

REQUISITION & PROPOSAL

ALABAMA STATE PORT AUTHORITY
MCDUFFIE COAL TERMINAL DEPARTMENT

DATE: 8/22/2023
ORIGINATING DEPT NO. UPON REQUEST

TO: Prospective Vendors
Please **procure** the following and **DELIVER TO**:

ALABAMA STATE PORT AUTHORITY
MCDUFFIE COAL TERMINAL OFFICE
1901 EZRA TRICE BLVD
MOBILE, AL 36603

NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

Contractor shall furnish all labor, materials, equipment, tools, supervision, insurance, and incidentals necessary to perform in a satisfactory manner the pile doming, compacting, reclaiming and any other dozer and/or loader work deemed necessary by the Alabama State Port Authority at McDuffie Coal Terminal in Mobile, AL. in accordance with requirements, and applicable State of Alabama law.

Scope of work shall include but not necessarily be limited to the following:

1. Compliance with all regulatory standards of Federal, State and Local Agencies having jurisdiction over the work.
2. Proper scheduling and progress of work in a manner free of interference with the facility's loading/unloading operations and vessel movements.
3. Bidder must provide a minimum of eight (6) dozers, all which must be available within a four (4) hour notification. Blades are noted on the attached rate sheet. All dozers must be able to climb various size coal piles to heights of 80 ft. in width dimension of less than 200 ft. (i.e. rubber tire pushers are not acceptable).
Due to reliability constraints, all dozers and loaders must be less than five years old.
4. Bidder must also be able to provide one (1) large front-end loader within the same four (4) hour notification window. Bucket sizes are noted on the attached rate sheet.
5. Bidder must also be able to provide one (1) motor grader within the same four (4) hour notification window. Moldboard sizes are noted on the attached rate sheet.
6. Bidder must also be able to provide up to one (1) 30 ton off road dump truck within the same four (4) hour notification window to haul material in and around the facility as needed.
7. Bidder must be able to provide the above minimum machine requirements on a twenty-four (24) hour a day, seven days a week basis.
8. All services will be provided at an hourly rate, per machine.
9. All fuel is to be provided by the contractor and included in the hourly rates along with all maintenance cost for each piece of equipment.
10. Guarantee will be required with each bid as follows: \$10,000.00 shall be furnished in the form of certified check or bid bond payable to the Alabama State Port Authority. Additionally, \$1,000,000.00 shall be furnished in the form of a certified check or performance bond payable to the Alabama State Port Authority.
11. Insurance certificates are required from successful bidder before contract work begins.

Bid Opening is 8/22/2023 at 10am.

Bids must be labeled: Stockpile Management & Terminal Grounds Maintenance - 8/22/2023

Stockpile Management & Terminal Grounds Maintenance

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Performance Criteria:

12. Contractor's performance will be judged solely at the discretion of Alabama State Port Authority.
13. All work is to be performed in a professional and workman like manner.
14. Contractor must consistently provide services within the four (4) hour window as required in items 3, 4, 5 and 6 above.
13. Contractor must have a supervisor on the job site eight (8) hours per day, and on call twenty-four (24) hours a day, seven (7) days a week.
14. Failure to perform satisfactory work will result in immediate cancellation and forfeiture of both the bid bond and/or performance bond. Judgment of satisfactory performance is reserved solely by the Alabama State Port Authority.

The Contractor's records for this contract shall be open to audit by the Alabama State Port Authority's agent or authorized representative to the extent necessary to adequately permit evaluation and verification of:

- a) Contractor compliance with contract requirements
- b) Compliance with Alabama State Port Authority's business ethics policies
- c) Compliance with provisions for payment or claims submitted by the Contractor or any of their payees.

Contractor will provide with his bid a recap of support equipment used in maintenance of the equipment fleet as well as:

- a) Service records of all heavy equipment for the past 12 months.
- b) Insurance history (proof of past insurance, time with present insurer, etc.)

Contractor will give a list of all owned heavy equipment to be used including make, model and serial numbers.

Contract Rates:

The contract rates will be subject to a fuel price index. The index will be the Alabama DOT index which can be accessed at <http://aldotgis.dot.state.al.us/ConstructionIndexes/Fuel.aspx>. The base index will be for August 2023. It will be adjusted quarterly. The adjustment will be as follows: For every 0.25 increase or decrease in the fuel index, the hourly rate will increase or decrease 1.5%. Again, this will be adjusted quarterly on an annual basis, i.e., October November, December is a quarter.

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NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE				
Equipment Type or Equal	Min. Blade/Bucket Size	Est. annualized hours (per machine class)	Rate per hour, per machine	Total
(1 ea.) Caterpillar D8T / Komatsu D155 with operator	30 cubic yard blade	500	\$	\$
(1 ea.) Caterpillar D10 / Komatsu 375 (with operator)	60 cubic yard blade	500	\$	\$
(1. ea.) Caterpillar 140H Motor Grader (with operator)	14ft Moldboard	1,000	\$	\$
(1 ea.) Caterpillar 326 Long Reach (with operator)	1.0 cubic yard bucket	1,000	\$	\$
(1 ea.) Caterpillar 326 Long Reach (without operator)	1.0 cubic yard bucket	1,000	\$	\$
(1 ea.) Caterpillar 950M (with operator)	4.5 cubic yard bucket	200	\$	\$
(1 ea.) Caterpillar 950M (without operator)	4.5 cubic yard bucket	200	\$	\$
(1 ea.) Caterpillar 730 ADT (with operator)	30 Ton	150	\$	\$
(1 ea.) Caterpillar 730 ADT (without operator)	30 Ton	500	\$	\$
John Deere 524 P (without operator)	2.5 cubic yard bucket	2,000	\$	\$
(1 ea.) Sennebogen 840 (without operator)	3.5 cubic yard bucket	600	\$	\$
(1 ea.) Caterpillar 259D (without operator)	0.63 cubic yard bucket	1,500	\$	\$
John Deere 50G (with operator)	Bushhog attachment	1,000	\$	\$
John Deere 50G (without operator)	Bushhog attachment	1,500	\$	\$
Anaconda FTR 150 Portable hopper (with operator)	600 Ton capacity per hour	250	\$	\$
Screen Machine 612 Trommel Screen (with operator)	200 Tons per hour	250	\$	\$
All machines are equipped with Cab & A/C (except for the portable hopper & trommel screen)	Total Extended Price			\$

Company Name: _____

Authorized Signature: _____ Print Name: _____

The annualized amount of hours is not a guarantee of the amount of contractual work; this is only a basis for evaluation of the criteria.

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NOTES:

1. Response time within two hours of an emergency notice and quality service are essential to the Alabama State Port Authority. If the Contractor to whom this contract is awarded does not provide adequate service or workmanship, the Alabama State Port Authority reserves the right to cancel the contract and re-bid this work excluding that Contractor from consideration.
2. The Alabama State Port Authority may make such investigations as deemed necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish all such information and data for this purpose as the Alabama State Port Authority may request. The Alabama State Port Authority reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Alabama State Port Authority that such bidder is properly qualified to carry out the obligations of the Contract. Conditional bids will not be accepted.
3. Award of this contract does not obligate the Alabama State Port Authority to any minimum hours nor does it limit the total hours of various duties and equipment that can be used.
4. Billing will be from Monday through Sunday of each week and bills must be submitted to the McDuffie Terminal office by 12:00 noon the following Friday.
5. Successful bidder must submit insurance Certifications prior to commencement of the contract.
6. Insurance shall be as per attached Alabama State Port Authority insurance requirements attached.
7. All Contractors submitting bids must conduct a thorough review of the contract requirements and visit the project site to familiarize self with all aspects of project including existing conditions prior to submission of a bid proposal. Appointments can be made contacting Scott McAfee at 251-441-7510 / 251-422-1801 or Dillon Sims at 251-441-7676. Each Bidder shall satisfy oneself as to the character, quality, and quantities of work to be performed, and as to the requirements of the proposed contract. The submission of a proposal shall be prima facie evidence that the bidding Contractor has made such examination and is satisfied as to the conditions to be encountered in performing the work and as to the requirements of the proposed Contract.
8. Bidders shall be a licensed coal handling contractor with the state of Alabama.
9. All contractors submitting bids must be aware that any damages to buildings, electrical lines, water lines, drainage lines, etc. that occur during contractual or personal work will be estimated, repaired and charged back to the contractor under Alabama State Port Authority current labor, equipment and materials cost with an additional ten percent (10%) for billing and operational services. A drawing of the location of electrical/water lines will be furnished to the contractor.
10. Contractor shall provide evidence of a minimum of five (5) years of experience in providing similar services to those being bid (operating bulldozers, front-end loaders and other heavy equipment) within the last ten (10) years. A minimum of three references from customers served will be supplied.

