

SECTION 905 - PROPOSAL

Date 6/19/24TO: City of Tupelo
STP 0430-00(047) LPA/109149Sirs: The following proposal is made on behalf of Phillips Contracting Co., Inc.
of P.O. Box 7530
Columbus, MS 39705

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on file in the offices of _____,
_____, Mississippi.

The Specifications are the current Standard Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and any Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

I (We) acknowledge that this proposal will be found irregular and/or non-responsive unless a certified check, cashier's check, or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law) is submitted electronically with the proposal or is delivered to the office of _____ located at _____ prior to the bid opening time specified in the advertisement.

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

SECTION 905 - PROPOSAL (CONTINUED)

I (We) shall submit electronically with our proposal or deliver prior to the bid opening time a certified check, cashier's check or bid bond for **five percent (5%) of total bid** and hereby agree that in case of my (our) failure to execute the contract and furnish bond within Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

I (We) hereby certify by conventional signature below of a paper bid submission, or by digital signature of an electronic submission via any authorized electronic submittal software, of the Section 905 proposal below, that all certifications, disclosures and affidavits incorporated herein are deemed to be duly executed in the aggregate, fully enforceable and binding upon delivery of the bid proposal. I (We) further acknowledge that this certification shall not extend to the bid bond or alternate security which must be separately executed for the benefit of the _____. This signature does not cure deficiencies in any required certifications, disclosures and/or affidavits. I (We) also acknowledge the right of the _____ to require full and final execution on any certification, disclosure or affidavit contained in the proposal at the _____ election upon award. Failure to so execute at the request within the time allowed in the Standard Specifications for execution of all contract documents will result in forfeiture of the bid bond or alternate security.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. 1 DATED 06/06/2024 ADDENDUM NO. _____ DATED _____
ADDENDUM NO. _____ DATED _____ ADDENDUM NO. _____ DATED _____

TOTAL ADDENDA: 1
(Must agree with total addenda issued prior to opening of bids)

Respectfully submitted,

DATE: 6/11/24

Phillips Contracting Co., Inc.
Contractor

BY: [Signature]

TITLE: President

ADDRESS: P.O. Box 7530

CITY: Columbus, MS 39705

PHONE: 662-328-6250

FAX: 662-329-3291

EMAIL: allen@phillipscontracting.com

ADDENDUM NO. 1

- 1. Remove & Replace Section 905 - Proposal
- 2. Remove & Replace Plan Sheet No. 2 - "Summary of Quantities"

SECTION 905 PROPOSAL (Bid Sheet No. 2-1)
 PROJECT NO. STP-0430-00(047)LPA/109149-701000
 CITY OF TUPELO
 LEE COUNTY, MISSISSIPPI
 PROJECT DESCRIPTION: WARD 4 BARNES CROSSING SIDEWALKS

I (We) agree to complet ethe entire project within the specified contract time.

*****SPECIAL NOTICE TO BIDDERS*****
 BIDS WILL NOT BE CONSIDERED UNLESS BOTH UNIT PRICES AND ITEM TOTALS ARE ENTERED
 BIDS WILL NOT BE CONSIDERED UNLESS THE BID CERTIFICATE LOCATED AT THE END OF THE BID SHEETS IS SIGNED

