



ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36110

Bureau of Office Engineer

Plans and Proposals Section

Telephone: 334-242-6444 FAX: 334-264-7976

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Kay Ivey
Governor

John R. Cooper
Transportation Director

August 14, 2020

MEMORANDUM

To: Proposal Holders

From: Bryan E. Nichols
Assistant Bureau Chief *BN*

Subject: RASTPNU-2219(250)
Cullman County
August 28, 2020 Letting

Enclosed are the Revised Proposal Cover Sheet #2 & Revised SP Index for the above referenced project. Please see attached letter from Mr. Skip Powe, dated June 10 2020.

Prospective bidders are advised to download the amended .ebs files from the ALDOT website or the Bid Express website.

It is the bidder's responsibility to notify vendors, suppliers and subcontractors of this change.

This change must be incorporated into your proposal and used in the preparation of your bid. Failure to do so may cause your bid to be considered irregular and non-responsive and may result in the automatic rejection of your bid.

BEN/jss

Attachment

cc: Mr. Curtis Vincent, P.E.

Mr. Winston Powe, P.E.



ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard
Montgomery, Alabama 36110
Telephone: 334.242.6218



Kay Ivey
Governor

John R. Cooper
Transportation Director

MEMORANDUM

TO: Mr. D. E. (Ed) Phillips, Jr., P.E.
State Local Transportation Engineer

FROM: Mr. Skip Powe, P.E. JS
State Construction Engineer

DATE: June 10, 2020

RE: Project No. RASTPNU-2219(250)
Cullman County

No comments are required regarding the project notes. Please see below for a list of special provisions and a comment on the construction time and construction fuel.

SPECIAL PROVISIONS

Special Provisions Numbers 18-0105, 18-0107, 18-0108, 18-0313, 18-0314, 18-0487, 18-0548 and 18-0699 apply to this project.

CONSTRUCTION TIME

The Construction Bureau concurs with the construction time recommended for this project, Thirty (30) Working Days.

ADD
18-0103 (DD to RP on 8/14/20)

REVISED: 8/14/2020

PROJECT NO(S). RASTPNU-2219(250)
CULLMAN COUNTY, ALABAMA

Contract ID: 20200828023

TO THE ALABAMA DEPARTMENT OF TRANSPORTATION DIRECTOR:

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, 2018 Edition, including the special provisions hereto attached, and has also personally examined the site of work. 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 in Thirty (30) working days.

(See Special Provision No. 18-0103, 18-0107 and 18-0108)

A(n) 4.00% DBE Contract Obligation is required.

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.

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.



Alabama Department of Transportation

Special Provisions

REVISED: 8/14/2020

PROJECT NO(s). RASTPNU-2219(250)

CULLMAN COUNTY, ALABAMA

The Following Special Provisions are supplementary requirements and amendments to the Standard Specifications for Highway Construction. The requirements and amendments given in these Special Provisions take precedence over the requirements given in the Standard Specifications.

S.P. Code	Special Provision Description
005/12	Form FHWA-1273 Required Contract Provisions Federal-Aid Construction Projects
18-0090	Title VI Assurance
18-0091	Non-Discrimination Statutes and Authorities
18-0097	Required Contract Provision for All Federal Aid Projects for EEO
18-0103	Early Award
18-0105	Cross Slope on HMA Pavements (non-NHS)
18-0107	Liquidated Damages
18-0108	Extension of Contract Time
18-0313	Load Restrictions for Hauling
18-0314	Weight (Mass) Measurements
18-0452	Scrub Seal
18-0487	Disadvantaged Business Enterprise (DBE)
18-0548	Traffic Control Devices
18-0699	Temporary Erosion and Sediment Control
18-WR0022	Highway Construction Wage Rates for Cullman County

ALABAMA DEPARTMENT OF TRANSPORTATION

DATE: October 20, 2017

Special Provision No. 18-0103

EFFECTIVE DATE: January 1, 2018.

SUBJECT: Early Award.

Alabama Standard Specifications, 2018 Edition, SECTIONS 103 and 108 shall be amended as follows:

SECTION 103 AWARD AND EXECUTION OF CONTRACT

103.01 Consideration of Proposals.

Article 103.01 shall be amended by adding the following paragraph.

For the purposes of Section 103, if the final calendar day specified falls on a weekend or holiday, the next business day will be the final calendar day.

103.02 Award of Contract.

(a) General.

Subarticle 103.02 (a) shall be replaced by the following:

(a) General.

