

CITY OF JOLIET  
WILL COUNTY, ILLINOIS  
SPECIFICATIONS, PLANS, CONTRACT PROPOSAL,  
CONTRACT AND CONTRACT BOND

FOR THE  
2021 CITY OF JOLIET BITUMINOUS PATCHING MATERIALS CONTRACT

CONTRACT NO.  
2556-0421

APPROVED  
DEPARTMENT OF PUBLIC WORKS

  
\_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

DATE 02/19, 2021

APPROVED  
DEPARTMENT OF PUBLIC WORKS

  
\_\_\_\_\_  
PUBLIC WORKS ADMINISTRATOR

DATE: 3/4, 2021

SUBMITTED BY

\_\_\_\_\_  
CONTRACTORS NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY AND STATE

\_\_\_\_\_  
PHONE

DATE: \_\_\_\_\_, 2021

DEPARTMENT OF FINANCE  
PURCHASING DIVISION  
DAWN A. KOCHAN  
INTERIM PURCHASING/CONTRACTS ADMINISTRATOR  
[dkochan@joliet.gov](mailto:dkochan@joliet.gov)



Prospective Bidders:

Enclosed are bid documents which may be of interest to your company.

Please note the date as to when these bids will be opened.

**THIS BID DOCUMENT MUST BE RETURNED INTACT (THE SAME ORDER AS RECEIVED). FAILURE TO DO SO MAY INVALIDATE YOUR PROPOSAL.**

ALL BIDS SHALL BE SUBMITTED IN AN OPAQUE, SEALED ENVELOPE TO THE CITY CLERK, 150 WEST JEFFERSON STREET, JOLIET, ILLINOIS 60432, PRIOR TO THE TIME AND DATE SET FORTH FOR BID OPENING IN THE NOTICE TO BIDDERS. EACH BID SHALL BE ADDRESSED TO THE CITY CLERK AND SHALL BEAR ON THE FACE OF THE ENVELOPE THE NAME OF THE BIDDER, AND A STATEMENT THAT IT IS A SEALED BID, TO BE OPENED FOR THE CONTRACT CONSIDERED, AT THE DATE AND HOUR SET FORTH IN THE INVITATION TO BID.

THE BIDDER SHALL ALSO STATE ON THE OUTSIDE OF THE ENVELOPE THAT HE/SHE IS IN RECEIPT OF ALL ADDENDUMS TO THE CONTRACT.

ANY QUESTIONS OR CLARIFICATIONS CONCERNING THESE SPECIFICATIONS SHOULD BE IN WRITING AND DIRECTED TO DAWN A. KOCHAN, CONTRACT ADMINISTRATOR AT PHONE NO. (815) 724-3925 OR (815) 724-3929 FAX.

ANY ORAL OR WRITTEN COMMENTS RECEIVED FROM ANY OTHER PERSON OTHER THAN THE CONTRACT ADMINISTRATOR, WILL NOT BE CONSIDERED AND ALSO, MAY INVALIDATE YOUR PROPOSAL.

THANK YOU FOR BIDDING.

MAYOR  
Bob O'Dekirk

CITY MANAGER  
James V. Capparelli

COUNCILPERSONS  
Bettye Gavin  
Larry E. Hug  
Herbe Lande  
Terry Morris  
Pat Mudron  
Jan Hallums Quillman  
Sherry Reardon  
Michael F. Turk

INTERIM PURCHASING/CONTRACTS  
ADMINISTRATOR  
Dawn A. Kochan

**CONTRACT DOCUMENTS**

**PROJECT: 2021 CITY OF JOLIET BITUMINOUS PATCHING MATERIALS  
CONTRACT**

**DEPARTMENT: PUBLIC WORKS  
CITY OF JOLIET, ILLINOIS**

**CONTRACT NO. 2556-0421**

**JAMES V. CAPPARELLI  
CITY MANAGER**

**DAWN A. KOCHAN  
INTERIM PURCHASING/CONTRACTS  
ADMINISTRATOR**

LEGAL NOTICE  
CITY OF JOLIET  
ADVERTISEMENT TO BIDS  
CONTRACT NO. 2556-0421  
2021 CITY OF JOLIET BITUMINOUS PATCHING MATERIALS CONTRACT

The City of Joliet, Illinois, does hereby invite sealed bids for the supply of approximately 3,100 tons of bituminous patching materials for pickup by the City of Joliet Trucks and the supply and delivery of approximately 400 tons of cold patch material which is also available for pick up by the City of Joliet Trucks.

Bids will be received at the Office of the City Clerk, City of Joliet Municipal Building, 150 West Jefferson Street, Joliet, Illinois 60432-4156 until 11:00 A.M. local time on Monday – March 29, 2021 at which time they will be opened and publicly read aloud. Those in attendance must adhere to the current City of Joliet City Hall COVID-19 policy. The City of Joliet follows current CDC guidelines with regard to COVID-19.

Bid results will also be posted on the City's website, and emails sent out to individuals who have subscribed to the related RSS feed.

It is preferred that you mail your bids/proposals. They should be addressed as follows:

CITY OF JOLIET - SEALED BID ENCLOSED  
OFFICE OF THE CITY CLERK  
150 W. JEFFERSON ST.  
JOLIET, IL 60432

If you do choose to hand deliver your bid/proposal, they are to be hand delivered to the West side of City Hall, 150 W. Jefferson St., Joliet, IL 60432 and marked clearly on the outside of the SEALED package with the BID NUMBER AND NAME OF THE PROJECT, DATE AND TIME OF THE BID OPENING, NAME AND ADDRESS AND PHONE NUMBER OF YOUR COMPANY and RECEIPT OF ALL ADDENDA (if applicable). All other doors will be locked. Please make sure to mention you are delivering a sealed bid/proposal, so the receiver knows to time stamp the envelope upon receipt. If dropping off a bid in person, bids must be dropped off during business hours only between 8 a.m. and 4:30 p.m.

Those desiring to bid may examine the bid documents and detailed specifications in the City of Joliet Purchasing Division, 150 W. Jefferson St., Joliet, IL 60432 between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday. Electronic copies can be downloaded free of charge at <http://joliet.gov/departments/finance/purchasing/bids-proposals>.

All Bidding Document holders should sign up for RSS feeds at <https://www.joliet.gov/departments/finance/purchasing/bids-proposals/materials-supplies> and provide your first and last name and email address to automatically receive addendums. Addendums will also be posted on the City of Joliet's website at <http://joliet.gov/departments/finance/purchasing/bids-proposals>. The potential vendor/contractor remains responsible for obtaining all addenda to the original specification so they should check the specific bid page before submitting a bid to make sure they have received all addendums to a specific contract.

The City of Joliet's local qualified bidder ordinance does not apply to this contract. The Contract shall be subject to the provisions of the *Prevailing Wage Act* (820 ILCS 130/1 et seq.) to the extent required by law and the City of Joliet Procurement Code (Section 2-430 - 2-453 of the Code of Ordinances). Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract, Section 3, Segregated Facility, Section 109 and E.O. 11246. WBE/WEB: Women and Minority Owned Businesses are encouraged to submit a bid (s).

