

Trail Repair and Improvements

Chester, Congdon, & Hartley Parks

Duluth, MN

April 12, 2016

Bid #: 16-07AA

Bid Opening Date: April 28, 2016 @ 2:00 PM CST



City of Duluth

Parks & Recreation Division
411 West First Street
Ground Floor City Hall
Duluth, Minnesota 55802
(218)730-4300

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CITY OF DULUTH INVITATION TO BID

TRAIL REPAIR AND IMPROVEMENTS – CHESTER, CONGDON, & HARTLEY PARKS

BID NUMBER: 16-07AA

BID OPENING: APRIL 28, 2016 AT 2:00 PM

PROJECT DESCRIPTION: The City is seeking a contractor to provide an experienced trail crew to repair flood-damaged hiking trails and bridges in Congdon, Chester, and Hartley Parks located in Duluth, MN. This project, specifically the Congdon and Chester Park Trail Repairs, are funded in whole or in part by a Federal Emergency Management Agency (FEMA) grant.

The Congdon Park trail repairs and the Chester Park trail repair project #3 must be completed by July 1, 2016. The remaining Chester Park projects and the Hartley Park projects must be completed by the end of the 2016 construction season.

PRE-BID/WALK-THROUGH: A pre-bid meeting will be conducted on Tuesday, April 19th, 2016 at 2pm in Duluth City Hall in room 106A, followed by a site visit. All interested bidders are strongly encouraged to attend.

QUESTIONS: Please submit any questions regarding this project via e-mail to purchasing@duluthmn.gov. Responses will be provided to all interested bidders as an addendum to this solicitation.

The selected contractor will be issued a construction contract (draft attached). Notice to Proceed will be issued once the agreement is fully executed.

Proposal forms, contract documents, plans and specifications are on file at the following offices: Duluth Builder's Exchange, Minnesota Builder's Exchange, BXWI-Fox Valley Plan Room, Blue Book Building and Construction Network, and Meda Construction Connection.

INSTRUCTIONS TO BIDDERS

All bids must be complete, signed, and transmitted in a sealed envelope plainly marked with the bid number, subject matter, and opening date.

Bids may be mailed to the Purchasing Office, City Hall, 411 West 1st Street, Room 100, Duluth, MN 55802 or dropped off in person at the same address. Bids must be received in Purchasing before 2:00 PM local time on the bid opening date specified on the Invitation for Bids. The City Purchasing Agent or her designee will conduct a public bid opening in Room 100 immediately following receipt of the bids. Bid results will be posted online at <http://www.duluthmn.gov/purchasing/bids-request-for-proposals/> once all bids have been reviewed.

The City of Duluth reserves the right to split the award where there is a substantial savings to the City, to waive informalities and to reject any and all bids. All bids must be regular in every respect; no addition or removal of language, or special conditions shall be made or included in the bid form by the bidder.

Do not include sales tax in the unit price. Price may not be the only consideration for bid award. Bids must be firm for a minimum of 60 days.

No alternatives to the specification will be considered unless specifically requested. Erasures or other changes to the bid must be initialed and dated.

The following documents must be submitted with your bid:

1. **Bid Bond** - A certified check or bank draft, payable to the order of 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 per cent (5%) of the total bid. Bids may be withdrawn without forfeiture of surety if the request is submitted by the Bidder and received at the Purchasing Office in writing or by telephone prior to the scheduled bid opening.
2. **Acknowledgment of Addendum** (if applicable) – any changes to this solicitation will be announced via Addendum. Bidders must indicate that they have reviewed any addendum(s) by initialing and dating on the bid form where indicated. Failure to acknowledge addendum(s) may result in your bid being deemed non-responsive.
3. **Responsible Contractor** - No construction contract in excess of \$50,000 will be awarded unless the Bidder is a “responsible contractor” as defined in Minnesota Statute §16C.285, subdivision 3. All Bidders submitting a proposal for this project must verify that they meet the minimum criteria specified in the statute by submitting a Responsible Contractor Verification and Certification of Compliance form (attached). The owner or officer of the company must sign the form under oath verifying compliance with each of the minimum criteria. Making a false statement under oath will render the Bidder or subcontractor that makes the false statement ineligible to be awarded a construction project and may result in termination of a contract awarded to a Bidder or subcontractor that submits a false statement. Bidders must obtain verification of compliance from all subcontractors. Bidders must submit signed copies of verifications and certifications of compliance from subcontractors at the City’s request.

Please note that the following requirements also apply to this project, and any additional required documents must be submitted prior to award/contract execution. Submitting these documents with your bid will assist in expediting the process.

1. **Insurance** – Contractor must provide proof of Public Liability and Automobile Liability Insurance with limits not less than \$1,500,000 Single Limit prior to the commencement of work. The City of Duluth must be named as an additional insured. Please refer to the draft Contract, Section 7.
2. **Affidavit of Non-Collusion** – The successful bidder shall be required to execute the attached affidavit stating that he/she has not entered into a collusive agreement with any other person, firm, or corporation in regard to any bid submitted.
3. **Performance & Payment Bonds** – The awarded contractor will be required to submit performance and payments bonds in the full amount of the project cost prior to award.

