

INDEX TO ADVERTISEMENT FOR PROPOSAL

January 27, 2010

FOR THE OWNER

City of Duluth

FOR THE PROJECT

**Scott Hudgens Park Restrooms and Concession
4545 River Green Parkway**

(Hill Foley Rossi & Associates 08-117)

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Project Team

Owner: City of Duluth 3167 Main Street Duluth, GA 30096 (770) 476-3434 (770) 623-2780	Architect: Hill Foley Rossi & Assoc. 3680 Pleasant Hill Road Suite 200 Duluth, Georgia 30096 (770) 622-9858 (770) 622-9535	Civil & Structural Engineering Hill Foley Rossi & Assoc. 3680 Pleasant Hill Road Suite 200 Duluth, Georgia 30096 (770) 622-9858 (770) 622-9535
Mechanical Engineer MK Engineering, Inc. 181 Sedgfield Overlook Dallas, GA 30157 (678) 642-7282 (770) 406-2381	Electrical Engineer Lastinger & Associates 6290 Abbots Bridge Road Suite 401 Duluth, GA 30097 (770) 622-7023 (770) 622-7025	Survey Hayes James 4145 Shackleford Road Suite 300 Norcross, Georgia 30093 (770) 923-1600 (770) 923-4202

END OF DOCUMENT

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FOR THE PROJECT

**Scott Hudgens Park Restrooms and Concession
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Sealed proposals will be received by the **City of Duluth, Georgia** for a General Contractor to furnish, and install all materials, labor and equipment necessary for the construction of **Scott Hudgens Park Restrooms and Concession** located in Duluth, Georgia.

Sealed Proposals will be received by the City of Duluth at Bunten Road Park, 3180 Bunten Road Duluth, Georgia 30096, no later than **2:00 PM local time, Tuesday, February 23, 2010**. Proposals will be publicly opened and read aloud at this location **Tuesday, February 23, 2010 at 2:00 PM**. The proposal shall be read in such a manner as to avoid disclosure of the contents to competing PROPOSERS during any allowed process of negotiations. Any Proposals received after **2:00 PM** on proposal **deadline** date (**2/23/2010**) will not be considered by OWNER. Proposals will be evaluated by OWNER and the project award is anticipated upon completion of this evaluation. **All Proposals become the property of the City of Duluth. Selection of the "BEST PROPOSAL" will be determined by cost, experience in previous like projects, timeline to complete and references. The weight to be placed on each element is as follows:**

Cost <i>(On Proposal Form)</i>	20 %
Experience in like projects <i>(5 pages maximum)</i>	30 %
Timeline to Complete <i>(Project Schedule, 2 pages maximum)</i>	20 %
References <i>(1 page maximum)</i>	30 %

BASE BID: Materials, labor, tools, equipment and all other miscellaneous and/or necessary items for the construction of the Restroom/Concession Building, including: clearing, grubbing, erosion control, rough grading, temporary grassing, all utility infrastructure, storm infrastructure, subsurface drainage, and building.

Alternates: **One:** Brick and Cultured stone on 8" CMU.
(Any additional as authorized by Owner).

The required time of completion is no later than **ninety (90) consecutive calendar days** from the date of the written Notice to Proceed.

Copies of Proposal Documents will be available at **12:00 PM local time, January 28, 2010**, and may be obtained at AAA Digital Imaging, 5706 New Peachtree Road, Chamblee, Georgia, 30341, Attention: Jeff Gifford (770) 451-7861 upon payment of **non-refundable** reproduction cost. Proposal Documents may be examined at the following locations:

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City of Duluth
City of Duluth Planning and Development
3167 Main Street
Duluth, Georgia, 30096
(770) 476-1790
(770) 623-2780-FAX

The complete request for Proposal Package is available on the City of Duluth web site (www.duluthga.net).

A mandatory Pre-Proposal Conference is not scheduled for this proposal at this time.

OWNER requires a bid bond issued by a Surety listed on the Treasury as licensed in the State of Georgia. No other form of security will be acceptable.

