

FORM A

PROPOSAL LETTER

Proposer:

[Proposal Date]

Nebraska Department of Transportation (NDOT)
State Headquarters
Attn. Kyle Keller
1500 Nebraska Parkway
Lincoln, NE 68502

The undersigned (Proposer) submits this proposal in response to the Request for Proposals (RFP) issued by NDOT for a Construction Manager/General Contractor (CM/GC) Contractor (Contractor) to enter into a CM/GC Contract (the Contract) to develop the Red Cloud South Bridge Project (Project) as more specifically described in the documents provided with the RFP. Capitalized terms that are used but not defined in this proposal shall have the meanings set forth in the RFP.

The undersigned undertakes [jointly and severally] [if Proposer is a joint venture or association other than a corporation, limited liability company or a partnership, leave in words “jointly and severally” and delete the brackets; otherwise delete the entire phrase] and agrees that the Proposer shall keep this proposal open for acceptance for 120 days after the Proposal Due Date without unilaterally varying or amending its terms and without any member or partner withdrawing or any other change being made in the composition of the entity on whose behalf this Proposal is submitted, without first obtaining the prior written consent of NDOT, in NDOT’s sole discretion.

If selected by NDOT, the Proposer agrees:

1. to negotiate the terms of the Contract with NDOT in good faith and in accordance with the requirements of the RFP, if applicable;
2. to enter into and perform its obligations as set forth in the Contract, including compliance with all commitments contained in its Proposal, and without varying or amending the terms of the Contract (except for modifications agreed to by NDOT in its sole discretion);
3. to satisfy all other conditions to award of the Contract; and
4. to perform its obligations as set forth in the Instructions to Proposers (ITP), as amended, and the form of the Contract, including compliance with all commitments contained in this Proposal.

Proposer acknowledges the following:

1. Proposer has received and reviewed the RFP and any addenda and certifies that it has carefully examined and is fully familiar with all provisions of the RFP and is satisfied that such provisions provide sufficient detail regarding the Work to be performed and do not contain internal inconsistencies.
2. Proposer represents that all statements made in the Proposal are true, correct, and accurate as of the date hereof.

3. Proposer understands that NDOT is not bound to accept any Proposal that it may receive.
4. Proposer understands that all costs and expenses incurred by it in preparing this Proposal and participating in the RFP process will be borne solely by the Proposer.
5. Proposer consents to NDOT's disclosure of its Proposal pursuant to the applicable provisions of Nebraska law after award of the Contract.
6. Proposer agrees that NDOT will not be responsible for any errors or omissions in its Proposal.

[To be signed by authorized signatory or signatories of the Proposer, use appropriate signature blocks]

Sample signature block for corporation or limited liability company:

[Proposer Name]

By: _____
Signature

Typed or Printed Name

Title

Date

Sample signature block for partnership or joint venture:

[Proposer Name]

By: [General Partner or Member's Name]

By: _____
Signature

Typed or Printed Name

Title

Date

Sample signature block for attorney in fact:

[*Proposer Name*]

For: [Name]

By: _____
Signature

Typed or Printed Name

Title

Date

Proposer's Business Address:

[Name]

[Street Address]

[City, State, ZIP]

[Country]

Proposer's State or Country of Incorporation: [State or Country]

ADDITIONAL INFORMATION TO BE PROVIDED WITH PROPOSAL LETTER

A. If Proposer is a corporation, enter the state or country of incorporation in addition to the business address. If Proposer is a partnership or joint venture, enter the state or country of formation. If Proposer is a limited liability company, enter the state or country of organization.

B. Describe in detail the legal structure of Proposer.

1. If Proposer is a corporation or includes a corporation as a joint venture member, partner or member, provide articles of incorporation (and amendments, if any) and bylaws for Proposer and each corporation certified by an appropriate individual. If any entity is not yet formed, so state and indicate that these documents will be provided prior to the Proposal Due Date.

2. If Proposer is a general partnership or includes a general partnership as a joint venture member, partner or member, attach full names and addresses of all partners, and provide the incorporation, formation and organizational documentation for Proposer (partnership agreement and certificate of partnership for a partnership, articles of incorporation and bylaws for a corporation, operating agreement for a limited liability company and joint venture agreement for a joint venture) certified by an appropriate individual. If any entity is not yet formed, state and indicate that these documents will be provided prior to the Proposal Due Date.

