

**State of Maryland
Department of Transportation
State Highway Administration
Proposal Form Packet - Federal**

Letting ID: 211118
11/18/2021 12:00:00 PM

Contract ID: PG8675188
Call:103

Submitted by

**State of Maryland
Department of Transportation
State Highway Administration
PROPOSAL FORM - FEDERAL**

Proposal by

, ,
Phone: Fax:
E_mail:

to furnish and deliver all materials and to do and perform all work, in conformance with the Standard Specifications, revisions thereto, General Provisions and the Special Provisions in this Contract for US 1 (RHODE ISLAND AVENUE) FROM CHARLES ARMENTROUT DRIVE TO FARRAGUT STREET - BICYCLE - PEDESTRIAN ROUTE PRINCE GEORGE'S COUNTY located in, PRINCE GEORGE'S, Maryland, for which Invitation for Bids will only be received electronically until 12:00 o'clock noon Eastern time on day of 11/18/2021, this work being situated as follows: US 1 (RHODE ISLAND AVENUE) FROM CHARLES ARMENTROUT DRIVE TO FARRAGUT STREET - BICYCLE - PEDESTRIAN ROUTE PRINCE GEORGE'S COUNTY

To the Maryland Department of Transportation - State Highway Administration
at www.bidx.com

In response to the advertisement by the Administration, inviting bids for the work in conformance with the Contract Documents, now on file in the office of the Administration. I/we hereby certify that I/We am/are the only person, or persons, interested in this bid proposal as principals, and that an examination has been made of the work site, the Specifications, the Plans, and Invitation for Bids, including the Special Provisions contained herein. I/We propose to furnish all necessary machinery, equipment, tools, labor and other means of construction, and to furnish all materials required to complete the project at the following unit price or lump sum price.

Bid Items

Line Number	Item Number	Quantity	Unit	Unit Price	Extension Price
Section 0001					
NHPP-G - FEDERAL 80%					
1001	100000-SF	444.000	SF		
	. BIKE LANE GREEN PAVEMENT MARKING PAINT				
1002	110100	1.000	LS		
	CLEARING & GRUBBING				
1003	110350	1.000	LS		
	TYPE B ENGINEERS OFFICE				
1004	110500	7000.000	EA	\$1.00000	\$7,000.00
	PRICE ADJUSTMENT FOR DIESEL FUEL				
1005	114006	2716.000	LF		
	5 INCH YELLOW PAVEMENT MARKING PAINT				
1006	114011	3570.000	LF		
	5 INCH WHITE PAVEMENT MARKING PAINT				
1007	114036	1045.000	LF		
	12 INCH WHITE PAVEMENT MARKING PAINT				
1008	114046	249.000	LF		
	24 INCH WHITE PAVEMENT MARKING PAINT				
1009	114280	4139.000	LF		
	REMOVAL OF EXISTING PAVEMENT LINE MARKINGS, ANY WIDTH				
1010	120500	1.000	LS		
	MAINTENANCE OF TRAFFIC				
1011	120555	1625.000	TON		
	GRADED AGGREGATE BASE FOR MAINTENANCE OF TRAFFIC				
1012	120562	33.000	TON		
	ASPHALT FOR MAINTENANCE OF TRAFFIC				
1013	120566	210.000	LF		
	ASPHALT CURB FOR MAINTENANCE OF TRAFFIC				
1014	120610	360.000	UD		
	ARROW PANEL				
1015	120625	1098.000	SF		
	TEMPORARY TRAFFIC SIGNS HIGH PERFORMANCE WIDE ANGLE RETROREFLECTIVE SHEETING				
1016	120742	3.000	EA		
	TYPE II BARRICADE FOR MAINTENANCE OF TRAFFIC				
1017	120784	120.000	LF		
	TEMPORARY ORANGE CONSTRUCTION FENCE				
1018	120820	471.000	EA		
	DRUMS FOR MAINTENANCE OF TRAFFIC				
1019	120860	30.000	UD		
	PORTABLE VARIABLE MESSAGE SIGN				
1020	130840	1.000	LS		
	CONSTRUCTION STAKEOUT				
1021	130875	1.000	LS		
	MOBILIZATION AND DEMOBILIZATION				

1022	131010	1.000 LS	TYPE B - CRITICAL PATH METHOD (CPM) SCHEDULE FOR TYPICAL PROJECTS
2001	200000-TON	423.000 TON	. VARIABLE DEPTH GRADED AGGREGATE BASE COURSE
2002	201030	2476.000 CY	CLASS 1 EXCAVATION
2003	201031	250.000 CY	CLASS 1-A EXCAVATION
2004	201040	75.000 CY	GEOSYNTHETIC STABILIZED SUBGRADE USING GRADED AGGREGATE BASE
2005	202050	175.000 CY	SELECT BORROW
2006	202065	2053.000 CY	COMMON BORROW
2007	203030	19.000 CY	TEST PIT EXCAVATION
2008	210010	69.000 LF	REMOVAL OF EXISTING CURB (ANY TYPE)
2009	210025	838.000 CY	REMOVAL OF EXISTING PAVEMENT
2010	210026	9.000 CY	REMOVAL OF EXISTING SIDEWALK
2011	210030	9.000 CY	REMOVAL OF EXISTING MASONRY REMOVAL OF EXISTING DRAINAGE STRUCTURE
3001	300000-EA	2.000 EA	. BULKHEAD EXISTING PIPE OPENING IN EXISTING MANHOLE
3002	301008	8.000 EA	STABILIZED CONSTRUCTION ENTRANCE
3003	301010	140.000 CY	CLASS 3 EXCAVATION FOR INCIDENTAL CONSTRUCTION
3004	301110	140.000 CY	SELECTED BACKFILL USING AASHTO NO. 57 AGGREGATE
3005	301210	141.000 LF	REMOVAL OF EXISTING PIPE
3006	301315	13.000 CY	MIX 3 CONCRETE FOR MISCELLANEOUS STRUCTURES
3007	301318	7.000 CY	MIX 6 CONCRETE FOR MISCELLANEOUS STRUCTURES
3008	302415	564.000 LF	15 INCH REINFORCED CONCRETE PIPE, CLASS IV
3009	302418	688.000 LF	18 INCH REINFORCED CONCRETE PIPE, CLASS IV
3010	302424	20.000 LF	24 INCH REINFORCED CONCRETE PIPE, CLASS IV
3011	354415	1.000 EA	STANDARD TYPE C ENDWALL FOR 15 INCH PIPE
3012	374015	7.000 EA	STANDARD 10 FT COG INLET-MINIMUM DEPTH

