FORMS

1. List of Required Forms
2. Price Proposal Fixed Fee Form
3. Contractor's Questionnaire
4. Performance Bond
5. Payment Bond
6. Sub-Contractors List
PROPOSAL FORMS

PROPOSAL FORMS [Submittals]

A. Technical Proposal Fixed Price Proposal (sealed in a separate envelope):
   1. Cover letter
   2. Technical Proposal
   3. Resumes
   4. Contractor’s Questionnaire and Certifications
      a. Contractor’s Questionnaire
      b. Certification regarding use of funds for lobbying
      c. FTA Buy-America certification

Do not include any price information in Technical Proposal.

B. Fixed Fee Proposal Form and Pre-construction Services Price Proposal (sealed in a separate envelope for each of the price proposal form and the pre-construction services price proposal):
   1. Fixed Fee Proposal Form
   2. Preconstruction Services Price Proposal

C. REQUIRED FOR AWARD
   In order to be awarded the contract, the successful contractor must completely fill out and submit the following documents within the time specified in the intent to award letter:
   1. Certificate of Insurance - [from Insurance Carrier]
   2. Payment Bond - [Form 395-0126]
   3. Performance Bond - [Form 395-0127]
   4. Contract and limited Preconstruction Notice to Proceed [ARRC Generated]
   5. Contractor’s QA/QC Plan
   6. Contractor’s Site Health & Safety Plan

D. POST AWARD DOCUMENTATION
   1. State of Alaska Department of Labor – Notice of Work
   2. Certified Payrolls
   3. QA/QC Reports
   4. Copy of State of Alaska Contractor Letter of Completion
APPENDIX I-2 PRICE PROPOSAL FIXED FEE FORM

Proposers, please read the following carefully before preparing this Fixed Fee Form:

The Proposer shall insert a fixed percentage to be applied to the total construction cost to arrive at the Guaranteed Maximum Price (GMP) as described in the RFP. Conditioned, qualified, or incomplete Fixed Fee Forms will be considered non Responsive. Fixed fee Proposals will be evaluated as described in the RFP. The fixed fee shall apply to early work amendments, GMP and change orders.

<table>
<thead>
<tr>
<th>BIRD CREEK PONY TURSS BRIDGE REPLACEMENT</th>
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<tbody>
<tr>
<td>Fixed Fee Percentage</td>
</tr>
<tr>
<td>Fixed fee Percentage to be applied to the total construction cost</td>
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</tbody>
</table>

Proposer’s Team (Printed) ____________________________

Project Principal’s Name (Signed) ____________________

Project Principal’s Name (Printed) ____________________
CONTRACTOR RESPONSIBILITY QUESTIONNAIRE

PART I - INSTRUCTIONS

1. All Bidders/Proposers submitting a Bid/Proposal for federally funded contracts are to complete and submit all Parts of this Questionnaire with their Bid or Proposal. Failure to complete and return this questionnaire, any false statements, or failure to answer question when required, may render the bid/proposal non-responsive. All responses must be typewritten or printed in ink. All information must be legible.

2. Please state "not applicable" in questions clearly not applicable to Bidder/Proposer in connection with this solicitation. Do not omit any question.

3. The completed Questionnaire must be sworn to by a partner (if partnership), a duly authorized officer or individual (if a corporation or LLC), or a principal (if a sole proprietorship).

4. The term "Proposer" includes the term "Bidder" and also refers to the firm awarded the Contract. The term "Proposal" includes the term "Bid".

5. ARRC reserves the right to inquire further with respect to Proposer's responses; and Proposer consents to such further inquiry and agrees to furnish all relevant documents and information as requested by ARRC. Any response to this document prior or subsequent to Proposer's Proposal which is or may be construed as unfavorable to Proposer will not necessarily automatically result in a negative finding on the question of Proposer's responsibility or a decision to terminate the contract if it is awarded to Proposer.

