

2 W. PLEASANT ST.
P. O. BOX 30
AURORA, MO 65605



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AURORA-CITYHALL.ORG

CITY OF AURORA

CHIP AND SEAL BID

INVITATION

Invitation to Bid on the supply and delivery of chip and seal overlay; resurfacing of designated city streets

**City of Aurora
2 West Pleasant
Aurora, MO 65605
417-678-5121**

This bid packet includes the following:

1. Notice to Bid – Exhibit 1
2. Chip and Seal Bid Instructions – Exhibit 2
3. Chip and Seal Bid Specifications – Exhibit 3
4. Chip and Seal Bid Form – Exhibit 4
5. **Annual Wage Order No. 25** – Exhibit 5

DATED: 03/30/2022

NOTICE TO BID

The City of Aurora is accepting sealed bids for the supply and delivery of Asphalt overlay and resurfacing of designated City Streets. Sealed bids marked “**Chip and Seal Bid**” must be received in the City Clerk’s Office at Aurora City Hall, at 2 West Pleasant (P.O. Box 30), by **Wednesday May 4, 2022 at 10:00 a.m.**, when they will be publicly opened.

Bid packets can be obtained in the office of the City Clerk or from the city’s website:
www.aurora-cityhall.org

Questions should be directed to **Jason Jordan, Public Works Superintendent** at **417-229-9741**.

All bidders must comply with the Department of Labor’s Prevailing Wage Order No. 25. The City reserves the right to reject or accept any or all proposals or portions of a proposal.

**CHIP AND SEAL BID
BID INSTRUCTIONS**

1. **To be considered as a complete and qualified bid all bid packets must include the following documents:**
 - A. City of Aurora Bid Form for the Chip and Seal Bid must be typewritten or completed in ink and signed by an authorized official of the firm or all partners, if a partnership.
 - B. Support or supplementary documentation and warranty information, as requested in the attached bid specifications.
 - C. Certificate of Insurance showing all levels of insurance as described in the bid specifications.
 - D. Section 285.530.2 of the Missouri Revised Statutes requires a political subdivision as a condition of a contract or grant in excess of \$5,000 to require the business entity to affirm by sworn affidavit and provision of documentation the business entity has enrolled and participates in a federal work authorization program with respect to the employees who work in connection with the contracted services. The Contractor must provide a signed affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contract.
 - E. Bid must be submitted according to **Prevailing Wage Order No. 25** as described in bid specifications.
 - F. Bidder must provide Federal Tax ID No. or Social Security Number whichever is used to file income tax documentation.
 - G. Bidder must provide an acceptable form of ID to provide proof of lawful presence pursuant to RSMo 208.009 as described in bid specifications.
 - H. Bidder must include with the submission of their formal bid a Bid Bond equal to ten percent (10%) of the total bid value as described in bid specifications.
 - I. Completed W-9 form.
 - J. Bidder must furnish a list of references with contact persons and telephone numbers.
2. All bids should be firm prices exclusive of all taxes.
3. Bids should include all labor, equipment, insurance and materials to perform the duties outlined in the bid specifications.

4. It shall be the Bidder's responsibility to obtain a current City of Aurora Contractor's License all permits associated with this project and make sure the area is clear of any utilities.
5. The City of Aurora encourages the purchase and use of products, manufactured, assembled or produced in the United States; providing the quality of the goods or services is comparable with goods and services not produced in the United States.
6. The City reserves the right to check all references necessary to determine the firm's ability to perform the work bid.
7. Terms and conditions will be negotiated with the successful Bidder and approved by the City Council, upon award of the Bid.
8. The successful bidder will enter into a contract with the City of Aurora.
9. The City reserves the right to reject or accept any or all proposals or portions of proposal.
10. Bidders shall read thoroughly and understand the specifications in relation to the bid that is submitted. If the bidder has any questions concerning the true meaning or intent of the specifications or any of the requirements stated herein, bidder shall request the specifications interpretation in writing by **April 15, 2022** and an addendum shall be issued by the City which shall be made available to all bidders to whom specifications and other relevant material have been issued. Failure to have requested an addendum covering any such questions shall not relieve the bidder from performing the work in accordance with the intent of the bid.
11. Any bid received by the City after the stated opening time will not be honored by the City. There will be NO EXCEPTIONS. Bidders shall be responsible for the actual delivery of the bids during business hours to the address indicated. It shall not be sufficient to show that the bid was mailed in time to be received before scheduled closing time for receipt of bids
12. A legible list of all prevailing wage rates **must remain** posted in a prominent and easily accessible place at the worksite by each contractor and subcontractor on the project. The notice must be posted during the full time that any worker is employed on the job. Section 290.265 RSMo.
13. All bids must be received by **Wednesday May 4, 2022 at 10:00 a.m.** Bids will be publicly opened at that time with bid being awarded at a later date.