3013	374045	6.000 LF	STANDARD COG INLET-VERTICAL DEPTH
3014	374221	2.000 EA	STANDARD 10 FT COS INLET-MINIMUM DEPTH
3015	378175	1.000 EA	STANDARD SINGLE OPENING TYPE K INLET OPEN END GRATE- MINIMUM DEPTH
3016	378178	2.000 LF	STANDARD SINGLE OPENING TYPE K INLET OPEN END GRATE- VERTICAL DEPTH
3017	379120	1.000 EA	STANDARD TYPE S INLET, DOUBLE GRATE TANDEM - MINIMUM DEPTH
3018	379122	6.000 LF	STANDARD TYPE S INLET, DOUBLE GRATE TANDEM - VERTICAL DEPTH
3019	379125	6.000 EA	STANDARD TYPE S COMBINATION INLET, DOUBLE GRATE TANDEM - MINIMUM DEPTH
3020	379126	11.000 LF	STANDARD TYPE S COMBINATION INLET, DOUBLE GRATE TANDEM - VERTICAL DEPTH
3021	380600	3.000 EA	48 INCH DIAMETER MANHOLE FOR 12 INCH TO 24 INCH PIPES - MINIMUM DEPTH
3022	380640	1.000 EA	96 INCH DIAMETER MANHOLE FOR 72 INCH PIPE - MINIMUM DEPTH
3023	380650	1.000 EA	120 INCH DIAMETER MANHOLE FOR 78 INCH AND 84 INCH PIPES - MINIMUM DEPTH
3024	380850	1.000 EA	ADJUST EXISTING MANHOLE
3025	387106	4454.000 LF	6 INCH PERFORATED CIRCULAR PIPE LONGITUDINAL UNDERDRAIN
3026	387109	20.000 LF	6 INCH CIRCULAR PIPE UNDERDRAIN OUTLETS
3027	388058	360.000 CY	EROSION AND SEDIMENT CONTROL ORIGINAL EXCAVATION
3028	388062	49.000 LF	EARTH DIKE
3029	388063	2.000 EA	PORTABLE SEDIMENT TANK
3030	388066	31.000 EA	INLET PROTECTION
3031	388140	520.000 LF	DIVERSION FENCE
3032	388160	1.000 EA	FILTER BAG
3033	390321	43.000 SY	CLASS I RIPRAP FOR SLOPE AND CHANNEL PROTECTION
3034	390350	5.000 TON	2 INCH TO 3 INCH STONE FOR SEDIMENT CONTROL
3035	390525	286.000 LF	SILT FENCE
3036	390535	2589.000 LF	

SUPER SILT FENCE				
3037	390620	19.000 CY		
		NO 7 AGGREGATE FOR STORMWATER MANAGEMENT FACILITIES		
3038	390630	86.000 CY		
		NO 57 AGGREGATE FOR STORMWATER MANAGEMENT FACILITIES		
3039	390640	185.000 LF		
		6 INCH SUB-DRAIN PIPE		
3040	390650	19.000 CY		
		COARSE SAND FOR STORMWATER MANAGEMENT FACILITIES		
3041	390660	114.000 CY		
		BIORETENTION SOIL MIX		
3042	390665	1.000 LS		
		STORMWATER MANAGEMENT FACILITY AS-BUILT CERTIFICATION		
3043	390680	4.000 EA		
		TOPSOIL CHECK DAMS		
4001	475115	150.000 LF		
		CHAIN LINK SAFETY FENCE FOR BRIDGE-TYPE II		
5001	500000-SF	640.000 SF		
		. BIKE LANE GREEN COLORED PAVEMENT		
5002	504500	1975.000 TON		
		SUPERPAVE ASPHALT MIX 9.5MM FOR SURFACE, PG 64S-22, LEVEL 2		
5003	504518	813.000 TON		
		SUPERPAVE ASPHALT MIX 9.5MM FOR WEDGE/LEVEL, PG 64S-22, LEVEL 2		
5004	504560	995.000 TON		
		SUPERPAVE ASPHALT MIX 19.0MM FOR BASE, PG 64S-22, LEVEL 2		
5005	504564	100.000 TON		
		SUPERPAVE ASPHALT MIX 19.0MM FOR FULL-DEPTH PATCH, PG 64S-22, LEVEL 2		
5006	504568	100.000 TON		
		SUPERPAVE ASPHALT MIX 19.0MM FOR PARTIAL-DEPTH PATCH, PG 64S-22, LEVEL 2		
5007	504600	14000.000 EA	\$1.00000	\$14,000.00
		PRICE ADJUSTMENT FOR ASPHALT BINDER		
5008	504605	13797.000 EA	\$1.00000	\$13,797.00
		PAYMENT ADJUSTMENT FOR PAVEMENT DENSITY		
5009	504615	13797.000 EA	\$1.00000	\$13,797.00
		PAYMENT ADJUSTMENT FOR ASPHALT MIXTURE		
5010	508012	13305.000 SY		
		FINE MILLING ASPHALT PAVEMENT 1 INCH TO 2.5 INCH DEPTH		
5011	520111	116.000 SY		
		4 INCH GRADED AGGREGATE BASE COURSE		
5012	520112	2940.000 SY		
		5 INCH GRADED AGGREGATE BASE COURSE		
5013	520113	134.000 SY		
		6 INCH GRADED AGGREGATE BASE COURSE		
5014	535100	2800.000 EA	\$1.00000	\$2,800.00
		PAVEMENT SURFACE PROFILE PAY ADJUSTMENT		
5015	549401	6150.000 LF		
		5 INCH WHITE THERMOPLASTIC PAVEMENT MARKINGS		

5016	549403	6100.000 LF	5 INCH YELLOW THERMOPLASTIC PAVEMENT MARKINGS
5017	549415	110.000 LF	15 INCH YELLOW THERMOPLASTIC PAVEMENT MARKINGS
5018	549609	35.000 LF	12 INCH WHITE PREFORMED THERMOPLASTIC PAVEMENT MARKING LINES
5019	549617	1320.000 LF	24 INCH WHITE PREFORMED THERMOPLASTIC PAVEMENT MARKING LINES
5020	549620	235.000 SF	WHITE PREFORMED THERMOPLASTIC PAVEMENT MARKING LEGENDS AND SYMBOLS
5021	549622	81.000 SF	BIKE LANE PREFORMED THERMOPLASTIC PAVEMENT MARKING WITH ARROW
5022	549720	68.000 EA	RECESSED SNOWPLOWABLE RAISED PAVEMENT MARKER WITH SINGLE PLASTIC HOLDER AND SINGLE ONE WAY LENS
5023	549722	25.000 EA	RECESSED SNOWPLOWABLE RAISED PAVEMENT MARKER WITH SINGLE PLASTIC HOLDER AND SINGLE TWO WAY LENS
5024	549800	350.000 LF	REMOVAL OF EXISTING PAVEMENT MARKING LINES, ANY WIDTH
5025	560109	134.000 SY	9 INCH PLAIN PORTLAND CEMENT CONCRETE PAVEMENT MIX 7
5026	561118	13.000 SY	8 INCH PORTLAND CEMENT CONCRETE PAVEMENT FOR DRIVEWAY MIX 9
5027	561119	79.000 SY	6 INCH PORTLAND CEMENT CONCRETE PAVEMENT FOR DRIVEWAY MIX 9
5028	571205	5.000 CY	REMOVAL OF UNSUITABLE MATERIAL AND REFILL
6001	600000-EA	16.000 EA	. TERMINAL POST FOR 4 FOOT GALVANIZED CHAIN LINK FENCE WITH BLACK BONDED VINYL COATING
6002	600000-LF	356.000 LF	. 4 FOOT GALVANIZED CHAIN LINK FENCE WITH BLACK BONDED VINYL COATING
6003	600000-SF	111.000 SF	. DIRECTIONAL DETECTABLE WARNING SURFACE
6004	634101	173.000 LF	STANDARD TYPE A CURB 8 INCH X 16 INCH MINIMUM
6005	634116	283.000 LF	STANDARD TYPE B CURB 8 INCH X 14 INCH MINIMUM
6006	634204	292.000 LF	TYPE A CURB ANY HEIGHT OR DEPTH
6007	634301	4215.000 LF	STANDARD TYPE A COMBINATION CURB AND GUTTER 12 INCH GUTTER PAN 8 INCH MINIMUM DEPTH
6008	634312	154.000 LF	TYPE A COMBINATION CURB AND GUTTER ANY HEIGHT OR DEPTH
6009	648400	190.000 LF	MONOLITHIC CONCRETE MEDIAN VARIABLE WIDTH TYPE A-1, 2 FEET 0 INCH TO 4 FEET 0 INCH