3. If Proposer is a limited partnership or includes a limited partnership as a joint venture member, partner or member, attach full names and addresses of all general partners, and provide the incorporation, formation and organizational documentation for Proposer (partnership agreement and certificate of partnership for a partnership, articles of incorporation and bylaws for a corporation, operating agreement for a limited liability company and joint venture agreement for a joint venture) certified by an appropriate individual. If any entity is not yet formed, state and indicate that these documents will be provided prior to the Proposal Due Date.

4. If Proposer is a consortium, joint venture or includes a joint venture as a joint venture member, partner or member, attach full names and addresses of all consortium or joint venture members, and provide the incorporation, formation and organizational documentation for Proposer (partnership agreement and certificate of partnership for a partnership, articles of incorporation and bylaws for a corporation, operating agreement for a limited liability company and joint venture agreement for a joint venture) certified by an appropriate individual. If any entity is not yet formed, state and indicate that these documents will be provided prior to the Proposal Due Date.

5. If Proposer is a limited liability company or includes a limited liability company as a joint venture member, partner or member, attach full names and

addresses of all members, and provide the incorporation, formation and organizational documentation for Proposer (partnership agreement and certificate of partnership for a partnership, articles of incorporation and bylaws for a corporation, operating agreement for a limited liability company and joint venture) certified by an appropriate individual.

Attach evidence to the Proposal Letter, in respect of the Proposal, and to each letter required under the Proposal Letter that the person signing has authority to do so.

C. With respect to authorization of execution and delivery of the Proposal and validity thereof, if Proposer is a:

- Corporation, it shall provide evidence in the form of a resolution of its governing body certified by an appropriate officer of the corporation, with sufficient information (or orientation within corporate documents) demonstrating the authority of the certifying officer.
- Partnership, such evidence shall be in the form of a partnership resolution and a general partner resolution (as to each general partner) providing such authorization, in each case, certified by an appropriate officer of the general partner, with sufficient information (or orientation within partnership documents) demonstrating the authority of the certifying officer.
- Limited liability company, such evidence shall be in the form of a limited liability company resolution and a managing member resolution providing such authorization, certified by an appropriate officer of the managing member, with sufficient information (or orientation within organizational documents) demonstrating the authority of the certifying officer. If there is no managing member, each member shall provide the foregoing information, also, with sufficient information (or orientation within each such member's organizational documents) demonstrating the authority of the individual certifying such evidence.
- Consortium or other form of joint venture, such evidence shall be in the form of a resolution of each consortium or joint venture member, certified by an appropriate officer of such consortium or joint venture member, with sufficient information (or orientation within joint venture or consortium documents) demonstrating the authority of the certifying officer.
- consortium, joint venture or a partnership, the Proposal must be executed by all consortium or joint venture members or all general partners, as applicable.

D. The Proposer's partnership agreement, limited liability company operating agreement, and joint venture agreement, as applicable, must include an express provision satisfactory to NDOT, in its sole discretion, stating that, in the event of a dispute between or among joint venture members, partners or members, as applicable, no joint venture member, partner or member, as applicable, shall be entitled to stop, hinder or delay work on the Project. Proposers should submit the applicable agreement to NDOT and identify on a cover page where in the agreement the provision can be

found. If the Proposer is an entity that is not yet formed, provide draft organizational documents and indicate where the provision is found.

FORM B
MAJOR PARTICIPANTS

List all Major Participants.

Major Participants include the Lead Contractor firm, Key Personnel firms, and the firms of any other contractors named in the Proposal.

Proposer: _____

Firm Name	DBE	Describe Project Role

FORM C

PROPOSER AND MAJOR PARTICIPANTS CERTIFICATION

Firm Name: _____

Instructions: Proposer and each Major Participants shall accurately answer the following certifications.

Major Participants include the Lead Contractor firm, Key Personnel firms, and the firms of any other contractors named in the Proposal.

