

**SECTION 905 -- PROPOSAL (CONTINUED)**

I (We) hereby certify by execution of the Section 905 proposal below, that all certifications, disclosures and affidavits incorporated herein are deemed to be duly executed in the aggregate, fully enforceable and binding upon delivery of the bid proposal. I (We) further acknowledge that this certification shall not extend to the bid bond or alternate security which must be separately executed for the benefit of the Commission. This signature does not cure deficiencies in any required certifications, disclosures and/or affidavits. I (We) also acknowledge the right of the Commission to require full and final execution on any certification, disclosure or affidavit contained in the proposal at the Commission's election upon award. Failure to so execute at the Commission's request within the time allowed in the Standard Specifications for execution of all contract documents will result in forfeiture of the bid bond or alternate security.

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   11/15/2016   ADDENDUM NO.        DATED         
 ADDENDUM NO.        DATED        ADDENDUM NO.        DATED       

Number	Description
1	Replace Sections 00 91 13 and 00 21 13 with same;

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.

BWO-2218-47(001) / 503020301000

Marshall County(ies)

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

**ADDENDUM No. 1  
SECTION 00 91 13**

**DATE: NOVEMBER 8, 2016**

**PROJECT: BULK SALT STORAGE STRUCTURE IN BYHALIA  
MARSHALL COUNTY, MISSISSIPPI**

**PROJECT NUMBERS: BWO-2218-47(001) 503020**

PART 1 - GENERAL

1.01 DESCRIPTION: Bidders are hereby advised that the following changes are to be made to this Contract.

1.02 SPECIFICATIONS

- A. Section 00 21 13 – Instructions to Bidders, 1.13 B and C and 1.25 A 4 incorrectly provides links for Secretary of State and Board of Contractors. Delete 00 21 13 – Instructions to Bidders and replace with attached 00 21 13 – Instructions to Bidders with Revised date of 11-8-2016 (6 pages).

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION (Not Used)

END OF SECTION

## DOCUMENT 00 21 13

## INSTRUCTIONS TO BIDDERS

## 1.01 QUESTIONS

- A. Questions Regarding Bidding: Bidders are advised that all questions that arise regarding the contract documents (proposal) or plans on this project shall be directed to the [www.gomdot.com](http://www.gomdot.com) current letting webpage. Click on the call number for this project to open an email form to submit your question. Questions must be submitted by 8:00 a.m. on the Thursday prior to the letting. Answers to questions will be posted by 5:00 p.m. on the Thursday prior to the letting. Answers can be viewed by clicking on Q&A link under the Proposal Addenda column.
- B. It shall be the Bidders responsibility to familiarize themselves with the questions and answers that have been submitted on this project. Bidders are advised that by signing the contract documents for this project, they agree that the on-line Questions and Answers submitted on this project shall be added to and made part of the official contract.

## 1.02 BIDDER'S QUALIFICATIONS

- A. Prequalification of Bidders: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.01 – Prequalification of Bidders.

## 1.03 NON-RESIDENT BIDDER

- A. Consideration of Proposals: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.01 – Consideration of Proposal.

## 1.04 CONDITIONS OF WORK

- A. Each Bidder must fully inform themselves of all conditions relating to the construction of the Project and employment of labor thereon. Failure to do so will not relieve a successful Bidder of obligations to furnish all material and labor necessary to carry out the provisions of the Contract. Insofar as possible, the Bidder must employ methods, or means, which will not cause interruption of, or interference with, the work of any other Bidder or Contractor.

## 1.05 EXAMINATION OF PROPOSAL AND SITE

- A. Examination of proposal and Site: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.05 – Examination of Plans, Specifications, Special Provisions, Notice to Bidders and Site Work.
- B. There will be no Pre-Bid Meeting, but failure to visit the site prior to submitting a bid will in no way relieve the successful Bidder from furnishing materials or performing work required to complete Work in accordance with Drawings and Project Manual (Proposal).

## 1.06 LAWS AND REGULATIONS

- A. Laws and Regulations: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 107 – Legal Relations and Responsibility to Public, Article 107.01 – Laws to be Observed.

1.07 BID DOCUMENT

- A. The amount for Bid Document (Proposal) is indicated in the advertisement for Bids. Selected plan rooms will be issued one set of documents without charge.

