



Department of Transportation

Pierre Region Office

104 S. Garfield – Bldg. A

Pierre, South Dakota 57501-5405 605/773-3464

FAX: 605/773-6215

NOTICE TO CONTRACTORS

February 21, 2019

TO: INTERESTED BIDDERS

RE: PROJECTS 000I-391, 000P-391, 000N-391, 000P-392, & 000N-392
PCN i5FW, i5FX, i5FY, i5G0 & i5G1
Bennett, Jackson, Jones, Lyman, Mellette, Todd & Tripp Counties
Spraying of Noxious Weeds – Winner Area

The South Dakota Department of Transportation (SDDOT) desires to solicit bids for the above referenced project.

A copy of the plans/proposals may be downloaded from the SDDOT Regional Letting website at the following location: <http://sddot.com/business/contractors/bid/region/Default.aspx> or may be obtained in paper format by contacting the Pierre Region Office at 605-773-3464. Contractors that didn't receive this invitation by mail, but downloaded the bidding documents from the website, are encouraged to let the Pierre Region Office know of their intent to bid on this project so that we can get them added to the plan holders list.

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 ensure 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 grounds of race, color, religion, national origin, sex, age, or disability in consideration of an award.

Any addenda will be posted on the regional letting website no later than **5:00 P.M. Central Time on Monday, March 11, 2019**. It will be the Contractor's responsibility to verify that no addenda have been posted prior to submitting bids. Every addenda posted on the website will have a cover sheet attached to it that the contractor will be required to include with their bid. Failure to incorporate changes made through addenda and not submitting all cover sheets will result in an incomplete bid which will subsequently be rejected.

There are **no** bonding requirements for this contract; however, a Certificate of Liability Insurance will be required of the successful bidder.

The successful bidder must submit the **Fuel Adjustment Affidavit (DOT-208)** form prior to the execution of the contract; therefore, all bidders are encouraged to submit the Fuel Adjustment Affidavit prior to or at the time of bidding.

The enclosed **Contract Proposal (DOT-123)**, **Utilization of Minority Business Enterprises Clauses**, and **Contractor's Affidavit/Declaration** forms shall be submitted with your bid. The bid will be considered incomplete if these forms are not included with your bidding documents.

Sealed bids for the contract will be accepted by the SDDOT via available shipping couriers or may be hand delivered to the Pierre Regional Office until **2:15 P.M. Central Time on Thursday, March 14, 2019**. At that time all submitted bids will be opened. Bids must be received in an envelope with "**Weed Spraying – Winner Area (i5FW)**" written on the outside. Be sure to have all required forms signed and notarized as indicated on the forms as failure to do so will result in an incomplete bid. No faxed bids will be accepted.

Mailing & Hand Delivering Address

Attn: Monica Ortbahn
Department of Transportation
104 S. Garfield, Bldg A
2nd Floor, RM 205
Pierre, SD 57501-5405

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

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

Questions regarding the plans/proposal should be directed to:

Doug Sherman at 605-842-0810 – Winner Area Engineer
Brad Norrid at 605-842-0810 – Winner Area Project Engineer Supervisor
Shelley Larson at 605-773-3464 – Senior Region Design Engineer
or Vance Martin at 605-845-6947 – Region Design Engineer

Respectfully,

DEPARTMENT OF TRANSPORTATION

Jason Humphrey, P.E. – Pierre Region Engineer

cc: J. Hanson – Civil Rights
Vacant – Operations
L. DeMers – DBE Coordinator
D. Sherman, B. Norrid – Winner Area
Project File

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT PROPOSAL

DOT-123
July 2018
1 of 1

CODE	PROJECT			MAINT UNIT	CONTROL REFERENCE	AFE	FUNCTION	BEGIN MRM	END MRM
	PRE	ROUTE	AGR						
		000I		391		i5fw	2305		
		000P		391		i5fx	2305		
		000N		391		i5fy	2305		
		000P		392		i5g0	2305		
		000N		392		i5g1	2305		

CITY AND/OR COUNTY: Bennett, Gregory, Jackson, Jones, Lyman,
Mellette, Todd, & Tripp

BUDGET SOURCE: 2019 Contract Maintenance

REGION MATERIALS CERTIFICATION REQUIRED: ☐ YES ☒ NO **WIP #:** _____
CERTIFIED INSPECTORS/TESTERS REQUIRED: ☐ YES ☒ NO
TO BE INSTALLED ON CM&P: ☒ YES ☐ NO

TYPE, PURPOSE AND LOCATION OF WORK: Contract spraying of noxious weeds in the State Highway ROW within the Winner Area.

ESTIMATE OF QUANTITIES AND COST

BID ITEM NUMBER	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT
910E0003	24D Amine	33000	Oz		
910E0085	Milestone	15500	Oz		
910E1000	Equipment Truck/Sprayer	815	Hour		
TOTAL					

CONTRACTOR'S PROPOSAL STATEMENT

The undersigned agrees to offer the labor and material in the quantities, at the unit price, for the purpose, in the place, and in accordance with attached provisions. The Contractor will provide services in compliance with the Americans with Disabilities Act of 1990 and any amendments.

SUBSTANTIAL COMPLETION DATE N/A

PROPOSED START DATE As Per Application Guidelines

FIELD WORK COMPLETION DATE October 25, 2019

SIGNATURE _____

SUBSCRIBED AND SWORN TO BEFORE ME THE
DAY OF _____, 20__

PRINTED NAME _____

NOTARY _____

COMPANY _____

My Commission Expires:

STR. ADDRESS _____

DATE _____ (SEAL)

CITY, STATE, ZIP _____

FEDERAL TAX ID NUMBER _____

TO BE FILLED OUT BY STATE PERSONNEL:

RECOMMENDED FOR APPROVAL:

CONSTRUCTION & MAINTENANCE ENGINEER **DATE** _____

AREA / REGION / OPS ENGINEER **DATE** _____

DIRECTOR OF OPERATIONS **DATE** _____

INTERNAL SERVICES / AUDITS **DATE** _____

ACCEPTED BY SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

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

IF FEDERAL FUNDS WILL BE EXPENDED UNDER THIS AGREEMENT, ACCEPTANCE BY PROJECT DEVELOPMENT IS REQUIRED

PROJECT DEVELOPMENT ENGINEER **DATE** _____

FUEL ADJUSTMENT AFFIDAVIT

Project Number 000I-391, 000P-391, 000N-391, 000P-392 & 000N-392
PCN I5FW, I5FX, I5FY, I5G0, I5G1
County Bennett, Jackson, Jones, Lyman, Mellette, Todd & Tripp Counties

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

**BIDDER MUST EXECUTE THE FOLLOWING:
PARTICIPATION BY MINORITY CONTRACTORS**

Utilization of Minority Business Enterprises Clauses

PROJECT(S): 000I-391, 000P-391, 000N-391, 000P-392 & 000N-392 PCN I5FW, I5FX, I5FY, I5G0, I5G1

COUNTY(IES): Bennett, Jackson, Jones, Lyman, Mellette, Todd & Tripp

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

PROJECT(S): 000I-391, 000P-391, 000N-391, 000P-392 & 000N-392 PCN I5FW, I5FX, I5FY, I5G0, I5G1

COUNTY(IES): Bennett, Jackson, Jones, Lyman, Mellette, Todd & Tripp

(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 _____

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.

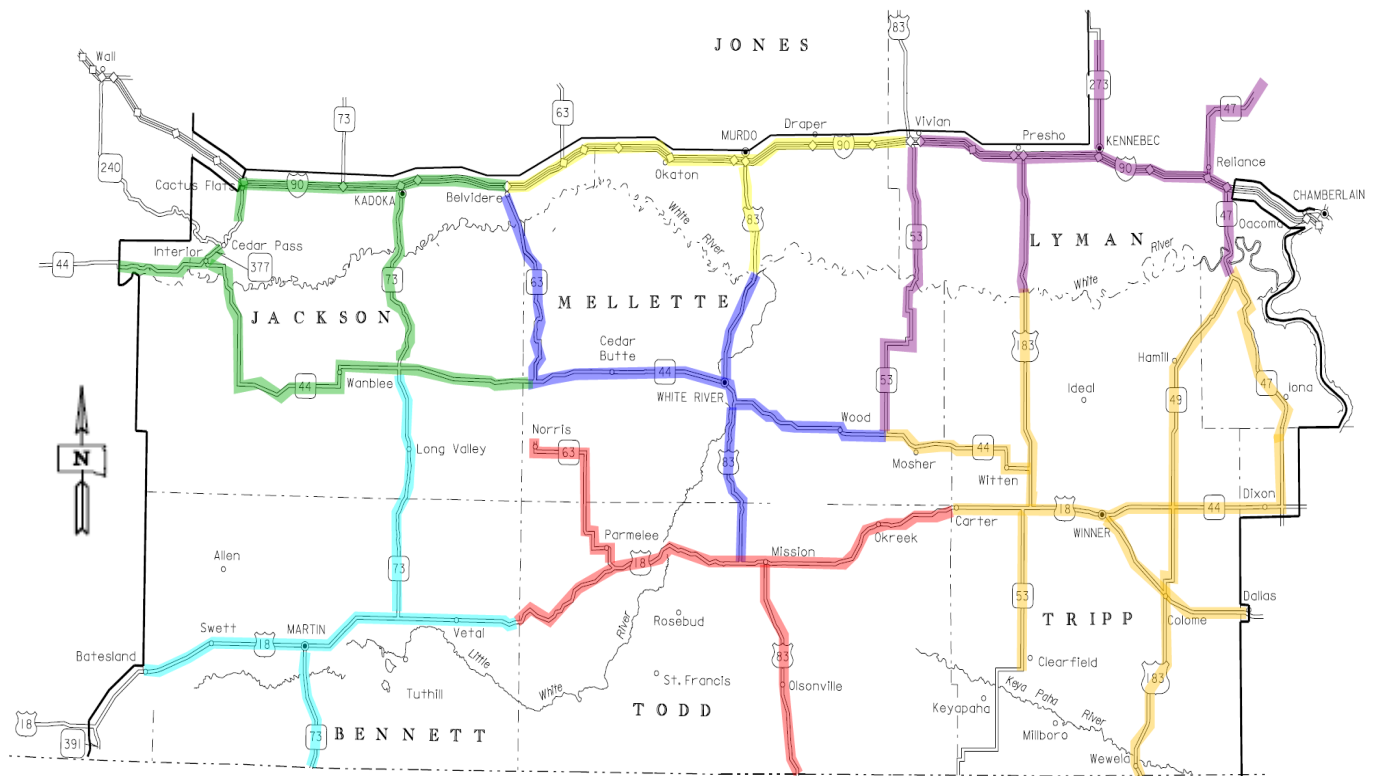
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SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

PIERRE REGION

PROPOSAL FOR

000I-391, 000P-391, 000N-391, 000P-392, & 000N-392
Bennett, Jackson, Jones, Lyman, Mellette, Todd, & Tripp Counties
PCN i5fw, i5fx, i5fy, i5g0, & i5g1
Spraying of Noxious Weeds – Winner Area



REV. 5/3/18

INDEX OF SPECIAL PROVISIONS

PROJECT(S): 000I-391, 000P-391, 000N-391, 000P-392 & 000N-392 PCN I5FW, I5FX, I5FY, I5G0, I5G1

COUNTY(IES): Bennett, Jackson, Jones, Lyman, Mellette, Todd & Tripp

TYPE OF WORK: CONTRACT SPRAYING OF NOXIOUS WEEDS IN THE STATE HIGHWAY RIGHT-OF-WAY

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Project Plans - Sheets 1 thru 12

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