6010	655105	5108.000 SF	5 INCH CONCRETE SIDEWALK
6011	655120	278.000 SF	DETECTABLE WARNING SURFACE FOR CURB RAMPS
6012	690136	2250.000 LF	8 FOOT GALVANIZED CHAIN LINK FENCE WITH BLACK BONDED VINYL COATING
6013	691294	6.000 EA	TERMINAL POST FOR 8 FOOT GALVANIZED CHAIN LINK FENCE WITH BLACK BONDED VINYL COATING
7001	700000-EA	1.000 EA	. EXISTING SCULPTURE RELOCATION
7002	701212	2139.000 SY	PLACING FURNISHED SUBSOIL 12 INCH DEPTH
7003	704365	2139.000 SY	PLACING FURNISHED TOPSOIL 6 INCH DEPTH
7004	705405	8800.000 SY	TEMPORARY SEED
7005	705412	8800.000 SY	TEMPORARY MULCH
7006	705565	7743.000 SY	REFERTILIZING
7007	707415	1022.000 SY	BIORETENTION MEADOW ESTABLISHMENT
7008	708220	7743.000 SY	TURFGRASS SOD ESTABLISHMENT
7009	709130	1022.000 SY	TYPE D SOIL STABILIZATION MATTING
7010	712100	1.000 LS	TREE BRANCH PRUNING OPERATION 1
8001	800000-EA	14.000 EA	. 12 FOOT PEDESTRIAN LIGHT POLE
8002	800000-EA	14.000 EA	. 20 AMP, 125 V, Duplex GFCI Outlet
8003	800000-EA	14.000 EA	. 68 WATT LED PEDESTRIAN LUMINAIRE
8004	800000-EA	16.000 EA	. FURNISH AND INSTALL 12 INCH X 12 INCH POLYMER CONCRETE HANDBOX
8005	800000-EA	1.000 EA	. LIGHT CONTROL CABINET, BASE MOUNT, 2 ELECTRICAL PANELS (120/240V, 1 PHASE 3 WIRE SYS)
8006	801003	6.000 CY	CONCRETE FOR LIGHT FOUNDATION
8007	801004	20.000 CY	CONCRETE FOR SIGNAL FOUNDATION
8008	801130	62.000 EA	SQUARE PERFORATED TUBULAR STEEL SIGN POSTS
8009	801135	62.000 EA	SQUARE TUBULAR STEEL ANCHOR BASES

8010	801605	400.000 SF	SHEET ALUMINUM SIGNS
8011	801616	132.000 SF	INSTALL OVERHEAD OR GROUND MOUNTED SIGN (INCLUDING ALL HARDWARE)
8012	801711	343.000 SF	REMOVE EXISTING GROUND MOUNTED SIGNS AND SUPPORTS
8013	802146	1.000 EA	ADJUST HANDHOLE TO GRADE AND REPLACE FRAME AND COVER
8014	802501	3810.000 LF	NO. 6 AWG STRANDED BARE COPPER GROUND WIRE
8015	802502	40.000 LF	NO. 4 AWG STRANDED BARE COPPER GROUND WIRE
8016	802576	250.000 LF	ELECTRICAL CABLE 1-CONDUCTOR 250 KCMIL, CU, TYPE USE, 600V
8017	805125	2885.000 LF	2 INCH SCHEDULE 80 RIGID PVC CONDUIT-TRENCHED
8018	805135	295.000 LF	3 INCH SCHEDULE 80 RIGID PVC CONDUIT-TRENCHED
8019	805140	2550.000 LF	4 INCH SCHEDULE 80 RIGID PVC CONDUIT-TRENCHED
8020	805155	630.000 LF	4 INCH SCHEDULE 80 RIGID PVC CONDUIT-SLOTTED
8021	806025	2.000 EA	LED ROADWAY LUMINAIRE
8022	807410	1.000 EA	ELECTRICAL UTILITY SERVICE EQUIPMENT 120/240 VOLTS 200 AMPS
8023	810019	610.000 LF	ELECTRICAL CABLE 3-CONDUCTOR NO. 12AWG COPPER TYPE T/C
8024	811000	8.000 EA	OVERSIZED ELECTRICAL HANDHOLE
8025	811001	8.000 EA	FURNISH AND INSTALL ELECTRICAL HANDHOLE
8026	812129	2.000 EA	TEST STATIONS
8027	812391	249.000 LF	30 INCH DUCTILE IRON PIPE WATER MAIN CLASS 56
8028	812510	1.000 EA	ADJUST SEWER MANHOLE FRAME & COVER (36 INCH)
8029	813007	5.000 SF	RELOCATE EXISTING OVERHEAD SIGNAL SIGN INCLUDING NEW MOUNTING HARDWARE
8030	813023	44.000 SF	RELOCATE EXISTING GROUND MOUNTED SIGNS
8031	815425	3.000 EA	INSTALL CELLULAR ANTENNA AND LEAD-IN CABLE
8032	816002	13.000 EA	IP-BASED VIDEO DETECTION CAMERA & ANY LENGTH LEAD-IN CABLE
8033	818003	4.000 EA	6 FOOT BREAKAWAY PEDESTAL POLE

8034	818004	8.000 EA	10 FOOT BREAKAWAY PEDESTAL POLE
8035	818010	7.000 EA	14 FOOT BREAKAWAY PEDESTAL POLE
8036	818066	1.000 EA	STEEL POLE WITH TWIN 50 FOOT AND 75 FOOT MAST ARMS
8037	822510	540.000 LF	DISCONNECT, PULL BACK AND REROUTE CABLES
8038	823001	1.000 EA	REMOVAL AND RELOCATE ROADWAY LIGHTING STRUCTURE
8039	832016	20210.000 LF	CABLE - 1 CONDUCTOR, NO 6 AWG, TYPE USE, 600V
8040	832019	1990.000 LF	CABLE - 1 CONDUCTOR, NO 10 AWG, TYPE THWN/THHN, 600V
8041	834001	34.000 EA	CONNECTOR KIT - TYPE I
8042	834002	8.000 EA	CONNECTOR KIT - TYPE II
8043	834003	22.000 EA	CONNECTOR KIT - TYPE III
8044	837001	30.000 EA	GROUND ROD - 3/4 INCH DIAMETER X 10 FOOT LENGTH
8045	860266	6.000 EA	RELOCATE EXISTING SIGNAL HEAD ASSEMBLY INCLUDING NEW MOUNTING HARDWARE
8046	860274	3.000 EA	12 INCH OPTICALLY PROGRAMMED SIGNAL HEAD SECTION
8047	860284	69.000 EA	12 INCH LED VEHICULAR TRAFFIC SIGNAL HEAD SECTION
8048	860285	9.000 EA	16 INCH LED COUNTDOWN PEDESTRIAN SIGNAL HEAD
8049	861102	25.000 LF	ELECTRICAL CABLE - 3 WIRE NO. 8 AWG
8050	861105	3840.000 LF	ELECTRICAL CABLE - 2 CONDUCTOR (NO. 14 AWG)
8051	861107	2090.000 LF	ELECTRICAL CABLE - 5 CONDUCTOR (NO. 14 AWG)
8052	861108	4330.000 LF	ELECTRICAL CABLE - 7 CONDUCTOR (NO. 14 AWG)
8053	865210	23.000 EA	AUDIBLE/TACTILE PEDESTRIAN PUSHBUTTON STATION AND SIGNS
8054	865300	3.000 EA	2-WIRE APS CENTRAL CONTROL UNIT
8055	866103	1.000 EA	15 FOOT LIGHTING ARM ON SIGNAL STRUCTURE
8056	871202	2.000 EA	INSTALL CONTROLLER AND CABINET - BASE MOUNT
8057	873002	1.000 LS	REMOVE AND DISPOSE OF EXISTING SIGNAL EQUIPMENT

