



PROPOSAL AND CONTRACT FOR EQUIPMENT AND/OR MATERIALS ONLY *

INSTRUCTIONS ON PAGE 4

(THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS)

A. DEPOSIT OF PROPOSALS.

- 1. All envelopes containing Bid proposals shall be clearly marked "Bid Proposal for letting of March 14, 2017."
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, 2017
(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:

 TITLE:

(SEAL)

TOTAL AMOUNT OF CONTRACT:

\$ _____

ITEMS INCLUDED IN CONTRACT:

 DATE

 WEST HEMPFIELD TOWNSHIP
 MUNICIPALITY

BY: _____
 TITLE:

 TITLE:

 TITLE:

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	2	3*	4**	5	6	A	7	B	8***	C
ITEM NO.	APPROX. QUANTITY	UNIT	DESCRIPTION	REMARKS AND / OR DELIVERY DATES	UNIT PRICE FOB PLANT	TOTAL (2 x 6)	UNIT PRICE DELIVERED AT JOB SITE	TOTAL (2 x 7)	UNIT PRICE DELIVERED AS DIRECTED	TOTAL (2 x 8)
*1	200 Tons	Tons	Superpave Asphalt Mix Design 9.5 mm Wearing Course PG 64-22 < 0.3 million ESAL'S	Unit Price F.O.B. Plant Only						
*2	1,000 Tons	Tons	Superpave Asphalt Mix Design 25mm Base Course PG-64-22 < 0.3 million ESAL'S	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:

TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

RESOLUTION No. 6-17

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 7th day of February, 2017, 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: Adew B. ST
(Assistant) Secretary

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

[TOWNSHIP SEAL]

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 Resolution 2-16, adopted by the West Hempfield Township Board of Supervisors on February 2, 2016. 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 a bituminous price adjustment will be allowed as per PennDOT specifications form 408, Current Edition, Section 110.04 Price Adjustment of Bituminous Materials. If the bituminous material incorporates RAP in the mix design the 100 ton 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 is 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 the 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.

Location of Bituminous Materials Plant:

West Hempfield Township has established a requirement that the bidder must have the necessary bituminous material plant available for picked up materials within a fifteen (15) mile radius of the Township Maintenance Facility located at 4380 Fairview Road, Columbia, Pa.

This geographic limit has been established to assure that materials picked up by the Township can be delivered to the jobsite and applied while maintaining the required application temperature per Penn Dot specifications.