



At the Heart of Community

PUBLIC WORKS DEPARTMENT
505 Telser Road
Lake Zurich, Illinois 60047

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LakeZurich.org

AGENDA ITEM

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MEMORANDUM

Date: June 22, 2020
To: Ray Keller, Village Manager *PK*
From: Michael J. Brown, Public Works Director
Subject: 2020 Asphalt Materials
Award Recommendation

Issue: The FY 2020 budget includes \$40,000 in the Non Home Rule fund for asphalt materials for internal patching repairs by the Public Works Department.

Background: The Village is committed to maintaining safe, drivable roadways. The asphalt materials contract provides Public Works the means to pick up asphalt, as needed, from a local asphalt plant for in-house repairs from infrastructure repairs, and roadway patching.

Village Strategic Plan: This agenda item is consistent with the following Goals and Objectives of the Strategic Plan.

- **Goal #3 – Infrastructure:** *Develop and formalize a long-range street maintenance program.*
- **Goal #4 – Service Sustainability:** *Identify Methods of Alternate Service Delivery.*

Analysis: Public Works enters into an annual contract for asphalt materials. Asphalt is purchased at a unit price per ton. Staff prepared the bidding specifications and administered the bid opening held on June 19, 2020.

The Village received three (3) bids. The bid results are shown below:

Name of Bidder	Total Bid Amount
Peter Baker & Son Co (Lake Bluff, IL)	\$40,550.00
Arrow Road Construction Company (Elk Grove Village, IL)	\$45,225.00
Builders Asphalt (Hillside, IL)	\$47,600.00

The lowest responsible bid was received from Peter Baker & Son Co of Lake Bluff, Illinois.

The Peter Baker & Son Co asphalt plant is located in Lakemoor, Illinois, approximately 11 miles from Lake Zurich. Peter Baker & Son Co was awarded the asphalt materials contract last year. Staff was satisfied with the quality of product and level of service provided.

Recommendation: Award a contract for the 2020 Asphalt Materials purchase to Peter Baker & Son Co of Lake Bluff, IL in an amount not-to-exceed \$40,000.00.

W/Attachments:

1. Bid Submittal – Peter Baker & Son Co.

BID: 2020 Asphalt Materials Bid Due: June 19, 2020 by 10:00 a.m.

Company Name	Contact Person/Title	Bond	Submitted	Bid Amount
Peter Baker & Son Co 1349 Rockland Rd Po Box 187 Lake Bluff, IL 60044-0187	John Brunner	YES	6/11/2020 10:15 a.m.	\$ 30,550.00 Surface 10,000.00 Binder
Arrow Road Construction 3401 S. Busse Rd Mt. Prospect, IL 60056	Nick Eichenold	YES	6/15/2020 11:10 a.m.	\$ 33,475.00 Surface 11,750.00 Binder
Builders Asphalt, LLC 4413 Roosevelt Rd, Ste 108 Hillside, IL 60162	Steven Salinas	YES	6/19/2020 9:15 a.m.	\$ 35,100.00 Surface 12,500.00 Binder

WITNESSED BY:
10:01 a.m. opening 6-19-2020

Mike Cernock, GS Supt.
Bea Corral, Purchasing Coordinator
Noah Kalter, Manhard Eng

Original sheet in bid file

RETURN WITH BID

Local Public Agency
Material Proposal or
Deliver & Install
Proposal

PROPOSAL SUBMITTED BY		
Peter Baker & Son Co.		
Contractor's Name		
1349 Rockland Rd.		
Street	P.O. Box	
Lake Bluff, IL 60044		
City	State	Zip Code

STATE OF ILLINOIS

COUNTY OF Lake
Village of Lake Zurich
 (Name of City, Village, Town or Road District)

FOR THE IMPROVEMENT OF

STREET NAME OR ROUTE NO. N/A
 SECTION NO. 2020 Asphalt Materials
 TYPES OF FUNDS Local

- MATERIAL PROPOSAL DELIVER & INSTALL PROPOSAL
 SPECIFICATIONS (required) PLANS (if applicable)

For Municipal Projects	
Submitted/Approved/Passed	
<input type="checkbox"/> Mayor <input type="checkbox"/> President of Board of Trustees <input checked="" type="checkbox"/> Municipal Official	
Date	



Note: All proposal documents, including Proposal Guaranty Checks or Proposal Bid Bonds, should be stapled together to prevent loss when bids are processed.

