

PROPOSAL

CAROLINE COUNTY DEPARTMENT OF PUBLIC WORKS

WILLISTON ROAD STORM DRAIN REPLACEMENT

RFP# CCDPW2023-04

Made this _____ day of _____ 20_____

By _____

Business Address _____

The Bidder declares that the only person, firm, or corporation or persons, firms or corporations that have or have any interest in this proposal or in the contract or contracts proposed to be taken is or are undersigned; that this proposal is made without connection, collusion, or agreement with any person, firm, or corporation making a proposal of the same work to bid a fixed or uniform price; that the attached specifications and form of contract and the drawings therein referred to have been carefully examined and are understood; that as careful an examination has been made as is necessary to become informed as to the character and extent of the work required; and that it is proposed and agreed if the proposal is accepted to contract with **Caroline County, Maryland**, in the form of contract hereto attached to do the required work in the manner set forth in the specifications and as shown on the drawings.

The prices on the attached and signed Proposal forms are to include and cover the furnishing of all materials and labor requisite and proper (except those specified as being furnished by the Owner), and the providing of all necessary machinery, tools apparatus and means of performing the work, and the doing of all the above-mentioned work, in the manner set forth, described and shown in the specifications, and the contract drawings within the prescribed time. If this proposal shall be accepted by **Caroline County, Maryland**, and the undersigned shall refuse or neglect within 10 days after receiving the contract for execution, to execute the same and to give the stipulated bond, then said **Caroline County, Maryland**, may at its sole option, determine that the bidder has abandoned the contract; and thereupon the proposal and the acceptance thereof shall be null and void; and the deposit accompanying the proposal shall be forfeit to and become the property of said **Caroline County, Maryland**.

PROPOSAL FORM

CAROLINE COUNTY DEPARTMENT OF PUBLIC WORKS

WILLISTON ROAD STORM DRAIN REPLACEMENT

RFP# CCDPW2023-04

County Commissioners of Caroline County, Maryland:

We hereby submit, for your review, our proposal requested by the Invitation to Bid. This proposal includes and incorporates all information as described in this Proposal Form and in Information for Bidders, the same as if specifically written herein.

BIDDER _____ Date _____

Business Address _____

Signature _____ Phone _____

The Unit Price proposal shall consist of Bid Items 1 – 6 and Contingency Item 1 as follows:

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
1.	Perforated Pipe Installation	LF	150	_____	_____
2.	Solid Wall Pipe Installation	LF	160	_____	_____
3.	Ex. Culvert Replacement	LS	1	_____	_____
4.	Gravel Driveway Repair	LS	2	_____	_____
5.	Topsoil	CY	26	_____	_____
6.	Seeding & Stabilization	LS	1	_____	_____
Contingency Item					
1.	Over-Excavation and Backfill	CY	10	_____	_____
Total for all items					_____

I/We propose to furnish all labor, equipment, certain materials as stipulated herein and other items necessary and proper to complete work as directed for the **Williston Road Stormdrain Replacement Project** at the unit prices as stipulated above.

The Bidder agrees that this Proposal shall be good and may not be withdrawn for a period of 90 calendar days after the opening of the Bid Proposals.

The bid items listed above are intended to include all work items associated with a complete project, including mobilization. Some work components of the project may not be specifically listed and as such, it is the contractor's responsibility to include all work required within an appropriate bid item listed above.

Caroline County, Maryland reserves the right to reject any and all bids and to award the Contract in total or in parts, which in their opinion, represents the best value and best serves the interest of **Caroline County, Maryland**.

ALL WORK UNDER THIS CONTRACT SHALL BE CONDUCTED IN COORDINATION WITH, AND AS DIRECTED BY, THE CAROLINE COUNTY DIRECTOR OF PUBLIC WORKS. ALL WORK UNDER THIS CONTRACT SHALL BE COMPLETED BY NOVEMBER 15, 2023.

EXPLANATION OF SPECIFIC ITEMS

- A. Payment for all material furnished and work done under this Contract shall be made per the unit price bid for each item for the total quantity of the work completed and per all applicable County and State specifications attributable to each bid item. The Contractor shall not be entitled to receive additional compensation for anything furnished or done, except for such extra work authorized in writing by the Engineer.
- B. **Items 1 through 6** - The bid price for all items shall include full compensation for all labor, materials, equipment, tools, and incidentals necessary to complete all work as described.
- C. Items 1 & 2 – Removal and Disposal of existing CMP/RCP Pipe is Incidental to installation items.

CONTINGENCY ITEMS

- A. Items listed as CONTINGENCY ITEMS in the Proposal may be used and will be paid for only at the written direction and authorization of the Engineer. Contingency items may be selected in place of, or in addition to, the standard bid items. Such selections to be authorized by the Engineer in writing. All materials furnished and installed shall be in accordance with County and State specifications. Measurements and payment will be in accordance with the proposal and will include but not necessarily be limited to the furnishing, hauling, placing and installing of materials, and the furnishing of such manpower and equipment as required to accomplish the work as directed in writing by the Engineer.