4. **Affirmative Action/EEO** - 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 action goals. Contractors are encouraged to subcontract with Disadvantaged Business Enterprises (DBEs) when possible. A current list of certified DBEs is available on the Minnesota Unified Certification website at <http://mnucp.metc.state.mn.us> . Contractor will comply with all applicable Equal Employment Opportunity laws and regulations. Awarded contractor will submit the attached Equal Employment Opportunity (EEO) Affirmative Action Policy Statement & Compliance Certificate.
5. **Project Labor Agreement (PLA)** - A PLA will be required for any bid that is over or could virtually go over \$150,000. A copy of the City standard PLA is included in this package.
6. **Out of State Contractor** - Unless a State of Minnesota 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 of the signed exemption form when submitting Payment and Performance Bonds. This form may be found at the following web address: http://www.revenue.state.mn.us/Forms_and_Instructions/sde.pdf
7. **Prevailing Wage** - Not less than the minimum salaries and prevailing wages as set forth in the contract documents must be paid on this project.

The City of Duluth is an Equal Opportunity Employer. Contractor shall comply with all applicable Equal Employment Opportunity laws and regulations.

CITY OF DULUTH

A handwritten signature in black ink, appearing to read 'Amanda Ashbach', written in a cursive style.

Amanda Ashbach
Purchasing Agent

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

CONTRACTOR INFORMATION AND QUALIFICATIONS

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 Trail Builders Association
please provide a separate document that describes why and details
equivalent experience and expertise. Contractor should be experienced
in constructing sustainable, Multi-Use trails.

- 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. Low bid will not be the only consideration for award.

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

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

1) NAME:_____

PHONE NUMBER_____

E-MAIL:_____

2) NAME:_____

PHONE NUMBER_____

E-MAIL:_____

3) NAME:_____

PHONE NUMBER_____

E-MAIL:_____

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

- Provide a detailed list of proposed project team members, including subcontractors, and their skill sets and relevant experience. Include separate sheet if necessary.
- Provide a list of the equipment and tools intended to be used in completing the scope of work. Include separate sheet if necessary.
- Provide a recommended schedule/timetable and workflow description that allows for work completion per the specified schedule. Include separate sheet if necessary. (Note all work shall be completed and invoices submitted to the City of Duluth by July 3rd, 2016.)

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

BID WORKSHEET A

Congdon Park Trail FEMA Improvements

PROJECT SITE WORK DESCRIPTIONS

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

SUBGRANTEE SITE 303A

Project 1 – FEMA Site 303A site 1

Regrade area to replace trail and steps as needed to connect to the existing stone steps. Trail type “D”. Add culvert, fill / regrade existing, armor with guide boulders, add stone steps to connect to existing stone steps, place fill, 4” class V limestone trail surface, topsoil, seed and place erosion control mat on exposed earth.

Project 2 – FEMA Site 303A 2

Add fill and class V limestone trail surface to repair trail scour and wash-outs. Re-set 5 timber water bars. Bench in trail type “E”, topsoil, seed and place erosion control mat on exposed earth.

Project 3 – FEMA Site 303A 3

Add fill and class V limestone trail surface to repair trail scour and wash-outs. Bench in trail type “E”, topsoil, seed and place erosion control mat on exposed earth.

Project 4 – FEMA Site 303A 4

Add fill and class V limestone trail surface to repair trail scour and wash-outs.. Bench in trail type “E”, topsoil, seed and place erosion control mat on exposed earth. Install 18” culvert with flared end in line with culvert beneath ‘Carriage Path’. Install fabric and rip-rap at both ends of pipe.

SUBGRANTEE SITE 303B

Project 5 – FEMA Site 303B 1 – PEDESTRIAN BRIDGE 1 –

- **BRIDGE SOUTH END** - Support abutment, cut helical support, jack concrete abutment to level, weld new steel insert, pack compacted gravel (±5.3 cy) under abutment and place geotextile and armoring along abutment with large boulders. Repair any trail approach grades necessary to assure distance from grade to first tread equals the height of the bridge’s wooden stair risers.

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

- **BRIDGE NORTH END** - Place gravel (± 1.2 cy) beneath abutment, compact under abutment and place geotextile and armoring along abutment with large boulders. Repair any trail approach grades necessary to assure distance from grade to first tread equals the height of the bridge's wooden stair risers.

Project 6 – FEMA Site 303B 2 – PEDESTRIAN BRIDGE 2

- **BRIDGE SOUTH END** - Place gravel (± 0.1 cy) beneath abutment, compact under abutment and place geotextile and armoring along abutment with large boulders. Repair any trail approach grades necessary to assure distance from grade to first tread equals the height of the bridge's wooden stair risers.
- **BRIDGE NORTH END** - Place gravel (± 0.3 cy) beneath abutment, compact under abutment and place geotextile and armoring along abutment with large boulders. Repair any trail approach grades necessary to assure distance from grade to first tread equals the height of the bridge's wooden stair risers.

Project 7 – FEMA Site 303B 3 – PEDESTRIAN BRIDGE 3 –

- **BRIDGE NORTH END** - Place gravel (± 0.2 cy) beneath abutment, compact under abutment and place geotextile and armoring along abutment with large boulders. Repair any trail approach grades necessary to assure distance from grade to first tread equals the height of the bridge's wooden stair risers.
- **RAILING** – Replace 2" dia steel tube code compliant railing (20 lf). Grind all welds smooth to touch and paint exposed metals with marine grade paint to match.

SUBGRANTEE SITE 303E

Project 8 – FEMA Site 303E 1

Bench in new trail surface at hillside erosion area. Compact. Place 4" compacted limestone trail surface. Place topsoil, seed and erosion control blanket. Excavated soils shall be used on site.

Project 9 – FEMA Site 303E 2

Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs. Place topsoil, seed and erosion control mat on exposed earth.

