



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

RUDY MALFABON, P.E., *Director*
In Reply Refer to: Admin. Services

July 13, 2018

Rick Combs, Director
Legislative Counsel Bureau
401 S. Carson St
Carson City NV 89701-4747


Re: Bidder's Preference Report

Dear Director Combs:

Please find enclosed the Nevada Department of Transportation Bidder's Preference Report for the period from July 1, 2017 to June 30, 2018. This report shows all contracts awarded based on bidder's preference during the reporting period.

This contract listed on the report has an accompanying Affidavit signed by the contractor certifying that, for the duration of the project, they will meet the requirements defined in paragraphs (a) through (e) of NRS 338.0117 Paragraph 1 (pages 2 – 3 of the attached certification report).

Sincerely,

DocuSigned by:

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Rudy Malfabon, P.E.
Director

**NEVADA DEPARTMENT OF TRANSPORTATION
BIDDER'S PREFERENCE REPORT
July 1, 2017 to June 30, 2018**

1. July 13, 2017 at 01:30 PM the following bids were opened and read related to the Department of Transportation **Contract No. 3681**. The project is on US 95 from CA/NV Stateline to 7.79 miles north of Loran Station Road, in Clark County.

Aggregate Industries SWR, Inc. (with Bidder's Preference).....\$19,800,000.00

Security Paving Company, Inc. (actual bid \$18,967,982.78).....\$19,916,381.92

Engineer's Estimate: \$20,031,885.93

The Transportation Board and Director awarded the contract to Aggregate Industries SWR, Inc. in the amount of \$19,800,000.00 due to Bidder's Preference. The contractor submitted a properly executed Affidavit certifying that for the duration of the project they would meet the following requirements:

- (a) At least 50 percent of the workers employed on the project, including, without limitation, any employees of the Contractor and of any subcontractor engaged on the project, will hold a valid driver's license or identification card issued by the Department of Motor Vehicles of the State of Nevada;
- (b) All vehicles used primarily for the project will be:
 - 1. Registered and partially apportioned to Nevada pursuant to the International Registration Plan, as adopted by the Department of Motor Vehicles pursuant to NRS 706.826; or
 - 2. Registered in this State.
- (c) The Contractor and any subcontractor engaged on the project will maintain and make available for inspection within this State his or her records concerning payroll relating to the project.



Nevada Department of Transportation

Certification Report

Contract Number: 3681

Bid Opening Date: July 13, 2017 01:30 PM

Location: US 95 from CA/NV Stateline to 7.79 miles north of Loran Station Road

Description: Northbound cold-mill with plant-mix bituminous surface with open grade. Southbound roadbed modification with plant-mix bituminous surface with open grade.

Proposal For: Aggregate Industries SWR, Inc.

Project Funding: STATE

District: DISTRICT 1

Affidavit Required under Section 112(c) - Suspension or Debarment

N Aggregate Industries SWR, Inc. or any person or persons associated therewith in the capacity of owner, partner, director, or office authorized to sign contracts:

Is any interested party currently under suspension, department, disqualifications, voluntary exclusion, or determination of ineligibility by any state or federal agency? or,
Has any interested party been suspended, debarred, disqualified, voluntarily excluded or determined ineligible by any state or federal agency within the past three years? or,
Has any interested party have a debarment pending? or,
Has any interested party been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years?

Applies to Whom	Initiating Agency	Date of Action
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Prime Contractor Statement of Performance

- Y** I affirm I am fully authorized to acknowledge, on behalf of the Prime Contractor listed above, all work, other than that being performed by the subcontractors listed in the Subcontractor Information Reports submitted for this contract, will be performed by the Prime Contractor

Acknowledged by: Jerry Englehart

- Y** I affirm I am fully authorized to acknowledge, on behalf of the Prime Contractor listed above, the Prime shall utilize the specific Enterprise entities listed in the Enterprise Subcontractor and Supplier report to perform the work and supply the materials for which each is listed, unless prior written consent is obtained from the Department; and that unless such consent is given, as provided for under 49 CFR part 26.53 paragraph (f), the Prime shall not be entitled to any payment for work or material unless it is performed or supplied by the listed Enterprise entities.