AGREEMENT PERIOD: A 12 MONTH AGREEMENT WITH AN OPTION TO ISSUE A SECOND, THIRD, FOURTH, AND FIFTH 12 MONTH AGREEMENT WITH THE SAME PRICING, TERMS AND CONDITIONS. THE SECOND, THIRD, FOURTH, OR FIFTH AGREEMENT, IF AGREED BY BOTH PARTIES, WOULD BEGIN THE DAY AFTER THE FIRST, SECOND, THIRD, OR FOURTH AGREEMENT EXPIRES. ANY SUCCESSIVE AGREEMENT MUST HAVE WRITTEN APPROVAL OF BOTH THE STATE AND VENDOR.

Stockpile Management & Terminal Grounds Maintenance

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Bid opening will be August 22, 2023 @ 10:00 a.m. in the McDuffie Terminal Conference Room. NO BIDS WILL BE ACCEPTED AFTER THIS TIME.

PLEASE SEE ATTACHED INDEMNIFICATION SHEET & DISCLOSURE STATEMENT

Company

Address

Representative

Phone Number

Email

ALL BIDS MUST BE NOTARIZED

STATE OF _____)

COUNTY OF _____)

On this ___ day of _____, 20___, before me appeared _____, to me personally known, who, being by me duly sworn, did say that such person executed the foregoing instrument as the free act and deed of such person, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public, State of _____

Print Name

My commission expires: _____

THIS PAGE MUST BE NOTARIZED

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ALABAMA STATE PORT AUTHORITY **INSURANCE REQUIREMENTS FOR CONTRACT WORK**

INDEMNIFICATION

The Contractor shall assume all liability for and shall indemnify and save harmless the State of Alabama and the Alabama State Port Authority, and its officers and employees from all damages and liability for injury to any person or persons, and injury to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising from operations under the contract, whether such operations are performed by himself or by any subcontractor or by anyone directly or indirectly employed by either of them occurring on or about the premises, or the ways and means adjacent during the term of the contract, or any extension thereof, and shall also assume the liability for injury and/or damages to adjacent or neighboring property by reason of work done under the contract.

INSURANCE REQUIREMENTS

The Contractor shall not commence work under the contract until he has obtained all insurance required under the following paragraphs and until such insurance has been approved by Alabama State Port Authority, nor shall the Contractor allow any subcontractor to commence work until all similar applicable insurance has been obtained by the subcontractor or the Contractor has provided coverage for the subcontractor. The Contractor shall provide, at his expense, insurance in accordance with the following:

General Requirements (applicable to all policies)

All policies of insurance must be written with companies acceptable to Alabama state port authority. The Contractor shall furnish to Alabama state port authority certificates of insurance, signed by the licensed agent, evidencing required coverages. Alabama state port authority reserves the right to require certified copies of any and all policies. Each policy of insurance shall provide, either in body of the policy or by endorsement, that such policy cannot be substantially altered or cancelled without thirty (30) days' written notice to Alabama state port authority and to the insured. **Except for Workers Compensation, said policies will identify Alabama State Port Authority, its officers, officials, agents, servants and employees as Primary and Non-contributory Additional Insureds in connection with work performed for, on behalf of, or on the property of Alabama state port authority.**

Commercial General Liability

The Contractor shall take out and maintain during the life of the contract Commercial General Liability insurance, including Blanket Contractual and Completed Operations coverages, in an amount not less than \$5,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

Business Automobile Liability

The Contractor shall take out and maintain during the life of the contract Business Automobile Liability insurance covering any auto in an amount not less than \$1,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

Workers Compensation

The Contractor shall take out and maintain during the life of the contract Workers Compensation and Employers Liability insurance providing coverage under the Alabama Workers Compensation Act in an amount not less than that required by Alabama law.

Where applicable, Contractor shall take out and maintain during the life of the contract insurance providing coverage as required by Federal statute, including but not limited to U.S. Longshoremen and Harborworkers' Compensation Act (USL&H), Jones Act, and Railroad Federal Employers Liability Act (FELA).

Environmental Maintenance & Coal Stockpile Management

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Please use this as a **guide only** for proper delivery.

Sender Name & Address

Alabama State Port Authority
McDuffie Coal Terminal
Postal Address for US Mail
Physical Address for Courier Service

Sealed Bid: (Description)

Bid Opening Date:

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Please return one copy of this bid, duly signed, by **10:00 a.m., August 22, 2023.**

When all bids are publicly opened, UNIT PRICES AND EXTENSIONS shall be entered opposite each item above on which you are prepared to bid for delivery **FREE OF CHARGE TO - McDuffie Coal Terminal (FOB) ALABAMA STATE DOCKS**

No consideration will be given bids unless on this form or a written attachment.