PROPOSER shall provide one (1) original and three (3) copies of the Proposal. Each proposal must be submitted in a sealed envelope, addressed to OWNER. Each sealed envelope containing a Proposal must be plainly marked on the outside as, “**Proposal for Scott Hudgens Park Restrooms and Concession**”. If Proposal is forwarded by mail, the sealed envelope containing the Proposal must be enclosed in another envelope to the attention of OWNER at the address previously given.

Any and all Proposals received without the aforementioned criteria enclosed will be returned to PROPOSER.

All Proposals must be made out on the PROPOSAL FORM of the type found in the proposal package, in accordance with the instructions in the INSTRUCTIONS TO BIDDERS/PROPOSERS. No interlineations, additions, or deletions shall be made in the proposal form by PROPOSER. No conditional proposals will be acceptable.

Contract will be awarded on a stipulated sum to the PROPOSER providing the Best Proposal as determined by the City after consideration of the factors set forth above and upon the completion of any discussion and negotiation process. The City will consider the base proposal plus any alternatives deemed acceptable. The City hereby notifies any and all PROPOSERS that the City will allow discussion, negotiation and revision of proposals submitted prior to award in order to obtain the best and final offers of each PROPOSER. The City shall allow all companies submitting proposals reasonably susceptible of being selected to participate in discussions, negotiations and revisions of proposals. The City shall not disclose the contents of any proposal to any competing PROPOSER and shall publicly open the Proposals in a manner that the contents of the Proposals are not disclosed to other PROPOSERS.

OWNER reserves the rights to waive any informalities or to reject any or all Proposals, to evaluate Proposals, and to accept any Proposal which in its opinion may be in the best interest of OWNER. No Proposal will be rejected without just cause.

No PROPOSER may withdraw his proposal within the time limit specified in the PROPOSAL FORM.

CITY OF DULUTH
END OF DOCUMENT

INSTRUCTION TO PROPOSERS/BIDDERS

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FOR THE OWNER

City of Duluth

FOR THE PROJECT

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1. DEFINITIONS:

- A. Proposal Documents include the **Proposal Requirements** and the proposed **Contract Documents**. The proposed Contract Documents consist of the documents identified in the **List of Contract Documents Exhibit A**, except for Modifications. The Proposal Requirements are those documents identified as such in **List of Proposal Documents Exhibit B**.
- B. Addenda are written or graphic documents issued by the Architect prior to execution of the Contract which modify or interpret the Proposal Documents. They become part of the Contract Documents as noted in the Form of Agreement upon execution of the Contract.

2. PROPOSER'S REPRESENTATIONS:

- A. By submitting a bid, the Proposer represents that
 - 1. Proposer has carefully studied and compared the Proposal Documents with each other. Proposer understands the Proposal Documents and the bid is fully in accordance with the requirements of those documents,
 - 2. Proposer has thoroughly examined the site and any building located thereon, has become familiar with local conditions which might directly or indirectly affect the contract work, and has correlated its personal observations with the requirements of the proposed Contract Documents.

3. BIDDING DOCUMENTS:

- A. Copies
 - 1. Proposal Documents may be obtained as set forth in the Advertisement for Proposal.
 - 2. Partial sets of Proposal Documents will not be issued.
 - 3. Proposers will use complete sets of Proposal Documents in preparing bids and make certain that those submitting sub-bids to them have access to all portions of the documents that pertain to the work covered by sub-bid. Proposer assumes full responsibility for errors or misinterpretations resulting from use of partial sets of Proposal Documents by itself or any sub-proposer.
- B. Interpretation or Correction of Proposal Documents
 - 1. Proposers will request interpretation or correction of any apparent errors, discrepancies and omissions in the Proposal Documents.
 - 2. Corrections or changes to Proposal Documents will be made by written addenda. All questions shall be directed to Ms. Katie Miller, Hill Foley Rossi and Associates (770) 622-9858. All sub-contractor questions

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should be directed through a General Contractor when possible. Four (4) days prior to bid date will be the deadline for question submission. A final addendum will be issued no later than 48 hours prior to bid opening.

