

## BID PROPOSAL

Receiver – Gershman, Brickner & Bratton, Inc. in its capacity as Receiver for the Solid Waste Management Division of the Department of Public Works  
Government of Guam  
Tamuning, Guam 96913

Gentlemen:

In compliance with your Invitation for Bid for the: **LANDFILL OPERATIONS ROAD and MASS GRADING for CELLS #1 and #2, PROJECT NO. SWMD-09-01**

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Name of Contractor or Firm

as Bidder, declares that this bid proposal is made without collusion with any other person, firm, company or corporation; that he has carefully examined the job site, scope of work, form of Contract, plans and specifications therein referred to.

If the bid proposal is accepted, the undersigned agrees to enter into a Contract with the Government of Guam, in the form of the copy of the Contract, annexed hereto, to provide all necessary labor, machinery, tools equipment, apparatus, and any other means of construction, to do all the work and to furnish all the materials specified in the Contract in the manner and within the time therein prescribed in the Contract, and that he shall accept in lump sum price as set forth in the Contract and the attached quantities and unit cost the actual amount of work performed and materials.

It is understood that the quantities attached are approximate only and are intended principally to serve as a guide in determining and comparing the bids. It is further understood that the Government of Guam does not expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease any amount of any class or portion of the work, or to omit portions of the work, as may be deemed necessary or advisable by the Contracting Officer, and that all increased or decreased quantities or work shall be performed at the unit prices set forth in the attached quantities and unit cost except as provided for in the specifications.

The undersigned further proposes to execute the Contract Agreement and to furnish satisfactory performance and payment bond, insurance policies, Guam Contractor's license, and Guam Business license within fifteen (15) calendar days after he has received the Contract documents for execution.

The undersigned agrees that he shall begin the work on or before the date he is notified to commence with the work, which date is indicated in the notice to proceed and shall finish the

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Landfill Operations Road and Mass Grading for Cells #1 & #2  
Project No. SWMD-09-01

entire Project within the time prescribed. It is understood that the Contracting Officer reserves the right to reject any or all bids and to waive any defects when in his opinion such rejection or waiver will be for the best interest of the Government.

Receipt is hereby acknowledged and complete examination is hereby expressly guaranteed of the following listed items:

1. Invitation for Bid
2. Instructions to Bidders
3. Bid Proposal
4. Bid Bond
5. Bid Form
6. Bid Schedule
7. Non-Collusion Affidavit
8. Affidavit Disclosing Ownership and Commissions
9. Certification of Non-Segregated Facilities
10. Bidder's Statement on Previous Contracts Subject to EEO Clause
11. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
12. Formal Contract
13. Performance and Payment Bond
14. Special Provisions
15. General Conditions
16. General Scope of Work
17. Prevailing Wage Rates
18. Technical Specifications
19. Notice of Intent
20. Addendum(s)
21. Plans
22. Environmental Protection with Erosion Control Plan
23. Stormwater Pollution Prevention Plan
24. 401 Water Quality Certificate
25. Geotechnical Soils Report

Accompanying this bid proposal as the bid security is:  
(Check whichever is applicable)

- Bidder's Bond
- Cashier's Check
- Certified Check

in the amount of

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Project No. SWMD-09-01

\_\_\_\_\_ Dollars (\$\_\_\_\_\_).

The undersigned hereby certifies that the bid prices contained in the attached Bid Form and Bid Schedule have been carefully checked and are submitted as correct and final.

NAME: \_\_\_\_\_  
(Name of Corporation, Partnership, LLC, LC or Individual)

TITLE: \_\_\_\_\_  
(Title of Authorized Representative)

SIGNATURE(S): \_\_\_\_\_  
(Signature of Bidder)

NOTE:

If Bidder is a CORPORATION, the legal name of the corporation shall be set forth above, together with the signature(s) of the Officer(s) authorized to sign contracts on behalf of the corporation. Please attach to this page evidence of the authority of the Officer(s) to sign on behalf of the corporation.

If Bidder is a PARTNERSHIP, the true name of the firm shall be set forth above, together with the signature(s) of the partner(s) authorized to sign on behalf of the partnership.

If Bidder is a LIMITED LIABILITY COMPANY or LIABILITY COMPANY, the true name of the firm shall be set forth above, together with the signature(s) of the principal(s) authorized to sign on behalf of the company.

If Bidder is an INDIVIDUAL, his signature shall be placed above.

If signature is by an agent, other than an officer of a corporation or member of a partnership, a POWER OF ATTORNEY must be on file with the Government of Guam prior to the opening of bid or submitted with the bids; otherwise, the bid may be rejected as irregular and unauthorized.

Business Address \_\_\_\_\_

Business Telephone \_\_\_\_\_

Dated \_\_\_\_\_, 200\_\_.

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BOND NO. \_\_\_\_\_

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, that

\_\_\_\_\_  
(Name of Contractor)

as Principal, hereinafter called the Principal and

\_\_\_\_\_  
(Name of Surety)

a duly admitted insurer under the laws of the Territory of Guam, as Surety, hereinafter called the Surety, are held and firmly bound unto the Government of Guam for the sum of \_\_\_\_\_ Dollars

(\$ \_\_\_\_\_), for payment of which sum will and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for the **LANDFILL OPERATIONS ROAD and MASS GRADING for CELLS #1 and #2, PROJECT NO. SWMD-09-01.**

NOW THEREFORE, if the Government of Guam shall accept the bid of the Principal and the Principal shall not withdraw said bid within sixty (60) calendar days after the opening of bids, and shall within fifteen (15) calendar days after the prescribed forms are presented to him for signature, enter into a Contract with the Government of Guam in accordance with the terms of such bid and give such bond or bonds, insurance policies, and other documents as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such Contract and give such bond or bonds and insurance policies, if the Principal shall pay to the Government of Guam the difference not to exceed the penalty hereof between the amounts specified in said bid and such larger amount for which the Government of Guam may in good faith contract with another party to perform work covered by said bid or an appropriate liquidated amount as specified in the Invitation for Bids then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
(PRINCIPAL) (SEAL)  
By:

\_\_\_\_\_  
(WITNESS)

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(MAJOR OFFICER OF SURETY)

\_\_\_\_\_  
(MAJOR OFFICER OF SURETY)

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(TITLE)

Countersigned by:

\_\_\_\_\_  
(RESIDENT GENERAL AGENT)

**BID FORM**

Date: \_\_\_\_\_

To: Receiver – Gershman, Brickner & Bratton, Inc. in its capacity as Receiver for the Solid Waste Management Division of the Department of Public Works  
Government of Guam  
Tamuning, Guam 96913

Gentlemen:

The undersigned (hereafter called the Bidder), a \_\_\_\_\_  
(Corporation, Partnership, LLC, LC or Individual)

organized and/or licensed to do business under the laws of the (State) (Territory) of \_\_\_\_\_, hereby proposes and agrees to furnish all the necessary labor, materials, equipment, tools and services necessary for construction of the **LANDFILL OPERATIONS ROAD and MASS GRADING for CELLS #1 and #2, PROJECT NO. SWMD-09-01** all in accordance with the Bid Documents prepared by the Department of Public Works in Lump Sum for the sum of

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_)  
Lump Sum Price (In Words)

The Bidder has examined the location of the proposed work, the drawings, specifications and other Contract documents and is familiar with the local conditions at the place where the work is to be performed.

The bid security attached, without endorsement, in the sum of not less than fifteen percent (15%) of the amount of the bid, is furnished to the Government as a guarantee that the Contract will be executed and furnish a performance and payment bond, insurance policies, and other documents as may be specified in the bidding or Contract Documents within fifteen (15) calendar days after the acceptance of the bid of the Bidder. In the event that the Bidder shall fail to execute the Contract and furnish a satisfactory performance and payment bond, insurance policies, and other documents as may be specified in the bidding or Contract Documents under the conditions and within the time specified in this bid, the bid security shall be forfeited as liquidated damages for the delay and additional work and costs caused thereby in obtaining another Bidder, said being beforehand determined as being reasonable and containing no penalties.

If written notice of the acceptance of this bid is mailed, telegraphed or delivered to the Bidder within sixty (60) days after the opening thereof, the Bidder agrees to execute the form of Contract included as one of the Contract documents, to furnish a performance and payment bond in an amount equal to one hundred percent (100%) of the total Contract amount, and furnish insurance policies, and other documents as may be specified in the bidding or Contract Documents all

within fifteen (15) calendar days after receipt of such notice.

The Bidder hereby acknowledges receipt of the following addenda:

	ADDENDUM NO.	DATED
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____

If awarded the Contract, the Bidder agrees to complete the work within the Contract time stipulated in this Contract.

The Bidder understands that the Government reserves the right to reject any or all bids or to waive any informality or technicality in any bids in the interest of the Government.

