Department of Transportation

Mitchell Region Office

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

August 25, 2015

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

RE: 2015-2016 Guardrail Repair – Sioux Falls/Yankton Areas
000I-271, 000I-272, 000I-291 & 000P-292 – PCN I40T, I40U, I40V & I40W
Bon Homme, Charles Mix, Clay, Hutchinson, Lake, Lincoln, Miner,
Minnehaha, Moody, Turner, Union & Yankton Counties

June,

Enclosed are a Contract Proposal and Plans for the above referenced projects that are being let to contract in the Mitchell Region on September 24, 2015.

We have sent a bid invitation letter to the DBE/WBE Contractors listed below:

BX Civil & Construction Inc. Guardrail Enterprises Inc.

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

Very truly yours,

DEPARTMENT OF TRANSPORTATION
Craig Smith, Region Engineer

_____
Monte D. Rice, Region Design Engineer

cc: Humphrey – Construction and Maintenance
Behm – Project Development
Dressen/Heiberger/Aalberg/Vandam – Sioux Falls Area
Gall/Rothschadl – Yankton Area

NOTICE TO CONTRACTORS

Department of Transportation

Mitchell Region Office

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

August 25, 2015

TO: Interested Bidders

RE: 2015-2016 Guardrail Repair – Sioux Falls/Yankton Areas
000I-271, 000I-272, 000I-291 & 000P-292 – PCN I40T, I40U, I40V & I40W
Bon Homme, Charles Mix, Clay, Hutchinson, Lake, Lincoln, Miner,
Minnehaha, Moody, Turner, Union & Yankton Counties

The South Dakota Department of Transportation (SDDOT) desires to solicit bids for repair and/or replacement of accident damage to Beam Guardrail and 3 Cable Guardrail on Interstate 29 from MRM 0.0 to MRM 121.8, Interstate 90 from MRM 379.0 to MRM 412.5, Interstate 229 from MRM 0.0 to MRM 10.7 and on various State Highways. Refer to the proposal and plans (in the link below) for location and details of the work to be done.

A Contract Proposal (DOT 123) form, a Utilization of Minority Business Enterprises Clauses form and a Contractor's Affidavit/Declaration form are enclosed for submission of your bid. Be sure to have the forms signed and notarized as indicated on the forms. FAX bids will not be accepted.

The Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, national origin, sex, age or disability in consideration for an award.

The unit price for Mobilization 1 (Unit 271) shall not exceed $1500.
The unit price for Mobilization 2 (Unit 272) shall not exceed $1500.
The unit price for Mobilization 3 (Unit 291) shall not exceed $1500.
The unit price for Mobilization 3 (Unit 292) shall not exceed $1500.

If bidding $200,000 or more, bidders must be prequalified in accordance with the Special Provision for Prequalification of Bidders contained in this Proposal for: Work Type 13 – Incidental Construction.

The required application form for prequalification of bidders can be accessed at the following link: https://www.state.sd.us/eforms/secure/eforms/E0945V2-ContractorsPrequalificationStatement2.pdf. Submit the application to the Classification and Rating Committee in accordance with the Special Provision for Prequalification of Bidders.

In lieu of being prequalified, Bidders may complete a SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION EXPERIENCE QUESTIONNAIRE. The questionnaire can be obtained from any of the Region offices of the SDDOT or at the following link: http://www.sddot.com/business/contractors/bid/regdocs/ExperienceQuestionnaire.pdf. The questionnaire shall be submitted prior to or at the time of bidding to the office conducting the letting.

Region personnel will determine from the questionnaire if the low responsive bidder is capable of performing the work intended. If it is determined that the low bidder does not have the capacity (experience or equipment) to complete this work, they will be determined to be nonresponsive, and the bid awarded to the next responsive bidder.

The successful bidder will need to submit the DOT-208 Fuel Adjustment Affidavit (Attachment A) prior to the contract being awarded; therefore, all bidders are encouraged to submit the Fuel Adjustment Affidavit prior to or at the time of bidding.

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. If an electronic bid bond is used, the Contractor is required to submit the bid bond identification number with the bid. Except for the lowest bidder on the project, all guarantees will be returned immediately following the receipt and checking of all bids.

The successful bidder shall furnish a performance bond in a sum equal to the full amount of the contract, prior to contract award. Therefore, please provide the performance bond as soon as possible after letting. The performance bond will not be returned for one (1) year after the completion of the projects.

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

Sealed bids will be received by the SDDOT at P.O. Box 1206 until 8:00 A.M. on Thursday, September 24, 2015 or may be hand delivered to the Mitchell Regional Office located at 1300 S. Ohlman St., Mitchell, SD 57301 until 1:30 P.M. on Thursday, September 24, 2015. Bids must be returned in the enclosed self-addressed envelope or in an envelope clearly indicating that the contents are a bid and the letting for which the bid applies.

Proposal and Plans (and Addenda, when applicable) can be accessed at the following link: http://sddot.com/business/contractors/bid/region/Default.aspx. Prior to submitting a bid, it is the bidder's responsibility to examine the project in accordance with Section 2.5 of the specifications. It is also the bidder's responsibility to acknowledge and account for any addenda issued prior to bid opening.

