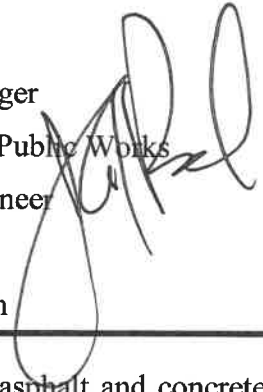




## Interoffice Memo

**To:** Scott R. Niehaus, Village Manager  
**Through:** Carl S. Goldsmith., Director of Public Works  
**From:** John Beissel, P.E., Village Engineer  
**Date:** April 2, 2024  
**Subject:** FY 2024 Crack Sealing Program



The Crack Sealing Program is designed to extend the life of asphalt and concrete pavements through application of a sealing agent to cracks and joints in the road.

This contract was competitively bid on February 1, 2022, through a joint purchase process developed by communities in the DuPage region. The process is based off of the Municipal Partnering Initiative (MPI) that has been successfully implemented in the northern suburbs. The MPI process has one community serve as the lead agency for the purposes of bidding the contract. The Village of Woodridge was this bid’s lead agency. Each participating community awards a contract based upon their identified quantities.

Under the General Terms and Conditions of the 2022 bid, it was requested of the bidders to submit a fixed price for Year Two (2023) and Year Three (2024). Each municipality may exercise the option to extend the contract with the same low bid contractor if they so choose without bidding again.

Budget:

<i><b>Program Name</b></i>	<i><b>Budget</b></i>
RM PROG 47 – Crack Sealing Program/Pavement Preservation Program	\$101,000.00
<i><b>Total Funding</b></i>	<b>\$101,000.00</b>

Bid Participants: Burr Ridge, Darien, Downers Grove, DuPage County, Elmhurst, Lombard, West Chicago, Wheaton and Woodridge.

Bid Results: Three (3) bids were received and opened at 10:00 a.m. on February 1, 2022, by the Village of Woodridge. The following table summarizes the bid results. Attached to this memo is the bid tabulation.

<i><b>Company</b></i>	<i><b>Amount</b></i>
SKC Construction, Inc.	\$831,167.48
Denler, Inc.	\$869,872.50
National Industrial Maintenance, Inc.	\$1,043,057.08
<i><b>Village of Lombard Portion of MPI</b></i>	<b>\$91,262.00</b>

Staff recommends awarding this Contract, once again, to SKC Construction, Inc. in the amount of \$101,000.00 for FY2024, which is Year Three of the Contract as bid on February 1, 2022. Work will be performed on a work order basis. Payments to the Contractor will be based on the actual work performed at the awarded contract unit prices.

Please present this item to the President and Board of Trustees for review and approval at the next regularly scheduled meeting. If approved, please return two (2) executed copies of the contract to PW Engineering for further processing.

## VILLAGE OF LOMBARD CONTRACT

### CONTRACT DOCUMENT NUMBER FY24 RM PROG 47

This agreement is made this 18<sup>th</sup> day of April, 2024, between and shall be binding upon the Village of Lombard, an Illinois municipal corporation (hereinafter referred to as the "Village") and SKC Construction, Inc. (hereinafter referred to as the "Contractor") and their respective successors.

Witnessed, that in consideration of the mutual promises of the parties delineated in the Contract Documents, the Contractor agrees to perform the services and the Village agrees to pay for the following services as set forth in the Contract Documents:

#### FY 2024 CRACK SEALING PROGRAM

This Project will consist of the sealing of cracks and joints throughout the village.

1. This Contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
  - a. FY 2024 CRACK SEALING PROGRAM incorporates 2022-01 Crack Sealing and Seal Coating Services:
    - i) Cover Sheet
    - ii) Notice to Bidders on Contract Document Number RM PROG 47 - Legal Notice
    - iii) Submission Information, dated January 11, 2022
    - iv) General Terms and Conditions
    - v) Labor Statutes, Records and Rates
    - vi) Technical Terms and Conditions
    - vii) Contractor References
    - viii) Disqualification of Certain Bidders
    - ix) Anti-Collusion Affidavit and Contractor's Certification
    - x) Conflict of Interest
    - xi) Tax Compliance Affidavit
    - xii) Sub-Contractor Information
    - xiii) Participation Affidavit
    - xiv) Agreement Acceptance RFB # 2022-01 Crack Sealing Services Acceptance (Appendix A)
    - xv) Technical Specifications (Appendix B)
    - xvi) Quantity Breakdown per Municipality (Appendix C)
  - b. The Contractor's Bid Proposal Dated: February 1, 2022
  - c. Required Performance and Payment Bonds and Certificate(s) of Insurance.

2. The Village agrees to pay, and the Contractor agrees to accept as full payment the amount as shown on the Contractor's Bid Proposal, which is made a part hereof, subject to such additions and deletions as agreed to by the parties hereto.
3. The Contractor shall commence work under this Contract upon written Notice to Proceed from the Village and shall complete work under this Contract within 90 calendar days from the date of the Notice to Proceed. Time is of the essence in regard to this Contract, and the Contractor agrees to achieve completion within the time permitted by all proper and appropriate means including working overtime without additional compensation.
4. Pursuant to the provisions of Section 5 of the Mechanics' Lien Act of Illinois, prior to making any payment to the Contractor under this Contract, the Village demands that the Contractor furnish a written statement of the names of all parties furnishing labor and/or materials under this Contract and the amounts due or to become due each. This statement must be made under oath or be verified by affidavit. The Village shall not issue final payment nor shall any retained percentage become due until releases and waivers of lien have been supplied as the Village designates.
5. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

IN WITNESS WHEREOF, the Village of Lombard, Illinois, and the Contractor have each hereunto caused this Contract to be executed by their respective duly authorized representatives this 18<sup>th</sup> day of April 2024.

If an individual or partnership, the individual or all partners shall sign or, if a corporation, an officer(s) duly authorized shall sign.

SKC Construction, Inc.

\_\_\_\_\_  
Print Company Name

Individual or Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
By

\_\_\_\_\_  
Position/Title

\_\_\_\_\_  
By

\_\_\_\_\_  
Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this \_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

Attest:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk