



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. Box 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

April 7, 2017

VIA E-MAIL

David Czachorowski
Zack Excavating, Inc.
2935 South DuPont Boulevard
Smyrna, Delaware 19977

Dear Mr. Czachorowski:

Your firm is awarded **Contract No. T201607002, T201707002, F.A.P. No. EBROS-2016(26), 2016(44), Design-Build Project – Statewide Pipe Replacements, Statewide**, at the unit prices contained in your proposal of February 14, 2017, totaling \$11,954,628.66.

Per RFP ITB Section 5.1 *CONTRACT AWARD*; **Within 15 working days** after the Department notifies the selected Proposer that the Department will award the Contract to the Proposer, the selected Proposer shall deliver to the Department one original and three certified copies of the following:

- A) Volumes 1 through 4, including Appendix A, of the Technical Proposal in the format specified in ITP Appendix A, Table A; (See Section 3.5.7)
- B) The Lump Sum Price Proposal, including the Supplemental Pricing Information, if any, in the format specified in ITP Appendix B; (See Section 3.5.7)
- C) Required Payment and Performance Bonds. (ITP Appendix C);
- D) Insurance certificates;
- E) Full details of who will sign the Contract, if executed, and evidence as to the authority, power, and capacity of said individuals to bind the Proposer to a Contract;
- F) Updated opinion of counsel on Form OC (see ITP Appendix C) with regard to Contract; and
- G) Evidence that the Designer and any Subcontractors performing design and/or construction Work are properly licensed as required by applicable federal and state laws, rules, and regulations including, but not limited to, the Delaware Code, if not previously provided.

Please make four (4) copies of the attached Contract and Bond documents, all must be returned with original signatures. An original sealed Power of Attorney for the Surety Agent must be attached to each copy of the bond. Use of the attached Contract Agreement and Bond form is mandatory. No substitutions are permitted.

The Department requires all documents, along with a copy of your **Delaware Business License** and a **certificate of insurance** incorporating the terms described in RFP Section DB 107-2.2 Insurance, are **returned to us within 15 days from the date of this letter**. Failure to return the documents by said date will result in the Department canceling this award and retaining the 10% Bid Bond as damages.

Fully executed copies of the Contract and a complete set of these documents will be sent to your firm and Surety. Do not proceed with work covered by this contract until receipt of Notice to Proceed from the Department.

continued on following page

In accordance with Section 106.01 of the Standard Specifications, please submit all materiel sources to the Chief, Materials and Research, as soon as possible so that work will not be delayed.

Any staging and stockpile area(s) outside the project's LOC that individually or cumulatively are larger than 10,000 square feet must be approved by DeIDOT's Archaeologist. Notify the Department as early as possible.

Your company is required to complete the on-line State Of Delaware Substitute Form W-9 by visiting the Division of Accounting's website: <http://accounting.delaware.gov/>. It is the vendor's responsibility to act upon this instruction for submitting a new W-9 form, we will not be able to process payments if this is not completed and accepted by the Division of Accounting. You only need to do this once to be entered into the state system. If you need assistance or have questions, please contact 302-672-5000 or email your inquiry to FSF_Vendor_Maintenance@state.de.us.

Sincerely,

- *signature on file* -

James H. Hoagland
Contract Services Administrator
(302) 760-2036

JHH

Enclosures

cc: Ms. C. Thornton, Director, Finance
Mr. B. Saborio, Group Engineer
Ms. J. Pinkerton, Materials & Research
Mr. J. Hastings, Project Manager