PART II - IDENTITY OF PROPOSER

1. Proposer's Full Legal Name: ______________________________________________________

2. The Proposer represents that it operates as the following form of legal entity: (Check whichever applies and fill in any appropriate blanks.)
   - [ ] an individual or sole proprietorship
   - [ ] a general partnership
   - [ ] a limited partnership
   - [ ] a joint venture consisting of: _________________________________________________
     and _____________________________________________________________________
     (List all joint venturers on a separate sheet if this space is inadequate.)
   - [ ] a non-profit organization
   - [ ] a corporation organized or incorporated under the laws of the following state or country:
     ___________________________ on the following date: _____________________________
   - [ ] a limited liability company organized under the laws of the following state or country:
     ______________________________ on the following date: ____________________________

3. Proposer's federal taxpayer identification number: ________________________________

4. Proposer's Alaska business license number: ________________________________________

5. Proposer's contractor's license number (for construction only): _________________________

6. Proposer's legal address: _______________________________________________________
   ___________________________________________________________________________

   Telephone Number: (____) ___________________ Fax Number: (____)____________________
7. Proposer's local or authorized point of contract address:

Name: ______________________________________ Title: ________________________________

Address: ______________________________________________________________________

Telephone Number: (____) ___________________ Fax Number: (____)____________________

8. How long has the Proposer been in business? _______________________________________

9. Has Proposer been in business under another name? If so, identify name and dates used.

_________________________________________________________________________________
_________________________________________________________________________________

10. Does your firm consider itself to be an MBE, WBE or DBE?

   YES □  NO □  If answer is "YES," attach a copy of certification.

11. Number of employees: _______________ including ____________ employees in the State of Alaska.

PART III-CONTRACTING HISTORY

1. Has the Proposer been awarded any contracts within the last five years by ARRC, the State of Alaska, or any other public entity for the same or reasonably similar goods or services sought by this solicitation? If none, answer "No". If yes, on a separate sheet of paper describe those contracts beginning with the most recent. State the name of the contracting entity; give a brief description of the contract and the contract number, the dollar amount at award and at completion, date completed; state the contract period, the status of the contract, and the name, address, and telephone number of a contact person at the agency. Indicate if award was made to Proposer as prime contractor or joint venture. Proposer need not provide more than three such descriptions.

   YES □  NO □

2. Has the Proposer been awarded any private sector contracts within the last five years for the same or reasonably similar goods or services sought by this solicitation? If none, answer "No." If yes, on a separate sheet of paper provide the name and address of the contracting entity, a brief description of work, the dollar amount at award and at completion, date completed, status of the contract and name, address and telephone number of contact person as to each, beginning with the most recent. Indicate if Proposer acted as prime contractor or joint venture. Proposers need not provide more than three such descriptions.

   YES □  NO □

NOTE: ANY "YES" ANSWERS TO #3 BELOW MUST BE FULLY EXPLAINED ON A SEPARATE SHEET OF PAPER AND ATTACHED TO THIS QUESTIONNAIRE.

3. In the past five years has the Proposer been the subject of any of the following actions?
   A. Been suspended, debarred, disqualified, or otherwise declared ineligible to bid?

      YES □  NO □

   B. Failed to complete a contract for a public or private entity?

      YES □  NO □

   C. Been denied a low-bid contract in spite of being the low bidder?

      YES □  NO □
D. Had a contract terminated for any reason, including default?
   YES □   NO □

E. Had liquidated damages assessed against it during or after completion of a contract?
   YES □   NO □

F. Been a defaulter, as principal, surety or otherwise?
   YES □   NO □

G. Been denied an award of a public contract based upon a finding by a public agency that your company was not a responsible contractor?
   YES □   NO □

H. A public entity requested or required enforcement of any of its rights under a surety agreement on the basis of your company’s default or in lieu of declaring your company in default?
   YES □   NO □

I. Been denied a performance or payment bond by a surety company?
   YES □   NO □

J. Been required to pay back wages and/or penalties for failure to comply with state or federal prevailing wage or overtime laws?
   YES □   NO □

