



Illinois Department of Transportation

Local Public Agency Formal Contract

PROPOSAL SUBMITTED BY		
ORANGE CRUSH LLC.		
Contractor's Name		
321 Center Street		
Street	P.O. Box	
Hillside, IL 60142		
City	State	Zip Code

STATE OF ILLINOIS

COUNTY DuPage
Village of Villa Park
 (Name of City, Village, Town or Road District)

FOR THE IMPROVEMENT OF
 STREET NAME OR ROUTE South Michigan Avenue
 SECTION NO. N/A
 TYPES OF FUNDS Local

- SPECIFICATIONS (required) PLANS (required) CONTRACT BOND (when required)

For Municipal Projects
 Submitted/Approved/Passed

Mayor President of Board of Trustees Municipal Official

Date

Department of Transportation

Concurrence in approval of award

Regional Engineer

Date

For County and Road District Projects
 Submitted/Approved

Highway Commissioner

Date

Submitted/Approved

County Engineer/Superintendent of Highways

Date

County DuPage
Local Public Agency Villa Park
Section Number N/A
Route South Michigan Avenue

1. THIS AGREEMENT, made and concluded the 13th day of February, 2017,
Month and Year
between the VILLAGE of Villa Park
acting by and through its Board of Trustees known as the party of the first part, and
ORANGE CRUSH LLC. his/their executors, administrators, successors or assigns,
known as the party of the second part.

2. Witnesseth: That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this agreement and the requirements of the Engineer under it.

3. And it is also understood and agreed that the LPA Formal Contract Proposal, Special Provisions, Affidavit of Illinois Business Office, Apprenticeship or Training Program Certification, and Contract Bond hereto attached, and the Plans for Section South Michigan, in the Village of Villa Park, approved by the Illinois Department of Transportation on _____, are essential documents of this contract and are a part hereof.
Date

4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

Attest:
[Signature] Clerk
(Seal)

The Village of Villa Park
By [Signature]
Party of the First Part

(If a Corporation)

Corporate Name ORANGE CRUSH LLC.

By [Signature]
President [Signature] Party of the Second Part
(If a Co-Partnership)

Attest:
[Signature]
Secretary Paul R. Ventch

Partners doing Business under the firm name of

Party of the Second Part

(If an individual)

Party of the Second Part



Bond NO.: 9238257

Route South Michigan Avenue
County DuPage
Local Agency Villa Park
Section N/A

We, Orange Crush, LLC 321 Center Street Hillside, IL 60162

a/an) [] Individual [] Co-partnership [X] Corporation organized under the laws of the State of Illinois, as PRINCIPAL, and Fidelity and Deposit Company of Maryland as SURETY,

are held and firmly bound unto the above Local Agency (hereafter referred to as "LA") in the penal sum of One Million Six Hundred Eight Thousand Dollars and Zero Cents

Dollars (\$ 1,608,000.00), lawful money of the United States, well and truly to be paid unto said LA, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, jointly to pay to the LA this sum under the conditions of this instrument.

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said Principal has entered into a written contract with the LA acting through its awarding authority for the construction of work on the above section, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the said Principal has promised and agreed to perform said work in accordance with the terms of said contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to such Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company or corporation suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond shall inure to the benefit of any person, firm, company or corporation to whom any money may be due from the Principal, subcontractor or otherwise for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company or corporation for the recovery of any such money.

NOW THEREFORE, if the said Principal shall well and truly perform said work in accordance with the terms of said contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to him for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in said contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of the performance thereof and until the said work shall have been accepted, and shall hold the LA and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions and requirements of said contract, then this obligation to be void; otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this 19th day of January A.D. 2017

PRINCIPAL

Orange Crush, LLC

(Company Name)

By: James Behrends (Signature & Title) Vice President

Attest: Paul R. Veatch (Signature & Title) Corporate Secretary

(If PRINCIPAL is a joint venture of two or more contractors, the company names and authorized signature of each contractor must be affixed.)

