

DISTRICTS -ALL

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda
Bids and Proposals

TO: President and Village Board of Trustees
 FROM: Scott R. Niehaus, Village Manager
 DATE: May 8, 2023 MEETING DATE: May 18, 2023
 TITLE: FY 2023 Asphalt Resurfacing Program
 Project Number RM 48
 SUBMITTED BY: John Beissel, P.E., Village Engineer *JB*

RESULTS:

Date Bids Were Published 5/01/2023 Bidding Closed 5/05/2023
 Total Number of Bids Received 2
 Bid Security Required X Yes No
 Performance Bond Required X Yes No
 Were Any Bids Withdrawn Yes X No
 Explanation:
 Waiver of Bids Requested? Yes X No
 If yes, explain: Was publicly bid but not through a publication with local circulation.
 Award Recommended to Lowest X Yes No
 Responsible Bidder?
 If no, explain:

FISCAL IMPACT:

Engineer's Estimate/Budget Estimate \$1,186,803.75/ \$1,822,000.00
 Amount of Award \$1,227,832.37

Asphalt Utility Patching	\$9,277.46	Construction Fund	RM 48
General Local Street Resurfacing	\$1,200,000.00	Rebuild Illinois Bond Fund	RM 48
Local Street Resurfacing with Village Crews	\$9,277.45	Construction Fund	RM 56
Full-Depth Asphalt Patching	\$9,277.46	Construction Fund	RM 48

BACKGROUND/RECOMMENDATION:

Has Recommended Bidder Worked for Village Previously X Yes No
 If yes, was quality of work acceptable X Yes No

REVIEW (as needed):

Village Attorney XX _____ Date _____
 Finance Director XX _____ Date _____
 Village Manager XX _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 4:30 pm, Wednesday, prior to the Board Agenda distribution.

Interoffice Memo

To: Scott Niehaus, Village Manager
Through: Carl S. Goldsmith, Director of Public Works *g*
From: John Beissel, P.E., Village Engineer *JB*
Date: May 8, 2023
Subject: FY 2023 Asphalt Resurfacing Program

The purpose of this work includes asphalt pavement patching and full-depth saw cutting; concrete sidewalk and ADA detectable warning panels at intersections; concrete curb and gutter spot repairs; driveway apron replacements as due to damage from construction (between curb and sidewalk); Hot-Mix Asphalt removal for larger areas; Hot-Mix Asphalt Surface using a paving machine to resurface local roads or for larger patches.

This Contract was originally bid through an online bidding process hosted by QuestCDN.com. The Bid was rejected by the Board of Trustees at their regularly scheduled meeting of May 4, 2023. The Board directed PW Engineering to request pricing for the Asphalt Resurfacing Program from the two responsive bidders of the April 21, 2023, bid opening. Bids were rejected due to a question related to the award language in the joint procurement MPI document.

Budget:

The Village budgeted \$1,822,000.00 for a series of programs incorporated into this Contract. Of this amount, approximately \$350,000 has been obligated to the Division of Streets for street resurfacing with Village crews. The program budgets are summarized below:

<i>Program Name</i>	<i>Budget</i>
General Local Streets Resurfacing Plan	\$1,200,000.00
Local Street Resurfacing plan with Village Crews	\$350,000.00
Full - Depth Asphalt Patching Program	\$127,000.00
Asphalt Utility Patching	\$125,000.00
Construction Material Testing	\$ 20,000.00
Project Totals	\$1,822,000.00

Two (2) bidders who had submitted bids for the April 21, 2023, bid process were contacted for the referenced project. Two (2) proposals were received and opened at 10:00 A.M. on May 5, 2023. The proposal process results are summarized on the following page.

Bid Results:

<i>Company</i>	<i>Bid</i>
#1 Brothers Asphalt Paving, Inc.	\$ 1,227,832.37
#2 R.W. Dunteman Company	\$ 1,289,000.00
Engineer's Estimate	\$ 1,186,803.75

Recommendation:

The Engineering Division recommends awarding this contract to the low bidder, Brothers Asphalt Paving, Inc., in the amount of \$1,227,832.37 for the Village of Lombard's Asphalt Resurfacing Program.

Please present this item to the President and Board of Trustees for their review and approval at their regular meeting on May 18, 2023. If approved, please return two (2) executed copies of the Contract to PW Engineering for further processing.



Contractor's Name

Brothers Asphalt Paving, Inc.