1.08 METHOD OF BIDDING

- A. Lump sum, single bids received on a general contract will include general, mechanical and electrical construction (including Pay Items) and work shown on Drawings or specified in the Project Manual (Proposal).

1.09 PROPOSAL FORMS

- A. Preparation of Proposal: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.06 – Preparation of Proposal.

1.10 TIME OF COMPLETION

- A. The Bidder shall agree to commence work on a date specified in a written *NOTICE TO PROCEED* and fully complete the Project within the Contract Time indicated in the Proposal.

1.11 SUBSTITUTIONS

- A. No substitutions, qualifications or redefining of the Specification requirements are allowed to be marked on the Proposal Form, unless specifically required by the Bid Documents. Refer to Section 01 25 00 entitled Substitution Procedures which covers procedures after the award of Contract.

1.12 ADDENDA

- A. Addenda to the Drawings or Project Manual issued before or during the time of bidding shall be included in the proposal and become a part of the Contract.
- B. If the Proposal, Section 905, does not contain acknowledgement of receipt and addition to the Proposal and Contract Documents of all addenda issued prior to opening of bids will be considered irregular and may be rejected.

1.13 BIDDER IDENTIFICATION

- A. Signature: The Proposal Form shall be signed, by any individual authorized to enter into a binding agreement for the Business making the bid proposal.
- B. Name of Business: The name appearing on the Proposal Form should be complete spelling of bidder's name and address – exact as recorded at the Secretary of State <https://corp.sos.ms.gov/corp/portal/c/page/corpBusinessIdSearch/portal.aspx?#clear=1> which should be the same as you applied for at the Mississippi State Board of Contractors <http://www.msdoc.us/>
- C. Legal Address: The address appearing on the Proposal Form should be the same address exact as recorded at the Secretary of State <https://corp.sos.ms.gov/corp/portal/c/page/corpBusinessIdSearch/portal.aspx?#clear=1> which should be the same as you applied for at the Mississippi State Board of Contractors <http://www.msdoc.us/>

- D. Certificate of Responsibility Number(s): The Certificate of Responsibility Number(s) appearing on the Proposal Form should be the same number appearing in the current Mississippi State Board of Contractors Roster.

1.14 BID SECURITY

- A. Proposal Guaranty: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.08 – Proposal Guaranty with the exception that the first and second paragraphs in Subsection 102.08 on page 20 should be deleted and substitute the followings:
  - 1. No proposal will be considered unless accompanied by certified check, cashier's check or bid bond, made payable to the State of Mississippi, in an amount of not less than five percent (5%) of the total amount of the proposal offered. The guaranty shall be evidence of good faith that, if awarded the contract, the bidder will execute the contract and give performance and payment contract bond(s) as stipulated in Subsection 103.05.1, 103.05.2, and as required by law.
  - 2. If a bid bond is offered as guaranty, the bond must be made by a Surety acceptable to the Executive Director and signed or countersigned by a Mississippi Agent or Qualified Nonresident Agent and the Bidder. Such bid bond shall also conform to the requirements and conditions stipulated in Article 103.05.2, applicable.

1.15 POWER OF ATTORNEY

- A. Power of Attorney: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.05 – Requirement of Contract Bond.

1.16 SUBMITTAL

- A. Delivery of Proposals: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.09 – Delivery of Proposal.

1.17 MODIFICATION TO BID

- A. A Bidder may NOT MODIFY the bid prior to the scheduled closing time indicated in the Advertisement for Bids in the following manner:
  - 1. Notification on Envelope: A modification may NOT be written on the outside of the sealed envelope containing the bid.
  - 2. Facsimile: A facsimile (fax) will NOT be acceptable.

1.18 OPENING OF BIDS

- A. Public Opening of Proposal: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.12 – Public Opening of Proposal.

1.19 IRREGULARITIES

- A. Irregular Proposals: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 102 – Bidding Requirements and Conditions, Article 102.07 – Irregular Proposal.

1.20 PROTEST

- A. Any protest must be delivered in writing to the Owner prior to the Award Date.

1.21 ERRORS

- A. Any claim of error and request for release from bid must be delivered in writing to the Owner within twenty-four (24) hours after the bid opening. The Bidder shall provide sufficient documentation with the written request clearly proving an error was made.

