

**WASHINGTON COUNTY, MARYLAND  
DIVISION OF ENGINEERING**

**BID FORMS**

(TO BE COMPLETED BY BIDDERS)

**LEITERSBURG-SMITHSBURG ROAD  
STREAM RESTORATION ALONG LITTLE GROVE CREEK**

**CONTRACT NO. DR-LS-230-12**

**PROJECT NO. 12-230**

**BOARD OF COUNTY COMMISSIONERS**

Jeffrey A. Cline, President  
Terry L. Baker, Vice President  
Charles A. Burkett, Jr.  
Wayne K. Keefer  
Randall E. Wagner

John M. Martirano, Esq., County Administrator

Scott Hobbs, P.E., Director of Engineering

**DESIGN ENGINEERS:**

Washington County  
Division of Engineering  
80 West Baltimore Street  
Hagerstown, MD  
240-313-2460

SET NO.: \_\_\_\_\_

**BID FORMS**

**COUNTY CONTRACT NO. DR-LS-230-12**

**BID FORMS**

**LEITERSBURG-SMITHSBURG ROAD**  
**STREAM RESTORATION ALONG THE LITTLE GROVE CREEK**

**COUNTY CONTRACT NO. DR-LS-230-12**

**TABLE OF CONTENTS**

	Page Numbers
Proposal Form.....	BF-2
Bid Affidavit.....	BF-3-5
Certification of Work Capacity.....	BF-6
Sub-Contractor Listing.....	BF-7
Proposal Guaranty.....	BF-8-9
Bid Letter .....	BF-10
Bid Bond.....	BF-11
Schedule of Prices .....	BF-12

BID FORMS

COUNTY CONTRACT NO. DR-LS-230-12

PROPOSAL FORM

LEITERSBURG SMITHSBURG ROAD  
STREAM RESTORATION ALONG THE LITTLE GROVE CREEK

COUNTY CONTRACT NO. DR-LS-230-10

THE BOARD OF COUNTY COMMISSIONERS  
WASHINGTON COUNTY  
HAGERSTOWN, MARYLAND

Proposal of

---

(Name)

---

(Address)

to furnish and deliver all materials and to do and perform all work in accordance with Plans, Specifications, General Conditions, Special Provisions, Bid Documents and Contract Documents relating to the **LEITERSBURG-SMITHSBURG ROAD STREAM RESTORATION ALONG THE LITTLE GROVE CREEK** in Washington County, State of Maryland, on which proposals will be received until **3:00 P.M. on Wednesday, December 15, 2021**, this work being situated as follows: **LEITERSBURG-SMITHSBURG ROAD NEAR THE SMITHSBURG WASTEWATER TREATMENT PLANT, SMITHSBURG, MARYLAND.**

TO: The Board of County Commissioners of  
Washington County, Maryland  
80 West Baltimore Street  
Hagerstown, MD 21740

Gentlemen:

Having carefully examined the Plans, Specifications, General Conditions, Special Provisions, Bid Documents and Contract Documents for the work herein before named, and in conformity with the Specifications, I/We hereby certify that I/We am/are the only person or persons interested in this proposal as principal(s), that it is made without collusion with any person, firm or corporation; that an examination has been made of the Plans, Specifications, General Conditions, Bid Documents and Contract Documents, including the Special Provisions contained herein, and of the site of the work, and propose to furnish all necessary machinery, plant, equipment, tools, labor and other means of construction, and furnish all materials specified, in the manner and at the time prescribed, and perform all work for the sum of

---

(Written Words)

---

(Figures)

**BID AFFIDAVIT**

1. Authorized Representative:

I HEREBY DECLARE AND AFFIRM that I am \_\_\_\_\_  
(Title)

and duly authorized representative of firm of \_\_\_\_\_ whose  
address is \_\_\_\_\_ and that I am  
duly authorized on behalf of said firm to make this Affidavit.

2. Bribery:

I FURTHER DECLARE AND AFFIRM that neither I, nor, to the best of my knowledge,  
information and belief, the above firm, nor any officer, director or partner of the above  
firm, nor any employee of the above firm directly involved in obtaining contracts with  
the State of Maryland, or any county or other subdivision of the State of Maryland, has  
been convicted\* of bribery, attempted bribery, or conspiracy to bribe under the laws of  
any state or the Federal Government; except as herein expressly stated (if any):

\_\_\_\_\_  
\_\_\_\_\_.