The Proposer/Major Participant certifies that:

1. It has carefully examined and is fully familiar with all provisions of the RFP, has reviewed all materials provided, any Addenda, and NDOT's responses to questions, and is satisfied that the RFP provides sufficient detail regarding the obligations to be performed and does not contain internal inconsistencies.
2. The information and supporting data provided by the Proposer/Major Participant is accurate and complete to the best of its knowledge.
3. It has carefully checked all the words, figures, and statements in the Proposal.
4. It has notified NDOT of any identified deficiencies and omissions in the RFP and other documents provided by NDOT.
5. The Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, joint venture, limited liability company, or corporation; the Proposal is genuine and not collusive or sham
6. It has not directly or indirectly induced or solicited any other Proposer to put in a false or sham Proposal, and has not directly or indirectly colluded, conspired, connived, or agreed with any Proposer or anyone else to put in a sham Proposal or that anyone shall refrain from proposing.
7. It has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the prices of the Proposer or any other proposers, or to fix any overhead, profit, or cost element included in the Proposal, or of that of any other proposer, or to secure any advantage against the NDOT of anyone interested in the proposed agreement.
8. It has not, directly or indirectly, submitted its prices or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, joint venture, limited liability company, organization, proposal depository, or any member, partner, joint venturer, or agent thereof to effectuate a collusive or sham proposal.
9. All statements contained in the Proposal are true.
10. Its responses to the following statements are true and accurate. The Proposer's/Major Participant's answers shall apply to the **last seven (7) years**. Please indicate yes or no for each row.

Yes/No	Description
	The Proposer/Major Participant or its affiliates have been involved in a contract that was determined, pursuant to a final determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract; or terminated for cause.
	The Proposer/Major Participant or its affiliates have been involved in arbitration, litigation, or dispute review board proceedings in an amount in excess of \$250,000 related to performance on projects with a contract value in excess of \$5,000,000.
	The Proposer/Major Participant or its affiliates have been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal, state, or local entity.
	The Proposer/Major Participant or its affiliates have been convicted or had a civil judgment rendered against them by a court of competent jurisdiction in any matter involving fraud, anti-trust violations, theft, official misconduct, or other offenses indicating a lack of business integrity or business honesty.
	The Proposer/Major Participant or its affiliates are currently indicted or otherwise criminally or civilly charged by a federal, state, or local government with fraud, anti-trust violations, theft, official misconduct, or other offenses indicating a lack of business integrity or business honesty.
	The Proposer/Major Participant or its affiliates have been named on the list of "Special Designated Nationals or Blocked Persons" maintained by the Office of Foreign Assets Control (OFAC) or any similar list maintained by the United States Department of State; or convicted of or charged with a violation of any obligation to maintain appropriate controls as required by applicable governing laws as are necessary to ensure compliance with the economic sanctions, laundering, and anticorruption laws of the United States.
	The Proposer/Major Participant or its affiliates currently have an exclusion record or are listed as having an exclusion record on the SAM.gov website.
	The Proposer/Major Participant or its affiliates have filed for bankruptcy.

If the answer to any item above is affirmative, the Proposer/Major Participant shall provide complete details about the matter in an attachment to this Form C. While an affirmative answer to any of these items will not automatically disqualify a Proposer from consideration, at the sole discretion of NDOT, such an answer and a review of the background details may result in a rejection of the Proposal. NDOT will make this decision based on its determination of the seriousness of the matter, the matter's possible impact on the Proposer's performance under the Contract, and the best interest of NDOT.

11. The Proposer/Major Participant will not, directly or indirectly, divulge information or data regarding the price or other terms of its Proposal to any other Proposer, or seek to obtain information or data regarding terms of any other Proposal, until after award of the Contract or rejection of all Proposals and cancellation of the RFP.
12. Pursuant to the NDOT Guidelines for Alternative Project Delivery, the Proposer/Major Participant nor its affiliates, nor any of its proposed team that may work on or benefit

from the Contract through the Proposer has a possible conflict of interest other than the conflicts identified immediately below.

Potential Conflicts (by person or entity affected)

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(Attach an additional sheet if more space is needed.)