**CHIP AND SEAL BID
BID SPECIFICATIONS**

I. GENERAL BID SPECIFICATION INFORMATION:

Description of work to be performed by Contractor:

Furnish all material, labor, tools and equipment, and perform all work necessary to construction specifications: resurfacing of streets, to include the application of asphalts by machine or grader, tack oil and primer.

The scope of work included in the project may be subdivided into individual street projects or city projects as subsurface preparation is completed. The Contractor shall install chip and seal surface on individual street projects at the direction of the City of Aurora, Missouri. The City shall provide the Contractor with "Notice to Proceed" with individual street projects a minimum of 72 hours prior to the date that the asphalt surface is desired to be installed. The Contractor shall install the required amount of chip and seal surface directed by the City of Aurora within (72) seventy-two hours of receipt of "Notice to Proceed" with any individual project requiring 500 ton or more of asphalt material.

All chip and seal will be required to be completed by October 01, 2022. Work should be coordinated with Jason Jordan, Public Works Superintendent, at 417-229-9741.

BID 1

STREETS BEING CONSIDERED FOR CHIP SEAL

Carnation – Prospect to Daniels	1500' x 22'
Chicory Ln. Carnation to Cul-de-Sac	1500' x 26'
High St. – N. Carnation to RR tracks	1500' x 22'

II. INSURANCE REQUIREMENTS

Bidder shall submit with this bid a certificate of insurance showing evidence of adequate insurance coverage.

Bidder shall maintain insurance coverage in the following amounts:

		<u>MINIMUM LIMITS OF LIABILITY</u>
1.	Worker's Compensation/Coverage A Employer's Liability/Coverage B	Statutory \$1,000,000
2.	Commercial General Liability Including product liability, contractual liability, bodily injury and property damage	\$2,500,000 each occurrence \$2,500,000 each aggregate

3. Comprehensive Automobile Liability
- | | |
|---|-----------------------------|
| Including bodily injury and property damage | \$2,500,000 each occurrence |
| | \$2,500,000 in aggregate |

The City of Aurora shall be named as an additional insured on successful Bidder's General Liability, Auto and Excess Liability. Bidder's insurance carriers must be an "A" rated company pursuant to Best ratings.

Liability coverage shall be primary to any insurance maintained by the City of Aurora.

Such certificates shall afford the City of Aurora thirty (30) days written notice of cancellation or material change of coverage. If necessary, the City of Aurora shall have the right to obtain the required insurance, at Bidder's expense, to the completion of the services under this Agreement. City of Aurora reserves the right to review the actual policies of Bidder's insurance coverages as listed above.

III. BOND REQUIREMENTS

- A. Performance Bond. Bidder must include with a submission of their signed contract a Performance Bond in the amount of 100% of the total bid amount.

IV. TIME FRAME

Bidders shall include on the Bid Form the estimated time frame needed to complete this repair design project. **All chip and seal will be required to be completed by October 01, 2022.**

V. LIQUIDATED DAMAGES

Bidders shall recognize that time is of the essence regarding this project. If the work is not completed within the time frame specified in the executed contract, the successful Bidder will agree to pay liquidated damages for delay (but not as a penalty) to the City of Aurora in the amount of \$200 per day for each day that expires after the time specified until the work is substantially complete.

