



REQUEST FOR BID
DATE 5/2/2013
BID # 13-09DS

RETURN BY BID OPENING TIME TO:

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

Duluth Traverse Trail Phase 1 - Lester Park

BID OPENING AT 2:00 PM on May 28, 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 charges 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

Jobsite(s)

Tax: Federal Excise Tax Exemption
Account No. 41-74-0056 K

Vendor Email Address: _____

NAME: _____

GRAND TOTAL BID PRICE # _____

ADDR1: _____

TO INCLUDE ANY ADDITIONAL PAGES.

ADDR2: _____

ADDR3: _____

BY: _____
(Print) (Title)

(Signature) (Tele. #)

The City of Duluth is an Equal Opportunity Employer.

PRE-BID INFORMATION

C I T Y O F D U L U T H

DATE: 5/2/2013

BID #: 13-09DS

Item No.	Spec. #	Qty	U/OM	Item Description	Unit Price	Total Price
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*******SCHEDULE OF PRICES*******

Duluth Traverse Trail Phase 1 - Lester Park

City Project #1223

**Delivery Contact: Patrick Loomis
Engineering
218-730-5094**

(Initial)

DATE:

5/2/2013

BID #:

13-09DS

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

Duluth Traverse Trail Phase 1 - Lester Park

City Project #1223

Make all extensions and total the bid.

Make all extensions and total the bid.

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

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)

DATE:

5/2/2013

BID #:

13-09DS

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 2013 City of Duluth Public Works/Utilities Department - Engineering
Division Standard Construction Specifications
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)

DATE:

5/2/2013

BID #:

13-09DS

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.

(Initial)

BID WORKSHEET A

1.1 Duluth Traverse Trail Phase I – Lester Park

Company name _____

Contact person _____

Contact person's phone number _____

Contact person's email _____

Company address _____

PTBA member _____ Yes _____ No Member since _____

If bidder is not a member of the Professional Trailbuilders Association please provide a separate document that describes why and details equivalent experience and expertise.

Experienced in constructing sustainable bike-specific singletrack trails?
_____ Yes _____ No

Please list similar past projects on a separate sheet along with a brief narrative. Include projects that highlight the Contractor's ability to satisfy the qualifications and requirements listed in section 6.

Please attach one (1) letter of recommendation from a previous client.

Please provide three (3) references from previous shared use trail construction projects with contact information (phone numbers and email addresses).

1.

2.

3.

Provide a detailed list of proposed project team members, including subcontractors, and their skill sets and relevant experience.

Provide a list of the equipment and tools intended to be used in completing the scope of work.

Provide a recommended schedule/timetable that allows for work completion per the specified schedule.

For each project site provide bid total and information about the intended team, equipment, workflow description, and schedule.

Project 1 – Base Bid – Lester River Trail

Bid Total:

Team:

Equipment/Tools:

Workflow Description:

Start Date:

End Date:

By signing this, I certify that I have am fully aware of the site locations, their conditions, access restrictions and other constraints. I accept the terms and conditions expressed and contained in the specifications included in and attached to this RFQ.

(sign here and date)

BID WORKSHEET B

DULUTH TRAVERSE MOUNTAIN BIKE TRAIL SYSTEM - PHASE 1 LESTER PARK

initial

Instructions...

- For each project bid, fill in unit price for all items.
- Failure to provide a unit price for any item will invalidate the bid for that project.
- Unit prices made on a per-project basis.
- Quantities for each project are estimated. Final quantities may change, but the unit price is fixed!
- Insert total for each project on summary sheet.
- Provide cost for one roundtrip mobilization on summary sheet.
- Bid tabulation sheets quantities take precedence over quantity discrepancies in the construction documents.

Summary Sheet

Project #	Project Name	Total
1	Lester River Trail	
One Mobilization (r/t)		
GRAND TOTAL		

BID WORKSHEET B

DULUTH TRAVERSE MOUNTAIN BIKE TRAIL SYSTEM - PHASE 1 LESTER PARK

initial

Instructions...

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- Bid tabulation sheets quantities take precedence over quantity discrepancies in the construction documents.

