

CONTRACTORS BID FOR PUBLIC WORK

Form No. 96 (Revised 2009)

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BID OF

Grimmer Construction, Inc.

(Contractor)

2619 Main Street

(Address)

Highland, IN 46322

FOR

PUBLIC WORKS PROJECTS

OF

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Forest/Hohman Alley

Sanitary Sewer Replacement

Town of Munster, Lake County, Indiana

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Filed \_\_\_\_\_,

Action Taken \_\_\_\_\_

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CONTRACTOR'S BID FOR PUBLIC WORK - FORM 96

PART I

(To be completed for all bids. (Please type or print))

Date: October 9, 2019

1. Governmental Unit (Owner): Town of Munster
2. County: Lake County
3. Bidder (Firm): Grimmer Construction, Inc.  
Address: 2619 Main Street  
City/State: Highland, IN 46322
4. Telephone Number: 219-924-1623
5. Agent of Bidder (if applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers to furnish labor and/or material necessary to complete the public works project of the Town of Munster (Governmental Unit) in accordance with request for quotes dated October 1, 2019 for the sum of

\$ 136,750.<sup>00</sup>

The undersigned further agrees to furnish a bond or certified check with this bid for an amount specified in the notice of the letting. If alternative bids apply, the undersigned submits a proposal for each in accordance with the notice. Any addendums attached will be specifically referenced at the applicable page.

If additional units of material included in the contract are needed, the cost of units must be the same as that shown in the original contract if accepted by the Governmental Unit. If the bid is to be awarded on a unit basis, the itemization of the units shall be shown on a separate attachment.

The Contractor and his subcontractors, if any, shall not discriminate against or intimidate any employee, or applicant for employment, to be employed in the performance of this contract, with respect to any matter directly or indirectly related to employment because of race, religion, color, sex, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the contract.

CERTIFICATION OF USE OF UNITED STATES STEEL PRODUCTS  
(If applicable)

I, the undersigned bidder or agent as a contractor on a public works project, understand my statutory obligation to use steel products made in the United States (I.C. 5-16-8-2). I hereby certify that I and all subcontractors employed by me for this project will use U.S. steel products on this project if awarded. I understand that violations hereunder may result in forfeiture of contractual payments.

ACCEPTANCE

The above bid is accepted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, subject to the following conditions: \_\_\_\_\_

Contracting Authority Members:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PART II  
(For projects of \$100,000 or more – IC 36-1-12-4)

Governmental Unit: Town of Munster  
Bidder (Firm): Grimmer Construction, Inc.  
Date: October 9, 2019

These statements to be submitted under oath by each bidder with and as a part of his bid. Attach additional pages for each section as needed.

SECTION I EXPERIENCE QUESTIONNAIRE

- 1. What public works projects has your organization completed for the period of one (1) year prior to the date of the current bid?

Contract Amount	Class of Work	Completion Date	Name and Address of Owner
SEE FINANCIAL			

- 2. What public works projects are now in process of construction by your organization?

Contract Amount	Class of Work	Expected Completion Date	Name and Address of Owner
SEE FINANCIAL			

3. Have you ever failed to complete any work awarded to you? No if so, where and why?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. List referenced from private firms for which you have performed work.

SEE FINANCIAL  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION II PLAN AND EQUIPMENT QUESTIONNAIRE

1. Explain your plan or layout for performing proposed work. (Examples could include a narrative of when you could begin work, completed the project, number of workers, etc. and any other information which you believe would enable the governmental unit to consider your bid.)

Mobilize, install pipe, restoration, demobilize  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Please list the names and addresses of subcontractors (i.e. persons or firms outside your own firm who have performed part of the work) that you have used on public works projects during the past five (5) years along with a brief description of the work done by each subcontractor.

SEE FINANCIAL  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 3 If you intend to sublet any portion of the work, state the name and address of each subcontractor, equipment to be used by the subcontractor, and whether you expect to require a bond. However, if you are unable to currently provide a listing, please understand a listing must be provided prior to contract approval. Until the completion of the proposed project, you are under a continuing obligation to immediately notify the governmental unit in the event that you subsequently determine that you will use a subcontractor on the proposed project.

Will provide prior to contract approval per above

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4. What equipment do you have available for the proposed project? Any equipment to be used by subcontractors may also be required to be listed by the governmental unit.

Backhoe, dozer, loader, trucks, misc small tools

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5. Have you entered into contracts or received offers for all materials which substantiate the prices used in preparing your proposal? If not, please explain the rationale used which would corroborate the prices listed.

Yes

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### SECTION III CONTRACTOR'S FINANCIAL STATEMENT

Attachment of bidder's financial statement is mandatory. Any bid submitted without said financial statement as required by statute shall thereby be rendered invalid. The financial statement provided hereunder to the governing body awarding the contract must be specific enough in detail so that said governing body can make a proper determination of the bidder's capability for completing the project if awarded.

SECTION IV CONTRACTOR'S NON - COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

SECTION IV OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID FOR PUBLIC WORKS ARE TRUE AND CORRECT.

Dated at Highland, IN this 9 day of October, 2019

Grimmer Construction, Inc.  
(Name of Organization)  
By [Signature]  
John C. Dudlicek, Vice President  
(Title of Person Signing)

ACKNOWLEDGEMENT

STATE OF Indiana )  
 )  
COUNTY OF Lake )

Before me, a Notary Public, personally appeared the above-named John C. Dudlicek and swore that the statements contained in the foregoing document are true and correct.

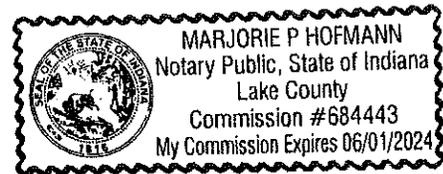
Subscribed and sworn to before me this 9 day of October, 2019.

[Signature]  
Notary Public

My Commission Expires: 6/1/24

County of Residence: Lake

END OF SECTION





**Bid Bond**

Bond No. N/A

**CONTRACTOR:**  
*(Name, legal status and address)*  
Grimmer Construction, Inc.  
2619 Main Street  
Highland, IN 46322

**SURETY:** Western Surety Company: South Dakota Corporation  
*(Name, legal status and principal place of business)*  
151 N. Franklin Street  
17th Floor  
Chicago, IL 60606

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

**OWNER:**  
*(Name, legal status and address)*  
Town of Munster  
1005 Ridge Road  
Munster, IN 46321

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

**BOND AMOUNT:** Ten Percent of the Maximum Bid Amount (10%)

**PROJECT:**  
*(Name, location or address, and Project number, if any)*  
Foret/Hohman Ave Sanitary Sewer Replacement Project; Munster, IN

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 9th day of October, 2019.

*(Witness)*

Grimmer Construction, Inc.  
*(Principal)* *(Seal)*

*(Title)* John C. Dudlicek, Vice President  
Western Surety Company

*(Witness)*

*(Surety)* *(Seal)*  
*(Title)* Robert L. Sherfick, Attorney-in-Fact

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Jason D McEldowney, John W Hannon III, Robert L Sherfick, Individually**

of Carmel, IN, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 22nd day of June, 2018.



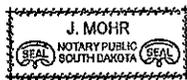
WESTERN SURETY COMPANY

Paul T. Bruflat  
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 22nd day of June, 2018, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
June 23, 2021



J. Mohr  
J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 9th day of October, 2019.



WESTERN SURETY COMPANY

L. Nelson  
L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.



2619 Main Street  
 Highland, IN 46322  
 (219) 924-1623  
 www.grimmerconstruction.com

<b>To:</b> TOWN OF MUNSTER	<b>Contact:</b>
<b>Address:</b> 2005 Ridge Road MUNSTER, IN	<b>Phone:</b>
	<b>Fax:</b>
<b>Project Name:</b> MUNSTER--FOREST/HOHMAN ALLEY SANITARY SEWER REPLACEMENT	<b>Bid Number:</b>
<b>Project Location:</b>	<b>Bid Date:</b> 10/9/2019

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	MOBILIZATION	1.00	LS	\$14,800.00	\$14,800.00
2	REMOVE AND REPLACE 18 IN. SANITARY SEWER	125.00	LF	\$588.00	\$73,500.00
3	CONNECT TO EXISTING MANHOLE	2.00	EACH	\$2,850.00	\$5,700.00
4	RECONNECT SANITARY SEWER LATERAL	4.00	EACH	\$2,955.00	\$11,820.00
5	REPLACE WATER SERVICE INCLUDING NEW B-BOX	4.00	EACH	\$2,890.00	\$11,560.00
6	MANDREL AND AIR TESTING	1.00	LS	\$2,020.00	\$2,020.00
7	BACKFILL ALL TRENCHES W/COMPACTED 53'S	1.00	LS	\$11,700.00	\$11,700.00
8	RESTORE ALLEY SURFACE	1.00	LS	\$5,650.00	\$5,650.00

**Total Bid Price: \$136,750.00**

**Notes:**

- UNDERCUT OR REPLACEMENT OF UNSUITABLE OR UNSTABLE SOILS BELOW PLANNED SUBGRADE ELEVATION IS NOT INCLUDED.
- PAVEMENT PATCHING IS NOT INCLUDED.

<p><b>ACCEPTED:</b>          The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p><b>Buyer:</b> _____</p> <p><b>Signature:</b> _____</p> <p><b>Date of Acceptance:</b> _____</p>	<p><b>CONFIRMED:</b>  <b>Grimmer Construction, Inc.</b></p> <p><b>Authorized Signature:</b> _____</p> <p><b>Estimator:</b> _____</p>
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