VI. SAFETY TRAINING

For all public works construction contracts the Bidder shall comply with the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the project to provide, and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

The contractor will forfeit a penalty to the contracting public body of \$2,500 plus an additional \$100 for each employee employed by the contractor or subcontractor, for

each calendar day, or portion thereof, such employee is employed without the required training.

VII. WORK AUTHORIZATION PROGRAM

Bidders are informed that pursuant to Section 285.530, RSMo, as a condition of the award of any contract in excess of five thousand dollars (\$5,000), the successful bidder shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection to the contracted services. Successful bidders shall also sign an affidavit affirming that it does not knowingly employ any person(s) who are unauthorized aliens in connection to the contracted services.

VIII. EXCESSIVE UNEMPLOYMENT IN MISSOURI RSMo 290.560

For all public works construction contracts the Bidder shall comply with the requirements of Section 290.560, RSMo, which requires that only Missouri laborers and laborers from nonrestrictive states may be employed on the project when a period of excessive unemployment exists in Missouri.

Nonrestrictive states and territories (states and territories which workers may be employed on public work projects, during periods of excessive employment) are: Alabama, American Samoa, Arkansas, Georgia, Guam, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, New York, North Carolina, Northern Mariana Islands, Ohio, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wisconsin.

IX. PROOF OF LAWFUL PRESENCE RSMo 208.009

Contractor must provide “proof that the applicant is a citizen or a permanent resident of the United States and is lawfully present in the United States. “Forms of acceptable verification include”:

- Drivers License
- Any documentary evidence recognized by the Department of Revenue when processing an application for a driver’s license.
- Any document issued by the Federal Government that confirms an alien’s lawful presence in the United States.

X. PREVAILING WAGE

“Not less” than the prevailing hourly rate of wages, as set out in the wage order attached to and made part of the specification for work under the contract, **must** be paid to all workers performing work under the contract.

“The contractor will forfeit a penalty to the contracting public body of \$100 per say (or portion of a day) for each worker that is paid less than the prevailing rate for work done under the contract by the contractor or by any subcontractor.” See (290.250)

Bidder must submit prevailing wage payroll documents weekly. The Affidavit of Compliance must be submitted to the public body before final payment can be made to the Contractor.

XI. TRANSIENT EMPLOYER

Every transient employer, as defined in section 285.230, RSMo must post in a prominent and easily accessible place at the work site a clearly legible copy of the following: (1) The notice of registration for employer withholding issued to such transient employer by the Director of Revenue; (2) Proof of coverage for worker's compensation insurance or self-insurance signed by the transient employer and verified by the Department of Revenue through the records of the division of workers' compensation; and (3) The notice of registration for unemployment insurance issued to such transient employer by the Division of Employment Security. Any transient employer failing to comply with these requirements shall, under section 285.234, RSMo be liable for a penalty of five hundred (\$500) dollars per day until the notices required by this section are posted as required by that statute.

**CHIP AND SEAL BID
BID FORM**

Name of Bidder: _____

Address of Bidder: _____

Bid Proposal: To furnish all materials, labor, tools and equipment, and perform all work necessary to construct to specifications for the City of Aurora, street chip and seal or any other designated city project.

Bid 1 – 2022 Street Chip and Seal List

		Unit Price/Sq. Yd.	Amount
Carnation – Prospect to Daniels	1500' x 22'	_____	_____
Chicory Ln. Carnation to Cul-de-Sac	1500' x 26'	_____	_____
High St. – N. Carnation to RR Tracks	1500' x 22'	_____	_____

_____ **Total square yardage for BID 1**

_____ **Total price for BID 1 Chip and Seal List**

All materials not specified herein must conform to general industry standards. The City of Aurora reserves the right to reject any materials deemed unsuitable for their intended purpose.

It is understood that the prices quoted above includes all applicable State Sales Taxes and Use Taxes, and that said taxes shall be paid by the contractor.

The undersigned declares that he is familiar with the character, specifications and application rates of the materials listed above, the requirements of all provisions of the contract being considered and will comply with same.

I, _____, representing the Bidder in an official capacity understand that the information furnished to the City of Aurora is true and correct and any misinformation may result in the cancellation of a purchase award. I have reviewed this bid packet and understand the products and services to be provided. I also understand that the City has sole discretion to reject or accept any or all portions of the bid.

