

Proposal From:

J.M. Duncan INC.
P.O. Box 1355
Ripley, MS 38663

Proposal To:

City of Tupelo, Department of Parks and Recreation
Tupelo City Hall – 1st Floor – Tax Office
Attn: Mrs. Traci Dillard
71 East Troy Street
Tupelo, MS 38804

Bid For:

Ballard Park 3-Plex Parking Improvements, Tupelo, MS

Project No.:

23065.00

City of Tupelo Bid No.:

2023-047PR

Proposal Date:

October 26th, 2023 @ 10:00 AM

C.O.R. #:

16029-MC

Project Manual for:

**City of Tupelo, Department
of Parks and Recreation**

**Ballard Park 3-Plex Parking
Improvements**

Project Number 23065.00

City of Tupelo Bid Number 2023-047PR

Tupelo, Mississippi

Issue Date: September 25th, 2023

Bid Date: October 26th, 2023



Set Number:



Sloan Landscape Architecture

301 West Main Street, Suite 2

Tupelo, Mississippi 38804

P O Box 311 (38802)

Ph: 662.432.4156

Fax: 662.432.4160

ADDENDUM NO. 1

PROJECT: City of Tupelo, MS, Department of Parks and Recreation
Ballard Park 3-Plex Parking Improvements
PN: 23065.00
CBN: 2023-047PR

CONTACT: Sloan Landscape Architecture, LLC
P O Box 311
Tupelo, MS 38802
shipmansloan@gmail.com

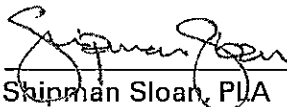
This Addendum No. 1, dated October 20, 2023, supersedes and takes precedence over the plans and specifications for the above referenced project, which shall remain in full force and effect, except as herein modified.


DRAWINGS:

1. REF SHEET L2.0

- A. Contractor shall install a 2" electrical conduit from the center point of the proposed southeast parking lot island to the center point of the proposed northwest parking lot island and then to the existing overhead power pole located to the west of the entry drive located in the northwest of the proposed parking lot. The conduit length shall be approximately 325' and is to be trenched to a minimum depth of 18 inches. The trench is to be backfilled and compacted in a manner suitable for asphalt pavement placement.

Total pages this addendum: 1

By: 
Skipman Sloan, PIA


Signature

J. M. Duncan, Inc.
Name of Company

SECTION 00 42 00 PROPOSAL FORM
(Submit in Duplicate)

Bidder's Name: J.M. Duncan Inc.
Address: P.O. Box 1355
Ripley, MS 38663
Date: 10-26-23

Project Owner: City of Tupelo
71 East Troy Street
Tupelo, MS 38804

Project Name: Ballard Park 3-Plex Parking Improvements

Having carefully examined the Contract Documents and all addenda for the referenced Project, as well as the premises and conditions affecting the work, I, the undersigned, propose to furnish all labor, materials, and services required by the Contract Documents in accordance with the conditions of said Contract Documents for the sums set forth below:

Base Bid: Two hundred Sixty Five Thousand Dollars
and Zero Cents (\$ 265,000.⁰⁰).

I (We) agree to hold our bid open for acceptance for **Sixty (60) calendar days** from the date of bid opening.

If awarded this Contract, I, (We), agree to execute a Contract and start Work on a date to be set in a Notice to Proceed and to complete the entire work in **Sixty (60) Calendar Days**, subject to the terms and conditions of the Contract.

By signing this letter, J.M. Duncan Inc. (insert company name) is certifying that neither J.M. Duncan Inc. (insert company name) nor any potential subcontractors are debarred or suspended or are otherwise excluded or ineligible for participation in Federal Assistance Programs.

The attached Non-Collusive Form must also be completed, notarized and included when submitting this Proposal. Any requested information not submitted may cause Proposal to be rejected.

