

Department of Transportation

Mitchell Region Office

PO Box 1206
Mitchell, SD 57301-7206 605/995-8129
FAX: 605/995-8135

March 22, 2006

Mrs. June Hansen
Civil Rights Officer
Department of Transportation
700 Broadway Avenue East
Pierre, South Dakota 57501

RE: 000I-271 & 000I-272, Minnehaha & Lincoln Counties – PCN I0E2 & I0E3
Mowing of I29, I90 and I229 around Sioux Falls

Dear Mrs. Hansen:

Enclosed is a Contract Proposal and plans for the above referenced project that is being let to contract by the informal bidding procedure in the Mitchell Region on April 5, 2006.

We have sent a proposal to the DBE/WBE Contractors listed below:

Buskerud Construction Inc. Guardrail Enterprises, Inc.

If you know of any other interested Contractors, please advise us.

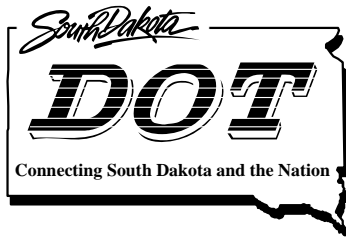
Very truly yours,

DEPARTMENT OF TRANSPORTATION

Thomas L. Week
Region Engineer

Monte D. Rice
Region Design Engineer

cc: Forman - Operations
Smith - Sioux Falls Area



Department of Transportation

Mitchell Region Office

PO Box 1206
Mitchell, SD 57301-7206 605/995-8129
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March 22, 2006

TO: Interested Bidders

RE: 000I-271 & 000I-272, Minnehaha & Lincoln Counties – PCN I0E2 & I0E3
Mowing of I29, I90 and I229 around Sioux Falls

The South Dakota Department of Transportation (SDDOT) desires to solicit bids for mowing along Interstate 29, 90 & 229 looping the City of Sioux Falls. Refer to the enclosed plans for location and details of the work to be done.

A Contract Proposal (DOT 123) form is enclosed for submission of your bid. Be sure to have the form signed and notarized as indicated on the form. FAX bids will not be accepted.

If you submit a bid for these projects, a bid bond, certified check, cashier's check, or bank draft will be required for NOT LESS THAN FIVE (5) PERCENT OF THE TOTAL AMOUNT OF THE BID. Except for the lowest bidder on the project, all guarantees will be returned immediately following the receipt and checking of all bids.

At the time of execution of the contract, the successful bidder shall furnish a performance bond in a sum equal to the full amount of the contract. The performance bond must be written by South Dakota Resident Agents or be counter signed by South Dakota Resident Agents. If a cash performance bond is provided, it will not be returned for one (1) year after the completion of the project.

A Certificate of Insurance will be required from the successful bidder prior to beginning work.

All bid proposals must be returned in the enclosed self-addressed envelope to Thomas L. Week, Region Engineer, Post Office Box 1206, Mitchell, South Dakota 57301-7206 before 1:30 P.M. on Wednesday, April 5, 2006.

Questions regarding the plans and/or proposal should be directed to:
Craig Smith or Larry Carlson at 605-367-5680 or Monte Rice at 605-995-8129.

The SDDOT reserves the right to reject any or all bids.

Please verify that all required information is complete prior to mailing bid documents.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

Thomas L. Week
Region Engineer

Monte D. Rice
Region Design Engineer

cc: Forman - Operations
Hansen - Civil Rights
Smith - Sioux Falls Area

000I-271 & 000I-272, Minnehaha & Lincoln Counties; 000I-291, Union County; 000N-292 & 000P-292, Yankton County

