



Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Bruce A. Van Note
COMMISSIONER

April 25, 2019
Subject: Pavement Milling, HMA
Overlay with Drainage & Safety
Improvements
State Wins: 022440.00 & 022464.00
Location: **Old Orchard Beach &
Saco**
Amendment No. 1

Dear Sir/Ms.:

Please make the following changes to the Bid Documents:

In the Bid Book:

CHANGE on page 14, NOTICE TO CONTRACTORS, the fifth paragraph, which begins "The basis of award..." to read "**The basis of award will be Section 1 Only. Sections 1, 2, and 3 must be bid.**"

REMOVE pages 17 - 22, Proposal Schedule of Items, 6 pages, dated 4/3/2019, and **REPLACE** with the attached, revised Proposal Schedule of Items, 6 pages, dated 4/17/2019.

REMOVE pages 23 - 30, CONTRACT AGREEMENT, OFFER & AWARD, 2 copies, 4 pages each, and **REPLACE** with the attached, revised CONTRACT AGREEMENT, OFFER & AWARD, 2 copies, 4 pages each.

Consider these changes and information prior to submitting your bid on **May 1, 2019**.

Sincerely,

George M. A. Macdougall P.E.
Contracts & Specifications Engineer

4/17/2019

Maine Department of Transportation

Proposal Schedule of Items

Page 1 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 1 HIGHWAY ITEMS

Alt Set ID:

Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0010	202.202 REMOVING PAVEMENT SURFACE	21,000.000 SY	_____	 _____	_____	 _____
0020	202.203 PAVEMENT BUTT JOINTS	1,030.000 SY	_____	 _____	_____	 _____
0030	203.20 COMMON EXCAVATION	140.000 CY	_____	 _____	_____	 _____
0040	304.10 AGGREGATE SUBBASE COURSE - GRAVEL	50.000 CY	_____	 _____	_____	 _____
0050	304.14 AGGREGATE BASE COURSE - TYPE A	70.000 CY	_____	 _____	_____	 _____
0060	403.2081 12.5 MM POLYMER MODIFIED HOT MIX ASPHALT	3,400.000 T	_____	 _____	_____	 _____
0070	403.209 HOT MIX ASPHALT 9.5 MM (SIDEWALKS, DRIVES, INCIDENTALS)	70.000 T	_____	 _____	_____	 _____
0080	403.2101 9.5 MM POLYMER MODIFIED HMA	1,020.000 T	_____	 _____	_____	 _____
0090	403.211 HOT MIX ASPHALT (SHIMMING)	2,600.000 T	_____	 _____	_____	 _____
0100	403.213 HOT MIX ASPHALT 12.5 MM BASE	180.000 T	_____	 _____	_____	 _____
0110	409.15 BITUMINOUS TACK COAT - APPLIED	3,400.000 G	_____	 _____	_____	 _____
0120	410.151 EMULSIFIED ASPHALT SEALCOAT, APPLIED	11,800.000 SY	_____	 _____	_____	 _____

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Maine Department of Transportation

Proposal Schedule of Items

Page 2 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 1 HIGHWAY ITEMS

Alt Set ID:

Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0130	410.161 COVER COAT MATERIAL, SAND	5,900.000 LB	_____	_____	_____	_____
0140	411.10 UNTREATED AGGREGATE SURFACE COURSE (TRUCK MEASURE)	20.000 CY	_____	_____	_____	_____
0150	424.22 ASPHALT RUBBER CRACK SEALER TYPE 2, APPLIED	6,300.000 LB	_____	_____	_____	_____
0160	604.161 ALTERING CATCH BASIN	5.000 EA	_____	_____	_____	_____
0170	604.164 REBUILDING CATCH BASIN	1.000 EA	_____	_____	_____	_____
0180	604.167 CHANGE CATCH BASIN GRATE TO CASCADE	1.000 EA	_____	_____	_____	_____
0190	604.18 ADJUSTING MANHOLE OR CATCH BASIN TO GRADE	7.000 EA	_____	_____	_____	_____
0200	604.182 CLEAN EXISTING CATCH BASIN AND MANHOLE	42.000 EA	_____	_____	_____	_____
0210	606.1301 31" W-BM GR, MID-WAY SPLICE-SGL FACED	38.000 LF	_____	_____	_____	_____
0220	606.1304 31" W-BM GR, MID-WAY SPLICE-OVER 15' RAD	38.000 LF	_____	_____	_____	_____
0230	606.1305 31" W-BM GR, MID-WAY SPLICE FLARED TERMINAL	1.000 EA	_____	_____	_____	_____

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Maine Department of Transportation

Proposal Schedule of Items

Page 3 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 1 HIGHWAY ITEMS

Alt Set ID:

Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0240	606.353 REFLECTORIZED FLEXIBLE GUARDRAIL MARKER	2.000 EA	_____	 _____	_____	 _____
0250	606.362 GUARDRAIL ADJUSTED	550.000 LF	_____	 _____	_____	 _____
0260	606.48 SINGLE GALVANIZED STEEL POST	1.000 EA	_____	 _____	_____	 _____
0270	608.08 REINFORCED CONCRETE SIDEWALK	40.000 SY	_____	 _____	_____	 _____
0280	608.26 CURB RAMP DETECTABLE WARNING FIELD	190.000 SF	_____	 _____	_____	 _____
0290	608.46 REGRADING SIDEWALK	120.000 SY	_____	 _____	_____	 _____
0300	608.461 RECONSTRUCT PEDESTRIAN RAMP	3.000 EA	_____	 _____	_____	 _____
0310	608.462 CONSTRUCT NEW PEDESTRIAN RAMP	3.000 EA	_____	 _____	_____	 _____
0320	609.238 TERMINAL CURB TYPE 1 - 8 FOOT	1.000 EA	_____	 _____	_____	 _____
0330	609.31 CURB TYPE 3	140.000 LF	_____	 _____	_____	 _____
0340	615.07 LOAM	100.000 CY	_____	 _____	_____	 _____
0350	615.10 DIRTY BORROW	10.000 CY	_____	 _____	_____	 _____

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Maine Department of Transportation

Proposal Schedule of Items

Page 4 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 1 HIGHWAY ITEMS

Alt Set ID:

Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0360	618.13 SEEDING METHOD NUMBER 1	5.000 UN	_____	_____	_____	_____
0370	618.14 SEEDING METHOD NUMBER 2	1.000 UN	_____	_____	_____	_____
0380	619.12 MULCH	6.000 UN	_____	_____	_____	_____
0390	627.733 4" WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE	15,710.000 LF	_____	_____	_____	_____
0400	627.744 6" WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE	19,530.000 LF	_____	_____	_____	_____
0410	627.75 WHITE OR YELLOW PAVEMENT & CURB MARKING	5,530.000 SF	_____	_____	_____	_____
0420	627.752 TEMPORARY WHITE OR YELLOW PAVEMENT & CURB MARKING	4,910.000 SF	_____	_____	_____	_____
0430	627.78 TEMPORARY 4 INCH PAINTED PAVEMENT MARKING LINE, WHITE OR YELLOW	31,400.000 LF	_____	_____	_____	_____
0440	627.781 TEMPORARY 6 INCH PAINTED PAVEMENT MARKING LINE, WHITE OR YELLOW	39,060.000 LF	_____	_____	_____	_____
0450	629.05 HAND LABOR, STRAIGHT TIME	30.000 HR	_____	_____	_____	_____
0460	631.12 ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	30.000 HR	_____	_____	_____	_____

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Maine Department of Transportation

Proposal Schedule of Items

Page 5 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 1 HIGHWAY ITEMS

Alt Set ID:

Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0470	631.172 TRUCK - LARGE (INCLUDING OPERATOR)	30.000 HR	_____	_____	_____	_____
0480	639.19 FIELD OFFICE TYPE B	1.000 EA	_____	_____	_____	_____
0490	652.33 DRUM	30.000 EA	_____	_____	_____	_____
0500	652.34 CONE	200.000 EA	_____	_____	_____	_____
0510	652.35 CONSTRUCTION SIGNS	2,050.000 SF	_____	_____	_____	_____
0520	652.36 MAINTENANCE OF TRAFFIC CONTROL DEVICES	62.000 CD	_____	_____	_____	_____
0530	652.38 FLAGGER	1,210.000 HR	_____	_____	_____	_____
0560	656.75 TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL	LUMP SUM	LUMP SUM		_____	_____
0570	659.10 MOBILIZATION	LUMP SUM	LUMP SUM		_____	_____
Section: 1			Total:		_____	_____

4/17/2019

Maine Department of Transportation

Proposal Schedule of Items

Page 6 of 6

Proposal ID: 022440.00

Project(s): 022440.00, 022464.00

SECTION: 2 Town of Old Orchard Beach

Alt Set ID: Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0550	652.38 FLAGGER	48.000 HR	_____	_____	_____	_____
0590	812.162 ADJUSTING SEWER MANHOLE TO GRADE	6.000 EA	_____	_____	_____	_____
Section: 2			Total:		_____	_____

SECTION: 3 City of Saco

Alt Set ID: Alt Mbr ID:

Contractor: _____

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0540	652.38 FLAGGER	40.000 HR	_____	_____	_____	_____
0580	812.162 ADJUSTING SEWER MANHOLE TO GRADE	5.000 EA	_____	_____	_____	_____
Section: 3			Total:		_____	_____
			Total Bid:		_____	_____

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **WIN Nos. 22440.00 & 22464.00 for the Pavement Milling, Hot Mix Asphalt Overlay, with Drainage and Safety Improvements in the Town of Old Orchard beach and the City of Saco, County of York, Maine.** The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before **June 27, 2020.** Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the *State of Maine Department of Transportation Standard Specifications, November 2014 Edition* and related Special Provisions.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Section 1 \$ _____

Section 2 \$ _____

Section 3 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, *Standard Specifications, November 2014 Edition*, *Standard Details November 2014 Edition* as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the *Standard Specifications November 2014 Edition* (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, *Standard Specifications November 2014 Edition*, *Standard Details November 2014 Edition* as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **WIN Nos. 22440.00 & 22464.00 for the Pavement Milling, Hot Mix Asphalt Overlay, with Drainage and Safety Improvements in the Town of Old Orchard beach and the City of Saco, County of York**, State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items."

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items," which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the *Standard Specifications, November 2014 Edition*, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the *Standard Specifications November 2014 Edition* and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan with their bid.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

Date

(Signature of Legally Authorized Representative
of the Contractor)

Witness

(Name and Title Printed)

G. Award.

Your offer is hereby accepted for (see checked boxes):

Section 1 ☐

Section 2 ☐

Section 3 ☐

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: Bruce A. Van Note, Commissioner

Witness

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **WIN Nos. 22440.00 & 22464.00 for the Pavement Milling, Hot Mix Asphalt Overlay, with Drainage and Safety Improvements in the Town of Old Orchard beach and the City of Saco, County of York, Maine.** The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before **June 27, 2020.** Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the *State of Maine Department of Transportation Standard Specifications, November 2014 Edition* and related Special Provisions.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Section 1 \$ _____

Section 2 \$ _____

Section 3 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, *Standard Specifications, November 2014 Edition*, *Standard Details November 2014 Edition* as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the *Standard Specifications November 2014 Edition* (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, *Standard Specifications November 2014 Edition*, *Standard Details November 2014 Edition* as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **WIN Nos. 22440.00 & 22464.00 for the Pavement Milling, Hot Mix Asphalt Overlay, with Drainage and Safety Improvements in the Town of Old Orchard beach and the City of Saco, County of York**, State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items."

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items," which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the *Standard Specifications, November 2014 Edition*, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the *Standard Specifications November 2014 Edition* and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan with their bid.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

Date

(Signature of Legally Authorized Representative
of the Contractor)

Witness

(Name and Title Printed)

G. Award.

Your offer is hereby accepted for (see checked boxes):

Section 1 ☐

Section 2 ☐

Section 3 ☐

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: Bruce A. Van Note, Commissioner

Witness