Liquidated Damages:

For each calendar day thereafter that substantial completion of the contract is delayed, liquidated damages will be assessed as follows; **\$500.00 per calendar day**. NO EXTENSIONS WILL BE ALLOWED

As required by Section 00 21 13 - 1.6, "Bid Security", Bid Security in the form of a bid bond or cashier/certified check is attached hereto in the amount of 5% of the base bid amount and shall

become the property of the Owner in the event the Agreement and required Bonds are not executed within the time set forth hereinbefore as liquidated damages for the delay and additional expense to the Owner caused thereby.

Addendum Receipt:

The receipt of the following Addenda to the Bidding Documents is hereby acknowledged:

Addendum No.:	<u> 1 </u>	Dated:	<u> 10-20-23 </u>
Addendum No.:	<u> </u>	Dated:	<u> </u>
Addendum No.:	<u> </u>	Dated:	<u> </u>
Addendum No.:	<u> </u>	Dated:	<u> </u>

List of Suppliers and Sub-Contractors:

The low Bidder shall identify on the attached form within seven (7) days after bid receipt the names of the subcontractors and suppliers used by the Bidder in his bid for each subcontractor and supplier whose bid exceeds \$50,000.00.

Bidder acknowledges that his failure to indicate the name(s) of the subcontractors and suppliers included in his lump sum price within seven (7) days after bid receipt may result in the rejection of the Bidder's bid as nonresponsive and that Bidder's listing of itself as a subcontractor or supplier for any of the classifications or categories listed below means that Bidder will furnish the product from its manufacturing inventory or perform such work with its own regularly employed personnel and that Bidder has satisfactory qualifications and prior experience performing such work with its regularly employed personnel or manufacturing and furnishing such product from its manufacturing inventory. Bidder further acknowledges that he assumes the risk of removing and replacing work performed and/or products furnished by unauthorized substitutions of listed subcontractors and suppliers who will be rejected in accordance with Section 00 22 13, Paragraph 5.2.5:

(complete if a corporation)

Our Corporation is chartered under the laws of the State of Mississippi, and the names, titles and business addresses of the principal officers are as follows (non- residents Bidders see Section 00 21 13, Paragraph 1.5):

Name	Address (City, State Zip)	Title
MATT DUNCAN	PO Box 1355, Ripley, MS 38663	President
Robbie Sides	PO Box 1355, Ripley, MS 38663	Secretary

(complete if in if a partnership)

Our Partnership is composed of the following individuals:

Name	Address (City, State Zip)	Title

Notice of Acceptance of Our Bid May Be Delivered To:

Company Name: J.M. Duncan Inc.

Address: P.O. Box 1355, Ripley, MS 38663

Email Address: jm@duncaninc@yahoo.com Fax Number: 662-993-8579

Signed: 

Title: PRESIDENT

Certificate of Responsibility Number: 16029-MC



P. N. 23065.00
C.B.N 2023-047PR

Sloan Landscape Architecture, LLC

09/25/2023

Directions for Mailing:

Submit bid papers in sealed envelope marked as indicated in the Instructions to Bidders, inserted in opaque sealed envelope marked as follows:

Address To: City of Tupelo
City Hall - 1st Floor - Tax Office
Attn: Mrs. Traci Dillard
71 East Troy Street
Tupelo, MS 38804

Project Name: Ballard Park 3-Plex Parking Improvements
to be opened at **10:00 am on Thursday October 26th, 2023.**

AFFIDAVIT

(Prime Bidder shall include this form, completed, with his bid)

State of: Mississippi

County of: Tippah

MATT DUNCAN, being first duly sworn, deposes and says:

That he or she is MATT DUNCAN the party making the (a partner or officer of the firm of, etc.) foregoing proposal or bid, that such proposal or 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 agreement or collusion, 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 City of Tupelo or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

Signature of: _____
Bidder, if the bidder is an individual:

Partner, if the bidder is partnership

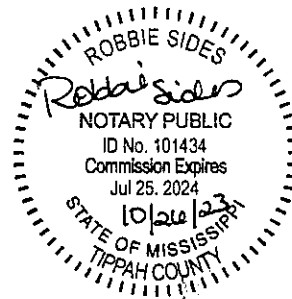
Matt

Officer, if the bidder is a corporation:

Subscribed and sworn to before me the 26th day of October, 2023

Robbie Sides

My commission expires July 25, 2024



SECTION 004516 – BIDDER'S QUALIFICATIONS

QUALIFICATION FORM

As part of their bid, the contractor is required to submit this form. Submission of this form does not constitute qualification. Qualification may be denied for any reasons the Owner deems necessary for the successful completion of the project. In the Owner's absolute discretion, if the prior work of the contractor is deemed unacceptable or if false information is provided, the contractor will be declared a non-responsive bidder.

PRIOR PROJECT QUESTIONNAIRE

In the past 10 (ten) years has the contractor proposed changes to a project to increase the project cost with the request being unapproved?

YES or NO

In the past 10 (ten) years has the owner or owner's representative given the contractor a notice of default?

YES or NO

In the past 10 (ten) years has an assessment of liquidated damages on a project been made against the contractor?

YES or NO

In the past 10 (ten) years has the contractor been accused of submitting pay application request for materials not installed?

YES or NO

In the past 10 (ten) years has the contractor been accused of deviating from contract documents without following proper procedures required by contract documents?

YES or NO

In the past 10 (ten) years has the contractor failed to provide a project schedule as required by contract documents?

YES or NO

In the past 10 (ten) years has the contractor excluded materials and workmanship from project warranties?

YES or NO

In the past 10 (ten) years has the contractor included wording in closeout documents that contradict warranty requirements specified in contract documents?

YES or NO

In the past 10 (ten) years has the contractor had a verbal altercation with a project owner or owner's representative?

YES or NO

END OF SECTION 004516



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that **J. M. Duncan, Inc.**

as Principal, hereinafter called the Principal and **Western Surety Company**

a corporation duly organized under the laws of the State of **South Dakota**

as Surety, hereinafter called the Surety, are held and firmly bound unto **City of Tupelo, Department of Parks and Recreation, 71 East Troy Street, Tupelo, MS 38804**

as Obligee, hereinafter called the Obligee, in the sum of **Five percent of amount bid**

Dollars(\$ 5%),

for the payment of which sum well 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 **Ballard Park 3-Plex Parking Improvements City of Tupelo, MS – Project No. 23065.00, Tupelo Bid No. 2023-047PR**

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds 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 such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

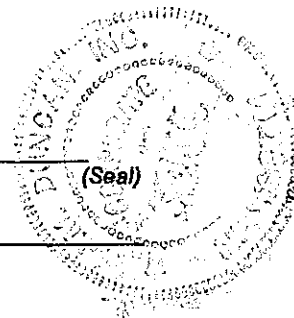
Signed and sealed this **26th** day of **October**, **2023**

Randle Boyd
(Witness)

J. M. Duncan, Inc.

{ *[Signature]*
(Principal)

PRESIDENT
(Title)



[Signature]
(Witness)

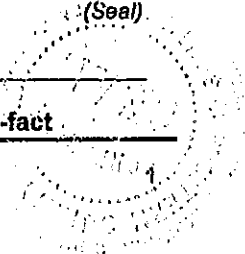
Nicole Lovett

Western Surety Company

{ *[Signature]*
(Surety)

Cooper W. Permenter, Attorney-in-fact
(Title)

MISSISSIPPI RESIDENT AGENT



Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Mark E Harris, Keith W Brown, Tona J Hunter, W W Jones II, Joseph Madden III, Cooper W Permenter, Richard L Powell, Ric Stallings, Individually

of Memphis, TN, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 14th day of June, 2021.



WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } SS

On this 14th day of June, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent

M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 26th day of October, 2023.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.