Project 10 – FEMA Site 303E 3

Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs. Place topsoil, seed and place erosion control mat on exposed earth.

Project 11 – FEMA Site 303E 4

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
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Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs.
Place topsoil, seed and place erosion control mat on exposed earth.

Project 12 – FEMA Site 303E 5

Remove and re-set 10' long x 24" dia, CMP culvert. Remove and reset 8" PVC culvert.
Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs.
Place topsoil, seed and place erosion control mat on exposed earth.

Project 13 – FEMA Site 303E 6

Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs.
Place topsoil, seed and place erosion control mat on exposed earth.

Project 14 – FEMA Site 303E 7

Add fill as needed and class V limestone trail surface to repair trail scour and wash-outs.
Place topsoil, seed and place erosion control mat on exposed earth.

*Each project quantities shall be tracked separately and shall be provided to the owner upon completion of each project.

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: _____ *Date:* _____

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

BID WORKSHEET A

CONGDON PARK TRAIL FEMA REPAIRS

Proposer's initials _____

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.
- Within each Bid Tab for each project, include additional work, unit measure, estimated quantity, unit price and total for items not shown in Bid Tab
- Insert total for each project on summary sheet. (even if estimated quantities are zero)
- Provide cost for one roundtrip mobilization on summary sheet

Bid tabulation sheets quantities take precedence over quantity discrepancies in the specifications or plans

Project Number 1 – FEMA# 303A-1				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	22		
CULVERT - 12" DIA	EACH	1		
GEOTEXTILE FABRIC	SQ YD	0		
LARGE ROCK / ROCK ARMORING	CU YD	11		
TOPSOIL	CU YD	0		
TEMPORARY. SEED	SQ YD	0		
PERMANENT SEED	SQ YD	0		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	0		
PROJECT NUMBER 1 TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 2 – FEMA# 303A-2				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
GRAVEL	CU YD	58		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	9.7		
TOPSOIL	CU YD	4.8		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	58		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	58		
6X6 TIMBER WATER BARS	EACH	5		
PROJECT TOTAL				

Project Number 3 – FEMA# 303A-3				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
GRAVEL	CU YD	40		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	6.6		
TOPSOIL	CU YD	3.3		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	40		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	40		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 4 – FEMA# 303A-4				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
		1		
GRAVEL	CU YD	?		
CULVERT – 18"	EACH	1		
GEOTEXTILE FABRIC	SQ YD	6		
LARGE ROCK / ROCK ARMORING	CU YD	1		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	8		
TOPSOIL	CU YD	1		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	3		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	3		
PROJECT TOTAL				

Project Number 5 – FEMA# 303B-1				
Specification Types:	Pedestrian Bridge #1 Repair			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
METAL PIER EXTENSION	EACH	1		
STRAIGHTNING OF BRIDGE ABUTMENT	EACH	1		
GRAVEL	CU YD	6.5		
GEOTEXTILE FABRIC	SQ YD	8.8		
LARGE ROCK / ROCK ARMORING	CU YD	4		
TRAIL APPROACH FILL AND GRADING – NORTH END	LF	0.5		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE – NORTH END	CY	0.25		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 6 – FEMA# 303B-2				
Specification Types:	Pedestrian Bridge #2 Repair			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
GRAVEL CLASS 5	CU YD	0.4		
GEOTEXTILE FABRIC	SQ YD	8.8		
LARGE ROCK / ROCK ARMORING	CU YD	4		
TRAIL APPROACH FILL AND GRADING	LF	0.25		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	0.25		
PROJECT TOTAL				

Project Number 7 – FEMA# 303B-3				
Specification Types:	Pedestrian Bridge #3 Repair			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
RAILING REPAIR / REPLACEMENT	LF	20		
GRAVEL	CU YD	0.3		
GEOTEXTILE FABRIC	SQ YD	8.8		
LARGE ROCK / ROCK ARMORING	CU YD	2		
TRAIL APPROACH FILL AND GRADING (NORTH END)	LF	1		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 8 – FEMA# 303E-1				
Specification Types:		Trail Repair Due to Landslide - +/- 50 LF OF TRAIL		
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTALS
TRAIL BENCHING	CU YD	14.8		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	1.8		
TOPSOIL	CU YD	1.2		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	17		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	7		
EROSION CONTROL BLANKET MNDOT CATEGORY 4	SQ YD	10		
PROJECT TOTAL				

Project Number 9 – FEMA# 303E-2				
Specification Types:		Trail Scour & Washout		
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	0		
TRAIL APPROACH FILL AND GRADING	LF	0		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	1.8		
TOPSOIL	CU YD	0.15		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	2		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	2		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 10 – FEMA# 303E-3				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	0		
EROSION CONTROL FABRIC	SQ YD	0		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	5.2		
TOPSOIL	CU YD	5		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	0		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	0		
PROJECT TOTAL				

Project Number 11 – FEMA# 303E-4				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	0		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	1.2		
TOPSOIL	CU YD	0		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	1		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	1		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 12 – FEMA# 303E-5				
Specification Types:	Trail Scour, Washout and Culvert Repair			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	27		
24" CULVERT RESETTING	EACH	1		
10" CULVERT RESETTING	EACH	1		
GEOTEXTILE FABRIC	SQ YD	4		
RIP-RAP	CU YD	1		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	2.8		
TOPSOIL	CU YD	37.5		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	16.6		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	16.6		
PROJECT TOTAL				

Project Number 13 – FEMA# 303E-6				
Specification Types:	Trail Scour & Washout			
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	75		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	9		
TOPSOIL	CU YD	4.6		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	5.5		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	5.5		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

Project Number 14 – FEMA# 303E-7				
Specification Types:		Trail Scour & Washout		
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
GRAVEL	CU YD	0.3		
CULVERT	EACH	1		
GEOTEXTILE FABRIC	SQ YD	3		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CU YD	6.5		
TOPSOIL	CU YD	5		
TEMPORARY SEED	SQ YD	0		
PERMANENT SEED	SQ YD	20		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	20		
PROJECT TOTAL				

BID FORM

City of Duluth Congdon Park Trail FEMA Repairs
April 7, 2016

SUMMARY SHEET A - CONGDON PARK TRAIL FEMA REPAIRS

Project	SubTotal
<i>MOBILIZATION</i>	
<i>Project Number 1 – FEMA# 303A-1</i>	
<i>Project Number 2 – FEMA# 303A-2</i>	
<i>Project Number 3 – FEMA# 303A-3</i>	
<i>Project Number 4 – FEMA# 303A-4</i>	
<i>Project Number 5 – FEMA# 303B-1</i>	
<i>Project Number 6 – FEMA# 303B-2</i>	
<i>Project Number 7 – FEMA# 303B-3</i>	
<i>Project Number 8 – FEMA# 303E-1</i>	
<i>Project Number 9 – FEMA# 303E-2</i>	
<i>Project Number 10 – FEMA# 303E-3</i>	
<i>Project Number 11 – FEMA# 303E-4</i>	
<i>Project Number 12 – FEMA# 303E-5</i>	
<i>Project Number 13 – FEMA# 303E-6</i>	
<i>Project Number 14 – FEMA# 303E-7</i>	
TOTAL PROJECT COST	

*Contractor is responsible for restoration of all damaged surfaces, vegetation, etc., caused by their work. All restoration work must be completed prior to project close-out.

BID WORKSHEET B**Chester Park Trail FEMA Repairs****PROJECT SITE WORK DESCRIPTIONS**

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

Project 1 – Site 305-1 –

Hand grade, topsoil, seed and place erosion control mat on exposed earth (±400 SF)

Project 2 – Site 305-2 –

Washed out Nordic ski trail (±1,000 LF) The washed out Nordic trail is proposed to be 12' wide. Where trail has been washed out widen trail to the proposed width. See detail.

(Fema est 77.1 cy fill and 1.2 cy topsoil) – remove any asphalt found prior to placement.

Approx. 70 lf. (375 LF needed to be 12; wide)

Project 3 – Site 305-3 –

The washed out Nordic trail is proposed to be 12' wide. Where trail has been washed out widen trail to the proposed width. See detail. (Fema est 37.3 cy fill and 2.1 cy topsoil)

Approx. 21 lf. (275 LF needed to be 12; wide)

Project 4 – Site 305-4 –

Hand grade, topsoil, seed areas where existing seed (by others) has not taken (±60 SF)

Project 5 – Site 305-5 –

Hand grade, topsoil, seed and place erosion control mat exposed earth (±320 SF)

Project 6 – Site 305-7 –

Relocate rock add trail type “A” topsoil, seed and place erosion control mat exposed earth.

Project 7 – Site 305-8 –

Regrade area to replace trail and steps as needed to connect to the existing steps.

Bench in trail type “B” add stone steps, topsoil, seed and place erosion control mat exposed earth.

Project 8 – Site 305-9 –

Add 36” in length to existing 18” culvert, use rock to armor / protect inlet and outlet.

Construct trail type “A” over inlet. Topsoil, seed and place erosion control mat on exposed earth.

Project 9 – Site 305-13 –

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Construct trail type "A" in place of existing trail. Topsoil, seed and place erosion control mat on exposed earth.

Project 10 – Site 305-14 –

Construct trail type "A" in place of existing trail. Topsoil, seed and place erosion control mat on exposed earth.

Project 11 – Site 305-15 –

Remove rounded rock add trail type "A" topsoil, seed and place erosion control mat exposed earth.

Project 12 – Site 305-18 –

Place large rock to lessen drop

Project 13 – Site 305-21 –

Regrade and bury ends of existing culvert, construct trail type "A" in place of existing trail. Topsoil, seed and place erosion control mat on exposed earth.

Bid Total:

Team: Equipment/Tools:

Workflow Description:

Start Date:

End Date:

*Each project quantities shall be tracked separately and shall be provided to the owner upon completion of each project.

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:

Date:

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

BID WORKSHEET B

CHESTER PARK TRAIL FEMA IMPROVEMENTS

Proposer's initials _____

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. (even if estimated quantities are zero)
-

Bid tabulation sheets quantities take precedence over quantity discrepancies in the specifications or plans.