STATE OF ILLINOIS,

COUNTY OF COOK

I, DANIEL P. AHERN, a Notary Public in and for said county, do hereby certify that

JAMES BEHRENDIS & PAUL R. VEATCH

(Insert names of individuals signing on behalf or PRINCIPAL)

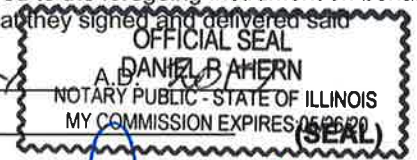
who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this

19th day of JANUARY

My commission expires

Notary Public



SURETY

Fidelity and Deposit Company of Maryland
(Name of Surety)

By: Tariese M. Pisciotto (Signature of Attorney-in-Fact)

Tariese M. Pisciotto

(SEAL)

STATE OF ILLINOIS.

COUNTY OF DuPage

I, Alexandra Sartori, a Notary Public in and for said county, do hereby certify that

Tariese M. Pisciotto, Attorney-in-Fact

(Insert names of individuals signing on behalf or SURETY)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 19th day of January A.D. 2017

My commission expires

July 5, 2020

Alexandra Sartori
Notary Public



Approved this 13th day of February, A.D. 2017

Attest: Hannah Pryor
Village Clerk

[Signature]
(Awarding Authority)
(Chairman/Mayor/President)

PROPOSAL

County DuPage

Local Public Agency Village of Villa Park

Section Number N/A

Route South Michigan Avenue

1. Proposal of South Michigan Avenue Reconstruction
ORANGE CRUSH, LLC, 321 CENTER ST NILESIDE IL 60162

for the improvement of the above section by the construction of pavement removal; earth excavation; installation of storm sewer; sanitary sewer repairs, aggregate base course; curb and gutter installation; hot-mix asphalt pavement; sidewalk removal and replacement; parkway restoration; and other incidental and miscellaneous items of work.

a total distance of 2,568 feet, of which a distance of 2,568 feet, (0.486 miles) are to be improved.

2. The plans for the proposed work are those prepared by Baxter & Woodman, Inc.
and approved by the Department of Transportation on N/A

3. The specifications referred to herein are those prepared by the Department of Transportation and designated as "Standard Specifications for Road and Bridge Construction" and the "Supplemental Specifications and Recurring Special Provisions" thereto, adopted and in effect on the date of invitation for bids.

4. The undersigned agrees to accept, as part of the contract, the applicable Special Provisions indicated on the "Check Sheet for Recurring Special Provisions" contained in this proposal.

5. The undersigned agrees to complete the work within 92 calendar days or by _____ unless additional time is granted in accordance with the specifications.

6. A proposal guaranty in the proper amount, as specified in BLRS Special Provision for Bidding Requirements and Conditions for Contract Proposals, will be required. Bid Bonds WILL be allowed as a proposal guaranty. Accompanying this proposal is either a bid bond if allowed, on Department form BLR 12230 or a proposal guaranty check, complying with the specifications, made payable to:

Village Treasurer of Villa Park

The amount of the check is Five percent (5%) of the bid amount (_____).

7. In the event that one proposal guaranty check is intended to cover two or more proposals, the amount must be equal to the sum of the proposal guaranties, which would be required for each individual proposal. If the proposal guaranty check is placed in another proposal, it will be found in the proposal for: Section Number _____.

8. The successful bidder at the time of execution of the contract WILL be required to deposit a contract bond for the full amount of the award. When a contract bond is not required, the proposal guaranty check will be held in lieu thereof. If this proposal is accepted and the undersigned fails to execute a contract and contract bond as required, it is hereby agreed that the Bid Bond or check shall be forfeited to the Awarding Authority.

9. Each pay item should have a unit price and a total price. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern. If a unit price is omitted, the total price will be divided by the quantity in order to establish a unit price.

10. A bid will be declared unacceptable if neither a unit price nor a total price is shown.

11. The undersigned submits herewith the schedule of prices on BLR 12200a covering the work to be performed under this contract.

