

## **TRACK CONTRACTOR'S BID FORM**

To the Minnesota Valley Regional Rail Authority

The undersigned has examined the plans, specifications and the location of work described in the proposal package and is fully informed as to the scope of the work and understands that the quantities shown are approximate in nature and may be increased, decreased or omitted.

The undersigned proposes to furnish all necessary machinery, tools, material, labor, and miscellaneous items and supervision to complete the work fully as outlined in the bid package.

We hereby certify that (I am)(we are) the only person(s) interested in this proposal as principal(s); that this proposal is made and submitted without fraud or collusion with any other person, firm or corporation at all; that an examination has been made of the site of the work and the Contract form, with the Plans, Specifications and Special Provisions for the improvement

(I)(We) further propose to furnish a payment bond equal to the Contract amount, and a performance bond equal to the Contract amount, with the aggregate liability of the bond(s) equal to twice the full amount of the Contract if the contract is less than or equal to five million dollars (\$5,000,000.00), or if the contract is in excess of five million dollars (\$5,000,000.00) the aggregate liability shall be equal to the amount of the contract, as security for the construction and completion of the improvement according to the Plans, Specifications and Special Provisions as provided in Mn/DOT 1305.

(I)(We) further propose to do all work according to the Plans, Specifications and Special Provisions, and to renew or repair any work that may be rejected due to defective materials or workmanship, before completion and acceptance of the Project by the Minnesota Valley Regional Rail Authority.

(I)(We) agree to all provisions of Minnesota Statutes, Section 181.59.

(I)(We) further propose to begin work and to prosecute and complete the same according to the time schedule set forth in the Special Provisions for the improvement.

(I)(We) assign to the Minnesota Valley Regional Rail Authority all claims for overcharges as to goods and materials purchased in connection with this Project resulting from antitrust violations that arise under the antitrust laws of the United States and the antitrust laws of the State of Minnesota. This clause also applies to subcontractors and first tier suppliers under this Contract.

The bidder shall commence work on June 30, 2019 or within eight (8) Calendar Days

after the date of Notice of Contract Approval, whichever is later. Construction operations shall not commence prior to Contract Approval. All work shall be completed by October 31, 2019.

The undersigned understands that all pay items listed will have a unit price filled in by the bidder, extended and totaled to form a complete bid. The bid will be awarded to the lowest, responsible bidder.

The undersigned understands that the following items are required submittals with the bid:

1.
  1. Title Sheet of the Proposal
  2. The completed "Schedule of Prices", with all changes made in ink and initialed.
  3. Proposal, with signature and all addenda acknowledged
  4. Form CM 32-34 (EEO Clause)
  5. Non-Collusion Declaration
  6. Bid Bond
  7. Schedule of equipment proposed to be used on the project
  8. List of previous rail relay projects completed in the past 5 years. List to include length of relay, location, company, and contact person and information.
  9. Proposed starting date
  10. Secretary of State Certificate to do business in Minnesota.
  11. Proof of compliance with FRA 213.7(a) and 213.7(c)

Submittal of one original hard copy of the Bid Proposal is required by 2:00 pm, Central Standard Time on June 4, 2019. The Bid Proposal should be marked MVRRA – Bridge Rehabilitation Project, and directed to the following address.

Julie Rath  
MVRRA Administrator  
200 South Mill Street  
Redwood Falls, MN 56283

Bids will be publicly opened at the address listed above immediately following the submittal deadline. The bidder understands that the Rail Authority reserves the right to reject any and all bids.

COMPANY NAME: \_\_\_\_\_

COMPANY ADDRESS: \_\_\_\_\_

BIDDERS NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_ -

BIDDERS SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_

**BID FORM**  
**Minnesota Valley Regional Rail Authority**

**2019 Bridge Rehabilitation Project**

	Description	U/M	Quantity	Unit Price	Total
1	Mobilization	LUMP SUM	1		
2	Bridge 70.74	LUMP SUM	1		
3	Bridge 107.07	LUMP SUM	1		
4	Bridge 112.00	LUMP SUM	1		
5	Bridge 112.52	LUMP SUM	1		
6	Bridge 113.90	LUMP SUM	1		
7	Bridge 117.97	LUMP SUM	1		
8	Bridge 118.00	LUMP SUM			
	<b>BASE BID TOTAL</b>				

	Description	U/M	Quantity	Unit Price	Total
	<b>ALTERNATE BID</b>				
	Bridge 119.22	LUMP SUM			
	Bridge 139.36	LUMP SUM			
	Bridge 140.04	LUMP SUM			
	<b>ALTERNATE BID TOTAL</b>				

**Contract award will be based on the lowest responsible base bid total. Alternate work will be awarded only if MVRRA has sufficient budget.**

**Contractor** \_\_\_\_\_



**Previous Contracts in Last 5 Years**

<b>Owner</b>	<b>Location</b>	<b>Type of Work</b>	<b>Contact Person (include email or phone)</b>

**Proposed Start Date** \_\_\_\_\_

**PERFORMANCE ON PREVIOUS CONTRACTS**

THE FOLLOWING CERTIFICATION WITH REGARD TO THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS SHALL BE EXECUTED BY THE BIDDER.

