

SECTION 905 -- PROPOSAL (CONTINUED)

I (We) hereby certify by digital signature and electronic submission via Bid Express 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.	<u>1</u>	DATED	<u>3/15/2022</u>	ADDENDUM NO.	<u> </u>	DATED	<u> </u>
ADDENDUM NO.	<u>2</u>	DATED	<u>3/18/2022</u>	ADDENDUM NO.	<u> </u>	DATED	<u> </u>
ADDENDUM NO.	<u> </u>	DATED	<u> </u>	ADDENDUM NO.	<u> </u>	DATED	<u> </u>

Number

Description

- 1 Revised Advertisement; Revised Bid Items; Revised Progress Schedule; Amendment EBSx Download Required.
- 2 Revised Table of Contents; Added NTB No. 14 with Supplement; Added NTB Nos. 247; Added SP 907-899-1; Revised Bid Items; Revised Progress Schedule; Amendment EBSx Download Required.

TOTAL ADDENDA: 2

(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.

SP-0023-01(093)/ 108926301000

Lamar County(ies)

Revised 01/26/2016

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
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PROJECT: SP-0023-01(093)/108926301 - Lamar

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(REVISIONS TO THE ABOVE WILL BE INDICATED ON THE SECOND SHEET
OF SECTION 905 AS ADDENDA)

03/18/2022 07:54 AM

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SUPPLEMENT TO NOTICE TO BIDDERS NO. 14

DATE: 3/18/2022

PROJECT: SP-0023-01(093) / 108926301 - Lamar County

After the second paragraph on page 1, add the following:

Name Insured: Norfolk Southern Railway Company

Description and Designation: Mill & Overlay on SR 13 in Lumberton, MS

Mile Post: 0112.400 (Lat. 30.999754, Long. -89.44773)

After the fourth paragraph on page 1, add the following:

Norfolk Southern

Jake Watson 404-529-1225

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 14

CODE: (SP)

DATE: 01/17/2017

SUBJECT: Railway-Highway Provisions

Prior to bidding, the Contractor shall contact the Railroad concerning insurance coverage required for this project. In case the railroad requires coverage over and above that required by the Standard Specifications, the railroad requirements shall be met.

The name insured, description of the work and designation of the job site to be shown on the Policy are as follows:

Notice of starting to work, completion of any required forms, and correspondence pertaining to railroad liability insurance shall be directed to the person below.

The Contractor shall not commence, or carry on, any work for installation, maintenance, repair, changing or renewal of any FACILITY, under, over or on RAILROAD property at any location without giving at least ten (10) working days prior notice to the RAILROAD authorized representative at the RAILROAD's office(s) below.

If in the opinion of the RAILROAD, the presence of an authorized representative of the RAILROAD is required to supervise the same, the RAILROAD shall render bills to the Contractor for all expenses incurred by it for such supervision. This includes all labor costs for flagmen or cable locate supplied by the RAILROAD to protect RAILROAD operation, and for the full cost of furnishing, installation and later removal of any temporary supports for said tracks, as the RAILROAD's Chief Engineer's Office may deem necessary.

It will be the Contractor's responsibility to pay all bills associated with railroad flagging and cable locating. Generally, the flagging rate is \$700.00 per day (1 to 8 hours) plus overtime at \$125.00 per hour, however, the Contractor shall contact the RAILROAD to verify all rates.

A flagman is required anytime a Contractor does any work on or near RAILROAD property within twenty-five (25) feet horizontally of the centerline or any work over any railroad track. The RAILROAD, however, also reserves the right to require a flagman for work on RAILROAD property, which is more than twenty-five (25) feet from the centerline of a railroad track when there are other conditions or considerations that would dictate the need for a flagman to safeguard the RAILROAD's operations, property and safety of working personnel.

A cable locate of RAILROAD owned facilities may be required to identify and protect Signal & Communication cables that have been installed to provide power, signal control, wayside communications. These cables are vital to a safe and reliable railway operation. The cable locate will be performed by a qualified RAILROAD employee.

Outside Contractors are prohibited from driving on, along, or across any track that does not have a RAILROAD installed crossing. They may utilize an existing public crossing. The practice of allowing rubber tired equipment to operate over track with no crossing has been banned.

Exceptions to this rule will require the express approval from the RAILROAD Engineers.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 247

CODE: (SP)

DATE: 06/27/2017

SUBJECT: Norfolk Southern Insurance Requirements

Bidder's attention is brought to the following special insurance requirements regarding Norfolk Southern Railroads.

