

BERRIEN COUNTY ROAD DEPARTMENT

PROPOSAL AND SPECIFICATIONS

FOR

MAINTENANCE BITUMINOUS MIXTURES

BERRIEN COUNTY ROAD DEPARTMENT

QUANTITY AND SPECIFICATIONS

1. Bituminous Mixtures shall be in accordance with the 2012 Michigan Department of Transportation Standard Specifications for Construction and/or attached Special Provision.
2. The successful bidder shall upon award of the bid, contact the Berrien County Road Department so that the Road Department can obtain samples of the material to be furnished. The samples will be tested to confirm that the material meets the specifications.
3. The price per ton shall include all material and loading at the plant to Road Department equipment.
4. The quantities are estimated quantities only and may be increased or decreased with no change in the price per ton.
5. Payment shall be by the ton. All material loaded to Road Department equipment shall have a stamped weight ticket. Handwritten tickets will not be accepted.
6. The bituminous mixture will be ordered by the Berrien County Road Department as needed from various locations. The bid price shall remain firm until November 15, 2019.
7. Estimated Quantities:

Benton Harbor Garage	3000 Tons
Watervliet Garage	500 Tons
Eau Claire Garage	1500 Tons
Baroda Garage	2500 Tons
Three Oaks Garage	500 Tons
Bakertown Garage	2500 Tons

BERRIEN COUNTY ROAD DEPARTMENT

PRICE SCHEDULE

PLANT LOCATIONS:

BITUMINOUS MIXTURE

PRICE PER TON

MDOT, HMA, 36A

MDOT, HMA, 13A

OTHER:

BERRIEN COUNTY ROAD DEPARTMENT

PROPOSAL

It is understood and agreed that this proposal is submitted with the understanding that an award of purchase will be made on the basis of the bid on specific material required by each location.

TERMS: _____

REMARKS: _____

SUPPLIER

NAME _____

ADDRESS _____

CITY AND STATE _____

BERRIEN COUNTY ROAD DEPARTMENT

NAME AND ADDRESS OF BIDDER

NAME _____

ADDRESS _____

CITY AND STATE _____

BID SUBMITTED BY: _____

Authorized Signature

TELEPHONE NUMBER _____

DATE _____

DELIVERY _____ **DAYS**

TERMS: _____

REMARKS: _____

**SWORN AND NOTARIZED AFFIDAVIT OF COMPLIANCE
IRAN ECONOMIC SANCTIONS ACT
Michigan Public Act No. 517 of 2012**

All bidders must submit the following certification statement in compliance with Public Act No. 517 of 2012 (the "Iran Economic Sanctions Act") and attach this form to the bid; bidders may file a certification statement with the County of Berrien that confirms compliance for all bids submitted in fiscal year 2019. By submitting this form to the County of Berrien, you are confirming that you are in compliance with the Act in relation to the submitted bid(s). **The County of Berrien shall not accept a bid unless, and until, this sworn and notarized certification statement is submitted to the County of Berrien either as an attachment to a given bid, or, as filed with the County of Berrien to confirm compliance during fiscal year 2019.** A certification statement filed with the County of Berrien for fiscal year 2019 will only be effective for bids submitted and dated from 1/1/19 to 12/31/19. The completed form will be kept on file in the purchasing department. The undersigned, the owner or authorized officer of _____ (the "Bidder"), pursuant to the compliance certification requirement provided in the County of Berrien Request for Proposal, hereby certifies, represents and warrants that the Bidder (including its officers, directors and employees) is not an "Iran linked business" within the meaning of the Iran Economic Sanctions Act, and that in the event the Bidder is awarded a contract as a result of the aforementioned Request for Proposal, the Bidder will not become an "Iran linked business" at any time during the course of performing the work or any services under the contract. The Bidder further acknowledges that any person who is found to have submitted a false certification is responsible for a civil penalty of not more than \$250,000.00 or 2 times the amount of the contract or proposed contract for which the false certification is made, whichever is greater, the cost of the County of Berrien's investigation, and reasonable attorney fees, in addition to the fine. Moreover, any person who submitted a false certification shall be ineligible to bid on a request for proposal for three (3) years from the date it is determined that the person has submitted the false certification.

BIDDER:

Name of Bidder

By: _____

Its: _____

Date: _____

STATE OF _____)
)ss
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 20____,
by _____.

), Notary Public

_____ County, _____

My Commission Expires: _____

Acting in the County of: _____

BERRIEN COUNTY ROAD DEPARTMENT

TITLE VI CONTRACT REQUIREMENTS

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation, Title 49, code of Federal Regulations, Part 21 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulation, including employment practices when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the **BERRIEN COUNTY ROAD DEPARTMENT** to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State highway department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Non-compliance:** In the event of the contractor’s non-compliance with the non-discrimination provisions of this contract, the **BERRIEN COUNTY ROAD DEPARTMENT** shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

BERRIEN COUNTY ROAD DEPARTMENT

- (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) Cancellation, termination or suspension of the contract, in whole or in part.

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6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the **BERRIEN COUNTY ROAD DEPARTMENT** may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the **BERRIEN COUNTY ROAD DEPARTMENT** to enter into such litigation to protect the interests of the County, and, in addition, the contractor may request the State highway department to enter into such litigation to protect the interests of the State and/or the United States to enter into such litigation to protect the interests of the United States.