RETURN WITH BID

NOTICE TO BIDDERS

County Lake
Local Public Agency Lake Zurich
Section Number 2020 Asphalt Materials
Route N/A

Sealed proposals for the furnishing or delivering & installing materials required in the construction/maintenance of the above Section will be received and at that time publicly opened and read at the office of Village Hall, 70 East Main Street, Lake Zurich, Illinois 60047 until 10:00 AM on June 19, 2020

1. Plans and proposal forms will be available in the office of Village of Lake Zurich, Public Works 505 Telser Road, Lake Zurich, IL 60047

- 2. Prequalification. If checked, the 2 low bidders must file within 24 hours after the letting an "Affidavit of Availability" (Form BC 57), in duplicate, showing all uncompleted contracts awarded to them and all low bids pending award for Federal, State, County, Municipal and private work.
3. The Awarding Authority reserves the right to waive technicalities and to reject any or all proposals as provided in BLRS Special Provision for Bidding Requirements and Conditions for Material Proposals.
4. A proposal guaranty in the proper amount, as specified in BLRS Special Provision for Bidding Requirements and Conditions for Material Proposals, will be required. Bid Bonds will be allowed as a proposal guaranty.
5. The successful bidder at the time of execution of the contract will not be required to deposit a contract bond for the full amount of the award. When a contract bond is not required, the proposal guaranty check will be held in lieu thereof. Failure on the part of the contractor to deliver the material within the time specified or to do the work specified herein will be considered just cause to forfeit his surety as provided in Article 108.10 of the Standard Specifications.
6. Proposals shall be submitted on forms furnished by the Awarding Authority and shall be enclosed in an envelope endorsed "Village of Lake Zurich, 2020 Asphalt Materials Proposal".

By Order of Village of Lake Zurich (Awarding Authority) Date (Municipal Clerk)

Material Proposal or Deliver & Install Proposal

To Village of Lake Zurich (Awarding Authority)

If this bid is accepted within 45 days from date of opening, the undersigned agrees to furnish or to deliver & install any or all of the materials, at the quoted unit prices, subject to the following:

- 1. It is understood and agreed that the "Standard Specifications for Road and Bridge Construction", adopted April 1, 2016, and the "Supplemental Specifications and Recurring Special Provisions", adopted January 1, 2019, prepared by the Department of Transportation, shall govern insofar as they may be applied and insofar as they do not conflict with the special provisions and supplemental specifications attached hereto.
2. It is understood that quantities listed are approximate only and that they may be increased or decreased as may be needed to properly complete the improvement within its present limits or extensions thereto, at the unit price stated and that bids will be compared on the basis of the total price bid for each group.
3. Delivery in total or partial shipments as ordered shall be made within the time specified in the special provisions or by the acceptance at the point and in the manner specified in the "Schedule of Prices". If delivery on the job site is specified, it shall mean any place or places on the road designated by the awarding authority or its authorized representative.
4. The contractor and/or local agency performing the actual material placement operations shall be responsible for providing work zone traffic control, unless otherwise specified in this proposal. Such devices shall meet the requirements of and be installed in accordance with applicable provisions of the "Illinois Manual on Uniform Traffic Control Devices" and any referenced Illinois Highway Standards.
5. Each pay item should have a unit price and a total price. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price. A bid will be declared unacceptable if neither a unit price nor a total price is shown.

Discounts will be allowed for payment as follows: 0 % N/A calendar days: 0 % N/A calendar days. Discounts will not be considered in determining the low bidder.