SIGNATURE/TITLE OF AUTHORIZED REPRESENTATIVE

DATE

Please enclose a copy of your driver's license for proof of lawful presence.

Note: If you received an unsolicited bid packet your company or firm is on the "Bidders List" for this particular product or service. If you do not wish to bid but wish to remain on the "Bidder List" for this product or service, please return this page marked "NO BID".

SUBMIT THIS PAGE IN A SEALED ENVELOPE TITLED "Chip and Seal Bid"

SEAL COAT (A.K.A. Chip and Seal)

In addition to MoDOT specification Section 409.5.1, seal coats shall only be placed when the ambient temperature and the temperature of the pavement on which it is to be placed is above 60 F and rising.

Mix designs shall be submitted and approved before work begins.

Section 409.2.1 shall be modified to specify that all limestone and dolomite shall be pre-coated. Fog sealing will not be considered an acceptable alternative to pre-coating.

Aggregate Type, and Size:

Grade B (Bituminous Seal coat)

Size: 3/8-inch limestone chips.

Application Rate shall be a minimum of 23 lbs per square yard.

Bituminous Material:

Shall be CRS – 2P.

Application Rate shall be a minimum of 0.42 gallons per square yard.

Measurement and Payment: Chip and Seal shall be measured and paid for on a Square Yard basis as specified in the Bid Schedule.

AFFIDAVIT OF UNAUTHORIZED ALIEN

Comes now _____ as _____ first being duly
Name Office Held

sworn, on my oath, affirm _____ does not and will not
Company Name

knowingly employ a person who is an unauthorized alien in connection with the

contracted services related to _____ for the duration of the contract,
if awarded.

In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

Signature (person with authority)

Printed Name

Title

Date

Subscribed and sworn to before me this _____ of _____, 20__.

Signature of Notary

Date

AFFIDAVIT OF WORK AUTHORIZATION

Comes now _____ as _____ first
Name Office Held
being duly sworn, on my oath, affirm _____ is
Company Name

enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to _____ for the duration of the contract, if awarded in accordance with RSMo Chapter 285.530 (2).

In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

Signature (person with authority)

Printed Name

Title

Date

Subscribed and sworn to before me this _____ of _____, 20__.

Signature of Notary

Date

Affidavit of Work Authorization and Documentation:

Pursuant to 285.530 RSMo, the bidder must affirm its enrollment and participation in a federal work authorization program with respect to the employees proposed to work in connection with the services requested herein by:

- Submitting a completed notarized copy of EXHIBIT AFFIDAVIT OF WORK AUTHORIZATION and
- Providing documentation affirming the bidder's enrollment and participation in a federal work authorization program (see below) with respect to the employees proposed to work in connection with the services requested herein.

E-Verify is an example of a federal work authorization program. Acceptable enrollment and participation documentation consists of the following two pages of the E-Verify Memorandum of Understanding (MOU): 1) a valid, completed copy of the first page identifying the bidder and 2) a valid copy of the signature page completed and signed by the bidder, the Social Security Administration, and the Department of Homeland Security – Verification Division.

Notice and Instructions to Bidders and Vendors
Excessive Unemployment
Section 292.560 RSMo.

Pursuant to Missouri statute RSMo 292.560, provides that whenever there is a period of excessive unemployment in this state, every person who is charged with the duty, either by law or contract, of constructing or building any public works project or improvement for the state or Municipal Corporation shall employ only Missouri laborers and laborers from nonrestrictive states on such project or improvement.

The City of Aurora, Missouri in order to comply with Section 292.560 RSMo, requires as a condition for the award of any contract in excess of Five Thousand Dollars (\$5,000) the contractor shall submit the completed Affidavit of Excessive Unemployment as attached.

Nonrestrictive states and territories (states and territories which workers may be employed on public works projects, during periods of excessive unemployment) are: Alabama, American Samoa, Arkansas, Georgia, Guam, Hawaii, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, New York, North Carolina, Northern Mariana Islands, Ohio, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington and Wisconsin.