Plans
*Project Plans	Hold over:	Supplementary Conditions, General Conditions, Standard Specification Standard Drawings / Plans
Standard Specifications	Hold over:	Standard Drawings / Plans

* Calculated dimensions hold over scaled dimensions.

(26) **ITEMIZED BID:** The bidder should complete the following section in accordance with Sec 102.7. The bidder proposes to furnish all labor, materials, equipment, services, etc. required for the performance and completion of the work as follows:

Item No.	Description	Est. Qty.	Unit	Unit Price	Total Price
1.	General Contract Requirements, Including Mobilization/Demobilization	1	LS	\$	\$
2.	Removal of Existing Improvements	1	LS	\$	\$
3.	Clearing & Grubbing	0.4	AC	\$	\$
4.	Class "A" Excavation	1150	CY	\$	\$
5.	Embankment In Place	1660	CY	\$	\$
6.	Furnish and Place Type 2 Rock Blanket, 24" Thick	992	SY	\$	\$
7.	6" Thick Type 5 Aggregate Base	1582	SY	\$	\$
8.	8" Thick Type 5 Aggregate Base	250	SY	\$	\$
9.	4" Asphalt Surface, Type BP-1 or BP-2	1582	SY	\$	\$
10.	4" Thick Asphalt Driveway Aprons with 4" Type 5 Aggregate Base	153	SY	\$	\$
11.	Furnish and Install 15" Corrugated Metal Pipe	48	LF	\$	\$
12.	Construction Signing	263	SF	\$	\$
13.	Type III Barricades	6	EA	\$	\$
14.	Furnish and Install Silt Fencing	612	LF	\$	\$
15.	Furnish and Install Pipe Inlet Protection	1	EA	\$	\$
16.	Furnish and Install Rock Ditch Checks	7	EA	\$	\$
17.	Furnish and Install Fertilizing, Seeding & Mulching	0.6	AC	\$	\$
18.	Class 1 Excavation	7	CY	\$	\$
19.	Rock Socket (2'-6" Diameter)	24	LF	\$	\$
20.	3'-0" Diameter Steel Casing (1/2" Wall Thickness)	41.5	LF	\$	\$
21.	Class B Concrete (Substructure)	110.4	CY	\$	\$
22.	Class B-2 Concrete (Drilled Shaft & Rock Socket)	14.7	CY	\$	\$
23.	Reinforcing Bars	15,913	LBS	\$	\$
24.	Precast, Prestressed Concrete Box Beams, 36" Wide x 27" Deep x 52' Long	9	EA	\$	\$
25.	Precast, Prestressed Concrete Box Beams, 36" Wide x 27" Deep x 46' Long	18	EA	\$	\$
26.	4" Asphalt Bridge Deck Surfacing, Type BP-1 or BP-2	441	SY	\$	\$
27.	Waterproofing Membrane	441	SY	\$	\$
28.	Guardrail, Type E Complete with Posts, Plates, Connection Hardware, End Sections & Delineators	375	LF	\$	\$

TOTAL BASE BID = \$ _____

(Written Amount of Bid)

Total bid amount is to be shown in both words and figures. In case of discrepancy, the amount shown in words will govern. In case of error in extension, the unit and lump sum prices under each Pay Item will be considered correct, and these sums when properly extended, shall constitute the Bid.

Unit Prices have been computed in accordance with the Contract Documents. BIDDER acknowledges that quantities are not guaranteed and final payment will be based on actual quantities determined as provided in the Contract Documents.

The following documents are attached to and made a condition of this Bid:

- (1) Required Bid Security in the form of a bid bond or cashier's check.

Communications concerning this Bid shall be addressed to:

Name _____

Address _____

Telephone Number _____

Performance and Payment Bonding Company

Name _____

Address _____

Agent\Power of Attorney Name (if used) _____

Address _____

Telephone Number _____

Contractor "DUNS" Number _____

(27) **INCIDENTALS:** The following work shall be completed by the Contractor in accordance with the plans and specifications and shall be incidental to the construction with costs allocated to the appropriate pay item in the list of Unit Prices:

- a) Rock Excavation
- b) Construction Staking

All items of work not listed above or in the bid proposal which are shown on the contract drawings and are required to complete the work shall be considered incidental to the project cost.

ANTI-COLLUSION STATEMENT

**CAPE GIRARDEAU COUNTY COMMISSION
COUNTY ROAD 477 BRIDGE REPLACEMENT
NEW BRIDGE NO. 25700191
BRO-B016(31)
CAPE GIRARDEDAU COUNTY, MISSOURI**

STATE OF MISSOURI

COUNTY OF _____

_____ being first duly sworn, deposes and says that he is

Title of Person Signing

of _____
Name of Bidder

that all statements made and facts set out in the proposal for the above project are true and correct; and the bidder (The person, firm, association, or corporation making said bid) 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 said bid or any contract which may result from its acceptance.

