

# REQUISITION & PROPOSAL

ALABAMA STATE PORT AUTHORITY  
**TERMINAL RAILWAY** DEPARTMENT

DATE 3-22-19

TO: Prospective Bidders

Please procure the following and **DELIVER TO:**

ALABAMA STATE PORT AUTHORITY  
TERMINAL RAILWAY  
P.O. BOX 1588  
MOBILE, ALABAMA 36633  
ATTN: D.W. Lynd

## NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

The Alabama State Port Authority Terminal Railway will be accepting sealed bids until 10:00am April 9th, 2019 to perform the following work.

**Replace 112 ties, all rails except guard rails, rider rails and joints fixed and lift on the Terminal Railway's 3-mile creek bascule bridge. Replace all guard timbers attached to the above ties. The Terminal Railroad will supply the rails, joints and ties. All fasteners will be 100% new and provided by the bidder. Work will begin on or about June 24<sup>th</sup> and must be completed by July 24<sup>th</sup>. The work day will be between the hours of 0700 to 1500 with a preapproved one hour time for vessel traffic to navigate between 1130 and 1230.**

Lump Sum Price \$ \_\_\_\_\_

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

Authorized Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**Pre Bid Meeting: There will be a mandatory Pre Bid meeting April 3<sup>rd</sup> 2019 at 0800.**

**Bids to be Open: April 9th 2019 at 10:00 at the Terminal Railway Office. 126 Industrial Canal Rd. East Mobile Al.**

Recommended:

\_\_\_\_\_  
Darrell W. Lynd, Manager of Operating Administration

\_\_\_\_\_  
H.S. "Smitty" Thorne, Deputy Dir. COO

\_\_\_\_\_  
Cliff Melton, TRR General Manager

\_\_\_\_\_  
Larry R. Downs, Sec. / Treasurer

\_\_\_\_\_  
Brad Ojard, Sr. VP Operations

\_\_\_\_\_  
James K. Lyons, Director

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NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

**Bid opening will be April 9th 2019 @ 10:00 a.m. in the Terminal Railway Office.**

**NO BIDS WILL BE ACCEPTED AFTER THIS TIME.**

**PLEASE SEE ATTACHED INDEMNIFICATION SHEET & DISCLOSURE STATEMENT**

\_\_\_\_\_  
Company

\_\_\_\_\_  
Address

\_\_\_\_\_  
Representative

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email

***ALL BIDS MUST BE NOTARIZED***

STATE OF \_\_\_\_\_)

COUNTY OF \_\_\_\_\_)

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me appeared \_\_\_\_\_, to me personally known, who, being by me duly sworn, did say that such person executed the foregoing instrument as the free act and deed of such person, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print Name

My commission expires: \_\_\_\_\_

**THIS PAGE MUST BE NOTARIZED**

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**ALABAMA STATE PORT AUTHORITY**  
**INSURANCE REQUIREMENTS FOR CONTRACT WORK**

**INDEMNIFICATION**

The Contractor shall assume all liability for and shall indemnify and save harmless the State of Alabama and the Alabama State Port Authority, doing business as Alabama State Docks (ASD), and its officers and employees from all damages and liability for injury to any person or persons, and injury to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising from operations under the contract, whether such operations are performed by himself or by any subcontractor or by anyone directly or indirectly employed by either of them occurring on or about the premises, or the ways and means adjacent during the term of the contract, or any extension thereof, and shall also assume the liability for injury and/or damages to adjacent or neighboring property by reason of work done under the contract.

**INSURANCE REQUIREMENTS**

The Contractor shall not commence work under the contract until he has obtained all insurance required under the following paragraphs and until such insurance has been approved by ASD, nor shall the Contractor allow any subcontractor to commence work until all similar applicable insurance has been obtained by the subcontractor or the Contractor has provided coverage for the subcontractor. The Contractor shall provide, at his expense, insurance in accordance with the following:

**General Requirements (applicable to all policies)**

All policies of insurance must be written with companies acceptable to ASD. The Contractor shall furnish to ASD certificates of insurance, signed by the licensed agent evidencing required coverages. ASD reserves the right to require certified copies of any and all policies. Each policy of insurance shall provide, either in body of the policy or by endorsement, that such policy cannot be substantially altered or cancelled without thirty (30) days' written notice to ASD and to the insured. Except for Workers Compensation, said policies will identify Alabama State Port Authority, its officers, officials, agents, servants and employees as Primary and Non-contributory Additional Insureds in connection with work performed for, on behalf of, or on the property of ASD.