\* As used herein, the word "convicted" includes an accepted plea of nolo contendere.

3. Non Collusion:

In connection with the firm's price proposal for the above-captioned Contract, as  
submitted to Washington County, I HEREBY DECLARE AND AFFIRM, to the best of  
my knowledge, information and belief, that:

- a. Said proposal has been independently prepared without collusion by any officer,  
director, partner, employee or other representative of this firm, with any other  
proposer, or with any competitor; that

**BID FORMS****COUNTY CONTRACT NO. DR-LS-230-12**

- b. No attempt has been or, hereafter, will be made by any officer, director, partner, employee or other representative of this firm to induce any other person, firm or entity to submit or not submit a proposal; that
- c. Any unit or total price in this proposal has not been knowingly disclosed and will not be knowingly disclosed prior to its official opening, directly or indirectly, to any other bidder or to any competitor; and, that
- d. I have fully informed myself regarding the accuracy of the statements contained herein.

I acknowledge that this Affidavit is to be furnished to the Secretary of the Maryland Department of Transportation and may be distributed to boards, commissions, administrations, departments and agencies of the State of Maryland, counties or other subdivisions of the State of Maryland, other States and Federal Government. I further acknowledge that this Affidavit is subject to applicable laws of the State of Maryland, both criminal and civil, and that this Affidavit is to be attached to and become a part of the Contract when and if awarded and executed.

**BID FORMS**

**COUNTY CONTRACT NO. DR-LS-230-12**

I FURTHER HEREBY DECLARE AND AFFIRM that I and the firm I herein represent, acknowledge and agree that if any misrepresentation is herein made, the Board of County Commissioners of Washington County, Maryland in their discretion, shall have the right to reject this proposal or terminate the Contract, without liability, as the case may be.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, AND THAT I AM AUTHORIZED, ON BEHALF OF THE ABOVE FIRM, TO MAKE THIS AFFIDAVIT.

By: \_\_\_\_\_  
Signed Name of Affiant

Date \_\_\_\_\_

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

For: \_\_\_\_\_  
Firm

State of \_\_\_\_\_:

County (City) of \_\_\_\_\_:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_,

before me, \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_

known to me to be the person described in the foregoing Affidavit and acknowledged that he (she) executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires \_\_\_\_\_

**CERTIFICATION OF WORK CAPACITY**

I do solemnly declare and affirm that the firm stated below has the equipment, labor, supervision and financial capacity to perform this Contract either with our organization or with Subcontractors, as provided in GP-Section 8 of the MDOT SHA Standard Specifications.

We shall supply such additional information as may be required in accordance with GP-Section 3 of the MDOT SHA Standard Specifications.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Signed Name of Affiant

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

For: \_\_\_\_\_  
Firm

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public SEAL

My Commission Expires \_\_\_\_\_



**PROPOSAL GUARANTY**

The amount and type of the proposal guarantee which shall be attached to and submitted with the bid depends upon the amount of the bid as stated below:

A Bid Security of \$500.00 will be required on Contract Proposals under \$20,000.

A Bid Security totaling 5% of the bid amount will be required on Contract Proposals of \$20,000 or over.

Acceptable security for bids shall be as follows:

1. A bond in a form satisfactory to the County underwritten by a company licensed to issue bonds in this State;
2. A bank certified check, bank cashier's check, bank treasurer's check, or cash

I/We understand that the quantities of work as shown herein are approximate only and are subject to increase or decrease, and further understand that all costs in connection with the complete performance of the work as described in the Plans, Specifications, General Conditions Special Provisions, Bid Documents and Contract Documents shall be included in the Contract price bid for the entire work to be performed under this Contract.

**IT IS FURTHER PROPOSED:**

To do all "Extra Work" which may be required to complete the work contemplated at unit prices or lump sums 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 provided for in Section 9, GP-9.02, of the MDOT SHA Standard Specifications.

To begin work as specified in the "Notice to Proceed" and to prosecute said work so as to complete the Contract within 300 consecutive calendar days.