4. Does Proposer currently possess the financial, organizational, technical, equipment, facilities, and other resources necessary to supply the goods or services sought by this solicitation? If no, on a separate sheet of paper describe how you intend to obtain the resources necessary to supply the goods or services sought by this solicitation.
   YES □   NO □

5. Does Proposer have any present or anticipated commitments and/or contractual obligations that might impact its ability to meet the required delivery or performance requirements of this solicitation? If yes, on a separate sheet of paper describe any apparent conflicts as between the requirements/commitments for this solicitation with respect to the use of Proposer's resources, such as management, technical expertise, financing, facilities, equipment, etc.
   YES □   NO □

PART IV-CIVIL ACTIONS

If “Yes” to Parts IV or V, provide details on a separate sheet of paper including a brief summary of cause(s) of action; indicate if Proposer, its principals, officers or partners were plaintiffs or defendants; define charges explicitly, by what authority, court or jurisdiction, etc. In the case of tax liens, please indicate whether the liens were resolved with the tax authorities. Please submit proof of payment or agreements to pay the liens. Complete details are required!
1. **Violations Of Civil Law.** In the past five years has Proposer, any of its principals, officers or partners been the subject of an investigation of any alleged violation of a civil antitrust law, or other federal, state or local civil law?

   YES ☐ NO ☐

2. **Lawsuits With Public Agencies.** At the present time is, or during the past five years has Proposer, any of its principals, officers or partners been a plaintiff or defendant in any lawsuit or arbitration regarding services or goods provided to a public agency?

   YES ☐ NO ☐

3. **Bankruptcy.** During the past five years, has the Proposer filed for bankruptcy or reorganization under the bankruptcy laws?

   YES ☐ NO ☐

4. **Judgments, Liens And Claims.** During the past five years, has the Proposer been the subject of a judgment, lien or claim of $25,000 or more by a subcontractor or supplier?

   YES ☐ NO ☐

5. **Tax Liens.** During the past five years, has the Proposer been the subject of a tax lien by federal, state or any other tax authority?

   YES ☐ NO ☐

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**PART V-COMPLIANCE WITH LAWS AND OTHER REGULATIONS**

1. **Criminal:** In the past five years has the Proposer, any of its principals, officers, or partners been convicted or currently charged with any of the following:

   A. Fraud in connection with obtaining, attempting to obtain, or performing a public contract, agreement or transaction?

      YES ☐ NO ☐

   B. Federal or state antitrust statutes, including price fixing collusion and bid rigging?

      YES ☐ NO ☐

   C. Embezzlement, theft, forgery, bribery, making false statements, submitting false information, receiving stolen property, or making false claims to any public agency?

      YES ☐ NO ☐

   D. Misrepresenting minority or disadvantaged business entity status with regard to itself or one of its subcontractors?

      YES ☐ NO ☐

   E. Non-compliance with the prevailing wage requirements of the State of Alaska or similar laws of any other state?

      YES ☐ NO ☐

   F. Violation of any law, regulation or agreement relating to a conflict of interest with respect to a government funded procurement?

      YES ☐ NO ☐
G. Falsification, concealment, withholding and/or destruction of records relating to a public agreement or transaction?

YES ☐ NO ☐

H. Violation of a statutory or regulatory provision or requirement applicable to a public or private agreement or transaction?

YES ☐ NO ☐

I. Do any principals, officers or partners in Proposer’s company have any felony charges pending against them that were filed either before, during, or after their employment with the Proposer?

YES ☐ NO ☐

2. **Regulatory Compliance.** In the past five years, has Proposer or any of its principals, officers or partners:

   A. Been cited for a violation of any labor law or regulation, including, but not limited to, child labor violations, failure to pay correct wages, failure to pay into a trust account, failure to remit or pay withheld taxes to tax authorities or unemployment insurance tax delinquencies?

      YES ☐ NO ☐

   B. Been cited and assessed penalties for an OSHA or Alaska/OSHA “serious violation”?

      YES ☐ NO ☐

   C. Been cited for a violation of federal, state or local environmental laws or regulations?

      YES ☐ NO ☐

   D. Failed to comply with Alaska corporate registration, federal, state or local licensing requirements?

      YES ☐ NO ☐

   E. Had its corporate status, business entity’s license or any professional certification, suspended, revoked, or had otherwise been prohibited from doing business in the State of Alaska?

      YES ☐ NO ☐

**PART VI-FINANCIAL**

**Copies of the following documents are to be submitted with this Questionnaire:**

1. Proposer’s current Alaska Business License, if required by state law.

2. Proposer’s Financial Statements (see specific requirements below):

   A. **PUBLICLY TRADED COMPANIES:** Financial information will be accessed on-line. However, if additional information is needed, it will be specifically requested from the Proposer.

   B. **NON-PUBLICLY TRADED COMPANIES WITH AUDITED OR REVIEWED FINANCIAL STATEMENTS:** Statements, including balance sheet, statement of earnings and retained income, with footnotes, for the most recent three years.

   C. **NON-PUBLICLY TRADED COMPANIES WITHOUT AUDITED OR REVIEWED FINANCIAL STATEMENTS:** Company generated financial statements, including balance sheet, statement of earnings and retained income for the most recent three years. The Chief Financial Officer of the corporation, a partner, or owner, as appropriate, must certify these financial statements.
D. SOLE PROPRIETORSHIPS: Refer to C. If financial statements are not generated, please fill out and sign the Financial Statement form attached hereto. Submit one form for each of the most recent three years.

NOTE: ARRC reserves the right to ask for additional documentation if it is reasonably required to make a determination of integrity and responsibility relevant to the goods or services the Proposer will provide to ARRC if awarded a contract. All financial information provided is considered confidential and not subject to public disclosure under Alaska law.

PART VII -VERIFICATION AND ACKNOWLEDGMENT

The undersigned recognizes that the information submitted in the questionnaire herein is for the express purpose of inducing ARRC to award a contract, or to allow Proposer to participate in ARRC projects as contractor, subcontractor, vendor, supplier, or consultant. The undersigned has read and understands the instructions for completing this Questionnaire.

STATE OF _____________________________
COUNTY OF ___________________________
I, (printed name) ______________________________________, being first duly sworn, state that I am the (title) ___________________________________________ of Proposer. I certify that I have read and understood the questions contained in the attached Questionnaire, and that to the best of my knowledge and belief all information contained herein and submitted concurrently or in supplemental documents with this Questionnaire is complete, current, and true. I further acknowledge that any false, deceptive or fraudulent statements on the Questionnaire will result in denial or termination of a contract.

I authorize ARRC to contact any entity named herein, or any other internal or outside resource, for the purpose of verifying information provided in the Questionnaire or to develop other information deemed relevant by ARRC.

____________________________________________  _________________________
Signature of Certifying Individual       Date

Subscribed and sworn to before me this ___________ day of ___________________, 20___

________________________________________
Signature of Notary

Notary Public in and for the State of __________________
My Commission Expires: ___________________________

NOTICE TO PROPOSERS

A material false statement, omission or fraudulent inducement made in connection with this Questionnaire is sufficient cause for denial of a contract award or revocation of a prior contract award, thereby precluding the Proposer from doing business with, or performing work for ARRC, either as a vendor, prime contractor, subcontractor, consultant or subconsultant for a period of five years. In addition, such false submission may subject the person and/or entity making the false statement to criminal charges under applicable state and/or federal law.
**Financial Statement**

To be completed by Proposers that do not produce company generated financial statements, including balance sheet, statement of earnings and retained income for the most recent three years (one sheet per year.)