12. The undersigned further agrees that if awarded the contract for the sections contained in the combinations on BLR 12200a, the work shall be in accordance with the requirements of each individual proposal for the multiple bid specified in the Schedule for Multiple Bids below.



Illinois Department of Transportation

SCHEDULE OF PRICES

ADDENDUM 1

County DuPage

Local Public Agency Village of Villa Park

Section N/A

Route South Michigan Avenue

Schedule for Multiple Bids

Combination Letter	Sections Included in Combinations	Total

Schedule for Single Bid

(For complete information covering these items, see plans and specifications)

Bidder's Proposal for making Entire Improvements	1,608,000.00
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Item No.	Items	Unit	Quantity	Unit Price	Total
1	TEMPORARY FENCE	FOOT	200	2.50	500.00
2	TREE ROOT PRUNING	EACH	81	5.00	405.00
3	EARTH EXCAVATION	CU YD	1,588	28.00	44,464.00
4	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CU YD	1,603	22.00	35,266.00
5	TRENCH BACKFILL	CU YD	3,822	20.00	76,440.00
6	GEOTECHNICAL FABRIC FOR GROUND STABILIZATION	SQ YD	8,492	1.50	12,738.00
7	PARKWAY RESTORATION	SQ YD	5,600	12.50	70,000.00
8	SUPPLEMENTAL WATERING	UNIT	42	25.00	1,050.00
9	PERIMETER EROSION BARRIER	FOOT	820	1.00	820.00
10	INLET FILTERS	EACH	41	125.00	5,125.00
11	AGGREGATE SUBGRADE IMPROVEMENT	CU YD	980	31.00	30,380.00
12	AGGREGATE BASE COURSE, TYPE B 4"	SQ YD	2,441	5.00	12,205.00
13	AGGREGATE BASE COURSE, TYPE B 6"	SQ YD	8,241	7.00	57,687.00
14	BITUMINOUS MATERIALS (TACK COAT)	POUND	4,780	0.01	47.80
15	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	TON	1,627	70.00	113,890.00
16	HOT-MIX ASPHALT SURFACE COURSE, MIX "D", N50	TON	834	75.00	62,550.00

Item No.	Items	Unit	Quantity	Unit Price	Total
17	PROTECTIVE COAT	SQ YD	2,200	0.25	550.00
18	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT, 6 INCH	SQ YD	663	58.00	38,454.00
19	PORTLAND CEMENT CONCRETE SIDEWALK 5 INCH	SQ FT	2,075	6.50	13,487.50
20	DETECTABLE WARNINGS	SQ FT	220	35.00	7,700.00
21	PAVEMENT REMOVAL	SQ YD	7,030	7.00	49,210.00
22	DRIVEWAY PAVEMENT REMOVAL	SQ YD	1,402	14.00	19,628.00
23	COMBINATION CURB AND GUTTER REMOVAL	FOOT	5,395	3.00	16,185.00
24	SIDEWALK REMOVAL	SQ FT	2,715	2.00	5,430.00
25	CLASS D PATCHES, 6 INCH	SQ YD	22	100.00	2,200.00
26	STORM SEWERS, RUBBER GASKET, CLASS A, TYPE 1 12"	FOOT	231	40.00	9,240.00
27	STORM SEWERS, RUBBER GASKET, CLASS A, TYPE 2 12"	FOOT	400	40.00	16,000.00
28	STORM SEWERS, RUBBER GASKET, CLASS A, TYPE 2 18"	FOOT	361	55.00	19,855.00
29	STORM SEWERS, RUBBER GASKET, CLASS A, TYPE 2 30"	FOOT	1,155	95.00	109,725.00
30	STORM SEWERS, RUBBER GASKET, CLASS A, TYPE 2 36"	FOOT	252	120.00	30,240.00
31	STORM SEWER REMOVAL	FOOT	318	3.00	954.00
32	CATCH BASINS, TYPE A, 4'-DIAMETER, TYPE 11 FRAME AND GRATE	EACH	4	3,200.00	12,800.00
33	CATCH BASINS, TYPE A, 5'-DIAMETER, TYPE 11 FRAME AND GRATE	EACH	2	3,700.00	7,400.00
34	CATCH BASINS, TYPE C, TYPE 11 FRAME AND GRATE	EACH	23	2,250.00	51,750.00
35	MANHOLES, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	6	3,250.00	19,500.00
36	MANHOLES, TYPE A, 5'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	9	4,000.00	36,000.00
37	INLETS, TYPE A, TYPE 11 FRAME AND GRATE	EACH	12	1,500.00	18,000.00
38	VALVE VAULTS, TYPE A, 5'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	4	2,500.00	10,000.00

