



## COMMISSION ORDER

STATE OF MISSOURI }  
County of Franklin } ss.

Tuesday, June, 21, 2016

Bid Notice

### IN THE MATTER OF PUBLIC NOTICE TO BIDDERS FOR HOT MIX OVERLAY ON MASSEY FORD ROAD

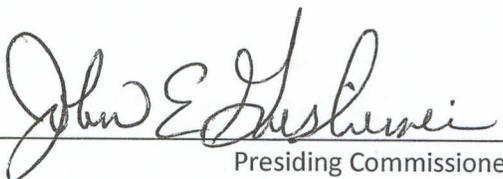
**WHEREAS**, Franklin County has determined that it is in the best interest of Franklin County to apply a hot mix overlay to Massey Ford Road; and

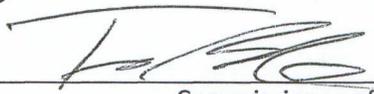
**WHEREAS**, the bid specifications pertaining thereto can be viewed or purchased through Franklin County Highway Department, 400 East Locust, Room 003A, Union, Missouri 63084 and on the Franklin County website; and

**WHEREAS**, it is the desire of the Franklin County Commission to solicit bids from qualified vendors for the required construction services.

**IT IS THEREFORE ORDERED** that bidders' proposals must conform to all specifications and conditions as set forth in the bid specifications. Substitutions will not be considered. All bids must be in a sealed envelope and plainly marked "Bid for Hot Mix Overlay-Massey Ford Rd." and will be received at the office of the County Clerk, 2<sup>nd</sup> Floor of the Government Center, 400 East Locust, Room 201, Union, Missouri 63084 until 10:00 AM on **July 12, 2016**.

**IT IS FURTHER ORDERED** that a notice of this request for bids be published in the Washington Missourian editions of June 25, 29 and July 6, 2016.

  
\_\_\_\_\_  
Presiding Commissioner

  
\_\_\_\_\_  
Commissioner of 1<sup>st</sup> District

  
\_\_\_\_\_  
Commissioner of 2<sup>nd</sup> District

FRANKLIN COUNTY

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HIGHWAY DEPARTMENT

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BID DOCUMENTS  
FOR  
HOT MIX OVERLAY

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2016

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400 E. Locust Street  
Room 003A  
Union, MO 63084

**FRANKLIN COUNTY HIGHWAY DEPARTMENT**  
**NOTICE TO BIDDERS**

Separate sealed bids will be received by the Franklin County Commission until **10:00 a.m., Tuesday, July 12, 2016** and then be publicly opened and read aloud.

The specifications and contract documents are available at the following location:

Franklin County Highway Department  
Attn: Ronald J. Williams, P.E., Highway Administrator/Engineer  
400 East Locust Street, Room 003A, Union, MO 63084  
[www.franklinmo.org](http://www.franklinmo.org)  
Office: 636-583-6361                      Fax: 636-584-0902                      email: hwydept@franklinmo.net

Proposed Work: **Hot Mix Overlay Massey Ford Road**

Wage Rates: The wage rate applicable to this project has been predetermined as required by law and are set forth in bid proposal.

Anti-Discrimination: The Commission hereby notifies all bidders that it affirmatively insures that in any business enterprises will be afforded all opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

Each bid must be submitted in a sealed envelope, addressed to:

Franklin County Commission  
Attention: Franklin County Clerk  
400 East Locust Street, Room 201, Union, MO 63084-1675

or it may be hand delivered to said County Clerk's Office. Each envelope containing a bid must be plainly marked on the outside "**Bid for Hot Mix Overlay 2016 Massey Ford Road**" and the envelope should bear on the outside the bidder's name and address.

Proposal must be on forms provided and all unit price bids, extensions and totals thereon shall be completed fully. Bidder need only return Proposal and Bid Sheet. All else may remain with bidders.

The Franklin County Commission may waive any informalities or minor defects or reject any and all bids. Preference will be granted to qualified local bidders in accordance with the Franklin County bidding policy.

The time specified for the returning of bids is a firm deadline and all bids must be received at the designated office by that time. All bids arriving at the designated office after the deadline specified will be rejected.

On all bid documents, the bidder must use the firm's name under which he/she is registered to do business in the state of Missouri. The bidder must ensure that his/her firm name is registered with the office of the Secretary of State.

Each bid must be accompanied by a certified check or bid bond payable to County of Franklin, Missouri for five percent (5%) of the total amount of the bid. Certified checks will be returned to the unsuccessful bidders after the contract has been awarded. The check of the successful bidder will be retained until the Contract has been fully executed, after which it will be returned.