If not prepared to submit a bid, please state over the firm signature and return so that it may be known it was brought to your attention; otherwise your name may be dropped from the list of prospective vendors.

The right is reserved to reject any and all bids deemed for the interest of the Alabama State Port Authority, to strike out any item or items in the bids, and to waive any defect or irregularly not a violation of law or to make any modification in the several conditions herein stipulated that are deemed to be in the best interest of the Alabama State Port Authority, including the separation of items of a class in making awards. In general, awards will be made to the lowest satisfactory vendor.

No Allowance will be made for errors, either of omission or commission, on the part of the vendors. It must be assumed that vendors have fully informed themselves as to all conditions, requirements, and specifications before submitting bids and they cannot expect to be excused or relieved from the responsibility assumed by their bids on the plea of error. In case of error in extension of prices the unit price will govern.

The Port Authority reserves the right to refuse to issue a bid form or a contract to a prospective vendor for any of the following reasons:

- a) Failure to pay, or satisfactorily settle, all bills due for labor and materials on a former contract in force with the Port Authority.
- b) Contractor default under a previous Contract with the Port Authority.
- c) Bid withdrawal or Bid Bond forfeiture on a previous project with the Port Authority.
- d) Unsatisfactory work on a previous contract with the Port Authority.

Port Authority may make such investigations as deemed necessary to determine the ability of the vendor to perform the work, and the vendor shall furnish all such information and data for this purpose as the Port Authority may request. The Port Authority reserves the right to reject any bid if the evidence submitted by, or investigation of, such vendor fails to satisfy the Port Authority that such vendor is properly qualified to carry out the obligations of the Contract.

FORM FOR SECTIONS 9(a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)

AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER/CONTRACTOR

(To be completed as a condition for the award of any contract, grant, or incentive by the State of Alabama, and political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees)

State of _____

County of _____

Before me, a notary public, personally appeared _____ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as _____ (state position) for _____ (state business entity/employer/contractor name) That said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program. (ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

_____ Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2_____.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

_____ Signature and Seal of Notary Public

Author: Jean Brown

Statutory Authority: Code of Alabama, sections 31-13-9 (a) and (b); Section 31-13-9 (h).

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ALABAMA STATE PORT AUTHORITY ACCESS POLICY

IMPORTANT NOTICE TO VENDORS REGARDING ACCESS TO ASPA RESTRICTED FACILITIES:

Successful vendors requiring access to the Alabama State Port Authority's Restricted Facilities to fulfill any obligations set forth in this bid must comply fully with the Authority's Access Policy found in its entirety at http://www.asdd.com/portaccess_policy.html. The Port Authority's Access Policy requires all persons permanently employed at the port, including ASPA staff, tenants and their employees, surveyors, agents, stevedores, longshoremen, chaplains, contract labor and persons requesting temporary access to the port, including delivery persons, vendors, contractors, and temporary workers must obtain and display an ASPA issued photo ID badge or visitor badge at all times when accessing or working on port property. In order to obtain an ASPA credential, applicants must also obtain a Transportation Worker Identification Credential (TWIC) and undergo mandatory Security Awareness Training. Information on the TWIC can be found at http://www.asdd.com/portaccess_twicregs.html

Information on Security Awareness Training classes and scheduling can be found at http://www.asdd.com/portaccess_securitytraining.html

ALL PROSPECTIVE VENDORS ARE ENCOURAGED TO REVIEW THESE POLICIES AND CONSIDER THESE REQUIREMENTS IN PREPARING BID SUBMISSIONS.

INSTRUCTIONS FOR VENDORS

ALABAMA STATE PORT AUTHORITY

This instruction sheet is provided as a guide to facilitate the bid process and highlight important points for consideration by vendors. Each vendor is responsible for fully reading and complying with the instructions on the Alabama State Port Authority bid form. **This instruction sheet is to be used as a guide only.**