**General Liability**

The Contractor shall take out and maintain during the life of the contract Commercial General Liability insurance, including Blanket Contractual and Completed Operations coverages, in an amount not less than \$2,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

**Automobile Liability**

The Contractor shall take out and maintain during the life of the contract Business Automobile Liability insurance covering any auto in an amount not less than \$1,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

**Workers Compensation (All Workers Comp and USLH Required for this project)**

The Contractor shall take out and maintain during the life of the contract Workers Compensation and Employers Liability insurance providing coverage under the Alabama Workers Compensation Act in an amount not less than that required by Alabama law. Where applicable, Contractor shall take out and maintain during the life of the contract insurance providing coverage as required by Federal statute, including but not limited to U.S. Longshoremen and Harborworkers' Compensation Act (USL&H), Jones Act, and Railroad Federal Employers Liability Act (FELA).

**Ocean Marine (Required for project if watercraft is used)**

In the event work involves the use of watercraft in the completion of the contract, the Contractor shall provide Protection and Indemnity coverage, including crew, in an amount not less than \$1,000,000 for each loss.

**Railroad Protective Liability (Required for this project)**

Where applicable, the Contractor shall provide a Railroad Protective Liability policy in the name of the Terminal Railway Alabama State Docks in an amount not less than \$2,000,000.

NOTE: In lieu of the RPL policy, the Contractor may cause to be attached to its General Liability Policy standard ISO endorsement, "Contractual Liability - Railroads" (CG 24 17). The railroad must be identified as an Additional Insured. NOTE: "Alabama State Port Authority (ASD)" includes the Alabama State Docks Terminal Railway.

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TERMINAL RAILWAY  
P.O. BOX 1588  
MOBILE, ALABAMA 36633  
ATTN: D.W. Lynd

NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

**ALABAMA STATE PORT AUTHORITY ACCESS POLICY**

**IMPORTANT NOTICE TO VENDORS REGARDING ACCESS TO ASPA  
RESTRICTED FACILITIES:**

**Successful vendors requiring access to the Alabama State Port Authority's Restricted Facilities** to fulfill any obligations set forth in this bid must comply fully with the Authority's Access Policy found in its entirety at [http://www.asdd.com/portaccess\\_policy.html](http://www.asdd.com/portaccess_policy.html). The Port Authority's Access Policy requires all persons permanently employed at the port, including ASPA staff, tenants and their employees, surveyors, agents, stevedores, longshoremen, chaplains, contract labor and persons requesting temporary access to the port, including delivery persons, vendors, contractors, and temporary workers must obtain and display an ASPA issued photo ID badge or visitor badge at all times when accessing or working on port property. In order to obtain an ASPA credential, applicants must also obtain a Transportation Worker Identification Credential (TWIC) and undergo mandatory Security Awareness Training. Information on the TWIC can be found at [http://www.asdd.com/portaccess\\_twicregs.html](http://www.asdd.com/portaccess_twicregs.html)

Information on Security Awareness Training classes and scheduling can be found at [http://www.asdd.com/portaccess\\_securitytraining.html](http://www.asdd.com/portaccess_securitytraining.html)

**ALL PROSPECTIVE VENDORS ARE ENCOURAGED TO REVIEW THESE  
POLICIES AND CONSIDER THESE REQUIREMENTS IN PREPARING BID  
SUBMISSIONS.**

PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)

AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER/CONTRACTOR

(To be completed as a condition for the award of any contract, grant, or incentive by the State of Alabama, and political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees)

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

County of \_\_\_\_\_

Before me, a notary public, personally appeared \_\_\_\_\_ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as \_\_\_\_\_ (state position) for \_\_\_\_\_ (state business entity/employer/contractor name) That said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program. (ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

\_\_\_\_\_ Signature of Affiant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