Bidder Peter Baker & Son Co. By Arthur M. Baker II, President (Signature)
Address 1349 Rockland Rd., Lake Bluff, IL 60044 Title Arthur M. Baker II, President



Local Agency Proposal Bid Bond

Route N/A
County Lake
Local Agency Village of Lake Zurich
Section 2020 Asphalt Materials

RETURN WITH BID

PAPER BID BOND

WE Peter Baker & Son Co. as Principal
and Federal Insurance Company as Surety,

are held jointly, severally and firmly bound unto the above Local Agency (hereafter referred to as "LA") in the penal sum of 5% of the total bid price, or for the amount specified in the proposal documents in effect on the date of invitation for bids whichever is the lesser sum. We bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly 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 is submitting a written proposal to the LA acting through its awarding authority for the construction of the work designated as the above section.

THEREFORE if the proposal is accepted and a contract awarded to the Principal by the LA for the above designated section and the Principal shall within fifteen (15) days after award enter into a formal contract, furnish surety guaranteeing the faithful performance of the work, and furnish evidence of the required insurance coverage, all as provided in the "Standard Specifications for Road and Bridge Construction" and applicable Supplemental Specifications, then this obligation shall become void; otherwise it shall remain in full force and effect.

IN THE EVENT the LA determines the Principal has failed to enter into a formal contract in compliance with any requirements set forth in the preceding paragraph, then the LA acting through its awarding authority shall immediately be entitled to recover the full penal sum set out above, together with all court costs, all attorney fees, and any other expense of recovery.

IN TESTIMONY WHEREOF, the said Principal and the said Surety have caused this instrument to be signed by their respective officers this 19th day of June 2020

Principal

Peter Baker & Son Co.
(Company Name)
By: Arthur M. Baker II, President
(Signature and Title)

(Company Name)
By:
(Signature and Title)

(If PRINCIPLE is a joint venture of two or more contractors, the company names, and authorized signatures of each contractor must be affixed.)

Federal Insurance Company
(Name of Surety)

Surety
By: Sandra L. Kozubowski
(Signature of Attorney-in-Fact)

STATE OF ILLINOIS,
COUNTY OF Lake
I, Victoria A. Meyer, a Notary Public in and for said county, do hereby certify that Arthur M. Baker II and Sandra L. Kozubowski

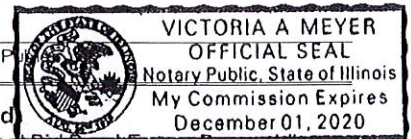
(Insert names of individuals signing on behalf of Principal & Surety)

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

Given under my hand and notarial seal this 19th day of June 2020

My commission expires 12/01/2020

Victoria A. Meyer
(Notary Public)



ELECTRONIC BID BOND

Electronic bid bond is allowed (box must be checked by LA if electronic bid bond is allowed)

The Principal may submit an electronic bid bond, in lieu of completing the above section of the Proposal Bid Bond Form. By providing an electronic bid bond ID code and signing below, the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the LA under the conditions of the bid bond as shown above. (If Principal is a joint venture of two or more contractors, an electronic bid bond ID code, company/Bidder name title and date must be affixed for each contractor in the venture.)

Electronic Bid Bond ID Code

(Company/Bidder Name)

(Signature and Title)

Date

CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

Know All by These Presents, That **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, and **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, do each hereby constitute and appoint **Mayra A. Baltierrez, Joseph A. Gaskill III, Joseph A. Gaskill IV, Matthew Huczek, Gabriel Jacquez, Sandra L. Kozubowski, Andrew Marks, Elisa Ordenez, Logan Powell, James H. Schwichtenberg, Colleen Sleyko, Tyler Tilley and Hali Turkovich** of Chicago, Illinois

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** have each executed and attested these presents and affixed their corporate seals on this 17th day of September, 2018.

Dawn M. Chloros

Dawn M. Chloros, Assistant Secretary

Stephen M. Haney

Stephen M. Haney, Vice President



STATE OF NEW JERSEY

County of Hunterdon

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On this 17th day of September, 2018, before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly sworn, did depose and say that she is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with Stephen M. Haney, and knows him to be Vice President of said Companies; and that the signature of Stephen M. Haney, subscribed to said Power of Attorney is in the genuine handwriting of Stephen M. Haney, and was thereto subscribed by authority of said Companies and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2318865
Commission Expires July 16, 2019

Katherine J. Adelaar
Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 19th day of June, 2020



Dawn M. Chloros

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com