



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

VIA WEBSITE POSTING

August 11, 2020

Contract No. T200507103
Culvert Replacements on N239, Pyles Ford Road
New Castle County

Ladies and Gentlemen:

Enclosed is Addendum No. 1 for the referenced contract consisting of the following:

1. The Bid Proposal Cover, revised, to be substituted for the same page of the Proposal.
2. One (1) page,, Prospective Bidders Notes, page 4 of 100, revised, to be substituted for the same page in the Proposal. Note 11. has been deleted.
3. One (1) page, General Notices, page 5 of 100, revised, to be substituted for the same page in the Proposal. The Standard Specification reference has been revised to August 2001 to match F. of the General Description.

Please note the revisions listed above and submit your bid based upon this information.

Sincerely,

~signature on file~

Connie Ivins
Competitively Bid Contracts Coordinator
Delaware Department of Transportation

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION



BID PROPOSAL

CONTRACT T200507103

CULVERT REPLACEMENTS ON N239, PYLES FORD RD

Advertisement Date: July 20, 2020

INCLUDED IN THIS DOCUMENT:

BID PROPOSAL:

*GENERAL DESCRIPTION
PROSPECTIVE BIDDERS NOTES
GENERAL NOTICES
PREVAILING WAGES
SPECIAL PROVISIONS
STATEMENTS
SAMPLE AFFIDAVIT - CRAFT TRAINING
QUANTITY SHEET SUMMARY*

ADDITIONAL BID PROPOSAL ITEMS:

ATTACHED OR POSTED DOCUMENTS:

*PROJECT PLANS
QUESTIONS & ANSWERS (if posted)
GUARDRAIL END-TREATMENT INFO*

**PAPER BIDDERS CONTACT DELDOT
FOR BID SUBMITTAL DOCUMENTS:**

*DRUG TESTING AFFIDAVIT;
CERTIFICATION FORM;
BID BOND FORM;
CD FOR BID PRICE ENTRY & PRINTING*

This Bid Proposal and related documents can be viewed on bids.delaware.gov and, for subscribers bidx.com/de/

Internet Bids for Bidders with Bid Express® accounts can be submitted at [BIDX.com/de](https://bidx.com/de/); **OR**;

Paper Bids With CD will be received at the DelDOT Administration Building, Dover, DE;

ALL BIDS DUE PRIOR TO 2:00 P.M. Local Time, August 18, 2020

- * At least two business days prior to contract execution - The awarded Contractor shall provide to DelDOT copies of the Employee Drug Testing Program for the Contractor, each participating DBE firm, and all other listed Subcontractors;
 - * Subcontractors - Contractors that employ Subcontractors on the job site may do so only after submitting a copy of the Subcontractor's Employee Drug Testing Program along with the standard required subcontractor information. A Subcontractor shall not commence work until **DelDOT** has approved the program in writing.
6. **PERFORMANCE-BASED RATING SYSTEM** - 29 Del.C. §6962 (c)(12)(a) requires DelDOT to include a performance-based rating system for contractors. The Performance Rating for each Contractor shall be used as a prequalification to bid at the time of bid. Refer to '*General Notices*' for details.
 7. **NO RETAINAGE** will be withheld on this contract unless through the Performance-Based Rating System.
 8. **EXTERNAL COMPLAINT PROCEDURE** can be viewed on DelDOT's Website, https://deldot.gov/Business/cr/index.shtml?dc=civil_rights_eeo or request a copy by calling (302) 760-2555.
 9. **DELAWARE BUSINESS LICENSE**; a copy of your firm's Business License must be submitted with your bid.
 10. **SECTION 106.06 BUY AMERICA Contract Requirement in the Delaware Standard Specifications for Road and Bridge Construction, August, 2001 does not apply to this contract.**
 - ~~11. **FLATWORK CONCRETE TECHNICIAN CERTIFICATION TRAINING:**
Section 501.03, 503.03, 505.03, 610.03, 701.03 and 702.03 of the 2016 Standard Specifications require contractors to provide an American Concrete Institute (ACI) or National Ready Mix Concrete Association (NRMCA) certified concrete flatwork technician to supervise all finishing of flatwork concrete.~~

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GENERAL NOTICES

SPECIFICATIONS :

The Delaware specifications entitled "*Standard Specifications for Road and Bridge Construction August, ~~2016~~ 2001*", hereinafter referred to as the *Standard Specifications*; the *Supplemental Specifications* to the Standard Specifications effective as of the advertisement date of this Bid Proposal and hereby included by reference; the *Special Provisions*; *Notes on the Plans*; this *Bid Proposal* including referenced documents; any *Addenda* thereto; and any posted *Questions and Answers*; shall govern the work to be performed under this contract. The Contractor shall make itself aware of these specifications, revisions and corrections, and apply them to the applicable item(s) of this contract.

CLARIFICATIONS :

Under any Section or Item included in the Contract, the Contractor shall be aware that when requirements, responsibilities, and furnishing of materials are outlined in the details and notes on the Plans and in the paragraphs preceding the "Basis of Payment" paragraph in the Standard Specifications or Special Provisions, no interpretation shall be made that such stipulations are excluded because reiteration is not made in the "Basis of Payment" paragraph.

ATTESTING TO NON-COLLUSION :

The Department requires as a condition precedent to acceptance of bids a sworn statement executed by, or on behalf of, the person, firm, association, or corporation to whom such contract is to be awarded, certifying that such person, firm, association, or corporation has not, either 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 such contract. The form for this sworn statement is included in the proposal and must be properly executed in order to have the bid considered.

QUANTITIES :

The quantities shown are for comparison of bids only. The Department may increase or decrease any quantity or quantities without penalty or change in the bid price.

PERFORMANCE-BASED RATING SYSTEM

29 Del.C. §6962 (c)(12)(a) requires a Department of Transportation project, excluding a Community Transportation Fund or municipal street aid contract, to include a performance-based rating system. At the time of bid, the Performance Rating for each Contractor shall be used as a prequalification to bid.

Bidders with Performance Rating scores equal to or greater than 85% shall be permitted to bid. Bidders with scores of less than 85% who comply with the retainage requirements of 29 Del.C. §6962 shall be permitted to bid provided the *Agreement to Accept Retainage* (located on the Certification Page) is executed and submitted with the bid. Lack of an executed *Agreement to Accept Retainage* will result in the rejection of the bid by the Department. Successful bidders awarded Department contracts who have no performance history within the last five (5) years will be assigned a provisional Performance Rating of 85% at the date of advertisement.

Notification of Performance Rating. The Department shall post publicly the Performance Rating for all Contractors on the Department's [website](#). DelDOT will complete performance-based evaluations on the construction company contracted by the Department to build the project (the "Contractor"). Provisions to appeal Performance Ratings are described in the regulations. The regulations are set forth in Section 2408 of Title 2, Delaware Administrative Code, found [here](#).

PREFERENCE FOR DELAWARE LABOR:

Delaware Code, Title 29, Chapter 69, Section 6962, Paragraph (d), Subsection (4)b: "In the construction of all public works for the State or any political subdivision thereof, or by firms contracting with the State or any political subdivision thereof, preference in employment of laborers, workmen or mechanics shall be given to bona fide legal citizens of the State who have established citizenship by residence of at least 90 days in the State. Each public works contract for the construction