<table>
<thead>
<tr>
<th>ASSETS</th>
<th></th>
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<tbody>
<tr>
<td>Cash on Hand and in Banks</td>
<td></td>
</tr>
<tr>
<td>Account and Notes Receivable</td>
<td></td>
</tr>
<tr>
<td>Fixed Assets (net of depreciation)</td>
<td></td>
</tr>
<tr>
<td>Other Assets</td>
<td></td>
</tr>
<tr>
<td>Total Assets</td>
<td></td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>LIABILITIES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable</td>
<td></td>
</tr>
<tr>
<td>Notes Payable to Banks in next twelve months</td>
<td></td>
</tr>
<tr>
<td>Notes Payable to Others</td>
<td></td>
</tr>
<tr>
<td>Taxes Payable</td>
<td></td>
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<tr>
<td>Long Term Liabilities (More than twelve months)</td>
<td></td>
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<tr>
<td>Other Liabilities</td>
<td></td>
</tr>
<tr>
<td>Total Liabilities</td>
<td></td>
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</tbody>
</table>

Net Worth

<table>
<thead>
<tr>
<th>INCOME FROM OPERATIONS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Revenue</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td>Cost of Goods Sold (if appropriate)</td>
<td></td>
</tr>
<tr>
<td>Gross Profit</td>
<td></td>
</tr>
<tr>
<td>General &amp; Administrative Expenses</td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td></td>
</tr>
<tr>
<td>Interest Paid</td>
<td></td>
</tr>
<tr>
<td>Net Gain or Loss</td>
<td></td>
</tr>
</tbody>
</table>

I hereby certify that the above information is true and accurate to the best of my knowledge and belief. I understand false statements may result in denial of a contract, and possible debarment for a period of five years.

_____________________________________ _________________________
Signature of Owner or Officer     Date Signed

____________________________
Company Name

____________________________
Federal ID #

For the Year Ended
ALASKA RAILROAD CORPORATION
PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That________________________________________________________________________
of: ____________________________________________________________________ as Principal,
and ______________________________________________________________
of: ____________________________________________________________________ as Surety,
firmly bound and held unto the Alaska Railroad Corporation in the penal sum of
$________________, good and lawful money of the United States of America for the payment whereof, well and truly to be paid
to the Alaska Railroad Corporation, we bind ourselves, our heirs, successors, executors, administrators,
and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Principal has entered into a written contract with said Alaska Railroad Corporation, on
the ____________ of ____________, 20_____,
for_________________________________________________________,
said work to be done according to the terms of said contract.

ARRC Project: RFP 21-08-208877 Bird Creek Pony Truss Bridge Replacement

NOW, THEREFORE, the conditions of the foregoing obligation is such that if the said Principal shall well
and truly perform and complete all obligations and work under said contract and if the Principal shall
reimburse upon demand of the Alaska Railroad Corporation any sums paid him/her which exceed the final
payment determined to be due upon completion of the project, then these presents shall become null and
void; otherwise they shall remain in full force and effect.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this _____ day of _______________,
20_____.

Principal:________________________________________________
Address: ________________________________________________
Telephone Number: _______________________________________
Contact Name: ___________________________________________
By: __________________________
By: ___________________________

Surety: _________________________________________________
Address: ________________________________________________
Contact Name: ___________________________________________
By: __________________________
By: ___________________________

The offered bond has been checked for adequacy under the applicable statutes and regulations:

____________________________________   _____________________________
Alaska Railroad Corporation [Authorized Representative] Date

(Instructions on Next Page)
INSTRUCTIONS

1. This form shall be used whenever a performance bond is required. There shall be no deviation from this form without approval from the Contracting Officer.

2. The full legal name, business address, telephone number, and point of contact of the Principal and Surety shall be inserted on the face of the form. Where more than a single surety is involved, a separate form shall be executed for each surety.

3. The penal amount of the bond, or in the case of more than one surety the amount of obligation, shall be entered in words and in figures.

4. The bond shall be signed by authorized persons. Where such persons are signing in a representative capacity (e.g., an attorney-in-fact), but is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved, evidence of authority must be furnished.