Questions regarding the plans and/or proposal should be directed to:
Travis Dressen or Mike Heiberger at 605-367-5680,
Rod Gall (Ext. 1302001) or Greg Rothschadl (Ext. 1302002) at 605-668-2931
or Monte Rice at 605-995-3302.

Bidders may provide limitations of work with their bids. Bidders may limit the total dollar volume of work or number of contracts they will accept and the SDDOT will determine which contract or contracts shall be awarded to the bidder within the limits set by the bidder. 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
Craig Smith, Region Engineer

_____
Monte D. Rice, Region Design Engineer

cc: Humphrey – Construction and Maintenance
Hansen – Civil Rights
Dressen/Heiberger/Aalberg/Vandam – Sioux Falls Area
Gall/Rothschadl – Yankton Area
Gustafson – Operations
Long – Materials
Behm – Project Development

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL

CODE	PROJECT PRE	PROJECT ROUTE	PROJECT AGR	MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	BEGIN MRM	END MRM
		000I		271		I40T	2409		
		000I		272		I40U	2409		
		000I		291		I40V	2409		
		000P		292		I40W	2409		

CITY AND/OR COUNTY: Sioux Falls/Yankton Areawide **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: Provide repair and/or replacement of accident damage to Beam Guardrail and 3 Cable Guardrail on Interstate 29 from MRM 0.0 to MRM 121.8, Interstate 90 from MRM 379.0 to MRM 412.5, Interstate 229 from MRM 0.0 to MRM 10.7 and on various State Highways.

ESTIMATE OF QUANTITIES AND COST

BID ITEM NUMBER	ITEM		QUANTITY	UNIT	UNIT PRICE	AMOUNT
009E0197	Mobilization 1	(Unit 271)	18	Each		
009E0198	Mobilization 2	(Unit 272)	8	Each		
009E0199	Mobilization 3	(Unit 291)	9	Each		
009E0199	Mobilization 3	(Unit 292)	2	Each		
628E1500	Concrete Barrier End Protection		1	Each		
628E1520	Refurbish Concrete Barrier End Protection		3	Each		
629E0100	3 Cable Guardrail		100	Ft		
629E0210	Reset High Tension 3 Cable Guardrail		250	Ft		
629E0211	Reset High Tension 4 Cable Guardrail		500	Ft		
629E0300	3 Cable Guardrail Slip Base Anchor Assembly		1	Each		
629E0400	3 Cable Guardrail Anchor Assembly		1	Each		
629E0450	Retension 3 Cable Guardrail		150	Each		
629E0453	Retension High Tension 3 Cable Guardrail		500	Ft		
629E0454	Retension High Tension 4 Cable Guardrail		2000	Ft		
629E1000	Repair 3 Cable Guardrail		20000	Ft		
629E1010	Repair 3 Cable Guardrail Slip Base Anchor Assembly		1	Each		
629E1100	3 Cable Guardrail End Post	(I Beam)	60	Each		
629E1102	3 Cable Guardrail Intermediate Post	(Flanged)	900	Each		
629E1102	3 Cable Guardrail Intermediate Post	(I Beam)	100	Each		
629E1103	3 Cable Guardrail Slip Base Anchor Post		10	Each		
629E1104	3 Cable Guardrail Post, Winter		700	Each		
629E1106	Drive Down 3 Cable Guardrail Post		15	Each		
629E1108	Reset 3 Cable Guardrail Post		350	Each		
629E1110	Cable Anchor Bracket		4	Each		
629E1112	Cable Splice		15	Each		
629E1114	3 Cable Guardrail J Hook Bolt		3500	Each		
629E1116	Steel Turnbuckle Cable End Assembly		30	Each		
629E1118	Spring Cable End Assembly with Turnbuckle		30	Each		
629E1120	W Beam to 3 Cable Transition Bracket		30	Each		
629E1122	3 Cable Guardrail End Post Cap		4	Each		
629E1143	High Tension 3 Cable Guardrail Post		2	Each		
629E1144	High Tension 4 Cable Guardrail Post		10	Each		
629E1158	High Tension 3 Cable Guardrail Post and Sleeve		2	Each		
629E1159	High Tension 4 Cable Guardrail Post and Sleeve		2	Each		
629E1163	High Tension 3 Cable Guardrail Sleeve		2	Each		
629E1164	High Tension 4 Cable Guardrail Sleeve		2	Each		
629E1170	High Tension Cable Guardrail Terminal Post		4	Each		
630E0200	Straight Class A Thrie Beam Rail	(12 Gauge)	50	Ft		
630E0210	Straight Class B Thrie Beam Rail	(10 Gauge)	25	Ft		
630E1200	Straight Class A W Beam Rail	(12 Gauge)	650	Ft		
630E1210	Straight Class B W Beam Rail	(10 Gauge)	50	Ft		
630E2000	W Beam to Thrie Beam Guardrail Transition	(6.25')	2	Each		
630E2015	W Beam Guardrail Flared End Terminal		1	Each		

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

CONTRACT PROPOSAL

CODE	PROJECT PRE	PROJECT ROUTE	PROJECT AGR	MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	BEGIN MRM	END MRM
		000I		271		I40T	2409		
		000I		272		I40U	2409		
		000I		291		I40V	2409		
		000P		292		I40W	2409		

