

CITY OF WILLIAMSPORT, PA RESOLUTION

RESOLUTION # 8878

DATE 4-11-19

TITLE

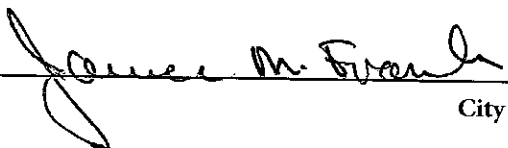
**A RESOLUTION AWARDING THE 2019 CONTRACT FOR STREET LINE PAINTING
FOR THE CITY OF WILLIAMSPORT**

BE IT HEREBY RESOLVED that the City Council of the City of Williamsport awards the 2019 contract for Street Line Painting of streets throughout the city to the following vendor at the prices listed on the respective "Schedule of Prices" attached.

Street Line Painting:

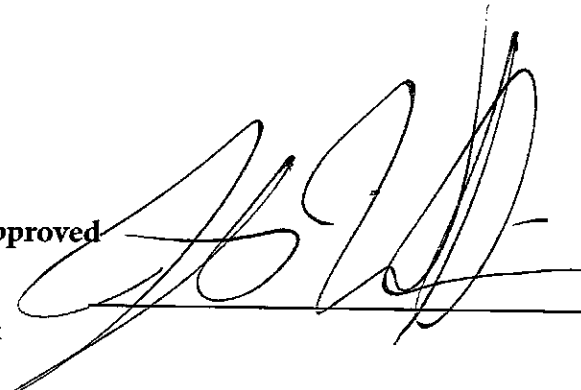
O.H. Striping, Inc.
11016 River Road
Corning, NY 14830

Total contract amount: \$13,072.25



City Clerk

Approved



President



PROPOSAL & CONTRACT (WHEN EXECUTED)

(THIS PROPOSAL INCLUDES INSTRUCTIONS TO BIDDERS)

A. DEPOSIT OF PROPOSALS.

All envelopes containing Bid proposals shall be clearly marked "Line Paint" for letting

May 15, 2018

Date

Sealed Proposals will be received on or before 12:00 PM on May 14, 2018

Time

Bids will be opened and read at approximately 7:00 PM, on the above letting date, at Muncy Creek Twp, 575 Rte 442 Hwy, Muncy, PA 17756-8332

West Branch COG

Municipality Name and Type

William N. Dorman (570)584-6362

Secretary

P.O. Box 157

Address

Hughesville, PA 17737-0157

Proposals must be mailed or otherwise delivered to the above address.

1. The contractor proposes to furnish and deliver all materials (including Form CS-4171, CERTIFICATE OF COMPLIANCE and/ or TR-465 DAILY BITUMINOUS MIXTURE CERTIFICATION) and to do and perform all work on the following project as more specifically set forth in the Schedule of Prices (Attachment), in accordance with drawings and specifications on file at _____ and special requirements contained herein and/ or attached hereto and current PennDOT Specifications (Publication 408), except (a) bidders need not be prequalified by PennDOT (Sec.102.01), and (b) Volumetric testing of bituminous paving materials is not required (Sec. 409).

2. If designated as the successful bidder, the contractor will begin work on the date specified in the notice to proceed. Or as otherwise provided in the special requirements, and will complete all work on or before Sept 15, 2018, unless Specified on the attachment #1 portions of the contract for each municipality. If all work is not completed on time, liquidated damages will be assessed at the rate of \$ 870.00 per additional working day.

3. Accompanying this proposal is a certified check or bid Bond in the amount of 10 % of Bid made payable to the municipality as a proposal guarantee which, it is understood, will be forfeited in case the contractor fails to comply with the requirement of the proposal.

B. PROPOSAL OF:

D.H. Stripony, Inc.

Name of Contractor

11016 River Rd, Corning, NY 14830

Address

CONTRACTOR'S CERTIFICATION

It is hereby certified as follows:

- 1. The only person(s) interested in this proposal as principal(s) is (are): Jeff or Dale Bly
2. None of the above persons are employees of the municipality.
3. This proposal is made without collusion with any other person, firm, or corporation.
4. All plans and specifications referred to above and the site of the work have been examined by the contractor. The contractor 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).

5. The contractor will comply with all requirements of the laws and implementing regulations of the Commonwealth of Pennsylvania and 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.

6. The contractor will provide the municipality with a performance bond, conditioned upon the faithful performance of the contractor in accordance with the plans, specifications and conditions thereof, and a payment bond conditioned on the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work, in accordance with the Public Work's Contractors' Bond Law of 1967; and an affidavit accepting the provisions of the Workmen's Compensation Act of 1915, as amended.

7. "The parties agree that the relationship between the Contractor and the Township is one of independent contractor and not the employer/employee and that the individual employees of the Contractor who will be performing the work pursuant to this contract are not employees of the Township. Contractor hereby certifies, represents and warrants to the Township that all persons performing any aspect of the work pursuant to this Contract who are required to have commercial driver's license are subject to a program for drug and alcohol testing in accordance with the Omnibus Transportation Employee Testing Act of 1991 and the federal regulations adopted pursuant thereto."

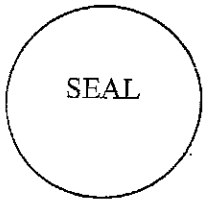
D.H. Striping Inc
Contractor

WITNESSED OR ATTESTED BY:

[Signature]

BY: [Signature] Resident (Seal)

Relationship: Barker II
Title



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

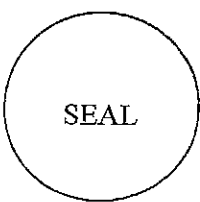
ACCEPTED ON: 4-15-18
Date

West Broad Cond of Bunde
Municipality

ATTESTED BY:

[Signature]
Title Secy-Town

BY: [Signature] President
Title



Title

Title

ATTACHMENT # 1

LOCATION OF WORK:

Various Roads in the municipalities listed below as directed.

Contact the Municipality for specific locations.

	Municipality	TYPE OF WORK	UNITS	QUANTITY	QUANTITY
				(Yellow)	(White)
Lycoming County	City of Williamsport	4" Double Yellow	LF	107,580 ✓	
		Single - 4" White	LF		57,809 ✓
		Single - 4" White Skip	LF		9,992 ✓
	Brady Twp.	4" Double Yellow	LF	27,874 ✓	
		Single - 4" White	LF		55,558 ✓
	Clinton Twp.	4" Double Yellow	LF	61,516 ✓	
		Single - 4" White	LF		40,295 ✓
	Fairfield Twp.	4" Double Yellow	LF	60,000 ✓	
		Single - 4" White	LF		40,000 ✓
	Muncy Twp.	4" Double Yellow	LF	19,666 ✓	
		Single - 4" White	LF		21,744 ✓
	Muncy Creek Twp.	4" Double Yellow	LF	80,702 ✓	
		Single - 4" White	LF		62,010 ✓
	Nippenose Twp.	4" Double Yellow	LF	3,060 ✓	
	Old Lycoming Twp.	4" Double Yellow	LF	95,071 ✓	
		Single - 4" White	LF		44,650 ✓
	Upper Fairfield Twp.	4" Double Yellow	LF	35,390 ✓	
	Wolf Twp.	4" Double Yellow	LF	21,440 ✓	
Columbia County	North Centre Twp.	4" Double Yellow	LF	46,042 ✓	
Northumberland County	Turbot Twp.	4" Double Yellow	LF	30,000 ✓	
		Single - 4" White	LF		20,000 ✓

ATTACHMENT # 1

continued

NOTES:

The contractor is responsible to insure that the proper material is provided by supplying:

1. The contractor will also supply the municipality with a Daily Material Certification on a TR-465 or CS-4171, **supported by testing**, within 24 hours of placing the lines for each day's placement.
2. Work must be completed by: **City of Williamsport – completed by August 31, 2018;**
Brady Twp. - completed by August 31, 2018; Clinton Twp. – completed by August 15, 2018; Fairfield Twp. – completed by August 31, 2018. Muncy Twp. – completed by August 31, 2018; Muncy Creek Twp. – completed by August 31, 2018; Old Lycoming Twp. – completed by August 31, 2018; Wolf Twp – completed by September 31, 2018; Muncy Creek Twp. – completed by August 31, 2018 and No Weekend work; North Centre Twp., Columbia Co. – completed by September 10, 2018; Turbot Twp., Northumberland Co. – completed by September 10, 2018.
3. Each municipality is to be billed separately for work completed within their municipality, mailing information is attached.

The municipality will withhold payments if the above requirement is not met.

All work must be completed in accordance with the current PADOT Pub. 408 Specifications and its supplement.

Schedule of Prices					
Item No.	Quantity	Unit	Description of Work	Unit Price	Total
1	342,066 *	LF	Single – 4" White Edge Lines	.05	17,103 ⁰⁰ 17,104
2	588,341 *	LF	4" Double Yellow Center Lines	.09	52,952 ⁰⁰ 52,951
3	9,992 *	LF	Single – 4" White Skip Lines	.05	500 ⁰⁰ 500
Total Amount of Contract					70,553 ⁰⁰ 70,551

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 names, only one lowest proposal will be considered.
3. Description of work-----
 - A. If additional space is needed, insert appropriately numbered attachment and note "Continued on Attachment No. _____."
 - B. Where Binder Surfaces are a part of this Contract, Average Daily Traffic (ADT) Count must be included in the description.
4. Part A of Page 1 to be completed by municipality. Part B of Page 1 to be completed by contractor. Schedule of Prices – Column #1 (Item), #2 (Approximate Quantities), #3 (Unit, i.e., ton, square yard, linear feet, etc.) and #4 (Description, i.e., bituminous materials – Superpave, 9.5 mm; 19.0 mm; 25.0 mm; etc.) must be filled in by the municipality to insure equitable bidding. Column #5 (Unit Price), #6 (Total), and total amount of bid must be filled in by the contractor. If more space is needed, add note at bottom of the page: Continued on Attachment No. 1-A," and add additional sheet designated as Attachment No. 1-A, 1-B, etc. Repeat for each additional sheet required.
5. If liquidated damages are to be assessed, add the following sentence to Part A #2. "If all work is not completed on time, liquidated damages will be assessed at the rate of \$ _____ per additional working day." (OR "...as set forth in the attached schedule.")
6. Payment and Performance bonds are provided only by the successful bidder. Contracts under \$5,000 – bonds must be in 50% of the contract amount. Contracts in excess of \$5,000 – bonds must be in 100% of the contract amount. Bond Form MS-944 Attachments 2 and 3 and Workmen's Compensation Affidavit Attachment 4 must be submitted by the successful bidder within 20 days of the contract award. Failure to submit the bonds shall constitute grounds to cancel the contract.
7. *Construction projects, where the estimated cost of the total project exceeds \$100,000, are subject to the provisions of the Pennsylvania Prevailing Wage Act 442. It is the responsibility of the municipality to obtain the Prevailing Wage Scale for the area and include it in the proposal. IF the Prevailing Wage Act applies, this fact shall be noted in the advertisement.

On projects utilizing Federal revenue Sharing Funds, if the project cost exceeds \$2,000 and is financed with 25% or more Federal Revenue Sharing Funds, the Davis Bacon Act applies. Again it is the responsibility of the municipality to obtain the Davis Bacon Wage Rates, include them in the proposal and note the fact in the advertisement. If both Acts are applicable, the Davis Bacon Act has preference over the Pennsylvania Prevailing Wage Act.
8. An ESCALATOR CLAUSE is optional; however, if used, it must be included in the proposal prepared by the municipality. An escalator clause may not be inserted by the contractor.

*(1961, Aug. 15, P.L. 987; 43 P.S. 165)

ANTI-COLLUSION AFFIDAVIT



County Lycoming

Municipality West Branch COG

Project Number Line Point

State of New York

Fed. Project No. _____

County of Steuben

(If Applicable)

The undersigned deponent deposes and says that he is the President of the O.H. Striping, Inc. Company; that he is authorized to make this affidavit on behalf of said company in compliance with section 102.06 (e) of Department Specifications, Publication 408, as amended and that the said company has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract.

O.H. Striping, Inc.
(Contractor)

BY

[Signature]

Sworn to and subscribed before me the undersigned notary public this

11th day of May, 2018.

Brianne Elise Shaw
Notary Public, State of New York
Reg. No. 01SH6246085
Qualified in Steuben County
My Commission Expires August 8, 2019

[Signature]
Notary Public

My Commission expires 08/08/2019



COMMONWEALTH OF PENNSYLVANIA

PUBLIC WORKS EMPLOYMENT VERIFICATION FORM

Date 5-10-18

Business or Organization Name (Employer) O.H. Striping, Inc.

Address 11016 River Rd

City Cornio

State NY

Zip Code 14830

Contractor Subcontractor (check one)

Contracting Public Body O. H. Striping, Inc.

Contract/Project No Line Paint

Project Description Line Painting

Project Location West Branch COG

As a contractor/subcontractor for the above referenced public works contract, I hereby affirm that as of the above date, our company is in compliance with the Public Works Employment Verification Act ('the Act') through utilization of the federal E-Verify Program (EVP) operated by the United States Department of Homeland Security. To the best of my/our knowledge, all employees hired post January 1, 2013 are authorized to work in the United States.

It is also agreed to that all public works contractors/subcontractors will utilize the federal EVP to verify the employment eligibility of each new hire within five (5) business days of the employee start date throughout the duration of the public works contract. Documentation confirming the use of the federal EVP upon each new hire shall be maintained in the event of an investigation or audit.

I, _____, authorized representative of the company above, attest that the information contained in this verification form is true and correct and understand that the submission of false or misleading information in connection with the above verification shall be subject to sanctions provided by law.

Authorized Representative Signature



Western Surety Company

BID BOND

BOND No. Bond #72033363

KNOW ALL PERSONS BY THESE PRESENTS, That we O.H. STRIPING INC
of 11016 RIVER ROAD, CORNING, NY 14830

WESTERN SURETY COMPANY, hereinafter referred to as the Principal, and

as Surety, are held and firmly bound unto WEST BRANCH COG

of PO BOX 157
HUGHESVILLE, PA 17737

TEN PERCENT OF CONTRACT AMOUNT, hereinafter referred to as the Obligee, in the sum of
Dollars (\$ 10%), for the payment of which we bind ourselves, our legal representatives, successors
and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for LINE PAINTING

NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED this 9TH day of MAY, 2018

O.H. STRIPING INC
Robert J. Camp
(Principal)

By _____ (Seal)

WESTERN SURETY COMPANY
(Surety)

By Gary A. Cardinale (Seal)
GARY A. CARDINALE Attorney-in-Fact

SURETY COMPANY ACKNOWLEDGMENT

State of NEW YORK

County of ERIE

I, DANIELLE D. BARCLAY Notary Public of ERIE County, in the

State of NEW YORK do hereby certify that GARY A. CARDINALE,

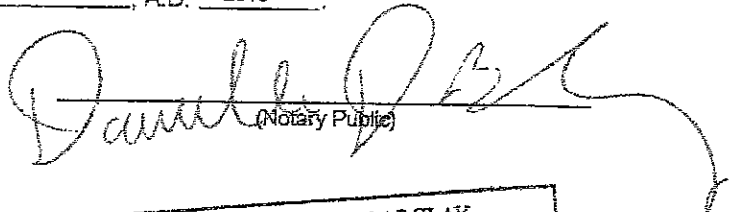
Attorney-in-Fact, of the WESTERN SURETY COMPANY,

who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she signed, sealed and delivered said instrument, for and on behalf of the WESTERN SURETY COMPANY

for the uses and purposes therein set forth.

Given under my hand and notarial seal at my office in the City of BUFFALO, NY

in said County, this 9TH day of MAY, A.D. 2018.


(Notary Public)

DANIELLE D BARCLAY
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01BA6130393
Qualified in Erie County
Commission Expires July 24, 2018

WESTERN SURETY COMPANY
Sioux Falls, South Dakota
Statement of Net Admitted Assets and Liabilities
December 31, 2017

ASSETS

Bonds		\$ 1,895,156,151
Stocks		28,408,086
Cash, cash equivalents, and short-term investments		24,679,133
Receivables for securities		7,500,016
Investment income due and accrued		22,426,771
Premiums and considerations		37,932,713
Amounts recoverable from reinsurers		1,562,035
Current federal and foreign income taxes recoverable from CNA Financial Corporation		3,481,084
Net deferred tax asset		10,688,834
Receivable from parent, subsidiaries, and affiliates		11,647,470
Other assets		10,215
Total Assets		\$ 2,043,492,508

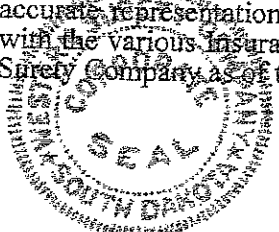
LIABILITIES AND SURPLUS

Losses		\$ 201,046,845
Loss adjustment expense		57,918,199
Commissions payable, contingent commissions and other similar charges		10,047,343
Other expenses (excluding taxes, license and fees)		943,877
Taxes, License and fees (excluding federal and foreign income taxes)		3,447,669
Unearned premiums		223,752,269
Advance premiums		5,436,181
Ceded reinsurance premiums payable		1,720,726
Amounts withheld or retained by company for account of others		7,338,456
Provision for reinsurance		239,534
Payable to parent, subsidiaries and affiliates		12,934
Payable on security transactions		4,000,000
Other liabilities		367,837
Total Liabilities		\$ 516,271,870

Surplus Account:

Common stock		\$ 4,000,000
Gross paid in and contributed surplus		280,071,837
Unassigned funds		1,243,148,801
Surplus as regards policyholders		\$ 1,527,220,637
Total Liabilities and Capital		\$ 2,043,492,508

I, Troy Wray, Assistant Vice President of Western Surety Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2017, as filed with the various Insurance Departments and is a true and correct statement of the condition of Western Surety Company as of that date.

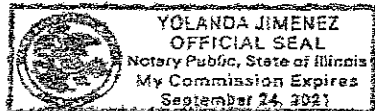


Western Surety Company

By *[Signature]*
Assistant Vice President

Subscribed and sworn to me this 8th day of March, 2018.

My commission expires:



[Signature]
Notary Public

POWER OF ATTORNEY

(Irrevocable)

No. SP-

22779125

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired. That Western Surety Company, a corporation, does hereby make, constitute and appoint the following

ONE

authorized individuals:

AUTHORIZED INDIVIDUALS	AUTHORIZED INDIVIDUALS
GARY ALBERT CARDINALE	

in the City of BUFFALO, State of NEW YORK, with limited authority, its true and lawful Attorney(s) in fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond:

BID, PERFORMANCE, AND/OR PAYMENT BOND, IN ADDITION THE RELATED TRANSACTIONS SUCH AS CONSENTS OF SURETY, RIDERS, AND LETTERS OF INTENT, MAINTENANCE AND WARRANTY BONDS, PROVIDING THE BOND PENALTY DOES NOT EXCEED ONE MILLION AND NO/100 DOLLARS (1,000,000.00).**

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of **FEBRUARY 28 2023**, but until such time shall be irrevocable and in full force and effect.

WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of Western Surety Company, duly adopted and now in force, to wit: "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, any 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."

The penal amount of the bond herein described may be increased if there is attached to this Power, written authority so authorizing in the form of an endorsement, letter or telegram signed by the Underwriting Manager, Underwriting Consultant, Underwriting Specialist, Underwriter, President, Vice President, Assistant Vice President, Treasurer, Secretary or Assistant Secretary of Western Surety Company specifically authorizing said increase.

IN WITNESS WHEREOF, Western Surety Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 13th day of June, 2016.

WESTERN SURETY COMPANY

STATE OF SOUTH DAKOTA

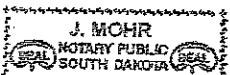
ss.

By

Paul T. Bruffat
Vice President

COUNTY OF MINNEHAHA

On this 13th day of June, in the year 2016, before me, a Notary Public, personally appeared Paul T. Bruffat, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



My Commission Expires June 23, 2021

J. Mohr
Notary Public, South Dakota

I, the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of Western Surety Company this 13th day of June, 2016.

WESTERN SURETY COMPANY

By

Paul T. Bruffat
Vice President

* IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

Form 749-0-2016

To validate bond authenticity, go to www.cnsurety.com > Owner/Obligee Services > Validate Bond Coverage.

NOTICE: This border must be BLUE. If it is not BLUE, this is not a certified copy. —>

CITY OF WILLIAMSPORT
DEPARTMENT OF STREETS AND PARKS

MEMO

To: Mayor Gabriel J. Campana and Members of City Council
From: Adam Winder
Subject: Street Line Painting
Date: April 9, 2019

Attached for your review and approval is a resolution awarding the City of Williamsport's 2019 contract for street line painting to O.H. Striping, Inc. 11016 River Road, Corning, NY 14830.

Bidding was done recently through the West Branch Council of Governments Cooperative Purchasing, of whom the city is a member. The resolution identifies the low bidder for each of the contracts.

Funding for the street line painting is allocated in the general fund line item #2270-62070 traffic paint.

I am requesting that action be taken by City Council on Thursday, April 11, 2019.

Attachments

vl