- A. In addition to any other forms of insurance or bonds required under the terms of the contract and specifications, the Prime Contractor will be required to carry insurance of the following kinds and amounts:
1. a. Commercial General Liability Insurance having a combined single limit of not less than \$2,000,000 per occurrence for all loss, damage, cost and expense, including attorneys' fees, arising out of bodily injury liability and property damage liability during the policy period. Said policy shall include explosion, collapse, and underground hazard (XCU) coverage, shall be endorsed to name Railroad specified in item A.2.c. below both as the certificate holder and as an additional insured, and shall include a severability of interests provision.
 - b. Automobile Liability Insurance with a combined single limit of not less than \$1,000,000 each occurrence for injury to or death of persons and damage to or loss or destruction of property. Said policy or policies shall be endorsed to name Railroad specified in item A.2.c. below both as the certificate holder and as an additional insured and shall include a severability of interests provision;
 2. Railroad Protective Liability Insurance having a combined single limit of not less than \$2,000,000 each occurrence and \$6,000,000 in the aggregate applying separately to each annual period. If the project involves track over which passenger trains operate, the insurance limits required are not less than a combined single limit of \$5,000,000 each occurrence and \$10,000,000 in the aggregate applying separately to each annual period. Said policy shall provide coverage for all loss, damage or expense arising from bodily injury and property damage liability, and physical damage to property attributed to acts or omissions at the job site.

The standards for the Railroad Protective Liability Insurance are as follows:

- a. The insurer must be rated A- or better by A.M. Best Company, Inc.
NOTE: Norfolk Southern (NS) does not accept from insurers Chartis (AIG or Affiliated Company including Lexington Insurance Company), Hudson Group or Liberty or Affiliated Company.
- b. The policy must be written using one of the following combinations of Insurance Services Office ("ISO") Railroad Protective Liability Insurance Form Numbers:
 - (1) CG 00 35 01 96 and CG 28 31 10 93; or
 - (2) CG 00 35 07 98 and CG 28 31 07 98; or
 - (3) CG 00 35 10 01; or
 - (4) CG 00 35 12 04; or
 - (5) CG 00 35 12 07; or
 - (6) CG 00 35 04 13.

- c. The named insured shall read:
 - Norfolk Southern Corporation and its subsidiaries
 - Three Commercial Place
 - Norfolk, Virginia 23510-2191
 - Attn: S. W. Dickerson Risk Management
- (NOTE: NS does not share coverage on RRPL with any other entity on this policy)
- d. The description of operations must appear on the Declarations, must match the project description in this agreement, and must include the appropriate Department project and contract identification numbers.
- e. The job location must appear on the Declarations and must include the city, state, and appropriate highway name/number. NOTE: Do not include any references to milepost, valuation station, or mile marker on the insurance policy.
- f. The name and address of the prime contractor must appear on the Declarations.
- g. The name and address of the Department must be identified on the Declarations as the "Involved Governmental Authority or Other Contracting Party."
- h. Endorsements/forms that are **required** are:
 - (1) Physical Damage to Property Amendment
 - (2) Terrorism Risk Insurance Act (TRIA) coverage must be included
- i. Other endorsements/forms that will be accepted are:
 - (1) Broad Form Nuclear Exclusion — Form IL 00 21
 - (2) 30-day Advance Notice of Non-renewal or cancellation
 - (3) Required State Cancellation Endorsement
 - (4) Quick Reference or Index Form CL/IL 240
- j. Endorsements/forms that are **NOT** acceptable are:
 - (1) Any Pollution Exclusion Endorsement except CG 28 31
 - (2) Any Punitive or Exemplary Damages Exclusion
 - (3) Known injury or Damage Exclusion form CG 00 59
 - (4) Any Common Policy Conditions form
 - (5) An Endorsement that limits or excludes Professional Liability coverage
 - (6) A Non-Cumulation of Liability or Pyramiding of Limits Endorsement
 - (7) An Endorsement that excludes TRIA coverage
 - (8) A Sole Agent Endorsement
 - (9) Any type of deductible endorsement or amendment
 - (10) Any other endorsement/form not specifically authorized in item no. 2.h above.

- B. If any part of the work is sublet, similar insurance, and evidence thereof as specified in A. 1 above, shall be provided by or on behalf of the subcontractor to cover its operations on Railroad's right of way.
- C. All insurance required under the preceding subsection A shall be underwritten by insurers and be of such form and content, as may be acceptable to the Company. Prior to entry on Railroad right-of-way, the original Railroad Protective Liability Insurance Policy shall be submitted by the Prime Contractor to the Department at the address below, [with copies to the Project Engineer](#). MDOT will be responsible for its review and transmittal to the Railroad. In addition, certificates of insurance evidencing the Prime Contractor's and any subcontractors' Commercial General Liability Insurance shall be issued to the Railroad and the Department at the addresses below, and forwarded to the Department for its review and transmittal to the Railroad. The certificates of insurance shall state that the insurance coverage will not be suspended, voided, canceled, or reduced in coverage or limits without (30) days advance written notice to Railroad and the Department. No work will be permitted by Railroad on its right-of-way until it has reviewed and approved the evidence of insurance required

herein.

