



**PROPOSAL AND CONTRACT
(WHEN EXECUTED)**

INSTRUCTIONS ON PAGE 4

**THIS PROPOSAL INCLUDES
INSTRUCTIONS TO BIDDERS**

A. DEPOSIT OF PROPOSALS.

All envelopes containing Bid proposals shall
be clearly marked "Bid Proposal
for letting: Labor & Stone: December 6, 2023"
December 6, 2023."
DATE

Oakland 2nd Class Township

MUNICIPALITY (NAME & TYPE)

Diana Foehringer
SECRETARY

Sealed Proposals will be received on or before
1:00 PM on the above Letting Date.
TIME

565 Chicora Road
Butler, PA 16001
ADDRESS

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

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

- 1 The contractor proposes to furnish and deliver all materials (including Form CS-4171, CERTIFICATE OF COMPLIANCE and/ or TR-465 DAILY BITUMINOUS MIXTURE CERTIFICATION) and to do and perform all work on the following project as more specifically set forth in the Schedule of Prices (Attachment), in accordance with drawings and specifications on file at Oakland 2nd Class Township as well as the supplements and special requirements contained herein and/ or attached hereto and current PennDOT Specifications (Publication 408), except (a) bidders need not be prequalified by PennDOT (Sec.102.01), and (b) Volumetric testing of bituminous paving materials is not required (Sec. 409).
- 2 If designated as the successful bidder, the contractor will begin work on the date specified in the notice to proceed, or as otherwise provided in the special requirements, and will complete all work within **see attachment 1-A & 1-B** calendar days.
- 3 Accompanying this proposal is a certified check or bid bond in the amount of 10% made payable to the municipality as a proposal guarantee which, it is understood, will be forfeited in case the contractor fails to comply with the requirements of the proposal.

B. PROPOSAL OF:

NAME / ADDRESS OF CONTRACTOR

CONTRACTORS CERTIFICATION

It is hereby certified as follows:

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

- 2 None of the above persons are employees of the municipality.
- 3 This proposal is made without collusion with any other person, firm or corporation.
- 4 All plans and specifications referred to above and the site of the work have been examined by the contractor. The contractor understands that the quantities indicated herein are approximate and are subject to change as may be required; and that all work is payable on the basis of the unit price listed on the Schedule of Prices. (Attachment 1).

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

CONTRACTOR

BY: _____ DATE: _____
TITLE: _____

WITNESSED OR ATTESTED BY: _____ DATE: _____
TITLE: _____

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

ACCEPTED ON : _____
DATE

Oakland 2nd Class Township
MUNICIPALITY

BY: _____
TITLE: Chairman

BY: _____
TITLE: Vice-Chairman

BY: _____
TITLE: Supervisor



ATTESTED BY: _____
TITLE: Secretary/Treasurer



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

Municipality: Oakland 2nd Class Township

THIS PORTION TO BE COMPLETED
BY THE MUNICIPALITY

PROPOSAL AND CONTRACT INSTRUCTIONS- FORM 944 (Rev. 1/2014)

- 1 The proposal must be typewritten or printed.
- 2 If more than one proposal on any project is submitted by an individual, firm or partnership, corporation or association under the same or different names, only one lowest proposal will be considered.
- 3 Description of Work- - -
 - A. If additional space is needed, insert appropriately numbered attachment and note "Continued on attached work sheets."
- 4 Part A of Page 1 to be completed by municipality. Part B of Page 1 to be completed by contractor. Schedule of Prices - Column #1 (Item), #2 (Approximate quantities), #3 (Unit, i.e., ton, square yard, linear feet, etc.) And #4 (Description, i.e., bituminous materials - 9.5 mm S & L, 12.5 mm Wearing, 25.0 mm Base Course, etc.) Must be filled in by the municipality to insure equitable bidding. Columns #5 (Unit Price), #6 (Total) and total amount of bid, must be filled in by the contractor. If more space is needed, add note at the bottom of the page; "Continued on Attachment No. 1-A", and add additional sheet designated as Attachment No. 1-A, 1-B, etc.. Repeat for each additional sheet required. As required by Publication 408, Section 102.06(e), each bidder must submit a completed Form 7126 - Anti-Collusion Affidavit with its bid proposal.
- 5 If liquidated damages are to be assessed, add the following sentence to Part A #2. If all work is not completed on time, liquidated damages will be assessed at the rate of \$870.00 per additional working day. (OR "... as set forth in the attached schedule.")
- 6 Payment and Performance bonds are provided only by the successful bidder. Contracts from \$4,000.00 up to \$5,000.00 in Second Class Townships - performance bond must be not less than 10% or greater than 100% of amount of contract. Contracts greater than \$1,500.00 up to \$10,000.00 in First Class Townships, Boroughs and Third Class Cities - bonds must be between 50 % to 100% of the contract amount. Contracts in excess of \$5,000.00 in Second Class Townships and in excess of \$10,000.00 in First Class Townships, Boroughs and Third Class Cities - bonds must be in 100% of the amount of the contract. Bond Forms MS-944 Attachments 2 and 3 and Workmen's Compensation Affidavit - Attachment 4 must be submitted by the successful bidder within 20 days of the contract award. Failure to submit the bonds shall constitute grounds to cancel the contract.
- 7 *Construction projects, where the estimated cost of the total project exceeds \$100,000, are subject to the provisions of the Pennsylvania Prevailing Wage Act 442 and amended by Act 89 of 2013. It is the responsibility of the municipality to request the Prevailing Wage Scale for the area and include it in the proposal. If the Prevailing Wage Act applies, this fact shall be noted in the advertisement.

On projects utilizing Federal Revenue Sharing Funds, if the project cost exceeds \$2,000 and is financed with 25% or more Federal Revenue Sharing Funds, the Davis Bacon Act applies. Again, it is the responsibility of the municipality to obtain the Davis Bacon Wage Rates, include them in the proposal and note the fact in the advertisement. If both acts are applicable, The Davis Bacon Act has preference over the Pennsylvania Prevailing Wage Act.
- 8 An ESCALATOR CLAUSE is optional; if used, it must be included in the proposal prepared by the municipality. An escalator clause may not be inserted by the contractor.

*(1961, Aug. 15, P.L. 987; 43 P.S. 165)

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

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

- X Traffic Control and Safety Devices to be provided by the Contractor.
(PA. DEPART. Of TRANS. Publication 203, WORK ZONE TRAFFIC CONTROL, CURRENT EDITION.)
Delivery tickets for all materials.
CS-4171 Certificate of Compliance and/or CS-4171B Daily Bituminous Mixture Certification req'd for all materials.
- X Notify the Municipality five working days prior to start of project.
- X Work to be completed on or before 5/1/2024 . After 5/2/2024 Liquidated damages apply at the rate of \$ 885.00 per calendar day.
Roadway to be power broomed by (contractor municipality)prior to start of project.
- X Excess material to be removed by contractor (dirt and old pipe). Do not remove excess *New Pipe* or *Stone*.
- X Municipality to inspect project.
Need Bill of Lading for each shipment of asphalt material per Section 702.1(c) of Specifications 408.
Asphalt Tack Coat required per Section 460, or 413 for superpave, of Specifications 408 and is incidental to paving item unless noted otherwise.
Prime Coat required per Section 461 of Specifications 408.
Asphalt Seal on all abutting pavement and curbs required.
Saw cut or Milled Paving Notch required and incidental to paving item unless noted otherwise.
Scratch/ Leveling Courses to be placed at the discretion of appointed inspector(s).
Full width pavement with one pass required.
- X Municipality reserves the right to limit work completed.
Taper pavement the last 3 feet to curb.
For FOB Source bids, hauling distance will determine selection of bid award.
- X Municipality reserves the right to procure material which best suits their requirements after all bids and items are reviewed.
- X Completion of NON-COLLUSION AFFIDAVIT required.
- X Incidental Preparation and clean up required. (Project Construction Materials)
- X All bidders shall comply with all requirements of Act 127 of 2012, Public Works Employment Verification Act, prior to award of contract.
Provide design, which meets Specifications Form 408 to the municipality 5 days prior to start of work.
- X Contractor responsible for defects that occur within one year of applications.
- X Contractor required to review proposed project in person with Municipality's Representative prior to bidding and sign off special provisions AND spec sheet. (Attachments 1-A & 1-B)
Oil Samples required from each distributor truck by contractor (1) one quart : A.M. & P.M. and witnessed by municipality and retained by municipality.(Oil samples must be placed in an approved type container that is compatible with oil sample.)
At least three random stone samples to be taken by contractor on project site witnessed by municipality and retained by municipality.
Complete all testing in accordance with Specification Form 408 Section 413 except for superpave volumetric testing.
Notice to Proceed will be the date of Contract acceptance.
- X Final Completion Certificate & Notice of Completion required.
- X Future award of Contract will be based on quality of work as determined by the municipality.
Contractor, notify all residents of pending work to be performed.
- X No cost overruns shall be permitted without prior approval from the Board of Supervisors.
All work shall conform to current PennDOT Specifications Publication 408.
- X Pipe to be provided by Township.

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

| | |
|-----------------------------|------|
| Contractor's Representative | Date |
| Company | |

| | |
|-------------------------------|------|
| Municipality's Representative | Date |
| Oakland Township | |
| Municipality | |

Project / Bid Spec Sheet (Attachment 1-B)

Lake Oneida Stormwater Management Project , Oakland Township

General Information:

Oakland Township will supply Pipe.

Pipe stored at 165 Shearer Road

Questions can be directed to Oakland Township Roadmaster, Aron Wulff: 724-287-4318

Work can't start before: January 5, 2024 or with permission of Roadmaster and availability of pipe.

All work must be completed by: May 1, 2024

Contractor Information:

Transport pipe from 165 Shearer Road to work site.

130 +/- Ton 2B/#57

275 +/- Ton 2A

Excess stone to be delivered to 165 Shearer Road.

Dirt and old pipe is responsibility of contractor.

Cover pipe with 2B/#57 to top of pipe. Use 2A to back fill from top of pipe to 2" below road surface, compact 2A with Hydraulic Plate Compactor.

Compact and Finish with Hot or Cold patch to flush with pavement.

Use R-3 if needed to address erosion concerns.

| Road | Crossing # | Description of Need |
|-----------|------------|--|
| Bish | 1 | Replace 24" Steel pipe with 24" plastic. |
| Hoffman | 6 | Replace 15" Steel pipe with 15" plastic and install concrete pipe surround on inlet side of pipe. |
| Hoffman | 7 | Replace 15" Steel pipe with 15" plastic. |
| Fallecker | 1 | Replace catch basin and 18" Steel pipe along with adding another catch basin on the downhill side of intersection and 600' of 18" Steel pipe with 18" plastic and a single section of 15" pipe going into the catch basin. Use dirt to top pipe in the yard and seed the yard. |
| Fallecker | 4 | Replace 15" Steel pipe with 15" plastic. |
| Fared | 1 | Replace 18" Steel pipe with 18" plastic as well as replacing catch basin on the outlet side of the pipe. |
| Fared | 2 | Replace 15" Steel pipe with 15" plastic. |
| Fared | 3 | Replace 15" Steel pipe with 15" plastic. |

_____ I have visited and reviewed all specification outlined in this project and will bid accordingly.

Authorized Representative (Signature): _____

Company Name: _____

Authorized Representative: _____

Address: _____

Phone #: _____ Fax #: _____ e-Mail: _____

Oakland Township Roadmaster Signature: _____



AFFIDAVIT RE

ACCEPTING PROVISIONS OF THE WORKMEN'S COMPENSATION ACT

State of)
)
) ss:
)
County of)

being duly sworn according to law deposes and says that they have he has
it has it has

accepted the provisions of the Workmen's Compensation Act of 1915 of the Commonwealth of Pennsylvania, with

has his
its supplements and amendments, and have insured their liability thereunder in accordance with the terms of said
its

Act with _____
(SURETY COMPANY)

(TYPE OR PRINT) CONTRACTOR

BY _____
SIGNATURE

Sworn to and subscribed before me this ____ day of _____ A.D. 20 ____ .

SIGNATURE

My Commission Expires _____ (DATE)



COMMONWEALTH OF PENNSYLVANIA

PUBLIC WORKS EMPLOYMENT VERIFICATION FORM

Date _____

Business or Organization Name (Employer) _____

Address _____

City _____ State _____ Zip Code _____

☐ Contractor ☐ Subcontractor (check one)

Contracting Public Body _____

Contract/Project No _____

Project Description _____

Project Location _____

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

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

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

Authorized Representative Signature

ANTI-COLLUSION AFFIDAVIT



State of _____

County of _____

County Butler

Municipality Oakland 2nd Class Township

Project Number _____

Fed. Project No. _____
(If Applicable)

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

(Contractor)

BY

Sworn to and subscribed before me the undersigned notary public this

_____ day of _____, _____.

Notary Public

My Commission expires _____