



**CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION**

**PROJECT MANUAL
Memorial Drive Paving And Drainage Improvements
WBS No. N-000798-0001-4; CSJ No. 0912-70-082**

VOLUME 1 of 1

Divisions 00 through 16

July 2014

CivilTech Engineering
11821 Telge Road
Cypress, Texas 77429
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Document 00010 T

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NOTE: Bold capitalized Specification Sections are included in the City of Houston Department of Public Works and Engineering Standard Construction Specifications for Wastewater Collection Systems, Water Lines, Storm Drainage, Street Paving, and Traffic located here: http://documents.publicworks.houstontx.gov/document-center/cat_view/88-engineering-and-construction/92-specifications/208-division-02-16-standard-specifications.html; and are incorporated in Project Manuals by reference as if copied verbatim. Documents listed "for filing" are to be provided by Bidder and are not included in this Project Manual unless indicated for example only. The Document numbers and titles hold places for actual documents to be submitted by Contractor during Bid, post-bid, or construction phase of the Project. Specification Sections marked with an asterisk (*) are amended by a supplemental specification, printed on blue paper and placed in front of the Specification it amends. Documents in the 200, 300 and 400 series of Division 00, except for Document 00410B – Bid Form, Part B, are not part of the Contract.

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END OF DOCUMENT

Document 00042

DESIGNATED SUBCONTRACTORS AND SUPPLIERS

- A. Subcontract work for the following Sections to firm(s) listed and for reason(s) stated below:

Edit following list. Ensure individual Sections include names of designated firms and the reason is stated here. Use the following sample format.

1. [Section 12610- Open Office Furniture; procurement and installation of Open Office Furniture. The City has an existing procurement/installation contract with the firm stated in Section 12610.]

END OF DOCUMENT

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INSTRUCTIONS TO BIDDERS

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Document 00200

INSTRUCTIONS TO BIDDERS

1.0 RELATED DOCUMENTS

- A. Document 00210 - Supplementary Instructions to Bidders.
- B. Document 00320 - Geotechnical Information.
- C. Document 00330 - Existing Conditions.
- D. Document 00410 - Bid Form, Parts A & B.
- E. Document 00495 - Post-Bid Procedures.
- F. Document 00520 - Agreement.
- G. Document 00700 - General Conditions.
- H. Document 00800 - Supplementary Conditions.

2.0 DEFINITIONS

- A. Definitions set forth in Document 00700 - General Conditions and in other documents of Project Manual, are applicable to Bid Documents.
- B. *Addendum*: Written or graphic instrument issued prior to Bid opening, which clarifies, modifies, corrects, or changes Bid Documents.
- C. *Alternate*: The total amount bid for additions to work, as described in Section 01110 - Summary of Work. Each Alternate includes cost of effects on adjacent or related components, and Bidder's overhead and profit.
- D. *Bid*: A complete and properly signed offer to perform the Work in accordance with this Document and Document 00210 - Supplementary Instructions to Bidders.
- E. *Bid Date*: Date and time set for receipt of Bids as stated in Document 00210 - Supplementary Instructions to Bidders, or as modified by Addenda.
- F. *Bid Documents*: Project Manual, Drawings, and Addenda.
- G. *Bid Supplement*: A Bid submittal that is required in Document 00410 - Bid Form.
- H. *Bidder*: Person or firm, identified in Document 00410B - Bid Form - Part B, including its successors, and its authorized representative.

I. *Code*: Code of Ordinances, Houston, Texas.

J. *Low Bidder*: Apparent successful Bidder that qualifies as a responsible Bidder and that submits Bid with lowest Total Bid Price.

K. *Project Manager*: Person designated in Document 00100 - Advertisement for Bids and Document 00220 - Request for Bid Information to represent the City during bidding and post-bid periods.

L. *Project Manual*: Volume assembled for the Work that includes the bidding requirements, sample forms, Conditions of the Contract, and Specifications.

M. *Security Deposit*: A certified check, cashier's check, or bid bond in the amount of 10 percent of the Total Bid Price.

N. *Total Bid Price*: Total amount bid for performing the Work as identified by Bidder in Document 00410B - Bid Form - Part B, which amount includes:

- 1. Stipulated Price;
- 2. Total Base Unit Prices;
- 3. Total Extra Unit Prices;
- 4. Total Cash Allowances; and
- 5. Total Alternates.

3.0 NOTICE TO BIDDERS

- A. The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers and officers-elect) during a certain period of time prior to and following the award of the Contract by the City Council. The term "Contractor" includes proprietors of proprietorships, all partners of partnerships, and all officers, directors, and holders of 10 percent or more of the outstanding shares of corporations. A statement disclosing the names and business addresses of each of those persons will be required to be submitted with each bid or proposal; for a City Contract. Bidder shall complete and submit Document 00452 - Form A, Contractor Submission List, City of Houston Fair Campaign Ordinance, with its Bid to comply with this requirement. See Chapter 18 of the Code for further information.

B. Chapter 15, Article VIII, of the City's Code provides that no contract shall be let, nor any other business transaction entered into, by the City with any person indebted to the City or a qualifying entity, if the contractor or transaction comes within the provisions of Section 15-1 (c) of the Code. Exceptions are provided in Section 15-126 of the Code. Bidder shall complete and submit Document 00455 – Affidavit of Ownership or Control, with its Bid to comply with this requirement.

C. Neither bidder(s) nor any person acting on bidder(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Houston, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated City Representative identified on the first page of the solicitation. Upon issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award, aside from bidder's formal response to the solicitation, through the pre-award phase, written requests for clarification during the period officially designated for such purpose by the City Representative, neither bidder(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City of Houston, their families or staff through written or oral means in an attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any bidder. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, or to a City Council committee convened to discuss a recommendation regarding the solicitation.

4.0 BID DOCUMENTS

- A. The Bid Documents may be obtained at location specified in Document 00210 – Supplementary Instructions to Bidders.
- B. The Bid Documents are made available only for the purpose of bidding on the Work. Receipt of Bid Documents does not grant a license for other purposes.
- C. On receipt of Bid Documents, Bidder shall verify that documents are legible and complete, compare contents of Project Manual with Document 00010 – Table of Contents, and compare Index of Drawings with Document 00015 – List of Drawings.

Bidder shall notify Project Manager if Bid Documents are incomplete.

- D. If City of Houston Standard Specifications or Standard Details are required by the Project Manual, Bidder shall refer to Document 00210 – Supplementary Instructions to Bidders for purchase information.

5.0 EXAMINATION OF DOCUMENTS, SITE, AND LOCAL CONDITIONS

- A. Bidder shall examine Project site, become familiar with local conditions under which the Work shall be performed, conduct appropriate investigations, and correlate personal observations with requirements of the Bid Documents before submitting a Bid.
- B. Bidder shall make site investigations to the extent Bidder deems necessary to ascertain extent of subsurface conditions.
- C. Failure of Bidder to perform the investigations prior to submitting a Bid does not relieve Bidder of responsibility for investigations, interpretations and proper use of available information in the preparation of its Bid.
- D. Bidder shall observe limitations of access to occupied or restricted site as stated in Document 00210 – Supplementary Instructions to Bidders.

6.0 INTERPRETATIONS DURING BIDDING

- A. Bidder shall immediately submit Document 00220 – Request for Bid Information to Project Manager upon finding errors, discrepancies, or omissions in Bid Documents. Confirmation of receipt of questions by the City is the responsibility of Bidder. Verbal discussions and answers are not binding.
- B. Document 00220 – Request for Bid Information must be received at least 10 days before the Bid Date to allow issuance of Addenda in accordance with Paragraph 7.0.D. Replies, if issued, are by Addenda.

7.0 ADDENDA

- A. Addenda that affect bidding requirements are applicable only during applicable only through issuance of the Notice to Proceed. Addenda that affect the Contract are a part of the Contract.
- B. BIDDERS WHO SUBMIT A BID ON THIS PROJECT SHALL BE PRESUMED TO HAVE RECEIVED ALL ADDENDA AND TO HAVE INCLUDED ANY COST THEREOF IN THEIR BIDS, REGARDLESS OF WHETHER THEY ACKNOWLEDGE THE ADDENDA OR NOT.

- C. The City will make Addenda available at same location where the Bid Documents may be obtained. The City will notify plan holders of record when Addenda are available. Bidders are responsible for obtaining Addenda after notification.
- D. No Addendum will be issued later than noon on Monday before Bid Date, except Addenda with minor clarifications, withdrawing request for Bids, or postponing Bid Date.

8.0 *SUBSTITUTION OF PRODUCTS*

- A. No substitutions of Products will be considered during the bidding period.

9.0 *PREPARATION OF BIDS*

- A. Bidder shall fill in applicable blanks in Document 00410A&B – Bid Form – Parts A & B and Bid Supplements. In addition, Bidder shall bid all Alternates. Bidder shall properly sign Document 00410B -Bid Form.
- B. Bidder shall initial all pages, except signature page, of Document 00410B – Bid Form – Part B.
- C. Bidder is responsible for all costs incurred by the Bidder, associated with preparation of its Bid and compliance with Post-bid Procedures.
- D. Bidder may not adjust preprinted price on line items stating "Fixed Unit Price" in the description on the Bid Form.
- E. Bidder may increase preprinted price on line items stating "Minimum Bid Price" in the description on the Bid Form by crossing out the minimum and inserting revised price on the line above.
- F. Bidder may decrease preprinted price on line items stating "Maximum Bid Price" in the description on the Bid Form by crossing out the maximum and inserting revised price on the line above.
- G. Bidder shall insert a price no greater than the maximum preprinted range and no less than the preprinted range for line items stating "Fixed Range Unit Price" in the description on the Bid Form by crossing out prices noted and inserting revised price on the line above.
- H. Bidder may not adjust Cash Allowance amounts.

10.0 *BID SUBMISSION*

- A. City Secretary will receive Bids on Bid Date at location specified in Document 00210 –

Supplementary Instructions to Bidders.

- B. Bids submitted after Bid Date will be returned to Bidder unopened.
- C. Verbal, facsimile, or electronic Bids are invalid and will not be considered.
- D. Bidder shall submit in person or by mail one copy of the signed Document 00410 – Bid Form, Parts A and B, along with required Security Deposit, and required Bid Supplements, in a sealed, opaque envelope. In addition, Bidder shall clearly identify Project, Bid Date and Bidder's name on outside of envelope. If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed for postal delivery.

11.0 *BID SECURITY*

- A. Bidder shall submit a Security Deposit with its Bid.
- B. Certified Check or Cashier's Check
 - 1. Bidder shall make check payable to the City of Houston.
 - 2. A check is submitted on the condition that if Bidder is named Low Bidder and fails either to timely and properly submit documents required in Document 00495 – Post-Bid Procedures, the City will cash the check in accordance with Paragraph 11.0.E.
- C. Bid Bond
 - 1. The bid bond must be a valid and enforceable bond, signed by a surety that complies with other requirements set out by law.
 - 2. The bid bond must name the City of Houston as obligee, and be signed by the Bidder as principal and signed and sealed by the surety.
 - 3. The bid bond must be conditioned such that if Bidder is named Low Bidder and then fails to timely and properly submit documents required in Document 00495 – Post-Bid Procedures, surety will be obligated to pay to the City an amount in accordance with Paragraph 11.0.E.
- D. Security Deposits will be retained until after the Contract is awarded or all Bids are rejected.
- E. Low Bidder forfeits Security Deposit if it fails to timely and properly submit documents required in Document 00495 – Post-Bid Procedures. The City may claim an amount equal to the difference between the Total Bid

Price of the defaulting Bidder and the Total Bid Price of the Bidder awarded the Contract. If Security Deposit is a check, the City will reimburse any remaining balance to the defaulting Bidder.

Work.

12.0 *SUBCONTRACTORS AND SUPPLIERS*

- A. The City may reject proposed Subcontractors or Suppliers.
- B. Refer to Document 00800 – Supplementary Conditions, for MWBEPDBE, DBE and SBE goals.