DEPARTMENT:

Mississippi Department of Transportation
Bridge Division
P.O. Box 1850
Jackson, MS 39215-1850

RAILROAD:

Risk Management
Norfolk Southern Corporation and its subsidiaries
Three Commercial Place
Norfolk, Virginia 23510-2191

- D. The insurance required herein shall in no way serve to limit the liability of Department or its Contractors under the terms of this agreement.
- E. Insurance Submission Procedures
1. Railroad will only accept initial insurance submissions via US Mail or Overnight carrier to the address noted in C above. Railroad will NOT accept initial insurance submissions via email or faxes.
 2. Railroad requires the following two (2) forms of insurance in the initial insurance submission to be submitted under a cover letter providing details of the project and contact information:
 - a. The full original or certified true countersigned copy of the railroad protective liability insurance policy in its entirety inclusive of all declarations, schedule of forms and endorsements along with the policy forms and endorsements.
 - b. The Contractor's commercial general, automobile, and workers' compensation liability insurance certificate of liability insurance evidencing a combined single limit of a minimum of \$2M per occurrence of general and \$1M per occurrence of automobile liability insurance naming Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510 as the certificate holder and as an additional insured on both the general and automobile liability insurance policy.
 3. It should be noted that the Railroad does not accept notation of Railroad Protective insurance on a certificate of liability insurance form or Binders as Railroad must have the full original countersigned policy. Further, please note that mere receipt of the policy is not the only issue but review for compliance. Due to the number of projects system-wide, it typically takes a minimum of 30 - 45 days for the Railroad to review.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION NO. 907-899-1

CODE: (SP)

DATE: 01/17/2017

SUBJECT: Railway-Highway Provisions

Section 907-899, Railway-Highway Provisions, is hereby added to and made part of the 2017 Edition of the Mississippi Standard Specifications for Road and Bridge Construction as follows:

SECTION 907-899--RAILWAY-HIGHWAY PROVISIONS

907-899.01--Description. This special provision addresses the Contractor's involvement with railroad flagging, Contractor Safety Orientation, Contractor Background Investigation, Contractor Roadway Worker on Track Safety Program and Safety Action Plan, and any other requirements set forth by the Railroad and any attached Exhibits.

Prior to bidding, the Contractor shall read and comply with the requirements of the Railroad and any attached Exhibits. The Contractor shall contact the Railroad concerning insurance coverage requirements, Railroad flagging costs, Contractor Safety Orientation, Contractor Background Investigation, Contractor Roadway Worker on Track Safety Program and Safety Action Plan, and any other requirements set forth by the Railroad and any attached Exhibits. In case the railroad requires coverage over and above that required by the Standard Specifications, the railroad requirements shall be met.

If in the opinion of the RAILROAD, the presence of an authorized representative of the RAILROAD is required to supervise the same, the RAILROAD shall render bills to the Contractor for all expenses incurred by it for such supervision. This includes all labor costs for flagmen or cable locate supplied by the RAILROAD to protect RAILROAD operation, and for the full cost of furnishing, installation and later removal of any temporary supports for said tracks, as the RAILROAD's Chief Engineer's Office may deem necessary.

It will be the Contractor's responsibility to pay all bills associated with the Railroad requirements and any attached Exhibits.

A cable locate of RAILROAD owned facilities may be required to identify and protect Signal & Communication cables that have been installed to provide power, signal control, wayside communications. These cables are vital to a safe and reliable railway operation. The cable locate will be performed by a qualified RAILROAD employee.

Outside Contractors are prohibited from driving on, along, or across any track that does not have a RAILROAD installed crossing. They may utilize an existing public crossing. The practice of allowing rubber tired equipment to operate over track with no crossing has been banned.

The Contractor shall complete and process any required forms addressed by the Railroad or any attached Exhibits. The Contractor shall not commence or carry on any form of work on, under, above or within the designated distance from the Railroad track prior to getting approval from the Railroad.

907-899.02--Blank.

907-899.03--Construction Requirements. The Contractor shall read and comply with the requirements of the Railroad and any attached Exhibits.

907-899.04--Method of Measurement. Railway-highway provisions will be measured as a unit lump sum quantity. Measurement for payment will be in accordance with the following schedule:

- a) On the first estimate, twenty five percent (25%) of the amount bid for Railway Highway Provision will be paid.
- b) When twenty five percent (25%) of the original contract amount is earned from all direct pay items, fifty percent (50%) of the amount bid for Railway Highway Provision will be paid.
- c) When fifty percent (50%) of the original contract amount is earned from all direct pay items, one hundred percent (100%) of the amount bid for Railway Highway Provision will be paid.