630E2020	W Beam Guardrail Tangent End Terminal	1	Each		
630E2030	W Beam Guardrail Breakaway Cable Terminal	5	Each		
630E2050	Beam Guardrail Trailing End Terminal (W or Thrie Beam)	1	Each		
630E2100	Beam Guardrail Post (6" x 8" x 6', 6.5' or 7')	10	Each		
630E2105	Beam Guardrail Block (6" x 8" x 14" or 22.5"')	10	Each		
630E2110	Beam Guardrail Post and Block (6', 6.5' or 7' Post)	90	Each		
630E2120	Beam Guardrail Post and Block, Winter	50	Each		
630E2150	End Terminal Wood Breakaway Post	8	Each		
630E2155	End Terminal Hinged Breakaway Post	4	Each		
630E2210	Breakaway Cable Terminal End Rail	4	Each		
630E2215	W Beam Guardrail End Section Buffer	10	Each		
630E2220	Tangent End Terminal Extruder Head	2	Each		
630E2235	Tangent End Terminal Rail	50	Ft		
630E2300	Rubrail	14	Ft		
630E5520	Drive Down Beam Guardrail Post	8	Each		
630E5550	Reset Beam Guardrail Post and Block	70	Each		
632E2220	Guardrail Delineator	250	Each		
632E2510	Type 2 Object Marker Back to Back	20	Each		
632E2520	Type 2 Object Marker	40	Each		
634E0010	Flagging	6	Hour	$23.55	
634E0110	Traffic Control Signs	208	SqFt		
634E0120	Traffic Control, Miscellaneous	Lump Sum	LS	Lump Sum	
634E0420	Type C Advance Warning Arrow Panel	1	Each		
				-	-
				TOTAL	

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 _____ **OVERALL COMPLETION DATE** **October 31, 2016**

SUBSCRIBED AND SWORN TO BEFORE ME THE **SIGNATURE** _____

_____ **DAY OF** _____ **, 20__** **PRINTED NAME** _____

_____ **COMPANY** _____

_____ **ADDRESS** _____

NOTARY - My Commission Expires _____ **(SEAL)** **FEDERAL TAX ID NUMBER** _____

RECOMMENDED FOR APPROVAL:

_____ _____
CONSTRUCTION & MAINTENANCE ENGINEER **DATE**

_____ _____ _____ _____
REGION ENGINEER **DATE** **DIRECTOR OF OPERATIONS** **DATE**

APPROVED FOR THE TRANSPORTATION COMMISSION

NAME _____ **TITLE** _____ **DATE** _____

APPROVED as per Federal Highway Stewardship Provisions this _____ **day of** _____ **, 20__.**

_____
PROJECT DEVELOPMENT ENGINEER

BIDDER MUST EXECUTE THE FOLLOWING:
PARTICIPATION BY MINORITY CONTRACTORS

Utilization of Minority Business Enterprises Clauses

PROJECTS: **000I-271, 000I-272, 000I-291 & 000P-292** **PCN I40T, I40U, I40V & I40W**

COUNTIES: **BON HOMME, CHARLES MIX, CLAY, HUTCHINSON, LAKE, LINCOLN, MINER, MINNEHAHA, MOODY, TURNER, UNION & YANKTON**

1. The Contractor agrees to use his best efforts to carry out this policy in the award of his subcontracts to the fullest extent consistent with the efficient performance of his contract. As used in this contract, 'Minority Business Enterprise' or 'MBE' means a small business concern, as defined pursuant to section 3 of the Small Business Act and implementing regulations, which is owned and controlled by one or more minorities or women. 'Owned and controlled' means a business: (a) Which is at least 51 per centum owned by one or more minorities or women or, in the case of publicly owned business, at least 51 per centum of the stock of which is owned by one or more minorities or women; and (b) Whose management and daily business operations are controlled by one or more such individuals. 'Minority' means a person who is a citizen or lawful permanent resident of the United States and who is: (a) Black (a person having origins in any of the black racial groups of Africa); (b) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America or the Caribbean Islands, regardless of race); (c) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or (d) American Indian and Alaskan Native (a person having origins in any of the original peoples of North America); (e) Members of other groups, or other individuals, found to be economically and socially disadvantaged by the Small Business Administration under section 8(a) of the Small Business Act, as amended. Contractors may rely on written representatives by subcontractors regarding their status as minority business enterprise in lieu of an independent investigation.

2. The Contractor agrees to establish and conduct a program which will enable minority business enterprise to be considered fairly as subcontractors and suppliers under this contract. In this connection the Contractor shall . . .