15.0 *PREBID MEETING*

- A. A prebid meeting is scheduled to be held at the place, time, and date listed in Document 00210 – Supplementary Instructions to Bidders.
- B. All Bidders, subcontractors, and suppliers are invited to attend.
- C. Representatives of City Engineer will attend.

13.0 *MODIFICATION OR WITHDRAWAL OF BID*

- A. A Bidder may modify or withdraw a Bid submitted before the Bid Date by written notice to the City Secretary. The notice may not reveal the amount of the original Bid and must be signed by the Bidder.
- B. Bidder may not modify or withdraw its Bid by verbal, facsimile, or electronic means.
- C. A withdrawn Bid may be resubmitted up to the time designated for receipt of Bids.

16.0 *OPENING OF BIDS*

- A. Bids are opened by the City Secretary and publicly read in City Council Chambers on the Public Level in City Hall Annex at 11:00 a.m. on Bid Date.
- B. Place and date of Bid opening may be changed in accordance with Sections 15-3(b)(5) and 15-3(b)(6) of the City Code.

14.0 *BID DISQUALIFICATION*

- A. The City may disqualify a Bid if the Bidder:
 - 1. fails to provide required Security Deposit in the proper amount;
 - 2. improperly or illegibly completes information required by the Bid Documents;
 - 3. fails to sign Bid or improperly signs Bid;
 - 4. qualifies its Bid; or
 - 5. improperly submits its Bid.
- B. When requested, Low Bidder shall present satisfactory evidence that Bidder has regularly engaged in performing construction work as proposed, and has the capital, labor, equipment, and material to perform the

17.0 *EVALUATION AND CONSIDERATION OF BIDS*

- A. Project Manager will tabulate, record and evaluate Bids.
- B. The City may reject all Bids or may reject any defective Bid.

18.0 *ACCEPTANCE OF THE BID*

- A. The City will send to Low Bidder Document 00498 – Notice of Intent to Award. Acceptance by the City is conditioned upon Bidder's timely and proper submittal of documents required in Document 00495 – Post-Bid Procedures.
- B. The Bid remains open to acceptance and is irrevocable for the period of time stated in Document 00410A – Bid Form – Part A.

END OF DOCUMENT

Document 00210-T

TxDOT-FUNDED SUPPLEMENTARY INSTRUCTIONS TO BIDDERS

The following Paragraphs modify Document 00200 - Instructions to Bidders. Where a portion of the Instructions to Bidders is modified or deleted by these Supplementary Instructions, the unaltered portions of the Instructions to Bidders remains in effect.

2.0 – DEFINITIONS: Add the following Paragraphs to this Section:

- O. *Office of Business Opportunity (OBO):* All references to Affirmative Action Contract Compliance Division (AACC) set forth in Document 00700 – General Conditions and in other documents of the Project Manual, shall refer to, and include, the Office of Business Opportunity.
- P. *Certificate of Responsibility:* An unexpired and unrevoked letter from the Director containing an identification number and stating that a Bidder has met the minimum qualifications to bid on street and bridge contracts within the amount and type of bidding capacity, based on Texas Department of Transportation (TxDOT) determination of Bidder's capability and approval of financial stability.
- Q. *Director:* Director, Department of Public Works and Engineering, City of Houston.

3.0 - NOTICE TO BIDDERS: Add the following Paragraph to this Section:

- C. This is a City Street and Bridge Construction or Improvement Contract which requires a current Certificate of Responsibility filed with the Director no later than three business days prior to Project Bid Date. A Certificate of Responsibility is a valid Prequalification Approval Letter issued by TxDOT stating that a Bidder is qualified to bid on State Highway improvement contracts pursuant to 43 Texas Administrative Code, Section 9.12, as it may be amended from time-to-time, and Chapter 15, Article IV of the Code of Ordinances, Houston, Texas (the "Ordinance").

4.0 – BID DOCUMENTS: Add the following Paragraphs to this Section:

- A. Add the following Paragraph A.1:
 - 1. Bid documents may only be obtained electronically at the City's website: <http://bidsets.publicworks.houstontx.gov/> .