Project Name: 1 Restoration of washout

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
MOBILIZATION	EACH	1		
PERMANENT SEED	SQ YD	15		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	20		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	15		
PROJECT TOTAL				

Project Name: 2

Re-construct to 12' wide - Multi-Use Trail

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE "E"	LIN FT	375		
LARGE ROCK PLACEMENT	CU YD	77.1		
TOPSOIL	CU YD	3		
GEOTEXTILE FABRIC	SQ YD	300		
PERMANENT SEED	SQ YD	100		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	375		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	100		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Project Name: 3

Re-construct to 12' wide - Multi-Use Trail

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE "E"	LIN FT	275		
ROCK LARGE	CU YD	37.1		
TOPSOIL	CU YD	2.1		
GEOTEXTILE FABRIC	SQ YD	250		
PERMANENT SEED	SQ YD	80		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	275		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	80		
PROJECT TOTAL				

Project Name: 4

Restoration of ski trail

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
PERMANENT SEED	SQ YD	6.6		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	5		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	6.6		
PROJECT TOTAL				

Project Name: 5

Restoration of eroded bank

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TOPSOIL	CU YD	20		
PERMANENT SEED	SQ YD	60		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	25		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	60		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Project Name: 6

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE "A"	LIN FT	10		
PERMANENT SEED	SQ YD	5		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	5		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	5		
PROJECT TOTAL				

Project Name: 7

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'C'	LIN FT	85		
STONE STEPS -- 30" WIDE x 7" HIGH x +/-14" TREAD DEPTH (VIF)	EA	26		
ROCK ARMORING	SQ YD	23		
BENCH CONSTRUCTION	LF	85		
ROCK CRIB WALL	SQ FF	255		
PERMANENT SEED	SQ YD	50		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	85		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	50		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Project Name: 8

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	16		
EXTEND EXISTING 18" DIA CULVERT	LF	3		
ROCK ARMORING	SQ YD	0		
PERMANENT SEED	SQ YD	10		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	15		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	10		
PROJECT TOTAL				

Project Name: 9

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	41		
ROCK ARMORING	SQ YD	0		
BENCH CONSTRUCTION	LF	0		
8" DIA. DRAIN TILE	LF	40		
PERMANENT SEED	SQ YD	30		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	60		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	30		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Project Name: 10

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	125		
ROCK ARMORING	SQ YD	0		
BENCH CONSTRUCTION	LF	0		
8" DIA. DRAIN TILE	LF	20		
PERMANENT SEED	SQ YD	90		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	180		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	90		
PROJECT TOTAL				

Project Name: 11

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	45		
REMOVE ROUNDED ROCK	CU YD	1.25		
ROCK ARMORING	SQ YD	0		
BENCH CONSTRUCTION	LF	0		
8" DIA. DRAIN TILE	LF	10		
PERMANENT SEED	SQ YD	10		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	40		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	10		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

Project Name: 12

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	0		
LARGE ROCK PLACEMENT	CU YD	3		
PERMANENT SEED	SQ YD	10		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	40		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	10		
PROJECT TOTAL				

Project Name: 13

WORK	Unit measure	Estimated Quantity	UNIT PRICE	TOTALS
TRAIL CONSTRUCTION TYPE 'A'	LIN FT	15		
BURY ENDS OF PIPE	CU YD	1.25		
ROCK ARMORING AT INLET AND OUTLET	SQ YD	0		
BENCH CONSTRUCTION	LF	0		
8" DIA. DRAIN TILE	LF	0		
PERMANENT SEED	SQ YD	10		
TEMPORARY SEED	SQ YD	0		
EROSION CONTROL COIR ROLLS (BIO LOGS)	LIN FT	20		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SQ YD	10		
PROJECT TOTAL				

BID FORM

City of Duluth Chester Park Trail FEMA Repairs
4/7/16

SUMMARY SHEET B - CHESTER PARK TRAIL FEMA REPAIRS

Project	SubTotal
<i>MOBILIZATION</i>	
<i>Project Number 1</i>	
<i>Project Number 2</i>	
<i>Project Number 3</i>	
<i>Project Number 4</i>	
<i>Project Number 5</i>	
<i>Project Number 6</i>	
<i>Project Number 7</i>	
<i>Project Number 8</i>	
<i>Project Number 9</i>	
<i>Project Number 10</i>	
<i>Project Number 11</i>	
<i>Project Number 12</i>	
<i>Project Number 13</i>	
TOTAL PROJECT COST	

*Contractor is responsible for restoration of all damaged surfaces, vegetation, etc., caused by their work. All restoration work must be completed prior to project close-out.

BID FORM

City of Duluth Hartley Park Trail Improvements

April 7th, 2016

BID WORKSHEET C

Hartley Park Trail Improvements

PROJECT SITE WORK DESCRIPTIONS

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

Project 1 – Bid Alternate #1 – Gazebo Point Trail

Construction of a natural-surface hiking trail. Construction includes clearing and brushing for new trail alignment, benching in trail including any necessary rock reinforcing, support, surfacing, etc., stabilization of disturbed surfaces.

Project 2 – Accessible Walk from Hartley Nature Center to Dam

Construction of helical pier-supported wooden wetland boardwalk overlook. Contractor must submit shop drawings for approval prior to fabrication. Reference Plan Set for complete description of work.

*Each project quantities shall be tracked separately and shall be provided to the owner upon completion of each project.

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 plans and specifications.

Sign: _____

Date: _____

BID FORM

City of Duluth Hartley Park Trail Improvements

April 7th, 2016

BID WORKSHEET C

HARTLEY PARK TRAIL IMPROVEMENTS

Proposer's initials _____

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.
- Within each Bid Tab for each project, include additional work, unit measure, estimated quantity, unit price and total for items not shown in Bid Tab
- Insert total for each project on summary sheet. (even if estimated quantities are zero)
- Provide cost for one roundtrip mobilization

Bid tabulation sheets quantities take precedence over quantity discrepancies in the specifications or plans.