   (a) Designate a liaison officer who will administer the Contractor's minority business enterprises program.
   (b) Provide adequate and timely consideration of the potentialities of known minority business enterprises in all "make-or-buy" decisions.
   (c) Ensure that known minority business enterprises will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for the preparation of bids, quantities, specifications and delivery schedules so as to facilitate the participation of minority business enterprises.
   (d) Maintain records showing (1) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of minority business enterprises, (2) awards to minority business enterprises on the source list, and (3) specific efforts to identify and award contracts to minority business enterprises.
   (e) Include the "Utilization of Minority Business Enterprises Clause" in subcontracts which offer substantial minority business enterprises subcontracting opportunities.
   (f) Cooperate with the State's Contracting Officer in any studies and surveys of the Contractor's minority business enterprises procedures and practices that the State's Contracting Officer may from time to time conduct.
   (g) Submit periodic reports of subcontracting to known minority business enterprises with respect to the records referred to in subparagraph (d) above, in such form and manner and at such time (not more often than quarterly) as the State's Contracting Officer may prescribe.

3. The Contractor further agrees to insert in any subcontract hereunder provisions which shall conform substantially to the language of this clause, including this paragraph 3 and to notify the State's Contracting Officer of the names of such subcontractors.

4. The bidder hereby certifies that should he at any time decide to subcontract a portion of the work, he will take affirmative action to seek out and consider minority business enterprises as potential subcontractors. He further certifies that he will maintain records showing the contacts made with potential minority business enterprises subcontractors and the results of such contacts.

_____ _____
Name of Company (print or type) Date

By _____ _____
Signature of Company Official Title

BIDDER MUST EXECUTE THE FOLLOWING:

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION

CONTRACTOR'S AFFIDAVIT / DECLARATION

PROJECTS: **000I-271, 000I-272, 000I-291 & 000P-292** **PCN I40T, I40U, I40V & I40W**

COUNTIES: **BON HOMME, CHARLES MIX, CLAY, HUTCHINSON, LAKE, LINCOLN, MINER, MINNEHAHA, MOODY, TURNER, UNION & YANKTON**

_____ (an individual) (a partnership) (a corporation)

do hereby certify that I, We or any owner or partner holding a controlling interest, director or officer of the bidder; principal investigator, project director or other position involved in management of the project for which this bid is submitted, have not directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for the project, and that within the last 3 years none of the above have been suspended, debarred, voluntarily excluded or determined ineligible by any federal or state agency, been indicted, convicted, or had a civil judgment rendered against any of the above or the business entity described herein by a court of competent jurisdiction in any matter involving fraud or official misconduct for which we are currently under suspension or debarment. Nor is a proposed suspension or debarment pending against any of the above for any of the above listed reasons.

*** * * ***

COMPLETE SIGNATURE BLOCK **A. or B.** BELOW:

A.

Signed _____ (an individual) (a partnership) (a corporation)

By _____

Title _____

County of _____)
):SS
State of _____)

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

(SEAL) _____
Notary Public My Commission Expires _____.

*** * * ***

B. Under the penalty of perjury under the laws of the United States, I hereby certify that the above statement is true and correct.

Signed _____ (an individual) (a partnership) (a corporation)

By _____

Title _____

FUEL ADJUSTMENT AFFIDAVIT

Project Number _____
PCN _____
County _____

For project let using the SDEBS) and in accordance with Section 9.12, the bidder is not required to notify the Department at the time of submitting bids whether the Contractor will or will not participate in the fuel cost adjustment program. Prior to execution of the contract, the successful bidder must submit this completed form to the Department for approval. The Fuel Adjustment Affidavit shall include the anticipated fuel cost of subcontractors.

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. No adjustments in fuel price will be made for the fuel types that are left blank or completed with a $0.00 value.

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.

The following must be completed regardless of whether the Contractor elects to participate in the fuel adjustment affidavit

Under the penalty of law for perjury or falsification, the undersigned, _____,
(Printed Name)

_____ of _____,
(Title) *(Contractor)*

hereby certifies that the documentation is submitted in good 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 _____ Signature _____