\_\_\_\_\_ Signature and Seal of Notary Public

Author: Jean Brown

**THIS PAGE MUST BE NOTARIZED**

## INSTRUCTIONS FOR BIDDERS

### TERMINAL RAILWAY

### ALABAMA STATE PORT AUTHORITY

This information sheet is provided as a guide to facilitate the bid process and highlight important points for consideration by bidders. Each bidder is responsible for fully reading and complying with the instructions on the Alabama State Port Authority bid form. **This instruction sheet is to be used as a guide only.**

1. No consideration will be given to bids unless presented on the Alabama State Port Authority "Requisition & Proposal" Form with suitable attachments as deemed necessary by the bidder. Alternate bid proposals may be rendered, with proper support.
2. The Alabama State Port Authority reserves the right to reject any and all bids if deemed in the Alabama State Port Authority interest.
3. No allowance will be made for error, either omission or commission.
4. **Bids will not be accepted via fax. All bids must be sealed and sent via mail or hand delivered to the Terminal Railway office before the specified date and time. Bids must be marked with the following:**  
**"Sealed Bid Do not open until 10a.m. April 9th 2019"**
5. The Alabama State Port Authority accepts no responsibility for facilitating the receipt of bids.
7. Bids over \$7,500 must be notarized.
8. Bids received after specified opening time will be returned to the bidder unopened. Bidders are required to show a return address on the bid envelope.
9. Bid proposals must be filled out completely, including the name, address, telephone number, fax number (if possible) and signature of responsible person.
10. Questions may be directed to the Terminal Railway, D.W. Lynd at (251) 441-7305 or dlynd@asdd.com. An addendum may be added after the pre Bid meeting to answer questions.
11. All hand delivered bids must be tendered to:  
Terminal Railway Office  
Attn: D.W. Lynd,  
126 Industrial Canal Rd. East,  
Mobile, Al. 36602.
12. All regular U.S. Postal Mail must be tendered to:  
Alabama State Port Authority  
Terminal Railway  
Attn: D.W. Lynd  
P.O. Box 1588  
Mobile Al. 36602
13. All Courier/overnight deliveries (UPS, FEDEX, DHL, Etc.) must be delivered to:  
Alabama State Port Authority  
Terminal Railway  
Attn: D.W. Lynd  
126 Industrial Canal Rd. East  
Mobile, Al. 36602
14. Note: All overnight bids must be First Priority Overnight (8:30 A.M. Next Morning)

**Railroad Protective Liability Insurance Information**

**Alabama State Port Authority**

**Project:** \_\_\_\_\_

Name and Address of Railroad:

Terminal Railway Alabama State Docks

P. O. Box 1588

Mobile, AL 36633

Name and Address of Governmental Authority or Contracting Party:

Alabama State Port Authority

P. O. Box 1588

Mobile, AL 36633

Limits of Insurance:

Aggregate Limit: \$6,000,000 (\$6 Million)

Each Occurrence Limit: \$2,000,000 (\$2 Million)

Number of Trains: Regular Trains Per Day Passing Work Site

Passenger: \_\_\_\_\_

Freight: 4

Switch Movements: 4

Unscheduled: 1

Trains Passing Work Site During Work Hours

Passenger: \_\_\_\_\_

Freight: 0

Switch Movements: \_\_\_\_\_

Unscheduled: \_\_\_\_\_

Slow Orders in Effect

10 mph  
\_\_\_\_\_

Number of Tracks at Work Site: Main Line: \_\_\_\_\_

Spur: \_\_\_\_\_

Branch: \_\_\_\_\_

Train Yard: 1

# REQUISITION & PROPOSAL

ALABAMA STATE PORT AUTHORITY  
**MCDUFFIE COAL TERMINAL** DEPARTMENT

DATE: 3-22-19  
ORIGINATING DEPT NO.

TO: Prospective Bidders

Please procure the following and **DELIVER TO:**

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TERMINAL RAILWAY  
P.O. BOX 1588  
MOBILE, ALABAMA 36633  
ATTN: D.W. Lynd

Please return one copy of this proposal, duly signed, by 10:00am April 9th 2019.

When all bids are publicly opened.

