

**VILLAGE OF LOMBARD
CONTRACT**

CONTRACT DOCUMENT NUMBER RM PROG 33

This agreement is made this 20th day of April, 2017, between and shall be binding upon the Village of Lombard, an Illinois municipal corporation (hereinafter referred to as the "Village") and Denler, 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 2017 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 2016 CRACK SEALING PROGRAM incorporates 2016-02 Crack Sealing and Seal Coating Services:
 - i) Cover Sheet
 - ii) Notice to Bidders on Contract Document Number RM PROG 33 - Legal Notice
 - iii) Submission Information, dated March 31, 2016
 - 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) Appendix A Agreement Acceptance RFB # 2016-02 Crack Sealing Services Acceptance
 - xv) Technical Terms and Conditions (Appendix A)
 - b. The Contractor's Bid Proposal Dated: March 31, 2016
 - 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 37 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 20th day of April 2017.

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

Denler, Inc.

Print Company Name

Individual or Partnership _____ Corporation _____

Accepted this 24 day of May, 2017.

[Signature]
By _____

President
Position/Title _____

By _____

Position/Title _____

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 26th day of April, 2017.

[Signature]
Keith T. Giagnorfo, Village President

Attest:

[Signature]
Sharon Kuderna, Village Clerk



VILLAGE OF LOMBARD

CONTRACTOR'S CERTIFICATION

David J. Denler, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Denler, Inc, having submitted a proposal for:
(Name of Company)

FY 2017 CRACK SEALING PROGRAM

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 employee driver is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By: [Signature]
Authorized Agent of Contractor

Subscribed and sworn to
before me this 24th
day of May, 2017.

[Signature]
Notary Public

