

PROPOSAL AND CONTRACT (WHEN EXECUTED)

THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS

A. DEPOSIT OF PROPOSALS.

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	All envelopes of	containing Bid proposals shall	Mars Borough	
	be clearly mark	ed "Bid Proposal for letting of	MUNICIPALITY (NAME & 1	ΓΥΡΕ)
	Septe	ember 8, 2020 ."		•
		DATE	Bonnie Forsythe	
			SECRETARY	
	Sealed Proposa	als will be received on or before		
	3:00 PM	on the above Letting Date.	PO Box 395, 598 Spring Avenue / Mars	s, PA 16046
	TIME			
			ADDRESS	
	Bids will be ope	ened and read at approximately		
	3:00 PM	, on the above Letting Date.	PROPOSALS MUST BE MAILED OR O	THERWISE
	TIME		DELIVERED TO THE ABOVE ADDRESS	S.
1	The contra	actor proposes to furnish and d	eliver all materials (including Form CS-41	71.
			to do and perform all work on the following	
		•	rices (Attachment), in accordance with dra	
	•	•	rs Borough as well as the supple	•
	•		in and/ or attached hereto and current Pe	
	•	•	a) bidders need not be prequalified by Pe	
	•	,	of asphalt paving materials is not required	
	•	,, (,	1 1 3	,
2	If designa	ted as the successful hidder th	e contractor will begin work on the date sp	necified in the
2	0		ed in the special requirements, and will co	
		in see Attachment 1-A calenda		implete all
	WOIR WIGH	in see Allasimient i A calenda	ar days.	
3	Accompa	nving this proposal is a certified	check or bid bond in the amount of	10%
	•		roposal guarantee which, it is understood,	will be
			mply with the requirements of the proposa	
B. PROPOS	AL OF:			
		NAME / ADDRI	ESS OF CONTRACTOR	
			RS CERTIFICATION	
. I	t is hereby certi			
1	The only p	person interested in the propos	al as principal (s) is (are):	
2	None of th	ne above persons are employee	es of the municipality	
۷	NONE OF U	To above persons are employed	55 of the maniopality.	
3	This prope	osal is made without collusion v	vith any other person, firm or corporation.	

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listed on the Schedule of Prices. (Attachment 1).

All plans and specifications referred to above and the site of the work have been examined by the contractor. The contractor understands that the quantities indicated herein are approximate and are subject to change as may be required; and that all work is payable on the basis of the unit price

- The contractor will comply with all requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and the United States relating to human relations, equal opportunity and non-discrimination in employment, and will pay to workmen employed in the performance of the contract the wages to which they may be entitled.
- The contractor will provide the municipality with a performance bond, conditioned upon the faithful performance of the contract in accordance with the plans, specifications and conditions thereof, and a payment bond, conditioned on the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work, in accordance with the Public Works Contractors' Bond Law of 1967; and an affidavit accepting the provisions of the Workmen's Compensation Act of 1915, as amended.

		CONTRACTOR	
WITNESSED OR ATTESTED BY:	TITLE:		(SEAL)
SEAL	TITLE:		(SEAL)
TO BE EXECUTED ONLY IN	THE EVENT THE	ABOVE PROPOSAL IS ACCE	PTED
ACCEPTED ON:	DATE		
		Mars Borough MUNICIPALITY	
ATTESTED BY:		NAME	
SEAL		NAME	
		NAME	



THIS PORTION TO BE COMPLETED BY THE MUNICIPALITY

ATTACHMENT 1 TO MS - 944 (PROPOSAL AND CONTRACT MS - 944)

County: Butler	Municipality: Mars Borough	
	Project Number: 2020	

LOCATION OF WORK: SEE WORK SHEETS

DESCRIPTION OF WORK:

- Milling of Asphalt
- Place Asphalt Binder Course, 19mm

ESCALATOR CLAUSE:(if adopted by Municipality.)
N/A

ADT's < 1000

			SCHEDULE OF PRICES		
Item 1 No.	Approximate 2 Quantities	Unit 3	*Description 4	Unit 5 Price	Total 6
ΤΕΜ 1	2,561	S.Y.	MILLING OF ASPHALT	J TILCE	U
TEM 2	432	TON	ASPHALT BINDER COURSE, 19.0mm, IN PLACE		
		-			
		<u> </u>			
DESCRIPTION	ON:	·		SUBTOTAL	

Must include ADT on wearing surfaces

EACH MUST BE INCLUDED.