ITEM NO.	PAY ITEM NO.	DESCRIPTION	PLAN QNTY	UNIT	UNIT PRICE	ITEM TOTAL
						34,000.00 81+
10	201-A001	CLEARING AND GRUBBING	1	LS	*****	20,000.00
20	202-B052	REMOVAL OF CONCRETE DRIVEWAYS, ALL DEPTHS	90	SY	25.00	2,250.00
30	202-B088	REMOVAL OF CURB & GUTTER, ALL TYPES	85	LF	25.00	2,125.00
40	203-A002	UNCLASSIFIED EXCAVATION, LVM, AH	75	CY	52.00	3,900.00
50	203-EX041	BORROW EXCAVATION, AH, LVM, CLASS B9-6	420	CY	46.00	19,320.00
60	203-G002	EXCESS EXCAVATION, LVM, AH	35	CY	50.00	1,750.00
70	216-A001	SOLID SODDING	2,780	SY	7.50	20,850.00
80	219-A001	WATERING	22	KGAL	\$ 20.00	\$ 440.00
90	907-234-A001	TEMPORARY SILT FENCE	1,100	LF	5.00	5,500.00
100	235-A001	TEMPORARY EROSION CHECKS	30	EA	12.50	375.00
110	237-A001	WATTLES, 12"	100	LF	12.50	1,250.00
120	503-C010	SAW CUT, FULL DEPTH	140	LF	20.00	2,800.00
130	605-T001	4" PERFORATED PIPE FOR UNDERDRAINS	110	LF	60.00	6,600.00
140	608-B001	CONCRETE SIDEWALKS, WITH REINFORCEMENT	575	SY	98.00	5,6350.00
150	907-608-C001	DETECTABLE WARNING PANELS	120	SF	40.00	4,800.00
160	613-D009	ADJUSTMENT OF UTILITY APPURTENANCE	2	EA	1,000.00	2,000.00
170	614-B001	CONCRETE DRIVEWAY, WITH REINFORCEMENT	90	SY	150.00	13,500.00
180	618-A001	MAINTENANCE OF TRAFFIC	1	LS	*****	12,000.00
190	619-D1001	STANDARD ROADSIDE CONSTRUCTION SIGNS, LESS THAN 10 SQUARE FEET	100	SF	35.50	3,550.00
200	619-D3001	REMOVE AND RESET SIGNS, ALL SIZES	1	EA	1,200.00	1,200.00
210	620-A001	MOBILIZATION	1	LS	*****	28,000.00
220	626-H005	THERMOPLASTIC LEGEND, WHITE	320	LF	12.00	3,840.00
230	630-C002	STEEL U-SECTION POSTS, 2.0 LB/FT	120	LF	24.00	2,880.00
240	907-630-O002	REMOVE AND RESET SIGN, 1 U-POST	5	EA	300.00	1,500.00
250	907-630-O008	REMOVE AND RESET SIGNS, POST MOUNTED	1	EA	1,200.00	1,200.00
260	907-632-C001	MODIFY EXISTING TRAFFIC SIGNAL CABINET ASSEMBLY	1	EA	6,250.00	6,250.00
270	907-634-A545	TRAFFIC SIGNAL EQUIPMENT POLE, TYPE VI, 8" SHAFT	1	EA	3,250.00	3,250.00
280	907-634-A548	TRAFFIC SIGNAL EQUIPMENT POLE, TYPE VII, 5'6" SHAFT	2	EA	2,250.00	4,500.00
290	635-A076	TRAFFIC SIGNAL HEAD, TYPE 6	2	EA	1,875.00	3,750.00
300	907-636-B014	ELECTRIC CABLE, UNDERGROUND IN CONDUIT, IMSA 20-1, AWG 14, 5 CONDUCTOR	100	LF	6.25	625.00
310	907-637-A003	PULLBOX ENCLOSURE, TYPE 3	1	EA	2,725.00	2,725.00
320	907-637-C028	TRAFFIC SIGNAL CONDUIT, UNDERGROUND, TYPE 4, 2"	25	LF	32.50	812.50
330	907-637-D003	TRAFFIC SIGNAL CONDUIT, UNDERGROUND DRILLED OR JACKED, ROLLED PIPE, 3"	45	LF	125.00	5,625.00
340	907-645-B001	ACCESSIBLE PEDESTRIAN DETECTION ASSEMBLY	2	EA	1,785.00	3,570.00
350	699-A001	ROADWAY CONSTRUCTION STAKES	1	LS	*****	5,000.00
360	907-809-A004	RETAINING WALL SYSTEM, MODULAR BLOCK	285	SF	105.00	29,925.00
Total Cost						298,012.50

SECTION 905 PROPOSAL (Bid Sheet No. 2-2)
PROJECT NO. STP-0430-00(047)LPA/109149-701000
CITY OF TUPELO
LEE COUNTY, MISSISSIPPI
PROJECT DESCRIPTION: WARD 4 BARNES CROSSING SIDEWALKS

I (We) agree to complete the entire project within the specified contract time.