Attached hereto is an affidavit in proof that the Bidder has not entered into any collusion with any person in respect to this bid or any other bid or the submitting of bids for the Contract for which this bid is submitted.

RESPECTFULLY SUBMITTED BY:

\_\_\_\_\_  
(BIDDER)

\_\_\_\_\_  
(BY – PRINT & SIGN NAME)

\_\_\_\_\_  
(TITLE)

\_\_\_\_\_  
(BUSINESS ADDRESS)

**BID SCHEDULE**  
**LANDFILL OPERATIONS ROAD and MASS GRADING for CELLS #1 and #2**  
**LAYON, INARAJAN**

PROJECT NO. SWMD-09-01

Item No.	Description	Quantity	Unit	Unit Cost	Cost
10201	Contingent Sum*	ALL	LS	\$ 300,000.00	\$ 300,000.00
15101	Mobilization including permits, clearances, fees & bonds	ALL	LS	\$	\$
15201	Construction Survey and Staking	ALL	LS	\$	\$
15701	Soil Erosion Control	ALL	LS	\$	\$
15801	Water for Dust Control	100	MG	\$	\$
20101	Clearing and Grubbing	43	Acre	\$	\$
20401	Excavation, Operations and Perimeter Road	87,630	CY	\$	\$
20402	Excavation, Cells #1, #2, and Pond 3A	792,121	CY	\$	\$
20403	Rock Excavation	3,000	CY	\$	\$
20404	Monitoring Well Cap	6	EA	\$	\$
30101	22" Aggregate Subbase, Grading B	13,167	CY	\$	\$
30102	12" Aggregate Base, Grading C	7,123	CY	\$	\$
30901	6" Emulsified Asphalt Treated Aggregate Base, Grading C	3,342	CY	\$	\$
60101	Concrete Trapezoidal Channel, 6-foot bottom width and 1 1/2-foot deep including base course	700	LF	\$	\$
60102	Concrete Channel discharge and pond access ramp	ALL	LS	\$	\$
60103	Concrete storm water road crossing, 20' X 42' X 6" thick	ALL	LS	\$	\$
60104	Concrete pond entry structure, spillway and discharge retaining wall including 48" diameter pipe culvert, profile wall (ribbed) polyethylene pipe.	ALL	LS	\$	\$
60201	Pipe Culvert, Profile Wall (ribbed) polyethylene pipe, 18" Diameter	80	LF	\$	\$
60202	Pipe Culvert, Profile Wall (ribbed) polyethylene pipe, 24" Diameter	80	LF	\$	\$
60203	Pipe Culvert, Profile Wall (ribbed) polyethylene pipe, 30" Diameter	340	LF	\$	\$
60801	Riprap, Class 1 (Pipe ends)	100	CY	\$	\$
60802	Paved Waterway, Riprap, Class 1	183	CY	\$	\$
60803	Grouted Riprap, Class 1	720	CY	\$	\$
61901	Fence, Chain Link, 6-foot high	5,015	LF	\$	\$
61902	Gate, Chain Link, Double Swing, 24-foot clear opening	1	EA	\$	\$
62501	Turf Establishment	6	Acre	\$	\$
63301	Traffic Signs, Type I	10	EA	\$	\$
63302	Barricade, Type III	4	EA	\$	\$
63701	Field Office	ALL	LS	\$	\$
<b>Total Bid (Sum all items including Item 10201)</b>					<b>\$</b>

Notes:

**BID SCHEDULE**  
Landfill Operations Road and Mass Grading for Cells #1 & #2  
Project No. SWMD-09-01



- \*1. The Contingent Sum is for the Government use only. No work shall be charged to this item unless authorized and ordered in writing by the Contracting Officer.
2. The Bidder shall prepare its own estimate to determine the required scope of work and quantities for all work required to complete the Project, based on the Contract plans, specifications, and documents.
3. All other items of work not qualified and not listed in the Bid Schedule are considered incidental work and are subsidiary obligations of the Bidder under the various Contract items and are called for in the specifications.

NON-COLLUSION AFFIDAVIT

TERRITORY OF GUAM)

)ss.

AGANA, GUAM )

\_\_\_\_\_, being first duly sworn, depose and say:

That he/she is \_\_\_\_\_ (a partner, officer, or principal of the firm of, etc.)

the party making the foregoing bid, that such bid is genuine and not collusive or sham, that said Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any Bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by an agreement or collusion, or communication or conference, with any person to fix the bid price of affiant or of any other Bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other Bidder, or to secure any advantage against the Government of Guam or any other Bidder, or to secure any advantage against the Government of Guam or any person interested in the proposed Contract; and that all statements in bid are true.

