

FORM OF
ADVERTISEMENT

Sealed proposals will be received by the:

Mars Borough

of

Butler

(City, Borough, Twp.: 1st. Cl. or 2nd Cl.)

(County)

at PO Box 395, 598 Spring Avenue / Mars, PA 16046

(Address)

until 3:00 PM, on June 6, 2022, for the following:

(Time)

(Month-Day-Year)

ITEM 1

83 S.Y.

Remove and Replace Existing Sidewalk

ITEM 2

155 L.F.

Remove and Replace Existing Concrete Curb, 8" Height Per RC-64M

Liquidated damages apply at the rate of \$ 885.00 per calendar day.

Proposals must be upon the forms furnished by the Municipality.

For third class cities the bid must be accompanied by a certified check or bid bond in the amount of 10 % of the bid, made payable to the municipality. For other municipal types it is the discretion of the municipality.

A performance bond or certified check in the amount of 100% of the contract shall be furnished by the successful bidder within 20 days after the contract is awarded.

The Municipality reserves the right to reject any or all proposals.

Mars Borough

(City, borough, Twp: 1st. Cl. Or 2nd Cl.)

BY: Bonnie Forsythe

(Name)

Secretary

(Title)

(Date)

THIS ADVERTISEMENT ENDS HERE

FOR DEPARTMENT USE ONLY

This advertisement meets the requirements of regulation 1300.



PROPOSAL AND CONTRACT
(WHEN EXECUTED)

THIS PROPOSAL INCLUDES
INSTRUCTIONS TO BIDDERS

A. DEPOSIT OF PROPOSALS.

All envelopes containing Bid proposals shall be clearly marked "Bid Proposal for letting of June 6, 2022 ." DATE

Mars Borough
MUNICIPALITY (NAME & TYPE)

Bonnie Forsythe
SECRETARY

Sealed Proposals will be received on or before 3:00 PM on the above Letting Date. TIME

PO Box 395, 598 Spring Avenue / Mars, PA 16046

ADDRESS

Bids will be opened and read at approximately 7:00 PM , on the above Letting Date. TIME

PROPOSALS MUST BE MAILED OR OTHERWISE DELIVERED TO THE ABOVE ADDRESS.

- 1 The contractor proposes to furnish and deliver all materials (including Form CS-4171, CERTIFICATE OF COMPLIANCE) and to do and perform all work on the following project as more specifically set forth in the Schedule of Prices (Attachment), in accordance with drawings and specifications on file at Mars Borough as well as the supplements and special requirements contained herein and/ or attached hereto and current PennDOT Specifications (Publication 408), except (a) bidders need not be prequalified by PennDOT (Sec.102.01), and (b) Volumetric testing of asphalt paving materials is not required (Sec. 413).
- 2 If designated as the successful bidder, the contractor will begin work on the date specified in the notice to proceed, or as otherwise provided in the special requirements, and will complete all work within see Attachment 1-A calendar days.
- 3 Accompanying this proposal is a certified check or bid bond in the amount of 10% made payable to the municipality as a proposal guarantee which, it is understood, will be forfeited in case the contractor fails to comply with the requirements of the proposal.

B. PROPOSAL OF:

NAME / ADDRESS OF CONTRACTOR

CONTRACTORS CERTIFICATION

It is hereby certified as follows:

- 1 The only person interested in the proposal as principal (s) is (are):

- 2 None of the above persons are employees of the municipality.
- 3 This proposal is made without collusion with any other person, firm or corporation.
- 4 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 listed on the Schedule of Prices. (Attachment 1).

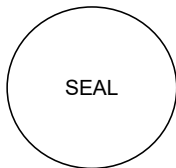
- 5 The contractor will comply with all requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and the United States relating to human relations, equal opportunity and non-discrimination in employment, and will pay to workmen employed in the performance of the contract the wages to which they may be entitled.

- 6 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)



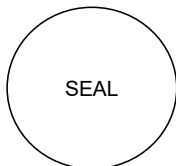
 TITLE: (SEAL)

TO BE EXECUTED ONLY IN THE EVENT THE ABOVE PROPOSAL IS ACCEPTED

ACCEPTED ON : _____
 DATE

Mars Borough
 MUNICIPALITY

ATTESTED BY: _____
 NAME



 NAME

 NAME

**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".

- X 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 9/1/2022 . After 9/1/2022 Liquidated damages apply at the rate of \$ 885.00 per calendar day.
Roadway to be power broomed by (contractor municipality)prior to start of project.
- X Excess material to be removed by (contractor X municipality .)
- X Municipality to inspect project.
Need Bill of Lading for each shipment of asphalt material per Section 702.1(c) of Specifications 408.
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.
Asphalt Seal on all abutting pavement and curbs required.
Saw cut or Milled Paving Notch required and incidental to paving item unless noted otherwise.
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.
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.
Complete all testing in accordance with Specification Form 408 Section 413 except for superpave volumetric testing.
- X 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 All surfaces shall be broom finished
- X All surfaces shall be sealed
- 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 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

Company

Municipality's Representative Date

Mars Borough

Municipality



ANTI-COLLUSION AFFIDAVIT

County: _____

Municipality: _____

State of: _____

Project Number: _____

County of: _____

Fed. Project No. _____
(If Applicable)

The undersigned deponent deposes and says that they are the _____ of the _____ Company; that they are authorized to make this affidavit on behalf of said company in compliance with section 102.06 (e) of Department Specifications, Publication 408, as amended and that the said company has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

(Contractor)

BY

Sworn to and subscribed before me the undersigned notary public this

_____ day of _____, _____.

Notary Public

My Commission expires _____



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 referenced public works contract, I hereby affirm that as of the above date, our company is in compliance with the Public Works Employment Verification Act ('the Act') through utilization of the federal E-Verify Program (EVP) operated by the United States Department of Homeland Security. To the best of my/our knowledge, all employees hired post January 1, 2013 are authorized to work in the United States.

It is also agreed to that all public works contractors/subcontractors will utilize the federal EVP to verify the employment eligibility of each new hire within five (5) business days of the employee start date throughout the duration of the public works contract. Documentation confirming the use of the federal EVP upon each new hire shall be maintained in the event of an investigation or audit.

I, _____, authorized representative of the company above, attest that the information contained in this verification form is true and correct and understand that the submission of false or misleading information in connection with the above verification shall be subject to sanctions provided by law.

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"
- 4 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.
- 5 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 \$885.00 per additional working day." (OR ". . . as set forth in the attached schedule").
- 6 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.
- 7 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



ATTACH
NEWSPAPER
CLIPPING
HERE
AND RETURN TO

County: _____ Bids Open: _____
Municipality: _____ Date: _____
Project Advertised Newspaper
1 st Date _____ Daily
2nd Date _____ Weekly
_____ One Bidder Only

BIDDER	ADDRESS	AMOUNT
CONTRACT AWARDED TO:		

Remarks: _____
DATE : _____

Resolution: The Officials of _____ by majority action have accepted the Low bid and awarded the contract as indicated above.

Chairman-President of Council-Mayor

Supervisor-Other Official

Supervisor- Other Official

Secretary-Seal