

INFORMATIONAL PROPOSAL

(For information only, not to be used for bidding)

NEBRASKA DEPARTMENT OF TRANSPORTATION

LETTING DATE: March 29, 2018

CALL ORDER: 600
CONTROL NO. SEQ. NO.: Z008

CONTRACT ID: Z008
PROJECT NO.: AFE - Z008

TENTATIVE START DATE: 06/01/2018

CONTRACT TIME: 365 Calendar Days

LOCATION: STATEWIDE ON-CALL MILLING

CHERRY, DOUGLAS, HALL, LINCOLN, RED WILLOW, SCOTTS BLUFF, WAYNE,
IN COUNTIES: LANCASTER

BIDDER

GROUP 8 SPECIALTY

NOTES

THE TOTAL AMOUNT OR WORK WHICH WILL BE ACCEPTED IN
THIS LETTING IS LIMITED TO \$ _____

THE NUMBER OF GROUP _____ CONTRACTS WHICH WILL BE
ACCEPTED IN THIS LETTING IS LIMITED TO _____.



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.

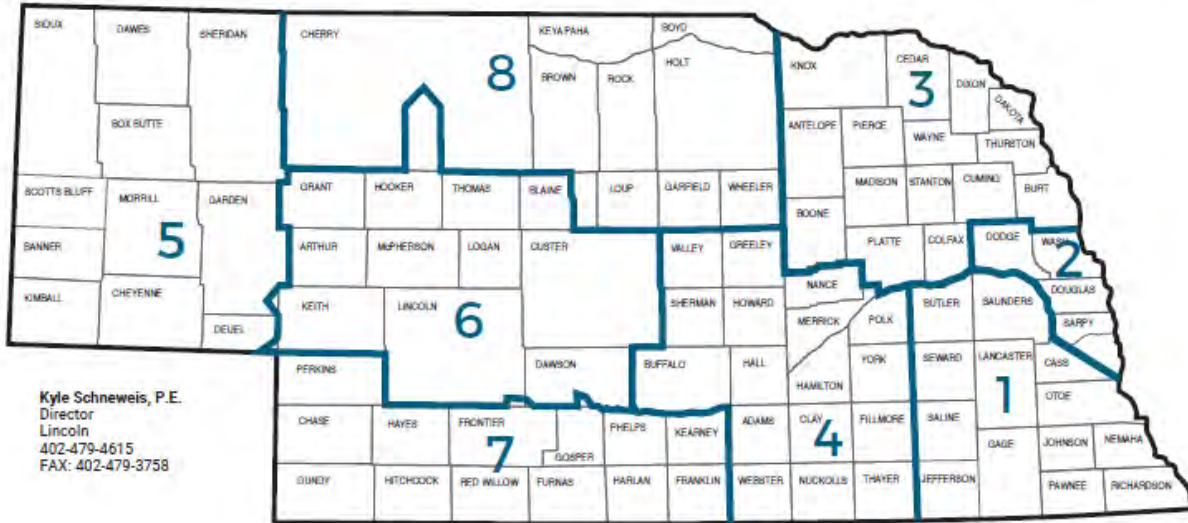
LETTING QUESTIONS

Prior to the letting, any questions pertaining to the Special Provisions or the Plans for this project should be submitted to NDOT in a written format through the Bid Express (BidX) website at <https://www.bidx.com/ne/lettings>. Likewise, NDOT will post answers exclusively to the BidX website. All official answers will be identified as “Authorized by NDOT.” **Questions will not be answered verbally.**

NEBRASKA DEPARTMENT OF TRANSPORTATION

Nebraska Department of Transportation District Engineers

Thomas Goodbarn District 1 Lincoln 402-471-0850 FAX: 402-471-3401	Timothy W. Weander District 2 Omaha 402-595-2534 FAX: 402-595-1720	Kevin Domogalla District 3 Norfolk 402-370-3470 FAX: 402-370-3473	Wesley Wahlgren District 4 Grand Island 308-385-6265 FAX: 308-385-6269	Doug Hoewet District 5 Gering 308-436-6587 FAX: 308-633-6614	Gary Thayer District 6 North Platte 308-535-8031 FAX: 308-535-8034	Kurt Vosburg District 7 McCook 308-345-8490 FAX: 308-345-8492	Mark Kovar District 8 Ainsworth 402-387-2471 FAX: 402-387-1498
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TERMOF PRICE CONTRACT:

This contract shall be valid from June 1, 2018 to June 30, 2020 at the fixed price bid by the Contractor. If both parties agree, the contract may be extended for an additional 2-year term.

PERFORMANCE AND PAYMENT AND MATERIALS BONDS:

The successful Contractor must return the signed Contract together with a satisfactory Contract Bond, within 10 days from the date of award. The Contract Bond shall be executed on a form to be supplied by the Department and the amount shall be equal to 100% of the bid amount. The Department will not execute the Contract until a satisfactory Contract Bond, certificate of insurance, and any other required documents have been received.

Subsection 112.02(3)(a) of the Standard Specifications is void.

The contract bond will not be paid for directly, but shall be considered subsidiary to items in which direct payment is being made.

**SPECIAL PROVISIONS
FOR
STATE
PROJECT NO. AFE-Z008**

GENERAL CONDITIONS

Bids for the work contemplated in this proposal form will be received at the office of the Nebraska Department of Transportation in Room 104 of the Central Office Building at 1500 Highway 2 at Lincoln, Nebraska, on March 29, 2018, until 1:30 P.M.

- a. Bids submitted by mail should be addressed to the Nebraska Department of Transportation, c/o Contract Lettings Section, P.O. Box 94759, Lincoln, NE 68509-4759.
- b. Bids submitted electronically over the internet, shall be submitted using www.bidx.com.

The 2017 Edition of the Standard Specifications for Highway Construction, including all amendments and additions thereto effective at the date of the contract, are made a part of these Special Provisions, through reference.

The proposal contains a statement that the contractor is complying with, and will continue to comply with, fair labor standards in the pursuit of his business and in the execution of the work contemplated in this proposal.

Fair labor standards shall be construed to mean such a scale of wages and conditions of employment as are paid and maintained by at least fifty percent of the contractors in the same business or field of endeavor as the contractor filing this proposal.

STATUS OF UTILITIES

The following information is current as of February 20, 2018.

Aerial and/or underground utilities may exist within the limits of this project. The Contractor shall determine to their satisfaction the extent of occupancy of any utility facilities located within the project construction areas and the extent of conflict with the proposed work under this contract.

At this time, no utilities have been required to relocate their facilities.

Any utility adjustments or interruption of service for the convenience of the Contractor shall be the sole responsibility of the Contractor.

To arrange for utilities to locate and flag their underground facilities, contact The Diggers Hotline of Nebraska at 1-800-331-5666 or dial 811.

Any work necessary will be concurrent with construction.

STATUS OF RIGHT-OF-WAY

All work is to be performed within the existing Right of Way as located by the Engineer.

ENVIRONMENTAL COMMITMENT

Below are the Conservation Conditions that will be required for this project. All conditions and regulations of any permit obtained for this project will be followed by the Contractor.

Unanticipated impacts:

The Contractor shall not stage, store waste or stockpile materials and equipment in undisturbed locations, or in known/potential wetlands and/or known/potential streams that exhibit a clear "bed and bank" channel. Potential wetland areas consist of any area that is known to pond water, swampy areas or areas supporting known wetland vegetation (e.g., Cattails, bulrush, Canary reed grass, smartweed, or areas where there is a distinct difference in vegetation (at lower elevations) from the surrounding upland areas.)

Impacts to the Community:

Emergency services shall be given adequate notice of any closures.

Hazardous Material concerns:

Any items that may contain hazardous materials must be properly handled and disposed of as detailed in the Standard Specifications.

**STORM WATER DISCHARGES
(1-43-1217)**

In compliance with the Federal Water Pollution Control Act, authorization to discharge storm water on this project has been granted under National Pollutant Discharge Elimination System (NPDES) General NPDES Permit Number NER110000 for Storm Water Discharges from Construction Sites to Waters of the State of Nebraska. This permit became effective on January 1, 2008.

Contractors are advised that, under the Construction Storm Water General Permit, ***plant sites, camp sites, storage sites, and borrow or waste sites not shown on the plans may be subject to separate NPDES permit authorization requirements for stormwater discharges from those locations.*** Contractors shall be responsible for verifying the need for NPDES permit coverage with the Nebraska Department of Environmental Quality (NDEQ). When required for these locations, the filing of a "Notice of Intent" shall be made by the Contractor directly to the NDEQ.

Additionally, asphalt (SIC Code 2951) or concrete (SIC Code 3273) batch plants that are owned by a private Contractor and are operated on a contract-for-service basis to perform work for the Contractor completing the project may be subject to NPDES General Permit Number NER000000 for Industrial Storm Water Discharges. While the plant may be required for completion of the project, it is not under the control of the Department (or other project owner); and the filing of a "Notice of Intent" shall be made by the Contractor directly to the NDEQ.

The NDEQ may be contacted at 402-471-4220 for additional information.

**REQUIRED SUBCONTRACTOR/SUPPLIER QUOTATIONS LIST
(1-43-1217)**

All bidders must provide to the NDOT the identity of all firms who provided quotations on all projects, including both DBEs and non-DBEs. This information must be on a form provided by the NDOT Contracts Office.

If no quotations were received, the bidder must indicate this in the space provided.

Each bidder will be required to submit one list per letting to cover all projects bid.

**WORKER VISIBILITY
(1-43-1217)**

Pursuant to Part 634, Title 23, Code of Federal Regulations, the following modified rule is being implemented:

Effective on January 1, 2008, all workers within the right-of-way who are exposed either to traffic (vehicles using the highway for purposes of travel) or to construction equipment within the work area shall wear high-visibility safety apparel.

High-visibility safety apparel is defined to mean personal protective safety clothing that:

- 1 - is intended to provide conspicuity during both daytime and nighttime usage, and
- 2 - meets the Performance Class 2 or Class 3 requirements of the ANSI/ISEA 107-2004 publication titled "American National Standards for High-Visibility Safety Apparel and Headwear."

**SPECIAL PROSECUTION AND PROGRESS
(Federal Immigration Verification System)
(1-43-1217)**

The Contractor shall register with and use a Federal Immigration Verification System to determine the work eligibility status of newly hired employees physically performing services within the State of Nebraska. The Prime Contractor shall contractually require every subcontractor to register with and use a Federal Immigration Verification System to determine the work eligibility status of newly hired employees physically performing services within the State of Nebraska.

The Federal Immigration Verification System shall be an electronic verification of the work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program. The Contractor may use an equivalent Federal program designated by the United States Department of Homeland Security or other Federal agency authorized to verify the work eligibility status of a newly hired employee. The equivalent program shall comply with the Immigration Reform and Control Act of 1986.

The Prime Contractor shall furnish a letter to the NDOT Construction Division in Lincoln on company letterhead and signed by an officer of the company stating that documentation is on file certifying that the Contractor and all subcontractors have registered with and used a Federal Immigration Verification System. The Contractor shall maintain all records of registration and use for a period of three years and make records available upon request. The Contractor shall contractually require subcontractors to maintain all records for a period of three years and make records available upon request.

Payment will not be made to the Contractor for using the Federal Immigration Verification System or the maintenance of the records. This work shall be subsidiary to the work being performed.

The Contractor's Certification shall become part of the final records of the Contract. The Department considers this document to have direct bearing to the beginning interest date and may affect the amount of interest earned.

**PROPOSAL GUARANTY BID BOND (BID BOND)
(1-43-1217)**

Paragraph 1.b. of Subsection 102.14 in the Standard Specifications is void.