1.22 AWARD OF CONTRACT

- A. Award of Contract: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.02 – Award of Contract.
- B. Consideration of Proposal: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.01 – Consideration of Proposal.

1.23 FAILURE TO ENTER INTO A CONTRACT

- A. Failure to Execute Contract: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.08 – Failure to Execute Contract.

1.24 SECURITY FOR FAITHFUL PERFORMANCE

- A. Requirements of Contract Bonds: Refer to Mississippi Standard Specifications for Road and Bridge Construction 2004 Edition Section 103 – Award and Execution of Contract, Article 103.05 – Requirement of Contract Bond.

1.25 BIDDER'S CHECKLIST

- A. Proposal Form:
  - 1. Base Bid:
    - ( ) Fill-in the amount of the base bid in numbers.
  - 2. Alternates:
    - ( ) Fill-in each alternates amount in numbers.
  - 3. Certification Form (State Non-Collusion Certificate)
    - ( ) Certification (regarding Non-Collusion, Debarment and Suspension, etc). Form has been executed in duplicate.
  - 4. Acceptance:
    - ( ) Proposal is signed by authorized person.
    - ( ) Name of Business. - complete spelling of bidder's name and address – exact as recorded at the Secretary of State <https://corp.sos.ms.gov/corp/portal/c/page/corpBusinessIdSearch/portal.aspx?clear=1> which should be the same as you applied for at the Mississippi Board of Contractors <http://www.msdoc.us/>
    - ( ) Legal address of the business listed above (at SOS and Contractor's Board).
    - ( ) Correct Certificate of Responsibility Number(s) as it appears in the current Mississippi State Board of Contractors Roster.

5. Certificate of Responsibility Number(s):
  - Base Bid is under \$50,000 and no number is required.
  - Base Bid is under \$50,000 and the statement "bid does not exceed \$50,000" is on the outside of the sealed envelope.
  - Base Bid is equal to or over \$50,000 and number is required.
  - Joint Venture and *joint venture* number is required.Or
  - Joint Venture participants' numbers are required.
  
- B. Bid Security
  1. Bid Bond:
    - Included Bid Bond payable to the STATE OF MISSISSIPPI with Project number identified thereon,Or
    - Included Certified Check payable to the STATE OF MISSISSIPPI with Project number identified thereon.
  2. Power of Attorney:
    - Included Power of Attorney.
  
- C. Non-Resident Bidder
  1. Preference Law:
    - Attached a Copy of Non-Resident Bidder's Preference Law.Or
    - Attached a Statement.
  
- D. Subcontractors' Name
  1. Subcontractor:
    - List Mechanical, Plumbing, and/or Electrical Subcontractor regardless of cost.
    - \* List name even for under \$50,000.
    - \* Fire Protection Sprinkler Contractors do not have to be listed.
    - \* If there is a separate HVAC/Plumbing Sub-Contractor, so notate as mentioned herein.
    - \* If Mechanical, Plumbing, and/or Electrical Subcontractor is performed by the General Contractor, be sure the General has COR for said discipline.
    - \* If there is no Mechanical, Plumbing, and/or Electrical Sub-Contractor listed, then use of Sub-Contractor to perform such scope will not be permitted.
  
- E. Subcontractors' COR Number
  1. Certificate of Responsibility
    - List certificate of responsibility Number for all listed Sub-Contractors over \$50,000.
    - \* If under \$50,000 – so notate on the COR line "under \$50,000" (or can still show COR Number)

1.26 **BIDDER'S CONTACT LIST**

A. Proposal and Contract Documents: If the Bidder has any questions pertaining to the following specific areas of the Documents, please direct them to the following individuals:

1. Additional Proposals: Neal Dougherty – Contract Administration (601) 359-7700
2. Bid Forms: Billy Owen – Contract Admin. Engineer (601) 359-7730
3. Specifications: Earl Glenn – Assist. Construction Engr. (601) 359-7301
4. Drawings: Earl Glenn – Assist. Construction Engr. (601) 359-7301
5. Bidder's List & Specimen Proposals are available online at:  
<http://www.gomdot.com/Applications/BidSystem/Home.aspx>

END OF DOCUMENT