\_\_\_\_\_  
Signature of  
Bidder, if the Bidder is an individual;  
Partner, if the Bidder is a partnership;  
Principal if the Bidder is a limited liability company;  
Principal if the Bidder is a liability company;  
Officer, if the Bidder is a corporation.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_, 200\_\_.

NON-COLLUSION AFFIDAVIT  
Landfill Operations Road and Mass Grading for Cells #1 & #2  
Project No. SWMD-09-01

**AFFIDAVIT DISCLOSING OWNERSHIP AND COMMISSIONS**

CITY OF \_\_\_\_\_ )  
 ) ss.  
 STATE OF \_\_\_\_\_ )

A. I, the undersigned, being first duly sworn, depose and say that I am an authorized representative of the Bidder and that *[please check only one]*:

The Bidder is an individual or sole proprietor and owns the entire (100%) interest in the offering business.

The Bidder is a corporation, partnership, joint venture, limited liability company, liability company or association known as \_\_\_\_\_ *[please state name of Bidder company]*, and the persons, companies, partners, principals, or joint venturers who have held more than 10% of the shares or interest in the offering business during the 365 days immediately preceding the submission date of the proposal are as follows *[if none, please so state]*:

<u>Name</u>	<u>Address</u>	<u>% of Interest</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Further, I say that the persons who have received or are entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the Bid or proposal for which this affidavit is submitted are as follows *[if none, please so state]*:

<u>Name</u>	<u>Address</u>	<u>Compensation</u>
_____	_____	_____
_____	_____	_____

C. If the ownership of the offering business should change between the time this affidavit is made and the time an award is made or a Contract is entered into, then I promise personally to update the disclosure required by 5 GCA §5233 by delivering another affidavit to the government.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of one of the following:  
Bidder, if the Bidder is an individual;  
Partner, if the Bidder is a partnership;  
Principal if the Bidder is a limited liability company;  
Principal if the Bidder is a liability company;  
Officer, if the Bidder is a corporation.

SUBSCRIBED and SWORN to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

## CERTIFICATION OF NON-SEGREGATED FACILITIES

This is to certify that \_\_\_\_\_, the Bidder for the **LANDFILL OPERATIONS ROAD and MASS GRADING for CELLS #1 and #2, PROJECT NO. SWMD-09-01**, does not maintain or provide for his employees any segregated facilities at any of his establishments, and does not permit his employees to perform their services at any location, under his control where segregated facilities are maintained. The Bidder agrees that a breach of this certification is a violation of the Equal Opportunity clause in this Contract. As used in this certification, the term "**Segregated Facilities**" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, lots, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, national origin, because of habit, local custom, or otherwise. The Bidder agrees that (except where he has obtained identical certifications in duplicate from proposed subcontractors for specific time periods) he will obtain identical certifications in duplicate from proposed subcontractor(s) prior to the award of subcontract exceeding \$10,000.00 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain the duplicate of such certification in his files. The subcontractor shall include the original in his Bid Package.

\_\_\_\_\_  
Name and Title of Signer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CERTIFICATION OF NON-SEGREGATED FACILITIES**  
Landfill Operations Road and Mass Grading for Cells #1 & #2  
Project No. SWMD-09-01

**BIDDER'S STATEMENT ON PREVIOUS CONTRACTS  
SUBJECT TO EEO CLAUSE**

The Bidder shall complete the following statement by checking the appropriate boxes.

The Bidder has \_\_\_ has not \_\_\_ participated in a previous contract or subcontract subject to the equal opportunity clause prescribed by the Executive Order 11246, as amended, of September 24, 1965.

The Bidder has \_\_\_ has not \_\_\_ submitted all compliance reports in connection with any such contract or subcontract due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subcontractors will be obtained prior to award of subcontracts.

If the Bidder has participated in a previous contract or subcontract subject to the equal opportunity clauses and has not submitted compliance reports due under the applicable filing requirements, the Bidder shall submit a compliance report on Standard Form 100, "Employee Information Report EEO - 100 I" prior to award of the Contract.

Certification - The information above is true and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Bidder

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

The Bidder certifies, by submission of this bid proposal or acceptance of this Contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal or Government of Guam department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the Bidder or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this bid proposal.

\_\_\_\_\_  
Bidder

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date