After opening of proposals, the award of the contract to the lowest responsible and responsive bidder whose proposals comply with the requirements of Section 102 and the invitation to bid (Notice to Contractors) will be made within the following number of days:

- 10 calendar days for contracts that do not have a race conscious DBE goal (0 % DBE) or;
- 15 calendar days for contracts that have a race conscious DBE goal (designated % DBE).

Should no award be made within the allowed calendar day time period, all proposals will be rejected unless the successful bidder agrees in writing to a stipulated extension in the time limit for award. The successful bidder will be notified by telegram, confirmed facsimile, or letter mailed to the address shown on his proposal that his bid has been accepted and that he has been awarded the contract.

After the opening of bids on work involving Federal funds, the award of the contract to the low bidder will be contingent upon said low bidder obtaining a license from the State Licensing Board for General Contractors in accordance with the existing State laws.

103.05 Requirements of Contract Bonds.

(a) Performance Bond.

Subarticle 103.05(a) shall be replaced by the following:

(a) Performance Bond.

The bidder to whom the award is made shall, within 5 calendar days after the prescribed forms have been presented to him for signature (i.e. after date of award), furnish and file with the Transportation Director an acceptable surety bond on the form included in the proposal in an amount equal to 100 percent of the contract bid price of the contract as awarded. Said bond shall be furnished by a surety company qualified and authorized to make such bonds in the State of Alabama, and countersigned by an authorized agent resident in the State who is qualified to execute such instruments. The bond shall have attached thereto power of attorney of the signing official unless such power of attorney is already on file in the office of the Department. In case of default on the

part of the Contractor, all expense incident to ascertaining and collecting losses suffered by the State under the bond, including engineering, direct administration, and legal services, shall be charged against the contract bond for performance of the work.

(b) Labor, Materials, Services, Insurance, Feed Stuffs, or Supplies Bond.

Subarticle 103.05 (b) shall be replaced by the following:

(b) Labor, Materials, Services, Insurance, Feed Stuffs, or Supplies Bond.

In addition thereto, the bidder to whom the award is made shall, within the same **5 calendar days**, execute and file with the Director an acceptable surety bond payable to the State in an amount not less than 100 percent of the contract bid price, with the obligation that the Contractor shall promptly make payment to all persons furnishing him or them with labor, materials, feed stuffs, services, insurance, bond, or supplies for or in the prosecution of the work, and for the payment of reasonable attorneys fees, incurred by successful claimants or plaintiffs in suits on said bond.

103.06 Execution of Contract.

Article 103.06 shall be replaced by the following:

103.06 Execution of Contract.

The contract shall be executed by the bidder to whom award is made, on the form included in the proposal, and returned to the Director with satisfactory contract bonds within **5 calendar days** after the prescribed forms have been presented to him for signature (i.e. after date of award). Should extenuating circumstances prevail, the Director may grant an extension in time not exceeding **5 calendar days** for the return of the contract and bonds as provided herein and in Article 103.05.

103.07 Approval of Contract.

Article 103.07 shall be replaced by the following:

103.07 Approval of Contract.

A period of 20 calendar days will be allowed for execution of the contract by the Director and approval of same by the Governor, after its presentation by the successful bidder, unless the successful bidder agrees in writing to a longer period. No contract is binding upon the State until it has been executed by the Director and approved by the Governor of the State. The date of the final execution of the contract shall be the date on which it is signed by the Governor.

SECTION 108 PROSECUTION AND PROGRESS

108.02 Notice to Proceed.

Article 108.02 shall be replaced by the following:

108.02 Notice to Proceed.

(a) General.

A notice to proceed shall be issued by the Engineer within **5 calendar days** after final execution of the contract by the Director and approval by the Governor, unless both parties agree in writing to a stipulated extension in time for the issuance of a notice to proceed. Unless the Contractor is otherwise notified in writing, it shall be understood that the mailing or the delivery to the Contractor or his authorized agent, of a copy of the executed and approved contract and bonds or the mailing of written notice by the Engineer or receipt of telegraphic notice from the Engineer, that the contract has been approved by the Governor, shall constitute the notice to proceed. If the Contractor is notified in writing that none of the above shall constitute notice to proceed, he shall not commence work until receipt of a written notice to proceed signed by the Engineer.

(b) Beginning and End of Contract Time Charges.

Contract time charges will begin when the Contractor begins work on a pay item or on incidental work that will interfere with traffic, but in no case later than **10 calendar days** after issuance of notice to proceed. Time charges will end upon satisfactory completion of all pay items in the contract.