SPECIAL NOTICE TO BIDDERS

BIDS WILL NOT BE CONSIDERED UNLESS BOTH UNIT PRICES AND ITEM TOTALS ARE ENTERED
BIDS WILL NOT BE CONSIDERED UNLESS THE BID CERTIFICATE LOCATED AT THE END OF THE BID SHEETS IS SIGNED

COMPLETE ITEM NOS. 1, 2 AND/OR 3 AS APPROPRIATE. SEE NOTICE TO BIDDERS NO. 5266 AND SUPPLEMENT

1. I/We agree that no less than 1 percent shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).
2. Classification of Bidder: Small Business (DBE) _____ Small Business (WBE) _____
3. A joint venture with a Small Business (DBE/WBE): YES _____

SIGNATURE STATEMENT

BIDDER ACKNOWLEDGES THAT HE/SHE HAS CHECKED ALL ITEMS IN THIS PROPOSAL FOR ACCURACY AND CERTIFY THAT THE FIGURES SHOWN HEREIN CONSTITUTE THEIR OFFICIAL BID.



BIDDER'S SIGNATURE

**Certification with regard to the Performance of Previous
Contracts or Subcontracts subject to the Equal Opportunity
Clause and the filing of Required Reports**

The Bidder X, proposed Subcontractor _____, hereby certifies that he has X, has not _____, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has X, has not _____, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Phillips Contracting Co., Inc.
(COMPANY)

BY [Signature]
President
(TITLE)

DATE: 6/11/24

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7 (b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the Equal Opportunity Clause. Contracts and Subcontracts which are exempt from the Equal Opportunity Clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime Contractors and Subcontractors who have participated in a previous contract or subcontract subject to the Executive orders and have not filed the required reports should note that 41 CFR 60-1.7 (b) (1) prevents the award of contracts and subcontracts unless such Contractors submit a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U. S. Department of Labor.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

NON-COLLUSION AFFIDAVIT (Execute in duplicate)

I, Blake Hill
(Name of person signing affidavit)

individually, and in my capacity as President of
(Title)

Phillips Contracting Co., Inc. do hereby certify under
(Name of Firm, Partnership, or Corporation)

penalty of perjury under the laws of the United States and the State of Mississippi that _____

Phillips Contracting Co., Inc., Bidder
(Name of Firm, Partnership, or Corporation)

on Project No. STP-0430-00(047) LPA/109149

in Lee County(ies), Mississippi, has not either

directly or indirectly entered into any agreement, participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors and others in a position of administering federal funds:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) above; and
- d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Initial here "_____" if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

Note: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273, will be or have been included in all subcontracts, material supply agreements, purchase orders, etc. except those procurement contracts for goods or services that are expected to be less than the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

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

- 1) No 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 Federal 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, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 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 Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on 6/11/24


Signature

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

NON-COLLUSION AFFIDAVIT
(Execute in duplicate)

I, Blake Hill (Name of person signing affidavit)

individually, and in my capacity as President (Title) of

Phillips Contracting Co., Inc. (Name of Firm, Partnership, or Corporation) do hereby certify under

penalty of perjury under the laws of the United States and the State of Mississippi that

Phillips Contracting Co., Inc. (Name of Firm, Partnership, or Corporation), Bidder

on Project No. STP-0430-00(047) LPA/109149

in Lee County(ies), Mississippi, has not either

directly or indirectly entered into any agreement, participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors and others in a position of administering federal funds:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) above; and
d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Initial here " " if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

Note: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273, will be or have been included in all subcontracts, material supply agreements, purchase orders, etc. except those procurement contracts for goods or services that are expected to be less than the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.


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

- 1) No 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 Federal 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, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 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 Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on 6/11/24


Signature

**MDOT Certification Form for Sub-Awards
Executive Compensation Reporting for Transparency Act**

On behalf of the entity named below, I certify that I have personally read and reviewed the executive compensation reporting requirements of the Federal Funding Accountability and Transparency Act of 2006, as amended by Section 6202 of the Government Funding Transparency Act of 2008 [FFATA], and certify under penalty of perjury pursuant to Section 97-9-61, Mississippi Code of 1972, as amended, the following:

Local Entity Name: City of Tupelo, Mississippi

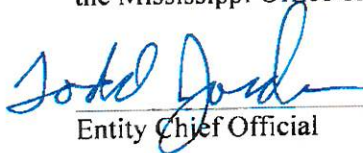
Unique Entity Identifier (UEI) Number : DK9PFM6XSDR7 (required)

The local entity listed below receiving federal funds from MDOT **is not** required to report executive compensation under the Federal Funding Accountability and Transparency Act of 2006, as amended by Section 6202 of the Government Funding Transparency Act of 2008 [FFATA].

