



## City of Duluth

DEPARTMENT OF PUBLIC WORKS/UTILITIES  
Engineering Division  
211 City Hall • Duluth MN 55802  
(218) 730-5200 Fax: (218) 730-5907

Date: June 5, 2013

City of Duluth Bid # 13-0373

Job Description: 2012 Flood Repairs – 47<sup>th</sup> Avenue East and 52<sup>nd</sup> Avenue East

City Project No. 1173

### ***Addendum #1***

#### **NOTICE TO ALL BIDDERS:**

The addendum is issued to modify, explain or correct the original drawings specification and/or previous addendums and hereby made part of the Contract Documents. Please attach this Addendum to the specifications in your possession and note receipt of this Addendum on the Request for Bid.

#### **Bid Form:**

**REPLACE** the bid opening date of June 20, 2013 with June 24, 2013 on the Proposal Cover Sheet, the **STARTING DATE** of July 15, 2013 with July 29, 2013 and the **COMPLETION DATE** of September 13, 2013 with September 27, 2013.

**REPLACE** the bid opening date of Thursday, June 20, 2013 with Tuesday, June 24, 2013 on the Ad for Bid.

**REPLACE** the bid opening date of Thursday, June 20, 2013 with Tuesday, June 24, 2013 on the Request for Bids.

#### **Specifications:**

**REPLACE** the start date of July 15 with July 29 on **SP19 (1806) DETERMINATION AND EXTENSION OF CONTRACT TIME**, Sheet 14 of the Special Provisions.

#### **Plan sheets:**

N/A

All other items remain the same.

Sincerely,

Patrick Mlakar  
Project Manager

CITY OF DULUTH

\*\*\*\*\*PROPOSAL\*\*\*\*\*

FOR HIGHWAY CONSTRUCTION  
AND MAINTENANCE PROJECTS WITH  
BIDS RECEIVED UNTIL 2:00 O’CLOCK P.M. ON JUNE 20, 2013

PROPOSAL OF \_\_\_\_\_  
(NAME OF FIRM)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
( AREA CODE) TELEPHONE NUMBER

TO FURNISH AND DELIVER ALL MATERIALS AND TO PREFORM ALL WORK IN ACCORDANCE WITH THE CONTRACT, THE PLANS AND THE APPROVED DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" 2005 EDITION, EXCEPT AS STATED OTHERWISE IN THE SPECIAL PROVISIONS WHICH ARE PART OF THIS PROPOSAL FOR

CITY OF DULUTH PROJECT NUMBER 1173

STATE PROJECT NUMBER 118-167-006 and 118-169-008  
MINNESOTA PROJECT NUMBER ER MN 12(253)

LOCATION: 47<sup>th</sup> AVENUE EAST from SUPERIOR STREET to GLENWOOD STREET and 52<sup>nd</sup> AVENUE EAST from SUPERIOR STREET to OAKLEY STREET

TYPE OF WORK: BITUMINOUS SURFACING, DRAINAGE, MILLING, ADA PEDESTRIAN RAMPS and STRIPING

LENGTH: 1.307 MILES

STARTING DATE: July 29, 2013 or within ten (10) calendar days after the date of award by City Council resolution, whichever is later

COMPLETION DATE: September 27, 2013

NOTICE TO BIDDERS: In submitting a bid, you must **return this bound Project Proposal in its entirety**. You must initial changes made in the Schedule of Prices "Exhibit A" in the Proposal and acknowledge addenda on the back cover sheet.

I certify that this Proposal was prepared by me or under my direct supervision, and that I am a licensed professional engineer under the laws of the State of Minnesota.

  
\_\_\_\_\_

License Number 42634 Date June 24, 2013

\*\*\*\*\*

BID RIGGING IS A SERIOUS CRIME. IF YOU HAVE ANY INFORMATION CONCERNING COLLUSIVE BIDDING, EVEN A REQUEST TO SUBMIT A COMPLIMENTARY BID, PLEASE CALL THE MINNESOTA ATTORNEY GENERAL'S OFFICE AT TEL. NO. 651-296-1796

Bid No. **13-0373** City Project Number 1173  
2012 Flood Repairs - Lakeside  
CITY PROJECTS- BID CLOSE  
Bid Opening Date: June 24, 2013

NOTICE TO CONTRACTORS

Sealed proposals will be received until 2:00 PM local time, Tuesday, June 24, 2013 by Dennis Sears, Purchasing Agent for the City of Duluth, at Room 100, City Hall, Duluth, Minnesota 55802 on behalf of the Commissioner of Transportation as agent for said City for the construction of the project listed below. Proposals will be opened and read publicly by the City Purchasing Agent or his representative at the City Hall in Duluth, Minnesota in Room 106A immediately after the hour set for receiving bids.

Minimum wage rates to be paid by the Contractors have been predetermined and are subject to the Work Hours Act of 1962, P.L. 87-581 and implementing regulations.

READ CAREFULLY THE WAGE SCALES AND DIVISION A OF THE SPECIAL  
PROVISIONS AS THEY AFFECT THIS PROJECT

The Minnesota Department of Transportation hereby notifies all bidders: in accordance with Title VI of the Civil Rights Act of 1964 (Act), as amended and Title 49, Code of Federal Regulations, Subtitle A Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, it will affirmatively assure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded maximum opportunity to participate and/or to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, disability, age, religion, sex or national origin in consideration for an award;

in accordance with Title VI of the Civil Rights Act of 1964 as amended, and Title 23, Code of Federal Regulations, Part 230 Subpart A-Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including supportive services), it will affirmatively assure increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry, and that on any project constructed pursuant to this advertisement equal employment opportunity will be provided to all persons without regard to their race, color, disability, age, religion, sex or national origin;

in accordance with the Minnesota Human Rights Act, Minnesota Statute 363A.08 Unfair discriminatory Practices, it will affirmatively assure that on any project constructed pursuant to this advertisement equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age;

in accordance with the Minnesota Human Rights Act, Minnesota Statute 363A.36 Certificates of Compliance for Public Contracts, and 363A.37 Rules for Certificates of Compliance, it will assure that appropriate parties to any contract entered into pursuant to this advertisement possess valid Certificates of Compliance.

If you are not a current holder of a compliance certificate issued by the Minnesota Department of Human Rights and intend to bid on any job in this advertisement you must contact the Department of Human Rights immediately for assistance in obtaining a certificate.

The following notice from the Minnesota Department of Human Rights applies to all contractors:

"It is hereby agreed between the parties that Minnesota Statute, section 363A.36 and Minnesota Rules, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based on this specification or any modification of it. A copy of Minnesota Statute 363A.36 and Minnesota Rules, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency."

"It is hereby agreed between the parties that this agency will require affirmative action requirements be met by contractors in relation to Minnesota Statute 363A.36 and Minnesota Rules 5000.3600. Failure by a contractor to implement an affirmative action plan or make a good faith effort shall result in revocation of its certificate or revocation of the contract (Minnesota Statute 363A.36, Subd. 2 and 3)."

A minimum goal of **2.8 %** Good Faith Effort to be subcontracted to Disadvantaged Business Enterprises.

S.P. 118-167-006 and 118-169-008; Minn. Project No. ER MN 12(253), City of Duluth Project No. 1173, 2012 Flood Repairs - Lakeside

Construction Plans for: Bituminous Surface (Overlay and Mill & Overlay), Curb & Gutter, ADA Pedestrian Ramps and Striping

The major items of work are: Type SP 9.5 Wearing Course 3,706 Tons; Mill Bituminous Surface 5,266 Sq. Yd.; Curb & Gutter 2,168 Lin. Ft.; 4" Concrete Walk 5,595 Sq. Ft.; 6" Concrete Walk 3,696 Sq. Ft.; 4" Broken Line Yellow-epoxy 770 Lin. Ft.

Sealed bids will be received by the City Purchasing Agent in and for the Corporation of the City of Duluth, Minnesota, at his office, Room 100 City Hall, Duluth, Minnesota 55802, (218) 730-5340 until 2:00 P.M. local time on Tuesday June 24, 2013, for the above mentioned project. Immediately thereafter, bids will be taken to Room 106A City hall, where they will be publicly opened and read aloud.

Questions pertaining to this project should be directed to: Patrick Mlakar, Project Manager, City of Duluth Engineering Department, Phone 730-5087.

Each bidder must refer to the 2013 Edition of the City of Duluth Public Works/Utilities Department - Engineering Division Standard Construction Specifications booklet at the City of Duluth website as this booklet is incorporated by reference and deemed to be a part hereof this project as if fully incorporated and set forth herein.

Plans and specifications may be secured from the office of the City Engineering Division, 211 City Hall, 411 West First Street, Duluth, MN. 55802, upon payment of a check, draft, or money order in the amount of **\$30.00** made payable to the City of Duluth. (This payment will not be refunded).

Plans and specifications are on file for inspection at the City Engineering Office, Duluth Builders Exchange, Minneapolis Builder Exchange and St. Paul Builders Exchange, McGraw Hill Plan Room, MRDA/AGC of MN Plan Room, Reed Construction Data, Contractors Exchange.

A Certified check or bank draft, payable to the City of Duluth, negotiable U.S. Government Bonds (at par value), or a satisfactory bid bond executed by the bidder and acceptable surety, in an amount equal to five percent (5%) of the total bid, shall be submitted with each bid.

Unless a Certificate of Exemption is provided, any out-of-state bidder receiving a bid award will have 8% retained from invoice payments on any contracts over \$50,000. Submit a signed copy from the State of Minnesota when submitting Payment and Performance Bonds. This form may be found at the following web address:  
[http://taxes.state.mn.us/Forms\\_and\\_Instructions/sde.pdf](http://taxes.state.mn.us/Forms_and_Instructions/sde.pdf)

Attention is called to the fact that not less than the minimum salaries and wages as set forth in the contract documents must be paid on this project. The contractor must take affirmative action to ensure that the employees and applicants for employment are not discriminated against because of their race, color, creed, sex or national origin, and must meet the affirmative actions goals. Contractors are encouraged to subcontract with Disadvantage Business Enterprises when possible.

The City of Duluth is an Equal Opportunity Employer.

CITY OF DULUTH

Dennis Sears  
Purchasing Agent



REQUEST FOR BID

DATE 5/30/2013

BID # 13-0373

RETURN BY BID OPENING TIME TO:

PURCHASING DIVISION
100 CITY HALL
Duluth, MN 55802
Dennis Sears
PHONE: 218-730-5340
FAX: 218-730-5921

2012 FLOOD REPAIRS - LAKESIDE
47th AVENUE EAST AND 52nd AVENUE EAST

BID OPENING DATE AT 2:00 PM ON TUESDAY, JUNE 24, 2013

Note: all bids must be written, signed and transmitted in a sealed envelope, plainly marked with the bid number, subject matter, and opening date. The City of Duluth reserves the right to split award where there is a substantial savings to the City, waive informalities and to reject any and all bids. Bidder should state in proposal if bid price is based on acceptance of total order. Sales tax is not to be included in the unit price. Bidder to state freight chargers if the proposal F.O.B. is shipping point, freight not allowed. Low bid will not be the only consideration for award of bid. All pages shall be signed or initialed by authorized bidder's representative as indicated at the bottom of the page(s) of the request for bid form.

RETURN BID IN DUPLICATE WITH DUPLICATE DESCRIPTIVE LITERATURE
FOR BID RESULTS, ENCLOSE A SELF-ADDRESSED, STAMPED ENVELOPE WITH BID

BID DEPOSIT REQUIREMENTS: 5% OF BID AMOUNT

Deposit shall mean cash, cashier's check or corporate surety bond payable to or in favor of the City of Duluth.

A PERFORMANCE BOND AND A PAYMENT BOND shall be required of the successful bidder, BOTH in the full amount of the bid.

INSUREANCE CERTIFICATE required per attached requirements.

Designated F.O.B. Point:

Engineering Division Tax: Federal Excise Tax Exemption
Jobsite(s) Account No. 41-74-0056 K

Vendor Email Address: FREIGHT CHARGE \$

NAME: TOTAL BID PRICE #
ADDR1: TO INCLUDE ANY ADDITIONAL PAGES.
ADDR2:
ADDR3:

BY: PAYMENT TERMS \$
(Print) (Title) F.O.B. POINT \$
(Signature) (Tele. #) DELIVERY DATE \$

The City of Duluth is an Equal Opportunity Employer.

CITY OF DULUTH

DATE: 5/30/2013  
BID #: 13-0373

\*\*\*\*\*SCHEDULE OF PRICES\*\*\*\*\*

2012 Flood Repairs - Lakeside  
City Project 1173  
Bid No. 13-0373

Make all extensions and total the bid.

Item No.	Spec. #	Qty	U/OM	Item Description	Unit Price	Total Price
001		1	Each	Exhibit A (Must Be Returned With The Bid)	\$ _____	\$ _____
						TOTAL \$ _____

ADDENDUM RECEIPT ACKNOWLEDGEMENTS:

ADDENDUM NO. \_\_\_\_\_, DATED \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_, DATED \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_, DATED \_\_\_\_\_

TOTAL BID IN WORDS:

\_\_\_\_\_

CONTRACTOR NAME:

\_\_\_\_\_

THE CONTRACTOR AGREES TO ALL OF THE PROVISIONS CONTAINED IN THE CONTRACT DOCUMENTS. ENCLOSED HEREWITH FIND A CERTIFIED CHECK OR BID BOND IN THE AMOUNT OF AT LEAST 5% OF THE AMOUNT OF PROPOSAL MADE PAYABLE TO THE CITY OF DULUTH AS A PROPOSAL GUARANTEE WHICH IT (see additional page(s))

\_\_\_\_\_  
(Initial)

C I T Y   O F   D U L U T H

DATE: 5/30/2013

BID #: 13-0373

IS AGREED BY THE UNDERSIGNED WILL BE FORFEITED IN THE EVENT THE FORM OF CONTRACT AND BOND IS NOT EXECUTED, IF AWARDED TO THE UNDERSIGNED.

**The bidder hereby certifies that he/she has received or viewed on-line the City of Duluth Public Works/Utilities Department - Engineering Division Standard Construction Specifications 2011 with 2012 ammendments booklet and has incorporated the terms hereof in its bid.**

SIGNED: \_\_\_\_\_ FOR

\_\_\_\_\_  
A PARTNERSHIP (OR)

\_\_\_\_\_  
A CORPORATION INCORPORATED UNDER THE LAWS OF THE STATE OF:

PRESIDENT \_\_\_\_\_  
VICE-PRES. \_\_\_\_\_  
SECRETARY \_\_\_\_\_  
TREASURER \_\_\_\_\_

ADDRESS(ES) \_\_\_\_\_

\_\_\_\_\_  
BEING DULY SWORN, DEPOSES AND SAYS THAT THERE ARE NO OTHER PERSONS COMPRISING ABOVE COMPANY OR FIRM THAN THE ABOVE NAMES, AND THAT THERE ARE NO PERSONS OR CORPORATIONS INTERESTED IN THE FORGOING PROPOSALS, EITHER AS PRINCIPAL OR SUBCONTRACTOR, OTHER THAN THE ABOVE NAMES; ALSO THAT THE PROPOSALS ARE MADE WITHOUT ANY CONNECTION WITH ANY PERSON OR PERSONS MAKING ANY PROPOSAL FOR THE ABOVE WORK; THAT THEY ARE IN ALL RESPECTS FAIR AND WITHOUT COLLUSION OR FRAUD; AND THAT NO PERSON ACTING IN ANY OFFICIAL CAPACITY FOR THE CITY OF DULUTH IS DIRECTLY OR INDIRECTLY INTERESTED THEREIN, OR IN ANY PORTION OF THE PROFIT THEREOF.

(see additional page(s))

\_\_\_\_\_  
(Initial)

C I T Y   O F   D U L U T H

DATE: 5/30/2013  
BID #: 13-0373

---

SUBSCRIBED AND SWORN TO BEFORE ME THIS

DAY OF \_\_\_\_\_ A.D.,

---

NOTARY PUBLIC

IMPORTANT NOTE BIDDERS:  
PLEASE DISREGARD THE NOTE ON PAGE 1  
REGARDING SALES TAX FOR THIS BID. ALL  
APPLICABLE SALES AND/OR USE TAXES ARE  
TO BE INCLUDED IN BID PRICING. ALSO,  
ALL BIDS ARE TO BE F.O.B. JOBSITE.  
THE BLANK ON PAGE ONE FOR FREIGHT IS TO  
TO BE LEFT BLANK.

**Delivery Contact: Patrick Mlakar**  
**Engineering**  
**218-730-5087**

---

(Initial)

**SPECIAL PROVISIONS**  
**S.P. NO. 118-167-006, S.P. NO. 118-169-008**  
**47<sup>th</sup> and 52<sup>nd</sup> Avenue East**  
**May 28, 2013**

(E) The Contractor shall utilize measures and methods when working near existing buildings and/or private landscaping that will avoid damaging the building's face or structure or other private property. The Contractor will be responsible for any damage to the building's face or structure, or other private property. Any damage resulting from Contractor operations will be repaired at the Contractor's expense to the satisfaction of the Engineer.

(F) The Contractor shall round all joints and edges of the walk with a ¼ inch radius edging tool, contraction joints shall extend to at least 30 percent of walk thickness and shall be approximately 1/8 inch wide as per MnDOT 2521. The Contractor shall also have the option of providing saw cuts to construct the sidewalk joints. This work shall be considered incidental and no extra compensation paid.

(G) In areas where the sidewalk is to be constructed around fixed structures and the grade has been changed, the sidewalk shall be finished around these structures to the satisfaction of the Engineer at no additional cost.

**SP-19 (1806) DETERMINATION AND EXTENSION OF CONTRACT TIME**

The Contract Time will be determined in accordance with the provisions of MnDOT 1806 and the following:

SP-19.1 Construction operations shall be started on July 29 or within ten (10) Calendar Days after the date of Notice of Contract Approval, whichever is later. Construction operations shall not commence prior to Contract Approval.

SP-19.2 All work required under this Contract, except maintenance work and Final Clean Up shall be completed on or before September 27.

SP-19.3 The Contractor is advised that the Contract Time (Completion Date) is based on an anticipated five (5) day work week, Monday through Saturday.

**SP-20 (2021) MOBILIZATION**

The provisions of MnDOT 2021 are hereby deleted and replaced with the following:

**2021.1 DESCRIPTION**

Mobilization shall consist of preparatory work and operations, including, but not limited to, those necessary for the movement of personnel, equipment, supplies and incidentals to the Project site; for the establishment of all Contractor's offices and buildings or other facilities necessary for work on the Project. Mobilization may include bonding, permit, and demobilization costs. When the proposal does not have a lump sum item for Mobilization, all costs incurred by the Contractor for Mobilization shall be incidental to other work.

**2021.2 BLANK**

**2021.3 BLANK**

**2021.4 BLANK**