

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: David A. Hulseberg, Village Manager
 DATE: August 11, 2008 (COW) (B of T) **Date:** August 21, 2008
 TITLE: Bid Opening For: FY 2009 Asphalt Paving and Patching
 Project Number ST-08-03
 SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *Dratnol*

RESULTS:

Date Bids Were Published 7/11/08 Bidding Closed 7/22/08
 Total Number of Bids Received 3
 Total Number of Bidders Meeting Specifications 3
 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 Were Any Bids Withdrawn Yes X No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:
 Award Recommended to Lowest Responsible Bidder? X Yes No
 If no, explain:

FISCAL IMPACT:

Engineer's estimate/budget estimate \$1,495,000 / \$1,465,000
 Amount of Award \$1,382,445

Fund:Capital Project Fund HTE: 5509, 5514, 5545

BACKGROUND/RECOMMENDATION:

Has Recommended Bidder Worked for Village Previously X Yes No
 If yes, was quality of work acceptable X Yes No
 Was item bid in accordance with Public Act 85-1295? X Yes No
 Waiver of bids - Public Act 85-1295 does not apply Yes

REVIEW (as needed):

Village Attorney XX _____ Date _____
 Finance Director XX *Timothy Sexton* Date 8/13/08
 Village Manager XX *David A. Hulseberg* Date 8/13/08

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: David A. Hulseberg, Village Manager
Through: Dave Gorman, P.E., Acting Director of Public Works *DGH*
From: David A. Dratnol, P.E., Village Engineer *DAR*
Date: 8/11/08
Subject: The FY 2009 Asphalt Patching and Paving Program
Project Number: ST-09-03

Six (6) potential bidders purchased plans for the referenced project. Three (3) bids were received and opened at 10:00 a.m. on July 22, 2008.

The results are listed below:

Company	TOTAL
Brothers Asphalt Paving Inc., Addison, IL	\$1,382,445.00
R.W. Dunteman Company, Addison, IL	\$1,419,807.02
ALamp Concrete Contractors, Schaumburg, IL	\$1,603,213.20
Engineer's Estimate	\$1,494,537.00

The lowest responsible bidder is Brothers Asphalt Paving Inc. of Addison, Illinois, with a bid in the amount of \$1,382,445.00. Brothers Asphalt Paving Inc. has worked previously on this program for the Village. The last contract with Brothers was in FY 2008. The Engineering Division recommends the award of this contract to Brothers Asphalt Paving Inc., in the amount of \$1,382,445.00.

Please present this item to the President and Board of Trustees for their review and approval at their regular meeting on August 21, 2008. If approved, please return two (2) executed copies of the contract to PW Engineering for further processing.

File: ST-09-03

VILLAGE OF LOMBARD

COPY

CONTRACT

CONTRACT DOCUMENT NUMBER ST-09-03

This agreement is made this _____ day of _____, 2008, between and shall be binding upon the Village of Lombard, an Illinois municipal corporation (hereinafter referred to as the "Village") and Brothers Asphalt Paving, 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:

The FY 2009 Asphalt Paving and Patching Program

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 ST-09-03 for The FY 2009 Asphalt Paving and Patching Program, consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) Notice to Bidders on Contract Document Number ST-09-03 - Legal Notice
 - iv) General Provisions
 - v) Special Provisions
 - vi) Plans and Specifications
 - b. The Contractor's Bid Proposal Dated: July 22, 2008
 - 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 184 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 ____ day of _____ 2008.

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

Print Company Name

Individual or Partnership _____ Corporation _____

Accepted this _____ day of _____, 2008.

By _____ Position/Title

By _____ Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this _____ day of _____, 2008.

William J. Mueller, Village President

Attest:

Brigitte O'Brien, Village Clerk