

EXHIBIT 1

PROPOSAL FORM

PROJECT: West Alligator Creek Trail

NAME OF PROPOSER: _____

The undersigned proposer does hereby declare and stipulate that this proposal is made in good faith, without collusion or connection with any other person or persons proposing for the same work, and that it is made in pursuance of and subject to all the terms and conditions of the advertisements, proposal requirements, the proposed construction contract, and the contract documents, including the plans pertaining to the work to be done, all of which have been examined by the undersigned. The undersigned hereby declares that he has visited the site, has had sufficient time to make all tests and investigations to arrive at an intelligent estimate of the cost of doing the work, and has carefully examined the plans, specifications, and contract documents relating to the work covered by his proposal, and that he agrees to do the work, and that no representations made by the City are in any sense a warranty, but are mere estimates for guidance of the contractor.

The undersigned further agrees that he will provide all necessary tools and apparatus, do all work, furnish all materials, and do everything required to carry out the work covered by this proposal, in strict accordance with the contract documents, and the requirements pertaining thereto, for the sum of sums set forth.

ADDENDA: The undersigned hereby acknowledges receipt of the following addenda to the Drawings and Specifications; all of the provisions and requirements of which addenda have been taken into consideration in the preparation of this Proposal.

Addendum No. _____ Dated _____

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PROPOSAL GUARANTY: A Bid Guaranty must be enclosed with this Proposal in the amount of not less than five percent (5%) of the total Bid. Following the Bid opening, submitted Bids may not be withdrawn for a period of (60) Calendar Days. Award of Contract will occur within this period, unless mutually agreed between the parties. The Bid guaranty may become the property of the OWNER, or the OWNER may pursue any other action allowed by law, if:

- Respondent withdraws a submitted Bid within the period stated above;
- Respondent fails to submit required post Bid information within the bid guaranty period, or any mutually agreed extension of that period; or,
- Respondent fails to execute the Contract and furnish the prescribed documentation (bonds, insurance, etc.) needed to complete execution of the Contract within five (5) Working Days after notice of award, or any mutually agreed extension of that period.

TIME OF COMPLETION: The undersigned Bidder agrees to commence work on the date specified in the written "Notice to Proceed" to be issued by the OWNER and to **substantially** complete construction of the improvements, as required by the Project Manual, Drawings and Addenda for the Work within **270** working days. **The Bidder further agrees to reach Final Completion within 300 working days after Substantial Completion as required by the Project Manual, Drawings and Addenda for the work.** The Bidder further agrees that should the Bidder fail to **substantially complete the Work or to** complete the Work within the number of days indicated in the Bid or as subsequently adjusted, Bidder shall pay the liquidated damages for each consecutive day thereafter as provided in the Contract; unless the OWNER elects to pursue any other action allowed by law.

Proposer shall indicate if they accept the specified construction durations or may show below a shorter duration period:

Calendar Days

LIQUIDATED DAMAGES: The Bidder understands and agrees that the timely completion of the described Work is of the essence. The Bidder and OWNER further agree that the OWNER's actual damages for delay caused by failure to timely complete the Project are difficult, if not impossible to measure. However, with respect to the additional administrative and consultant costs to be incurred by OWNER, the reasonable estimate of such damages has been calculated and agreed to by OWNER and Bidder. Therefore, the Bidder and the OWNER agree that for each and every **Working Day** the Work or any portion thereof, remains incomplete after the **Final Completion** date as established by the above paragraph, "Time of Completion", payment will be due to the Owner in the amount of **twelve hundred dollars (\$1285) per Working Day** as liquidated damages, not as a penalty, but for delay damages to the OWNER. Such amount shall be deducted by the OWNER from any Contract payment due. In the event of a default or breach by the CONTRACTOR and demand is made upon the surety to complete the project, in accordance with the Contract Documents, the surety shall be

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liable for liquidated damages pursuant to the Contract Documents in the same manner as the CONTRACTOR would have been.

OWNER reserves the right to reject any or all Bids and to waive any minor informality in any Bid or solicitation procedure (a minor informality is one that does not affect the competitiveness of the Bids).

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BID DOCUMENT EXECUTION AND ACKNOWLEDGMENT:

The undersigned Bidder certifies that he/she has read and understands the Invitation for Bids, the Instructions to Bidders, Addenda, and all other requirements applicable to the bidding process provided in the Contract.

Secretary, *if Bidder is a Corporation

Bidder

(Seal)

Authorized Signature

Title

Date

Address

Telephone Number

Email Address for Person Signing Bid

Email Address for Bidder's Primary Contact Person

* Copy of Corporate Resolution and minutes with certificate of officer of Bidder as to authority of signatory to bind Bidder is to be signed and dated no earlier than one week before Bid date and attached to this document.

THIS DOCUMENT MUST BE EXECUTED AND SUBMITTED WITH RESPONSE

- **INCLUDE WITH THIS SIGNATURE PAGE A PDF OF THE ATTACHED EXCEL COST PROPOSAL FORM AS THE OFICIAL BID RESPONSE**
- **PROVIDE AN EXCEL FORMAT FOR TABULATION PURPOSES ONLY**