

SECTION 905 -- PROPOSAL (CONTINUED)

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for **five percent (5%) of total bid** and hereby agree that in case of my (our) failure to execute the contract and furnish bond within Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. 1 DATED 11/13/2009 ADDENDUM NO. DATED
ADDENDUM NO. DATED ADDENDUM NO. DATED

Number	Description
1	Revise Notice To Bidders Nos. 2348 and 2831 with same; Revise Wage Rates with same; Amendment EBS Download Required.

TOTAL ADDENDA: 1
(Must agree with total addenda issued prior to opening of bids)

Respectfully Submitted,

DATE _____

Contractor

BY _____
Signature

TITLE _____

ADDRESS _____

CITY, STATE, ZIP _____

PHONE _____

FAX _____

E-MAIL _____

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of _____ and the names, titles and business addresses of the executives are as follows:

_____ President	_____ Address
_____ Secretary	_____ Address
_____ Treasurer	_____ Address

The following is my (our) itemized proposal.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 2348

CODE: (SP)

DATE: 01/20/2009

**SUBJECT: Storm Water Discharge Associated with Construction Activity
(≥ 5 Acres)**

PROJECT: RSIP-0055-04(070) / 105791301 & 302 - Tate and Desoto Counties

A Construction Storm Water General NPDES Permit to discharge storm water associated with construction activity is required.

The Department has acquired Certificate of Permit Coverage MSR-105592 under the Mississippi Department of Environmental Quality's (MDEQ) Storm Water Construction General Permit. Projects issued a certificate of permit coverage are granted permission to discharge treated storm water associated with construction activity into State waters. Copies of said permit, completed Large Construction Notice of Intent (LNOI), and Storm Water Pollution Prevention Plan (SWPPP) are on file with the Department.

Prior to the execution of the contract, the successful bidder shall execute and deliver to the Executive Director an original signed copy of the completed Prime Contractor Certification (Form No. 1).

Failure of the bidder to execute and file the completed Prime Contractor Certification (Form No. 1) shall be just cause for the cancellation of the award.

The executed Prime Contractor Certification (Form No. 1) shall be prima facie evidence that the bidder has examined the permit, is satisfied as to the terms and conditions contained therein, and that the bidder assumes the responsibility for meeting all permit terms and conditions and for performing permit requirements including, but not limited to, the inspection and reporting requirements. For this project, the Contractor shall furnish, set up and read, as needed, an on-site rain gauge.

The Contractor shall make inspections in accordance with condition No. S-4, page 14, and shall furnish the Project Engineer with the results of each weekly inspection as soon as possible following the date of inspection. A copy of the inspection form provided with the packet completed shall be sufficient. The weekly inspections must be documented monthly on the Inspection and Certification Form. The Contractor's representative and the Project Engineer shall jointly review and discuss the results of the inspections so that corrective action can be taken. The Project Engineer shall retain copies of the inspection reports.

An amount equal to 25 percent (25%) of the total estimated value of the work performed during each period in which the Contractor fails to submit monthly the completed Inspection and Certification Form to the Project Engineer will be withheld from the Contractor's earned work.

Thereafter, on subsequent successive estimate periods, the percentage withheld will be increased at the rate of 25 percent per estimate period in which the non-conformance with this specification continues. Monies withheld for this non-conformance will be released for payment on the next monthly estimate for partial payment following the date the monthly submittal of the completed Inspection and Certification Form is brought back into compliance with this specification.

Upon successful completion of all permanent erosion and sediment controls, accepted and documented by the full maintenance release, the Project Engineer shall submit a completed Notice of Termination (NOT) of Coverage to the Office of Pollution Control. If no sediment and/or erosion control problems are identified by MDEQ's inspection of the site, the Construction Storm Water Permit Coverage is terminated.

In summary, prior to the execution of the contract, the successful bidder shall execute and deliver to the Executive Director an original signed copy of the completed Prime Contractor Certification (Form No. 1). Also, prior to the commencement of construction on the project, the Contractor shall transmit by letter an original signed copy of the completed Prime Contractor Certification (Form No. 2) to the Office of Pollution Control, P.O. Box 10385, Jackson, Mississippi 39289-0385. Copies of the completed Prime Contractor Certification (Form No. 2) and letter of transmittal shall be furnished the Project Engineer as proof of the required filing with the Office of Pollution Control. At project completion, when accepted and documented by the Engineer, a Notice of Termination of Coverage will be submitted to the Office of Pollution Control.

Securing a permit (s) for storm water discharge associated with the Contractor's activity on any other regulated area the Contractor occupies, shall be the responsibility of the Contractor.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 -NOTICE TO BIDDERS NO. 2831

CODE: (SP)

DATE: 11/17/2009

SUBJECT: Clearing and Grubbing

PROJECT: RSIP-0055-04(070) / 105791301 & 302

Bidders are hereby advised that the following conditions apply to the clearing and grubbing required by the contract:

Measuring Clearing and Grubbing (Acres)

- All items resulting from clearing and/or grubbing operations shall be chipped on the project right-of-way and disposed of by placement in an approved landfill site, or as directed by the Engineer. Burning of these items will not be allowed.
- The dimensions shown in the plans for clearing and grubbing provide information and establish the limits of the clearing and grubbing (201-A). If areas are added by the Engineer that are outside the clearing and grubbing limits shown in the plans the area will be measured and paid under the pay item 201-B Clearing and Grubbing.
- Areas along the Right-Of-Way (R-O-W) where fence removal and/or installation are required shall be measured horizontally from the fence towards the roadway centerline a distance of ten (10) feet. The estimated quantity for these areas is included in the pay item 201-A Clearing and Grubbing.
- Locations where the roadway areas and fence areas overlap shall be cleared and grubbed *to the R-O-W*. The estimated quantity for these areas is included in the 201-A Clearing and Grubbing pay item.
- Areas both upstream and downstream from drainage structures shall be cleared and grubbed as directed by the Engineer.
- Additional clearing and grubbing may be required as directed by the Project Engineer (such as a narrow strip of trees that might remain between the roadway area and the fence area.) Costs for additional clearing and grubbing required as directed by the Project Engineer shall be paid for using the pay item provided 201-B Clearing and Grubbing.
- The contractor is advised to exercise due care to not disturb areas unauthorized by the Engineer outside the clearing and grubbing limits shown on the plans. Repair of unauthorized areas disturbed by the contractor shall be done at no cost to the State.

- Isolated trees that are to be cleared and grubbed will be paid as 0.05 Acres per tree in pay item 201-B Clearing and Grubbing and must meet the following requirement: In order for a tree to be paid as 0.05 Acres per tree it must be more than 55' (feet) from any other tree or it will be included in a measured acreage along with adjacent trees as a group.
- No direct payment for clearing and grubbing or grassing will be allowed for unauthorized work done outside the clearing limits shown on the plans.
- Areas disturbed in the clearing and grubbing operations shall be finished to reasonably smooth and uniform surfaces, as well as, pre-existing drainage sections shall be reestablished to ensure drainage. Payment for this finishing is to be absorbed under the clearing and grubbing work.
- Trees that fall outside of the clearing limits, near the fence clearing area, but have limb\branches overhanging within the clearing limits should be trimmed to a twelve (12) feet height above the ground. Limbs that are cut shall be trimmed at the R-O-W line, or cut at the tree trunk if the trunk is within the R-O-W line.
- Any portion of a tree that falls on the clearing limit lines will cause that tree to be cleared and will be included in the clearing and grubbing item as measured by the neat lines already shown in the plans and performed at no additional cost to the state.
- When clearing is performed for the installation of fencing items, all stumps should be cut with the contour of the ground, and no more than two inches (2") above ground and herbicide applied. When clearing in other areas, stump removal will be in accordance with Section 201 in the 2004 Mississippi Standard Specifications for Road and Bridge Construction."
- Approved herbicides are as follows: A.) Round-Up (glyphosate) B.) Garlon C.) Arsenal
- For herbicide application rates, consult with MDOT District 2 Agronomist.

The contractor is further advised that any issues about the clearing and grubbing limits or acreages on the plans must be resolved prior to commencing work. Commencement of work without a written resolution of disagreement constitutes acceptance of the plans, dimensions, and acreages shown on the plans.

Clearing and Grubbing Plan

Prior to beginning clearing and grubbing operations, the Contractor is required to submit in writing, to the Project Engineer, a clearing and grubbing plan designating "loading zones." The Contractor will be allowed to disturb these "loading zones" for accessing the clearing and grubbing limits and for loading clearing and grubbing debris. The Contractor is required to restore these areas to their original typical sections at no cost to the Department. However, the Department will pay for permanently grassing these areas. The clearing and grubbing plan must

be approved by the Project Engineer before the clearing and grubbing operations begin. Any areas disturbed by the Contractor that are not agreed to by the Engineer will be restored and grassed at no cost to the Department. In submitting the clearing and grubbing plan, the Contractor is limited in the number of and size of the "loading zones". The Contractor will be allowed no more than three (3) "loading zones" per any measured half-mile for each side of the roadway. The maximum dimensions allowed for the "loading zones" will be one hundred, fifty (150) feet long (parallel with the roadway) and fifty (50) feet wide (perpendicular to the roadway). The Project Engineer may allow adjustments in the number and/or size of "loading zones" if deemed necessary.