**MEASUREMENT AND PAYMENT
(Partial Payment)
(1-43-0318A)**

Paragraph 6 of Subsection 109.07 of the Standard Specifications is void and superseded by the following:

6. When payrolls must be submitted, the Department may withhold partial payments if the Contractor does not provide all payrolls (including Subcontractor payrolls) within seven (7) days of each payroll ending date.

**WAGES AND CONDITIONS OF EMPLOYMENT
(Employment of Labor – Payrolls)
(1-43-0318A)**

Paragraph 3 of Subsection 110.03 of the Standard Specifications shall be amended to include the following:

- i. On projects requiring submittals of certified payrolls, NDOT encourages all Contractors to submit their payrolls electronically; however, until the December 2018 letting both paper and electronic submissions will be accepted. If a Contractor elects to submit electronic payroll records, the submittal shall meet the following requirements.
 - (1) Format – Portable Document Format (PDF)
 - (2) Size of file – Limited to 25 MB
 - (3) Signatures – A scanned copy of the original certified payroll or Adobe digitally signed.

Payrolls certified by the Prime Contractor must be emailed to the Project Manager within seven (7) days of the payment date thereof. Payrolls must be complete and accurate.

NDOT anticipates that beginning with the January 2019 letting that only electronic submissions of the payrolls will be accepted.

**LIABILITY INSURANCE
(1-49-0118)**

Paragraph 1.b.(5) of Subsection 107.15 in the Standard Specifications is void and superseded by the following:

- (5) Automobile liability coverage shall be obtained from an insurance carrier who is licensed in Nebraska and any other State in which the project is located.

Paragraph 1.c. of Subsection 107.15 is amended to include the following:

Limit: Statutory coverage for Nebraska and for any other State in which the project is located.

Paragraph 1.c.(3) of Subsection 107.15 is void and superseded by the following:

- (3) Workers' compensation coverage shall be obtained from an insurance carrier who is licensed in Nebraska and any other State in which the project is located.

Paragraph 1.f.(5) of Subsection 107.15 in the Standard Specifications is void and superseded by the following:

- (5) Prior to execution of the contract, Contractor shall provide the State of Nebraska, Department of Transportation evidence of such insurance coverage in effect in the form of an ACORD® (or equivalent) certificate of insurance executed by a licensed representative of the participating insurer(s). Certificates of insurance shall show the Nebraska Department of Transportation as the certificate holders.

Paragraph 1.f. of Subsection 107.15 is amended to include the following:

- (9) For so long as insurance coverage is required under this agreement, the Contractor shall have a duty to notify the State of Nebraska Department of Transportation (State) when the Contractor knows, or has reason to believe, that any insurance coverage required under this agreement will lapse, or may be cancelled or terminated. The Contractor must forward any pertinent notice of cancellation or termination to the State by mail (return receipt requested), hand-delivery, email, or facsimile transmission within 2 business days of receipt by

Contractor of any such notice by an insurance carrier. Notice shall be sent to the State at the following address:

Nebraska Department of Transportation
Construction Division -- Insurance Section
1500 Highway 2, P.O. Box 94759
Lincoln, NE 68509-4759
Facsimile No. 402-479-4854
NDOT.ConstructionInsurance@nebraska.gov

CONSTRUCTION DETAILS

SPECIFICATIONS FOR COLD MILLING OF ASPHALT AND PORTLAND CEMENT CONCRETE PAVEMENT SURFACES

A. SPECIFICATIONS:

Cold milling shall be performed in accordance with the NDOT Standard specifications for Highway Construction 2017 Section 510, Cold Milling except as modified herein.

Paragraph 2. of Subsection 510.03 of the Standard Specifications is amended to include the following:

- c. The milling drum shall have a minimum of 60 cutting teeth per foot of width with a transverse spacing of approximately 0.2 inches for all "Cold milling, Class 1" work.

