

Interoffice Memo

To: Scott Niehaus, Village Manager
Through: Carl S. Goldsmith, Director of Public Works *g*
From: Sean P. Kelly, P.E., Village Engineer *SPK by IDOT*
Date: May 28, 2020
Subject: FY 2020 Asphalt Paving and Patching 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 bid through an online bidding process hosted by QuestCDN.com. The Notice to Bid was published in the *Daily Herald* on May 8, 2020, along with being listed in IDOT's Contractors Bulletin on May 1st and 8th.

Budget:

The Village budgeted \$1,608,000.00 for a series of programs incorporated into this Contract. Of this amount, approximately \$225,000 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	\$624,000.00
Local Street Resurfacing plan with Village Crews	\$347,000.00
Full - Depth Asphalt Patching Program	\$482,000.00
Asphalt Utility Patching	\$135,000.00
Construction Material Testing	\$ 20,000.00
Project Totals	\$1,608,000.00

Eleven (11) potential bidders purchased plans for the referenced project. Seven (7) bids were received and opened at 10:00 A.M. on May 26, 2020. The bid results are summarized on the following page.

Bid Results:

<i>Company</i>	<i>Bid</i>
#1 Schroeder Asphalt Services, Inc.	\$ 884,644.52
#2 Brothers Asphalt Paving, Inc.	\$ 899,079.62
#3 K-Five Construction Corporation	\$ 967,146.00
#4 R.W. Dunteman Company	\$ 975,730.29
#5 J. A. Johnson Paving Company	\$ 981,224.42
#6 Builders Paving, LLC	\$ 1,095,000.00
#7 Plote Construction, Inc.	\$ 1,166,018.47
Engineer's Estimate	\$ 938,124.20

Recommendation:

The Engineering Division recommends awarding this contract to the low bidder, Schroeder Asphalt Services, Inc. in the amount of \$884,644.52 for the Village of Lombard's Asphalt Paving Program.

Please present this item to the President and Board of Trustees for their review and approval at their regular meeting on June 18, 2020. If approved, please return four (4) executed copies of the Contract to PW Engineering for further processing.

County DuPage
Local Public Agency Village of Lombard
Section Number 19-00000-01-GM
Route Various

1. THIS AGREEMENT, made and concluded the 1st day of June 2020,
Month and Year

between the Village of Lombard
acting by and through its President and Board of Trustees known as the party of the first part, and
Schroeder Asphalt Services, Inc. his/their executors, administrators, successors or assigns,
known as the party of the second part.

2. Witnesseth: That 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 to these presents, the party of the second part agrees with said party of the first part at his/their 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 agreement and the requirements of the Engineer under it.

3. And 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 20-00000-01-GM, in Lombard, Illinois, approved by the Illinois Department of Transportation on May 8, 2020, are essential documents of this
Date
contract and are a part hereof.

4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

Attest: _____ The Village of Lombard
Clerk By _____
Party of the First Part
(Seal) *(If a Corporation)*

Corporate Name _____
By _____
President Party of the Second Part
(If a Co-Partnership)

Attest: _____
Secretary

Partners doing Business under the firm name of _____
Party of the Second Part
(If an individual)
Party of the Second Part



Route	<u>Various</u>
County	<u>DuPage</u>
Local Agency	<u>Village of Lombard</u>
Section	<u>20-00000-01-GM</u>

We, SCHROEDER ASPHALT SERVICES, INC.

a/an) Individual Co-partnership Corporation organized under the laws of the State of Illinois,
as PRINCIPAL, and _____

_____ as SURETY,

are held and firmly bound unto the above Local Agency (hereafter referred to as "LA") in the penal sum of _____

_____ Dollars (\$884,644.52), lawful money of the
United States, well and truly to be paid unto said LA, for the payment of which we bind ourselves, our heirs, executors,
administrators, successors, jointly to pay to the LA 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 LA acting through its awarding authority for the construction of work on the above section, 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 suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond shall inure to the benefit of 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 well and truly 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 him 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 LA 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 to be void; otherwise to 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 officers this _____ day of _____ A.D. _____

PRINCIPAL

Schroeder Asphalt Services, Inc.
(Company Name)

(Company Name)

By: _____
(Signature & Title)

By: _____
(Signature & Title)

Attest: _____
(Signature & Title)

Attest: _____
(Signature & Title)

(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 ILLINOIS,

COUNTY OF _____

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

(Insert names of individuals signing on behalf or PRINCIPAL)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____ A.D. _____

My commission expires _____ Notary Public (SEAL)

SURETY

(Name of Surety)

By: _____
(Signature of Attorney-in-Fact)

STATE OF ILLINOIS.

COUNTY OF _____

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

(Insert names of individuals signing on behalf or SURETY)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____ A.D. _____

My commission expires _____ Notary Public (SEAL)

Approved this _____ 1st day of _____ June _____, A.D. 2020

Attest:

Village of Lombard
(Awarding Authority)

Village of Lombard Clerk

(Chairman/Mayor/President)

VILLAGE OF LOMBARD

CONTRACTOR'S CERTIFICATION

_____, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

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

FY 2020 ASPHALT PAVING & PATCHING 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 _____
(Name of employee/driver or "all employee drivers")
is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By: _____
Authorized Agent of Contractor

Subscribed and sworn to
before me this _____
day of _____, 2020.

Notary Public