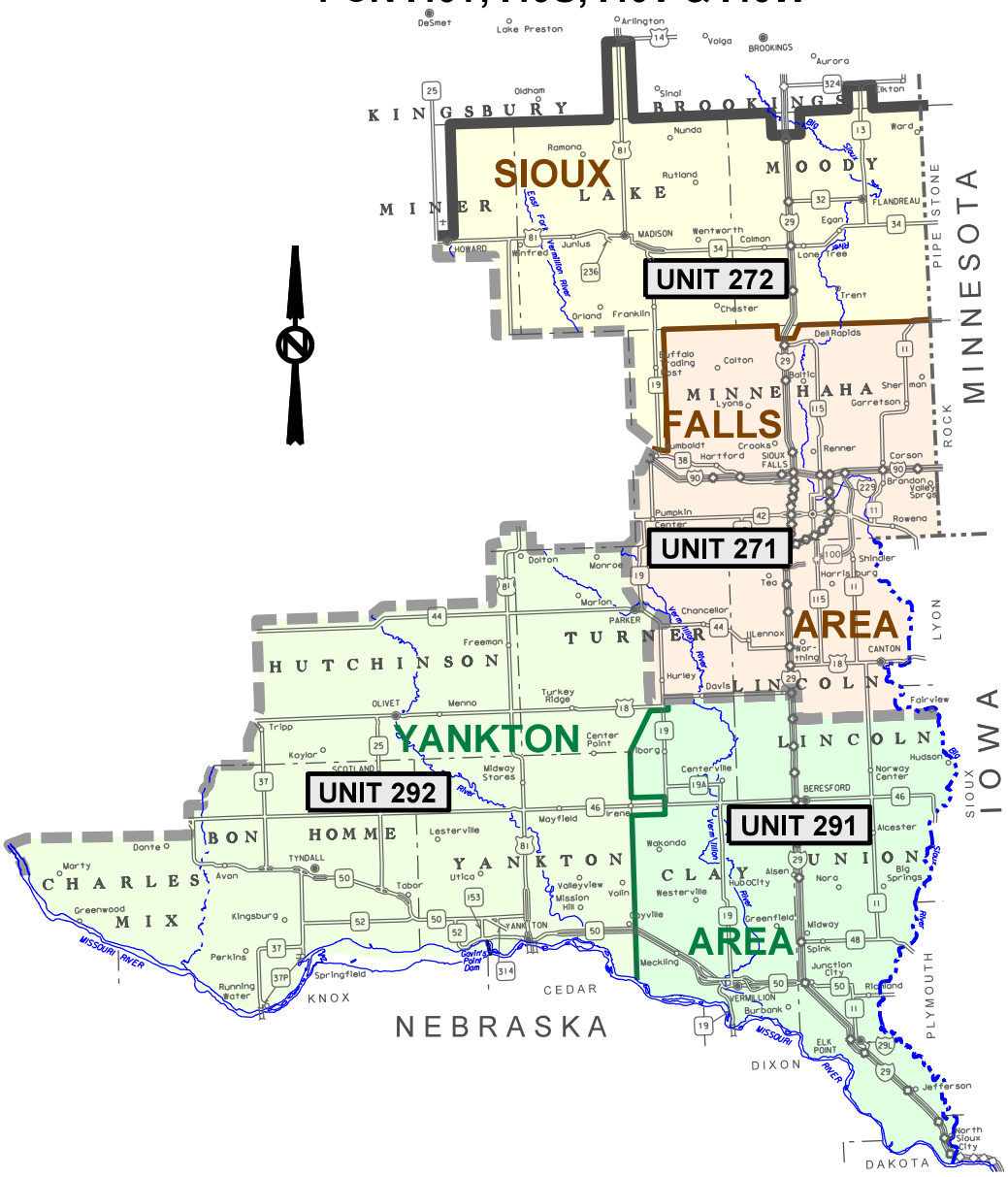
Notarization is required only when the Contractor elects to participate in the fuel adjustment affidavit

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

_____ _____
Notary Public *My Commission Expires*

SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
MITCHELL REGION

PROPOSAL FOR
GUARDRAIL REPAIR
000I-271, 000I-272, 000I-291 & 000P-292
BON HOMME, CHARLES MIX, CLAY, HUTCHINSON, LAKE, LINCOLN, MINER, MINNEHAHA, MOODY, TURNER, UNION & YANKTON COUNTIES
PCN I40T, I40U, I40V & I40W



NOTICE TO ALL BIDDERS

TO REPORT BID RIGGING ACTIVITIES, CALL: 1-800-424-9071

THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) OPERATES THE ABOVE TOLL-FREE "HOTLINE" MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., EASTERN TIME. ANYONE WITH KNOWLEDGE OF POSSIBLE BID RIGGING, BIDDER COLLUSION, OR OTHER FRAUDULENT ACTIVITIES SHOULD USE THE "HOTLINE" TO REPORT SUCH ACTIVITIES.

THE "HOTLINE" IS PART OF THE DOT'S CONTINUING EFFORT TO IDENTIFY AND INVESTIGATE HIGHWAY CONSTRUCTION CONTRACT FRAUD AND ABUSE AND IS OPERATED UNDER THE DIRECTION OF THE DOT INSPECTOR GENERAL.

ALL INFORMATION WILL BE TREATED CONFIDENTIALLY AND CALLER ANONYMITY WILL BE RESPECTED.

* * * *

REV. 8/10/15

PROJECTS: **000I-271, 000I-272, 000I-291 & 000P-292** **PCN I40T, I40U, I40V & I40W**

COUNTIES: **BON HOMME, CHARLES MIX, CLAY, HUTCHINSON, LAKE, LINCOLN, MINER, MINNEHAHA, MOODY, TURNER, UNION & YANKTON**

TYPE OF WORK: **GUARDRAIL REPAIR**

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Plans for Project – Sheets 1 through 60.

Special Provision for Contractor Administered Preconstruction Meeting, dated 4/18/13.
Fuel Adjustment Affidavit, DOT form 208 dated 7/15.
Standard Title VI Assurance, dated 7/14/08.
Special Provision For Implementation of Clean Air Act & Federal Water Pollution Control Act, dated 9/1/97.
Special Provision Regarding Minimum Wage on State Funded Projects, dated 4/30/13.
Wage and Hour Division US Department of Labor Washington DC.
- US Dept. of Labor Decision Number SD100010, dated 8/30/13.
Special Provision for Price Schedule for Miscellaneous Items, dated 8/3/15.

*** * * ***

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
CONTRACTOR ADMINISTERED PRECONSTRUCTION MEETING

APRIL 18, 2013

I. DESCRIPTION

This work consists of the Contractor scheduling and conducting a preconstruction meeting prior to beginning work on this contract. Additionally this work consists of the Contractor providing the Area Engineer a completed list of required submittals.

II. MATERIALS (Not Specified)

III. CONSTRUCTION REQUIREMENTS

For the purposes of this special provision, a business day is any calendar day except Saturdays, holidays, and days designated by the Governor of this State as an administrative leave day for state employees.

The Department will provide the Contractor a list of required submittals and the Authorization Form for Preconstruction Meeting (Form DOT-270) within five (5) business days of the date of the Notice to Proceed.

The Contractor's Required Submittals Form (Form DOT-272) is a document outlining information required prior to the completion of the project. This list will include two types of submittals; 1) information required before scheduling a preconstruction meeting and 2) information required before the Contractor begins related work. The Department reserves the right to request additional information not included in the original list of required submittals. The list of required submittals will include, but is not limited to, proposed sequence changes, shop drawings, permits, certifications, mix designs, labor compliance, equal employment opportunity, and disadvantaged business enterprise documents.

Prior to scheduling the preconstruction meeting, the Contractor will complete and provide the Area Engineer all items on the list of required submittals that are required as described in 1) above. If the Contractor cannot complete and provide a submittal item required prior to scheduling the preconstruction meeting, the Contractor will contact the Area Engineer to establish a mutually agreed upon

date when the required submittal will be completed and provided to the Area office.

The Contractor will not begin work on an item until the Contractor has provided the Area Engineer with all required information for the applicable work item and the appropriate office has approved the information, if necessary. The Contractor will make every reasonable effort to deliver the required submittals at the earliest possible time.

The Contractor's authorized representative as indicated on the Signature Authorization Form (Form DOT-209) will complete, in its entirety, the first page of the Authorization Form for Preconstruction Meeting and will initial each proceeding section. By initialing each section, the Contractor is confirming comprehension of each section.

When the Contractor has provided the Area Engineer all required submittals, unless the Contractor and Department have established an agreement in writing providing future dates of outstanding required submittal items, the Contractor will schedule a preconstruction meeting with the Area Engineer.

Within two (2) business days following the Contractor scheduling the preconstruction meeting, the Area Engineer will prepare and send the Contractor a meeting confirmation and the Preconstruction Meeting Outline (Form DOT-271) of discussion items including specific Department items.

The Contractor will complete the Contractor's portion of the Preconstruction Meeting Outline and will add additional discussion items as needed. The Contractor will send the meeting notice and final Preconstruction Meeting Outline to the Area Engineer, all subcontractors, utility companies, and all suppliers at least five (5) business days prior to the preconstruction meeting.

The Area Engineer will send the notice of the meeting and the final Preconstruction Meeting Outline of discussion items to any other government entities and other principle stakeholders involved in the project at least three (3) business days prior to the preconstruction meeting.

At the discretion of the Area Engineer, the preconstruction meeting may be held in person, videoconference, or over the phone. The Contractor's competent superintendent, as required by Section 5.5, who will be working on this project, is required to attend the preconstruction meeting.

The Contractor will lead the meeting discussion as described in the Preconstruction Meeting Outline. The Area Engineer will prepare the meeting minutes including any unresolved items and distribute them to all attendees and principle stakeholders within five (5) business days following the preconstruction meeting.

IV. METHOD OF MEASUREMENT

The Department will not make a separate measurement for the preconstruction meeting.

V. BASIS OF PAYMENT

The Department will not make a separate payment for the preconstruction meeting. All costs associated with the preconstruction meeting will be incidental to other contract items.

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STATE OF SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
TITLE VI AND NONDISCRIMINATION ASSURANCE
JULY 14, 2008

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended (hereinafter referred to as the "Regulations"), incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, religion, national origin, sex, age or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, religion, national original, sex, age or disability.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the South Dakota Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the South Dakota Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain this information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the South Dakota Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies, and/or
(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the South Dakota Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that, in the event of a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the South Dakota Department of Transportation to enter into such litigation to protect the interest of the State, and, in addition, the contractor may request the United States to enter such litigation to protect the interests of the United States.

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STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION FOR IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

SEPTEMBER 1, 1997

By signing this bid, the bidder will be deemed to have stipulated as follows:

a) That any facility to be utilized in the performance of this contract, unless such contract is exempt under the Clean Air Act, as amended (42 U.S.C. 1857 et seq., as amended by Pub. L. 91-604), and under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., as amended by Pub. L. 92-500), Executive Order 11738, and regulations in implementation thereof (40 CFR, Part 15), is not listed on the U.S. Environmental Protection Agency (EPA) List of Violating Facilities pursuant to 40 CFR 15.20.

b) That the State Transportation Department shall be promptly notified prior to contract award of the receipt by the bidder of any communication from the Director, Office of Federal Activities, EPA, indicating that a facility to be utilized for the contract is under consideration to be listed on the EPA List of Violating Facilities.

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STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION REGARDING
MINIMUM WAGE ON STATE FUNDED PROJECTS

APRIL 30, 2013

This proposal contains a copy of the most recent United States Department of Labor (USDOL) Davis-Bacon Act Wage Decision, adopted by the South Dakota Transportation Commission.