CONTRACT PROVISIONS
Letting: 211118
11/18/2021 12:00:00 PM

Maryland Department of Transportation
State Highway Administration
PROPOSAL FORM PACKET - FEDERAL

Contract ID: PG8675188
FAP NO: AC-NHPP-G-251-1(87)E
Call: 103

Section 0001 Total \$51,394.00

Item Total \$51,394.00

AMENDMENT/ADDENDUM RECEIPT VERIFICATION FORM

COMAR 21.05.02.08 requires that all issued amendments/addenda be acknowledged, therefore before bids may be considered responsive, the MDOT State Highway Administration must receive verification that all bids considered the contents of all Contract Documents and all Amendments/Addenda issued, as applicable, for this project.

Further, by checking the box , I do solemnly declare and affirm under the penalties of perjury that this bid was prepared by this firm, including all subcontractors and suppliers, with consideration of all the information contained in the as advertised Contract Documents and all Amendments/Addenda issued, as applicable, per the listing below:

Number of Addenda/Amendments issued is 0.

GENERAL MATERIAL REQUIREMENTS

CONVICT PRODUCED MATERIALS

Section 1019 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) clarifies that materials produced by convict labor after July 1, 1991 may not be used for Federal-aid highway construction projects unless produced at a prison facility producing convict made materials for Federal-aid construction projects prior to July 1, 1987.

CONTRACT PROVISION BUY AMERICA

This section only applies to projects partially or totally financed with Federal funds. The Contractor shall comply with Section 165 of the Surface Transportation Assistance Act of 1982 as amended by Section 1041(a) and 1048(a) of the Intermodal Surface Transportation Efficiency Act of 1991 (codified by SAFETEA-LU, §1903 as 23 U.S.C 313) with regard to the furnishing and coating of iron and steel products.

The Contract, if awarded, will be awarded to the responsive and responsible bidder who submits the lowest total bid for the Contract based on furnishing Domestic Products unless such bid exceeds the lowest total bid based on furnishing Foreign Products by more than twenty five percent (25%). Foreign Products will not be permitted to be used as a substitution for Domestic ones after the bid has been awarded.

Furnish steel or iron construction materials, including coating, for permanently incorporated work according to 23 CFR 635.410 and as follows:

(a) All manufacturing processes of steel or iron materials in a product, including coating; and any subsequent process that alters the steel or iron material's physical form or shape, changes its chemical composition, or the final finish; are to occur within the United States (One of the 50 States, the District of Columbia, Puerto Rico, or in territories and possessions of the U.S.). Manufacturing begins with the initial melting and mixing, and continues through the coating stage. The processes include rolling, extruding, machining, bending, grinding, drilling, welding, and coating. The action of applying a coating to steel or iron is deemed a manufacturing process. Coating includes epoxy coating, galvanizing, aluminizing, painting, and any other coating that protects or enhances the value of steel or iron. Any process from the original reduction from ore to the finished product constitutes a manufacturing process for iron.

(b) The following are considered to be steel manufacturing processes:

(1) Production of steel by any of the following processes:

- (a)** Open hearth furnace.
- (b)** Basic oxygen.
- (c)** Electric furnace.
- (d)** Direct reduction.

(2) Rolling, heat treating, and any other similar processing.

(3) Fabrication of the products:

- (a)** Spinning wire into cable or strand.
- (b)** Corrugating and rolling into culverts.
- (c)** Shop fabrication.

(c) The manufacturing process for a steel/iron product is considered complete when the product is ready for use as an item (e.g., fencing, posts, girders, pipe, manhole cover, etc.) or could be incorporated as a component of a more complex product through a further manufacturing process (e.g., prestressed concrete girders, reinforced concrete pipe, traffic control devices, bearing pads, etc.). A product containing both steel and/or iron components, may be assembled outside the United States and meet Buy America requirements if the constituent steel and iron components (in excess of the minimal amounts permitted) were manufactured domestically and are not modified at the assembly location prior to final assembly.

(d) If domestically produced steel billets or iron ingots are exported outside of the U.S., as defined above, for any manufacturing process then the resulting product does not conform to the Buy America requirements. Additionally, products manufactured domestically from foreign source steel billets or iron ingots do not conform to the Buy America requirements because the initial melting and mixing of alloys to create the material occurred in a foreign country.

(e) Due to a nationwide waiver, Buy America does not apply to raw materials (iron ore and alloys), scrap (recycled steel or iron), and pig iron or processed, pelletized, and reduced iron ore.

(f) For the Buy America provisions to apply, the steel or iron product must be permanently incorporated into the project. If an item is rendered as a "donated material" in accordance with 23 U.S.C. 323 - Donations and Credits, it will have to comply with Buy America requirements. While States and local governments may receive a credit

for donated material, this material must generally comply with Buy America requirements. Buy America does not apply to temporary steel items, e.g., temporary sheet piling, temporary bridges, steel scaffolding and falsework. Further, Buy America does not apply to materials which remain in place at the contractor convenience.

(g) Certifications which document that steel and iron have been manufactured and that coatings for iron or steel have been applied in the United States shall be provided to the Contractor by the manufacturer. The Contractor shall provide the required certifications to the Engineer prior to such items being incorporated into the permanent work. Certifications shall extend to materials utilized in manufactured and fabricated products purchased by the Contractor.

(h) Products manufactured of foreign steel or iron materials may be used, provided the cost of such products as they are delivered to the project does not exceed 0.1% of the total contract amount, or \$2,500, whichever is greater. If a supplier or fabricator wishes to use a partial fabrication process where domestic and foreign source components are assembled at a domestic location, the "as delivered cost" of the foreign components should include any transportation, assembly and testing costs required to install them in the final product.

**ALTERNATE BID
USING FOREIGN PRODUCTS**

Are you using Foreign Products? **Yes** **No**

When a bidder elects to utilize Foreign Products on one or more items, the following summation indicating the Total Bid using Foreign Products must be completed in addition to the individual item bid tabulations.

The following instructions are given to the bidder in completing the Total Bid summation using Foreign Products:

1 - The "Bid Total" for the initial bid using Domestic Products shall be shown on line (1).

2 - The subtotal for Item Amounts using Domestic Products shall be shown on line (2), for those items which the Contractor elects to use Foreign Products.

3 - The subtotal for Item Amounts using Foreign Products shall be shown on line (3).

4 - The total Bid, utilizing Foreign Products shall be shown on line (4). The value is obtained by subtracting subtotal (2) from the Total Bid (1) and then adding subtotal (3).

Bid Total for using Line (1)	
Domestic items	
Total of Domestic Items Line (2)-	
Total of Foreign Items Line (3)+	
Bid Total using Line (4)	0.00
Foreign Items	

BIDDER'S INSTRUCTIONS

When the bidder elects to submit a bid for one or more items using Foreign Products, the following Microsoft Excel attachment must be used. For each item that Foreign Products are contemplated, the appropriate "Item Numbers", "Approximate Quantities", "Description of Items", "Unit Price or Lump Sum Price", "Item Amount Domestic" and "Item Amount Foreign" shall be tabulated below as specified in the initial bid. The bidder shall indicate the unit price in dollars and cents and show the total cost of the item for each item that utilizes Foreign Products. When all items utilizing Foreign Products have been listed, the bidder shall indicate in Section **ALTERNATE BID USING FOREIGN PRODUCTS** the subtotals of the Item Amounts for Domestic Products in Line (2) and for Foreign Products in Line (3).