The local entity listed below receiving federal funds from MDOT **is required** to report executive compensation under the Federal Funding Accountability and Transparency Act of 2006, as amended by Section 6202 of the Government Funding Transparency Act of 2008 [FFATA], listed below are the names and total annual compensation of the five most highly compensated officers of the entity:

NAME	TOTAL ANNUAL COMPENSATION
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

The entity acknowledges that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. §§ 1001 (false statements) and 1621 (perjury), and 28 U.S.C. §1746 (declarations under penalty of perjury). The entity also acknowledges that said projects, including certifications provided in connection with such projects and grants are subject to review by the Mississippi Department of Transportation, the Mississippi State Auditor, and the Mississippi Office of Attorney General.



Entity Chief Official

11/8/2023
Date

LPA PROJECT

LIST OF FIRMS SUBMITTING QUOTES

I/we received quotes from the following firms on Project No: STP 04.30-00(047) LPA/109149
County: Lec

Disadvantaged Business Enterprise (DBE) Regulations as stated in 49 CFR 26.11 require the Mississippi Department of Transportation (MDOT) to create and maintain a comprehensive list of all firms quoting/bidding subcontracts on prime contracts and quoting/bidding subcontracts on federally-funded transportation projects. For every firm, we require the following information:

Firm Name: Riverside Traffic Systems Inc.
Contact Name/Title: Kay Russell, President
Firm Mailing Address: 1283 St Hwy 178 W. New Albany MS 38652
Phone Number: 662-534-8257
 DBE Firm Non-DBE Firm

Firm Name: ILM Inc.
Contact Name/Title: Cathy Griffin, President
Firm Mailing Address: 20900 Hwy 15 N. Falkner MS 38629
Phone Number: 662-837-0079
 DBE Firm Non-DBE Firm

Firm Name: DeSoto County Electric, Inc.
Contact Name/Title: Mark Wack, Estimator
Firm Mailing Address: 2298 Mail Rd, Horn Lake MS 38637
Phone Number: 662-342-9141
 DBE Firm Non-DBE Firm

Firm Name: Lewis Electric, Inc.
Contact Name/Title: Danrel Steadham, Estimator
Firm Mailing Address: P.O. Box 320337, Flowood MS 39232
Phone Number: 601-932-0101
 DBE Firm Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address: _____
Phone Number: _____
 DBE Firm Non-DBE Firm

[Signature] President
SUBMITTED BY (Signature)
Phillips Contracting Co., Inc.
FIRM NAME

Submit this form to the LPA as a part of your bid package. If this form is not signed and included as part of the bid packet, your bid will be deemed irregular. For further information about this form, call Mississippi DOT's Office of Civil Rights at (601) 359-7466; FAX (601) 576-4504.

Please make copies of this form when needed and also add those copies to the bid package.

LPA PROJECT

LIST OF FIRMS SUBMITTING QUOTES

I/we received quotes from the following firms on Project No: STP-0430-00(047)LPA/109149
County: Lec

Disadvantaged Business Enterprise (DBE) Regulations as stated in 49 CFR 26.11 require the Mississippi Department of Transportation (MDOT) to create and maintain a comprehensive list of all firms quoting/bidding subcontracts on prime contracts and quoting/bidding subcontracts on federally-funded transportation projects. For every firm, we require the following information:

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
_____ DBE Firm _____ Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
_____ DBE Firm _____ Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
_____ DBE Firm _____ Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
_____ DBE Firm _____ Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
_____ DBE Firm _____ Non-DBE Firm


SUBMITTED BY (Signature)
Phillips Contracting Co., Inc.
FIRM NAME

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LPA PROJECT

LIST OF FIRMS SUBMITTING QUOTES

I/we received quotes from the following firms on Project No: STP-0430-00(047)LPA/109149
County: Lee

