

SECTION 00 41 13  
BID FORM - STIPULATED SUM  
SINGLE CONTRACT

CITY OF AURORA  
2021 AUG 18 PM 1:33  
HUMAN RESOURCES

PROJECT: CITY OF AURORA - WILDER PARK PROMENADE PAVILION FACILITY  
350 N. RIVER STREET  
AURORA, ILLINOIS 60506

BID TO: CITY OF AURORA  
44 EAST DOWNER PLACE  
AURORA, ILLINOIS 60507

BID FROM:	Corporate Name:	<u>KWCC Inc.</u>
	Address:	<u>88 N. Dugan Rd. Unit F</u>
	City, State, Zip:	<u>Sugar Grove, IL 60554</u>
	Telephone No.:	<u>630/948/4330</u>
	Fax No.:	<u>630/948/7763</u>
	Email Address:	<u>rbanks@kwccinc.com</u>
	Contact Person:	<u>Randy Banks</u>

#### 1.01 ACCEPTANCE

The undersigned Bidder agrees, if this Bid is accepted, to enter into an agreement with the Owner, in the form included in the Bidding Documents, to perform and furnish the Work as indicated in the Bidding Documents for the Bid Price and within the Bid times indicated in this Bid and in accordance with the terms and conditions of the Contract Documents.

#### 1.02 ACKNOWLEDGMENTS

In submitting this Bid, the Bidder represents that:

- A. This Bid will remain open for acceptance for a period of 90 days from the Bid opening date;
- B. The Owner has the right to reject this Bid;
- C. The Bidder accepts the provisions of the Instructions and Supplementary Instructions to Bidders regarding the disposition of the Bid;
- D. The Bidder agrees to sign and submit the Agreement and other documents required by the Bidding Requirements within 15 days after the Owner's Notice of Award;
- E. The Bidder has examined the complete set of Bidding Documents;
- F. The Bidder has visited the site and become familiar with the general, local, and site conditions;
- G. The Bidder is familiar with Federal, State and Local Laws and Regulations;

- H. The Bidder has correlated the information known to the Bidder; information and observations obtained from visits to the site, reports and drawings identified in the Bidding Documents and additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents;
- I. This Bid is genuine and not made in the interest of or on behalf of an undisclosed person, firm, or corporation and is not submitted in conformity with an Agreement or rules or group, association, organization, or corporation;
- J. The Bidder has not directly or indirectly induced or solicited another Bidder to submit a false or sham Bid; sought by collusion to obtain for itself an advantage over another Bidder or over the Owner;
- K. The Bidder has received the following Addenda, receipt of which is hereby acknowledged:

1. Addendum No. 1 Date 8/12/21
2. Addendum No. \_\_\_\_\_ Date \_\_\_\_\_
3. Addendum No. \_\_\_\_\_ Date \_\_\_\_\_

**The Bidder understands that, in submitting this Bid, he waives all right to plead any misunderstandings regarding the foregoing.**

#### **1.03 SINGLE CONTRACT - BASE BID PRICE:**

- A. Refer to Section 01 10 00 - Summary.
- B. The Bidder will complete the Work of the Project in accordance with the Contract Documents for the following price:

1. Stipulated Sum Bid Price:

\$ 269,000 <sup>00</sup>

(Use Numerals)

TWO-HUNDRED-SIXTY-NINE THOUSAND E <sup>00</sup>/<sub>100</sub> DOLLARS

(Use Words)

#### **1.04 BID BOND**

- A. The Bidder has attached the required bid security in the form described by Document 00 43 13 - Bid Security Form with this Bid.

## 1.05 ALLOWANCES

A. The Bidder has included in the Bid the appropriate allowances as specified in Section 01 21 00 - Allowances.

## 1.06 CONTRACT TIME

A. The Bidder agrees to begin and complete Work as indicated in Document 00 31 13 - Preliminary Schedule.

## 1.07 OTHER BID FORM SUPPLEMENTS

A. The following additional Documents are attached to and made a condition of this Bid:

1. Document 00 43 14 - Bid Form Supplement - Bidder's Certification.
2. Document 00 43 15 - Bid Form Supplement - Bidder's Tax Certification.
3. Document 00 43 16 - Bid Form Supplement - Apprenticeship or Training Program Certification and Current Signatory Letters.

## 1.08 SIGNATURES

A. Respectfully submitted this 18 day of August, 2021.

B. Type of Firm: (check one)

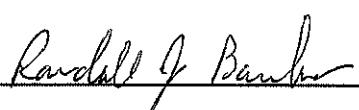
Individual  
 Partnership  
 Corporation  
 Joint Venture

C. Corporate Seal:(SEAL)

D. Full name of firm: KWCC Inc.

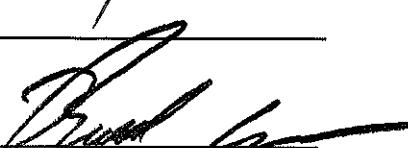
E. Authorized Signing Officer: Randy Banks

Title: Estimator



F. Authorized Signing Officer: Russell Woerman

Title: President



END OF DOCUMENT

# PHILADELPHIA INDEMNITY INSURANCE COMPANY

## Bid Bond

Bond No. 08182021

**CONTRACTOR:**

(Name, legal status and address)

KWCC, Inc.

88 N. Dugan Road, Unit F

Sugar Grove, IL 60554

**SURETY:** Philadelphia Indemnity Insurance Company: Pennsylvania Corporation

(Name, legal status and principal place  
of business)

One Bala Plaza

Suite 100

Bala Cynwyd, PA 19004-1403

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

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

**OWNER:**

(Name, legal status and address)

City of Aurora

44 East Downer Place

Aurora, IL 60507

**BOND AMOUNT:** 10% of the total amount of the Bid

**PROJECT:**

(Name, location or address, and Project number, if any)

Wilder Park Promenade Pavilion Facility

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 18th day of August, 2021.

(Witness)

KWCC, Inc.

(Principal)

(Seal)

*PRESIDENT*

(Title)

Philadelphia Indemnity Insurance Company

(Surety)

(Seal)

(Title)

John D. Weisbrot, Attorney-In-Fact

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

Power of Attorney

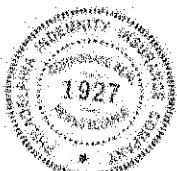
KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint JOHN D. WEISBROT, MELISSA L. MCDADE OR STEVEN M. VARGA, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER  
RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

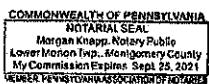
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.



(Seal)

Robert D. O'Leary Jr., President & CEO  
Philadelphia Indemnity Insurance Company

On this 27<sup>th</sup> day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public:

Morgan Kiepp

residing at:

Bala Cynwyd, PA

(Notary Seal)

My commission expires:

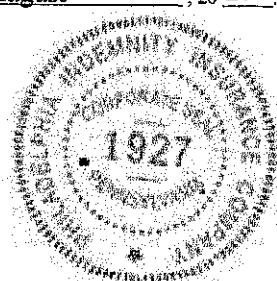
September 25, 2021

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 18th day of August, 2021.



Ed Sayago  
Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY



## BIDDER'S CERTIFICATION

I/We hereby certify that:

- A. A complete set of bid papers, as intended, has been received, and that I/We will abide by the contents and/or information received and/or contained herein.
- B. I/We have not entered into any collusion or other unethical practices with any person, firm, or employee of the City which would in any way be construed as unethical business practice.
- C. I/We have adopted a written sexual harassment policy which is in accordance with the requirements of Federal, State and local laws, regulations and policies and further certify that I/We are also in compliance with all other equal employment requirements contained in Public Act 87-1257 (effective July 1, 1993) 775 ILCS 5/2-105 (A).
- D. I/We are in compliance with the most current "Prevailing Rate" of wages for laborers, mechanics and other workers as required by the State of Illinois Department of Labor.
- E. I/We operate a drug free environment and drugs are not allowed in the workplace or satellite locations as well as City of Aurora sites in accordance with the Drug Free Workplace Act of January, 1992.
- F. The Bidder is not barred from bidding on the Project, or entering into this contract as a result of a violation of either Section 33E-3 or 33E-4 of the Illinois Criminal Code, or any similar offense of "bid rigging" or "bid rotating" of any state or the United States.
- G. I/We will submit, for all contracts in excess of \$25,000.00, a certificate indicating participation in apprenticeship and training programs approved and registered with the United States Department of Labor.  Contractor shall check the box indicating that a copy of applicable program certification is attached.
- H. I/We will abide by all other Federal, State and local codes, rules, regulations, ordinances and statutes.

COMPANY NAME KWCC Inc.

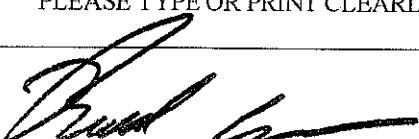
ADDRESS 88 N. Dugan Rd. Unit F

CITY/STATE/ZIP CODE Sugar Grove, IL 60554

NAME OF CORPORATE/COMPANY OFFICIAL Russell Woerman

TITLE President

PLEASE TYPE OR PRINT CLEARLY

AUTHORIZED OFFICIAL SIGNATURE 

DATE 8/18/21

Subscribed and Sworn to

TELEPHONE (630) 948-4330

Before me this 18 day  
of August, 2021

Colleen Rott

Notary Public



STATE OF ILLINOIS )  
County of Kane )  
 ) ss.

#### BIDDER'S TAX CERTIFICATION

(BIDDER'S EXECUTING OFFICER), being first duly sworn on oath, deposes and states that all statements made herein are made on behalf of the Bidder, that this despondent is authorized to make them and that the statements contained herein are true and correct.

Bidder deposes, states and certifies that Bidder is not barred from contracting with any unit of local government in the State of Illinois as result of a delinquency in payment of any tax administered by the Illinois Department of Revenue unless Bidder is contesting, in accordance with the procedures established by the appropriate statute, its liability for the tax or the amount of the tax, all as provided for in accordance with 65 ILCS 5/11-42.1-1.

DATED this 18<sup>th</sup> day of August, 2021.

By John C.  
(Signature of Bidder's Executing Officer)

Russell Woerman  
(Print name of Bidder's Executing Officer)

President  
(Title)

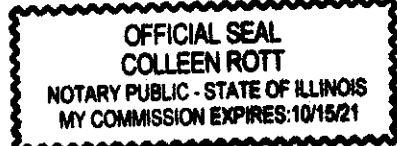
ATTEST/WITNESS:

By Randall J. Banks  
Title PROJECT MGR

Subscribed and sworn to before me this  
18<sup>th</sup> day of Aug 2021.

Colleen Ball  
Notary Public

(SEAL)



## Apprenticeship or Training Program Certification

**Return with Bid**

*All contractors are required to complete the following certification:*

- For this contract proposal or for all groups in this deliver and install proposal.
- For the following deliver and install groups in this material proposal:

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The City of Aurora policy, adopted in accordance with the provisions of the Illinois Highway Code, requires this contract to be awarded to the lowest responsive and responsible bidder. In addition to all other responsibility factors, this contract or deliver and install proposal requires all bidders and all bidders' subcontractors to disclose participation in apprenticeship or training programs that are approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training, and applicable to the work of the above indicated proposals or groups. Therefore, all bidders are required to complete the following certification:

- I. Except as provided in paragraph IV below, the undersigned bidder certifies that it is a participant, either as an individual or as part of a group program, in an approved apprenticeship or training program applicable to each type of work or craft that the bidder will perform with its own employees.
- II. The undersigned bidder further certifies for work to be performed by subcontract that each of its subcontractors submitted for approval is, at the time of such bid, participating in an approved, applicable apprenticeship or training program applicable to the work of the subcontract.
- III. The undersigned bidder, by inclusion in the list in the space below, certifies the official name of each program sponsor holding the Certificate of Registration for all of the types of work or crafts in which the bidder is a participant and that will be performed with the bidder's employees. Types of work or craft that will be subcontracted shall be included and listed as subcontract work. The list shall also indicate any type of work or craft job category for which there is no applicable apprenticeship or training program available.

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IV. Except for any work identified above, any bidder or subcontractor that shall perform all or part of the work of the contract or deliver and install proposal solely by individual owners, partners or members and not by employees to whom the payment of prevailing rates of wages would be required, check the following box, and identify the owner/operator workforce and positions of ownership.

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The requirements of this certification and disclosure are a material part of the contract, and the contractor shall require this certification provision to be included in all approved subcontracts. The bidder is responsible for making a complete report and shall make certain that each type of work or craft job category that will be utilized on the project is accounted for and listed. **The City of Aurora requires a copy of each applicable Certificate of Registration issued by the United States Department of Labor evidencing such participation by the contractor and any or all of its subcontractors be included with the bid in order to qualify to bid on the project.**

The Bidder must also submit a signed and current dated letter(s) from the certificate holder(s) indicating that the Bidder may use the certificate to meet the above listed requirements for this specific project.

Bidder: KWCC Inc.

By: Randall J. Barkau  
(Signature)

Address: 88 N. Dugan Rd. Unit F Sugar Grove, IL 60554

Title Estimator / PROJECT MGR