Affiant further certifies that bidder is not financially interested in, or financially affiliated with, any other bidder for the above project.

BY _____

BY _____

BY _____

SWORN to before me this _____ day of _____ 20 _____.

Notary Public

My Commission Expires _____

SEAL

SUBCONTRACTOR CERTIFICATION REGARDING AFFIRMATIVE ACTION

CAPE GIRARDEAU COUNTY COMMISSION

COUNTY ROAD 477 BRIDGE REPLACEMENT

NEW BRIDGE NO. 25700191

BRO-B016(31)

CAPE GIRARDEAU COUNTY, MISSOURI

Project: _____

Job No. _____

Route: _____

County: _____

Certification Regarding Affirmative Action and Equal Opportunity: The bidder (prospective prime contractor) or proposed subcontractor certifies:

1. Affirmative Action Program: That it has developed and has on file at each of its establishments affirmative action programs pursuant to 41 CFR Part 60-2.
2. Equal Opportunity Clause: That it has participated in a previous contract or subcontract subject to the equal opportunity clause set forth 41 CFR Part 69-1.4 and executive order no. 11246.
3. Compliance Reports: That it has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs or his designate, the Equal Employment Opportunity, all reports due under the applicable filing requirements contained in 41 CFR Part 60-1.

If the text of the certification above is incorrect, the bidder or subcontractor making the certification shall correct it below:

NOTE: This certification applies to and must be executed by each bidder (prospective prime contractor) or proposed subcontractor if its proposed contract or subcontract on this project will equal or exceed \$10,000.00 or that contractor or subcontractor has contracts or subcontracts on federally addicted projects in any 12-month period which have or can reasonably be expected to have, an aggregate total value exceeding \$10,000.00 41 CFR Part 60-1.5(a)(1). It is a duty and contract obligation of the prime contractor to insure that each of its subcontractors, which meet this criterion, executes and submits this certification to the City of Jackson.

Company

BY: _____

Date: _____

Title

AFFIDAVIT OF WORK AUTHORIZATION

CAPE GIRARDEAU COUNTY COMMISSION

COUNTY ROAD 477 BRIDGE REPLACEMENT

NEW BRIDGE NO. 25700191

BRO-B016(31)

CAPE GIRARDEAU COUNTY, MISSOURI

COMES NOW (Name) _____ as (Office Held) _____

of (Company Name/Contractor) _____ and first being duly sworn, on my oath, affirm as follows:

1. (Company Name/Contractor) _____ is enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to (Project Name) _____ for the duration of the contract in accordance with RSMo Chapter 285.530(2).

2. I also affirm that (Company Name/Contractor) _____ does not and will not knowingly employ a person who is an unauthorized alien in connection with the contract services related to (Project Name) _____ for the duration of the contract.

3. Attached hereto is documentation affirming Contractor's enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

FURTHER AFFIANT SAITH NOT.

IN AFFIRMATION THEREOF, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to the penalties provided in Section 575.040, RSMo.)

(Name of corporation)

By: _____
(Name of officer of corporation and title)

ATTEST:

Secretary (or other officer)

(SEAL OF CORPORATION)

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

On this ____ day of _____, 20__, before me appeared _____, to me personally known, who,

being by me duly sworn, did say that he/she is the _____ of _____, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Cape Girardeau, Missouri, the day and year first above written.

Notary Public _____

My Commission Expires: _____

SEAL

AFFIDAVIT OF OSHA TRAINING

CAPE GIRARDEAU COUNTY COMMISSION

COUNTY ROAD 477 BRIDGE REPLACEMENT

NEW BRIDGE NO. 25700191

BRO-B016(31)

CAPE GIRARDEAU COUNTY, MISSOURI

COMES NOW (Name) _____ as (Office Held) _____

of (Company Name/Contractor) _____ and first being duly sworn,

on my oath, affirm in connection with the contracted services related to _____

_____ (Project Name) for the duration of the contract, as follows:

1. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the Project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, RSMo.
2. Contractor shall require its on-site employees to complete a construction safety program within sixty (60) days after the date work on the Project commences, as required by Section 292.675, RSMo.
3. Contractor acknowledges and agrees that any of Contractor's employees found on the Project site without documentation of the successful completion of a construction safety program shall be required to produce such documentation within twenty (20) days, or will be subject to removal from the Project.
4. Contractor shall require all of its Subcontractors to comply with the requirements of Section 292.675, RSMo.
5. Contractor acknowledges that pursuant to Section 292.675, RSMo., Contractor shall forfeit to County as a penalty two thousand five hundred dollars (\$2,500.000), plus one hundred dollars (\$100.00) for each on-site employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such on-site employee is employed without the construction safety training required in Section 292.675, RSMo.
6. Contractor acknowledges that violations of Section 292.675, RSMo, and imposition of the penalties described therein shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

7. Contractor acknowledges that in the event that the Missouri Department of Labor and Industrial Relations has determined that a violation of Section 292.675, RSMo., has occurred and that a penalty shall be assessed, the County shall withhold and retain all sums and amounts due and owing when making payments to Contractor under this Contract.