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BID DOCUMENT FEE: **\$50.00 – Electronic download is free**

Published in the Labor Record

March 11, 2021

James V. Capparelli  
City Manager

Dawn A. Kochan  
Interim Purchasing/Contracts Administrator

CITY OF JOLIET  
150 WEST JEFFERSON STREET  
JOLIET, ILLINOIS 60432-4158

**CONTRACT DOCUMENTS FOR:  
2021 BITUMINOUS PATCHING MATERIALS CONTRACT**

User Department: **PUBLIC WORKS**

Date and Time of Bid Opening: **MARCH 29, 2021 AT 11:00 AM**

Bid Security: **NONE**

Performance Security: **NONE**

Prequalification Necessary: **NO**

Insurance: **YES – The City of Joliet and its officers and employees are to be named as additional insured on a primary and non-contributory basis. Additionally, please provide an endorsement from your insurance carrier confirming the City of Joliet is additional insured, including the provision of legal representation in the defense of claims asserted against the City of Joliet.**

**Robert O'Dekirk  
Mayor**

**James V. Capparelli  
City Manager**

**Dawn A. Kochan  
Interim Purchasing/Contracts  
Administrator**

**Council Members:**

**Bettye Gavin  
Larry E. Hug  
Herb Lande  
Terry Morris  
Pat Mudron  
Jan Hallums-Quillman  
Sherri Reardon  
Michael F. Turk**

## INSTRUCTION TO BIDDERS

### **PROJECT: 2021 BITUMINOUS PATCHING MATERIALS CONTRACT**

NOTE: BY SUBMITTING A BID, THE BIDDER WARRANTS THAT HE HAS FAMILIARIZED HIMSELF WITH ALL REQUIREMENTS OF THE CONTRACT DOCUMENTS AS WELL AS THE CITY OF JOLIET PURCHASING ORDINANCE.

#### DEFINITIONS:

The following definitions shall apply wherever they appear in the contract documents.

CITY:	CITY OF JOLIET
OWNER:	THE CITY OF JOLIET
BID:	THE OFFER OF THE BIDDER
BIDDER:	ANY INDIVIDUAL, CORPORATION OR PARTNERSHIP WHO SUBMITS A BID.

CONTRACT DOCUMENTS - Invitation to Bid Instructions, General Conditions, Special Provisions, Specifications, Drawings, Addendums, Proposal (in so far as it is not inconsistent with other contract documents) and Contract Form.

Other definitions shall be as defined in City of Joliet Ordinance 7345 or in other Contract Documents.

#### **1. BIDS - GENERAL**

Bids shall be made in accordance with the instructions. Failure to execute proposals as required may, in the discretion of the City, be cause for rejection of the bid.

#### **2. FORMS**

Bids shall be submitted on the forms provided by the City of Joliet. Each bid must be submitted bound with all other contract documents.

3. **BLANKS; CORRECTIONS**

All blank spaces on any contract document shall be filled in with typewritten figures or ink. Any erasures or corrections shall be dated and initialed by the bidder.

4. **SUBMISSION**

Bids shall be submitted in opaque sealed envelopes to the City Clerk, 150 West Jefferson Street, Joliet, Illinois 60432-4156, prior to the time and date set forth for bid opening in the Notice to Bidders. Each bid shall be addressed to the City Clerk and shall bear on the face of the envelope the name of the bidder, and a statement that it is a sealed bid to be opened for the contract at the date and hour as set forth in the invitation to bid.

5. **EXECUTION**

Proposals shall be signed by the bidder. If the bidder is a corporation, the proposal shall bear the name of the corporation, signed by an officer authorized to bind the corporation, and sealed with the corporate seal.

6. **WITHDRAWAL**

Bids may be withdrawn previous to the time of the bid opening by written request. However, no bid shall be withdrawn within the thirty (30) day period after the time set for bid opening. Bidders withdrawing their bids prior to the time and date set for bid opening may still submit another bid if done in accordance with these instructions.

7. **WORDS AND FIGURES**

Where amounts are given in both words and figures, the words will govern.

8. **UNIT PRICE**

When unit prices are called for, bids shall include all unit cost items and alternatives shown on the proposal. When an error is made in extending total prices, the unit price will govern.

9. **TAXES**

All bids shall include all applicable taxes. The State of Illinois Sales Tax and Federal Excise Taxes are not applicable to sales made in the City.

**10. NET PRICE**

Bid prices shall be net, including therein transportation and handling charges F.O.B. City of Joliet, and shall further include all charges of whatsoever sort for labor and materials contained in the work or materials designated in the specifications and proposals.

11. Omitted on purpose.

12. Omitted on purpose.

**13. INTERPRETATIONS**

Interpretations of the meaning of any item in the Contract Documents shall be valid only if issued in writing by the Owner or the Owner's representative designated in the Contract Documents.

**14. FAMILIARITY WITH CONTRACT DOCUMENTS AND SITE**

Bidders shall examine all contract documents including General Conditions and Specifications, inspect and acquaint himself fully with site conditions (surface and subsurface), working conditions and restraints, if applicable, prior to the submission of his bid.

**15. ALTERNATE EQUIPMENT OR MATERIALS**

- a. Bids shall be evaluated and considered on equipment and/or materials complying substantially with the contract specifications. If any bidder deviates from the contract specifications or provides a substitute for any required equipment and/or material listed in the contract specifications, that bidder shall list such deviations and/or substitutions, including technical data when applicable, in a letter attached to the bid or on a form that may be provided by the City with the bid documents.
- b. Brand names, which may be mentioned in the contract specifications, are used only as a reference to the type and quality of equipment and/or materials desired. However, any deviation from or substitution in a brand name stated in the contract specifications shall be listed as required under paragraph (a) of this section.
- c. The City reserves the right to determine whether any deviations and substitutions listed by the bidder are within the intent of the contract specifications and will reasonably meet the service requirements of the using department.
- d. A bidder's failure to list any deviations from or substitutions in the contract specifications as required under paragraph (a) of this section may result in the rejection of the bid.

**16. DESCRIPTIVE LITERATURE: EQUIPMENT OR MATERIALS**



Each bidder bidding on contracts to furnish equipment or materials shall furnish with his proposal two (2) copies of descriptive literature on the supplies or equipment being bid and manufacturer's specifications shall be in sufficient detail to permit proper evaluation of the bid.

**17. RESPONSIBILITY OF BIDDERS**

No contract will be awarded to any person, firm, or corporation that is in arrears to the City of Joliet, Illinois upon any debt or contract, or who has failed to execute in whole or in part, in a satisfactory manner, any contract with the City of Joliet, or who is a defaulter as to surety or otherwise upon any obligation to the City of Joliet, Illinois.

**18. CITY'S RIGHT TO ACCEPT OR REJECT**

The City of Joliet reserves the right to accept any bid which may be deemed to be in the best interest of the City of Joliet. The City of Joliet further reserves the right to reject any or all bids.

**19. AWARDING OF CONTRACT**

The Contract shall be awarded to the lowest responsible bidder based on criteria as set forth in the City of Joliet Purchasing Ordinance.

**20. ALTERNATE AND MULTIPLE BIDS**

Unless otherwise indicated in these bid documents, the Contractor may not submit alternate or multiple bids as part of this bid package. The submission of more than one bid within a single bid package may be cause for rejection of any or all of the bids of that contractor.

**21. AFFIDAVITS**

The Affidavits included in these Contract Documents must be executed and submitted with the bid.

## **GENERAL CONDITIONS**

**Please see the City of Joliet Special Provision and General Conditions Booklet  
Adopted October 15, 2020**

### **Section 2-448(c). Insurance; all construction and demolition contracts.**

- 1) The successful bidder in all construction and demolition contracts shall submit, with other required contract documents, a certificate of insurance, issued by an insurance company licensed to do business in Illinois, indicating the bidder as the insured and naming the City of Joliet (and its officers and employees) as additional insured with right of notice of cancellation for the duration of the contract in at least the following amounts:
  - a) General Liability Insurance – One Million Dollars (\$1,000,000) general liability insurance covering injuries, deaths and property damage.
  - b) Workers Compensation Insurance – amount required by Illinois law.
- 2) The successful bidder shall require the same amounts and coverages as in sub-section (1) from all subcontractors.
- 3) The amounts stated in sub-section (1)(a) shall be doubled for contracts exceeding Five Hundred Thousand Dollars (\$500,000).
- 4) The minimum amount of insurance may be modified and other insurance-related terms and conditions may be required in specific contracts as the Mayor and City Council may deem appropriate.