Description of Work: 2006 Mowing

Sent Contract Proposals to the following Contractors

CHAD STEMPER
3912 N. PENNSYLVANIA AVE
SIOUX FALLS, SD 57107

DAKOTA LAND EQUIPMENT
P.O. BOX 10
MADISON, SD 57042

ED'S LANDSCAPING/CONST.
1301 BURLEIGH
YANKTON, SD 57078

GANNON BARE LOT MOWING
47087 274TH ST
HARRISBURG, SD 57032

GARY D. HOFFMAN
90085 PRAIRIE RD
SPENCER, NE 68777

GOV'T CONTRACTORS INC.
2801 ROLLING HILLS DRIVE
NORFOLK, NE 68701

GREG ALLIS
305 W 2ND APT 5
SIOUX FALLS, SD 57104

K & L LANDSCAPE & CONST.
P. O. BOX 1040
SERGEANT BLUFF, IA 51054

KEN TEUNISSEN
4601 S BLUESTEM CIRCLE
SIOUX FALLS, SD 57106

KERMIT EIDE
910 W. 15
YANKTON, SD 57078

MARTY MAHLER
1440 WEST FLURIE ROAD
DAKOTA DUNES, SD 57049

NORTHWEST LANDSCAPING INC.
1913 BLACK FOREST ROAD
HULL, IA 51239

PAT SCHUT
46209 242ND ST
CHESTER, SD 57016-7538

PLAINS BUILDERS EXCHANGE
P.O. BOX 1396
SIOUX FALLS, SD 57101

PRAIRIE FENCING
107 EAST WANDEL ST.
FT. PIERRE, SD 57532

PREHEIM LAWN & LANDSCAPE
48130 SD HIGHWAY 42
BRANDON, SD 57005-7222

RICK BURT
25207 475TH AVE.
BALTIC, SD 57003

SIOUX FALLS BUILDERS EXCHANGE
1418 NORTH C AVENUE
SIOUX FALLS, SD 57104

SMITH & SMITH CONSTRUCTION
27083 KERSLAKE PLACE
TEA, SD 57064

* BUSKERUD CONSTRUCTION INC.
BOX 187
DELL RAPIDS, SD 57022-0187

* GUARDRAIL ENTERPRISES INC
26646 461ST AVE
HARTFORD, SD 57033

* DBE MINORITY CONTRACTORS

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
FOR
FUEL COST ADJUSTMENT
OCTOBER 5, 2005

General

Compensation adjustments for motor fuels and burner fuels consumed in prosecuting the contract shall be determined by the Engineer in accordance with the provisions set forth herein.

Compensation adjustments will be assessed for the cost of the motor fuels and burner fuels whenever the Current Fuel Index (CFI) is outside the range of 85 percent to 115 percent of the Base Fuel Index (BFI). Compensation adjustments for burner fuel will only be made when asphalt concrete bid items are paid for on the estimate.

The Contractor is not required to notify the Department at the time of submitting bids whether he will or will not participate in the fuel cost adjustment program. Prior to execution of the contract, the successful bidder shall submit the Fuel Adjustment Affidavit - Form DOT-208 to the Department.

Determination of whether to participate in the Fuel Adjustment program is the decision of the Prime Contractor. If the Prime Contractor decides not to participate, or if he has a fixed fuel cost for any of the fuel types, no compensation adjustments will be made for the subcontractors by the Department. The Fuel Adjustment Affidavit shall include the anticipated fuel cost of subcontractors, if the Prime Contractor chooses to participate in the fuel cost adjustment program. If compensation adjustments are made, the prime contractor shall ensure that all subcontractors including second and lower tier, are included in the adjustments in proportion to the percentage of work and anticipated fuel cost by that subcontractor.

Each week the Department will record the average wholesale price for No. 2 fuel oil (diesel), regular unleaded gasoline, and propane (LPG), Freight On Board (FOB) South Dakota terminals, as listed in the "Oil Price Information Service" (OPIS) publication.

The BFI price for motor fuels and burner fuel to be used in the contract will be the average of the recorded wholesale fuel prices for the four most recent weekly reporting periods prior to the week of the bid letting.

The CFI price for motor fuels and burner fuel to be used for each progress payment will be the average for the recorded wholesale fuel prices for the four most recent weekly reporting periods available at the time when the progress payment is prepared.

Burner fuel adjustment will use the BFI and CFI as determined for No. 2 fuel oil (diesel), except when the contractor lists the burner fuel as propane (LPG) on Form DOT-208, Fuel Adjustment Affidavit. In that case, the BFI and CFI will be as determined for propane (LPG).

Compensation adjustments will not be assessed for fuel items which the contractor has obtained a fixed fuel cost, or if the contractor elects not to participate in fuel adjustments on Form DOT-208, Fuel Adjustment Affidavit. Fixed fuel costs are defined as a fuel cost that has been set and will remain the same for the entire length of the contract.

Compensation adjustments made in accordance with these provisions may be made on progress payments without a prior approved Construction Change Order.

Fuel Cost Percentage Change

The biweekly change in fuel cost percentage will be determined by Equation 1 as follows:

Equation 1

$$Change_{(x, y, z)} = \left(\frac{CFI_{(x, y, z)} - BFI_{(x, y, z)}}{BFI_{(x, y, z)}} \right)$$

(x) = Motor Fuel (Diesel)
(y) = Motor Fuel (Unleaded)
(z) = Burner Fuel

Change_(x, y, z) = Percent change in the respective fuel price compared to the Base Fuel Index Price set for the contract.

CFI_(x, y, z) = Current Fuel Index Price for the respective fuel type (\$\$).

BFI_(x, y, z) = Base Fuel Index Price for the respective fuel type (\$\$).

Contract Fuel Percentage

For the purpose of determining fuel cost adjustment, a percent of contract will be determined for Motor Fuel (Diesel), and Motor Fuel (Unleaded) based on the original

contract prices. Burner Fuel will be adjusted based on the original contract prices of the plant mix asphalt concrete pavement bid items.

The percent of the contract will remain the same throughout the length of the contract. No changes to this percentage will be allowed for any reason. The sum of the individual fuel costs shall not exceed 15% of the Original Contract Cost. The percent of the contract will be determined by Equation 2 as follows:

Equation 2

$$\% \text{ Contract}_{(x, y, z)} = \left(\frac{\text{Affidavit Cost}_{(x, y, z)}}{\text{Original Contract Cost}_{(x, y, z)}} \right) \times 100$$

(x)	=	Motor Fuel (Diesel)
(y)	=	Motor Fuel (Unleaded)
(z)	=	Burner Fuel
% Contract _(x,y,z)	=	Percent of contract for each respective fuel item.
Affidavit Cost _(x,y,z)	=	Cost from Fuel Adjustment Affidavit (Form DOT-208)
Original Contract Cost _(x,y)	=	Total of the original contract bid cost excluding lane rental, and Part B of the bid (when A+B bidding is used), if applicable (\$\$).
Original Contract Cost _(z)	=	Total original contract cost for all plant mix asphalt concrete pavement bid items combined, excluding bid items for asphalt binder, hydrated lime, sawing and sealing joints, compaction samples, etc. Only bid items measured by the Ton will be included in the calculation.

Compensation Adjustment

The compensation adjustments will be determined for Motor Fuel (diesel), Motor Fuel (Unleaded), and Burner Fuel separately. The calculation will be based on the current Engineer's pay estimate, the percent of the contract for each of the respective fuel items, and the portion of the Current Fuel Index price that falls outside the 85 to 115 percent range of the Base Fuel Index price.

When the "Change_(x, y, z)" from Equation 1 is greater than 15%, Equation 3 will be used to determine the compensation adjustment for each item as follows:

Equation 3

$$FCA_{(x, y, z)} = \frac{\% \text{ Contract}_{(x, y, z)}}{100} \times \text{Estimate Cost}_{(x, y, z)} \times (\text{Change}_{(x, y, z)} - 0.15)$$

(x)	=	Motor Fuel (Diesel)
(y)	=	Motor Fuel (Unleaded)
(z)	=	Burner Fuel
$FCA_{(x, y, z)}$	=	Fuel Cost Adjustment for the respective fuel item for the current Engineer's estimate (\$\$).
$\% \text{ Contract}_{(x, y, z)}$	=	Percent of contract for each respective fuel item (from Equation 2).
$\text{Estimate Cost}_{(x, y)}$	=	Amount to be paid on the biweekly pay estimate excluding all pay adjustments made for incentive, disincentive, price adjustments, pay factor adjustments, liquidated damages, and royalties.
$\text{Estimate Cost}_{(z)}$	=	Amount to be paid on the biweekly pay estimate for all plant mix asphalt concrete pavement bid items combined, excluding bid items for asphalt binder, hydrated lime, sawing and sealing joints, compaction samples, all pay adjustments made for incentive, disincentive, price adjustments, pay factor adjustments, liquidated damages, and royalties. Only asphalt concrete bid items measured by the Ton will be included in the calculation.
$\text{Change}_{(x, y, z)}$	=	Change in the respective fuel price compared to the Base Fuel Index price (from Equation 1).