USE OF CUTBACK ASPHALT IS PROHIBITED
BETWEEN MAY 1st AND OCTOBER 31st, EXCEPT
AS NOTED IN BULLETIN NO. 25.
FOR OPTION OR PHASE BIDS THE TOTALS FOR

SUBTOTAL FROM OTHER ATTACHMENTS
BID TOTAL FOR A NON OPTION / PHASE BID
OPTION 1 OR PHASE 1 BID TOTAL
OPTION 2 OR PHASE 2 BID TOTAL
OPTION 3 OR PHASE 3 BID TOTAL

SPECIAL PROVISIONS TO CONTRACT MS-944 (Attachment 1-A) CONTAINS IMPORTANT INFORMATION FOR THE CONTRACTOR

The Prime Contractor and subcontractors must comply with all of the following provisions that are marked with an "X".

Χ	Traffic Control and Safety Devices to be provided by the Contractor.
	(PA. DEPART, Of TRANS, Publication 203, WORK ZONE TRAFFIC CONTROL, CURRENT EDITION.)

- X Delivery tickets for all materials.
- X CS-4171 Certificate of Compliance and/or CS-4171B Daily Bituminous Mixture Certification req'd for all materials.
- X Notify the Municipality five working days prior to start of project.
- X Work to be completed on or before 10/30/2020 . After 10/30/2020 Liquidated damages apply at the rate of \$ 885.00 per calendar day.
- X Roadway to be power broomed by (contractor X municipality)prior to start of project.
- X Excess material to be removed by (contractor X municipality .)
- X Municipality to inspect project.
- X Need Bill of Lading for each shipment of asphalt material per Section 702.1(c) of Specifications 408.
- X Asphalt Tack Coat required per Section 460, or 413 for superpave, of Specifications 408 and is incidental to paving item unless noted otherwise.
 - Prime Coat required per Section 461 of Specifications 408.
- X Asphalt Seal on all abutting pavement and curbs required.
- X Saw cut or Milled Paving Notch required and incidental to paving item unless noted otherwise.
- X Scratch/ Leveling Courses to be placed at the discretion of appointed inspector(s).
 Full width pavement with one pass required.
- X Municipality reserves the right to limit work completed.

Taper pavement the last 3 feet to curb.

For FOB Source bids, hauling distance will determine selection of bid award.

Municipality reserves the right to procure material which best suits their requirements after all bids and items are reviewed.

- X Completion of NON-COLLUSION AFFIDAVIT required.
- X Incidental Preparation and clean up required. (Project Construction Materials)
- X All bidders shall comply with all requirements of Act 127 of 2012, Public Works Employment Verification Act, prior to award of contract.
- X Provide design, which meets Specifications Form 408 to the municipality 5 days prior to start of work.
- X Contractor responsible for defects that occur within one year of applications.
 - Contractor required to review proposed project with Municipality's Representative prior to bidding.
- X Oil Samples required from each distributor truck by contractor (1) one quart: A.M. & P.M. and witnessed by municipality and retained by municipality.(Oil samples must be placed in an approved type container that is compatible with oil sample.)
 - At least three random stone samples to be taken by contractor on project site witnessed by municipality and retained by municipality.
- X Complete all testing in accordance with Specification Form 408 Section 413 except for superpave volumetric testing.
 - Notice to Proceed will be the date of Contract acceptance.
- X Final Completion Certificate & Notice of Completion required.
- X Future award of Contract will be based on quality of work as determined by the municipality. Contractor, notify all residents of pending work to be performed.
- X The municipality shall layout the limits of work prior to paving.
- X No cost overruns will be permitted unless approved by a municipal official prior to placement.
- X The contractor shall construct aprons into adjacent driveways and side roads, as directed by the municipality.
- X All equipment (distributors, chip spreaders, etc.) shall have current PennDOT calibrations.
- X Millings to remain the property of the municipality. Contractor to haul millings to location designated by the municipality.
- X All items of work shall be awarded on a per line item basis. All items awarded shall be awarded to one bidder based on the total dollar amount of the line items awarded.