To download the Excel Template for [ALTERNATE BID USING FOREIGN PRODUCTS](#)

Please attach the completed Alternate Bid Item file:

NOTICE

All bidders shall complete and submit with their bid the Bid/Proposal Affidavit below.

BID/PROPOSAL AFFIDAVIT

A. AUTHORIZED REPRESENTATIVE AND AFFIANT

I HEREBY AFFIRM THAT:

I, (print name), possess the legal authority to make this Affidavit.

B. CERTIFICATION REGARDING COMMERCIAL NONDISCRIMINATION

The undersigned bidder hereby certifies and agrees that the following information is correct. In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in §19-103 of the State Finance and Procurement Article of the Annotated Code of Maryland. "Discrimination" means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or commercial treatment of a vendor, subcontractor, or commercial customer on the basis of race, color, religion, ancestry, or national origin, sex, age, marital status, sexual orientation, sexual identity, genetic information or an individual's refusal to submit to a genetic test or make available the results of a genetic test, disability, or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners. "Discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination". Without limiting any other provision of the solicitation on this project, it is understood that, if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder herewith submits a list of all instances within the past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder discriminated against subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that determination, including any remedial action taken. Bidder agrees to comply in all respects with the State's Commercial Nondiscrimination Policy as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland.

C. AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in Section 16-101(b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has been convicted of, or has had probation before judgment imposed pursuant to Criminal Procedure Article, §6-220, Annotated Code of Maryland, or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

If required, please attach the required document for affirmation regarding bribery convictions:

D. AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies, has:

- (1) Been convicted under state or federal statute of:
 - (a) a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or
 - (b) fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property;
- (2) Been convicted of any criminal violation of a state or federal antitrust statute;
- (3) Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. §1961, et seq., or the Mail Fraud Act, 18 U.S.C. §1341, et seq., for acts in connection with the submission of bids or proposals for a public or private contract;

(4) Been convicted of a violation of the State Minority Business Enterprise Law, Section 14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland;

(5) Been convicted of a violation of the §11-205.1 of the State Finance and Procurement Article of the Annotated Code of Maryland;

(6) Been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsections (1) through (5) above;

(7) Been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract;

(8) Been found in a final adjudicated decision to have violated the Commercial Nondiscrimination Policy under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland with regard to a public or private contract;

(9) Been convicted of a violation of one or more of the following provisions of the Internal Revenue Code:

(a) §7201, Attempt to Evade or Defeat Tax;

(b) §7203, Willful Failure to File Return, Supply Information, or Pay Tax,

(c) §7205, Fraudulent Withholding Exemption Certificate or Failure to Supply Information,

(d) §7206, Fraud and False Statements, or

(e) §7207 Fraudulent Returns, Statements, or Other Documents;

(10) Been convicted of a violation of 18 U.S.C. §286 Conspiracy to Defraud the Government with Respect to Claims, 18 U.S.C. §287, False, Fictitious, or Fraudulent Claims, or 18 U.S.C. §371, Conspiracy to Defraud the United States;

(11) Been convicted of a violation of the Tax-General Article, Title 13, Subtitle 7 or Subtitle 10, Annotated Code of Maryland;

(12) Been found to have willfully or knowingly violated State Prevailing Wage Laws as provided in the State Finance and Procurement Article, Title 17, Subtitle 2, Annotated Code of Maryland, if:

(a) A court:

- (i) Made the finding; and
- (ii) Decision became final; or

(b) The finding was:

- (i) Made in a contested case under the Maryland Administrative Procedure Act; and
- (ii) Not overturned on judicial review;

(13) Been found to have willfully or knowingly violated State Living Wage Laws as provided in the State Finance and Procurement Article, Title 18, Annotated Code of Maryland, if:

(a) A court:

- (i) Made the finding; and
- (ii) Decision became final; or

(b) The finding was:

- (i) Made in a contested case under the Maryland Administrative Procedure Act; and
- (ii) Not overturned on judicial review;

(14) Been found to have willfully or knowingly violated the Labor and Employment Article, Title 3, Subtitles 3, 4, or 5, or Title 5, Annotated Code of Maryland, if:

(a) A court:

- (i) Made the finding; and
- (ii) Decision became final; or

(b) The finding was:

- (i) Made in a contested case under the Maryland Administrative Procedure Act; and
- (ii) Not overturned on judicial review; or

(15) Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described in §§ B and C and subsections D(1) - (14) above, except as follows (indicate reasons why the affirmations cannot be

given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

If required, please attach the required document for affirmation regarding other convictions:

E. AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity, except as follows (list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name (s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the debarment or suspension):

If required, please attach the required document for affirmation regarding debarment :

F. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT:

1. The business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to Sections 16-101, et seq., of the State Finance and Procurement Article of the Annotated Code of Maryland; and

2. The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business, except as follows (you must indicate the reasons why the affirmations cannot be given without qualification):

If required, please attach the required document for affirmation regarding debarment of related entities :

G. SUB-CONTRACT AFFIRMATION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, has knowingly entered into a contract with a public body under which a person debarred or suspended under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

H. AFFIRMATION REGARDING COLLUSION

I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business has:

1. Agreed, conspired, connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or offer that is being submitted;
2. In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of the bidder or Offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the accompanying bid or offer is submitted.

I. CERTIFICATION OF TAX PAYMENT

I FURTHER AFFIRM THAT:

Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Department of Labor, Licensing, and Regulation, as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

J. CONTINGENT FEES

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial

selling agency, any fee or any other consideration contingent on the making of the Contract.

K. CERTIFICATION REGARDING INVESTMENTS IN IRAN

(1) The undersigned certifies that, in accordance with State Finance and Procurement Article, §17-705, Annotated Code of Maryland:

(a) It is not identified on the list created by the Board of Public Works as a person engaging in investment activities in Iran as described in State Finance and Procurement Article, §17-702, Annotated Code of Maryland; and

(b) It is not engaging in investment activities in Iran as described in State Finance and Procurement Article, §17-702, Annotated Code of Maryland.

(2) The undersigned is unable to make the above certification regarding its investment activities in Iran due to the following activities:

If required, please attach the required document for affirmation regarding Certification regarding investment in Iran :

**L. CONFLICT MINERALS ORIGINATED IN THE DEMOCRATIC REPUBLIC OF CONGO
(FOR SUPPLIES AND SERVICES CONTRACTS)**

I FURTHER AFFIRM THAT:

The business has complied with the provisions of State Finance and Procurement Article, §14-413, Annotated Code of Maryland governing proper disclosure of certain information regarding conflict minerals originating in the Democratic Republic of Congo or its neighboring countries as required by federal law.

M. I FURTHER AFFIRM THAT:

Any claims of environmental attributes made relating to a product or service included in the bid or proposal are consistent with the Federal Trade Commission's Guides for the Use of Environmental Marketing Claims as provided in 16 CFR §260, that apply to claims about the environmental attributes of a product, package, or service in connection with the marketing, offering for sale, or sale of such item or service.

N. ACKNOWLEDGEMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland, or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

BY CHECKING THE BOX , I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date:

COMPREHENSIVE SIGNATURE

THE BIDDER IS HEREBY NOTIFIED THAT THIS DOCUMENT SHALL BE SUBMITTED ELECTRONICALLY IN ORDER FOR THE BID TO BE ACCEPTED. BY SUBMITTING ELECTRONICALLY, THE BIDDER CERTIFIES THAT HE/SHE WILL COMPLY IN EVERY ASPECT WITH THESE SPECIFICATIONS.

FURTHER, BY CHECKING THE BOX , I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT (PARAGRAPHS A-N) ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

This bid form shall be submitted in electronic format. The bid, if submitted by an individual, shall be submitted electronically by an individual; if submitted by a partnership, shall be electronically signed by such member or members of the partnership as have authority to bind the partnership; if submitted by a corporation the same shall be electronically signed by the President. If not submitted by the President as aforesaid, there must be attached a copy of that portion of the By-Laws, or a copy of a Board resolution, duly certified by the Secretary, showing the authority of the person so submitting electronically on behalf of the corporation. In lieu thereof, the corporation may file such evidence with the Administration, duly certified by the Secretary, together with a list of the names of those officers having authority to submit electronic documents on behalf of the corporation, duly certified by the Secretary, which listing shall remain in full force and effect until such time as the Administration is advised in writing to the contrary. In any case where a bid is submitted electronically by an Attorney in Fact the same must be accompanied by a copy of the appointing document, duly certified.

IF AN INDIVIDUAL

Name :

Street and/or

P.O.Box :

City :

State :

Zip Code :

Fed ID or SSN :

Printed Signature :

Date :

IF A PARTNERSHIP

Name Of Partnership :

Street and/or

P.O.Box :

City :

State :

Zip Code :

Fed ID or SSN :

Print Signature :

Date :

Title :

IF A CORPORATION

Name Of Corporation :

Street and/or

P.O.Box :

City :

State :

Zip Code :

Fed ID or SSN :

State of

Incorporation :

Printed Signature :

Date :

Title:

If required, please attach the required document(s) (combined into a single file) for Comprehensive Signature:

MDOT DBE FORM A
FEDERALLY-FUNDED CONTRACTS
CERTIFIED DBE UTILIZATION AND FAIR SOLICITATION AFFIDAVIT

This affidavit must be included with the bid/ proposal. If the bidder/ offeror fails to accurately complete and submit this affidavit as required, the bid shall be deemed not responsive or the proposal shall be deemed not susceptible of being selected for award.

In connection with the bid/proposal submitted in response to Solicitation No. PG8675188 , I affirm the following:

1. DBE Participation (PLEASE CHECK ONLY ONE)

I have met the overall certified Disadvantaged Business Enterprise (DBE) participation goal of TWENTY-FIVE percent (25.00%). I agree that this percentage of the total dollar amount of the Contract for the DBE goal will be performed by certified DBE firms as set forth in the DBE Participation Schedule - Part 2 of the MDOT DBE Form B (Federally-Funded Contracts).

OR

I conclude that I am unable to achieve the DBE participation goal. I hereby request a waiver, in whole or in part, of the goal. Within 10 business days of receiving notice that our firm is the apparent awardee or as requested by the Procurement Officer, I will submit a written waiver request and all required documentation in accordance with COMAR 21.11.03.11. For a partial waiver request, I agree that certified DBE firms will be used to accomplish the percentages of the total dollar amount of the Contract as set forth in the DBE Participation Schedule - Part 2 of the MDOT DBE Form B (Federally-Funded Contracts).

2. Additional DBE Documentation

I understand that if I am notified that I am the apparent awardee or as requested by the Procurement Officer, I must submit the following documentation within 10 business days of receiving such notice: (a) Outreach Efforts Compliance Statement (MDOT DBE Form C - Federally-Funded Contracts); (b) Subcontractor Project Participation Statement (MDOT DBE Form D - Federally-Funded Contracts); (c) DBE Waiver Request documentation per COMAR 21.11.03.11 (if waiver was requested); and (d) Any other documentation required by the Procurement Officer to ascertain bidder's responsibility/ offeror's susceptibility of being selected for award in connection with the certified DBE participation goal.

I acknowledge that if I fail to return each completed document (in 2 (a) through (d)) within the required time, the Procurement Officer may determine that I am not responsible and therefore not eligible for contract award or not susceptible of being selected for award.

3. Information Provided to DBE firms

In the solicitation of subcontract quotations or offers, DBE firms were provided not less than the same information and amount of time to respond as were non-DBE firms.

4. Products and Services Provided by DBE firms

I hereby affirm that the DBEs are only providing those products and services for which they are MDOT certified.

By checking the box , I solemnly affirm under the penalties of perjury that the information in this affidavit is true to the best of my knowledge, information and belief.

**MDOT DBE FORM B
FEDERALLY-FUNDED CONTRACTS
DBE PARTICIPATION SCHEDULE**

PART 1 - INSTRUCTIONS FOR DBE PARTICIPATION SCHEDULE

By checking this box , I hereby affirm that I have reviewed the Instructions for the DBE Participation Schedule (Form B). I understand that due to inherent limitations, the AASHTOWare Project Bids™ Bid Component software cannot identify all bid proposal errors and omissions, and hereby acknowledge and agree that transmission of the bid proposal to Bid Express does not imply that the bid proposal or DBE forms are free of errors and omissions or that the bid is susceptible to award.

I further acknowledge that: (1) any indication that the bidder has Met or Not Met the Goal may not be accurate; (2) any indication that the bidder has Met or Not Met the Goal does not contemplate, reflect or otherwise pertain to subgoals (if any); and (3) for purposes of determining whether the goal or subgoals (if any) have been met, the Goal/Subgoal Worksheet contained in the Instructions may be used to calculate the total DBE participation commitment for the overall goal.

I also acknowledge and agree that: (1) bidders shall not rely on this software or the Bid Express website to identify errors and omissions in their bid proposal or DBE forms; (2) any feedback from the AASHTOWare Project Bids™ Bid Component software including, but not limited to the Met Goal or Not Met Goal indications, green check marks and red exclamation marks may not be construed as verifying, authenticating, confirming, or otherwise indicating the completeness or responsiveness of the bid proposal; and (3) bidders are responsible for the completeness and accuracy of their bid proposals and DBE forms.

PARTS 2 AND 3 MUST BE INCLUDED WITH THE BID/PROPOSAL. IF THE BIDDER/OFFEROR FAILS TO ACCURATELY COMPLETE AND SUBMIT PART 2 WITH THE BID/PROPOSAL AS REQUIRED, THE BID SHALL BE DEEMED NOT RESPONSIVE OR THE PROPOSAL SHALL BE DEEMED NOT SUSCEPTIBLE OF BEING SELECTED FOR AWARD.

*****STOP*****

FORM INSTRUCTIONS

PLEASE READ BEFORE COMPLETING THIS FORM

1. Please refer to the Maryland Department of Transportation (MDOT) DBE Directory at www.mdot.state.md.us to determine if a firm is certified for the appropriate North American Industry Classification System ("NAICS") Code **and** the product/services description (specific product that a firm is certified to provide or specific areas of work that a firm is certified to perform). For more general information about NAICS, please visit www.naics.com. Only those specific products and/or services for which a firm is certified in the MDOT Directory can be used for purposes of achieving the DBE participation goal.