Project #:

1

Project Name:

Lester Park Trail

Specification Type:

Blue Bump Pump Singletrack (Spec 5)

Work	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	3,013		
TRAIL CONSTRUCTION TYPE 'B'	LIN FT	13,982		
TRAIL CONSTRUCTION TYPE 'C'	LIN FT	346		
CONSTRUCTED TURN TYPE 'A'	EACH	3		
CONSTRUCTED TURN TYPE 'B'	EACH	10		
CONSTRUCTED TURN TYPE 'C'	EACH	0		
BERMED TURN TYPE 'A'	LIN FT	0		
BERMED TURN TYPE 'B'	LIN FT	130		
BERMED TURN TYPE 'C'	LIN FT	0		
FURNISH AND INSTALL DISCRETIONARY PERMANENT SEED AND MULCH	SQ YD	0		
FURNISH AND INSTALL DISCRETIONARY TEMPORARY SEED AND MULCH	SQ YD	0		
ROCK ARMORING	SQ YD	60		
INSTALL 36" BOARDWALK	LIN FT	503		
INSTALL 48" BRIDGE WITH RAILING	LIN FT	21		
ROCK CRIB WALL	SQ FF	45		
TURF BLOCK PAVERS	SQ YD	0		
ROCK JUMP	EACH	0		
INSTALL IRON RANGER FEE STATION	EACH	1		
ROCK CHECKS	SQ YD	4		
FURNISH AND INSTALL EROSION CONTROL COIR ROLLS	LIN FT	216		
FURNISH AND INSTALL EROSION CONTROL BLANKET CATEGORY 3	SQ YD	0		
FURNISH AND INSTALL EROSION CONTROL BLANKET CATEGORY 4	SQ YD	0		
PROJECT TOTAL				

AFFIDAVIT AND INFORMATION REQUIRED OF BIDDERS

Affidavit of Non-Collusion:

I hereby swear (or affirm) under penalty of perjury:

- 1) That I am the bidder (if the bidder is an individual), a partner in the bidder (if the bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);
- 2) That the attached bid or bids have been arrived at by the bidder independently and have been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor or materials, supplied, equipment or services described in the invitation to bid, designed to limit independent bidding or competition;
- 3) That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids; and
- 4) That I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: _____

Firm Name: _____

Subscribed and sworn to me before this ____ day of _____, _____

NOTARY PUBLIC _____

My commission expires: _____

Bidder's E.I. Number _____

(Number used on employer's quarterly Federal Tax return)

IMPORTANT—NOTICE TO BIDDER

On the envelope submitting your bid, it is imperative

1. That your name and address appear in the UPPER left corner.
2. That the bottom portion of this label be filled in and pasted on the LOWER left corner.

S E A L E D	BID NO.	B I D D E R
	DATE OF OPENING	
	TIME OF OPENING	
	DESCRIPTION	

**EQUAL EMPLOYMENT OPPORTUNITY (EEO) AFFIRMATIVE ACTION
POLICY STATEMENT & COMPLIANCE CERTIFICATE**

TO: City of Duluth, Minnesota **PROJECT NUMBER & DESCRIPTION** _____

FROM: _____

(FIRM's name, address, telephone number)

A) Employment: It is the policy of the above named FIRM to afford equal opportunity for employment to all individuals regardless of race, color, creed, religion, national origin, ancestry, age, sex, marital status, status with respect to public assistance and/or disability. The FIRM will take affirmative action to ensure that we will: (1) recruit, hire, and promote all job classifications without regard to race, color, creed, religion, national origin, ancestry, age, sex, marital status, status with respect to public assistance, and/or disability, except where sex is a bona fide occupational qualification; (2) base decisions on employment so as to further the principle of equal employment opportunity; (3) ensure that promotion decisions are in accord with the principles of equal employment opportunity by imposing only valid requirements for promotional opportunities; (4) ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, FIRM sponsored training, education tuition assistance, social and recreational programs will be administered without regard to race, color, creed, religion, national origin, ancestry, age, sex, marital status, status with respect to public assistance, and/or disability. The FIRM also intends full compliance with Veteran affirmative action requirements. Additionally, minority and female employees shall be encouraged to participate in all FIRM activities and refer applicants.