My signature signifies that I have read and understand the above special provisions to this contract, and by being authorized by this company to act as their authorized representative, and on their behalf hereby agree to adhere to any and all of the provisions pertaining to this contract.

Contractor's Representative	Date	Municipality's Representative Date
		Mars Borough
Company		Municipality

COUNTY	Butler	MUNICIPALITY		N	lars Boro	ugh		PROJECT#	2020	
MILLING OF ASPHALT PAVEMENT										
LOCATION OF WORK	FROM	то	٦	w	DEPTH	SQ. YD.			REMARKS	
Parking Lot (Parking Area) Parking Lot (Alley) Parking Lot	A Point	A Point	286 292 44 41 18 18 7 36	46.0 22.5 14.0 33.0 20.0 16.0 8.0 18.0	2.50 3.50 3.50 2.50 2.50 2.50 2.50 2.50	1,462 730 68 150 40 32 6 72				
l .		I I			TOTALS	2,561				

	AGGREGATE BASE COURSES								
LOCATION OF WORK	FROM	то	L	w	DEPTH	CU.YD.	TONS		REMARKS
	TOTALS								

COUNTY	Butler	MUNICIPALITY				rough			ROJECT	#		2020
SUPERPAVE ASPHALT MIXTURE DESIGN												
LOCATION OF WORK	FROM	то	L E N G T	W I D T H	D E P T H	SQ. YD.	TONS	MIX in mm	PERF. GRADE	GYRA- TIONS	MATERIAL TYPE	REMARKS
Parking Lot (Parking Area) Parking Lot (Orug Store) Parking Lot (Apt Parking) Parking Lot (Spa Parking) Parking Lot (Chinese) Parking Lot (Chinese) Parking Lot (Chinese) Parking Lot	A Point	A Point	286 292 44 41 18 18 7 36	46.0 22.5 14.0 33.0 20.0 16.0 8.0 18.0	2.50 3.50 3.50 2.50 2.50 2.50 2.50		219 153 14 23 6 5 1 11	19.0 19.0 19.0 19.0 19.0 19.0	PG 64S-22 PG 64S-22 PG 64S-22 PG 64S-22 PG 64S-22 PG 64S-22	50 50 50 50 50 50	BINDER 19.0	

ANTI-COLLUSION AFFIDAVIT

			County	
	pennsylva DEPARTMENT OF TRAI		Municipality	
	, , , , , , , , , , , , , , , , , , , ,		Project Number	
State of County of			Fed. Project No(If App	licable)
	The undersigned de	ponent deposes and	says that he is the	
of the			Company; that he is autho	orized to make this
affidavit on be	half of said company	in compliance with se	ection 102.06 (e) of Depart	tment Specifications,
Publication 40	8, as amended and t	hat the said company	has not, either directly or	indirectly, entered
into any agree	ement, participated in	any collusion, or othe	erwise taken any action in	restraint of free
competitive bi	dding in connection w	vith such contract.		
			(Contractor)	
	ВҮ			
	Sworn to and subs	cribed before me th	e undersigned notary pu	blic this
_	day of	,,		
		N	lotary Public	
		My Commission exp	res	



COMMONWEALTH OF PENNSYLVANIA

PUBLIC WORKS EMPLOYMENT VERIFICATION FORM

		Date
Business or Organization Name (Employer)		
Address		
City	State	Zip Code
Contractor Subcontractor (check one)		
Contracting Public Body		
Contract/Project No		
Project Description		
Project Location		
As a contractor/subcontractor for the above reference of the above date, our company is in compliance ('the Act') through utilization of the federal E-Department of Homeland Security. To the because of January 1, 2013 are authorized to work in the Unit is also agreed to that all public works contraverify the employment eligibility of each new hiddate throughout the duration of the public work federal EVP upon each new hire shall be maintain authorized reginformation contained in this verification form is of false or misleading information in connections provided by law.	e with the Pub Verify Program est of my/our ited States. actors/subcont re within five (es contract. Do ned in the even presentative of true and corre	lic Works Employment Verification Act (EVP) operated by the United States knowledge, all employees hired post ractors will utilize the federal EVP to 5) business days of the employee start cumentation confirming the use of the it of an investigation or audit. The company above, attest that the cet and understand that the submission
		Authorized Representative Signature
		Authorized Representative Signature