**CITY OF JOLIET**

**2021 SUPPLEMENTAL SPECIAL PROVISIONS**

The following Supplemental Special Provisions supplement the City of Joliet Special Provisions and General Conditions adopted October 15, 2020 and the "Standard Specifications for Road and Bridge Construction," adopted January 1, 2016 and the latest edition of the "Manual on Uniform Traffic Control Device for Streets and Highways," and the "Standard Specifications for Water and Sewer Main Construction in Illinois," in effect on the date of invitation for bids. In case of conflict with any parts of said specifications, the said Supplemental Special Provisions shall take precedence and shall govern. The above named publications shall hereinafter be referred to as the "Standard Specifications" which apply to and govern the construction of the **2021 BITUMINOUS PATCHING MATERIALS CONTRACT.**

**1. LOCATION OF THE IMPROVEMENTS:**

Various streets and alleys in the City of Joliet

**2. DESCRIPTION OF THE IMPROVEMENTS:**

Furnish and loading of bituminous patching materials onto City of Joliet trucks at the plant. Furnishing and loading of bituminous cold patch material onto City of Joliet trucks at the plant. Furnishing and delivery of bituminous cold patch material to City of Joliet facilities.

**3. PROJECT SCHEDULE:**

This Contract shall be in effect from May 4, 2021 to May 4, 2022. All work shall be completed within this allotted period of time. If the contractor cannot meet this time constraint an extension may be granted, if justified, by a Formal request for Extension that shall be submitted for approval.

## PREVAILING WAGES

This Contract shall be subject to the provisions of the *Prevailing Wage Act* (820 ILCS 130/1 et seq.) to the extent required by law.

For Prevailing Wage information please go to the City of Joliet Website

<https://www.joliet.gov/departments/finance/purchasing/prevailing-wage-information>

For current Prevailing Wage Rates, go to State of Illinois Website below and follow the instructions:

<https://data.illinois.gov/dataset/idol-2018-prevailing-wage-rates/resource/0c95f063-aed9-4db7-adc3-c224acee8fc2>

If you cannot access or have difficulty retrieving the prevailing wage information, contact Dawn Kochan at [dkochan@joliet.gov](mailto:dkochan@joliet.gov) or call 815-724-3926 and we will send you the relevant prevailing wage information.

## NOTICE

The City of Joliet has adopted a Responsible Bidder Ordinance (2-440). In addition to any other requirement, unless otherwise expressly stated in a bid solicitation or an award of contract, or applicable state or federal law or regulation states otherwise, all bidders must comply with the following requirements in order to submit a bid or be awarded a contract.

1. The bidder must be a duly organized legal entity in good standing with the Illinois Secretary of State and in compliance with all laws prerequisite to doing business in the state and submit a copy of the Illinois Secretary of State Department of Business Services online records evidencing that the bidder has a current corporate annual report on file, if required. If the bidder is an individual, sole proprietorship, or partnership, this subsection shall not apply.
2. The bidder must have a valid Federal Tax Identification Number or Social Security Number (for individuals), documents evidencing current registration with the Illinois Department of Revenue and the Illinois Department of Employment Security (if bidder has employees).
3. The bidder must be an equal opportunity employer and comply with Section 2000(e) of Chapter 21, Title 42 of the United States Code and Executive Order 11246.
4. The bidder shall provide certificates of insurance indicating the following coverages if called for in the bid solicitation: general liability, workers compensation, completed operations, automobile, hazardous occupation, and product liability.
5. A statement that all employees are (i) covered under a current workers' compensation insurance policy, and (ii) properly classified under such policy. If the bidder is insured with a carrier, the evidence of workers' compensation insurance shall be a copy of the "Information Page" which includes the name and address of the insured, as well as class codes upon which the compensation premium is based and the total estimated remuneration per class code.
6. A statement of compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130), as amended, and all the rules and regulations therein, for the past five (5) years. Such statement shall also provide that the contractor has reviewed the Prevailing Wage Act or the federal Davis-Bacon

and Related Acts, has reviewed and agrees to pay the applicable prevailing wage rates attached to the bid specifications, and will strictly comply with the Prevailing Wage Act or federal Davis-Bacon and Related Acts and related requirements, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act. A contractor who has been found, by the Illinois Department of Labor, to be in violation of the Prevailing Wage Act twice within a three (3) year period shall be deemed to not be Responsible Bidder for two (2) years from the date of the latest finding.

7. Certification of compliance with the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1, et seq.).
8. A certification that individuals who perform work on the public works project on behalf of the contractor are properly classified as either (i) an employee, or (ii) an independent contractor under all applicable state and federal laws and local ordinances.
9. Documents evidencing any professional or trade licenses required by law or local ordinance for any trade or specialty in which the contractor is seeking a contract award. Additionally, the contractor must disclose any suspension or revocation of such license held by the company, or of any director, officer, or manager of the company.
10. For construction contracts (construction of new facilities, renovation of existing facilities, or road construction projects), or demolition contracts, over \$25,000 (twenty five thousand dollars), evidence of participation in apprenticeship and training programs applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. The required evidence includes but is not limited to a copy of all applicable apprenticeship standards or Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the public works project.
11. Disclosure of the name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the project. Further, each such subcontractor shall be required to adhere to the requirements set forth herein as though it were bidding directly to the city. Each contractor shall submit all subcontractor information and supporting documentation to the city prior to the subcontractor commencing work on the project.

12. Unless otherwise agreed to in a collective bargaining agreement, the bidder shall certify that it provides, or contributes to, a health care plan for those employees working on the project and shall provide a copy of the health care plan upon request. The contributions toward a health care plan must be part of the employee's regular compensation, and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.
13. Unless otherwise agreed to in a collective bargaining agreement, the bidder shall certify that it contributes to an employee pension or retirement program, including but not limited to a 401k, a defined benefit plan or a similar plan for its field employees working on the project and shall provide a copy of the plan upon request. The contributions toward a pension or retirement program must be a part of the employee's regular compensation and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.
14. Certification that the bidder has not been subject to any determinations by a court or governmental agency for violations of federal, state, or local laws, including but not limited to serious, willful, or repeated violations of the Occupational Safety and Health Act (OSHA), violations of contracting or antitrust laws, tax or licensing laws, environmental laws, or the federal Davis-Bacon and Related Acts.
15. Whenever practical, the bidder should prequalify as a local bidder.
16. Any material changes to the contractor's status, at any time during the performance of the project, must be reported in writing to the city within fourteen (14) days of its occurrence. Failure to comply with this requirement is grounds for the contractor to be deemed a non-responsible bidder.
17. The submission requirements of this Ordinance also apply to subcontractors, except that the contractor shall submit all subcontractor submissions to the city prior to the subcontractor commencing work on the project. Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, the city may withhold all payments otherwise due for work performed by a subcontractor until the subcontractor submits the required information and the city approves such information. Further, where the city deems necessary, the city may also require that the successful bidder remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.

## **CERTIFICATIONS/ATTACHMENTS**

For each required certification or submission, the bidder shall comply with the appropriate subsection of the City of Joliet code of ordinances by initialing the page and/or attaching the required documentation to the page.

