



VILLAGE OF LOMBARD CONTRACT

CONTRACT DOCUMENT NUMBER WA 12 02

This agreement is made this 5th day of September 2013, between and shall be binding upon the Village of Lombard, an Illinois municipal corporation (hereinafter referred to as the "Village") and Unique Plumbing Company (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:

The proposed work is officially known as "Yorktown Water Main at Buca Di Beppo". The project involves the installation of approximately 132 linear feet of 8-inch, 59 linear feet of 6-inch and 38 linear feet of 4-inch DIP water main at the Buca Di Beppo Restaurant located at the northeast corner of the intersection of Highland Avenue and Butterfield Road. The scope of work includes stubbing a new 6-inch fire service and a 4-inch water service to the Buca Di Beppo Restaurant and the abandonment of the existing water main located in the Highland Avenue parkway. Furthermore, pavement replacement, curb and gutter replacement, storm sewer removal and replacement and restoration will be included in the scope of work for this project. It should be noted that the internal service connections to the Buca Di Beppo restaurant will be performed by others. All of the above as well as other project details are further described in the contract documents for the said work prepared for the Village of Lombard by Engineering Enterprises, Inc.

Pre-Qualification of Bidders

1. This contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
 - a. Contract Document Number WA 12 02 for Yorktown Water Main at Buca Di Beppo consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) Notice to Bidders on Contract Document Number WA 12 02 - Legal Notice
 - iv) General Provisions
 - v) Special Provisions
 - vi) Plans and Specifications
 - b. The Contractor's Bid Proposal Dated: August 27, 2013
 - c. Required Performance and Payment Bonds and Certificate(s) of Insurance
 - d. Executed Bidder's Certification Form.
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 45 calendar days from the date of the Notice to Proceed (35 calendar days to substantial completion with 10 calendar days for punch list work). 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 5th day of September 2013.

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

Unique Plumbing Co. Inc.
Print Company Name

Individual or Partnership _____ Corporation

Accepted this 16th day of September, 2013.

[Signature]
By
Mary B. Kennedy
By

President
Position/Title
Corporate Secretary
Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 5th day of September, 2013.

[Signature]
Keith Giagnorio
Village President

Attest:

[Signature]
Sharon Kuderna
Village Clerk

VILLAGE OF LOMBARD CONTRACTOR'S CERTIFICATION

James P. Kennedy, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Unique Plumbing Co. Inc, having submitted a proposal for:
(Name of Company)

Yorktown Water Main at Buca Di Beppo to the Village of Lombard, hereby certifies that said Contractor:

- 1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
- 2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the appropriate revenue Act; or
 - b. it has entered into an agreement with the Department of Revenue for payment of all taxes due and is currently in compliance with that agreement.
- 3. is in full compliance with the Federal Highway Administration Rules on Controlled Substances and Alcohol Use and Testing, 49 CFR Parts 40 and 382 and that All employees
(Name of employee/driver or "all employee drivers")
- is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.
- 4A. has in place a written program which meets or exceeds the program requirements of the Substance Abuse Prevention on Public Works Projects Act (Public Act 95-0635), and has provided a written copy thereof to the Village of Lombard.
- 4B. has in place a collective bargaining agreement which deals with the subject matter of the Substance Abuse Prevention on Public Works Projects Act (Public Act 95-0635).

(Cross out either 4A or 4B, depending upon which certification is correct.)

By: James P. Kennedy
Authorized Agent of Contractor

Subscribed and sworn to
before me this 16th
day of September, 2013.