Item No.	Items	Unit	Quantity	Unit Price	Total
39	MANHOLES TO BE ADJUSTED	EACH	1	300.00	300.00
40	VALVE VAULTS TO BE ADJUSTED	EACH	1	300.00	300.00
41	FRAMES AND LIDS, TYPE 1, CLOSED LID	EACH	5	350.00	1,750.00
42	REMOVING MANHOLES	EACH	2	250.00	500.00
43	REMOVING INLETS	EACH	18	150.00	2,700.00
44	DUCTILE IRON WATER MAIN (OPEN CUT), 6"	FOOT	58	60.00	3,480.00
45	WATER VALVE, 6"	EACH	4	2,000.00	8,000.00
46	FIRE HYDRANT WITH AUXILIARY VALVE AND VALVE BOX	EACH	7	4,500.00	31,500.00
47	WATER SERVICE CONNECTION, 1" LONG	EACH	15	2,300.00	34,500.00
48	WATER SERVICE CONNECTION, 1" SHORT	EACH	5	1,400.00	7,000.00
49	ADJUSTING WATER SERVICE LINES	EACH	15	250.00	3,750.00
50	SANITARY SEWER SERVICE REPLACEMENT	FOOT	700	35.00	24,500.00
51	FIRE HYDRANTS TO BE REMOVED	EACH	7	250.00	1,750.00
52	VALVES AND VAULTS TO BE REMOVED	EACH	4	200.00	800.00
53	SANITARY SEWER SERVICE RECONNECTION	EACH	20	1,250.00	25,000.00
54	SANITARY SEWER PIPE, PVC SDR 26 ASTM D-2241, 6"	FOOT	50	90.00	4,500.00
55	SANITARY SEWER PIPE, PVC SDR 26 ASTM D-2241, 12"	FOOT	20	175.00	3,500.00
56	SANITARY SEWER PIPE, PVC SDR 26 ASTM D-2241, 15"	FOOT	25	240.00	6,000.00
57	SANITARY SEWER PIPE, PVC SDR 26 ASTM D-2241, 18"	FOOT	15	295.00	4,425.00
58	SANITARY MANHOLES, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, CLOSED LID	EACH	7	3,750.00	26,250.00
59	COMBINATION CLEAN OUT-CHECK VALVE	EACH	10	1,000.00	10,000.00
60	COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12 (SPECIAL)	FOOT	5,395	22.00	118,690.00
61	NON-SPECIAL WASTE DISPOSAL	CU YD	150	70.00	10,500.00
62	SOIL DISPOSAL ANALYSIS	EACH	1	500.00	500.00

Bidder's Proposal for making Entire Improvements 1,608,000.00

Item No.	Items	Unit	Quantity	Unit Price	Total
63	THERMOPLASTIC PAVEMENT MARKING - LINE 6"	FOOT	105	5.00	525.00
64	THERMOPLASTIC PAVEMENT MARKING - LINE 24"	FOOT	66	20.00	1,320.00
65	HOT-MIX ASPHALT DRIVEWAY PAVEMENT, 4"	SQ YD	896	30.00	26,880.00
66	CONSTRUCTION LAYOUT	L SUM	1	55,000.00	55,000.00
67	DUST CONTROL WATERING	UNIT	43	10.00	430.00
68	STORM SEWER (WATER MAIN QUALITY) 12 INCH	FOOT	493	70.00	34,510.00
69	STORM SEWER (WATER MAIN QUALITY) 18 INCH	FOOT	62	125.00	7,750.00
70	STORM SEWER (WATER MAIN REQUIREMENTS) EQUIVALENT ROUND-SIZE 36 INCH	FOOT	53	300.00	15,900.00
71	REMOVE AND REINSTALL BRICK PAVER	SQ FT	50	20.00	1,000.00
72	EXPLORATION TRENCH, SPECIAL	FOOT	200	10.00	2,000.00
73	TEMPORARY ACCESS (PRIVATE ENTRANCE)	EACH	74	150.00	11,100.00
74	TEMPORARY ACCESS (ROAD)	EACH	7	300.00	2,100.00
75	SANITARY MANHOLES TO BE ADJUSTED	EACH	3	500.00	1,500.00
76	TRAFFIC CONTROL AND PROTECTION, (SPECIAL)	L SUM	1	54,438.70	54,438.70
77	PRE-CONSTRUCTION VIDEO RECORDING	L SUM	1	3,000.00	3,000.00
78	PVC PIPE DRAINS SDR 26 ASTM D-2241, 6"	FOOT	150	40.00	6,000.00
79	LIMESTONE SCREENINGS FA-5, 2"	SQ YD	275	9.00	2,475.00
80	MANHOLE RESTRICTOR	EACH	1	1,000.00	1,000.00
81	WATER USAGE DEDUCTION	TGAL	100	-\$8.85	-\$885.00
82	WATER USAGE CREDIT	TGAL	100	\$8.85	\$885.00
83	CONTINGENCY ALLOWANCE	DOLLAR	30,000	\$1.00	\$30,000.00
84	SANITARY SEWER PIPE, PVC SDR 26 ASTM D-2241, 24"	FOOT	10	300.00	3,000.00

CONTRACTOR CERTIFICATIONS

County DuPage
Local Public Agency Village of Villa Park
Section Number N/A
Route South Michigan Avenue

The certifications hereinafter made by the bidder are each a material representation of fact upon which reliance is placed should the Department enter into the contract with the bidder.

1. **Debt Delinquency.** The bidder or contractor or subcontractor, respectively, certifies that it is not delinquent in the payment of any tax administered by the Department of Revenue unless the individual or other entity is contesting, in accordance with the procedures established by the appropriate revenue Act, its liability for the tax or the amount of tax. Making a false statement voids the contract and allows the Department to recover all amounts paid to the individual or entity under the contract in a civil action.

2. **Bid-Rigging or Bid Rotating.** The bidder or contractor or subcontractor, respectively, certifies that it is not barred from contracting with the Department by reason of a violation of either 720 ILCS 5/33E-3 or 720 ILCS 5/33E-4.

A violation of Section 33E-3 would be represented by a conviction of the crime of bid-rigging which, in addition to Class 3 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for 5 years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation.

A violation of Section 33E-4 would be represented by a conviction of the crime of bid-rotating which, in addition to Class 2 felony sentencing, provides that any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be permanently barred from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation.

3. **Bribery.** The bidder or contractor or subcontractor, respectively, certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois or any unit of local government, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent, or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm.
4. **Interim Suspension or Suspension.** The bidder or contractor or subcontractor, respectively, certifies that it is not currently under a suspension as defined in Subpart I of Title 44 Subtitle A Chapter III Part 6 of the Illinois Administrative Code. Furthermore, if suspended prior to completion of this work, the contract or contracts executed for the completion of this work may be cancelled.

SIGNATURES

County DuPage
 Local Public Agency Village of Villa Park
 Section Number N/A
 Route South Michigan Avenue

(If an individual)

Signature of Bidder _____

Business Address _____

(If a partnership)

Firm Name _____

Signed By _____

Business Address _____

Inset Names and Addressed of All Partners

} _____

(If a corporation)

Corporate Name Orange Crush LLC

Signed By James Schreind

Vice-President James Schreind's

Business Address 321 Center St.