B. Contingency bid items are to be measured and paid for in accordance with the units shown in the Proposal. The contingency item prices shall be applied in computing the value of changes, additions, deletions, and substitutions, which may be made in the work and by order of the Engineer. Each unit price shall include the cost for all labor, materials, tools, equipment, overhead, profits, and commissions necessary to complete the item. The stipulated items are defined as follows:

Item 1: Represents any over-excavation required, as directed by the Engineer, and any imported and compacted MSHA Type III Borrow (BRG) needed to adequately provide sound-bearing soils beneath the proposed pipe. BRG material will be provided by Caroline DPW, to be sourced at the Holly Road Landfill Transfer Facility. The contractor is responsible for hauling BRG material to the job location.

MEASUREMENT AND PAYMENT

Measurement and payment for all work will be per the bid item units; by field measurement or haul tickets indicating tonnage, as applicable.

SUBCONTRACTOR/SUPPLIER LISTING

The following subcontractors/suppliers will be employed by this contract:

No.	Type of Work	Subcontractors Address/Phone	Percent of Work
—	_____	_____ _____ _____	_____
—	_____	_____ _____ _____	_____
—	_____	_____ _____ _____	_____

List all subcontractors/suppliers whose percent of work is two (2%) percent or greater. Provide additional pages as necessary. Types of Work not listed indicate that the Contractor intends to perform the work with his own force. The Contractor shall not award work to subcontractor(s) in excess of fifty (50%) percent of the total contract price, without written approval of **Caroline County**. Failure of Contractor to list subcontractors may result in disqualification of bid.

The following pages of forms, affidavits and information shall be completed and provided with the submitted bid:

Drug Abuse Policy in Effect (Circle One)	YES	NO
Insurance certificate attached (Circle One)	YES	NO
Signature form executed? (Circle One)	YES	NO
Affidavit of qualification to bid? (Circle One)	YES	NO
Non-collusion certificate (Circle One)	YES	NO
Addendums Initialed (Circle One)	YES	NO

Notice to Bidders

Failure to affirm and/or submit statements requested may cause a bid to be declared “Unresponsive” and rejected.

STANDARD SEALED BID FORM

RFP# CCDPW2023-04

BIDDERS:

AGENTS (TYPED): _____

FIRM Name: _____

ADDRESS: _____

TELEPHONE: _____

FAX #: _____

Submitted by: _____
(Signature of authorized agent above)

_____, this _____ day of _____ 2023.

Approved for Award By:

COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND

J. Travis Breeding, President
Caroline County Commissioners

ATTEST:

Kaleigh Leager
Executive Assistant

DATE _____

00300 - 6

COMPREHENSIVE SIGNATURE PAGE 1 OF 2

THE BIDDER IS HEREBY NOTIFIED THAT THIS DOCUMENT SHALL BE SIGNED IN INK IN ORDER FOR THE BID TO BE ACCEPTED. BY SIGNING, THE BIDDER CERTIFIES THAT HE/SHE WILL COMPLY IN EVERY ASPECT WITH THESE SPECIFICATIONS.

FURTHER, I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT (PARAGRAPHS A-J) ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

This bid form shall be filled out legibly in ink or typed. The bid, if submitted by an individual, shall be signed by an individual; if submitted by a partnership, shall be signed by such member or members of the partnership as have authority to bind the partnership; if submitted by a corporation the same shall be signed by the President and attested by the Secretary or an Assistant Secretary. If not signed by the President as aforesaid, there must be attached a copy of that portion of the By-Laws, or a copy of a Board resolution, duly certified by the Secretary, showing the authority of the person so signing on behalf of the corporation. In lieu thereof, the corporation may file such evidence with the County, duly certified by the Secretary, together with a list of the names of those officers having authority to execute documents on behalf of the corporation, duly certified by the Secretary, which listing shall remain in full force and effect until such time as the County is advised in writing to the contrary. In any case where a bid is signed by an Attorney in Fact the same must be accompanied by a copy of the appointing document, duly certified.

IF AN INDIVIDUAL:

NAME: _____

_____ Street and/or P.O. Box

_____ City State Zip Code Fed ID or SSN

_____ (SEAL) _____
Signature Date

_____ Print Signature

WITNESS: _____

Signature

_____ Print Signature

COMPREHENSIVE SIGNATURE PAGE 2 OF 2

IF A PARTNERSHIP:

NAME OF PARTNERSHIP: _____

Street and/or P.O. Box

City State Zip Code Fed ID or SSN

BY: _____ (SEAL) _____

Signature Date

Print Signature

TITLE: _____ WITNESS: _____

Signature

Print Signature

IF A CORPORATION:

NAME OF CORPORATION: _____

Street and/or P.O. Box

City State Zip Code Fed ID or SSN

STATE OF INCORPORATION: _____

BY: _____ (SEAL) _____

Signature

Date

Print Signature

TITLE: _____ WITNESS: _____

Secretary's Signature

Print Signature

SIGNATURE FORM

RFP# CCDPW2023-04

NAME OF BIDDER: _____

SIGNATURE OF AUTHORIZED PERSON: _____

PRINT AUTHORIZED PERSON: _____

TITLE OF AUTHORIZED PERSON: _____

STREET NAME & NUMBER: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____

FAX _____

E-MAIL _____

DATE: _____

BIDDER'S FEDERAL EMPLOYERS IDENTIFICATION NO. _____

BIDDER'S CONTRACTORS LICENSE AND PERMIT NUMBERS:

NOTICE

All bidders shall complete and submit with their bid the Bid/Proposal Affidavit below.