13. The DBE goal for the Project, once established in accordance with the Construction Services Amendment, will be met by the Contractor obtaining commitments equal to or exceeding the DBE percentage or providing a good faith effort to substantiate the attempt to meet the goal.
14. If awarded the Contract, the Contractor shall comply with all DBE requirements set forth in the Contract.
15. The Proposer/Major Participant has developed and has on file at each establishment affirmative action programs pursuant to 41 CFR Part 60-2; has participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925 and 11114, and that, where required, has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.
16. The Proposer/Major Participant will comply with the FHWA Buy America Requirements of 23 CFR 635.410, and the Build America, Buy America Act, Section 70913 et seq. of the Infrastructure Investment and Jobs Act, Pub. L. 117-58, which permits FHWA participation in the Contract as more fully described in the Contract.
17. No federal appropriated funds have been paid or will be paid, by or on behalf of the Proposer/Major Participant or its affiliates, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the Proposer/Major Participant will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
18. The Proposer/Major Participant is properly authorized under the laws of the Nebraska to conduct business in this state; is duly registered with the Nebraska Secretary of State to the extent required by Nebraska law; and will remain in good standing to do business in the State of Nebraska for the duration of the Contract.

19. The Proposer/Major Participant is duly registered with the Nebraska Department of Revenue to collect and remit the sales and use tax imposed by Nebraska state law and will remain registered for the duration of Contract.
20. The Proposer/Major Participant is not delinquent on any state taxes or fees owed to the State of Nebraska and will remain in good standing for the duration of the Contract.

Under penalty of perjury, I certify that the foregoing is true and correct and that I am duly authorized to attest to these statements on behalf of the Proposer/Major Participant.

Signature

Date

Type or print name

Title of Officer signing

Name of Company

FORM D

SURETY LETTER

[Name of Surety/Insurance company] (SURETY) HEREBY CERTIFIES TO THE NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT), AS OF THIS [] [insert date] THAT:

1. The Surety is a licensed bonding surety, currently authorized to conduct business in the State of Nebraska;
2. The Surety is listed on the U.S. Department of the Treasury's "Listing and Approved Sureties" (accessible at the following weblink:
<https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570.htm>);
3. The Surety's rating is [], rated by [] [and []]¹;
4. The Surety is providing this certificate and acknowledgement for [PROPOSER] [other entity];
5. The Surety has reviewed the Request for Proposals (RFP), to provide Construction Manager/General Contractor (CM/GC) services for the Red Cloud South Bridge Project: STP-281-1(116) (the Project) and Addenda, dated [] [and []] [IF NO ADDENDA WERE ISSUED MODIFY THIS FORM TO STATE SO];
6. The Surety has evaluated [PROPOSER's] [other entity's] financial statements and capability, backlog, and work-in-progress in determining its bonding capacity;
7. The Surety understands the bonding requirements associated with alternative project delivery models and any Project-specific requirements identified as anticipated to be required of the selected Contractor under the CM/GC Contract (Contract);
8. If the Proposer is selected as the Contractor, the Surety shall perform further diligence as to whether the [Proposer]/[other entity] can obtain a performance bond and a payment bond in the amount of **\$10 million** to cover payment and performance under the Contract; and
9. [insert if applicable] [certification regarding analysis of the factors surrounding any proposed or anticipated material changes in the financial condition of the entity on behalf of which this certificate and acknowledgment is given, identifying any special conditions that may be imposed before issuance of surety bonds for the Project.]

SURETY HEREBY ACKNOWLEDGES THAT NDOT has not yet determined the specific amount of payment and performance bonds that it will require for the Project, which may ultimately require payment and performance bond amounts in excess of the amount referenced above for each payment bond and performance bond.

Capitalized terms used but not defined herein shall have the meanings set forth in the RFP.

¹ The certifying surety must have an A.M. Best and Company rating level of A- or better and be classified as Class VIII or better.

IN WITNESS WHEREOF, the undersigned is the [_____] [insert title] of the Surety to which this certificate and acknowledgment relates and has duly executed this certificate and acknowledgment as of the date first written above.