2. In order to be counted for purposes of achieving the DBE

participation goal, the firm must be certified for that specific NAICS ("DBE" for Federally-funded projects designation after NAICS Code). **WARNING:** If the firm's NAICS Code is in **graduated status**, such services/products **will not be counted** for purposes of achieving the DBE participation goals. Graduated status is clearly identified in the MDOT Directory (such graduated codes are designated with the word graduated after the appropriate NAICS Code).

3. Examining the NAICS Code is the **first step** in determining whether a DBE firm is certified and eligible to receive DBE participation credit for the specific products/services to be supplied or performed under the contract. The **second step** is to determine whether a firm's Products/Services Description in the DBE Directory includes the products to be supplied and/or services to be performed that are being used to achieve the DBE participation goal.

4. If you have any questions as to whether a firm is MDOT DBE certified, or if it is certified to perform specific services or provide specific products, please call MDOT's Office of Minority Business Enterprise at 1-800-544-6056 or send an email to mbe@mdot.state.md.us.

5. The Contractor's subcontractors are considered second-tier subcontractors. Third-tier contracting used to meet a DBE goal is to be considered the exception and not the rule. The following two conditions must be met before MDOT, its Modal Administrations and the Maryland Transportation Authority may approve a third-tier contracting agreement: (a) the bidder/offeror must request in writing approval of each third-tier contract arrangement, and (b) the request must contain specifics as to why a third-tier contracting arrangement should be approved. These documents must be submitted with the bid/proposal in Part 2 of this DBE Participation Schedule.

6. For each DBE firm that is being used as supplier/wholesaler/regular dealer/broker/manufacturer, please follow these instructions for calculating the **amount of the subcontract for purposes of achieving the DBE participation goal:**

A. Is the firm certified as a broker of the products/supplies? If the answer is YES, please continue to Item C. If the answer is NO, please continue to Item B.

B. Is the firm certified as a supplier, wholesaler, regular dealer, or manufacturer of such products/supplies? If the answer is YES, continue to Item D. If the answer is NO, continue to Item C only if the DBE firm is certified to perform trucking/hauling services under NAICS Codes 484110, 484121, 484122, 484210, 484220 and 484230. If the answer is NO and the firm is not certified under these NAICS Codes, then no DBE participation credit will be given for the supply of these products.

C. For purposes of achieving the DBE participation goal, you may count only the amount of any reasonable fee that the DBE firm will receive for the provision of such products/supplies - not the total subcontract amount or the value (or a percentage thereof) of such products and/or supplies. For Column 3 of the DBE Participation Schedule, please divide the amount of any reasonable fee that the DBE firm will receive for the provision of such products/services by the total Contract value and insert the percentage in Line 3.1.

D. Is the firm certified as a manufacturer (refer to the firm's NAICS Code and specific description of products/services) of the products/supplies to be provided? If the answer is NO please continue to Item E. If the answer is YES, for purposes of achieving the DBE participation goal, you may count the total amount of the subcontract. For Column 3 of the DBE Participation Schedule, please divide the total amount of the subcontract by the total Contract value and insert the percentage in Line 3.1.

E. Is the firm certified as a supplier, wholesaler and/or regular dealer? If the answer is YES and the DBE firm is furnishing and installing the materials and is certified to perform these services, please divide the total subcontract amount (including full value of supplies) by the total Contract value and insert the percentage in Line 3.1. If the answer is YES and the DBE firm is only being used as a supplier, wholesaler and/or regular dealer or is not certified to install the supplies/materials, for purposes of achieving the DBE participation goal, you may only count sixty percent (60%) of the value of the subcontract for these supplies/products (60% Rule). To apply the 60% Rule, first divide the amount of the subcontract for these supplies/products only (not installation) by the total Contract value. Then, multiply the result by sixty percent (60%) and insert the percentage in Line 3.2.

7. For each DBE firm that **is not** being used as a supplier/wholesaler/regular dealer/broker/manufacturer, to calculate the **amount of the subcontract for purposes of achieving the DBE participation goal**, divide the total amount of the subcontract by the total Contract value and insert the percentage in Line 3.1.

Example: \$ 2,500 (Total Subcontract Amount) ÷ \$10,000 (Total Contract Value) x 100 = 25%.

8. Please note that for USDOT-funded projects, a DBE prime may count towards its DBE participation goal work performed by its own forces. Include information about the DBE prime in Part 2.

9. **WARNING:** The percentage of DBE participation, computed using the dollar amounts in Column 3 for all of the DBE firms listed in Part 2, **MUST** at least equal the DBE participation goal as set forth in MDOT

DBE Form A - Federally-Funded Contracts for this solicitation. If the bidder/offeror is unable to achieve the DBE participation goals, then the bidder/offeror must request a waiver in Form A or the bid will be deemed not responsive, or the proposal not susceptible of being selected for award. You may wish to use the Goal Worksheet shown below to assist you in calculating the percentage and confirming that you have met the applicable DBE participation goal.

To download the DBE Goal Worksheet, please click [DBE Goal Worksheet](#)

Please attach the completed DBE Goal Worksheet (Excel file) for DBE FORM B - PART 1:

PART 2 - DBE PARTICIPATION SCHEDULE

PART 2 MUST BE COMPLETED WITH THE BID/PROPOSAL. IF THE BIDDER/OFFEROR FAILS TO ACCURATELY COMPLETE AND SUBMIT PART 2 WITH THE BID/PROPOSAL AS REQUIRED, THE BID SHALL BE DEEMED NOT RESPONSIVE OR THE PROPOSAL SHALL BE DEEMED NOT SUSCEPTIBLE OF BEING SELECTED FOR AWARD.

LIST INFORMATION FOR EACH CERTIFIED DBE SUBCONTRACTOR YOU AGREE TO USE TO ACHIEVE THE DBE PARTICIPATION GOAL (using the Form B - DBE Participation Schedule Part 2).

PART 3 - CERTIFICATION FOR DBE PARTICIPATION SCHEDULE

PART 3 AFFIRMATION MUST BE COMPLETED.

I hereby affirm that I have reviewed the Products and Services Description (specific product that a firm is certified to provide or areas of work that a firm is certified to perform) set forth in the MDOT DBE Directory for each of the DBE firms listed in Part 2 of this DBE Form B for purposes of achieving the DBE participation goal that was identified in the DBE Form A that I submitted with this solicitation, and that the DBE firms listed are only performing those products/services/areas of work for which they are certified. I also hereby affirm that I have read and understand the form instructions set forth in Part 1 of this DBE Form B.

The undersigned Prime Contractor hereby certifies and agrees that it has fully complied with the State Minority Business Enterprise law, State Finance and Procurement Article §14-308(a)(2), Annotated Code of Maryland which provides that, except as otherwise provided by law, a contractor may not identify a certified minority business enterprise in a bid or proposal and:

- (1) fail to request, receive, or otherwise obtain authorization

from the certified minority business enterprise to identify the certified minority business enterprise in its bid or proposal;

(2) fail to notify the certified minority business enterprise before execution of the contract of its inclusion of the bid or proposal;

(3) fail to use the certified minority business enterprise in the performance of the contract; or

(4) pay the certified minority business enterprise solely for the use of its name in the bid or proposal.

By checking the box I solemnly affirm under the penalties of perjury that the contents of Parts 2 and 3 of MDOT DBE Form B are true to the best of my knowledge, information and belief.