Paragraph 2. of Subsection 510.04 of the Standard Specifications is void and superseded by the following:

2. The texture shall be uniform and provide a satisfactory ride, surface, and skid resistance. Continuous longitudinal striations will not be allowed. The determination of an acceptable texture shall be determined by the Engineer. If the texture is determined to be unacceptable, the Contractor shall adjust the operation to provide an acceptable texture.

Paragraph 9. of Subsection 510.04 of the Standard Specifications is void and superseded by the following:

9.
 - a. All milling shall be performed in such a manner to prevent ponding of water.
 - b. The Contractor will be required to mill the roadway so that the pavement has positive drainage at all times. This may require milling outside the driving lanes and into the adjacent pavement.

Subsection 510.06, paragraph 3 is void.

Subsection 919.02 of the Standard Specifications is amended to include the following:

16. Cold Milling Machine shall be a crawler-type unit capable of milling asphalt or concrete pavement in its original position and loading the milled material into dump trucks.

Paragraph 1. of Subsection 919.05 of the Standard Specifications is amended to include the following:

1.	Pay Item	Pay Unit
	Rental of Cold Milling Machine, Fully Operated	Hour (h)

B. DESCRIPTION OF THE WORK:

This work shall consist of cold milling pavement surface(s) to the depth and width established by the District Engineer and texturing of roadway surface to improve profile and/or skid resistance. All other work associated with cold milling operations, brooming, traffic control, pavement marking and hauling of materials etc. will be provided by the Department. Milling operations shall be performed in accordance with the Department's pavement drop-off guideline.

C. WATER:

Water needed to perform milling operations shall be provided by the Contractor and will be considered subsidiary to other items for which direct payment is being made.

D. MOBILIZATION:

“Mobilization” will be a flat fee per mobilization plus “Mileage for Mobilization” from the NDOT District Office to the center of the job site in the District the work is being performed. No payment will be made for the Contractor's return to his/her base station.

Moves within the District from site to site for which it becomes necessary to load the milling machine on a truck and unload at the next location will be paid for as “Mileage for Mobilization”. Mileage will be determined by the closest route measurement, from the current worksite to the destination worksite. Moves to a different District will be considered a new mobilization.

Should the Contractor de-mobilize as directed by the Engineer and return to their base of operations and have to re-mobilize to a site to complete work on the site; mobilization and mileage will be paid and considered a new mobilization.

The District Engineer or their designee will approve the distance used for payment and their decision shall be final. The Contractor shall mobilize, be on site and begin work within 10 business days from the date of the request for services from the District Engineer or their designee.

Pay Item	Pay Unit
Mileage for Mobilization	Mile (mi)

E. INVOICING:

Invoices shall be submitted to the District Office in the District the work was performed. Invoices shall be submitted within fifteen days of the date of the completion of the work performed. The Department will issue a written letter of acceptance, partial acceptance or rejection of the services, or items of work.

All quantities are to be measured by the Engineer and will be considered to be final and all payments for the same will be made on this basis.

F. QUANTITIES:

Paragraph 3.b.(2)(i) in Subsection 104.02 in the 2017 Standard Specification is void.

The approximate quantities for each item are estimated and are for bidding purposes only. Quantities may be increased or decreased as necessary to meet actual field requirements. The work on this contract is an on-call as-needed basis, and the Department makes no guarantees of the actual amount of work that the Contractor will receive.

CONTRACTING WITH OTHER NEBRASKA POLITICAL SUB-DIVISIONS

The Contractor may, but shall not be required to, allow agencies, as defined in Neb. Rev. Stat. § 81-145, to use this contract. The terms and conditions, including price, of the contract may not be amended. The State shall not be contractually obligated or liable for any contract entered into pursuant to this clause. A listing of Nebraska political subdivisions may be found at the website of the Nebraska Auditor of Public Accounts.

**PROPOSAL GUARANTY
(1-37-1217)**

As an evidence of good faith in submitting a bid for this work, the bidder shall indicate the type of bid bond applied to this project in accordance with Subsection 102.14 of the Standard Specifications.

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