I have designated (name) _____ to direct the establishment of and to monitor the implementation of personnel procedures to guide the FIRM's affirmative action program. Where PROJECTS exceed \$500,000, this official shall also serve as the liaison officer that administers the FIRM's "Minority Business Enterprise Program." This official is charged with designing and implementing audit and reporting systems that will keep management informed on a monthly basis of the status of the equal opportunity area.

Supervisors have been made to understand that their work performance is being evaluated on the basis of their equal opportunity efforts and results, as well as other criteria. It shall be the responsibility of the FIRM and its supervisors to take actions to prevent harassment of employees placed through affirmative action efforts.

B) Reports: Unless exempted by law and regulation, the FIRM shall make available and file those reports related to equal opportunity as may be required by the City of Duluth and State and Federal compliance agencies. Requirements and Reports are defined in 41CFR60 "Compliance Responsibility for Equal Opportunity" published by the U. S. Department of Labor which is incorporated herein by reference. Additional requirements are defined in various State and Federal Civil Rights Legislation and Rules promulgated thereunder.

C) Nonsegregated Facilities: The FIRM certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments and that it does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The FIRM certifies that it will not maintain or provide for its employees any segregated facilities at any of its establishments and that it will not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The FIRM agrees that a breach of this

certification is a violation of the Equal Opportunity Clause in this certificate. As used in this Certification, the term "segregated facilities" means any waiting rooms, work area, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation for entertainment area, transportation, and housing facilities provided for employees which are segregated by explicit directive or are, in fact, segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise.

- D) Affirmative Action Compliance Program:** Unless exempted by regulation and law, the FIRM—if the FIRM has 50 or more employees and if the value of current contracts with the City of Duluth exceeds \$50,000—shall prepare and maintain a written affirmative action compliance program that meets the requirement as set forth in 41CFR60.
- E) Non-Compliance:** The FIRM certifies that it is not currently in receipt of any outstanding letters of deficiencies, show cause, probable cause, or other such notification of non-compliance with EEO Laws and Regulations.
- F) Employment Goals - "Construction" Projects:** It shall be the goal of the FIRM if the PROJECT is of a construction nature that in all on-site employment generated that no less than 3% of the on-site workforce will be minority employees and that no less than 7% of the on-site workforce will be female employees. Further, it is the goal of the FIRM if the PROJECT is of a construction nature that in all on-site employment generated that no less than 3% of the work hours generated shall be worked by minority employees and that no less than 7% of the work hours generated shall be worked by female employees.
- G) Subcontractors:** The FIRM will for all its PROJECT subcontractors regardless of tier (unless exempted by law and regulation) that received in excess of \$2,500 require that: (1) the subcontractor shall execute an "EEO Statement and Certification" similar in nature to this "Statement and Certification", (2) said documentation to be maintained on file with the FIRM or subcontractor as may be appropriate.

Executed this _____ day of _____, 20__ by:

Printed name and title

Signature

NOTE: In addition to the various remedies prescribed for violation of Equal Opportunity Laws, the penalty for false statements is prescribed in 18 U.S.C. 1001.

City of Duluth Purchasing Division General Specifications

The word "City" used in these specifications shall mean the city of Duluth and/or its Authorities.

1. Instruction to Bidders:

- A. All bids must be completed in a non-erasable format on the form provided by city of Duluth, errors are to be crossed out and initialed.
- B. All bids must be enclosed in a sealed envelope.
- C. The enclosed blue and white sticker must be placed on the outside of envelope.
- D. The bid envelope shall be addressed to the city of Duluth, Purchasing Division, Room 100 City Hall, Duluth, Minnesota 55802.

2. Non-Collusion Clause:

Vendor, their agent/employee hereby agree to comply and fully perform in accordance with the law and state that they have not, directly or indirectly, entered into an agreement or understanding, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the proposal submitted with respect to the above-referenced invitation to bid. Vendor fully acknowledges that such an act of non-compliance may be deemed unlawful and would be considered a violation of the law and subject to prosecution.

3. Award of Contract - Rejection of Bids:

The Contract will be awarded to the responsible bidder submitting the lowest bid complying with the conditions of the Invitation for bids. The bidders, to whom the award is made, will be notified at the earliest possible date. The city of Duluth, however, reserves the right to reject any and all bids and to waive any informality in bids received whenever such rejection or waiver is in its interest.