Disadvantaged Business Enterprise (DBE) Regulations as stated in 49 CFR 26.11 require the Mississippi Department of Transportation (MDOT) to create and maintain a comprehensive list of all firms quoting/bidding subcontracts on prime contracts and quoting/bidding subcontracts on federally-funded transportation projects. For every firm, we require the following information:

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
 DBE Firm Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
 DBE Firm Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
 DBE Firm Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
 DBE Firm Non-DBE Firm

Firm Name: _____
Contact Name/Title: _____
Firm Mailing Address _____
Phone Number: _____
 DBE Firm Non-DBE Firm

Phillips President
SUBMITTED BY (Signature)
Phillips Contracting Co., Inc.
FIRM NAME

Submit this form to the LPA as a part of your bid package. If this form is not signed and included as part of the bid packet, your bid will be deemed irregular. For further information about this form, call Mississippi DOT's Office of Civil Rights at (601) 359-7466; FAX (601) 576-4504.

Please make copies of this form when needed and also add those copies to the bid package.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SAM.GOV Registration and Unique Entity ID

Bidders are advised that the Prime Contractor must register and maintain a current registration in the **System for Award Management** (<http://sam.gov>) at all times during the project. Upon registration, the Contractor will be assigned a SAM Unique Entity ID.

Bidders are advised that prior to the award of this contract, they **MUST** be registered in the System for Award Management.

I (We) acknowledge that this contract cannot be awarded if I (We) are not registered in the System for Award Management prior to the award of this contract. YRS (Yes / No)

I (We) have a SAM Unique Entity ID. YRS (Yes / No)

SAM Unique Entity ID: Z19L551AYED9

Company Name: Phillips Contracting Co., Inc.

Company e-mail address: allen@phillipscontracting.com

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Phillips Contracting Co., Inc.
P.O. Box 7530
Columbus, MS 39705

SURETY:

(Name, legal status and principal place of business)

Fidelity and Deposit Company of Maryland
1299 Zurich Way, 5th Floor
Schaumburg, IL 60196-1056

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

OWNER:

(Name, legal status and address)

City of Tupelo
71 East Troy Street
Tupelo, MS 38804

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

BOND AMOUNT: \$ 5%

Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

Ward 4 Barnes Crossing Sidewalks, Bid No. 2024-024PW, Federal Aid Project No. STP-0430-00(047)
LPA/109149-701000

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 19th day of June, 2024



(Witness)

Phillips Contracting Co., Inc.

(Principal)

(Seal)

By: 

(Title)

Fidelity and Deposit Company of Maryland

(Surety)

(Seal)

By: 

(Title) Peggy L. Jackson Attorney-in-Fact

Resident MS Agent/Fisher Brown Bottrell Insurance, Inc.



Bond Number: Bid Bond

Obligee: City of Tupelo

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Peggy L. Jackson**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 10th day of October, A.D. 2023.



ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

State of Maryland
County of Baltimore

On this 10th day of October, A.D. 2023, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison

GENEVIEVE M. MAISON
NOTARY PUBLIC
BALTIMORE COUNTY, MD
My Commission Expires JANUARY 27, 2025



Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 19th day of June, 2024.



MJ Pethick

By: Mary Jean Pethick
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
reportsfclaims@zurichna.com
800-626-4577

Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

June 10, 2024

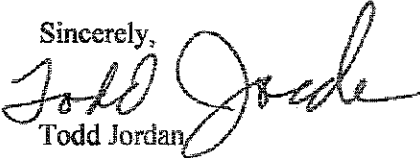
Mr. Travis Wampler, P.E.
MDOT District 1 LPA Engineer
Mississippi Dept. of Transportation
P.O. Box 2060
Tupelo, MS 38803

RE: Addendum No. 2
Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000

Dear Mr. Wampler,

Submitted herewith for review and approval is Addendum No. 2 on the above reference project. The purpose of this addendum is to make the following changes: revise bid date on Section 901 – Advertisement to June 19, 2024.