907-899.05--Basis of Payment. Railway-highway provisions, measured as prescribed above, will be paid for at the contract lump sum price, which price shall be payment in full for all insurance coverage requirements, railroad flagging costs, Contractor safety orientation, Contractor background investigation, Contractor safety programs and plans, and any other requirements set forth by the Railroad and any attached Exhibits, and other incidentals necessary to complete the requirements of this work.

Payment will be made under:

907-899-A: Railway-Highway Provisions

- lump sum

Mill & Overlay 2.5 miles on SR 13 from the Pearl River County Line to the End of Divided Section in Lumberton, known as State Project No. SP-0023-01(093) / 108926301 in Lamar County.

Line No.	Item Code	Adj Code	Quantity	Units	Description [Fixed Unit Price]
Roadway Items					
0010	202-B240		810	Linear Feet	Removal of Traffic Stripe
0012	202-B158		590	Linear Feet	Removal of Guard Rail, Including Rails, Posts and Terminal Ends
0020	304-F003	(GT)	440	Ton	Size 825B Crushed Stone Base
0030	403-A014	(BA1)	7,200	Ton	9.5-mm, MT, Asphalt Pavement
0040	406-D001		43,600	Square Yard	Fine Milling of Bituminous Pavement, All Depths
0050	407-A001	(A2)	6,150	Gallon	Asphalt for Tack Coat
0060	606-B003		350	Linear Feet	Guard Rail, Class A, Type 1, 'W' Beam, Metal Post
0070	606-D020		4	Each	Guard Rail, Bridge End Section, Type H, Metal Post
0080	606-E005		4	Each	Guard Rail, Terminal End Section, Flared
0090	618-A001		1	Lump Sum	Maintenance of Traffic
0100	618-B001		1	Square Feet	Additional Construction Signs [\$10.00]
0110	619-A1001		5	Mile	Temporary Traffic Stripe, Continuous White
0120	619-A2001		4	Mile	Temporary Traffic Stripe, Continuous Yellow
0130	619-A3001		2	Mile	Temporary Traffic Stripe, Skip White
0140	619-A4002		1	Mile	Temporary Traffic Stripe, Skip Yellow
0150	619-A5001		15,000	Linear Feet	Temporary Traffic Stripe, Detail
0160	620-A001		1	Lump Sum	Mobilization
0170	626-A001		2	Mile	6" Thermoplastic Double Drop Traffic Stripe, Skip White
0180	626-C002		5	Mile	6" Thermoplastic Double Drop Edge Stripe, Continuous White
0190	626-D001		1	Mile	6" Thermoplastic Double Drop Traffic Stripe, Skip Yellow
0200	626-F001		4	Mile	6" Thermoplastic Double Drop Edge Stripe, Continuous Yellow
0210	626-G002		8,825	Linear Feet	Thermoplastic Detail Stripe, White
0220	626-G003		9,010	Linear Feet	Thermoplastic Detail Stripe, Yellow
0230	626-H003		110	Square Feet	Thermoplastic Legend, Blue-ADA
0240	626-H004		825	Square Feet	Thermoplastic Legend, White
0250	626-H005		3,380	Linear Feet	Thermoplastic Legend, White
0260	627-J001		756	Each	Two-Way Clear Reflective High Performance Raised Markers
0270	627-K001		380	Each	Red-Clear Reflective High Performance Raised Markers
0280	627-L001		473	Each	Two-Way Yellow Reflective High Performance Raised Markers
0290	627-P001		84	Each	Two-Way Blue Reflective High Performance Raised Markers
0300	630-G005		44	Each	Type 3 Object Markers, OM-3R or OM-3L, Post Mounted
0310	907-619-B001		132	Linear Feet	Temporary Portable Rumble Strips

Line No.	Item Code	Adj Code	Quantity	Units	Description [Fixed Unit Price]
0311	907-899-A001		1	Lump Sum	Railway-Highway Provisions
ALTERNATE GROUP AA NUMBER 1					
0320	628-H001		425	Linear Feet	6" High Performance Cold Plastic Traffic Stripe, Continuous White
0330	628-J001		425	Linear Feet	6" High Performance Cold Plastic Traffic Stripe, Continuous Yellow
ALTERNATE GROUP AA NUMBER 2					
0340	907-624-B002		425	Linear Feet	6" Inverted Profile Thermoplastic Traffic Stripe, Continuous White
0350	907-624-D002		425	Linear Feet	6" Inverted Profile Thermoplastic Traffic Stripe, Continuous Yellow

[illegible]

NOTE: THE ANTICIPATED WORKING DAYS SHOWN ON THIS SCHEDULE ARE FOR INFORMATIONAL PURPOSES ONLY. THE ACTUAL WORKING DAY TOTAL AS ASSESSED BY THE PROJECT ENGINEER ON FORM CSD-765 SHALL GOVERN.