

3401 MARIETTA AVENUE  
LANCASTER, PA 17601  
www.westhempfield.org

February 7, 2018

Lancaster Newspapers, Inc.  
P.O. Box 1328  
Lancaster, Pa. 17603

**LEGAL AD DEPARTMENT:**

Please publish the following legal notice in the February 9, 2018, and February 16, 2018, editions of the Lancaster Intelligencer Journal / New Era.

Sealed proposals will be received by the West Hempfield Township Supervisors, 3401 Marietta Avenue, Lancaster, Pa. 17601 until 9:30 a.m. on Tuesday, February 27, 2018 for the following approximate amounts of road materials:

- (1) 4,100 Tons 9.5 mm Superpave (in place).
- (2) 3,800 Square Yards of Surface Milling.
- (3) 18,500 Square Yards of Petro – Mat pavement fabric.  
This project(1-3) will be subject to the prevailing wage determination as established by the PA. Dept. of Labor & Industry.
- (4) 2,500 Tons Various Bituminous Materials
- (5) 1200 ton 2A modified stone

All proposals must be upon the forms furnished by the Municipality. Bids will be Opened and read publicly at 10:00 a.m. on Tuesday, February 27,2018. West Hempfield Township reserves the right to reject any and all bids.

West Hempfield Township  
By: Andrew B. Stern  
Township Manager



PROPOSAL AND CONTRACT FOR EQUIPMENT AND/OR MATERIALS ONLY \*

(THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS)

INSTRUCTIONS ON PAGE 4

A. DEPOSIT OF PROPOSALS.

- 1. All envelopes containing Bid proposals shall be clearly marked "Bid Proposal for letting of Feb. 27,2018 ."

DATE

WEST HEMPFIELD TOWNSHIP MUNICIPALITY (NAME & TYPE)

ANDREW B. STERN SECRETARY

Sealed Proposals will be received on or before 9:30AM , on the above Letting Date.

TIME

3401 MARIETTA AVENUE LANCASTER, PA 17601

ADDRESS

Bids will be opened and read at approximately 10:00 A M , on the above Letting Date.

TIME

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

- 2. Supplier agrees to furnish and deliver those items for which prices have been indicated on the Schedule of Prices (Attachment 1) in accordance with the current PennDOT Specifications (Pub. 408), except bidders need not be prequalified by PennDOT (Sec. 102.01). It is understood that: (1) Bituminous materials will be purchased weight or converted gallons at 60 F. (2) Supplier must finish Form CS-4171, CERTIFICATE OF COMPLIANCE. (3) The Municipality reserves the right to make an award on the basis of quotations received for any item or on the basis of the aggregate total for all like items on which quotations are received.

- 3. Contract shall expire in one year from Date of Award or April 4,2019 (DATE)

B. CONTRACTOR'S CERTIFICATION

Proposal of (NAME OF CONTRACTOR) (ADDRESS)

- 1. It is hereby certified as follows:
a. The only person (s) having an interest in this proposal is (are) [include owners of leased equipment]:
b. None of the above persons are employees of the municipality.
c. This proposal is made without collusion with any other person, firm or corporation.
d. All specifications referred to above have been examined by the suppliers. The supplier 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 prices listed on the Schedule of Prices (Attachment 1).
2. Accompanying this proposal is a certified check or bid bond in the amount of \$ made payable to the municipality, as a proposal guarantee which, it is understood, will be forfeited in case the supplier fails to comply with the requirements of the proposal.
3. Name(s) of source(s) of supply of bituminous materials.

\* For Contract Projects, use MS-944.

- 4. The supplier will comply with all requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and of 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 and, when required by law, not less than the applicable prevailing wage.
- 5. The supplier will provide the municipality with a performance bond, conditioned upon the faithful performance of the contract.

**WITNESS OR ATTESTED BY:**

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



\_\_\_\_\_  
SUPPLIER

BY: \_\_\_\_\_

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



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

**ACCEPTED ON:**

**ATTESTED BY:**

\_\_\_\_\_  
DATE

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

**WEST HEMPFIELD TOWNSHIP**

\_\_\_\_\_  
MUNICIPALITY

BY: \_\_\_\_\_

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

(SEAL)

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

TOTAL AMOUNT OF CONTRACT:

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

\$ \_\_\_\_\_

ITEMS INCLUDED IN CONTRACT:

## SCHEDULE OF PRICES FOR EQUIPMENT AND / OR MATERIALS

EQUIPMENT Type, Make, Model, Specifications: \_\_\_\_\_

Delivery Date: \_\_\_\_\_ F.O.B. \_\_\_\_\_

PRICE \$

OUTRIGHT PURCHASE - Trade-in \$ \_\_\_\_\_

Net \$ \_\_\_\_\_

RENTAL WITH PURCHASE OPTION ( Rental to be applied to purchase price.)

Rental: \_\_\_\_\_ per \_\_\_\_\_  
( Hour, day, week, month, etc.)

PRICE \$ \_\_\_\_\_

- Trade-in \$ \_\_\_\_\_

Net \$ \_\_\_\_\_

### PROPOSAL AND CONTRACT INSTRUCTIONS

1. The proposal must be typewritten or printed.
2. If more than one proposal on any project is submitted by any individual, firm or partnership, corporation or association under the same or different names, only one lowest proposal will be considered.
3. Bid bonds may be waived by municipality by crossing it out on Proposal Form 963.
4. Part A of page 1 is to be completed by the municipality. Part B of page 1 is to be completed by the supplier. Schedule of Prices - under equipment section the municipality must complete description, delivery date, delivery site, and check appropriate block (s) for outright purchase or rental with purchase option. Under material section all like materials must be listed together and space provided for a total of all like materials. EXAMPLE: All classes of concrete, all sizes of concrete pipe, all sizes corrugated metal pipe, all asphalt materials, etc. Columns 1, 2, 3, 4, and 5 (be sure to include delivery date) must be filled in by the municipality to insure equitable bidding. All of Columns 6, A, 7, B, 8, and C must be filled in by the supplier, unless otherwise indicated. ( Unit Price delivered as directed does not apply to bituminous pavements. Use form MS-944.) If more space is needed, add note at the bottom of the page: " Continued on Attachment 1 - A" and add additional sheet designated as Attachment 1-A, 1-B, etc. Repeat note for each additional sheet required. Municipality may eliminate one or two pairs of Columns 6 through C, if no bids are desired under one or two of the options.
5. Performance bonds are provided only the successful bidder. Bond must be in 50% of contract amount.
6. Where Materials for a Wearing Surface Treatment are part of the contract Average Daily Traffic ( ADT ) Count must be included in the description.
7. Contractor awarded the bid shall receive an approved copy of the contract.
8. Form MS-963 is not to be used for purchasing bituminous or other pavements in place. IF ALTERNATE BIDS MUST BE SECURED, BOTH MS-963 AND MS-944 MUST BE USED.
9. This form is PRIMARILY for use when work is performed by Local Forces.
10. An ESCALATOR CLAUSE is optional; however, it must be included in the proposal prepared by the Municipality. An escalator clause MAY NOT be inserted by the contractor.

**SCHEDULE OF PRICES - MATERIALS**

**BIDDER NAME:**

1 ITEM NO.	2 APPROX. QUANTITY	3* UNIT	4** DESCRIPTION	5 REMARKS AND / OR DELIVERY DATES	6 UNIT PRICE FOB PLANT	A TOTAL (2 x 6)	7 UNIT PRICE DELIVERED AT JOB SITE	B TOTAL (2 x 7)	8*** UNIT PRICE DELIVERED AS DIRECTED	C TOTAL (2 x 8)
*1	200	Ton	Superpave Asphalt Mix Design 9.5mm Wearing Course PG64-22 <0.3 million ESAL's	Unit Price F.O.B. Plant Only		#REF!		#REF!		#REF!
*2	1,000	ton	Superpave Asphalt Mix Design 25mm Base Course PG64-22 <0.3 million ESAL's	Unit Price F.O.B. Plant Only		#REF!		#REF!		#REF!
*3	1,200	ton	2-A Modified Stone Agg  *See attached Escalator information	Unit Price F.O.B. Plant Only						

\* Gallons - Tons - Feet - etc.

\*\* Includes Class - Size - Diameter

\*\*\*For Bituminous or other Pavements in Place, Use Form 944

**ALL COLUMNS MUST BE COMPLETED UNLESS OTHERWISE INDICATED.**

**USE OF CUTBACK ASPHALT IS PROHIBITED BETWEEN MAY 1 st  
AND OCTOBER 31 st EXCEPT AS NOTED IN BULLETIN NO. 25.**

**PERFORMANCE BOND**  
**(With Corporate Surety)**

**Attachment # 2**

**KNOW ALL MEN BY THESE PRESENTS, That we,** \_\_\_\_\_

as Principal and \_\_\_\_\_

a corporation incorporated under the laws of the State of \_\_\_\_\_

as Surety, are held and firmly bound unto \_\_\_\_\_

in the full and just sum of \_\_\_\_\_

( \$ \_\_\_\_\_ ) dollars lawful money of the United States of America, to be paid to the above

Municipality or its assigns, to which payment well and truly to be made, we bind ourselves, our heirs, executors  
administrators, successors and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, the above bounden Principal has entered into a contract with the above Municipality, bearing  
even date herewith, for the undertaking of certain obligations as therein set forth,

**NOW, THEREFORE**, the condition of this obligation is such that if the above bounden Principal, as  
Contractor, shall in all respects comply with and faithfully perform the terms and conditions of said contract, including  
the Specifications and conditions referred to and made a part thereof, and such alterations as may be made in said  
Specifications as therein set forth, then this Obligation shall be void, but otherwise the same shall be and remain in full  
force, virtue and effect.

It is further provided that any alteration which may be made in the terms of the contract or its specifications  
with the express approval to the Municipality or the Principal to the other, shall not in any way release the Principal,  
and the Surety or either or any of them, their heirs, executors, administrators, successors or assigns from their  
liability hereunder, notice to the Surety of any such alteration or forbearance being hereby waived.

**IN WITNESS WHEREOF**, the said Principal and Surety have duly executed this Bond under Seal, pursuant  
to due and legal action authorizing the same to be done on \_\_\_\_\_  
( DATE OF BOND )



**Attest / Witness**

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
TITLE

**BY** \_\_\_\_\_  
TITLE:



**Attest / Witness**

\_\_\_\_\_  
SURETY COMPANY

\_\_\_\_\_  
TITLE

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

MS-963 (Proposal and Contract

West Hempfield Township Lancaster County, PA.

#### Price Adjustment of Bituminous Materials (Escalator Clause)

This contract contains an escalator clause for the Price Adjustment of Bituminous Materials for small quantities. See the attached the attached Resolution No.1-18, adopted by West Hempfield Township Board of Supervisors on February 6<sup>th</sup>, 2018. A small quantity is a contract that uses or indicates for placement of 100 tons or less of asphalt cement based on the actual mix designs or material specifications for the materials incorporated into the project. If the bituminous materials incorporated into this project exceed the 100 ton threshold then bituminous price adjustment will be allowed as per Penn DOT specifications form 408, Current Edition, Section 110.04 Price Adjustment of Bituminous Materials. If the bituminous materials incorporates RAP in the mix design the 100 limit and the bituminous price adjustment will only be calculated on the Virgin Asphalt. The Base Bid Price Index (IB) will be calculated using the month in which the project was first advertised and the work is in the applicable zone. The Bidder will be responsible for completing a CS-1PA Price Adjustment of Bituminous Materials calculation form if applicable. The bidder will provide this form with the invoices and the invoices will show the *per ton* or *per square yard* price in bid and the lump sum price increase or decrease supported with CS-1PA calculation form. The bidder shall also supply the Municipality with a copy of the bituminous mix design for each material supplied with the initial CS-1PA form or if the bituminous mix design changes.

# TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

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RESOLUTION No. 1-18

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## A RESOLUTION OF THE BOARD OF SUPERVISORS OF WEST HEMPFIELD TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, FOR A PRICE ADJUSTMENT OF BITUMINOUS MATERIALS FOR SMALL QUANTITIES.

WHEREAS, the Board of Supervisors of West Hempfield Township, Lancaster County, Pennsylvania, will allow an escalator clause for bituminous material to be included as part of the proposal. The escalator clause will follow Pennsylvania Department of Transportation Publication 408 current edition Section 110.04 with the following exceptions:

1. Section 110.04(a): Delete "100 tons of asphalt cement". Price adjustment of bituminous material will be applicable to all quantities of asphalt cement, including asphalt cement residue contained in emulsions or cutbacks, will be used in the bituminous materials specified or indicated for placement.
2. Section 110.04(b) 7: Delete "Cumulative price adjustment amounting to less than \$500.00 will be disregarded." Bituminous price adjustment will be calculated for any payment or rebate.

NOW THEREFORE, it is resolved by the Board of Supervisors of West Hempfield Township.

DULY ADOPTED the 6<sup>th</sup> day of February, 2018, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST HEMPFIELD  
Lancaster County, Pennsylvania

Attest:                     *Adam St*                      
(Assistant) Secretary

By:                     *David M. Dummer*                      
(Vice) Chairman  
Board of Supervisors

[TOWNSHIP SEAL]