The certification pages should be initialed and submitted with the bid along with the required attachments.

There are 16 certification pages and a checklist that follows.



2-440(1) - The bidder must be a duly organized legal entity in good standing with the Illinois Secretary of State and in compliance with all laws prerequisite to doing business in the state and submit a copy of the Illinois Secretary of State Department of Business Services online records evidencing that the bidder has a current corporate annual report on file, if required. If the bidder is an individual, sole proprietorship, or partnership, this subsection shall not apply.

I hereby certify that the bidder is a duly organized legal entity in good standing with the Illinois Secretary of State and in compliance with all laws prerequisite to doing business in the state.

\_\_\_\_\_  
Initials of bidder

Or:

I certify that the bidder is an individual, sole proprietor, or partnership.

\_\_\_\_\_  
Initials of bidder

**Attachment:** Illinois Secretary of State Department of Business Services online records evidencing that the bidder has a current corporate annual report on file (if required).

**Mark attachment as "Attachment A"**

2-440(2) - The bidder must have a valid Federal Tax Identification Number or Social Security Number (for individuals), documents evidencing current registration with the Illinois Department of Revenue and the Illinois Department of Employment Security (if bidder has employees).

**Attachment:** Documents evidencing current registration with the Illinois Department of Revenue and the Illinois Department of Employment Security (if bidder has employees).

**Mark attachment as "Attachment B"**

2-440(3) - The bidder must be an equal opportunity employer and comply with Section 2000(e) of Chapter 21, Title 42 of the United States Code and Executive Order 11246.

I certify that the bidder is an equal opportunity employer and is in compliance with Section 2000(e) of Chapter 21, Title 42 of the United States Code and Executive Order 11246.

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Initials of bidder

2-440(4) - The bidder shall provide certificates of insurance indicating the following coverages if called for in the bid solicitation: general liability, workers compensation, completed operations, automobile, hazardous occupation, and product liability.

**Attachments:** Certificates of insurance indicating the following coverages as called for in the bid solicitation.

**Mark attachment as "Attachment C"**

2-440(5) - A statement that all employees are (i) covered under a current workers' compensation insurance policy, and (ii) properly classified under such policy. If the bidder is insured with a carrier, the evidence of workers' compensation insurance shall be a copy of the "Information Page" which includes the name and address of the insured, as well as class codes upon which the compensation premium is based and the total estimated remuneration per class code.

I certify that all employees are (i) covered under a current workers' compensation insurance policy, and (ii) properly classified under such policy.

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Initials of bidder

**Attachment:** "Information Page" which includes the name and address of the insured, as well as class codes upon which the compensation premium is based and the total estimated remuneration per class code (if applicable).

**Mark attachment as "Attachment D"**

2-440(6) - A statement of compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130), as amended, and all the rules and regulations therein, for the past five (5) years. Such statement shall also provide that the contractor has reviewed the Prevailing Wage Act or the federal Davis-Bacon and Related Acts, has reviewed and agrees to pay the applicable prevailing wage rates attached to the bid specifications, and will strictly comply with the Prevailing Wage Act or federal Davis-Bacon and Related Acts and related requirements, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act. A contractor who has been found, by the Illinois Department of Labor, to be in violation of the Prevailing Wage Act twice within a three (3) year period shall be deemed to not be Responsible Bidder for two (2) years from the date of the latest finding.

I certify that the bidder is in compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130), as amended, and all the rules and regulations therein, and has been for the past five (5) years.

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Initials of bidder

I certify that that the contractor has reviewed the Prevailing Wage Act or the federal Davis-Bacon and Related Acts, has reviewed and agrees to pay the applicable prevailing wage rates attached to the bid specifications, and will strictly comply with the Prevailing Wage Act or federal Davis-Bacon and Related Acts and related requirements, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.

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Initials of bidder

2-440(7) - Certification of compliance with the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1, et seq.).

I certify that the bidder is in compliance with the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1, et seq.).

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Initials of bidder

2-440(8) - A certification that individuals who perform work on the public works project on behalf of the contractor are properly classified as either (i) an employee, or (ii) an independent contractor under all applicable state and federal laws and local ordinances.

I certify that all individuals who perform work on the public works project on behalf of the contractor are properly classified as either (i) an employee, or (ii) an independent contractor under all applicable state and federal laws and local ordinances.

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Initials of bidder



2-440(9) - Documents evidencing any professional or trade licenses required by law or local ordinance for any trade or specialty in which the contractor is seeking a contract award. Additionally, the contractor must disclose any suspension or revocation of such license held by the company, or of any director, officer, or manager of the company.

**Attachments:** Documents evidencing any professional or trade licenses required by law or local ordinance for any trade or specialty in which the contractor is seeking a contract award.

**Mark attachment as "Attachment E"**

**Attachments:** Disclosure of any suspension or revocation of such license held by the company, or of any director, officer, or manager of the company.

**Mark attachment as "Attachment E1"**

Or

I certify that the contractor has not been the subject of any suspension or revocation of such license held by the company, or of any director, officer, or manager of the company.

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Initials of bidder

2-440(10) - For construction contracts (construction of new facilities, renovation of existing facilities, or road construction projects), or demolition contracts, over \$25,000 (twenty five thousand dollars), evidence of participation in apprenticeship and training programs applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. The required evidence includes but is not limited to a copy of all applicable apprenticeship standards or Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the public works project.

**Attachments:** Evidence of participation in apprenticeship and training programs applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization. The required evidence includes but is not limited to a copy of all applicable apprenticeship standards or Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the public works project.

**Mark attachment as "Attachment F"**

2-440(11) - Disclosure of the name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the project. Further, each such subcontractor shall be required to adhere to the requirements set forth herein as though it were bidding directly to the city. Each contractor shall submit all subcontractor information and supporting documentation to the city prior to the subcontractor commencing work on the project.

**Attachments:** The name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the project.

**Mark attachment as "Attachment G"**

I certify and acknowledge that the bidder shall submit all subcontractor information and supporting documentation to the city prior to the subcontractor commencing work on the project.

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Initials of bidder

2-440(12) - Unless otherwise agreed to in a collective bargaining agreement, the bidder shall certify that it provides, or contributes to, a health care plan for those employees working on the project and shall provide a copy of the health care plan upon request. The contributions toward a health care plan must be part of the employee's regular compensation, and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.

I certify that the bidder provides, or contributes to, a health care plan for those employees working on the project and shall provide a copy of the health care plan upon request. I further certify that these contributions are part of the employee's regular compensation, and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.

\_\_\_\_\_  
Initials of bidder

Or

I certify that the bidder is subject to a collective bargaining agreement which addresses issues regarding a health care plan.

\_\_\_\_\_  
Initials of bidder

2-440(13) - Unless otherwise agreed to in a collective bargaining agreement, the bidder shall certify that it contributes to an employee pension or retirement program, including but not limited to a 401k, a defined benefit plan or a similar plan for its field employees working on the project and shall provide a copy of the plan upon request. The contributions toward a pension or retirement program must be a part of the employee's regular compensation and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.

I certify that the bidder contributes to an employee pension or retirement program, including but not limited to a 401k, a defined benefit plan or a similar plan for its field employees working on the project and shall provide a copy of the plan upon request. These contributions toward a pension or retirement program are part of the employee's regular compensation and not merely part of the employee's compensation during the period of time for which the employee is performing work on the project.