The bidder hereby certifies the he/she has\_\_\_\_, has not\_\_\_\_, participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114 or 11246, and that he/she has \_\_\_\_, has not \_\_\_\_, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

\_\_\_\_\_  
*(Company)*

By: \_\_\_\_\_

\_\_\_\_\_  
*(Title)*

Date: \_\_\_\_\_

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are exempt from the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

## NON-COLLUSION AFFIDAVIT

The following Non-Collusion Affidavit shall be executed by the bidder:

**State Project No.** MVRRRA 2019-01

**County of** \_\_\_\_\_)

I, do state under penalty of \_\_\_\_\_  
(name of person signing this affidavit)

perjury under 28 U.S.C. 1746 of the laws of the United States:

(1) that I am the authorized representative of

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(name of person, partnership or corporation submitting this proposal)

and that I have the authority to make this affidavit for and on behalf of said bidder;

(2) that, in connection with this proposal, the said bidder 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;

(3) that, to the best of my knowledge and belief, the contents of this proposal have not been communicated by the bidder or by any of his/her employees or agents to any person who is not an employee or agent of the bidder or of the surety on any bond furnished with the proposal and will not be communicated to any person who is not an employee or agent of the bidder or of said surety prior to the official opening of the proposal, and

(4) that I have fully informed myself regarding the accuracy of the statements made in this affidavit.

Signed: \_\_\_\_\_  
(bidder or his authorized representative)

Letting Date: \_\_\_\_\_

MINNESOTA VALLEY REGIONAL RAIL  
AUTHORITY

**PROPOSAL BOND**

KNOW ALL MEN BY THESE PRESENTS, that We, \_\_\_\_\_  
\_\_\_\_\_, as Principal, and \_\_\_\_\_,  
\_\_\_\_\_, as Surety, are jointly and severally held and firmly  
bound unto the Minnesota Valley Regional Rail Authority (MVRRA), as Obligee, in the sum  
of five percent (5%) of the total amount of the proposal price.

The CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall be  
awarded a contract, upon the accompanying proposal dated \_\_\_\_\_ for  
the performance of MVRRA PROJECT \_\_\_\_\_

and shall, within the time stated in the proposal, enter into a contract for the  
performance of the work and give bond as required by law, then this obligation shall  
be void; otherwise, the Principal and Surety shall pay unto the Obligee the amount of  
this bond, not as a penalty, but as liquidated damages sustained by the Obligee as the  
result of such failure on the part of the Principal to execute said contract and bond.

**SIGNATURES**

Date, 20 \_\_\_\_\_

(Name of  
Contractor/Principal)

By: \_\_\_\_\_  
(Officer)

By: \_\_\_\_\_  
(Officer)

\_\_\_\_\_  
Name of Surety

By: \_\_\_\_\_  
(Attorney-in-Fact)

(Surety Corporate Seal)

**ACKNOWLEDGEMENT IN A REPRESENTATIVE  
CAPACITY**

**(Corporation, LLC, Partnership or Other Entity)**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
(date) (name)

and \_\_\_\_\_ as \_\_\_\_\_ and \_\_\_\_\_  
(name) (title) (title)

of \_\_\_\_\_  
(name and designation of party on behalf of whom the instrument was executed)

Notary Signature: \_\_\_\_\_

Title: Notary

Commission Expiration: \_\_\_\_\_

(Notary Stamp/Seal)

**ACKNOWLEDGEMENT IN AN INDIVIDUAL CAPACITY**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
(date) (name)

and \_\_\_\_\_  
(name)

Notary Signature: \_\_\_\_\_

Title: Notary

Commission Expiration: \_\_\_\_\_

(Notary Stamp/Seal)

**ACKNOWLEDGEMENT OF SURETY**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
(date) (name)

as Attorney-in-Fact of \_\_\_\_\_  
(name of surety)

Notary Signature: \_\_\_\_\_  
Title: Notary  
Commission Expiration: \_\_\_\_\_

(Notary Stamp/Seal)

NOTICE TO PERSONAL SURETIES: Bond will not be accepted unless accompanied by a sworn financial statement of each of the sureties.  
NOTICE TO CORPORATE SURETIES: This bond will not be accepted unless executed by a Minnesota agent, or a duly licensed non-resident- producer, or attorney-in-fact whose name and address must be noted below.

Full Name of Surety Company \_\_\_\_\_

Home Office Address (Street) \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Name of Attorney-in-Fact \_\_\_\_\_

Name of Local Agent and Agency or  
Non-Resident Producer and Agency \_\_\_\_\_

Address of Local Agency or  
Non-Resident Producer Agency (street) \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

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