If the amount of this contract, as awarded, is $100,000.00 or more, the following wage provisions will apply:

1. The Contractor and each related subcontractor will pay all laborers and mechanics working at the site of work unconditionally and not less than once a week, and without subsequent deduction or rebate of any account, other than permitted payroll deductions. The Contractor and each related subcontractor must compute the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at the time of payment at rates not less than those rates contained in the USDOL Davis-Bacon Act Wage Decision.

2. The Contractor and each related subcontractor will pay their respective employees not less than the USDOL minimum wage for each work classification an employee actually performs at the site of the work.

3. The Contractor and each related subcontractor must submit weekly, for each week in which any contract work is performed, a copy of a completed certified weekly payroll report to the South Dakota Department of Transportation (SDDOT) Labor Compliance Officer (LCO), at the following mailing address, within fourteen (14) calendar days of the end of the workweek

   Department of Transportation
   Labor Compliance Program
   700 E. Broadway Avenue.
   Pierre, SD 57501-2586

4. Each submitted certified weekly payroll report must set out accurately and completely all information required by the Instructions for SDDOT Statement of Compliance & Certified Payroll Report (located on the SDDOT Labor Compliance website). Each certified weekly payroll report must include the most recent SDDOT Statement of Compliance Form, signed by the Contractor or related subcontractor or his or her agent who pays or supervises the payment of the persons employed

under the contract. The SDDOT will not accept any payroll report which does not include the most recent SDDOT Statement of Compliance Form.

5. The Contractor and each related subcontractor will maintain payrolls and basic records relating thereto during the course of the work and preserve these records for a period of three (3) years from the date of completion of the contract for all laborers, mechanics, apprentices, trainees, watchmen, and guards working at the site of the work. These records must contain the name, address, social security number of each such worker, his or her correct work classification, and hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof).The Contractor and each related subcontractor will make these records available for inspection, copying, or transcription by the LCO and will permit the LCO to interview employees during working hours on the site of the work.

6. The SDDOT will upon its own action, or upon written request of an authorized representative of the USDOL, withhold, or cause to be withheld, from the Contractor or related subcontractor under this contract, or any other contract with the same prime Contractor, as much of the accrued payments, advances, or guarantee of funds as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers employed by the Contractor or any related subcontractor, the full amount of wages required by the contract. In the event the Contractor fails to pay any laborer or mechanic, including any apprentice, trainee, or helper employed or working on the site of the work, all or part of the wages required by the contract, the LCO may, after written notice to the Contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds under this contract or any other contract with the same prime Contractor until such violations have ceased.

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Wage and Hour Division
U.S. Department of Labor (DOL)
200 Constitution Avenue, N.W.
Washington, DC 20210

Davis-Bacon Act Wage Decisions
State: South Dakota
Construction Types: Heavy and Highway
Counties: South Dakota Statewide

	* SUSD2013-001
Agency:	U.S. DOL
Wage Decision Number:	**SD130009 SD9**
Counties:	Statewide: All Counties in South Dakota
Wage Decision Date:	**08/30/2013**

	Rates	Fringes
LABORERS		
GROUP GL1		
Air Tool Operator; Common Laborer; Landscape Worker; Flagger; Pilot Car Driver; Trucks under 26,000 GVW; Blue-top Checker; Materials Checker	15.08	0.00
GROUP GL2		
Mechanic Tender (Helper); Pipe Layer (except culvert); Form Builder Tender; Special Surface Finish Applicator; Striping	16.78	0.00
GROUP GL3		
Asphalt Plant Tender; Pile Driver Leadsman; Form Setter; Oiler/Greaser	18.42	0.00
GROUP GL5		
Carpenter; Form Builder	21.82	0.00
GROUP GL6		
Concrete Finisher; Painter; Grade Checker	20.81	0.00
POWER EQUIPMENT OPERATORS		
GROUP G01		
Concrete Paving Cure Machine; Concrete Paving Joint Sealer; Conveyor; Tractor (farm type with attachments); Self Propelled Broom; Concrete Routing Machine; Paver Feeder; Pugmill; Skid Steer	16.15	0.00
GROUP G02		
Bull Dozer 80 HP or less; Front End Loader 1.25 CY or less; Self Propelled Roller (except Hot Mix); Sheepsfoot/50Ton Pneumatic Roller; Pneumatic Tired Tractor or Crawler (includes Water Wagon and Power Spray units); Wagon Drill; Air Trac; Truck Type Auger; Concrete Paving Saw	17.62	0.00
GROUP G03		
Asphalt Distributor; Bull Dozer over 80 HP; Concrete Paving Finishing Machine; Backhoes/ Excavators 20 tons or less; Crusher (may include internal screening plant); Front End Loader over 1.25 CY; Rough Motor Grader; Self Propelled Hot Mix Roller; Push Tractor; Euclid or Dumpster; Material Spreader; Rumble Strip Machine	19.33	0.00
GROUP G04		
Asphalt Paving Machine Screed; Asphalt Paving Machine; Cranes/Derricks/Draglines/Pile Drivers/Shovels 30 to 50 tons; Backhoes/Excavators 21 to 40 tons; Maintenance Mechanic; Scrapers; Concrete Pump Truck	19.73	0.00
GROUP G05		
Asphalt Plant; Concrete Batch Plant; Backhoes/Excavators over 40 Tons; Cranes/ Derricks/Draglines/Pile Drivers/Shovels over 50 tons; Heavy Duty Mechanic; Finish Motor Grader; Automatic Fine Grader; Milling Machine; Bridge Welder	21.80	0.00
TRUCK DRIVERS		
GROUP GT1		
Tandem Truck without trailer or pup; Single Axle Truck over 26,000 GVW with Trailer	15.88	0.00
GROUP GT2		
Semi-Tractor and Trailer; Tandem Truck with Pup	18.29	0.00
ELECTRICIANS		
GROUP E01		
Electrician	21.84	0.00