---

Initials of bidder

Or

I certify that the bidder is subject to a collective bargaining agreement which addresses contributions to an employee pension or retirement program, including but not limited to a 401k, a defined benefit plan or a similar plan for its field employees working on the project and shall provide a copy of the plan upon request.

---

Initials of bidder

2-440(14) - Certification that the bidder has not been subject to any determinations by a court or governmental agency for violations of federal, state, or local laws, including but not limited to serious, willful, or repeated violations of the Occupational Safety and Health Act (OSHA), violations of contracting or antitrust laws, tax or licensing laws, environmental laws, or the federal Davis-Bacon and Related Acts.

I certify that the bidder has not been subject to any determinations by a court or governmental agency for violations of federal, state, or local laws, including but not limited to serious, willful, or repeated violations of the Occupational Safety and Health Act (OSHA), violations of contracting or antitrust laws, tax or licensing laws, environmental laws, or the federal Davis-Bacon and Related Acts.

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Initials of bidder

2-440(b) - Any material changes to the contractor's status, at any time during the performance of the project, must be reported in writing to the city within fourteen (14) days of its occurrence. Failure to comply with this requirement is grounds for the contractor to be deemed a non-responsible bidder.

I certify and acknowledge that any material changes to the contractor's status, at any time during the performance of the project, must be reported in writing to the city within fourteen (14) days of its occurrence. Failure to comply with this requirement is grounds for the contractor to be deemed a non-responsible bidder.

---

Initials of bidder

2-440(d) - The submission requirements of this Ordinance also apply to subcontractors, except that the contractor shall submit all subcontractor submissions to the city prior to the subcontractor commencing work on the project. Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, the city may withhold all payments otherwise due for work performed by a subcontractor until the subcontractor submits the required information and the city approves such information. Further, where the city deems necessary, the city may also require that the successful bidder remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.

I certify and acknowledge that the submission requirements of this Ordinance also apply to subcontractors. I further acknowledge that the city may withhold all payments otherwise due for work performed by a subcontractor until the subcontractor submits required information and the city approves such information. I further acknowledge that where the city deems necessary, the city may also require that the successful bidder remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.

---

Initials of bidder



**CERTIFICATION CHECKLIST**

**Initial bottom of page to certify that required certifications and attachments are complete.**

Bidders/Contractor are required to certify to the following items:

- 2-440(1) – Good standing with S.O.S. \_\_\_\_\_
- 2-440(3) – Equal opportunity employer \_\_\_\_\_
- 2-440(5) – Workers' compensation coverage \_\_\_\_\_
- 2-440(6) – Prevailing Wage Act \_\_\_\_\_
- 2-440(7) – Substance Abuse Prevention on Public Works Act \_\_\_\_\_
- 2-440(8) – Employees properly classified \_\_\_\_\_
- 2-440(9) – Contractor properly licensed \_\_\_\_\_
- 2-440(11) – Disclosure of subcontractor information \_\_\_\_\_
- 2-440(12) – Employee health care plan \_\_\_\_\_
- 2-440(13) – Employee retirement plan \_\_\_\_\_
- 2-440(14) – OSHA compliance \_\_\_\_\_
- 2-440(b) – Required reporting of change in status \_\_\_\_\_
- 2-440(d) – Required updating of subcontractor information \_\_\_\_\_

Bidders/Contractor are required to attach the following documents:

- 2-440(1) – S.O.S. annual report (if required) \_\_\_\_\_
- 2-440(2) – Registration with IDOR and IDES \_\_\_\_\_
- 2-440(4) – Certificates of insurance \_\_\_\_\_
- 2-440(5) – Information page regarding workers' compensation \_\_\_\_\_
- 2-440(9) – Professional or trade licenses required \_\_\_\_\_
- 2-440(9) – Disclosure of suspension or revocation of license \_\_\_\_\_
- 2-440(10) – Apprenticeship standards or agreements (if required) \_\_\_\_\_
- 2-440(11) – List of subcontractors \_\_\_\_\_

**I certify that all required certifications and attachments are included in the bid documents**

\_\_\_\_\_  
Initials of bidder



150 WEST JEFFERSON STREET  
JOLIET, ILLINOIS 60432-4158

GENERAL CONTRACTOR

**RE: 2021 CONSTRUCTION PROJECTS**

Dear General Contractor:

The City of Joliet currently has specifications, which require ten (10%) percent minority participation in contracts over \$100,000.00. In an effort to track this information letter, the City of Joliet will be requiring all GENERAL CONTRACTS to submit to a complete list of sub-contractors they intend to use on the awarded project at the pre-construction meeting. The issuance of this sub-contractor list will help the City ensure that minority requirements are met as well as prevailing wages. The sub-contractor list should include the dollar amount or percentage of this contract for the work the sub-contractor is responsible. I.D.O.T. for BC 260-A is an example of such an acceptable form. In addition, the specification states that monthly certified payroll records are to be submitted to the Engineer. This will also be enforced for the upcoming construction season.

The City of Joliet appreciates your effort throughout the years and looks forward to working with you in the upcoming construction season.

Gregory P. Ruddy, P.E.  
Director of Public Works

Allison Swisher  
Director of Public Utilities

## **NOTICE TO BIDDERS – ETHICS ORDINANCE AND INSPECTOR GENERAL COMPLIANCE**

The City of Joliet has an Ethics Ordinance (Section 2-333 et seq. of the Code of Ordinances of the City of Joliet) which prohibits any appointed or elected official of the City of Joliet, or any employee of the City of Joliet from receiving or soliciting anything of value to influence that City official or employee in carrying out his or her official duties. The City of Joliet appreciates your anticipated cooperation in refraining from offering any official or employee anything, item, service, or favor of value to influence that person's decision on any City business. With your cooperation, the City of Joliet will achieve its goal of maintaining a fair and competitive contract procedure that promotes the best interests of the citizens of the City of Joliet. You should report immediately any violation of the Ethics Ordinance to the Inspector General, including any solicitation of a thing of value by a City official or employee. A bidder or contractor's participation or encouragement in the violation of the Ethics Ordinance may result in the rejection of a bid, termination of contract, or declaration of ineligibility to bid on future contracts.

It is the duty of any bidder, proposer, consultant, subcontractor, applicant for pre-qualification for a City contract, applicant for local bidder certification, and all officers, directors, agents, partners and employees of any bidder, proposer, consultant, subcontractor, or such applicant to cooperate with the Inspector General in any investigation or hearing undertaken pursuant to City of Joliet Ordinance 2-180, et. seq.. Any of the aforementioned parties understands and will abide by all provisions of the aforementioned Ordinance. All contractors must inform subcontractors of the provision and require understanding and compliance with it.

A copy of the City of Joliet Ethics Ordinance and all other City Ordinances are available in the City Clerk's office or on the City website for your review.

CITY OF JOLIET  
STATE OF ILLINOIS

PROPOSAL FORM

NOTE: ALL BLANKS ON EACH AND EVERY SHEET OF THIS PROPOSAL SHALL BE COMPLETED. FAILURE TO COMPLETE ALL BLANKS SHALL BE GROUNDS FOR REJECTION OF BIDS.

TO THE MAYOR AND CITY COUNCIL OF JOLIET, ILLINOIS:

1. PROPOSAL OF \_\_\_\_\_  
(Name and Address of Bidder)  
\_\_\_\_\_
2. The plans for the proposed work are those prepared by the City Engineer and approved by the City Council of the City of Joliet, Illinois on \_\_\_\_\_.  
  
The specifications herein referred to are those prepared by the City Engineer.
3. In submitting this proposal, the undersigned declares that the only persons or parties interested in the proposal as principals are those named herein; and that the proposal is made without collusion with any other person, firm, or corporation.
4. The undersigned further declares that he has carefully examined the proposal, plans, specifications, form of contract and contract bond, and special provisions, and that he has inspected in detail the site of the proposed work, and that he has familiarized himself with all of the local conditions affecting the contract and the detailed requirements of construction, and he understands that in making this proposal he waives all right to plead any misunderstanding regarding the same.
5. The undersigned further understands and agrees that if this proposal is accepted he is to furnish and provide all necessary machinery, tools, apparatus, and other means of construction, in the respective sections, and to do all of the work, and to furnish all of the materials specified in the contract.
6. The undersigned declares that he understands that the quantities mentioned are approximate only and that they are subject to increase or decrease; that he will take in full payment therefore the amount and the summation of the actual quantities, as finally determined multiplied by the unit price shown in the schedule of prices contained herein.
7. The undersigned further agrees that the unit prices submitted herewith are for the purpose of obtaining a gross sum, and for use in computing the value of extras and deduction; that if there is a discrepancy between the gross sum bid and that resulting from the summation of the quantities multiplied by their respective unit prices, the latter shall apply.
8. The undersigned further agrees that if the owner decides to extend or shorten improvement, or otherwise alter it by extras or deductions, including the elimination

of any one or more of the items, by an amount not to exceed twenty-five (25) percent of the total money value of the original contract price or contract price corrected as provided in the specifications, he will perform the work as altered, increased or decreased at the contract unit price.

9. The undersigned further agrees that the Engineer may at any time during the progress of the work covered by this contract, order other materials as do not appear in the proposal or contract as a specific item accompanied by a unit price, and which are not included under the bid price for other items in this contract, shall be performed as extra work, and that he will accept as full compensation therefore the actual cost plus fifteen percent (15%), the actual cost to be determined as provided in the specification.
10. The undersigned further agrees to execute a contract for this work and present the same to the City of Joliet within fifteen (15) days after the date of the notice of the award of the contract to him.
11. The undersigned further agrees that he and his surety will execute and present within fifteen (15) days after the date of the notice of the award of the contract, a contract bond satisfactory to and in the form prescribed by the City of Joliet in the penal sum of one hundred percent (100%) of the full amount of the contract within the terms of the contract.
12. The undersigned further agrees to begin work not later than ten (10) days after the execution of the acceptance of the contract and contract bond, unless otherwise provided and to prosecute the work in such manner and with sufficient materials, equipment, and labor as will insure its completion within the time limit specified herein, it being understood and agreed that the completion within the time limit is an essential part of the contract. **The undersigned agrees to maintain this contract until May 4, 2021 after execution of the contract, by both parties, unless additional time shall be granted by the Engineer in accordance with provisions of the specifications.**

In case of failure to complete the work in or before the time named herein or within such extra time as may have been allowed by extensions, the undersigned agrees that the City of Joliet shall withhold, from each sums as may be due him under the terms of this contract, the costs, set forth in the specifications of the contract, which costs shall be considered and treated not as a penalty but as damages due to the City of Joliet from the undersigned by reason on inconvenience to the public, added cost of engineering and supervision and other items which have caused an expenditure of public funds resulting from the failure of the under signed to complete the work within the time specified in the contract.

13. The undersigned submits herewith his schedule of prices covering the work to be performed under this contract; he understands that he must show in the schedule of unit prices for which he proposes each item of work, that the extensions must be made by him and that if not so done his proposal may be rejected as irregular.
14. All bidders must furnish current financial statement with the bid.
15. All bidders must furnish a list of equipment available for and to be use on this project with their bid.

**CITY OF JOLIET  
FOR  
2021 BITUMINOUS PATCHING MATERIALS CONTRACT**

Specifications for furnishing Bituminous Asphalt for the Street Department/Utilities Department for the City of Joliet, Illinois.

**GENERAL:**

The bituminous Concrete Mixture for this contract shall meet Illinois Department of Transportation Specifications for Bituminous Patching Mixture (Class I) furnished and loaded on City of Joliet provided trucks at the plant.

**QUANTITY:**

The Bituminous Patching Mixture quantities for the Water Department and the Street Department fluctuate from year to year. Therefore, the City of Joliet will be obligated to pay for only the actual quantities furnished and loaded. As two (2) separate Departments, they will be purchasing Bituminous Patching Mixture under the same Purchase Order, Therefore it is required that the Aggregate supplier submit separate rate invoices for "WATER DEPARTMENT" and "STREET DEPARTMENT".

It is estimated in 2021 the City of Joliet Street Department will require approximately 700 tons of Bituminous Patching Mixture (Class I).

It is estimated in 2021 that the City of Joliet Water Department will require approximately 2,400 tons of Bituminous Patching Mixture (Class I).

**LOADING:**

The City of Joliet intends to enter into a contract with multiple asphalt suppliers at the supplier's unit price per tons of material. The City of Joliet reserves the right to purchase asphalt at a supplier, based on the best interest of the City, for each day in the period of this contract.

**PERIOD OF CONTRACT:**

This contract shall be in force from May 4, 2021 to May 4, 2021.

**PRICE:**

The prices given in the proposal are to be unit prices for Bituminous Patching Mixture (Class I), furnished and loaded on City of Joliet provided trucks at the supplier's plant.

**COLD PATCH MATERIAL:**

The Cold Patch Mixture for this contract shall be an approved UPM high performance mixture or SMP cold patch mixture or approved equal. Cold patch mixture shall be available for pick up by City of Joliet provided trucks and delivered to any one of three Street Department Facilities. The facilities are located at 2001 Arbeiter Road; 1203 Cedarwood Drive and 818 E. Cass Street.

**QUANTITY:**

It is anticipated that the City of Joliet will require 400 tons of cold patch mixture during the winter season of 2021-2021. Quantities should be available for pick up in small quantities by City of Joliet trucks and be available for delivery in 20 ton quantities to the Street Department locations noted above.

**PRICE:**

The prices given in the proposal are to be unit prices for Cold Patch Mixture SMP or UPM. Furnished and loaded on City of Joliet provided trucks at the suppliers' plant and delivered on site.



**BID PROPOSAL FORM**

**BID NO. 2556-0421**  
**DEPT. Public Works**

**OPENING DATE: March 29, 2021**  
**OPENING TIME: 11:00 a.m.**

The bidder shall also include with his return bid, a signed copy of the enclosed Affidavit, as well as literature, samples, etc. as required within the Bid Specifications.

The undersigned bidder, having examined the specifications and other documents, hereby agrees to supply services as per the attached Specifications and to perform other work, stipulated in required by and in accordance with the proposal documents attached for and in consideration of the proposed prices.

The undersigned acknowledges receipt of Addenda Nos. \_\_\_\_\_.

**ITEMS:**

- 1. Bituminous Patching Mixture (Class I) \$ \_\_\_\_\_ Per Ton
- 2. Cold Patch Material (UPM/SMP) \$ \_\_\_\_\_ Per Ton
- 3. Cold Patch Delivery \$ \_\_\_\_\_ Per Delivery

**THE CITY OF JOLIET DOES NOT PAY FEDERAL EXCISE OR STATE SALES TAX.**

**SUBMITTED BY:**

\_\_\_\_\_  
**PRINT NAME OF BIDDER**

BY: \_\_\_\_\_  
**SIGNATURE OF PERSON AUTHORIZED TO SIGN BID**

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

PHONE:(    ) \_\_\_\_\_ - \_\_\_\_\_

DATE: \_\_\_\_\_

17. This set of contract documents shall remain intact and shall be submitted in its entirety with the proposal.

(IF AN INDIVIDUAL)

SIGNATURE OF BIDDER \_\_\_\_\_ (SEAL)

BUSINESS ADDRESS \_\_\_\_\_

\*\*\*\*\*

(IF A CO-PARTNERSHIP)

FIRM NAME \_\_\_\_\_ (SEAL)

SIGNED BY \_\_\_\_\_ (SEAL)

BUSINESS ADDRESS \_\_\_\_\_

\_\_\_\_\_

Insert Names and \_\_\_\_\_  
Addresses of All \_\_\_\_\_  
Members of the firm \_\_\_\_\_

\*\*\*\*\*

(IF A CORPORATION)

CORPORATE NAME \_\_\_\_\_

SIGNED BY \_\_\_\_\_

President

BUSINESS ADDRESS \_\_\_\_\_

\_\_\_\_\_

(CORPORATE SEAL)

PRESIDENT \_\_\_\_\_

Insert Names of Officers SECRETARY \_\_\_\_\_

TREASURER \_\_\_\_\_

ATTEST: \_\_\_\_\_

Secretary

**CONTRACT SPECIFICATION - DEVIATIONS AND SUBSTITUTIONS**

Pursuant to Section 15 of the Instructions to Bidders, please list any and all deviations and substitutions made in the Contract Specifications here:

All deviations or substitutions must meet or exceed the specifications.

SUBMITTED BY:

\_\_\_\_\_   
 Print Name of Company

BY: \_\_\_\_\_   
 Signature of person authorized to sign bid

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

PHONE (\_\_\_\_) \_\_\_\_\_

DATE \_\_\_\_\_

(NOTE: These affidavits must be completed by an authorized representative of the bidder)

**AFFIDAVITS**

***Business Status of Bidder***

**BIDDER/APPLICANT:**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Principal place of business*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip Code*

***The Bidder is a:***

\_\_\_\_\_ *Corporation*

\_\_\_\_\_ *Partnership*

\_\_\_\_\_ *Limited Liability Company*

\_\_\_\_\_ *Sole Proprietorship*

\_\_\_\_\_ *Other (please explain: \_\_\_\_\_)*

***Corporation***

The state of incorporation is: \_\_\_\_\_

The registered agent of the corporation in Illinois is:

\_\_\_\_\_ *Name*

\_\_\_\_\_ *Address*

\_\_\_\_\_ *City, State, Zip*

The officers of the corporation are:

_____ <i>President</i>	_____ <i>Secretary</i>
_____ <i>Vice President</i>	_____ <i>Treasurer</i>

The Corporation is authorized to do business in the State of Illinois

**Limited Liability Company**

The state of registration is: \_\_\_\_\_

The registered agent of the Limited Liability Company in Illinois is:

*Name* \_\_\_\_\_

*Address* \_\_\_\_\_

*City State Zip* \_\_\_\_\_

The registered office of the Limited Liability Company in Illinois is:

*Address* \_\_\_\_\_

*City State Zip* \_\_\_\_\_

The managers and members of the Limited Liability Company are:

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State*

\_\_\_\_\_  
*City, State*

The LLC is authorized to do business in the State of Illinois

**Sole Proprietorship**

The address of the sole proprietor is:

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State*

The sole proprietor transacts business in Illinois under the following assumed names:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **BID RIGGING AND BID ROTATING**

**Section 2:** That in connection with this solicitation for bids/proposals:

- A. The bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;
- B. The bidder has not in any manner directly or indirectly sought by consultation, communication or agreement with anyone to fix the bid price of said bidder or any other bidder or to fix any overhead profit or cost element of such bid price or that of any other bidder or to secure any advantage against the public body awarding the contract or anyone interested in the proper contract;
- C. The bid is genuine and not collusive or sham;
- D. The prices or breakdowns thereof and any and all contents which had been quoted in this bid have not been knowingly disclosed by the bidder and will not be knowingly disclosed by the bidder directly or indirectly to any other bidder or any competitor prior to opening;
- E. All statements contained in such bid are true;
- F. No attempt has been made or will be made by the bidder to induce any other person or firm to submit a false or sham bid;
- G. No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition;

**Section 2a**

### **NON-COLLUSION**

- A. No officer or employee of the City of Joliet has a direct or indirect pecuniary interest in this bid.
- B. No officer or employee of the City of Joliet has disclosed to the bidder any information related to the terms of a sealed bid.
- C. No officer or employee of the City of Joliet has informed the bidder that the bid will be accepted only if specified persons are included as subcontractors.
- D. Only the bidder will be entitled to the proceeds of the contract if this bid is accepted by the City of Joliet.
- E. This bid is made without the benefit of information obtained in violation of law.

**Section 3.** The undersigned further states that: (circle A or B)

- A. He is the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein and that he has not participated, and will not participate, in any action contrary to paragraphs A through G above; or
- B. He is not the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein but that he has been authorized to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to paragraphs A through G above and as their agent does hereby so certify; and
- C. That he has not participated, and will not participate, in any action contrary to paragraphs A through G above.

**Section 4.** The undersigned certifies that the bidder has never been convicted for a violation of State laws prohibiting bid rigging or bid rotating.

**THE REQUIREMENTS OF THE  
ILLINOIS DRUG FREE WORKPLACE ACT**

**Section 5.** The undersigned will publish a statement:

- A. Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the aforementioned company's workplace;
- B. Specifying the actions that will be taken against employees for violations of this prohibition;
- C. Notifying the employees that, as a condition of their employment to do work under the contract with the City of Joliet, the employees will:
  - 1. Abide by the terms of the statement; and
  - 2. Notify the aforementioned company of any criminal drug statute conviction for a violation occurring the in the workplace not later than five (5) days after such a conviction.
- D. Establishing a drug free awareness program to inform the aforementioned company's employees about:

1. The dangers of drug abuse in the workplace;
  2. The aforementioned company's policy of maintaining a drug free workplace;
  3. Any available drug counseling, rehabilitation, and employee assistance programs; and
  4. The penalties that may be imposed upon employees for drug violations.
- E. Making it a requirement to give a copy of the statement required by Section 5. to each employee engaged in the performance of the contract with the City of Joliet and to post the statement in a prominent place in the workplace;
- F. Notifying the City of Joliet within ten (10) days after receiving notice under Section 5.C.2. from an employee or otherwise receiving actual notice of such a conviction;
- G. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by Section 6., below;
- H. Training personnel to effectively assist employees in selecting a proper course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that an effectively trained counseling and referral team is in place;
- I. Making a good faith effort to continue to maintain a drug free workplace through implementing these requirements.
- J. Making a good faith effort to continue to maintain a drug free workplace through implementation of this policy.



**Section 6.** The undersigned further affirms that within thirty (30) days after receiving notice from an employee of a conviction of a violation of the criminal drug statute occurring in the aforementioned company's workplace he shall:

- A. Take appropriate personnel action against such employee up to and including termination;  
or
- B. Require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

### **TAX COMPLIANCE**

**Section 7.** The undersigned on behalf of the entity making the foregoing proposal certifies that neither the undersigned nor the entity is barred from contracting with the City of Joliet because of any delinquency in the payment of any tax administered by the State of Illinois, Department of Revenue, unless the undersigned or the entity is contesting, in accordance with the procedures established by the appropriate revenue act, liability of the tax or the amount of tax.

**Section 8.** The undersigned or the entity making the proposal or bid understands that making a false statement regarding delinquency in taxes is a Class A Misdemeanor and in addition, voids the contract and allows the municipality to recover all amounts paid to the individual or entity under the contract in a civil action.

### **NON DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

**Section 9.** This EQUAL EMPLOYMENT OPPORTUNITY CLAUSE is required by the Illinois Human Rights Act and the Rules and Regulations of the Illinois Department of Human Rights published at 44 Illinois Administrative Code Section 750, et seq.

**Section 10.** In the event of the contractor's noncompliance with any provision of this Equal Employment Opportunity Clause, the Illinois Human Right Act, or the Rules and Regulations for Public Contracts of the Department of Human Rights (hereinafter referred to as the Department) the contractor may be declared nonresponsible and therefore ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be canceled or avoided in whole or in part, and such other sanctions or penalties may be imposed or remedies involved as provided by statute or regulation.

During the performance of this contract, the contractor agrees:

- A. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.

- B. That, if it hires additional employees in order to perform this contract, or any portion hereof, it will determine the availability (in accordance with the Department's Rules and Regulations for Public Contracts) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- C. That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service.
- D. That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the contractor's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations for Public Contract. If any such labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly so notify the Department and the contracting agency will recruit employees from other sources when necessary to fulfill its obligations thereunder.
- E. That it will submit reports as required by the Department's Rules and Regulations for Public Contracts, furnish all relevant information as may from time to time be requested by the Department or the contracting agency, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations for Public Contracts.
- F. That it will permit access to all relevant books, records, accounts and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations for Public Contracts.
- G. That it will include verbatim or by reference the provisions of this Equal Employment Opportunity Clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that such provisions will be binding upon such subcontractor. In the same manner as the other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by such subcontractors; and further it will promptly notify the contracting agency and the Department in the event any subcontractor fails or refuses to comply therewith. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Department to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

**Section 11.** For the purposes of subsection G of Section 10, "Subcontract" means any agreement, arrangement or understanding, written or otherwise, between a public contractor and any person under which any portion of the public contractor's obligations under one or more

public contracts is performed, undertaken or assumed; the term "subcontract," however, shall not include any agreement, arrangement or understanding in which the parties stand in the relationship of an employer and an employee, or between a bank or other financial institution and its customers.

**Section 12.** It is expressly understood that the foregoing statements and representations and promises are made as a condition to the right of the bidder to receive payment under any award made under the terms and provisions of this bid.

**Section 13.** Have written sexual harassment policies that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the vendor's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department and the Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. A copy of the policies shall be provided to the Department upon request.

**Section 14.** In the event that this contract is subject to Executive Order 11246, Seller certifies that it (1) is in compliance with Section 202 thereof and the Rules and Regulations issued thereunder; (2) does not and will not provide or maintain at any of its establishments, or permit its employees to perform their services at any location under its control where there are maintained, segregated facilities, and (3) agrees that a breach of this Certification violates the Equal Employment clause of Executive Order 11246. "Segregated Facilities," means facilities which are in fact segregated on a basis of race, color, creed, sex, religion or national origin, because of habit, local custom, or otherwise.

**THE AMERICANS WITH DISABILITIES ACT**

**Section 15.** As a condition of receiving this contract, the undersigned vendor certifies that services, programs and activities provided under this contract are and will continue to be in compliance with the Joliet Accessibility Code.

Signed by: \_\_\_\_\_  
[name]

\_\_\_\_\_  
[title]

Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Notary Public

-seal-

STATE OF ILLINOIS )  
 )  
 COUNTY OF WILL )

SS.

\*\*\*\*\*  
 \*NOTE: THIS AFFIDAVIT MUST BE  
 \*COMPLETED BY THE CHIEF OFFICER  
 \*OF THE BIDDER  
 \*\*\*\*\*

**AFFIDAVIT  
 REGARDING BIDDER AVAILABILITY**

The undersigned, \_\_\_\_\_, being first duly sworn on oath and being duly authorized to make this Affidavit, hereby declares that the following is a true and correct statement relating to All uncompleted contracts of the undersigned for Federal, State, County, City and private work, including All subcontract work; and all pending low bids not yet awarded or rejected; and equipment available.

**PART I. WORK UNDER CONTRACT**

List below all work you have under contract as either a prime contractor or a subcontractor, including all pending low bids not yet awarded or rejected.

	1	2	3	4	5	Awards Pending	
County and Section No.							
Contract With							
Estimated Completion Date							
Total Contract Price							Total
Uncompleted Dollar Value							

**PART II. UNCOMPLETED WORK TO BE DONE WITH YOUR OWN FORCES.**

List below the uncompleted dollar value of work for each contract to be completed with your own forces. All work subcontract TO others will be listed on the reverse of this form. In a joint venture list only that portion of the work to be done by your company.

							TOTALS
Excav. Grading & Clearing							
Portland Cement Concrete Paving							
Bituminous Hot Mix Surface							
Bituminous Aggregate Mix							

Aggregate Bases & Surface							
Structures							
Drainage							
Electrical							
Curb & Gutter							
Sewer							
Water							
Sidewalks							
Demolition							
Other/Explain							
Totals							

Date Equipment Available For Work							
--------------------------------------	--	--	--	--	--	--	--

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(PRINT NAME)

\_\_\_\_\_  
(TITLE)

Subscribed and Sworn to before me this  
 \_\_\_\_ day of \_\_\_\_\_, AD, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

# **STOP\***

**CHECK THE FOLLOWING LIST TO MAKE SURE THAT YOUR BID CONTAINS ALL OF THE REQUIRED DOCUMENTS.**

- \_\_\_\_\_ 1. BID SECURITY**
- \_\_\_\_\_ 2. TWO COPIES OF DESCRIPTIVE LITERATURE**
- \_\_\_\_\_ 3. WARRANTY STATEMENT**
- \_\_\_\_\_ 4. BIDDING SCHEDULE**
- \_\_\_\_\_ 5. PROPOSAL**
- \_\_\_\_\_ 6. SIGNED AND NOTARIZED AFFIDAVITS**

**FAILURE TO INCLUDE ANY ONE OR ALL OF THE ABOVE MAY CONSTITUTE SUITABLE GROUNDS FOR REJECTION OF YOUR BID.**

**\*(For Materials & Supplies)**

**AGREEMENT**

**THIS AGREEMENT** is entered into on the date stated below by and between the between the City of Joliet, an Illinois Municipal Corporation (hereinafter "City") and \_\_\_\_\_ (hereinafter "Contractor").

In consideration of the mutual promises of the parties set forth in the Contract Documents, the Contractor agrees to timely perform all work, furnish all labor and materials necessary for the proper completion of the work; and the City agrees to pay for the work as set forth in the Contract Documents. The Contractor further agrees to comply with the provisions of the *Prevailing Wage Act* (820 ILCS 130/1 et seq.).

The Contract Documents shall consist of the following documents which are hereby made part of this Agreement as if recited at length herein:

- 1) Legal Notice to Bidders
- 2) Instruction to Bidders
- 3) General and Special Conditions
- 4) Specifications and Drawings
- 5) Proposal Schedule (consistent with Contract Documents)
- 6) Affidavits
- 7) Performance Bond and Payment Bond
- 8) Addenda

**IN WITNESS WHEREOF**, the City and the Contractor, by their duly authorized representatives have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF JOLIET,**  
**an Illinois Municipal Corporation,**

By: \_\_\_\_\_  
**James V. Capparelli**  
**City Manager**

Attest: \_\_\_\_\_  
**Christa M. Desiderio**  
**City Clerk**

**Print name of Contractor** \_\_\_\_\_

By: \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Approved as to form:**

\_\_\_\_\_  
**Sabrina Spano**  
**Corporation Counsel**