PROJECT 1 – GAZEBO POINT TRAIL CONSTRUCTION – BID ALT #1				
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
MOBILIZATION	EACH	1		
PERMITS	LUMP SUM	1		
SILT FENCE	LF	0		
BIO-ROLL	LF	150		
TRAIL BENCHING / GRADING	SQ YD	361		
HDPE CULVERT – 12" x +/-25')	EACH	0		
GEOTEXTILE FABRIC BENEATH TRAIL SURFACE	SY	0		
ROCK RIP-RAP	CY	0		
CLASS 5 FILL	CY	0		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CY	0		
TOPSOIL	CY	0		
TEMPORARY. SEED	SY			
PERMANENT SEED	SY	144		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SY	144		
REMOVAL OF ALL EROSION CONTROL MEASURES AFTER PROJECT ACCEPTANCE.	LUMP SUM	1		
TOTAL PROJECT 1 COST				

BID FORM

City of Duluth Hartley Park Trail Improvements

April 7th, 2016

PROJECT 2 – ACCESSIBLE TRAIL FROM NATURE CENTER TO DAM				
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
SITE PREP, VEGETATION REMOVAL, GRADING	ALLOWANCE	1		
LIMESTONE TRAIL SURFACE - 5' WIDE	CY	89		
SEED	SY	649		
EROSION CONTROL BLANKET	SY	649		
OBLITERATION OF EXISTING TRAIL	SY	141		
<u>TOTAL PROJECT 2 COST</u>				

NOTE: Quantities are estimates provided for bidding purposes only. Contractor to provide unit costs for each item. Field-verify quantities prior to bidding.

SUMMARY SHEET C - HARTLEY PARK TRAIL IMPROVEMENTS

Project	SubTotal
<i>Project Number 1</i>	
<i>Project Number 2</i>	
<i>PROJECT TOTAL</i>	

*Contractor is responsible for restoration of all damaged surfaces, vegetation, etc., caused by their work. All restoration work must be completed prior to project close-out.

BID WORKSHEET D

Hartley Road Trail Improvements

PROJECT SITE WORK DESCRIPTIONS

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

Project 1 – Trail sections “A” through “G”

Widen and resurface existing trail surface to 10'-0", typical. Install 12" diameter culverts as indicated on the plan and as needed.

Base Bid - Construct 10' wide wooden boardwalks on stacked timber supports as shown. Contractor must submit shop drawings for approval prior to fabrication.

Bid alternate #1 - Installation of Wickcraft Company INC., boardwalks in lieu of wooden boardwalks on stacked timbers.

Reference Plan Set for description of each trail section.

Project 2 – Wetland Boardwalk. Trail section “H”

Base Bid - Construction of wooden boardwalk on stacked timber supports.

Contractor must submit shop drawings for approval prior to fabrication. Reference Plan Set for complete description of work.

Bid Alternate #2 - Installation of Wickcraft Company INC., boardwalks in lieu of wooden boardwalks on stacked timbers.

Bid Alternate #3 - Installation of helical pier-supported wooden wetland boardwalk.

*Each project quantities shall be tracked separately and shall be provided to the owner upon completion of each project.

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 plans and specifications.

Sign: _____

Date: _____

BID FORM

City of Duluth Hartley Road Trail Improvements

BID WORKSHEET D

HARTLEY ROAD TRAIL IMPROVEMENTS

Proposer's initials _____

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.
- Within each Bid Tab for each project, include additional work, unit measure, estimated quantity, unit price and total for items not shown in Bid Tab
- Insert total for each project on summary sheet. (even if estimated quantities are zero)
- Provide cost for one roundtrip mobilization

Bid tabulation sheets quantities take precedence over quantity discrepancies in the specifications or plans.

PROJECT 1 -- HARTLEY ROAD TRAIL IMPROVEMENTS				
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
MOBILIZATION	EACH	1		
PERMITS	LUMP SUM	1		
SILT FENCE	LF	70		
BIO-ROLL	LF	150		
GRADING	SQ YD	5866		
HDPE CULVERT – 12" x +/-25')	EACH	14		
GEOTEXTILE FABRIC BENEATH TRAIL SURFACE	SY	1,610		
ROCK RIP-RAP	CY	30		
CLASS 5 FILL	CY	60		
CLASS 5 LIMESTONE GRAVEL TRAIL SURFACE	CY	650		
TOPSOIL	CY	122		
TEMPORARY. SEED	SY			
PERMANENT SEED	SY	1173		
EROSION CONTROL BLANKET MNDOT CATEGORY 3	SY	1173		
BOARDWALKS (3) ON STACKED TIMBERS– BASE BID	SF	1220		
REMOVAL OF ALL EROSION CONTROL MEASURES AFTER PROJECT ACCEPTANCE.	LUMP SUM	1		
TOTAL PROJECT 1 COST				

ALTERNATE #1 – WICKCRAFT COMPANY, INC., BOARDWALKS IN LIEU OF STACKED TIMBER SUPPORTED WOODEN BOARDWALKS ALONG HARTLEY ROAD TRAIL.	SF	1220		

BID FORM

City of Duluth Hartley Road Trail Improvements

PROJECT 2 -- HARTLEY ROAD TRAIL WETLAND BOARDWALK				
WORK	UNIT MEASURE	ESTIMATED QUANTITY	UNIT PRICE	TOTAL
PERMITS	LUMP SUM	1		
BOARDWALK – STACKED TIMBER SUPPORTS - BASE BID	SF	2480		
TOTAL PROJECT 2 COST				

ALTERNATE #2 – WICKCRAFT COMPANY, INC., BOARDWALK IN LIEU OF STACKED TIMBER SUPPORTED WOODEN BOARDWALK.	SF	2480		
ALTERNATE #3 – WOODEN BOARDWALK ON HELICAL PIER-SUPPORTS IN LIEU OF STACKED TIMBER SUPPORTED WOODEN BOARDWALK.	SF	2480		

NOTE: Quantities are estimates provided for bidding purposes only. Contractor to provide unit costs for each item. Field-verify quantities prior to bidding.