PROPOSAL AND CONTRACT INSTRUCTIONS- FORM 944

- 1 The proposal must be typewritten or printed.
- 2 If more than one proposal on any project is submitted by an individual, firm or partnership, corporation or association under the same or different names, only one proposal, the lowest, will be considered.
- 3 Description of work -
 - A. If additional space is needed, insert appropriately numbered attachment and note "Continued on attached work sheets"
- Part A of Page 1 to be completed by municipality. Part B of Page 1 to be completed by contractor. Schedule of Prices Column #1 (Item), #2 (Approximate Quantities), #3 (Unit, i.e., ton, square yard, linear foot, etc.) and #4 (Description, i.e., bituminous materials 9.5 mm S & L, 12.5 mm Wearing, 25.0 mm Base Course, etc.) must be filled in by the municipality to insure equitable bidding. Columns #5 (Unit Price), #6 (Total) and total amount of bid, must be filled in by the contractor. If more space is needed, add note at bottom of the page, "Continued on Attachment No. 1-A"; and add additional sheet designated as Attachment No. 1-A, 1-B, etc. Repeat for each additional sheet required. As required by Publication 408 (current edition), Section 102.06(e), each bidder must submit a completed Form D-7126, Anti-Collusion Affidavit (included in this Form MS-944), with its bid proposal.
- If liquidated damages are to be assessed, add the following sentence to Part A #2: "If all work is not completed on time, liquidated damages will be assessed at the rate of \$825.00 per additional working day."

 (OR "... as set forth in the attached schedule").
- Only the successful bidder is obligated to provide payment and performance bonds. These bonds shall conform to the requirements of the relevant municipal code or charter and the Public Works Contractors' Bond Law of 1967, Act of December 20, 1967, P.L. 869, No.385, 8 P.S. §§ 191—202. Bond forms are included in this Form MS-944 as Attachments 2 (performance bond) and 3 (payment bond). The successful bidder must submit the bonds and Workman's Compensation Act Affidavit, Attachment 4, within 20 days of the contract award. Failure to submit the bonds shall constitute grounds to cancel the contract.
- If the estimated cost of a contract for "public works," as this term is defined in the Pennsylvania Prevailing Wage Act, Act of August 15, 1961, P.L. 987, No. 442, as amended, 43 P.S. §§ 165-1—165-17, exceeds \$100,000.00 and the contract is paid for in whole or part out of the funds of the municipality, the municipality shall take the following actions: (1) Determine the prevailing minimum wage rates from the Department of Labor and Industry, Bureau of Labor Law Compliance. (2) Indicate in the advertisement issued for the purpose of securing bids for the contract that prevailing wage rates shall be paid on the project. (3) Specify the prevailing minimum wage rates in the bid proposals for the contract.

On projects financed partly with federal funds, if the project cost exceeds \$2,000.00 and 25% or more of the funding comes from federal funds, the Davis-Bacon Act, 40 U.S.C. §§ 3141—3145, applies. Here again, it is the responsibility of the municipality to obtain the Davis-Bacon wage rates from the United States Department of Labor, Wage and Hour Division, which has offices in Philadelphia, Pittsburgh and Wilkes-Barre; include them in the proposal; and note the fact in the advertisement. If both acts are applicable, the Davis-Bacon Act preempts the Pennsylvania Prevailing Wage Act and applies to the entire project, not just the federally-funded components.

8 An ESCALATOR CLAUSE is optional; if used, it must be included in the proposal prepared by the municipality. An escalator clause may not be inserted by the contractor.

MS-981 (7-09) First Edition pennsylvania DEPARTMENT OF TRANSPORTATION ATTACH NEWSPAPER		ect Advertised	Bids Open: Date: Newspaper	
CLIPPING HERE AND RETURN TO	1 st Date 2nd Date		Daily Weekly One Bidder Only	
BIDDER			ADDRESS	AMOUNT
CONTRACT AWAR	DED TO:			
Remarks:				
			DATE :	
Resolution: The Officials of the contract as indicated about	ove.		by majority action have accepted the L	ow bid and awarded
			Chairman-President of Council-Ma	ayor
			Supervisor-Other Official	
S	ecretary-Seal		Supervisor- Other Official	