- C. Substitutions and Equal Products
 - 1. Generally speaking, substitutions for specified products and systems, as defined in the Uniform Commercial Code, are acceptable. However, equal products may only be approved upon compliance with Contract Document requirements.
 - 2. Base bid only on materials, equipment, systems, suppliers or performance qualities specified in the Proposal Documents.
- D. Addenda - Addenda will be sent to Proposers and to locations where Proposal Documents are on file no later than one week prior to bid opening or by fax/electronic mail, no later than 48 hours prior to bid opening.

4. BIDDING PROCEDURES:

- A. Form and Style of Bids
 - 1. Use Owner's Proposal Form.
 - 2. Fill in all blanks on Bid Form by typewriter or by printing manually in ink. Signatures will be in longhand and executed by representative of Proposer duly authorized to make contracts.
 - 3. Bids will bear no information other than that requested on bid form. Do not delete from or add to the information requested on the bid form.
- B. Bid Security
 - 1. Each proposal will be accompanied by a bid bond naming Owner, as listed in the Agreement, as obligee. If Proposer refuses to enter into a Contract or fails to provide bonds and insurance required, amount of bid security will be forfeited to Owner as liquidated damages, not as a penalty.
 - 2. Bid bond will be issued by a surety company and will be submitted on AIA Document A310, Bid Bond or AIA authorized equivalent provided by surety company. The attorney-in-fact who executes the bond on behalf of the surety will affix to the bond a certified and current copy of the power of attorney.
 - 3. Owner may retain bid security of Proposers to whom an award is being considered until -
 - a. Contract has been executed and bonds have been furnished,
 - b. Specified time has elapsed so proposals may be withdrawn, or
 - c. All proposals have been rejected.
 - 4. Successful proposer / bidder shall provide insurance as follows from the issuance of Notice to Proceed / commencement of work through final payment:
 - a. Workers Compensation Insurance
 - b. Employers Liability Insurance with minimum limits of the greater of \$500,000 per accident/disease or as required by the law of the state of Georgia.
 - c. Commercial General Liability Insurance - ISO Form CG 00 01 (10/93) or equivalent Occurrence Policy which will provide primary coverage in the event of any Occurrence Claim, or Suit, with:
 - a. Limits of not less than:
 - 1) \$2,000, 000 General Aggregate;
 - 2) \$2,000, 000 Products - Comp/OPS Aggregate:

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- 3) \$1,000, 000 Personal and Advertising Injury;
 - 4) \$1,000, 000 Each Occurrence;
 - 5) \$50,000 Fire Damage (any one fire); and
 - 6) \$5,000 Medical Expense (any one person).
- b. Endorsements attached thereto including the following or their equivalent:
- 1) ISO Form CG 25 03 (10/93), Amendment Of Limits of Insurance (Designated Project or Premises), describing the Agreement and specifying limits as shown above.
 - 2) ISO Form CG 20 10 (10/93), Additional Insured-- Owners, Lessees, Or Contractors (Form B), naming Owner and Architect as additional insureds.

- d. Automobile Liability Insurance, with:
1. A minimum limit of \$1,000,000 Combined Single Limit per accident; and
 2. Coverage applying to "Any Auto."

- C. Submission of Bids
1. Submit proposal per the requirements in the Advertisement for Proposal Form.
 2. No oral, facsimile transmitted, telegraphic, or telephonic proposals, modifications, or cancellations will be considered.
- D. Modification or Withdrawal of Proposal
1. Prior to bid opening, Proposers may withdraw bid by written request or by reclaiming bid envelope.

5. CONSIDERATION OF BIDS:

- A. Opening of Proposals - See Advertisement for Proposals Form.
- B. Rejection of Proposals - Owner reserves right to reject any or all proposals and to waive any irregularity therein.
- C. Acceptance of Proposal
1. No Proposer will consider itself under contract after opening and reading of proposals until Agreement between Owner and Contractor is fully executed.
 2. Proposer's past performance, organization, subcontractor selection, equipment, and ability to perform and complete its contract in manner and within time specified, together with amount of bid, will be elements considered in award of contract as stated in the Advertisement for Proposal Form.

6. POST-BID INFORMATION:

- A. The conditionally accepted Proposer submitting a proposal involving subcontractors will submit its list of proposed subcontractors prior to final acceptance of a proposal/bid.

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7. PERFORMANCE BOND AND PAYMENT BOND:

- A. Bond Requirements - The successful Proposer shall provide a 100% Performance Bond and Labor and Material Payment bond. Failure to supply bonds will result in default of contract.
- B. Time of Delivery of Bonds - Bonds will be delivered to Owner with Agreement signed by Proposer.

8. FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR:

- A. Agreement form will be provided by Owner after notice of the apparent winning proposal is given.

9. MISCELLANEOUS:

- A. Pre-Proposal Conference:

Is not scheduled at this time.
- B. Examination Schedule for Existing Building and Site
 - 1. The subject site is in Scott Hudgens Park, Duluth, Georgia. The site may be visited and reviewed at contractor's convenience during the bid period after coordination with the Director of Parks, Kathy Marelle (770) 814-6981. The site shall be left in the same condition prior to visit.
 - 2. A geotechnical survey has not been conducted for this project and is not planned.

END OF DOCUMENT

PROPOSAL FORM
January 27, 2010

FOR THE OWNER

City of Duluth

FOR THE PROJECT

**Scott Hudgens Park Restrooms and Concession
4545 River Green Parkway**

(Hill Foley Rossi & Associates 08-117)

BID CLOSING DATE: TUESDAY, FEBRUARY 23, 2010
BID CLOSING TIME: 2:00 P.M.

TO: Director of Parks and Recreation
City of Duluth
3180 Bunten Road
Duluth, Georgia 30096

Gentlemen:

A. Having carefully examined the Proposal Documents entitled: **Scott Hudgens Park Restrooms and Concession** as listed in Exhibit A & B, and Addendum(a) No.(s)_____ as well as the premises and conditions affecting the Work , the City reserves the right to disqualify any bid submitted which fails to acknowledge receipt of all issued addendum(a)] the undersigned proposes to furnish all services, labor, and materials called for by them for the entire Work, in accordance with said documents, for the sum of:

_____ DOLLARS(\$_____), which

sum is hereinafter called the "BASE BID."

A breakdown of the BASE BID shall be provided on the form provided and the bid shall be considered disqualified if not complete.

B. ALTERNATES / UNIT PRICES: The following Alternate Prices/Unit Prices are hereby established and subject to Owner approval: (1) may form the basis of a Change Order or (2) may be incorporated into the Contract Price at the time of the award. Said Alternate Prices shall remain firm and in effect for 30 days after Notice to Proceed is issued by the Owner. The Owner reserves the right to exercise/accept any combination of independent Alternates and adjust the Contract Price Accordingly.

The alternates for this project:

1. ALTERNATE NO. ONE: To provide brick/stone exterior finish materials per details 6/A.2 and 4/A.4 in place of split face CMU. Alternate shall be provided as a total cost (not unit prices).

C. The undersigned hereby agrees that this proposal may not be revoked or withdrawn after the time set for the opening of bids, but shall remain open for acceptance for a period of 45 days following such time.

D. In the event that the undersigned is notified in writing by mail, telegraph, or delivery of the acceptance of this proposal within 45 days after the time set for the opening of bids, the undersigned agrees to execute, within twenty-one (21) days, a contract (on a form supplied by

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the City of Duluth, when a stipulated sum forms the basis of payment) for the Work for the above stated compensation and at the same time to furnish and deliver to the Owner a Performance Bond and Payment Bond, both in an amount equal to 100% of the Contract sum. The surety must be one which is licensed to do business in the State of Georgia.

E. Prior to the bid opening date and hour, errors may be stricken or revisions may be made and corrections entered on this proposal form, provided that any such strike-over or revision is signed in ink by the person signing the bid or his agent. Any revisions made on the outside of the envelope will not be accepted.

F. The undersigned agrees to commence actual physical work on the site with an adequate work force and equipment within ten days of the date of the Notice to Proceed and to complete fully all work by not later than **90 (ninety)** consecutive calendar days from and including date of the Notice to Proceed.

G. Enclosed herewith is a bid bond (Bid Bond only, Bonding Company Form is Acceptable; certified checks or other forms of bid security are not acceptable) in the amount of

_____ DOLLARS

(\$ _____),

(being not less than 5% of the base bid). The undersigned agrees that the above stated amount is the proper measure of liquidated damages which the Owner will sustain by the failure of the undersigned to execute the Contract and to furnish performance and payment bonds in case this proposal is accepted.

H. If this proposal is accepted within 35 days after the date set for the opening of bids, and the undersigned fails to execute the Contract within twenty-one (21) days after notice of such acceptance or if he fails to furnish both performance and payment bonds, the obligation of the bid bond, if applicable, will remain in full force and effect and the money payable thereon shall be paid into the funds of the Owner as liquidated damages for such failure; otherwise, obligation of the bond will be null and void.

I. The bidder submits the following statement of bidder's qualifications for consideration by the Owner.

STATEMENT OF BIDDER'S QUALIFICATIONS
(To be subscribed and sworn to before a notary public)

Firm Name: _____
LEGAL NAME OF BUSINESS (As registered with Secretary of State)

Address: _____
LEGAL BUSINESS ADDRESS (P.O. BOX IS INSUFFICIENT)

_____ CITY STATE ZIP

MAILING ADDRESS IF DIFFERENT FROM ABOVE

Telephone Number: _____ Facsimile Number: _____

Contact Person Name and Email Address: _____

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Georgia Resident: YES ____ NO ____

When Organized: _____ Where Incorporated: _____

Federal I.D. No.: _____ or Social Security No.: _____

Number of years engaged in the contracting business under the present firm name: _____

Credit Available for This Contract: _____

Contracts Now in Hand, Gross Amount: _____

Plan of Organization: Proprietorship Corporation Partnership LLC

The bidder has refused to sign a contract at the original bid. YES or NO (Please circle one)

The bidder has been declared in default on a contract. YES or NO (Please circle one)

If answer is Yes to either statement above, please explain:

The foregoing statement of qualifications is submitted under oath.

J. Under oath I certify that I am a principal or other representative of the firm of

_____,
and that I am authorized by it to execute the foregoing offer on its behalf. I am a principal person of the foregoing with management responsibility for the foregoing subject matter and as such I am personally knowledgeable of all its pertinent matters. The foregoing statement of facts in the foregoing proposal is true.

K. I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of State and Federal law and can result in fines, prison sentences and civil damage awards. I agree to abide by all conditions of this bid and certify that provisions of Georgia O.C.G.A. Section 45-10-20, et. sec., have not and shall not be violated in any respect.

The full names of persons and firms interested in the foregoing bids as principals are as follows:

(1) _____
Check One: President () Partner () Owner ()

(2) _____
Check One: Vice President () Secretary () Partner ()

If incorporated, the names of both the President and Corporate Secretary must be indicated. If a partnership, all partners must be indicated.

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The legal name of the bidder as registered with the Secretary of State is:

DATE: _____

BY: _____

Authorized Signature (BLUE INK PLEASE)

Typed/Printed Name Title

Sworn to and subscribed before me this _____ day of

_____, 2008.

_____ Notary Public

My commission expires: _____

NOTICE TO BIDDERS

- 1) MAKE SURE YOU HAVE SIGNED THIS PROPOSAL IN THE SPACE PROVIDED ABOVE.
- 2) SUBMIT ORIGINAL AND ONE COPIES OF THE FORM OF PROPOSAL.
- 3) MAKE SURE YOU AND YOUR SURETY HAVE PROPERLY EXECUTED THE BID BOND.

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BASE BID
BREAKDOWN

\$_____ BASE BID amount from Proposal item "A". The following breakdown shall equal this amount. BASE BID amount does not include any amounts for Alternate Price work and those amounts shall be listed separately below after the breakdown amounts.

BREAKDOWN:

-
-
1. \$_____ Site/building preparation and grading.
 2. \$_____ Engineering.
 3. \$_____ Site utilities to within five feet of wall.
 4. \$_____ Site concrete.
 5. \$_____ Landscape.
 6. \$_____ Signage.
 7. \$_____ Termite control.
 8. \$_____ Concrete foundation, slab on grade, and related concrete work.
 11. \$_____ Structural and miscellaneous steel including reinforcing.
 12. \$_____ Rough carpentry, labor and material.
 13. \$_____ Wood trusses.
 14. \$_____ Masonry.
 15. \$_____ Gypsum drywall.
 16. \$_____ Insulation.
 17. \$_____ Doors and windows including access doors/hatch.
 18. \$_____ Millwork and finish carpentry including, fascia, soffit, and soffit vent.
 19. \$_____ Toilet partitions and miscellaneous specialties.
 20. \$_____ Painting, vinyl base, caulk, and weatherstripping.
 21. \$_____ Roof, including flashing and gable roof vents.
 22. \$_____ Fire extinguishers.
 23. \$_____ Plumbing.
 24. \$_____ HVAC.

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- 25. \$ _____ Electrical.
- 26. \$ _____ General conditions.
- 27. \$ _____ Insurance.
- 28. \$ _____ Payment and performance bonds.
- 29. \$ _____ Permits and Fees.
- 30. \$ _____ Contractors fee.

ALTERNATES:

The amounts below modify the BASE BID by the amount shown should the Owner elected to accept the stated alternate.

\$ _____ ALTERNATE No. ONE: Brick and Cultured stone on 8" CMU.

END OF DOCUMENT

Exhibit A
List of Contract Drawings
January 27, 2010

FOR THE OWNER

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General

Date	No.	Drawing
3/16/2009	CS	Cover Sheet

Civil

Date	No.	Drawing
Not Dated	C0.0	Overall Plan
10/15/2009	C1.0	Site Plan
10/15/2009	C1.1	Gwinnett County and General Notes
10/15/2009	C1.2	Notes
10/15/2009	C2.0	Grading and Utility Plan
1/29/2009	C3.0	Utility Plan -1
3/9/2009	C3.1	Utility Plan -2
1/29/2009	C4.0	Details
10/15/2009	C4.1	Erosion Control Notes
10/15/2009	C6.0	Details
9/30/2008	1of2	Survey
8/25/2008	2of2	Survey

Architectural

Date	No.	Drawing
3/16/2009	A.1	Floor Plan and Schedules
3/16/2009	A.2	Exterior Elevations and Roof Plan
3/16/2009	A.3	Building Section
3/16/2009	A.4	Wall Section and Millwork
3/16/2009	SP.1	Specifications
3/16/2009	SP.2	Specifications
3/16/2009	SP.3	Specifications
3/16/2009	SP.4	Specifications

Structural

Date (seal)	No.	Drawing
3/16/2009	S0.1	Structural Notes
3/16/2009	S0.2	Special Inspection Notes
3/16/2009	S1.1	Foundation and Truss Layout Plan
3/16/2009	S2.1	Foundation and Framing Details

Exhibit A
List of Contract Drawings
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Plumbing

Date	No.	Drawing
3/16/2009	P1.1	Plumbing Floor Plan and Riser Diagram

Mechanical

Date	No.	Drawing
3/16/2009	M1.1	HVAC Floor Plan and Schedule

Electrical

Date (seal)	No.	Drawing
3/12/2009	E1.0	Electrical Plans

END OF DOCUMENT

Exhibit B
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