SUMMARY SHEET D - HARTLEY ROAD TRAIL IMPROVEMENTS

Project	SubTotal
Project Number 1	
Project Number 2	
PROJECT TOTAL	
Alternate #1	
Alternate #2	
Alternate #3	

*Contractor is responsible for restoration of all damaged surfaces, vegetation, etc., caused by their work. All restoration work must be completed prior to project close-out.

AFFIDAVIT AND INFORMATION REQUIRED OF BIDDERS

Affidavit of Non-Collusion:

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

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);

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;

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;

That a family relationship between a City of Duluth employee and bidder/proposer are in non-collusion; and

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)

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

TO: City of Duluth, MN PROJECT NUMBER & DESCRIPTION _____

FROM: _____

(Vendor'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.

**ATTACHMENT A
PRIME CONTRACTOR RESPONSE**

RESPONSIBLE CONTRACTOR VERIFICATION AND CERTIFICATION OF COMPLIANCE

STATE PROJECT NUMBER: _____

This form includes changes by statutory references from the Laws of Minnesota 2015, chapter 64, sections 1-9. This form must be submitted with the response to this solicitation. A response received without this form, will be rejected.

<p>Minn. Stat. § 16C.285, Subd. 7. IMPLEMENTATION. ... any prime contractor or subcontractor or motor carrier that does not meet the minimum criteria in subdivision 3 or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the project or to perform work on the project...</p>	
<p>Minn. Stat. § 16C.285, Subd. 3. RESPONSIBLE CONTRACTOR, MINIMUM CRITERIA. "Responsible contractor" means a contractor that conforms to the responsibility requirements in the solicitation document for its portion of the work on the project and verifies that it meets the following minimum criteria:</p>	
(1)	<p>The Contractor:</p> <ul style="list-style-type: none">(i) is in compliance with workers' compensation and unemployment insurance requirements;(ii) is in compliance with Department of Revenue and Department of Employment and Economic Development registration requirements if it has employees;(iii) has a valid federal tax identification number or a valid Social Security number if an individual; and(iv) has filed a certificate of authority to transact business in Minnesota with the Secretary of State if a foreign corporation or cooperative.
(2)	<p>The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 177.24, 177.25, 177.41 to 177.44, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor or related entity:</p> <ul style="list-style-type: none">(i) repeatedly fails to pay statutorily required wages or penalties on one or more separate projects for a total underpayment of \$25,000 or more within the three-year period, provided that a failure to pay is "repeated" only if it involves two or more separate and distinct occurrences of underpayment during the three-year period;(ii) has been issued an order to comply by the commissioner of Labor and Industry that has become final;(iii) has been issued at least two determination letters within the three-year period by the Department of Transportation finding an underpayment by the contractor or related entity to its own employees;(iv) has been found by the commissioner of Labor and Industry to have repeatedly or willfully violated any of the sections referenced in this clause pursuant to section 177.27;(v) has been issued a ruling or findings of underpayment by the administrator of the Wage and Hour Division of the United States Department of Labor that have become final or have been upheld by an administrative law judge or the Administrative Review Board; or(vi) has been found liable for underpayment of wages or penalties or misrepresenting a construction worker as an independent contractor in an action brought in a court having jurisdiction. Provided that, if the contractor or related entity contests a determination of underpayment by the Department of Transportation in a contested case proceeding, a violation does not occur until the contested case proceeding has concluded with a determination that the contractor or related entity underpaid wages or penalties;*

(3)	The contractor or related entity is in compliance with and, during the three-year period before submitting the verification, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor or related entity has been issued a final administrative or licensing order;*
(4)	The contractor or related entity has not, more than twice during the three-year period before submitting the verification, had a certificate of compliance under section 363A.36 revoked or suspended based on the provisions of section 363A.36, with the revocation or suspension becoming final because it was upheld by the Office of Administrative Hearings or was not appealed to the office;*
(5)	The contractor or related entity has not received a final determination assessing a monetary sanction from the Department of Administration or Transportation for failure to meet targeted group business, disadvantaged business enterprise, or veteran-owned business goals, due to a lack of good faith effort, more than once during the three-year period before submitting the verification;*
	* Any violations, suspensions, revocations, or sanctions, as defined in clauses (2) to (5), occurring prior to July 1, 2014, shall not be considered in determining whether a contractor or related entity meets the minimum criteria.
(6)	The contractor or related entity is not currently suspended or debarred by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions that have authority to debar a contractor; and
(7)	All subcontractors and motor carriers that the contractor intends to use to perform project work have verified to the contractor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (6).