Contractor's Address

315 S. Stewart Avenue

City

Addison

State

IL

Zip Code

60101

STATE OF ILLINOIS

Local Public Agency

the Village of Lombard

County

DuPage

Section Number

23-00166-00-RS

Street Name/Road Name

255 E. Wilson Ave, Lombard, IL 60148

Type of Funds

Rebuild Illinois Bond Fund

CONTRACT BOND (when required)

For a County and Road District Project

Submitted/Approved

Highway Commissioner Signature & Date

Submitted/Approved

County Engineer/Superintendent of Highways Signature & Date

For a Municipal Project

Submitted/Approved/Passed

Signature & Date

Official Title

Village President

Department of Transportation

Concurrence in approval of award

Regional Engineer Signature & Date

Local Public Agency	Local Street/Road Name	County	Section Number
the Village of Lombard	255 E. Wilson Ave, Lombard, IL 60148	DuPage	23-00166-00-RS

1. THIS AGREEMENT, made and concluded the 18th day of May 2023 between the Village of Lombard, known as the party of the first part, and Brothers Asphalt Paving, Inc., its successor, and assigns, known as the party of the second part.

2. For and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring this contract, the party of the second part agrees with said party of the first part, at its own proper cost and expense, to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this contract.

3. It is also understood and agreed that the LPA Formal Contract Proposal, Special Provisions, Affidavit of Illinois Business Office, Apprenticeship or Training Program Certification, and Contract Bond hereto attached, and the Plans for Section 23-00166-00-RS in the Village of Lombard, approved by the Illinois Department of Transportation on 03/31/23, are essential documents of this contract and are a part hereof.

4. IN WITNESS WHEREOF, the said parties have executed this contract on the date above mentioned.

Attest: The Village of Lombard
Local Public Agency Type Name of Local Public Agency

Clerk Signature & Date

(SEAL, if required by the LPA)

Party of the First Part Signature & Date
 By:

(If a Corporation)

Corporate Name

President, Party of the Second Part Signature & Date
 By:

(If a Limited Liability Corporation)

LLC Name

Manager or Authorized Member, Party of the Second Part
 By:

(If a Partnership)

Partner Signature & Date

Partner Signature & Date

Partners doing Business under the firm name of
 Party of the Second Part

(If an individual)

Party of the Second Part Signature & Date

Attest:
 Secretary Signature & Date

(SEAL, if required by the LPA)



Contract Bond

Local Public Agency	County	Street Name/Road Name	Section Number
Village of Lombard	DuPage	Various Streets	23-00166-00-RS

Bond information to be returned to Local Public Agency at 255 E. Wilson Avenue, Lombard, IL 60148
Complete Address

We, _____
Contractor's Name and Address

a/an _____ organized under the laws of the State of _____ as PRINCIPAL, and
State

Surety Name and Address

as SURETY, are held and firmly bound unto the above Local Public Agency (thereafter referred to as "LPA") in the penal sum of
One Million, Two Hundred Twenty-Seven Thousand, Eight Hundred Thirty-Two and 37/100

Dollars (\$1,227,832.37) lawful money of the United States, to be paid to said LPA, the payment of which we bind ourselves, successors and assigns jointly to pay to the LPA this sum under the conditions of this instrument.

WHEREAS, THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that the said Principal has entered into a written contract with the LPA acting through its awarding authority for the construction of work on the above sections, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the said Principal has promised and agreed to perform said work in accordance with the terms of said contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to such Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company or corporation to whom any money may be due from the Principal, subcontractor or otherwise for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company or corporation for the recovery of any such money.

NOW, THEREFORE, if the said Principal shall perform said work in accordance with the terms of said contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to it for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in said contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of the performance thereof and until the said work shall have been accepted, and shall hold the LPA and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions and requirements of said contract, then this obligation shall be void; otherwise it shall remain in full force and effect.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective agents this _____ day of _____
Day Month and Year

PRINCIPAL

Company Name

Company Name

By
Signature & Date

By
Signature & Date

Attest
Signature & Date

Attest
Signature & Date

(If PRINCIPAL is a joint venture of two or more contractors, the company names and authorized signature of each contractor must be affixed.)

STATE OF IL
COUNTY OF _____

I, _____, a Notary Public in and for said county, do hereby certify that
Notary Name

Insert name of Individuals signing on behalf of PRINCIPAL

who is/are each personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument on behalf of PRINCIPAL, appeared before me this day in person and acknowledged respectively, that he/she/they signed and delivered said instrument freely and voluntarily for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____
Day Month, Year

(SEAL)

Notary Public Signature & Date

[Signature box]

Date commission expires _____

SURETY

Name of Surety
[Signature box]

Title
By: [Signature box]

STATE OF IL
COUNTY OF _____

I, _____, a Notary Public in and for said county, do hereby certify that
Notary Name

Insert name of Individuals signing on behalf of SURETY

who is/are each personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument on behalf of SURETY, appeared before me this day in person and acknowledged respectively, that he/she/they signed and delivered said instrument freely and voluntarily for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____
Day Month, Year

(SEAL)

Notary Public Signature & Date

[Signature box]

Date commission expires _____

Approved this 18th day of May 2023
Day Month, Year

Attest:

Local Public Agency Clerk Signature & Date
[Signature box]

Village Clerk
Local Public Agency Type

Awarding Authority
Village of Lombard

Awarding Authority Signature & Date
[Signature box]