No consideration will be given bids unless on this form or a written attachment.

If not prepared to submit a bid, please state over the firm signature and return so that it may be known it was brought to your attention; otherwise your name may be dropped from the list of prospective vendors.

The right is reserved to reject any and all bids deemed for the interest of the Alabama State Port Authority, to strike out any item or items in the bids, and to waive any defect or irregularity not a violation of law or to make any modification in the several conditions herein stipulated that are deemed to be in the best interest of the Alabama State Port Authority, including the separation of items of a class in making awards. In general, awards will be made to the lowest satisfactory vendor.

No Allowance will be made for errors, either of omission or commission, on the part of the vendors. It must be assumed that vendors have fully informed themselves as to all conditions, requirements, and specifications before submitting bids and they can not expect to be excused or relieved from the responsibility assumed by their bids on the plea of error. In case of error in extension of prices the unit price will govern.

The Port Authority reserves the right to refuse to issue a bid form or a contract to a prospective vendor for any of the following reasons:

- a) Failure to pay, or satisfactorily settle, all bills due for labor and materials on a former contract in force with the Port Authority.
- b) Contractor default under a previous Contract with the Port Authority.
- c) Bid withdrawal or Bid Bond forfeiture on a previous project with the Port Authority.
- d) Unsatisfactory work on a previous contract with the Port Authority.

Port Authority may make such investigations as deemed necessary to determine the ability of the vendor to perform the work, and the vendor shall furnish all such information and data for this purpose as the Port Authority may request. The Port Authority reserves the right to reject any bid if the evidence submitted by, or investigation of, such vendor fails to satisfy the Port Authority that such vendor is properly qualified to carry out the obligations of the Contract.





# State of Alabama

## Disclosure Statement

Required by Article 3B of Title 41, Code of Alabama 1975

ENTITY COMPLETING FORM

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

STATE AGENCY/DEPARTMENT THAT WILL RECEIVE GOODS, SERVICES, OR IS RESPONSIBLE FOR GRANT AWARD

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

This form is provided with:

Contract   
  Proposal   
  Request for Proposal   
  Invitation to Bid   
  Grant Proposal

Have you or any of your partners, divisions, or any related business units previously performed work or provided goods to any State Agency/Department in the current or last fiscal year?

Yes   
  No

If yes, identify below the State Agency/Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services.

STATE AGENCY/DEPARTMENT	TYPE OF GOODS/SERVICES	AMOUNT RECEIVED

Have you or any of your partners, divisions, or any related business units previously applied and received any grants from any State Agency/Department in the current or last fiscal year?

Yes   
  No

If yes, identify the State Agency/Department that awarded the grant, the date such grant was awarded, and the amount of the grant.

STATE AGENCY/DEPARTMENT	DATE GRANT AWARDED	AMOUNT OF GRANT

1. List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF PUBLIC OFFICIAL/EMPLOYEE	ADDRESS	STATE DEPARTMENT/AGENCY

2. List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the public officials/public employees and State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF FAMILY MEMBER	ADDRESS	NAME OF PUBLIC OFFICIAL/ PUBLIC EMPLOYEE	STATE DEPARTMENT/ AGENCY WHERE EMPLOYED

If you identified individuals in items one and/or two above, describe in detail below the direct financial benefit to be gained by the public officials, public employees, and/or their family members as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

Describe in detail below any indirect financial benefits to be gained by any public official, public employee, and/or family members of the public official or public employee as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

List below the name(s) and address(es) of all paid consultants and/or lobbyists utilized to obtain the contract, proposal, request for proposal, invitation to bid, or grant proposal:

NAME OF PAID CONSULTANT/LOBBYIST	ADDRESS

*By signing below, I certify under oath and penalty of perjury that all statements on or attached to this form are true and correct to the best of my knowledge. I further understand that a civil penalty of ten percent (10%) of the amount of the transaction, not to exceed \$10,000.00, is applied for knowingly providing incorrect or misleading information.*

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Notary's Signature Date Date Notary Expires

*Article 3B of Title 41, Code of Alabama 1975 requires the disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000.*

Revised: 09/2013

**THIS PAGE MUST BE NOTARIZED**