D. Add the following Paragraph D.1:

1. Copies of the City Standard Specifications and Details may be acquired at no cost on the City's website
<http://documents.publicworks.houstontx.gov/document-center/specifications/index.htm>

E. The following plan rooms, whose names, addresses, phone and fax numbers were last updated on April 9, 2007, have been authorized by the City to display Bid Documents for examination:

1. AMTEK Information Services, Inc., 4001 Sherwood Lane, Houston, TX 77092, 713-956-0100, Fax 713-956-5340, Email: planroom@amtekusa.com
2. Associated Builders & Contractors, Inc., (ABC), 3910 Kirby, Suite 131, Houston, TX 77098-4151, 713-523-6222, Fax 713-874-0747. Email: lori@abchouston.org
3. Associated General Contractors (AGC-BB) Building Branch, 3825 Dacoma, Houston, TX 77092-8717, 713-843-3700, Fax 713-843-3701. Email: karla.s@agchouston.org
4. Associated General Contractors, (AGC-HHUI), Highway, Heavy Utilities and Industrial Branch, 2400 Augusta St., Suite 180, Houston, TX 77057, 713-334-7100, Fax 713-334-7130. Email: houston@agctx.org (Attention: Mel Keyser)
5. Construction Information Network, 1225 North Loop West, Suite 550, Houston, TX 77008, 713-868-2233 ext. 329, Fax 866-852-2713. Email: paul.tilford@cnsx.com
6. F. W. Dodge Corporation, 4101 Greenbriar, Suite 320, Houston, TX 77098, 713-529-4895, Fax 713-524-7639. Email: terrie_harris@mcgraw-hill.com
7. Hispanic Contractors Association of Houston (HCA-GHA), 11 Parker Road, Suite 7, Houston, TX 77241, 713-699-2732 or 832-754-3705, Fax 713-695-1556, Email: hispaniccontractorsassociation@yahoo.com; or Randymagdalen@yahoo.com
8. Houston Minority Business Development Center, 2900 Woodridge, Suite 124, Houston, TX 77087, 713-644-0821, Fax 713-644-3523. Email: gtamez@gacompanies.com

9. Reed Construction Data, 30 Technology Parkway South, Suite 100, Norcross, GA – 30092-8629. Tel. 1-800-424-3996 or 1-800-699-8640; Fax 1-800-317-0870 or 1-800-508-5370.
10. The Builders' Exchange of Texas, Inc., 3910 Kirby, Suite 131, Houston, TX 77098, 210-564-6900, Fax: 210-564-6921, Email: houston@btxt.com

5.0 - EXAMINATION OF DOCUMENTS, SITE, AND LOCAL CONDITIONS: Insert the following paragraph:

D. Add the following Paragraph D.1:

1. Work will be performed in public right-of-way. The site may be examined at any time during daylight hours.

9.0 – PREPARATION OF BIDS: Add the following Paragraph I to this Paragraph:

- I. For math errors the City encounters in analyzing Bids, the following guidance will be used:

In the event of a conflict between: The Bid Price is:

- | | |
|---|---|
| 1. Individual Unit Price and Extension of that Unit Price | Individual Unit Price times Estimated Quantity |
| 2. A Unit Price extension and total of Unit Price Extensions | Sum of all Individual Unit Price Extensions |
| 3. Individual Alternate and total of Alternates | Sum of all Individual Alternates |
| 4. Individual subtotals for Stipulated Price, Base Unit Prices, Extra Unit Prices, Contractor Bonus, Cash Allowances, and Alternates; and the Total Bid Price | Sum of Individual subtotals for Stipulated Price, Base Unit Prices, Extra Unit Prices, Contractor Bonus, Cash Allowances and Alternates |

10.0 – BID SUBMISSION: Add the following Paragraph A.1 to this Section:

A. Add the following Paragraph A.1:

1. City Secretary will receive Bids at 900 Bagby, Room P101, Houston, Texas until 10:30 a.m., local time on August 21, 2014.
- D. Submit one copy of the executed offer on the bid forms provided, properly signed, with required Security Deposit, and other Supplements to Bid Forms, in a sealed, opaque envelope. On the outside of the envelope, clearly identify the Certificate of Responsibility

number, Bidders name, Project name, and the City's name. Bids submitted by mail shall be enclosed in a separate envelope addressed for mailing, and identifying the enclosure as a bid.