1. No consideration will be given to bids unless presented on the Alabama State Port Authority "Requisition & Proposal" Form with suitable attachments as deemed necessary by the vendor. Alternate bid proposals may be rendered, with proper support.
2. If your company is not prepared to submit a bid, so state and sign to avoid being deleted from the prospective vendor's list.
3. The Alabama State Port Authority reserves the right to reject any and all bids if deemed in the Alabama State Port Authorities' interest.
4. No allowance will be made for error, either omission or commission.
5. Unit price governs in errors relating to extension of prices.
6. **Bids will not be accepted via FAX.** All bids must be sealed and sent via mail or hand delivered to the McDuffie Coal Terminal Office before the specified date and time.
7. The Alabama State Port Authority accepts no responsibility for facilitating the receipt of bids.
8. All bids must be notarized.
9. Bids received after specified opening time will be returned to the vendor unopened. Vendors are requested to show a return address on the bid envelope.
10. Bids must be filled out completely, including the name, address, telephone number, fax number (if possible) and signature of responsible person.
11. **Questions may be directed to** the Alabama State Port Authority McDuffie Coal Terminal, Dillon Sims, at **(251) 441-7676.**
12. **All hand delivered bids** must be tendered to Alabama State Port Authority, McDuffie Coal Terminal Office 1901 Ezra Trice Blvd., Mobile AL 36603, at or before specified time.
13. **All regular U.S. Postal Mail** must be tendered to:
ASPA - McDuffie Coal Terminal
ATTN: Dillon Sims
P.O. Box 1588
Mobile, AL 36633-1588
NOTE: THIS METHOD MUST BE MAILED AT LEAST A WEEK BEFORE THE OPENING. PLEASE IDENTIFY YOUR BID PACKAGE!!
14. **All courier / overnight deliveries** (UPS, FEDEX, etc.) must be delivered to:
ASPA - McDuffie Coal Terminal
ATTN: Dillon Sims
1901 Ezra Trice Blvd.
Mobile, AL 36603
RECOMMENDED METHOD
PLEASE IDENTIFY YOUR BID PACKAGE!!
15. Note: all overnight bids must be **FIRST PRIORITY OVERNIGHT**. (8:30 A.M. NEXT MORNING)
16. Notarization not required on "SALE" bids.
17. Please specify the purchase order number (when available) on envelope.



State of Alabama Disclosure Statement

Required by Article 3B of Title 41, Code of Alabama 1975

ENTITY COMPLETING FORM

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

STATE AGENCY/DEPARTMENT THAT WILL RECEIVE GOODS, SERVICES, OR IS RESPONSIBLE FOR GRANT AWARD

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

This form is provided with:

Contract Proposal Request for Proposal Invitation to Bid Grant Proposal

Have you or any of your partners, divisions, or any related business units previously performed work or provided goods to any State Agency/Department in the current or last fiscal year?

Yes No

If yes, identify below the State Agency/Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services.

STATE AGENCY/DEPARTMENT	TYPE OF GOODS/SERVICES	AMOUNT RECEIVED

Have you or any of your partners, divisions, or any related business units previously applied and received any grants from any State Agency/Department in the current or last fiscal year?

Yes No

If yes, identify the State Agency/Department that awarded the grant, the date such grant was awarded, and the amount of the grant.

STATE AGENCY/DEPARTMENT	DATE GRANT AWARDED	AMOUNT OF GRANT

1. List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF PUBLIC OFFICIAL/EMPLOYEE	ADDRESS	STATE DEPARTMENT/AGENCY

2. List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the public officials/public employees and State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF FAMILY MEMBER	ADDRESS	NAME OF PUBLIC OFFICIAL/ PUBLIC EMPLOYEE	STATE DEPARTMENT/ AGENCY WHERE EMPLOYED
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If you identified individuals in items one and/or two above, describe in detail below the direct financial benefit to be gained by the public officials, public employees, and/or their family members as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

Describe in detail below any indirect financial benefits to be gained by any public official, public employee, and/or family members of the public official or public employee as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

List below the name(s) and address(es) of all paid consultants and/or lobbyists utilized to obtain the contract, proposal, request for proposal, invitation to bid, or grant proposal:

NAME OF PAID CONSULTANT/LOBBYIST	ADDRESS
----------------------------------	---------

By signing below, I certify under oath and penalty of perjury that all statements on or attached to this form are true and correct to the best of my knowledge. I further understand that a civil penalty of ten percent (10%) of the amount of the transaction, not to exceed \$10,000.00, is applied for knowingly providing incorrect or misleading information.

Signature _____ Date _____

Notary's Signature _____ Date _____ Date Notary Expires _____

Article 3B of Title 41, Code of Alabama 1975 requires the disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000.

Revised: 09/2013

THIS PAGE MUST BE NOTARIZED