Sincerely,



Todd Jordan
Mayor
City of Tupelo

CC: Dennis Bonds, P.E., LPA Project Director – City of Tupelo
Kim Hanna, City Clerk – City of Tupelo
Don Lewis, C.O.O. – City of Tupelo
Dustin D. Dabbs, P.E., Project Manager – Dabbs Corporation

Approved:



Mitchell R. Young, P.E.
State LPA Engineer

ADDENDUM #2

**City of Tupelo, Mississippi
Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000
Bid No. 2024-024PW**

June 10, 2024

The Contract Documents, Plans and Specifications shall be amended/clarified as set forth herein below:

1. **REPLACE** The first page of Section 901 – Advertisement with the attached Section 901 – Advertisement. This sheet has been changed to reflect the New Bid Date of **June 19, 2024**.

2. **REPLACE** The Second page of Section 905 – Proposal with the attached Second page of Section 905 – Proposal. This sheet has been changed for bidder's acknowledgment of receipt and to incorporate in the bid proposal.

Bidders shall acknowledge receipt of this addendum on the second sheet of Section 905 – Proposal.

(s/b) Dustin D. Dabbs
Dustin D. Dabbs, P.E.
Project Manager

RECEIPT OF ADDENDUM NO. 2

This document shall represent and confirm that bidder has received and acknowledges
ADDENDUM NO. 2 for the project listed below:

**Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000**

PLEASE RETURN BY:

EMAIL TO: dustin@dabbscorp.com

Company Name: Phillips Contracting Co., Inc.

Contact Person: Blake Hill President

Address: P.O. Box 7530, Columbus MS 39705

Phone: 662-328-6250

Fax: 662-329-3291 Email: allrx@phillipscontracting.com



Signature

6/19/24

Date

SECTION 901 – ADVERTISEMENT

City of Tupelo, Lee County, Mississippi

Federal Aid Project No. STP-0430-00(047)LPA/ 109149-701000

The City of Tupelo, Lee County, Mississippi will receive bids until the TEN O’CLOCK A.M. local time on WEDNESDAY, JUNE 19, 2024 for the construction of the certain project designated as the WARD 4 BARNES CROSSING SIDEWALKS, **Bid No. 2024-024PW**, for a total project length of approximately 0.35 miles, known as Federal Aid Project No. STP-0430-00(047)LPA/ 109149-701000. All bids so received will be publicly opened and read aloud at Tupelo City Hall, 71 East Troy Street, Tupelo, Mississippi 38804.

The work shall consist essentially of the following items:

Construction of the proposed concrete sidewalks, pedestrian access ramps, striped cross-walks and related improvements. All other related items of work required to complete the project as shown and specified in the Contract Documents.

The above general outline of features of the work does not in any way limit the responsibility of the contractor to perform all work and furnish all plant, labor, equipment and materials required by the specifications and the drawings referred to therein.

The attention of bidders is directed to the Contract Provisions governing selection and employment of labor. Minimum wage rates for Federal-Aid projects have been predetermined by the Secretary of Labor and are subject to Public Law 87-581, Work Hours Act of 1962, as set forth in the Contract Provisions.

The City of Tupelo hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged and women’s business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, disability, religion or national origin in consideration for an award.

The award of this contract will be contingent upon the Contractor satisfying the DBE/WBE requirements.

The Contract Documents are on file and may be examined at the following locations:

1. City Clerk Office, Tupelo City Hall, 71 East Troy Street, Tupelo, Mississippi 38804.
2. Dabbs Corporation, 1050 N. Eason Blvd., Tupelo, MS 38804

Contract Documents, including Drawings and Specifications, may be purchased online in hard copy or electronic format at www.tupelomsbids.com. Any questions regarding purchase of bid documents from this website should be directed to Plan House at 662-407-0193.

Should a bidder choose to submit a bid electronically in place of a sealed bid, it may be submitted at www.tupelomsbids.com. Any questions regarding electronic bidding should be directed to Plan House at 662-407-0193.

RECEIPT OF ADDENDUM NO. 1

This document shall represent and confirm that bidder has received and acknowledges
ADDENDUM NO. 1 for the project listed below:

**Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000**

PLEASE RETURN BY:

EMAIL TO: dustin@dabbscorp.com

Company Name: Phillips Contracting Co., Inc.