FRANKLIN COUNTY HIGHWAY DEPARTMENT  
GENERAL REQUIREMENTS

Execution of Agreement

The party to whom the Contract is awarded will be required to execute the Agreement within fifteen (15) calendar days from the date when Notice of Award is delivered to the Bidder. In case of failure of the Bidder to execute the Agreement, the Owner may consider the bidder in default, in which case the check or bid bond accompanying the proposal shall become the property of the Owner. Upon default by the first low bidder, the award may then be made to the next lowest responsible bidder, or the work may be re-advertised as the Owner may decide.

The Owner upon receipt of an acceptable Certificate of Insurance and Agreement signed by the party to whom the Contract was awarded, shall within a reasonable period of time sign the Agreement and return to such party an executed duplicate of the Agreement. The Owner upon signing the Agreement and within a reasonable period of time shall issue the Notice to Proceed.

Insurance

The successful bidder must provide properly executed certificates of insurance prior to signing the contract with the Commission.

Worker's Compensation: Equal to or in excess of limits of Worker's Compensation Laws in the State of Missouri.

Liability Insurance: The Contractor shall indemnify and save harmless the County from all suits or action of every name and description brought against the County for or on account of any personal injuries, including accidental or resulting death, or property damages received or claimed to be received or sustained by any persons due to the construction of the work, or by, or in consequence or assigns in safeguarding it, or by, or on account of any act or omission of the Contractor, his employees, agents, or assigns.

The Contractor shall carry adequate public liability and property damage insurance for the joint and several benefit of the contractor and the County with a company licensed to do business in the State of Missouri and satisfactory to the County and in the amount not less than those specified below. The amounts of coverage required are for public liability of the Contractor in protecting the County from damage or injury claims. The County shall have the right to require the contractor to increase any or all such insurance policy limits while the contract work is in progress in the event the County Highway Administrator determines that unusual or special risks revealed by the work so required and in such amounts as the County Highway Administrator may determine to be adequate, and without hereby limits the liability of the Contractor in protecting the County from damage or claim. Franklin County shall be named under General Liability.

The coverage shall insure the County and it's officers and employees while acting within the scope of their duties against all claims arising out of or in connection with the work to be performed.

The cost of the insurance shall be included in the prices for the various items of work and no additional payment will be made therefore.

The minimum acceptable coverage in U.S. dollars is tabulated below:

<u>Coverage Item</u>	<u>Public Liability</u>	<u>Property Damage</u>
Each Person Each Occurrence	\$400,000	\$2,500,000
Each Accident Each Occurrence	\$2,500,000	\$2,500,000
Aggregate Each Occurrence	\$2,500,000	\$2,500,000

Certificate of Insurance sent to the County as evidence of insurance shall contain the following statements; and in their absence, the Certificate will not be satisfactory to the County.

- a) The insurance evidenced by this certificate cancelled or altered ten (10) days from date of receipt by the County will require written notice thereof.
- b) The insurance evidenced by this certificate expressly includes blanket underground coverage including, but not limited to, injury or destruction of wire, conduit pipes, mains, sewers or other similar property, or any apparatus in connection therewith below the surface of the ground, whether or not such injury is caused by and occurs during the use of mechanical equipment, for the purpose of grading of land, paving, backfilling, excavating or drilling, or to injury to destruction of property at any time resulting therefrom.
- c) The insurance evidenced by this certificate expressly includes personal injury or death by injury to or destruction of any property arising out of blasting or explosion, or the collapse of a structural injury to any buildings or structures due to grading of land, excavation, burrowing filling, backfilling or tunneling.

#### Project Location

Projects shall be along Massey Ford Road running from Missouri Highway UU to its dead end. A project shall be defined by the road the work is located on.

#### Permits

The contractor will be responsible for obtaining all permits required to complete the work as described in the bid documents.

#### MoDOT Specifications

Specifications, with MoDOT Sections listed, are from the Missouri Department of Transportation (MoDOT) Standard Specifications for Highway Construction 2011 and all supplemental specifications and will govern the work performed (including testing) where applicable. In all MoDOT Sections, the Franklin County Highway Administrator or his duly appointed representative will be substituted for Construction and Materials and the Commission.

#### Job Special Provisions

In case of conflict with the General Requirements, the Special Provisions shall take precedence and will govern.

#### Notice to Proceed

A written Notice to Proceed shall be issued. The Contractor shall complete the work within the time period defined in the Liquidated Damages section.

#### Incidentals

All hand held equipment and materials will be considered incidental to the work.

#### Dumping Waste

If dumping waste, a waste disposal agreement between the property owner and Franklin County Highway Department will need to be filled out and on file at the Franklin County Highway Department Office before removing any waste from the site. Using a known dump or recycler is exempt from this requirement.

#### Communications

One (1) week prior to beginning work, the Contractor shall notify the Highway Administrator of the tentative schedule.

#### Weekend and Holiday Work

No work shall be performed between 3:30 pm on Fridays and 7:00 am on Mondays. No work shall be performed between 3:30 pm the day prior to a holiday and 7:00 am the day following a holiday. Holidays are defined in the Franklin County Personnel Manual.

#### Worker Safety Considerations

In accordance with the 2009 Manual of Uniform Traffic Control Devices, Section 6D.03 Worker Safety Considerations shall apply. Paragraph 04 contains the standard.

#### Additional Services

Additional services, not listed in this contract, may be required during the duration of this contract. A unit price will be negotiated and agreed to before additional services are started. If Contractor is unable to perform additional services, Franklin County reserves the right to use other contractors.

#### Additional Equipment

If additional equipment is required, an hourly price will be negotiated and agreed to. If no agreement is reached, the Federal Emergency Management Agency (FEMA) established hourly rates will be used. If the piece of equipment is not listed, the next closest piece of equipment will be used.

#### Retainage

A 10% retainage will be held, until all work is satisfactorily completed. This includes final paperwork.

#### Payment

All invoices must show purchase order numbers, provided by Franklin County, and the total for each purchase order number listed or each project site and the total amount for that project site. If invoices are not received in this manner, payment will not be made.

#### Final Paperwork

All final paperwork including final payment shall be submitted to the Franklin County within 1 month of final written acceptance of each project site. After that period, liquidated damages will apply as noted on the Proposal.



Louis, Missouri area and Kansas City area has fluctuated from the monthly average price of the month the project was bid. The St. Louis, Missouri area and Kansas City area prices will be obtained from the Asphalt Weekly Monitor® published by Poten & Partners Inc. The monthly base price will be the price from the last published Asphalt Weekly Monitor® prior to the bid opening. The monthly base price, established prior to the monthly bid opening, shall apply to payment estimates for the following month.

The adjusted contract unit price will be applied to the actual amount of asphalt binder. The percentage of virgin asphalt, as shown in the job mix formula, will be the basis for adjustments for any asphalt mix purchased during the monthly index period. The effective asphalt obtained from the use of Recycled Asphalt Pavement (RAP) and/or Recycled Asphalt Shingles (RAS) will not be eligible for adjustment. The base price index for PG64-22 will be applied to the asphalt mix for mixes using PG64-22, PG70-22 or PG76-22.

To determine the adjustment for any material specified in this provision the following formula will be used.

$$A = (B \times C) \times (D - E)$$

Where:           A = Adjustment for mix placed during monthly average index period  
                      B = Tons of Mix Placed during the monthly average index period  
                      C = % of virgin asphalt binder as listed in the job mix formula in use  
                      D = monthly average price at time of mix placement  
                      E = monthly average price at time of bid

#### Bituminous Pavement MoDOT Section 401

All Bituminous Pavement is to be 2 inches thick unless otherwise noted. The edges past the required paving width shall be tapered down at a rate of 4 horizontal to 1 vertical on the edges if a surface exists to place the taper on. All tapers shall be compacted by rolling. No density will be required on tapers.

Section 401.2.1 The grade of asphalt binder to be used is PG64-22.

Section 401.4 Job Mix Formula. The mix used shall be a pavement mix. In addition to the MoDOT Specification, the mix used shall be a mix previously used by MoDOT within the time limit requirements of Section 401.4.6.

Section 401.7.3 Subgrade Preparation. The existing roadway shall be considered the subgrade. The subgrade shall be cleaned and tacked according to Section 407. **Any rutting or damage to the subgrade shall be fixed at the contractor's expense.**

A certified testing agency shall be contracted by the contractor to perform Quality Assurance (QA) Testing. QA testing shall address depth and compaction. Reports will be submitted to the Franklin County Highway Department in a timely manner. Payment will be incidental to the cost for bituminous material.

#### Tack Coat MoDOT Section 407

Tack coat shall be applied at the rate of 0.05 Gallon/square yard or as directed by the inspector.

#### Prime Coat

Prime coats shall be applied at the rate of 0.3 Gallons/square yard or as directed by the inspector.

Traffic Control MoDOT Section 616

Traffic control will be paid one (1) lump sum as noted on the quantities sheet.

Each road will require One (1) Road Work Ahead and one (1) Flagger Ahead Sign be placed at the beginning and end of each road. A minimum of Two (2) flaggers will be provided to direct traffic around the work zone.

Cost to relocate signs and flaggers shall be included in the bid.

Construction Signs and Flagger will meet MUTCD standards.

Please note Section 616.4.2

Pavement Marking MoDOT Section 620.50

Section 620.2.2.1 Permanent pavement markings shall be in place no later than 30 days after final paving operations. Payment shall be made in lineal feet in place.

Pavement marking shall be a 4 inch wide yellow paint mark. Centerline pavement marking shall be 10 feet long with 30 feet spacing.

Traffic Flow

One lane of traffic is required to be open at all times. Exposed oil shall not be open to traffic.

ENS Number and Addresses on Bid Sheet

The ENS Numbers listed on the bid sheet are posted in the field as a black sign on a T-post at a driveway. They are they Emergency Numbering System used in Franklin County. The addresses used are on the mailboxes.

Milling

Milling will be required along the edge of the roadway where it abuts improved entrances, other than rock surfaces, at 3174 Massey Ford Road and 3327 Massey Ford Road and abutting Missouri Route UU. Milling shall be a minimum of four (4) feet in width and shall be incidental to other work. No extra payment will be made for milling or width of any milling greater than four (4) feet in width.

Rollers

Contractor shall provide adequate sized breakdown and finish roller to meet compaction requirements.

FRANKLIN COUNTY HIGHWAY DEPARTMENT  
PROPOSAL

Job Number: **Hot Mix Overlay**

To: Franklin County Commission  
Attention: Franklin County Clerk  
400 East Locust Street  
Room 201  
Union, MO 63084-1675

Hereinafter called the "Commission"

For improving Franklin County roads consisting of **Hot Mix Overlay Massey Ford Road**, hereinafter called the work.

Compliance with Contract Provisions: The Bidder, having examined and being familiar with the local conditions affecting the work, and with the contract documents, and the request for proposal, including appendices, the specifications and plans, hereby proposes to furnish all materials, equipment, services, etc., required for the performance and completion of the work.

Proposal Guarantee: The Bidder submits and attaches to this proposal a proposal guaranty meeting the requirements of the Notice to Bidders.

Bidder's Certification: The Bidders signature on this proposal constitutes execution of all certifications which are a part of this proposal.

a.) Certification Regarding Anti-Collusion: In accordance with 23USC #112 the bidder hereby states, under penalty of perjury, that he has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraints of free competitive bidding in connection with this contract.

b.) Certification of Contractor Responsibility: By submitting this bid without marking the box below, the contractor certifies that it, and its affiliates and principals, are responsible, and they have not committed within the last seven years and will not commit during the life of this contract any act specified in Sec 108.11 and its subsections which may place the contractor in default to the contract, if it is the successful bidder. The contractor understands and affirms that if an act of default as specified in Sec 108.11 has occurred or later occurs, any existing contract between the contractor and Highway Department may be subject to immediate termination by the Highway Department without liability for that action.

By marking this box, the bidder states that it, or a principal or affiliate of the bidder, may have committed an act of default, as defined in Sec 108.11, on this bid or within the last seven years. The bidder has attached to this proposal a full and complete explanation and documentation of the possible act of default, and what actions if any were taken as a response to or result of that act by any federal, state, or local government agency or private person or firm.

Itemized Proposal: The bidder proposes to furnish all labor, materials, equipment, services, etc. required for the performance and completion of the work, as described in the scope of work hereby included as follows:

**FRANKLIN COUNTY HIGHWAY DEPARTMENT**  
**HOT MIX OVERLAY BID SHEET**  
**MASSEY FORD ROAD**

Company: \_\_\_\_\_

Item	Description	Quantity	Units	Unit Price	Item Total
1	Tack Coat	2,227.0	GA	_____	_____
3	Bituminous Pavement	2,970.0	TN	_____	_____
4	Pavement Marking	2,985.0	LF	_____	_____
5	Traffic Control	1.0	LS	_____	_____
6	Mobilization	1.0	LS	_____	_____

**Project Total:** \$ \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Business  
Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature and Identity of Bidder: The undersigned states that the correct legal name and address of:

The individual bidder

Each partner or joint venture (whether individuals or corporation, and whether doing business under a fictitious name), or

The corporation (which the state in which it is incorporated) are shown below; that (if not signing with the intention of binding himself to become the responsibility and sole bidder) he is the agent of, and duly authorized in writing to sign for the bidder or bidders; and that he is signing and executing this (as indicated in the proper spaces below) as the proposal of a:

sole individual

partnership

joint venture

corporation, incorporated under the laws of state of \_\_\_\_\_

Executed by this bidder this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Bidder: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

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

Seal: if bid is by a corporation