To furnish a Payment Bond, and a Labor and Material Payment Bond, in the full amount of Contract award, as security for the construction and completion of the Contract in accordance with the Plans, Specifications, General Conditions, Special Provisions, Bid Documents and Contract Documents.

To guarantee all of the work performed under this Contract to be done in accordance with the Plans, Specifications, General Conditions, Special Provisions, Bid Documents and Contract Documents 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.

Enclosed herewith find certified cashier's or treasurer's check or bid bond in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) made payable to the "Board of County Commissioners of Washington County, Maryland". This certified cashier's or treasurer's check or bid bond in a Proposal Guarantee (which is understood will be forfeited in the event

**BID FORMS**

**COUNTY CONTRACT NO. DR-LS-230-12**

the Form or Contract is not executed, if awarded to the undersigned), is based on the aggregate amount of the bid submitted.

(For execution by Individuals and Partnerships or Corporations)

**FOR INDIVIDUALS AND PARTNERSHIPS:**

Name: \_\_\_\_\_

By: \_\_\_\_\_  
(Member) (Seal)

By: \_\_\_\_\_  
(Member) (Seal)

Witness: \_\_\_\_\_

**FOR CORPORATIONS:**

Name: \_\_\_\_\_

By: \_\_\_\_\_  
(President) (Seal)

Attest: \_\_\_\_\_  
(Secretary)

The Proposal Form shall be filled out in ink. The Proposal, if submitted by an individual, shall be signed by an individual; if submitted by a partnership, shall be 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 signed by an officer and attested by the Secretary or an Assistant Secretary. If not signed by an officer, 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 signing on behalf of the corporation. In lieu thereof, the corporation may file such evidence with the Board of County Commissioners of Washington County, Maryland duly certified by the Secretary, together with a list of the names of those officers having authority to execute 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 Board of County Commissioners of Washington County, Maryland is advised in writing to the contrary. In any case where a Proposal is signed by an Attorney-in-Fact a copy of the appointing document, duly certified must accompany the same.

**BID LETTER**

In order for a Proposal to be considered, it is necessary that the following guaranty from Surety be executed.

The \_\_\_\_\_ agrees to act as surety for \_\_\_\_\_  
(Name of Bonding Company) (Name of Bidder)

and to furnish the full amount of Proposal Guaranty as required by GP-Section 2 of the MDOT SHA Standard Specifications.

The aforementioned Bonding Company will also furnish the full amount of the Performance Bond and Labor and Material Payment Bond as required by GP-Section 3 of the MDOT SHA Standard Specifications.

The guaranty is effective for the 90 days following the bid opening date, as specified in GP-Section 3 of the MDOT SHA Standard Specifications, unless this time period is modified by the Special Provisions or extended by mutual agreement between the County, the Bonding Company, and the Contractor.

**WITNESS:**

\_\_\_\_\_  
(Date)

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

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

\_\_\_\_\_  
(Typed Name and Title of Witness)

\_\_\_\_\_  
(Signed Name of Witness)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Typed Name and Telephone Number of local agent)

NOTE 1: Signatories other than Principals must attach "Power of Attorney". Failure to execute the Contract and file acceptable Performance and Payment Bonds shall preclude awarding the Contract and require forfeiture of the Proposal Guaranty, all as detailed in GP-Section 3 of the MDTO SHA Standard Specifications.

NOTE 2: Failure of the Bidder to execute the Contract and file acceptable security shall be just cause for annulment of the award and the forfeiture of the proposal guaranty, which shall become property of the County as sustained liquidated damages. Award may then be made to the next lowest responsive, responsible Bidder or the work may be re-advertised. Failure to have this Bid Letter executed by Surety and submitted with Proposal will result in rejection of Bid.

**BID FORMS**

**COUNTY CONTRACT NO. DR-LS-230-12**

**BID BOND**

A Bid Bond shall be submitted on American Institute of Architects Document A310 -2010 Edition, to be furnished by the bidder.

**BID FORMS**

**COUNTY CONTRACT NO. DR-LS-230-12**

ITEM	QUANTITY	UNIT	ITEM DESCRIPTION	UNIT PRICE		ITEM TOTAL	
1	1	LS	MOBILIZATION	_____	___	_____	___
2	1	LS	STREAM RESTORATION (DESIGN BUILD)	_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
				_____	___	_____	___
Total This Sheet						_____	___