Contact Person: Blake Hill President

Address: P.O. Box 7530, Columbus MS 39705

Phone: 662-328-6250

Fax: 662-329-3291 Email: allen@phillipscontracting.com


Signature

6/7/24 BH
6/11/24
Date

June 6, 2024

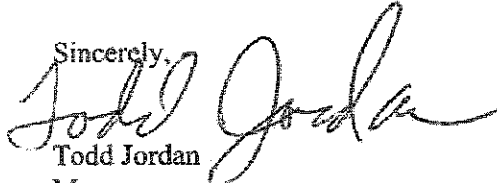
Mr. Travis Wampler, P.E.
MDOT District 1 LPA Engineer
Mississippi Dept. of Transportation
P.O. Box 2060
Tupelo, MS 38803

RE: Addendum No. 1
Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000

Dear Mr. Wampler,

Submitted herewith for review and approval is Addendum No. 1 on the above reference project. The purpose of this addendum is to make the following changes: revise Pay Items No. 40, 50, 70, 80, and 280 on the proposal and revise Pay Item No. 203-EX041 on Plan Sheet No. 2.

Sincerely,



Todd Jordan
Mayor
City of Tupelo

CC: Dennis Bonds, P.E., LPA Project Director – City of Tupelo
Kim Hanna, City Clerk – City of Tupelo
Don Lewis, C.O.O. – City of Tupelo
Dustin D. Dabbs, P.E., Project Manager – Dabbs Corporation

Approved:



Mitchell R. Young, P.E.
State LPA Engineer

ADDENDUM #1

**City of Tupelo, Mississippi
Ward 4 Barnes Crossing Sidewalks
STP-0430-00(047)LPA/109149-701000
Bid No. 2024-024PW**

June 6, 2024

The Contract Documents, Plans and Specifications shall be amended/clarified as set forth herein below:

1. Remove Section 905 – Proposal in its entirety and replace with the attached Section 905 – Proposal that includes revised Pay Item quantities for Pay Items No. 40, 50, 70, 80, and 270 on Bid Sheets and acknowledgement of Addendum No. 1.
2. Remove Plan Sheet No. 2 – “Summary of Quantities” and replace with the attached Plan Sheet No. 2 that includes revisions to Pay Item quantity to Pay Item No. 203-EX041.

Bidders shall acknowledge receipt of this addendum on the second sheet of Section 905 – Proposal.

(s/b) Dustin D. Dabbs
Dustin D. Dabbs, P.E.
Project Manager

SECTION 905 - PROPOSAL (CONTINUED)

I (We) shall submit electronically with our proposal or deliver prior to the bid opening time a certified check, cashier's check or bid bond for **five percent (5%) of total bid** and hereby agree that in case of my (our) failure to execute the contract and furnish bond within Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

I (We) hereby certify by conventional signature below of a paper bid submission, or by digital signature of an electronic submission via any authorized electronic submittal software, of the Section 905 proposal below, that all certifications, disclosures and affidavits incorporated herein are deemed to be duly executed in the aggregate, fully enforceable and binding upon delivery of the bid proposal. I (We) further acknowledge that this certification shall not extend to the bid bond or alternate security which must be separately executed for the benefit of the _____. This signature does not cure deficiencies in any required certifications, disclosures and/or affidavits. I (We) also acknowledge the right of the _____ to require full and final execution on any certification, disclosure or affidavit contained in the proposal at the _____ election upon award. Failure to so execute at the request within the time allowed in the Standard Specifications for execution of all contract documents will result in forfeiture of the bid bond or alternate security.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. 1 DATED 06/06/2024 ADDENDUM NO. _____ DATED _____
ADDENDUM NO. 2 DATED 06/10/2024 ADDENDUM NO. _____ DATED _____

TOTAL ADDENDA: 2
(Must agree with total addenda issued prior to opening of bids)

Respectfully submitted,

DATE: 6/19/24

Phillips Contracting Co., Inc.
Contractor

BY: [Signature]

TITLE: President

ADDRESS: P.O. Box 7530

CITY: Columbus MS 39705

PHONE: 662-328-6250

FAX: 662-329-3291

EMAIL: allra@phillipscontracting.com

ADDENDUM NO. 1

- 1. Replace Section 905 - Proposal
- 2. Replace Plan Sheet No. 2 - "Summary of Quantities"

ADDENDUM NO. 2

- 1. Replace 1st Page of Section 901 - Advertisement with new Bid Date of June 19, 2024.
- 2. Replace 2nd Page of Section 905 - Proposal