- E. Bidders are responsible for obtaining a Certificate of Responsibility number for the class of contract indicated in Document 00210 – Supplementary Instructions to Bidders. TxDOT Certificate of Qualification letter must be filed with the Director not less than three days prior to Project Bid opening. Bidders who do not have a City of Houston Certificate of Responsibility will be notified by the City.

14.0 – BID DISQUALIFICATION: Delete paragraphs A and B and replace with the following paragraph A:

- A. The City shall disqualify a Bid if the Bidder:
1. fails to provide required Security Deposit in the proper amount;
 2. improperly or illegibly completes information required by the Bid Documents;
 3. fails to sign Bid or improperly signs Bid;
 4. qualifies its Bid; or
 5. improperly submits its Bid.

15.0 – PREBID MEETING: Add the following Paragraph A.1 to this Section:

- A. Add the following Paragraph A.1:
1. A Prebid Meeting will be held at 10:00am on Monday, August 4, 2014, in 14th Floor, Conference Room No. 1414 at 611 Walker Street, Houston, Texas 77002.

END OF DOCUMENT

Document 00320

GEOTECHNICAL INFORMATION

1. DOCUMENT INCLUDES

- A. Soils investigation reports.
- B. Bidder's responsibilities.

2. RELATED DOCUMENTS

- A. Document 00340 – Environmental Information
- B. Section 02260 - Trench Safety Systems

3. SITE INVESTIGATION REPORTS

- A. In the design and preparation of Contract documents for this Project, the City and Design Consultant have used information in geotechnical reports for the investigation and analysis of soils and subsurface conditions at the Project site.
- B. An electronic copy of the report for this project is included in a CD-Rom affixed to the inside front cover of the project manual.
- C. Neither the City nor Design Consultant is responsible for accuracy or completeness of any information or data.

4. GEOTECHNICAL REPORTS

- A. Report No.: 09-338E Prepared by (Firm Name): Geotech Engineering And Testing Servicing; Title: Geotechnical Study Memorial Drive From About 500 Ft East Of North Kirkwood Road To The West Side Of North Eldridge Parkway; Report Date: March 2014; No. Of Pages: _____

5. BIDDER RESPONSIBILITIES

- A. Bidder shall take full responsibility for interpretation and use of information contained in above listed reports for its bidding and construction purposes.

00320-1
09-02-2005

- B. Bidder may perform additional soils investigations as Bidder deems appropriate.

END OF DOCUMENT

Document 00340

ENVIRONMENTAL INFORMATION

1.0 DOCUMENT INCLUDES

- A. Environmental Site Assessment, if applicable.
- B. Asbestos and Lead Surveys, if applicable.
- C. Bidder's responsibilities.

2.0 RELATED DOCUMENTS

- A. Document 00320 - Geotechnical Information

3.0 SITE INVESTIGATION REPORTS

- A. In the design and preparation of Contract documents for this Project, the City and Design Consultant have used information in environmental site assessment reports for the investigation and analysis of soils and subsurface conditions at the Project site.
- B. In the design and preparation of Contract documents for this Project, the City and Design Consultant have relied upon information in surveys taken for Asbestos-containing Materials (ACMs) and lead at the Project site.
- C. An electronic copy of each report for this project is included in a CD-Rom affixed to the inside front cover of the project manual.
- D. Neither the City nor Design Consultant is responsible for accuracy or completeness of any information or data.

4.0 REPORTS

A. Environmental Assessment Surveys

- 1. Report No.: 7312h-P1 Prepared By (Firm Name): Berg Oliver Association Inc.; Title: Phase I Environmental Site Assessment; Report Date: Novemember 2013; No. Of Pages: _____

5.0 BIDDER RESPONSIBILITIES

- A. Bidder shall take full responsibility for interpretation and use of information contained in above listed reports for bidding and construction purposes.
- B. Bidder may perform additional investigations as Bidder deems appropriate.

END OF DOCUMENT