5. Obligation of Bidder:

At the time of the opening of bids, each bidder will be presumed to have read and to be thoroughly familiar with the plans, specifications and contract documents (including all addenda). The failure or omission of any bidder to examine any form, instrument, or document shall in no way relieve any bidder from any obligation in respect to their bid.

6. Liquidated Damages for Failure to Enter into Contract:

The successful bidder, upon their failure or refusal to accept a purchase order or execute and deliver the contract and bonds required within 10 days after receipt of a notice of the acceptance of their bid, shall forfeit to the city, as liquidated damages for such failure or refusal, the security deposited with their bid (if required).

7. Completion of Bid Request:

The city may consider as irregular any bid on which there is an alteration or departure from the Bid Form hereto attached and at its option may reject the same.

8. E.E.O. Regulations:

Contractor will be required to comply with all applicable Equal Employment Opportunity (E.E.O.) laws and regulations. Affirmative action must be taken to insure that the employees and applicants for employment are not discriminated against because of their race, color, creed, sex or national origin.

The city of Duluth is an equal opportunity employer.

9. Participation:

This document is intended to serve the city of Duluth, its Agents and Authorities. Each authority may issue their own purchase order and will be responsible for it. The City of Duluth Authorities are as follows:

- 1. Duluth Airport Authority
- 2. Spirit Mountain Recreational Area Authority
- 3. Duluth Entertainment and Convention Center
- 4. Duluth Transit Authority
- 5. Duluth Economic Development Authority
- 6. Duluth Housing and Redevelopment Authority

The city has a cooperative purchasing agreement with St. Louis county allowing the county to purchase from this bid when requested. St. Louis county will issue and be responsible for its own purchase orders.

10. Qualifications of Bidder

The city may make such investigations as deemed necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish to the city all such information and data for this purpose as the city may request. The city reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the city that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional bids will not be accepted.

11. Addenda and Interpretations

Responses to general questions and clarifications of bids may be made at the discretion of the city. However, no interpretation of the meaning of the specifications or other pre-bid documents will be made to any bidder orally.

Every request for such interpretation should be in writing and delivered or sent by facsimile to the city purchasing agent or the buyer shown on the bid request, Duluth, Minnesota 55802, and to be given consideration must be received at least five days prior to the date fixed for the opening of bids.

12. Award of Contract - Rejection of Bids:

In determining the successful bidder, there will be considered in addition to price (per Ordinance 7050):

- A. The ability, capacity and skill of the bidder to perform the contract.
- B. The character, integrity, reputation, judgement, experience and efficiency of the bidder.
- C. The quality of performance of previous contract.
- D. The sufficiency of the financial resources, equipment available and ability of the bidder to perform the contract.

13. Quantities:

The city reserves the right to increase or decrease the quantities of items on this bid as required. Any exception to this provision must be noted by the vendor in its bid or proposal.

14. Wages and Salaries:

Attention of bidders is particularly called to the requirements concerning the payment of not less than the prevailing wage and salary rates specified in the contract documents and the conditions of employment with respect to certain categories and classifications of employees for all "Public Works" type projects estimated to exceed \$2,000.

B. The rates of pay set forth under General Conditions are the minimums to be paid during the life of the contract. It is therefore the responsibility of bidders to inform themselves as to local labor conditions, such as the length of work day and work week, overtime compensations, health and welfare contributions, labor supply, and prospective changes or adjustments of rates.

15. Validity of Bids:

All bids shall be valid for 60 days from the date of bid opening, unless an other period is noted in bid documents or if an extension is agreed upon, in writing prior to the end of the 60 day period.

16. Facsimile Bids:

Facsimile bids are acceptable if: bids are received at the designated facsimile number prior to the scheduled bid opening and an original copy of the bid, identical to the "faxed" bid, is received within 48 hours of the bid opening. Facsimile bid deposits are not acceptable. The city shall endeavor to keep bids confidential, but will accept no responsibility for the confidentiality of facsimile bids. All bids or proposals returned by facsimile are understood to incorporate these general specifications.

17. Insurance:

All vendors doing work on city property, except vendors making routine deliveries, shall submit an insurance certificate indicating insurance coverage as per current city requirements.

18. Website:

ci.duluth.mn.us/city/service/purchasing/index.htm