Acknowledged by: Jerry Englehart

Enterprise Confirmation Letter(s)

File Name	Description
BensonTruckingRevised1.pdf	Enterprise Confirmation Letter(s)
NevadaBarricade.pdf	Enterprise Confirmation Letter(s)
MC4Construction.pdf	Enterprise Confirmation Letter(s)

Good Faith Effort

File Name	Description
MinorityRequestFormNDOT3681.pdf	Good Faith Effort
FederalSolicitationRecord.docx	Good Faith Effort
63017MinorityAds.pdf	Good Faith Effort
NDOTPost.docx	Good Faith Effort
RequestforquotesNDOT3681.docx	Good Faith Effort
Directory.pdf	Good Faith Effort
CallLog.pdf	Good Faith Effort

**Uniform Affidavit of Certification
Preference Bidding Certification**

Contract No.: 3681

I, Aggregate Industries SWR, Inc. swear or affirm under penalty of law that I am fully authorized to submit this Affidavit on behalf of the certifying firm, and that I have read and understood all of the information and statements submitted in this Affidavit and that they are true and correct to the best of my knowledge, and that all responses are full and complete, omitting no

Submission/Upload Date/Time (PST): July 13, 2017 01:25 PM

Aggregate Industries SWR, Inc.
3681

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material information. The responses include all material information necessary to fully and accurately meet the requirements for obtaining a bidder preference for Nevada public works projects pursuant to Chapter 338 of Nevada Revised Statutes (NRS).

I recognize that the information submitted in this affidavit is for the purpose of certifying that the certifying firm will meet the following requirements for the entire duration of the Project:

- (a) At least 50 percent of the workers employed on the project, including, without limitation, any employees of the Contractor and of any subcontractor engaged on the project, will hold a valid driver's license or identification card issued by the Department of Motor Vehicles of the State of Nevada;
- (b) All vehicles used primarily for the project will be:
 - 1. Registered and partially apportioned to Nevada pursuant to the International Registration Plan, as adopted by the Department of Motor Vehicles pursuant to NRS 706.826; or
 - 2. Registered in this State.
- (c) The Contractor and any subcontractor engaged on the project will maintain and make available for inspection within this State his or her records concerning payroll relating to the project.

I understand that if the certifying firm receives a preference in bidding and is awarded a contract for the Project that such contract will:

- (a) Include a provision in the contract that substantially incorporates the requirements of paragraphs (a) to (c), inclusive, above; and
- (b) Provide that a failure to comply with any requirement of paragraphs (a) to (c), inclusive, above at any time during the duration of the Project is a material breach of the contract and entitles the Nevada Department of Transportation (the "Department") to liquidated damages against the party responsible for a failure to comply with a requirement of paragraphs (a) to (c), inclusive above. If a party to the contract causes a material breach of contract between the contractor, applicant or design-build team and the public body as a result of a failure to comply with paragraphs (a) to (c), inclusive, above, the party is liable to the public body for liquidated damages in the amount of one percent (1%) of the cost of the largest contract to which he or she is a party. The public body may recover this amount directly against the party that causes the material breach, and no other party is liable to the public body for liquidated damages.

I understand that the Department may, by means it deems appropriate, determine the accuracy and truth of the records provided by the certifying firm pursuant to NRS 338.070, and I authorize the Department to contact any person or entity named in such records provided for the purpose of verifying the information supplied and determining the named firm's eligibility for a bidder preference.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the certifying firm and its affiliates, inspection of its places(s) of business and equipment, and to permit interviews of its principals, agents, and employees. It is understood that refusal to permit such inquiries shall be grounds for denial of future bidder preference certification.

If awarded a contract, I agree to promptly and directly provide the Department, on ongoing basis, current, complete, and accurate information regarding the records required pursuant to NRS 338.070.

I acknowledge and agree that any misrepresentations in this Affidavit or in the records provided pertaining to the Project will be grounds for an award of liquidated damages for breach of contract; denial or revocation of bidder preference certification; and for initiating action under federal and/or state law concerning any false statement, fraud or other applicable offenses.

Y I declare under penalty of perjury that the information provided in this Affidavit is true and correct.

Acknowledged by: Jerry Englehart