Form 395-0127
ALASKA RAILROAD CORPORATION
PAYMENT BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That ____________________________

of: ______________________________ as Principal,

and ________________________________

of: _______________________________ as Surety,

firmly bound and held unto the Alaska Railroad Corporation in the penal sum of

______________________________ Dollars ($______________),

good and lawful money of the United States of America for the payment whereof, well and truly to be paid to the Alaska Railroad Corporation, we bind ourselves, our heirs, successors, executors, administrators, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Principal has entered into a written contract with said Alaska Railroad Corporation, on the ____________ of _____, 20_____, for _____________________________________________,

said work to be done according to the terms of said contract.

ARRC Project: RFP 21-08-208877 Bird Creek Pony Truss Bridge Replacement

NOW, THEREFORE, the conditions of the foregoing obligation is such that if the said Principal shall comply with all requirements of law and pay, as they become due, all just claims for labor performed and materials and supplies furnished upon or for the work under said contract, whether said labor be performed and said materials and supplies be furnished under the original contract, any subcontract, or any and all duly authorized modifications thereto, then these presents shall become null and void; otherwise they shall remain in full force and effect.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this _____ day of _______________, 20_____.

Principal: _________________________________________
Address: _________________________________________
Telephone Number: _________________________________
Contact Name: _____________________________________
By: _____________________________
By: _____________________________

Surety: _____________________________________________
Address: __________________________________________
Contact Name: _____________________________________
By: _____________________________
By: _____________________________

The offered bond has been checked for adequacy under the applicable statutes and regulations:

______________________________________________
Alaska Railroad Corporation [Authorized Representative]  Date

(Instructions on Next Page)
INSTRUCTIONS

1. This form, for the protection of persons supplying labor and material, shall be used whenever a payment bond is required. There shall be no deviation from this form without approval from the Contracting Officer.

2. The full legal name, business address, telephone number, and point of contact of the Principal and Surety shall be inserted on the face of the form. Where more than a single surety is involved, a separate form shall be executed for each surety.

3. The penal amount of the bond, or in the case of more than one surety the amount of obligation, shall be entered in words and in figures.

4. The bond shall be signed by authorized persons. Where such persons are signing in a representative capacity (e.g., an attorney-in-fact), but is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved, evidence of authority must be furnished.

Form 395-0126
ALASKA RAILROAD CORPORATION – SUBCONTRACTOR LIST
[First Tier Subcontractors Only]

The apparent low bidder shall complete this form and submit it so as to be received by the Contracting Officer prior to the close of business on the Fifth (5th) Working Day after receipt of written notice from the Alaska Railroad Corporation.

Failure to submit this form with all required information by the due date will result in the bidder being declared non-responsive and may result in the forfeiture of the Bid Security.

Scope of work must be clearly defined. If an item of work is to be performed by more than one (1) firm, indicate the portion or percent of work to be done by each.

Check as applicable: ☐ All work on the below-referenced project will be accomplished without subcontracts greater than ½ of 1% of the contract amount, or;
☐ Subcontractor List is as follows:

<table>
<thead>
<tr>
<th>FIRM NAME, ADDRESS,</th>
<th>BUSINESS LICENSE NUMBER AND CONTRACTOR’S REGISTRATION NUMBER</th>
<th>SCOPE OF WORK TO BE PERFORMED</th>
<th>TOTAL DOLLAR AMOUNT OF WORK</th>
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[CONTINUE SUBCONTRACTOR INFORMATION ON ADDITIONAL SHEET]

I hereby certify that the above-listed licenses and registrations were valid at the time bids were received for this project. For contracts involving Federal-aid funding, Alaska Business License and Contractor Registration will be required prior to award of a subcontract.

COMPANY NAME

SIGNATURE BY AND FOR THE BIDDER

COMPANY ADDRESS

PRINTED NAME OF BIDDER

COMPANY ADDRESS

DATE OF BID

CONTACT PHONE NUMBER

CONTACT FAX NUMBER

Form 395-0131

RFP NO. 21-08-208877

4/22/2021