By: _____ Print Name: _____

Title: _____

FORM E

PERSONNEL WORK ASSIGNMENT FORM AND COMMITMENT OF AVAILABILITY

Name of Proposer: _____

Key Personnel Assignment	Name of Individual and Employer
Project Manager	
Construction Manager	
Lead Estimator	
Project Controls Manager	

COMMITMENT OF AVAILABILITY

The named Key Personnel, the employer of the named Key Personnel, and the Proposer commit that if the Proposer is awarded the Contract, the Key Personnel will be committed, available and active to fulfill Project responsibilities.

[replicate as necessary, one per Key Personnel]

Proposer: _____

Signed: _____

Printed Name: _____

Title: _____

Employer of named Key Personnel: _____

Signed: _____

Printed Name: _____

Title: _____

Named Key Personnel: _____

Signed: _____

Printed Name: _____

Title: _____

Date: _____

FORM F – FIRM EXPERIENCE

Proposer: _____

Instructions: Provide firm experience for the Major Participants consisting of no more than **3 projects**. Major Participants include the Lead Contractor firm, Key Personnel firms, and the firms of any other contractors named in the Proposal.

One Form F shall be completed for each project. This form may be modified; however, the information shall be presented in the order requested and prompts shall be conspicuous to facilitate review. The page limit for each project is limited to **2 pages**.

Name of Firm: _____

Affiliation: _____

Name of Client (Owner/Agency, Contractor, etc.): _____

Client Contact Information:

Name: _____ Telephone: _____ Email: _____

Project name, location, description, and nature of work for which firm was responsible:

Project Status (as of Proposal Date): _____

Project Delivery Method: _____

Project Cost (US\$): _____

Work Performed Date: From: _____ To: _____

Describe major risks or challenges encountered during design/construction and strategies implemented to resolve/mitigate these items:

Describe use of innovative designs, methods, or materials:

Highlight the Key Personnel and their role in reference project:

Provide the following information for the referenced project:

Percent of Total Work Performed by Firm (% design or % construction): _____

Value of Liquidated Damages and Claims: _____

Any Litigation against Firm? Yes ____ No ____

FORM G
KEY PERSONNEL EXPERIENCE AND RESUME INSTRUCTIONS

Name of Proposer: _____

Instructions: The Proposer shall complete the table below providing the requested information.

Position	Name	Years of Relevant Experience
Project Manager		
Construction Manager		
Lead Estimator		
Project Controls Manager		

Include, as attachments to this Form G, a resume for each Key Personnel that includes the following information in the following order. The page limit for each resume is **two pages**.

1. A summary of the relevant experience, including the total number of years and months of relevant experience for the Key Personnel position.
2. Document the relevant Project experience that demonstrates meeting the **minimum requirements set forth in ITP Section 3.2.3**, including the following:
 - Project Name
 - Delivery Method
 - Position Title
 - Time in this position [From [year] / [month] to [year] / [month] equals total of _____ years _____ months]
 - Average number of hours worked per week on Project
 - Project Description (include construction value)
 - Detailed description of project responsibilities related to position title
 - Explanation regarding the relevance of this experience to the minimum qualifications for the Key Personnel position
 - Project Representative for each project (list name, phone number, and email)
3. As relevant to the Key Personnel role, a list of the following:
 - All formal education, including institution attended, attendance date
 - Any certifications, registrations, and other credentials, including expiration date.

Form H - Proposer Questions
Final ITP -11/21/2025
Red Cloud South Bridge Project - CN 42717

Instructions: List one question per row, and number each row. Specifically reference the relevant document, section, and page number and include exact language within the question unless it is a general question.

[illegible]

FORM I

AFFIDAVIT OF AUTHORIZATIONS AND REPRESENTATIONS

I, _____ (Affiant Name), as _____ (owner/title) of
_____ (Proposer), affirm under oath the following statements:

1. I have full authority to sign the Contract on behalf of the Proposer;
2. The Proposer is jointly and severally liable for all Proposer obligations and liabilities in the Contract; and
3. No singular Proposer joint venture member, partner, or member, as applicable, is entitled to stop, hinder, or delay Work on the Project.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorizations and Representations and that the facts stated in it are true.

_____	_____
Affiant Signature	Date

NOTARY ACKNOWLEDGEMENT

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of
_____ [month]. _____ [year], by _____
[name of person acknowledged].

Signature of Notary Public: _____

Printed Name: _____

My Commission Expires: _____