

**CITY OF PRESQUE ISLE  
REQUEST FOR BIDS**

**SECTION 1. GENERAL**

The City of Presque Isle is seeking bids from qualified individuals and firms (Bidder) for chip sealing on various roads.

**SECTION 2. STANDARD CONDITIONS**

1. The Bidder shall be responsible for all taxes, fees and permits required of this request for bids.
2. The Bidder shall be responsible for the proper disposal of any waste generated by this request for bids.
3. The Bidder shall serve in the capacity of an independent contractor and shall not be deemed an employee or representative of the municipality. The Bidder understands and agrees that he is an Independent Contractor for whom no Federal or State Income Tax will be deducted by the City, and for whom no retirement benefits, medicare, vacation and sick leave, workers compensation, employment and similar benefits available to City employees will accrue. The Bidder further understands that annual information returns as required by the Internal Revenue Code or State of Maine Income Tax Law will be furnished to the Bidder for his Income Tax records.
4. Unless otherwise stated all bids shall be in a lump sum basis, FOB Presque Isle, in U.S. funds.
5. Any bid received after the date and time of opening will be rejected and returned unopened to the Bidder. Time shall be determined as indicated on the clock where bids are received.
6. Unless otherwise stated all bids shall be submitted on the bid form supplied by the City.
7. The City reserves the right to reject any or all bids and to waive any informality as it deems necessary. The City Manager shall retain the right to determine what constitutes informality. In his decision, the City Manager may consider if other bidders are placed at a disadvantage by his decision. In all cases, the decision by the City Manager shall be final.
8. Fax bids will not be accepted.
9. No bid may be withdrawn for a period of 30 days after the bid opening.
10. The Bidder shall be responsible to provide all labor, materials and equipment necessary to perform the work or supply the material(s) requested in this bid and shall insure a timely completion of the work involved or the material(s) supplied in conformance with generally accepted work standards. All work shall be in conformance with all applicable local, state and federal laws, ordinances, rules and regulations.
11. The Bidder shall not sublet, sell, transfer, assign or otherwise dispose of this agreement or any portion thereof, or of his right, title, or interest therein, without written request to

and written consent of the City Manager, except to a bank. No subcontracts or transfer or agreement shall in any case release the Bidder of his liability under this agreement.

12. The performance of work or the delivery of material under the contract may be terminated by the City in whole, or from time to time, in part whenever for any reason the City Manager shall determine that such termination is in the best interest of the City. Any such termination shall be effected by delivery to the Bidder of a Notice of Termination specifying the extent to which such termination becomes effective. The contract shall be equitably adjusted to compensate for such termination and the contract modified accordingly. In any event, this contract shall be terminated on the contract date.
13. The Bidder agrees to indemnify, defend and save harmless the City, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, material men, laborer, and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the Bidder in the performance of this contract and against any liability, including costs and expenses, for violation of propriety right, copyrights, or rights of privacy, arising out of publication, translation, reproduction, delivery, performance, use of disposition of any data furnished under this contract or based on any libelous or other unlawful matter contained in such data.
14. Any and all notebooks, maps, plans, working papers or other work produced in the performance of this contract are the property of the City.
15. Failure to provide requested information at the time the bid is submitted may result in the bid being rejected.

### **SECTION 3. BIDDER QUALIFICATIONS**

- A. Complete 'Statement of Bidder Qualifications' form.
- B. Name and qualifications of the project coordinator.
- C. List of similar work performed or material delivered to include the names, addresses and telephone numbers of people who can be utilized as a reference check.

### **SECTION 4. SUBMITTING A BID**

All bids must be submitted in a sealed envelope clearly marked “**CHIP SEAL BID**” on the outside of the envelope. Bids must be received by **June 21, 2013 at 2:30PM** at the **City Clerk’s office**, 12 Second Street, Presque Isle, Maine 04769. Any questions pertaining to this bid shall be directed to the Deputy Public Works Director Larry DeMerchant at (207) 764-2560.

All bids shall be opened and read aloud in public on June 21, 2013 at 2:30 PM at the above address. Final award of the bid is expected to be made on or about July 1, 2013 by the City Manager and/or City Council. His/their decision shall be final. Bidders are welcome to attend the bid opening and City Council meeting (if needed).

## **SECTION 5. SCOPE OF WORK**

The City will accept bids from qualified individuals and firms to chip seal with latex modified MS2 or equivalent on various roadways located in the City of Presque Isle. The work is subject to the following:

1. The asphalt product shall be latex modified MS2 or equivalent. The latex modifier product and the percent of latex modifier in the liquid asphalt shall be approved by the City. A material safety data sheet shall be provided to the City at the time of delivery. A certificate or bill of lading verifying the analysis of the product shall be provided to the City at the time of delivery. The product shall meet specifications as set forth by Maine Department of Transportation and applied in conformance with applicable Department of Environmental Protection and Environmental Protection Agency laws, rules and regulations.
2. The Bidder shall provide the asphalt product and sufficient equipment and labor to apply the product and spread City-supplied stone over the applied product. Bidder shall provide a self propelled spreader, pneumatic roller, and steel wheel roller (approximately 8 ton). Rolling of stone shall be continuous and spraying shall cease if the roller is not able to roll the stone before the asphalt “breaks” or cures.
3. The City shall prepare the roadways for application of product, provide traffic control, provide the stone, and provide up to five trucks to haul the stone to the work area.
4. The City has approximately 6.5 miles of roadway to be chip sealed. The following roads are planned for chip sealing: Ginn Road, Johnson Road, McPherson Road, Spragueville Road, and Niles Road. The estimated amount of gallons to be applied is 31,200. The bid shall be based on actual gallons applied, in place, covered, per gallon. The City retains the right to adjust quantities and actual amount of work as deemed necessary. Price adjustments for “hot gallons” will not be allowed.
5. The product shall be delivered and maintained at the specified temperature range until applied as recommended by the manufacturer.
6. The work shall be scheduled and under the absolute direction of the City’s Deputy Public Works Director. The work shall be completed on or before August 15, 2013. The work schedule shall be from Monday through Thursday 6:30AM to 4:00PM, unless otherwise directed by the City. A \$100 per day penalty will be assessed for each workable weekday after the August 15<sup>th</sup> deadline.
7. No product shall be applied unless both the ambient air temperature and the road surface temperature are 50 F degrees and rising.
8. The City shall have the sole authority and discretion in choosing the asphalt grade, blend, composition, mixture and any other factor that may affect the project.

STATEMENT OF BIDDER'S QUALIFICATIONS  
(If desired, the bidder may submit additional information)

Name of Bidder: \_\_\_\_\_

Bidder is: Corporation ( ) Partnership ( ) Individual ( )

Permanent Main Office Address: \_\_\_\_\_

Federal ID Number: \_\_\_\_\_

When Organized: \_\_\_\_\_

If a corporation, where incorporated? \_\_\_\_\_

How many years have you been engaged in business under your present firm or trade name? \_\_\_\_\_

A financial statement may be required of the successful bidder prior to award.

The Undersigned hereby authorizes and request any person, firm, or corporation to furnish any information requested by the City of Presque Isle in verification of the recitals comprising this Statement of the Bidder's Qualifications.

Attest Name of Bidder: \_\_\_\_\_

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

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

Dated: \_\_\_\_\_

**“CHIP SEAL BID” BID FORM**  
**Bid Opening June 21, 2013 at 2:30 p.m.**

Submit to: City Clerk  
12 Second Street  
Presque Isle, ME 04769-2459

Bidders Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

The following bid is submitted in response to the Request for Bid for chip sealing and spreading stone for 2013:

The undersigned certifies that the information provided on the Bid Form is correct.

Have all specifications been met? \_\_\_\_\_yes \_\_\_\_\_no If no, have all deviations been listed on a separate page attached to this Bid Form? \_\_\_\_\_yes \_\_\_\_\_no

Does the Bidder meet the qualifications per Section 3 and provided attachments, if required, to this Bid Form? \_\_\_\_\_yes \_\_\_\_\_no

<b>ITEM</b>	<b>BID PRICE</b>
-------------	------------------

Latex modified MS2 chip seal applied	\$ _____	Per gallon
--------------------------------------	----------	------------

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

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

Date: \_\_\_\_\_

**By affixing my signature I certify that I have the authority to submit and bid and further certify that this bid meets or exceeds all requirements of the Request for Bid.**