

BID CHECKLIST

This Bid Checklist is a summary of the forms and materials required as part of your Bid. You are urged to thoroughly read the entire IFB. You are encouraged to complete the checklist to help ensure compliance with the submission requirements.

Procedural Qualifications

- Respondents must be registered (company name, address, telephone/fax numbers, and email address) with the Borough Procurement Officer as indicated in the IFB.
- Bids must be received in the Office of the Borough Clerk no later than the date and time indicated in Section 1 of the IFB.

Form and Content of Bids

- In order to be considered responsive, bids must be in a sealed envelope clearly marked "[NORTH TONGASS STATION 6 PAVING]" on the outside of the envelope.
- All pages, excluding non-applicable notary blocks, of the Bid Documentation section of the IFB must be submitted with the bid documents.
- Bidders must acknowledge the insurance requirements on the Bid Documentation form by signing in the space provided.
- Bidders must fill out Page 3 of the Bid Documentation forms indicating the name(s) of any anticipated subcontractors for the proposed project. If the use of subcontractors is not anticipated, N/A or NONE is to be written on the form.
- Bidders fill out Page 4 of the Bid Documentation indicating any exceptions, deviations, modifications or proposed alternatives to the IFB. If there are no exceptions to the IFB or any of the IFB's accompanying documents, N/A or NONE is to be written on the form.
- All bidders, other than individuals, must include evidence of authorization to sign on behalf of the corporation, partnership, limited liability, or other organization. The Borough reserves the right to confirm authority to sign. A bid by an individual must include the individual acknowledgement.

Price Documentation Envelope (to be opened ONLY if the above-listed requirements are met).

- Price Documentation sheet(s) must be submitted in a separate sealed envelope within the outer sealed envelope. This separate sealed envelope must be marked "PRICE DOCUMENTATION: FROM [NAME OF RESPONDENT]; [NORTH TONGASS STATION 6 PAVING] and signed by the person who prepares it. If that person is not authorized to bind the respondent, the price-proposal component must also be signed by a person who is authorized to bind the respondent.
- Bid Surety (if applicable) in the required amount must be included in the separate sealed Price Documentation envelope. [Bid Surety may be in the form of a bid bond or certified check. Surety is required for all bids over \$25,000. Bids between \$25,000 and \$100,000 require a surety of 10% of the bid. Bids greater than \$100,000 require a surety of 5% of the bid.]

Completion of this checklist does not guarantee responsiveness. It is provided only as a courtesy to prospective bidders.

Company

Date

Signature and Title

Printed Name

BID DOCUMENTATION

TO: The Ketchikan Gateway Borough, herein called the Borough:

1. Award of Project. The Borough shall have the right to reject this bid and such proposal shall remain open and may not be withdrawn for a period of sixty (60) days after the date prescribed for its closing.
2. Notice of Acceptance. Notice of acceptance and award of the project or requests for additional information may be addressed to the undersigned Respondent at the business address, telephone number and/or email address set forth in this bid.
3. Minimum Standards. The required work and/or specifications attached herein shall be considered as the minimum standards acceptable to the Borough. Any deviations, modifications, or alternatives proposed shall be specified and clarified by the respondent on the provided form as an EXCEPTION SUMMARY. Insufficient information pertaining to exceptions shall be at the respondent's risk and may result in rejection of the proposal.

4. Acknowledgment of Insurance Requirements.

I, _____, acknowledge the insurance requirements as stipulated in the IFB.

5. Respondent certification.

By signature on this bid documentation, respondent does certify that he/she/they comply with:

- a. all applicable local, state, and federal laws, including but not limited to, wage and hour laws and non-discrimination laws;
- b. all terms and conditions set out in this IFB;
- c. a condition that the proposal submitted was independently arrived at, without collusion, under penalty of perjury; and
- d. that the offer will remain open and valid for at least 60 days from the closing date of the IFB.

6. Receipt of Addenda. Receipt of the following Addenda to the IFB Documents is hereby acknowledged.

<u>ADDENDA NO.</u>	<u>DATE OF RECEIPT OF ADDENDA</u>	<u>SIGNED ACKNOWLEDGMENT</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

(Note: Failure to acknowledge receipt of any addenda will be considered an irregularity in the proposal and grounds for rejection.)

RESPONDENT:

By: _____

Title: _____

Alaska Business License No. _____

Company/Firm Name _____

Telephone _____

Fax No. _____

Mobile No. _____

Business Address _____

Email _____

Date _____, 2010.

Pursuant to and in compliance with the Invitations for Bids, the undersigned respondent, being fully familiarized with all the terms of the specifications hereby proposes and agrees to deliver, within the time and in the manner stipulated in the proposal for the following:

NORTH TONGASS STATION 6 PAVING

Signature and Title

Printed Name

NOTE: If Respondent is a corporation, the legal name of the corporation shall be set forth above together with the signature of at least one officer authorized to sign contracts on behalf of the corporation; if Respondent is a partnership, the true name of the firm shall be set forth above together with a signature of the partner or partners authorized to sign contracts in behalf of the partnership, and if Respondent is an individual, the appropriate signature shall be placed above, along with any company name if different from that of the individual, as well as having the signature notarized..

SUBCONTRACTORS: The respondent may not subcontract greater than fifty percent (50%) of this project without prior written approval of the Borough. List all subcontractors who will be providing greater than five percent (5) of the project work and an approximate percentage of their individual participation by discipline.

SUBCONTRACTORS:

Company/Firm Name _____

Estimated percentage of subcontractor's participation by discipline _____

Telephone _____

Fax No. _____

Business Address _____
~~~~~

Company/Firm Name \_\_\_\_\_

Estimated percentage of subcontractor's participation by discipline \_\_\_\_\_

Telephone \_\_\_\_\_

Fax No. \_\_\_\_\_

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

Company/Firm Name _____

Estimated percentage of subcontractor's participation by discipline _____

Telephone _____

Fax No. _____

Business Address _____

Feel free to use additional pages as necessary.

COMPLIANCE STATEMENT

This statement relates to a proposed contract with _____

(Name of borrower or grantee)

who expects to finance the contract with assistance from either the Rural Housing Service (RHS), Rural Business-Cooperative Service (RBS), or the Rural Utilities Service (RUS) or their successor agencies, United States Department of Agriculture (whether by a loan, grant, loan insurance, guarantee, or other form of financial assistance). I am the undersigned bidder or prospective contractor, I represent that:

1. I have, have not, participated in a previous contract or subcontract subject to Executive Order 11246 (regarding equal employment opportunity) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I have, have not, filed all compliance reports that have been required to file in connection with the contract or subcontract.

If the proposed contract is for \$50,000 or more and I have 50 or more employees, I also represent that:

3. I have, have not previously had contracts subject to the written affirmative action programs requirements of the Secretary of Labor.
4. If I have participated in such a contract or subcontract, I have, have not developed and placed on file at each establishment affirmative action programs as required by the rules and regulations of the Secretary of Labor.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an arrangement regarding such reports that is satisfactory to either the RHS, RBS or RUS, or to the office where the reports are required to be filed.

I also certify that I do not maintain or provide for my employees any segregated facilities at any of my establishments, and that I do not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I certify further that I will not maintain or provide for my employees any segregated facilities at any of my establishments, and that I will not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I agree that a breach of this certification is a violation of the Equal Opportunity clause in my contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and wash rooms, restaurants and other eating areas time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, 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, or national origin, because of habit, local custom, or otherwise. I further agree that (except where I have obtained identical certifications for proposed subcontractors for specific time periods) I will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that I will retain such certifications in my files; and that I will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods): (See Reverse).

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR
CERTIFICATIONS OF NON-SEGREGATED FACILITIES**

A certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e. quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

DATE _____

(Signature of Bidder or Prospective Contractor)

Address (including Zip Code)

U.S. DEPARTMENT OF AGRICULTURE

**Certification Regarding Debarment, Suspension, Ineligibility
and Voluntary Exclusion - Lower Tier Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name

PR/Award Number or Project Name

Name(s) and Title(s) of Authorized Representative(s)

Signature(s)

Date

Instructions for Certification

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(name)

(date)

(title)

cOo

BID BOND

KNOW ALL MEN BY THESE PRESENTS,

That we _____ (Bidder) as PRINCIPAL,
and _____ (Bonding company) as
SURETY, a corporation incorporated in the State of _____ and authorized to
do business in the State of Alaska, are held and firmly bound unto the Ketchikan
Gateway Borough, a municipal corporation, hereinafter called the BOROUGH, as
Obligee, in the penal sum of _____
_____ Dollars (\$ _____), for the payment of
which sum in lawful money of the United States, well and truly to be made, we bind
ourselves, our heirs, executors, administrators, and successors, jointly and severally,
firmly by these presents.

WHEREAS the PRINCIPAL has, by written invitation and response, submitted a
bid to the said BOROUGH on that certain contract for the performance of the work,
services, and materials for which bids are to be opened on June 26, 2010, at 3:00 p.m.
for:

NORTH TONGASS STATION 6 PAVING

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT
if the aforesaid PRINCIPAL shall not withdraw said bid within the period specified
therein after the opening of the same, or, if no period be specified, within sixty (60) days
after said opening, and, if awarded the Contract, shall within the period specified
therefore, or such additional time as is allowed by the BOROUGH, or, if no period be
specified, within ten (10) days after the prescribed forms are presented to said
PRINCIPAL for signature, enter into a written contract with the BOROUGH in the
prescribed form, in accordance with the bid as accepted, and delivers to the
BOROUGH good and sufficient performance and payment bonds on the forms and as
required to guarantee the faithful performance of the terms and conditions of the
Contract, and the required certificates or policies of insurance, and other instruments as
called for by the Contract Documents, then this obligation shall be null and void;
otherwise, it shall be and remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our
hands and seals on this ___ day of _____, 2010.

PRINCIPAL

By: _____

Title: _____

ATTEST: (If Corporation)

By: _____

Title: _____
Corporate Seal

SURETY

By: _____

Title: _____

(Address)

Corporate Seal

INSTRUCTIONS

1. This form shall be used whenever a bid bond is required.
2. The surety on the bond may be any corporation or partnership authorized to do business in Alaska as an insurer under AS 21.09. In lieu of furnishing a bid bond, the bidder may submit a certified check, cashier's check or money order payable to the **Borough** in the amount of the bid bond required.
3. The name, including full name and business or residence address of each individual party to the bond shall be inserted in the space provided therefore, and each party shall sign the bond with his usual signature on the line opposite the scroll seal.
4. If the principals are partners, their individual names shall appear in the space provided therefore, with the recital that they are partners composing a firm, naming it, and all members of the firm shall execute the bond as individuals.
5. If the principal or surety is a corporation, the name of the State in which incorporated shall be inserted in the space provided therefore, and said instrument shall be executed and attested under the corporate seal as indicated in the form. If the corporation has no corporate seal the fact shall be stated, in which case a scroll or adhesive seal shall appear following the corporate name.
6. The official character and authority of the person or persons executing the bond for the principal, if a corporation, shall be certified by the secretary or assistant secretary, according to the form herein provided. In lieu of such certificate there may be attached to the bond copies of so much of the records of the corporation as will show the official character and authority of the officer signing, duly certified by the secretary or assistant secretary, under the corporate seal, to be true copies.
7. The date of this bond must not be prior to the date of the instrument in connection with which it is given.
8. Individual Surety will not be accepted as bid security.