

Invitation to Bid
**CONSTRUCTION PROPOSAL AND CONTRACT
FOR**

County Road Resurfacing & Low Water Crossing Replacement

**MUSKOGEE COUNTY
BRIDGE CB26-XTBM-SKO-DTL-00E
MUSKOGEE COUNTY DISTRICT 2**



**BOARD OF COUNTY COMMISSIONERS
MUSKOGEE COUNTY, OKLAHOMA**

KEN DOKE
MUSKOGEE COUNTY COMMISSIONER DISTRICT 1

KEITH HYSLOP
MUSKOGEE COUNTY COMMISSIONER DISTRICT 2

KENNY PAYNE
MUSKOGEE COUNTY COMMISSIONER DISTRICT 3

TABLE OF CONTENTS

Page 3 Notice to bidders

Page 4 Proposal Worksheet *

Page 5 Invitation to Bid

Page 6 Specifications

Pages 7-11 Sample Contract for Project Performance

Page 12 Affidavit for Filing with Competitive Bid*

Page 13 Business Relationships Affidavit*

Page 14 Certification of Nondiscrimination in Employment Form*

Page 15 Bid Bond*

Page 16 Affidavit of Compliance

Pages 17-18 Performance Bond

Pages 19-20 Statutory Bond

Pages 21-22 Maintenance Bond

Return Only Items with an *

NOTICE TO BIDDERS

SEALED BIDS, submitted on forms prepared by the Board of County Commissioners of Muskogee County, Oklahoma, hereinafter referred to as the "County", will be received by said "County" at the office of the County Clerk of Muskogee County, Muskogee County Services Building, 400 W. Broadway, Muskogee, Oklahoma 74401, until 9:29 AM on the 11th day of July, 20 22. Said bids will be opened in the Commissioner's Board Room at 9:30 AM 11th day of July, 20 22 at the regularly scheduled meeting of the Muskogee Board of County Commissioners and read aloud for:

MUSKOGEE COUNTY
BRIDGE CB26-XTBM-SKO-DTL-00E
MUSKOGEE COUNTY DISTRICT 2

The "County" reserves the right to reject any and all bids.

The Board of County Commissioners will accept the lowest and best bid.

* A Non-Collusion Affidavit MUST BE ATTACHED TO ALL BILLS.*

The "County" reserves the right to waive informalities or minor irregularities in the bid.

"Original Affidavit for Filing with Competitive Bid", "Business Relationships Affidavit", "Certification of Non-Discrimination in Employment" Form and W-9 must have all blank spaces filled in, be signed, notarized as required and returned with bid or bid will not be accepted. Out of state bidders should change "State of Oklahoma" at the top of the form to indicate state where bidder is located.

Each bidder greater than \$50,000.00, shall be accompanied by a certified check, cashier's check or bid bond approved by the Board of County Commissioners in an amount of not less than five percent (5%) of the amount of the bid as a guarantee that, if awarded the contract, the bidder will enter into a contract with the Board of County Commissioners for the executing of the above stated work, and in the event of failure to do so, there shall be paid to the Muskogee Board of County Commissioners the sum of five percent (5%) of said bid as liquidated damages.

Bid forms and information concerning the project may be obtained after 12:00 PM the 22nd day of June, 20 22 from the office of the Muskogee County Clerk, 400 W. Broadway, Muskogee, Oklahoma 74401, (918) 682-2169.

Bidders may contact the Muskogee County Commissioner District Office at (918) 682- for further bidding information and to arrange inspection of the job site.

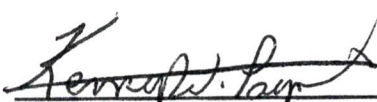
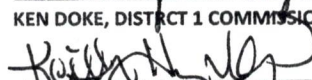
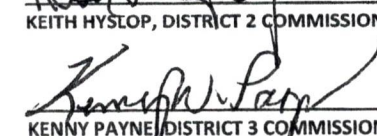
Approved this 21 day of Jun, 2022

MUSKOGEE BOARD OF COUNTY COMMISSIONERS

ATTEST:

POLLY IRVING, COUNTY CLERK




KEN DOKE, DISTRICT 1 COMMISSIONER

KEITH HYSLOP, DISTRICT 2 COMMISSIONER

KENNY PAYNE, DISTRICT 3 COMMISSIONER

PROPOSAL WORKSHEET FOR BRIDGE: CB26-XTBM-SKO-DTL-00E
MUSKOGEE COUNTY DISTRICT 2

Lump sum bid:

ONE HUNDRED FIFTY SIX THOUSAND FOUR HUNDRED \$ 156,400.00
In Writing

Work will be completed in 30 calendar days.

Bid Bond, certified check or cashier's check in the amount of not less than five percent (5%) must be enclosed.

Completed Affidavit for Filing with Competitive Bid, Business Relationships Affidavit and Certification of Non-Discrimination in Employment must be enclosed.

Contractor receiving award of contract shall post wage rates at jobsite and be prepared to verify paying said rates.

This bid includes material, labor, insurance and bonding. Please note that the contractor receiving award of contract must provide Performance, Statutory and Maintenance bonds.

Muskogee County reserves the right to reject any and all bids that are not according to the specifications.

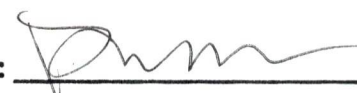
Submitted by: BILL ANDERSON IV Title: MEMBER/MANAGER

Company RRY SERVICES, LLC

Address: PO Box 2283 STILLWATER, OK 74076

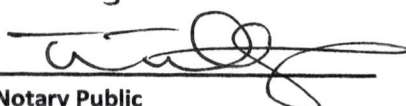
Telephone Number: 405-377-8763 Federal Tax ID Number: 26-3895273

Seal (If Corporation)

Attest: 
Secretary

(State of Oklahoma) §
(County of Muskogee)

TRAVIS TILLEY Notary Public, State of Oklahoma Commission # 18011580 My Commission Expires 11-15-2022
--

Subscribed and sworn before me this 7th day of July, 2022
My Commission Expires: 11/15/2022 
Notary Public

Invitation to Bid

The Board of County Commissioners of Muskogee County, Oklahoma are seeking sealed bids for the construction of

County Road Resurfacing & Low Water Crossing Replacement

The successful bidder must start construction within 30 days of Notice to Proceed. Construction activities for this project include the following:

**** See attached plans ****

Required Specifications

**** See attached plans ****

PROJECT DESCRIPTION

Project Description:

****See attached plans ****

AFFIDAVIT FOR FILING WITH COMPETITIVE BID

State of Oklahoma)

(ss

County of Muskogee

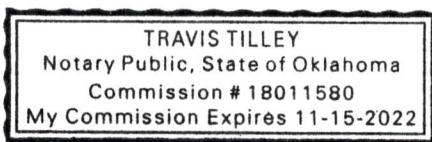
BILL ANDERSON IV, of lawful age, being first duly sworn, on oath says

(Print or type name of agent authorized by bidder)

That (s)he is the agent authorized by bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any county official as to quantity, quality or price in the prospective contract, or any other terms of said prospective contract; or in any discussion between bidders and any county official concerning exchange of money or other thing of value for special consideration in letting of a contract.

Signature of Agent Authorized by Bidder

Subscribed and sworn to before me this 7th day of July, 2022



Notary Public (or Clerk of Judge)

My Commission Expires 11/15/2022

My Commission Number 18011580

Note:

Each competitive bid submitted to a county, school district or municipality must be accompanied by this properly completed Affidavit as required by O.S. 1981 § 85.24. Bidder shall be disqualified if Affidavit:

1. Is not properly completed.
2. Does not accompany bid.

BUSINESS RELATIONSHIPS AFFIDAVIT

STATE OF OKLAHOMA)
) ss
COUNTY OF MUSKOGEE)

BILL ANDERSON IV, 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 the nature of any partnership, joint venture or other business relationship presently in effect or 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 or which existed within one (1) year prior to 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 states that the names of all persons having any such business relationships and the possible positions they hold with their respective companies or firms are as follows:

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

Bill Anderson IV

BILL ANDERSON IV

Travis Tilley

Notary Public (or Clerk or Judge)

TRAVIS TILLEY
Notary Public, State of Oklahoma
Commission # 18011580
My Commission Expires 11-15-2022

My Commission Expires

11/15/2022

My Commission Number 18011580

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned,

RRY Services, LLC

As Principal, and

Harco National Insurance Company

As Surety,

Are hereby held and firmly bound unto the Muskogee Board of County Commissioners, hereinafter called the "Owner" in the sum of ^{Five Percent of Total Amount Bid} Dollars (\$ 5%) for the payment of which sum, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

The condition of the above obligation is such that whereas the Bidder has submitted to MUSKOGEE COUNTY a certain bid which is attached hereto and hereby made a part thereof, to enter into agreement for the:

County Road Resurfacing & Low Water Crossing Replacement - CB26-XTBM-SKO-DTL-00E

The condition of this obligation is such that if MUSKOGEE COUNTY shall make any award to the Bidder, according to the terms of the advertised bidding documents of bid made by the Bidder therefore, and the Bidder shall duly make and enter into agreement with MUSKOGEE COUNTY in accordance with the terms of said bid and award and shall, in case of failure so to do, pay to MUSKOGEE COUNTY the damages to which the COUNTY may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be null and void. Otherwise, shall be and remain in full force and effect.

Signed, sealed and dated this 11th day of July, 2022

RRY Services, LLC

Principal

By: 

Attest:
(Affix Corporate Seal)

Title

Harco National Insurance Company

Corporate Surety

Address: 4200 Six Forks Road, Suite 1400

Raleigh, NC 27609

By: 

Shelli R. Samsel, Attorney-in-Fact

Bond # N/A

POWER OF ATTORNEY
HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY
 Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

KNOW ALL MEN BY THESE PRESENTS: That **HARCO NATIONAL INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of Illinois, and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

VAUGHN GRAHAM, JR., VAUGHN P. GRAHAM, CAREY KENNEMER, SHELLI R. SAMSEL, TOM PERRAULT, KRISTIN LEWIS, STEPHEN M. POLEMAN, VICKI WILSON, TRAVIS E. BROWN, DWIGHT A. PILGRIM, J. KELLY DEER, DEBORAH L. RAPER, AUSTIN K. GREENHAW, JAMIE M. BURRIS, RYAN MATTHEW SANDERS

Tulsa, OK

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** and is granted under and by authority of the following resolution adopted by the Board of Directors of **INTERNATIONAL FIDELITY INSURANCE COMPANY** at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of **HARCO NATIONAL INSURANCE COMPANY** at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognition, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** have each executed and attested these presents on this 31st day of December, 2020



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman

STATE OF ILLINOIS
County of Cook



Kenneth Chapman
Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

On this 31st day of December, 2020, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY**; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of **HARCO NATIONAL INSURANCE COMPANY** and **INTERNATIONAL FIDELITY INSURANCE COMPANY** do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, July 11, 2022

A00171

Irene Martins

Irene Martins, Assistant Secretary

CERTIFICATION OF NONDISCRIMINATION IN EMPLOYMENT

Certification with regard to the performance of Previous Contracts or Subcontracts subject to the Equal Opportunity Clause and Filing of Required Reports:

The bidder X, proposed subcontractor , hereby certifies that he has X, has not , participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114 or 11246, and that he has X, Has not , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirement.

RZY SERVICES LLC
(Company)
By: [Signature]

Date: 7/7/2022

MEMBER MANAGER

NOTE: The certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7 (b) (1), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000.00 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41-CFR 60-1.7 (b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of labor.

Affidavit of Compliance

PREVAILING WAGES

I. BILL ANDERSON IV MEMBER MANAGER
(Name of person signing affidavit) (Title)

do hereby certify that the wages paid to all employees of

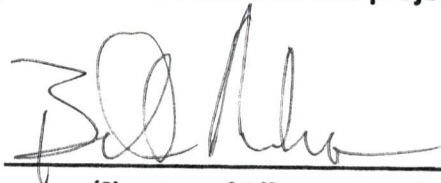
RRY SERVICES, LLC
(Company name)

For all work on the

COUNTY ROAD RESURFACING BLOW WATER CROSSING - CB26-XTBM-SKD-DTL-DOE
(Project name and location)

Project, during the period from AUGUST 1, 2022 to DECEMBER 31, 2022 are
in compliance with prevailing wage requirements of the Davis-Bacon Rates in Oklahoma.

I further certify that no rebates or discussions have been or will be made, directly or
indirectly, from any wages paid in connection with this project, other than those provided by
law.


(Signature of Officer or Agent)

Sworn to and subscribed in my presence this 7th day of July, 2022

TRAVIS TILLEY
Notary Public, State of Oklahoma
Commission # 18011580
My Commission Expires 11-15-2022


Notary Public

The above affidavit must be executed and sworn by the officer or agent of the contractor or subcontractor who
supervises the payment of employees. This affidavit must be submitted to the owner (public authority) before
the surety is released or full payment due under the terms of the contract is.