Minn. Stat. § 16C.285, Subd. 5. SUBCONTRACTOR VERIFICATION.	
<p>A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. Prior to execution of a construction contract, and as a condition precedent to the execution of a construction contract, the apparent successful prime contractor shall submit to the contracting authority a supplemental verification under oath confirming compliance with subdivision 3, clause (7). Each contractor or subcontractor shall obtain from all subcontractors with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each subcontractor.</p> <p>If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors.</p> <p>A prime contractor shall submit to the contracting authority upon request copies of the signed verifications of compliance from all subcontractors of any tier pursuant to subdivision 3, clause (7). A prime contractor and subcontractors shall not be responsible for the false statements of any subcontractor with which they do not have a direct contractual relationship. A prime contractor and subcontractors shall be responsible for false statements by their first-tier subcontractors with which they have a direct contractual relationship only if they accept the verification of compliance with actual knowledge that it contains a false statement.</p> <p>Subd. 5a. Motor carrier verification. A prime contractor or subcontractor shall obtain annually from all motor carriers with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each motor carrier. A prime contractor or subcontractor shall require each such motor carrier to provide it with immediate written notification in the event that the motor carrier no longer meets one or more of the minimum criteria in subdivision 3 after submitting its annual verification. A motor carrier shall be ineligible to perform work on a project covered by this section if it does not meet all the minimum criteria in subdivision 3. Upon request, a prime contractor or subcontractor shall submit to the contracting authority the signed verifications of compliance from all motor carriers providing for-hire transportation of materials, equipment, or supplies for a project.</p>	

Minn. Stat. § 16C.285, Subd. 4. **VERIFICATION OF COMPLIANCE.**

A contractor responding to a solicitation document of a contracting authority shall submit to the contracting authority a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3, with the exception of clause (7), at the time that it responds to the solicitation document.

A contracting authority may accept a signed statement under oath as sufficient to demonstrate that a contractor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on that statement. A prime contractor, subcontractor, or motor carrier that fails to verify compliance with any one of the required minimum criteria or makes a false statement under oath in a verification of compliance shall be ineligible to be awarded a construction contract on the project for which the verification was submitted.

A false statement under oath verifying compliance with any of the minimum criteria may result in termination of a construction contract that has already been awarded to a prime contractor or subcontractor or motor carrier that submits a false statement. A contracting authority shall not be liable for declining to award a contract or terminating a contract based on a reasonable determination that the contractor failed to verify compliance with the minimum criteria or falsely stated that it meets the minimum criteria. A verification of compliance need not be notarized. An electronic verification of compliance made and submitted as part of an electronic bid shall be an acceptable verification of compliance under this section provided that it contains an electronic signature as defined in section 325L.02, paragraph (h).

CERTIFICATION

By signing this document I certify that I am an owner or officer of the company, and I swear under oath that:

- 1) My company meets each of the Minimum Criteria to be a responsible contractor as defined herein and is in compliance with Minn. Stat. § 16C.285, and**
- 2) if my company is awarded a contract, I will submit Attachment A-1 prior to contract execution, and**
- 3) if my company is awarded a contract, I will also submit Attachment A-2 as required.**

Authorized Signature of Owner or Officer:

Printed Name:

Title:

Date:

Company Name:

NOTE: Minn. Stat. § 16C.285, Subd. 2, (c) If only one prime contractor responds to a solicitation document, a contracting authority may award a construction contract to the responding prime contractor even if the minimum criteria in subdivision 3 are not met.

ATTACHMENT A-1

FIRST-TIER SUBCONTRACTORS LIST

SUBMIT PRIOR TO EXECUTION OF A CONSTRUCTION CONTRACT

STATE PROJECT NUMBER: _____

Minn. Stat. § 16C.285, Subd. 5. A prime contractor or subcontractor shall include in its verification of compliance under subdivision 4 a list of all of its first-tier subcontractors that it intends to retain for work on the project. Prior to execution of a construction contract, and as a condition precedent to the execution of a construction contract, the apparent successful prime contractor shall submit to the contracting authority a supplemental verification under oath confirming compliance with subdivision 3, clause (7). Each contractor or subcontractor shall obtain from all subcontractors with which it will have a direct contractual relationship a signed statement under oath by an owner or officer verifying that they meet all of the minimum criteria in subdivision 3 prior to execution of a construction contract with each subcontractor.

FIRST TIER SUBCONTRACTOR NAMES* (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

*Attach additional sheets as needed for submission of all first-tier subcontractors.

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-1	
By signing this document I certify that I am an owner or officer of the company, and I swear under oath that: All first-tier subcontractors listed on attachment A-1 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. § 16C.285.	
Authorized Signature of Owner or Officer:	Printed Name:
Title:	Date:
Company Name:	

ATTACHMENT A-2

ADDITIONAL SUBCONTRACTORS LIST

PRIME CONTRACTOR TO SUBMIT AS SUBCONTRACTORS ARE ADDED TO THE PROJECT

STATE PROJECT NUMBER: _____

This form must be submitted to the Project Manager or individual as identified in the solicitation document.

Minn. Stat. § 16C.285, Subd. 5. ... If a prime contractor or any subcontractor retains additional subcontractors on the project after submitting its verification of compliance, the prime contractor or subcontractor shall obtain verifications of compliance from each additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with subdivision 3, clause (7), within 14 days of retaining the additional subcontractors. ...

ADDITIONAL SUBCONTRACTOR NAMES* (Legal name of company as registered with the Secretary of State)	Name of city where company home office is located

*Attach additional sheets as needed for submission of all additional subcontractors.

SUPPLEMENTAL CERTIFICATION FOR ATTACHMENT A-2	
By signing this document I certify that I am an owner or officer of the company, and I swear under oath that: All additional subcontractors listed on Attachment A-2 have verified through a signed statement under oath by an owner or officer that they meet the minimum criteria to be a responsible contractor as defined in Minn. Stat. § 16C.285.	
Authorized Signature of Owner or Officer:	Printed Name:
Title:	Date:
Company Name:	