When the “ $\text{Change}_{(x, y, z)}$ ” from Equation 1 is less than -15%, the Equation 4 will be used to determine the compensation adjustment for each item.

Equation 4

$$FCA_{(x, y, z)} = \frac{\% \text{ Contract}_{(x, y, z)}}{100} \times \text{Estimate Cost}_{(x, y, z)} \times (\text{Change}_{(x, y, z)} + 0.15)$$

(x)	=	Motor Fuel (Diesel)
(y)	=	Motor Fuel (Unleaded)
(z)	=	Burner Fuel

$FCA_{(x,y,z)}$	=	Fuel Cost Adjustment for the respective fuel item for the current Engineer's estimate (\$\$).
% Contract $_{(x,y,z)}$	=	Percent of contract for each respective fuel item (from Equation 2).
Estimate Cost $_{(x,y)}$	=	Amount to be paid on the biweekly pay estimate excluding all pay adjustments made for incentive, disincentive, price adjustments, pay factor adjustments, liquidated damages, and royalties.
Estimate Cost $_{(z)}$	=	Amount to be paid on the biweekly pay estimate for all plant mix asphalt concrete pavement bid items combined, excluding bid items for asphalt binder, hydrated lime, sawing and sealing joints, compaction samples, all pay adjustments made for incentive, disincentive, price adjustments, pay factor adjustments, liquidated damages and royalties. Only asphalt concrete bid items measured by the Ton will be included in the calculation.
Change $_{(x,y,z)}$	=	Change in the respective fuel price compared to the Base Fuel Index price (from Equation1).

Payment

Adjustments will be determined by the Engineer on biweekly progress payments based on when the completed work is paid for, not when the work is completed. Adjustments will be made by utilizing the following lump sum line items: Motor Fuel Cost Adjustment, Diesel; Motor Fuel Cost Adjustment, Unleaded; Burner Fuel Cost Adjustment, Propane; and Burner Fuel Cost Adjustment, Diesel.

For informational purposes, Form DOT-208 follows in Attachment A.

Attachment A

DOT-208
(10/05)

FUEL ADJUSTMENT AFFIDAVIT

Project Number _____ PCN _____ County _____

The Contractor is not required to notify the Department at the time of submitting bids whether he will or will not participate in the fuel cost adjustment program. The Fuel Adjustment Affidavit shall include the anticipated fuel cost of subcontractors.

Check the box for each fuel type that has a fixed price. No adjustments in fuel price will be made for the boxes that are checked.

☐ Diesel ☐ Unleaded ☐ Burner Fuel

Does your company elect to participate in a fuel adjustment for this contract for the fuels that do not have a fixed price? No adjustments in fuel prices will be made if "No" is checked.

☐ Yes ☐ No

If yes, provide the total dollars for each of the applicable fuels.

Diesel (x) \$ _____

Unleaded (y) \$ _____

Burner Fuel (z) \$ _____ Type of Burner Fuel Used: _____

Sum (x + y + z) = \$ _____

Note: The sum of the x, y, and z may not exceed 15% of the original contract amount.

Under the penalty of law for perjury or falsification, the undersigned,

_____, _____
(Name) (Title)
of _____, hereby certifies that the documentation is submitted in good
(Contractor)

faith, that the information provided is accurate and complete to the best of their knowledge and belief, and that the monetary amount identified accurately reflects the cost for fuel, and that they are duly authorized to certify the above documentation on behalf of the company.