Form B - DBE Participation Schedule - Part 2 Summary

Project: AC-NHPP-G-251-1(87)E
Bid Total: 51,394.00
Goal: 25.00% (12,848.50)
Total Entered: 0.00% (0.00)

Bidder ID: GG
Business Name:

ID	Name	Is Supplier?	Item Count	Amount	Is Complete?
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**MDOT MBE/DBE FORM C
OUTREACH EFFORTS COMPLIANCE STATEMENT**

To download [MDOT MBE/DBE Form C](#)

**MDOT MBE/DBE FORM D
DBE SUBCONTRACTOR PROJECT PARTICIPATION AFFIDAVIT**

To download [MDOT MBE/DBE Form D](#)

**MDOT MBE/DBE FORM E
GOOD FAITH EFFORTS GUIDANCE AND DOCUMENTATION**

I/We understand that by requesting the Waiver (not meeting the DBE Goals), I/We will submit the required Good Faith Efforts documentation (MDOT MBE/DBE FORM E), in accordance with COMAR 21.11.03.11, within 10 business days after receiving notice that I/We are the apparent awardee.

To download [MDOT MBE/DBE Form E](#)

To download [MDOT MBE/DBE Form E Guidance](#)

By checking the box , I acknowledge the above notice.

INFORMATION REQUIRED TO BE SUBMITTED FOR FEDERALLY ASSISTED CONTRACTS:

To download the Schedule of information required to be submitted for federally assisted contracts template, please [Click here](#)

Please attach the completed Excel file for information required to be submitted for federally assisted contracts:

EXTRA WORK, CONTRACT TIME, BONDING, LIQUIDATED DAMAGES, AND PROPOSAL GUARANTY

EXTRA WORK. It is further proposed to do all "Extra Work" which may be required to complete the work contemplated at unit prices or lump sum prices to be agreed upon in writing prior to starting such extra work, or if such prices or sums cannot be agreed upon, to perform such work on a Force Account basis as specified in TC-7.03.

CONTRACT TIME. To commence work as specified in the "Notice to Proceed" and to prosecute the work to complete the contract within/or before

08/19/2023 (calendar date)

Any delay in awarding or the execution of this contract will not be considered as a basis for any monetary claim, however, an extension of time may be considered by the Administration, if warranted.

BONDING. When the Contractor's bid is \$100,000 or more, the Contractor shall furnish a Payment Bond and a Performance Bond in the full amount of the Contract Award as security for the construction and completion of the contract in conformance with the Plans, Standard Specifications, revisions thereto, General Provisions and Special Provisions.

To guarantee all of the work performed under this contract to be done in conformance with the Standard Specifications, revisions thereto, General Provisions and Special Provisions in a good workmanlike manner and to renew or repair any work which may be rejected due to defective materials or workmanship, prior to final completion and acceptance of the work, also we have the equipment, labor, supervision and financial capacity to perform this contract either with our organization or with Subcontractors.

LIQUIDATED DAMAGES. The Contractor is hereby advised that liquidated damages in the amount of

1400 dollars per calendar day

will be assessed for unauthorized extensions beyond the contracted time of completion.

PROPOSAL GUARANTY. A bid security is not required on Contract Proposals under \$100,000.

A bid security totaling at least five percent (5%) of the bid amount will be required on contracts of \$100,000 or over.

Acceptable forms of security for bid guaranty shall be per GP-2.07.

Enclosed herewith, is the online verification of the bid security or evidence thereof based on at least five percent (5%) of the aggregate amount of the bid submitted, and made payable to the "State of Maryland". The bid security shall be delivered per GP-2.08. This bid security is a Proposal Guaranty (which is understood will be forfeited in the event the contract is not executed, if awarded to the signer of this affidavit).

Commercial Nondiscrimination

A. As a condition of entering into this Agreement, Contractor represents and warrants that it will comply with the State's Commercial Nondiscrimination Policy, as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland. As part of such compliance, Contractor may not discriminate on the basis of race, color, religion, ancestry, national origin, sex, age, marital status, sexual orientation, sexual identity, genetic information or an individual's refusal to submit to a genetic test or make available the results of a genetic test or on the basis of disability, or other unlawful forms of discrimination in the solicitation, selection, hiring, or commercial treatment of subcontractors, vendors, suppliers, or commercial customers, nor shall Contractor retaliate against any person for reporting instances of such discrimination. Contractor shall provide equal opportunity for subcontractors, vendors, and suppliers to participate in all of its public sector and private sector subcontracting and supply opportunities, provided that this clause does not prohibit or limit lawful efforts to remedy the effects of marketplace discrimination that have occurred or are occurring in the marketplace. Contractor understands that a material violation of this clause shall be considered a material breach of this Agreement and may result in termination of this Agreement, disqualification of Contractor from participating in State contracts, or other sanctions. This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.

B. The Contractor agrees to include the clause contained in subsection (A.), above, in all subcontracts, regardless of the tier.

C. As a condition of entering into this Agreement, upon the request of the Commission on Civil Rights, and only after the filing of a complaint against Contractor under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland, as amended from time to time, Contractor agrees to provide within 60 days after the request a complete list of the names of all subcontractors, vendors, and suppliers that Contractor has used in the past 4 years on any of its contracts that were undertaken within the State of Maryland,

including the total dollar amount paid by Contractor on each subcontract or supply contract. Contractor further agrees to cooperate in any investigation conducted by the State pursuant to the State's Commercial Nondiscrimination Policy as set forth under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland, and to provide any documents relevant to any investigation that are requested by the State. Contractor understands that violation of this clause is a material breach of this Agreement and may result in contract termination, disqualification by the State from participating in State contracts, and other sanctions.

Bid Security (Other)

This form MUST only be used for bid security other than bid bonds. The original bid security must be delivered within three days of bid opening (TC-2.05 c(2)). If you intend to use a bid bond, then it must be electronically verifiable, you must use the **Bid Bond** tab, and select "Bid Bond per COMAR 21.06.97.01.B(1)" from the list below.

Scanned Copies (images) of bid bond are not acceptable.

Paid by: Bid Security Not Warranted Bid Security
except Bid Bond Bid Bond per COMAR 21.06.07.01.B(1)

Please attach the required scanned copy of the BID Security:

Bid Bond

This form MUST only be used for bid bonds. All bid bonds MUST be electronically verifiable using either the SurePathNetwork or Surety2000 clearing house. **Scanned copies(images) of bid bonds are not acceptable.** If you intend to use any other form of bid security, please indicate below and use the **Bid Security (Other) Form.**

Paid by: Bid Security Not Warranted Bid Security
except Bid Bond Bid Bond per COMAR 21.06.07.01.B(1)

Bond ID:

Bond Registry:

Bond Percent:

Maximum Bond Amount:

PAYMENT OF EMPLOYEE HEALTH CARE EXPENSES

The [payment of Employee Health Care Expenses Law](#), Chapter 687, 2019 MD Laws (SB 433). (Use **SB0433** as the value to search by Legislation number) requires the Board of Public Works to compile workforce health care coverage cost information submitted to procurement agencies from businesses bidding on construction contracts. The BPW must report the information to the General Assembly by August 1, 2020, 2021, and 2022. Therefore MDOT SHA must collect and report the information to the BPW.

The Payment of Employee Health Care Expenses spreadsheet was developed to report this information and is to be submitted at the time of bid. Please find The Payment of Employee Health Care Expenses spreadsheet template included within this proposal form package. Complete it and submit with your bid. Each cell highlighted in yellow must be completed. If a cell is not applicable, enter "N/A". Each question (in columns), must be answered for each company (listed by row). Add more rows if needed to list all subcontractors on this project.

To download the Payment of Employee Health Care Expense template information required to be submitted for construction contracts, please [Click here](#)

Please attach the completed Excel file for Payment of Employee Health Care Expenses study information required to be submitted for all construction contracts: