

AMENDED
INVITATION TO BID

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Custer County, Oklahoma will receive sealed bids either by mail and ground delivery by Friday, November 1, 2024 at 4:00 p.m., or in person until November 4, 2024 until the hour of 9:00 a.m. on said day. All bids will be opened at **9:30 a.m., November 4, 2024**, during the County Commissioner's meeting held in the Custer County Courthouse, Arapaho, Oklahoma, Room 104, at 675 West "B" Street, Arapaho, Oklahoma. **Any bids received prior to October 29, 2024 at 9:00 a.m. or after November 4, 2024 at 9:00 a.m. shall not be considered and shall be returned unopened to the bidder.** Sealed bids shall be opened on November 4, 2024 at 9:30 a.m. for the following:

**Minimum Specifications For
Street Asphalt Paving Project
Lawter Road, aka E1010
Between Lark Road, aka N2420
And Lyle Road
Weatherford
Custer County District 2
Custer County, Oklahoma**

If you have any questions regarding the bid specifications, contact Commissioner Bruce Walker at 580-772-3220 and if you have questions regarding bid deadlines, etc., please contact Melissa Graham, Custer County Clerk or Debbie Bright, Purchasing Agent at (580) 323-4420.

Bid Packets and information are on file in the Custer County Clerk's office in Arapaho, Oklahoma and may also be found on Custer County's website, <http://www.custer.okcounties.org>.

All bids must be in a sealed envelope, clearly marked with the name of the project, with the Bid Number, Bid Opening date and must state Bidders name and address.

All bids must be mailed or delivered to:

(Mailing)
CUSTER COUNTY CLERK'S OFFICE
P.O. BOX 300
ARAPAHO, OKLAHOMA 73620-0300

(Physical)
CUSTER COUNTY CLERK'S OFFICE
675 WEST "B" STREET, ROOM 104
ARAPAHO, OKLAHOMA 73620-0300

Please follow all instructions for submitting bid proposals completely.

The contract will be awarded to the lowest responsible bidder within 30 days from date of bid opening. Provided, the County may extend the date for awarding the contract for 15 days according to state law (90 days if funds utilized for the project are furnished by an agency of the United States Government).

The successful bidder and the County must execute a contract embodying the terms of the bid documents, within 60 days from the date the contract was awarded.

All matters concerning the contract and project are subject to the provisions of state law and federal law when applicable.

The Board of County Commissioners reserves the right to accept or reject any or all bids and waive any informalities. The Board of Custer County Commissioners also reserves the right to make awards by items, groups of items, or all or none, whichever is in the best interest of the county.

/S/MELISSA GRAHAM,
CUSTER COUNTY CLERK
(SEAL)

INSTRUCTIONS FOR SUBMITTING BID PROPOSALS

1. This entire packet (Invitation to Bid, Instructions, Minimum Specifications, Bid Form, Letter of Authorization, Affidavit for Filing with Competitive Bid, Non-Collusion Bidding Certification, Business Relationships Affidavit, Affidavit for Contracts and Payments, and W-9) shall be known as the “Invitation to Bid” form. Fill out the “Invitation to Bid” form *completely*. **See Checklist for Items Required for Bid Consideration.**
2. Identify the outside of the sealed envelope as follows:
SEALED BID – Street Asphalt Paving Project – Lawter Road
CLOSING (Bid Date) – November 4, 2024
BID (Opening Time) - 9:30 a.m.
NAME OF PROJECT – Street Asphalt Paving Project – Lawter Rd
3. Place your company name and return address on the outside of the envelope.
4. File the bid proposal with the Custer County Clerk, either **by mail or ground delivery** by Friday, November 1, 2024 at 4:00 p.m., *or in person*, until **9:00 a.m. on November 4, 2024**. All bids will be opened at **9:30 a.m., November 4, 2024**, during the County Commissioner’s meeting held in the Custer County Courthouse, Arapaho, Oklahoma, Room 104, at 675 West “B” Street, Arapaho, Oklahoma. **Any bids received prior to October 29, 2024 at 9:00 a.m. or after November 4, 2024 at 9:00 a.m. shall not be considered and shall be returned unopened to the bidder.**
5. All forms must be filled out completely. Any incomplete forms could result in rejection if the Board of County Commissioners considers such action to be in the best interest of Custer County.
6. The address of the Custer County Clerk is as follows:

<i>(Mailing)</i> CUSTER COUNTY CLERK’S OFFICE P.O. BOX 300 ARAPAHO, OKLAHOMA 73620-0300	<i>(Physical)</i> CUSTER COUNTY CLERK’S OFFICE 675 WEST “B” STREET, ROOM 104 ARAPAHO, OKLAHOMA 73620
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7. All bid information shall be typewritten, or legibly written in ink. All corrections shall be initialed by the person signing the form(s).
8. **On all bids requiring services or contract labor, proof of liability insurance may be required. Read the bid specifications carefully.**
9. FOR PROMPT PAYMENT OF ALL INVOICES, PLEASE NOTE:
 - Payment for all expenses for Custer County is made twice a month. Approval of said claims is made on the second and fourth Monday of each month. For your claim to be considered for payment, the product(s) or service(s) must be delivered, and the appropriate paperwork on file with the County Clerk’s office no later than five working days prior to the second and fourth Monday of the month.
 - If the proper invoices and supporting documentation are not received by the cut-off date, payment will be rendered during the following payment issue period.
 - Please contact Melissa Graham, Custer County Clerk, for a schedule for invoice submission in order to expedite payment processing.

Before submitting a BID, BIDDERS should carefully examine the specifications, visit the site of work, fully inform themselves as to the existing conditions and limitations and shall include in the Bid a sum to cover the cost of all items included in the Contract. The failure or omission of any BIDDER to do any of the foregoing shall in no way relieve the BIDDER from any obligation in respect to the BID. Extra payments will not be authorized for work that could have been foreseen by a careful examination of the site. Submission of a BID shall constitute acceptance by the BIDDER of existing site conditions as a part of the requirements for this work.

All applicable laws, ordinances and the rules and regulations of all authorities having jurisdiction over construction of the PROJECT shall apply to the contract throughout.

The CONTRACT DOCUMENTS contain the provisions required for the construction project. Information obtained from an officer, agent, or employee of the COUNTY or any other person shall not affect the risks or obligations assumed by the CONTRACTOR or relieve the CONTRACTOR from fulfilling any of the conditions of the contract.

Each BID must be accompanied by a Cashier's Check, a Certified Check or Bid Bond in the amount of five percent (5%) of the TOTAL BID as a guarantee of good faith. The check is to be drawn on an Oklahoma bank and made payable to the BOARD OF CUSTER COUNTY COMMISSIONERS. The BID BOND of the successful BIDDER will be retained until the CONTRACT, PERFORMANCE BOND, STATUTORY BOND and MAINTENANCE BOND have been executed and approved AND PROOF OF PUBLIC LIABILITY AND WORKERS COMP INSURANCE have been provided and approved. The Custer County Clerk's office, upon receipt of a written notice from the Successful Bidder, will return to them the 5% BID BOND. Checks of unsuccessful bidders will be returned by mail unless otherwise requested. Bonding companies must appear on Treasury Circular 570 and be authorized to transact business in the State of Oklahoma for an amount in excess of the bid.

A 100% PERFORMANCE BOND, 100% STATUTORY BOND AND 100% MAINTENANCE BOND in the amount of the CONTRACT PRICE, with a corporate surety approved by the COUNTY, will be required for the faithful performance of the contract. The Attorney-in-fact who signs the BID BONDS and PERFORMANCE, STATUTORY & MAINTENANCE BOND must file with each BOND a certified and effective dated copy of their Power of Attorney.

BIDDER will be responsible for overseeing the entire project.

The party to whom the contract is awarded will receive a NOTICE OF AWARD accompanied by the necessary AGREEMENT and BOND forms. The awarded bidder will be required to execute the Agreement and obtain the PERFORMANCE BOND, STATUTORY BOND, MAINTENANCE BOND, and PUBLIC LIABILITY & WORKERS COMP INSURANCE within ten (10) calendar days from the date the BID is awarded unless extended by mutual agreement between the COUNTY and the AWARDED BIDDER. In case of failure of the BIDDER to execute the AGREEMENT, the COUNTY may consider the BIDDER in default, in which case the BID BOND accompanying the proposal shall become the property of the COUNTY.

THE NOTICE TO PROCEED shall be issued within seven (7) days of the execution of the AGREEMENT by the COUNTY. Should there be reasons why the NOTICE TO PROCEED cannot be issued within such period, the time may be extended by mutual agreement between the COUNTY and CONTRACTOR. If the NOTICE TO PROCEED has not been issued within the seven (7) day period or within the period mutually agreed upon, the CONTRACTOR may terminate the AGREEMENT without further liability on the part of either party.

The COUNTY may make such investigations as deemed necessary to determine the ability of the BIDDER to perform the WORK, and the BIDDER shall furnish to the COUNTY all such information, data and not limited to financial statements for this purpose as the COUNTY may request. The COUNTY reserves the right to REJECT any BID if the evidence submitted by, or investigation of such BIDDER fails to satisfy the COUNTY that such BIDDER is properly qualified to carry out the obligations of the AGREEMENT and to complete the WORK contemplated therein.

ALL CONTRACTORS involved in the project shall have proper and current licensing in the State of Oklahoma and should be prepared to provide a copy of such if requested.

The Bidder must be able to financially carry on the work until project is completed.

PAYMENT

Original Documents required:

- Invoice with breakdown of labor

- Certification from Commissioner stating his approval (document will be provided by the District)

The invoice, with attached items listed above, shall be submitted by the Contractor to the Custer County District #2 Office at 23927 E 1010 Road, located in Weatherford, Oklahoma. Before the Commissioner's Office submits the invoice to the Custer County Clerk's Office to be paid, it shall contain certification by the Commissioner that states the work for which payment is claimed has been performed and that such work conforms to the specifications for the project. No such invoice shall be paid by the County without such certification. The Contractor must provide a signed Affidavit for Contracts & Payments which will be provided with the contract and bond forms.

Any spills of petroleum, oil and lubricant (POL) products, chemicals, or other hazardous materials must be reported immediately to the County Commissioner's office.

DOCUMENTS REQUIRED FOR THIS BID

- Bid Form, includes an attached Letter of Authorization
- Bid Security for 5% of the total bid
- Affidavit for Filing with Competitive Bid
- Business Relationship Affidavit
- Non-Collusion Bidding Certificate
- Payroll Affidavit
- IRS W9 Form

Bidder must submit the properly completed and executed documents listed on this page. All signatures must be original, not copied, faxed, computer generated or mechanical.

Bidder shall use the forms in this Bid packet or shall photocopy the forms and complete them. No alterations can be made to the forms except to add additional signature lines as required. Any other alteration or amendment of the forms may invalidate the Bid.

All correspondence will be in writing. In the event that it becomes necessary to revise any part of the Bid, addenda will be faxed, emailed or mailed to vendors on the Bid Holders List. Any oral interpretations or clarifications of this Bid shall not be relied upon. All changes to this Bid must be in writing and available to all bidders.

If a Bid document listed above is not included in the Bid Packet, it is the Bidder's responsibility to obtain the Bid document from the Custer County Clerk's Office. The Bidder shall also be responsible for contacting the Purchasing Agent prior to bid closing to ensure all addendums were received. A copy of each addendum must be present with the submitted Bid packet.

If you have any questions regarding the bid specifications, contact Commissioner Bruce Walker at 580-772-3220 and if you have questions regarding bid deadlines, etc., please contact Melissa Graham, Custer County Clerk or Debbie Bright, Purchasing Agent at (580) 323-4420.

NOTE: ALL BID PROPOSALS WHICH DO NOT CONTAIN THE "INVITATION TO BID" AND THE SIGNED/NOTARIZED "AFFIDAVIT FOR FILING WITH COMPETITIVE BID", WILL BE INVALID AND REJECTED.

Please complete the following and return this page with your Bid.

CHECKLIST OF ITEMS REQUIRED FOR BID RETURN

1. ____ AFFIDAVIT FOR FILING WITH COMPETITIVE BID
2. ____ AFFIDAVIT FOR CONTRACTS AND PAYMENTS
3. ____ W-9 FOR YOUR BUSINESS
4. ____ BID FORM, INCLUDES AN ATTACHED LETTER OF AUTHORIZATION
5. ____ BID BOND SECURITY FOR 5% OF THE TOTAL BID
6. ____ BUSINESS RELATIONSHIP AFFIDAVIT
7. ____ NON-COLLUSION BIDDING CERTIFICATION
8. ____ PAYROLL AFFIDAVIT

THESE ITEMS MUST BE INCLUDED FOR BID TO BE CONSIDERED.

PLEASE COMPLETE THE FOLLOWING:

VENDOR: _____

SIGNATURE: _____

TITLE: _____

ADDRESS: _____

CITY/STATE/ZIP _____

PHONE _____

FAX _____

EMAIL _____

THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

RESURFACE OF LAWTER ROAD (COUNTY ROAD EW-1010) WITH 3” OF AGGREGATE BASE TYPE A AND 3” OF SUPERPAVE TYPE S4 (PG64-22OK), INCLUDING THE REMOVAL OF EXISTING ASPHALT AND MATERIAL TO A DEPTH OF 6” TO MAINTAIN THE EXISTING FINISH GRADE AT THE CENTERLINE OF THE ROAD. BEGINNING AT THE END OF NEW PAVEMENT (EAST OF COUNTY ROAD NS-2420) EXTENDING 2,562.00 FEET (0.49MI) EAST TO THE WEST EDGE OF PAVEMENT OF LYLE ROAD.

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices or lump sum:

NOTE: BIDS shall include sales tax and all other applicable taxes and fees.

LAWTER ROAD PAY ITEMS

<u>ITEM NO.</u>	<u>ITEM</u>	<u>UNIT</u>	<u>PRICE</u>	<u>QUANTITY</u>	<u>TOTAL PRICE</u>
303(A) 1200	AGGREGATE BASE TYPE A	CY	_____	603.00	_____
311(A) 6200	PROCESS EXISTING BASE & SURFACE, METHOD A (1)(2)	LF	_____	2,562.00	_____
411 <u>(C) 1430</u>	SUPERPAVE, TYPE <u>S4</u> (PG 64-22 OK) (R-26) (3)	TON	_____	1,214.00	_____
880(J) 7110	CONSTRUCTION TRAFFIC CONTROL (4)	LSUM	_____	1.00	_____
641 2110	MOBILIZATION	LSUM	_____	1.00	_____

LAWTER ROAD GENERAL CONSTRUCTION NOTES

Location: Proposed project begins at end of the of new pavement (East of County Road NS-2420) extending 2,562.00 feet East on Lawter Road (County Road EW-1010) to the west edge of the pavement of Lyle Road. New pavement width to match the existing pavement and the existing finish grade elevation at the centerline of the road. Width of the existing pavement at the beginning of the project is 24 feet and extends east for 1,672.00 then tapers to 28 feet extending 890.00 feet to the end of the project.

Any disturbance outside the existing pavement to the sod, curb and gutter and existing driveways to be replaced at the contractor’s expense.

All methods of construction and materials for construction shall be in accordance with Section 401 – General Requirements for Surfaces and Section 700-Material of the Oklahoma Department of Transportation 2019 Standards Specifications for Highway Construction, respectively.

LAWTER ROAD PAY ITEM NOTES

- (R-26) Estimated at 112 lbs. per sq. yd. per 1” thick.
- (1) Includes the removal of existing pavement and other materials to a depth of 6” to the width of the existing asphalt pavement.
 - (2) The contractor is responsible to dispose of the excavated material.
 - (3) Includes cost of sawing pavement at the section line returns, driveways, beginning and end of the project.
 - (4) Shall include all traffic control devices necessary to regulate traffic during construction.

SEE ATTACHED MATERIALS LIST

TOTAL OF BID \$ _____

TOTAL OF BID (ALTERNATE BID) \$ _____

Respectfully submitted: _____
Name of Company

Signature Address

Title Date

License Number (if applicable)

(SEAL – if BID is by a corporation)

Attest _____

BID FORM

Proposal of _____
(hereinafter called "BIDDER"), organized and existing under the laws of the State of Oklahoma
doing business as _____

Insert "a corporation", "a partnership" or "an individual" as applicable).

The Bidder, in compliance with your Invitation to Bid for the

**Street Asphalt Paving Project, Lawter Road, aka E1010
Between Lark Road, aka N2420
And Lyle Road
Weatherford, Custer County, Oklahoma**

having examined the specifications with related documents and the site of the proposed work and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor and equipment, as stated in specifications, to construct the project in accordance with the Contract Documents, and at the bid price stated below.

Upon receipt of written notice of the acceptance of this bid, Bidder shall within ten (10) **calendar days**, execute the formal contract to be furnished by the Owner, deliver required bonds on the forms contained herein and provide proof of required insurance unless extended by mutual agreement between the County and the Awarded Bidder.

The Bidder hereby agrees to commence work under this Contract the week the Contract, Bonds & Insurance are approved, or as agreed upon with the owner, at which time a written Notice to Proceed will be given to the Bidder by the Owner and to fully complete the project within the number of calendar days thereafter stipulated in the Contract.

The Bidder acknowledges receipt of the following Addenda:

- 1) _____ Date: _____
- 2) _____ Date: _____
- 3) _____ Date: _____

Base Proposal

I (We) agree to perform all of the work required by the bid documents, specifications and plans for the **Street Asphalt Paving Project, Lawter Road**, for the sum of: \$ _____ dollars (\$ _____) The amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words shall govern.

- Project to be completed by _____, **2024**.
- Bidder will be able to begin project _____ days after award date.
- Please list the estimated response time for requested service should problems arise: _____

The Bidder agrees that this bid shall be good and may not be withdrawn for a period of sixty (60) calendar days after the actual opening thereof.

The bid security attached in the sum of _____ dollars (\$ _____) is to become the property of the Owner in the event the contract, bonds and insurance are not executed within the time above set forth, as liquidated damages for the delay and additional expense to the Owner caused thereby.

Bidder understands, agrees and warrants:

The bidder has carefully read and fully understands the full scope of the Bid Documents and Contract Documents.

The bidder has the capability to successfully undertake and complete the responsibilities and obligations in said Bid Documents and Contract Documents. The Custer County Board of Commissioners is in no way permitted to provide payments prior to goods received and services performed.

The Custer County Board of Commissioners reserves the right to award or reject any or all bids and waive any informality. The Board also reserves the right to accept all or part of any bid offered and to accept that bid or part of that bid which will, in the County's opinion, best serve the public interest.

BIDDER: _____
Name of Corporation or Firm

By: _____
Signature of Bidder or Print Bidders Name Above
Bidder's Authorized Agent, see
"Letter of Authorization: attached

TITLE: _____ DATE: _____
Please provide documentation stating officers for the company

MAILING ADDRESS CITY STATE ZIP

PHONE FAX EMAIL

LETTER OF AUTHORIZATION

This letter authorizes _____ to sign all forms related to the
Print name & title

SPECIFICATIONS for Street Asphalt Paving Project, Lawter Road in District #2 of Custer
County, Oklahoma on

behalf of _____.

Sincerely,

Signature

Print Name

Date

Title:
(must be checked)

- Owner
- Chief Executive Officer (CEO)
- President
- Vice President
- Other _____

NON-COLLUSION BIDDING CERTIFICATION
Street Paving Project Lawter Road

STATE OF OKLAHOMA)
) SS
COUNTY OF _____)

A. For purposes of competitive bids, I certify:

1. I am the duly authorized agent of _____,
The bidder submitting the competitive bid which is attached to this statement, for the purpose of certifying the facts pertaining to the existence of collusion among bidder and between bidders and state officials or employees, as well as facts pertaining to the giving or offering of things of value to government personnel in return for special consideration in the letting of any contract pursuant to the bid to which this statement is attached;
2. I am fully aware of the facts and circumstances surrounding the making of the bid to which this statement is attached and has been personally and directly involved in the proceedings leading to the submission of such bid; and
3. Neither the bidder nor anyone subject to the bidder's direction or control has been a Party to the following:
 - a. Any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding;
 - b. Any collusion with any state official or employee as to quantity, quality or price in the prospective contract, or as to any other terms of such prospective contract; and
 - c. Any discussions between bidders and any state official concerning exchange of money or other thing of value for special consideration in the letting of a contract.

B. I certify, if awarded the contract, whether competitively bid or not, that neither the contractors nor anyone subject to the Contractor's direction or control has paid, given, or donated or agreed to pay, give, or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring the contract to which this statement is attached.

Certified this _____ day of _____, 20__.

(Signature)

(Print Name)

(Position in the Company)

BUSINESS RELATIONSHIPS AFFIDAVIT
Street Paving Project Lawter Road

STATE OF OKLAHOMA)
) SS
COUNTY OF _____)

_____, of lawful age, being duly sworn, on oath says that he or she is the agent authorized by the bidder to submit the attached bid. Affiant further state that the nature of any partnership, or other business relationship presently in effect, of which existed within one (1) year prior to the date of this statement with the architect, engineer, or other party to the project is as follows:

Affiant further states that any such business relationship presently in effect of which existed within one (1) year prior to the date of this statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project is as follows:

Affiant further state that the names of all persons having any such business relationships and the positions they hold with their respective companies or firms are as follows:

(If none of the business relationships herein above mentioned exist, affiant should so state.)

(Signature of Affiant)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public _____

My Commission Expires _____

PAYROLL AFFIDAVIT

STATE OF OKLAHOMA)
) SS
COUNTY OF _____)

_____, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by the bidder to submit the attached bid. Affiant further states that (s)he has submitted the required payroll information to the Wage and Hour Division of the Employment Standards Administration of the United States Department of Labor. Affiant further states that (s)he is in compliance with the requirements of Title 40 O.S. 1981, §196.9a (B), as amended.

Affiant's Signature

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public

My Commission Expires: _____

NOTE: This form is to be submitted with the BID.

AFFIDAVIT FOR CONTRACTS AND PAYMENTS

STATE OF OKLAHOMA)
)
S
S
COUNTY OF)

THE UNDERSIGNED (ARCHITECT, CONTRACTOR, SUPPLIER OR ENGINEER), OF LAWFUL AGE, BEING FIRST DULY SWORN, ON OATH SAYS THAT THIS INVOICE OR CLAIM IS TRUE AND CORRECT. AFFIANT FURTHER STATES THAT THE (WORK, SERVICES OR MATERIALS) WILL BE (COMPLETED OR SUPPLIED) IN ACCORDANCE WITH THE PLANS, SPECIFICATIONS, ORDERS OR REQUESTS FURNISHED THE AFFIANT. AFFIANT FURTHER STATES THAT (S)HE HAS MADE NO PAYMENT DIRECTLY OR INDIRECTLY TO ANY ELECTED OFFICIAL, OFFICER OR EMPLOYEE OF THE STATE OF OKLAHOMA, ANY COUNTY OR LOCAL SUBDIVISION OF THE STATE, OF MONEY OR ANY OTHER THING OF VALUE TO OBTAIN PAYMENT OF THE INVOICE OR PROCURE THE CONTRACT OR PURCHASEORDER.

(CONTRACTOR, ARCHITECT, SUPPLIER, OR ENGINEER)

By _____

ATTESTED TO BEFORE ME THIS _____ DAY OF _____, 20_____

NOTARY PUBLIC (OR CLERK OR JUDGE)

NOTE: 62 O.S. § 310.9 (B), authorizes counties executing a contract with any architect, contractor, supplier or engineer for construction work, services or materials which are needed on a continual basis from such architect, contractor, supplier or engineer under the terms of such contract, or executing more than one contract during the fiscal year with such architect, contractor, supplier or engineer, may require that the architect, contractor, supplier or engineer complete a signed affidavit as provided for in subsection A of this section which shall apply to all work, services or materials completed or supplied under the terms of the contract or contracts.