Clearing and Grubbing Work Zone Limitations

The clearing zone shall be limited to a maximum length of four consecutive miles. All operations associated with logging, clearing and grubbing and reshaping of roadway side slopes shall be contained within the clearing zone. Grassing of the slopes must begin upon the completion of a maximum of four consecutive miles of slope reshaping. No more than two simultaneous clearing zones, one along each direction of traffic, will be allowed within the project limits. Lane closure requirements as noted in the plans shall apply to the clearing zones.

Burning of waste vegetation, debris, etc. resulting from clearing and grubbing operations will not be allowed on the interstate right-of-way and adjacent private property. Burning will not be permitted for any material coming from the jobsite and must be disposed of as listed above.

Logging, clearing, grubbing, chip/debris/vegetation removal and erosion control operations must be performed during daylight hours. Any of these operations that are underway within 30 feet of the outside edge of the travel lane are to be performed behind the appropriate shoulder/lane closures as specified elsewhere within the contract or as directed by the Engineer. Accumulations of chips and clearing debris shall not be allowed to remain within 30 feet of the outside edge of the travel lane, nor shall this accumulation change the existing drainage patterns within the ROW limits.

General Decision Number: MS080224 01/16/2009 MS224

State: Mississippi

Construction Type: Highway

Counties: Marshall and Tate Counties in Mississippi.

HIGHWAY CONSTRUCTION PROJECTS (excluding tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges designed for commercial navigation, bridges involving marine construction; and other major bridges).

Modification Number	Publication Date
0	09/26/2008
1	01/16/2009

ELEC0474-008 01/01/2008

	Rates	Fringes
ELECRICIAN.....	\$ 23.35	9.88

 SUMS2008-142 09/04/2008

	Rates	Fringes
CARPENTER, Including Form Work...	\$ 13.00	0.39
CEMENT MASON/CONCRETE FINISHER...	\$ 12.85	0.39
LABORER: Common or General.....	\$ 8.00	0.00
LABORER: Pipelayer.....	\$ 10.17	0.00
OPERATOR: Backhoe.....	\$ 9.00	0.00
OPERATOR: Broom.....	\$ 8.00	0.00
OPERATOR: Bulldozer.....	\$ 9.00	0.00
OPERATOR: Grader/Blade.....	\$ 11.67	0.00
OPERATOR: Mechanic.....	\$ 13.00	0.00
OPERATOR: Piledriver.....	\$ 12.50	1.23
OPERATOR: Roller.....	\$ 10.00	0.00
OPERATOR: Scraper.....	\$ 10.00	0.00
TRUCK DRIVER.....	\$ 9.46	0.00

 WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and

reconsideration from
the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR
Part 7).
Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the
interested
party's position and by any information (wage payment data,
project
description, area practice material, etc.) that the requestor
considers
relevant to the issue.

3.) If the decision of the Administrator is not favorable, an
interested
party may appeal directly to the Administrative Review Board
(formerly the
Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION

General Decision Number: MS080211 01/16/2009 MS211

State: Mississippi

Construction Type: Highway

County: De Soto County in Mississippi.

HIGHWAY CONSTRUCTION PROJECTS (excluding tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges designed for commercial navigation, bridges involving marine construction; and other major bridges).

Modification Number	Publication Date
0	09/26/2008
1	01/16/2009

ELEC0474-008 01/01/2008

	Rates	Fringes
ELECRICIAN.....	\$ 23.35	9.88

 SUMS2008-129 09/04/2008

	Rates	Fringes
CARPENTER, Including Form Work...	\$ 13.00	0.39
CEMENT MASON/CONCRETE FINISHER...	\$ 12.85	0.39
LABORER: Common or General.....	\$ 9.04	0.90
LABORER: Pipelayer.....	\$ 10.17	0.00
OPERATOR: Backhoe.....	\$ 9.00	0.00
OPERATOR: Broom.....	\$ 8.00	0.00
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OPERATOR: Scraper.....	\$ 10.00	0.00
TRUCK DRIVER.....	\$ 10.00	0.30

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END OF GENERAL DECISION