I hereby agree that the Department or its authorized representative shall have the right to examine and copy all Contractor records, documents, work sheets, bid sheets, and other data pertinent to the justification of the fuel costs shown above.

Dated _____ /S/ _____

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public

My Commission Expires

**SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL**

DOT-123
(4/05)
1 of 2

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	BEGIN MRM	END MRM
	PRE	ROUTE	AGR						
		000I		271		I0E2	2301		
		000I		272		I0E3	2301		

CITY AND/OR COUNTY: Sioux Falls - Minnehaha & Lincoln Counties

BUDGET SOURCE:

Contract Maintenance

FINALS ENGINEER REVIEW REQUIRED:

☐ YES ☒ NO

REGION MATERIALS CERTIFICATION REQUIRED:

☐ YES ☒ NO

CERTIFIED INSPECTORS/TESTERS REQUIRED:

☐ YES ☒ NO

TO BE INSTALLED ON CM&P:

☒ YES ☐ NO

TYPE, PURPOSE AND LOCATION OF WORK: Mowing of roadside and median area on I29, I90 & I229 looping around the City of Sioux Falls. The mowing will add to the safety of the highway user, enhance aesthetics and control noxious weed problems along the interstate. I29 from MRM 74.2 to MRM 84.4, I90 from MRM 396.1 to MRM 401.0 and I229 from MRM 0.0 to MRM 10.8.

ESTIMATE OF QUANTITIES AND COST

BID ITEM NUMBER	ITEM		QUANTITY	UNIT	UNIT PRICE	AMOUNT
009E0197	Mobilization 1	2006	1	Each		
900E2300	Mowing (1020.9 x 3 Mowing Cycles)		3062.7	Acre		
SUBTOTAL FOR 2006						
009E0198	Mobilization 2	2007	1	Each		
900E2300	Mowing (1094.1 x 3 Mowing Cycles)		3282.3	Acre		
SUBTOTAL FOR 2007						
009E0199	Mobilization 3	2008	1	Each		
900E2300	Mowing (1094.1 x 3 Mowing Cycles)		3282.3	Acre		
SUBTOTAL FOR 2008						
TOTAL						

The Department of Transportation reserves the right to terminate this contract based on unsatisfactory performance by the Contractor. The Department will continually monitor the Contractor's performance during the duration of this agreement. Should the Department desire to terminate the contract, the Contractor shall be notified in writing.

Also, it is understood and agreed that funding for this agreement is dependent upon future appropriations of the South Dakota Legislature. In the event sufficient funding is not available, the State may terminate this agreement.

CONTRACTOR'S PROPOSAL STATEMENT

The undersigned does hereby agree to furnish the labor and/or material in the quantities, at the unit price, for the purpose, in the place and in accordance with attached provisions upon approval of this Proposal by the State Transportation Commission. This document becomes the Contract when signed by the Contractor and a Department of Transportation Representative. The Contractor agrees to provide services in compliance with the Americans with Disabilities Act of 1990. The Contractor agrees to provide a certificate of insurance prior to commencing work, for liability coverage for the duration of the work as per the current edition of the SDDOT Standard Specifications for Roads and Bridges.

PROPOSED START DATE _____

COMPLETION DATE _____

SUBSCRIBED AND SWORN TO BEFORE ME THE

SIGNATURE _____

DAY OF _____, 20____

COMPANY _____

ADDRESS _____

NOTARY - My Commission Expires _____

FEDERAL TAX ID NUMBER _____

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL

DOT-123
(4/05)
2 of 2

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	BEGIN MRM	END MRM
	PRE	ROUTE	AGR						
		000I		271		I0E2	2301		
		000I		272		I0E3	2301		

RECOMMENDED FOR APPROVAL:

		CONSTRUCTION/MAINTENANCE ENGINEER	DATE
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REGION ENGINEER	DATE	DIRECTOR OF OPERATIONS	DATE
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APPROVED FOR THE TRANSPORTATION COMMISSION

NAME	TITLE	DATE
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APPROVED as per Federal Highway Stewardship Provisions this _____ day of _____, 20__.

PROJECT DEVELOPMENT ENGINEER