FURTHER AFFIANT SAITH NOT:

IN AFFIRMATION THEREOF, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to the penalties provided in Section 575.040, RSMo.)

(Name of corporation)

By: _____
(Name of officer of corporation and title)

ATTEST:

Secretary (or other officer) (SEAL OF CORPORATION)

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

On this _____ day of _____, 20____, before me appeared _____, to me personally known

who, being by me duly sworn, did say that he/she is the _____ of _____

a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Cape Girardeau, Missouri, the day and year first above written.

Notary Public

My Commission Expires: _____

SEAL

CERTIFICATION REGARDING
DISBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

CAPE GIRARDEAU COUNTY COMMISSION

COUNTY ROAD 477 BRIDGE REPLACEMENT
NEW BRIDGE NO. 25700191
BRO-B016(31)
CAPE GIRARDEAU COUNTY, MISSOURI

The contractor under penalty of perjury under the Laws of the United States, certifies that, except as noted below, the Company, or any person associated therewith in the capacity of Owner, Partner, Director, Officer, Principal Investigator, Project Director, Manager, Auditor or any position involving the administration of Federal funds:

A. is not currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transaction by an Federal or State department or agency;

B. has not within a three (3) year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; 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;

been suspended, debarred, voluntarily excluded or determined ineligible by any Federal Agency within the past 3 years:

C. are not presently indicted for or otherwise criminally or civilly charged by government entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

D. has not within a three (3) year period preceding this subcontract had one or more public transactions (Federal, State, or Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this contractor or termination of the contract. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to five (5) years or both.

Type Name & Title of Authorized Representative

Signature of Authorized Representative

Date



I am unable to certify to the above statement. My explanation is attached.

AFFIDAVIT OF COMPLIANCE
SECTION 285.530.2

CAPE GIRARDEAU COUNTY COMMISSION

**COUNTY ROAD 477 BRIDGE REPLACEMENT
NEW BRIDGE NO. 25700191
BRO-B016(31)
CAPE GIRARDEAU COUNTY, MISSOURI**

State of Missouri) SS

County of _____)

Now this _____ day of _____, 20 _____, the undersigned, being first duly sworn, deposes and says:

1. I am more than 18 years of age.

2. I make this affidavit from my personal knowledge of the facts stated herein or upon information and facts available to me as a duly authorized owner, partner, corporate or LLC officer or Human Relations Director of

(name of Corporation, LLC, sole proprietorship or partnership)

3. I am authorized to make this affidavit on behalf of

(name of Corporation, LLC, sole proprietorship or partnership)

4. I state and affirm that _____ is enrolled and is
(name of business entity, same as above)

currently participating in E-Verify, a federal work authorization program or another equivalent electronic verification of work authorization program operated by the United States Department of Homeland Security under the Immigration Reform and Control Act of 1986.

5. Further _____ does not knowingly
(name of business entity, same as above)

Employ any person who is an unauthorized alien.

6. Further _____ has performed an electronic
(name of business entity, same as above)

verification check as described above on all workers hired since January 1, 2009 or obtained documents required for completion of a federal I-9 form before it began participating in e-verify.

7. Attached to this affidavit is a true and accurate copy of this company's Memorandum of Understanding with the United States concerning the use of e-verify. I certify under penalty of perjury that the statements above are complete, true and accurate to the best of my knowledge and belief.

Authorized Agent, Partner, Owner or Officer

If business has a Human Relations Director or equivalent that person must sign as an affiant as well.

I certify under penalty of perjury that the statements above are complete, true and accurate to the best of my knowledge and belief.

Human Relations Director

This form is promulgated pursuant to 15CSR 60-15-.020. Use of this form is not required but the Attorney General has deemed this affidavit sufficient in form to satisfy the requirements of section 285.540, RSMo., Supp. 2008.

FURTHER THE AFFIANT SAYETH NOT

(Signature)

On this _____ day of _____ in the year 20 _____, before me, _____

a Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the within affidavit, and acknowledged to me that he/she executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public _____

My Commission Expires: _____

SEAL