BID/PROPOSAL AFFIDAVIT

RFP# CCDPW2023-04

A. AUTHORITY

I HEREBY AFFIRM THAT:

I, _____, am the (Title) _____ and
the duly authorized representative of the firm of (Name of Bidder) _____,
_____,
whose address is _____,
and that I possess the legal authority to make this affidavit on behalf of myself and the
the firm for which I am acting.

B. AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in Section 16-101(b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has been convicted of, or has had probation before judgment imposed pursuant to Criminal Procedure Article, §6-220, Annotated Code of Maryland, or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

_____.

(Conduct prior to July 1, 1977 is not required to be reported).

C. AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies, has:

- (1) Been convicted under state or federal statute of:
 - (a) a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or
 - (b) fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
- (2) Been convicted of any criminal violation of a state or federal antitrust statute;
- (3) Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. §1961, et seq., or the Mail Fraud Act, 18 U.S.C. §1341, et seq., for acts in connection with the submission of bids or proposals for a public or private contract;
- (4) Been convicted of a violation of the State Minority Business Enterprise Law, Section 14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland;
- (5) Been convicted of a violation of the Section 11-205.1 of the State Finance and Procurement Article of the Annotated Code of Maryland;
- (6) Been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsection (1) through (5) above;
- (7) Been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract;
- (8) Been found in a final adjudicated decision to have violated the Commercial Nondiscrimination Policy under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland with regard to a public or private contract; or
- (9) Been convicted of a violation of one or more of the following provisions of the Internal Revenue Code:
 - (a) §7201, Attempt to Evade or Defeat Tax;
 - (b) §7203, Willful Failure to File Return, Supply Information, or Pay Tax,
 - (c) §7205, Fraudulent Withholding Exemption Certificate or Failure to Supply Information,
 - (d) §7206, Fraud and False Statements, or
 - (e) §7207 Fraudulent Returns, Statements, or Other Documents;

(10) Been convicted of a violation of 18 U.S.C. §286 Conspiracy to Defraud the Government with Respect to Claims, 18 U.S.C. §287, False, Fictitious, or Fraudulent Claims, or 18 U.S.C. §371, Conspiracy to Defraud the United States;

(11) Been convicted of a violation of the Tax-General Article, Title 13, Subtitle 7 or Subtitle 10, Annotated Code of Maryland;

(12) Been found to have willfully or knowingly violated State Prevailing Wage Laws as provided in the State Finance and Procurement Article, Title 17, Subtitle 2, Annotated Code of Maryland, if:

- (a) A court:
 - (i) Made the finding; and
 - (ii) Decision became final; or
- (b) The finding was:
 - (i) Made in a contested case under the Maryland Administrative Procedure Act; and
 - (ii) Not overturned on judicial review;

(13) Been found to have willfully or knowingly violated State Living Wage Laws as provided in the State Finance and Procurement Article, Title 18, Annotated Code of Maryland, if:

- (a) A court:
 - (i) Made the finding; and
 - (ii) Decision became final; or
- (b) The finding was:
 - (i) Made in a contested case under the Maryland Administrative Procedure Act; and
 - (ii) Not overturned on judicial review;

(14) Been found to have willfully or knowingly violated the Labor and Employment Article, Title 3, Subtitles 3, 4, or 5, or Title 5, Annotated Code of Maryland, if:

- (a) A court:
 - (i) Made the finding; and
 - (ii) Decision became final; or
- (b) The finding was:
 - (i) Made in a contested case under the Maryland Administrative Procedure Act;

and

- (ii) Not overturned on judicial review; or

(15) Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described in §§B and C and subsections D(1) — (14) above, except as follows (indicate reasons why the affirmations cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

D. AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity, except as follows (list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the debarment or suspension):

E. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT:

- (1) The business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to Sections 16-101, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland; and
- (2) The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business, except as follows (you must indicate the reasons why the affirmations cannot be given without qualification):

F. SUB-CONTRACT AFFIRMATION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, has knowingly entered into a contract with a public body under which a person debarred or suspended under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

G. AFFIRMATION REGARDING COLLUSION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business has:

- (1) Agreed, conspired, connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or offer that is being submitted;
- (2) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of the bidder or offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the accompanying bid or offer is submitted.

H. CERTIFICATION OF TAX PAYMENT

I FURTHER AFFIRM THAT:

Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Department of Labor, Licensing, and Regulation, as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

I. CONTINGENT FEES

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency, any fee or any other consideration contingent on the making of the Contract.

J. ACKNOWLEDGEMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the County Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of Caroline County, the State of Maryland, or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: _____

By: _____ (print name of Authorized Representative and Affiant)

_____ (signature of Authorized Representative and Affiant)