*Classifications listed under an "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Survey wage rates will remain in effect and will not change until a new survey is conducted.

A COPY OF THIS DOCUMENT, COLORED SOLAR YELLOW, MUST BE CONSPICUOUSLY POSTED AT THE PROJECT SITE

Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Davis-Bacon Act Wage Decisions
State: South Dakota
Construction Types: Heavy and Highway
Counties: South Dakota Statewide

WELDERS – Receive rate prescribed for craft performing operation to which welding is incidental.

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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award, pursuant to 29 CFR 5.5(a)(1)(ii); contractors are responsible for requesting SDDOT to secure necessary additional work classifications and rates.

For SDDOT Defined Work Classifications, please visit: http://www.sddot.com/business/contractors/labor/wcwr/Default.aspx

In the listing above, the "SU" identifier were derived from survey data by computing average rates and are not union rates; however, the data used in computing these rates may include both union and non-union data. Example: SULA2004-007 5/13/2010. SU indicates the rates are not union majority rates, LA indicates the State of Louisiana; 2004 is the year of the survey; and 007 is an internal number used in producing the wage determination. Survey wage rates will remain in effect and will not change until a new survey is conducted.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- an existing published wage determination
- a survey underlying a wage determination
- a Wage and Hour Division letter setting forth a position on a wage determination matter
- a conformance (additional classification and rate)
- ruling on survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and our Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, Project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
PRICE SCHEDULE FOR MISCELLANEOUS ITEMS

AUGUST 3, 2015

The following unit bid prices have been established by the South Dakota Department of Transportation Commission.

These prices will be pre-entered in the bidding package for each project or will establish a standard price to be used whenever no project contract unit price exists for that item.

Each unit price listed is considered full compensation for the cost of labor, material, and equipment to provide the item of work and/or material, complete in place, including (but not limited to) royalty, waste of unsuitable materials, equipment rental, overhead, profit, and incidentals.

Items specified in this document may be paid for on progressive estimates without the benefit of a prior approved Construction Change Order.

Specification Section Number	Specification Section Name	Item Name	Price per Item
5.8	Construction Stakes, Lines and Grades	Three-Man Survey Crew	$160.00/hour
7.7	Public Convenience and Safety	Water	$15.00/M.Gal
9.3	Payment for extra haul of Materials	Extra Haul	$0.15/ton mile
120.5 A.5.	Roadway and Drainage Exc. & Emb.	Unclassified Excavation Digouts	$8.00/cu.yd.
120.5 H.	Roadway and Drainage Exc. & Emb.	Extra Haul	$0.05/cu.yd. station
120.5 I.	Roadway and Drainage Exc. & Emb.	Water for Embankment	$15.00/M.Gal
421.5	Undercutting Pipe & Plate Pipe	Undercutting Culverts	$12.00/cu.yd.
510.5 D.	Timber, Prestressed, and Steel Piles	Timber Pile Splice	$550.00/each

		Steel Pile Splices (*All Weights)	Splice made after one of the pieces has been driven.
		8 HP*	$220.00/each
		10 HP*	$300.00/each
		12 HP*	$360.00/each
		14 HP*	$420.00/each
			Splice made before either of the pieces has been driven.
		8 HP*	$105.00/each
		10 HP*	$125.00/each
		12 HP*	$140.00/each
		14 HP*	$160.00/each
510.5 E	Timber, Prestressed, and Steel Piles	Pile Shoes (Timber Pile)	$110.00/each
510.5.H	Timber, Prestressed, and Steel Piles	Pile Tip Reinforcement (Steel Pile)	
		10” HP Tip Reinforced	$120.00/each
		12” HP Tip Reinforced	$140.00/each
		14” HP Tip Reinforced	$170.00/each
601.5	Haul Roads	Granular Material	$12.00/ton
601.5	Haul Roads	Asphalt Concrete (including asphalt)	$80.00/ton
601.5	Haul Roads	Cover Aggregate	$25.00/ton
601.5	Haul Roads	Asphalt for Prime	$700.00/ton
601.5	Haul Roads	Asphalt (Tack, Flush & Surface Treatment)	$450.00/ton
601.5	Haul Roads	Water	$15.00/M.Gal
601.5	Haul Roads	Dust Control Chlorides	$0.35/lb
634.5	Temporary Traffic Control	Flagging	$23.55/hour
634.5	Temporary Traffic Control	Pilot Car	$39.62/hour

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