Hillside, IL 60162

Insert Names of Officers

President Samuel S. Palumbo

Secretary Paul R. Veetch

Treasurer Samuel S. Palumbo

Attest:

Paul R. Veetch
Secretary

Paul R. Veetch

BIDDER ACKNOWLEDGES RECEIPT OF ADDENDUM 1 & 2

DATE RECEIVED: 12/6/16 + 12/9/16

BY: Chad Trea



Route South Michigan Avenue
County DuPage
Local Agency Village of Villa Park
Section N/A

RETURN WITH BID

PAPER BID BOND

WE Orange Crush, L.L.C 321 Center Street, Hillside, IL 60162 as PRINCIPAL,
and Fidelity and Deposit Company of Maryland 300 South Riverside Plaza, Ste. 2100, Chicago, IL 60606 as SURETY,

are held jointly, severally and firmly bound unto the above Local Agency (hereafter referred to as "LA") in the penal sum of 5% of the total bid price, or for the amount specified in the proposal documents in effect on the date of invitation for bids whichever is the lesser sum. We bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly pay to the LA this sum under the conditions of this instrument.

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said PRINCIPAL is submitting a written proposal to the LA acting through its awarding authority for the construction of the work designated as the above section.

THEREFORE if the proposal is accepted and a contract awarded to the PRINCIPAL by the LA for the above designated section and the PRINCIPAL shall within fifteen (15) days after award enter into a formal contract, furnish surety guaranteeing the faithful performance of the work, and furnish evidence of the required insurance coverage, all as provided in the "Standard Specifications for Road and Bridge Construction" and applicable Supplemental Specifications, then this obligation shall become void; otherwise it shall remain in full force and effect.

IN THE EVENT the LA determines the PRINCIPAL has failed to enter into a formal contract in compliance with any requirements set forth in the preceding paragraph, then the LA acting through its awarding authority shall immediately be entitled to recover the full penal sum set out above, together with all court costs, all attorney fees, and any other expense of recovery.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this 13th day of December, 2016

Principal

Orange Crush, L.L.C
(Company Name)
By: James Behrends Vice President (Signature and Title)

(Company Name)
By: (Signature and Title)

(If PRINCIPLE is a joint venture of two or more contractors, the company names, and authorized signatures of each contractor must be affixed)

Fidelity and Deposit Company of Maryland
(Name of Surety)

Surety

By: Dawn L. Morgan (Signature of Attorney-in-Fact)
Dawn L. Morgan



STATE OF Illinois
COUNTY OF DuPage

I, Alexandra Sartori, a Notary Public in and for said county, do hereby certify that James Behrends and Dawn L. Morgan

(Insert names of individuals signing on behalf of PRINCIPAL & SURETY)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instruments as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 13th day of December, 2016

My commission expires July 5, 2020

Alexandra Sartori (Notary Public)



ELECTRONIC BID

Electronic bid bond is allowed (box must be checked by LA if electronic bid bond is allowed)
The Principal may submit an electronic bid bond, in lieu of completing the above section of the Proposal Bid Bond Form. By providing an electronic bid bond ID code and signing below, the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the LA under the conditions of the bid bond as shown above. (If PRINCIPAL is a joint venture of two or more contractors, an electronic bid bond ID code, company/Bidder name title and date must be affixed for each contractor in the venture.)

Electronic Bid Bond ID Code

(Company/Bidder Name)

(Signature and Title)

Date

Bond Number Bid Bond

Obligee: Village of Villa Park

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by Michael P. Bond, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Dawn L. Morgan, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 22nd day of July, A.D. 2015.

**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

Michael P. Bond

By: *Michael P. Bond*
Vice President



Eric D. Barnes

By: *Eric D. Barnes*
Secretary



State of Maryland
County of Baltimore

On this 22nd day of July, A.D. 2015, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Michael P. Bond, Vice President and Eric D. Barnes, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn
Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 13th day of December, 2016.



Gerald F. Haley

Gerald F. Haley, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:

Zurich American Insurance Co.
Attn: Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056

List below all work you have under contract as either a prime contractor or a subcontractor. It is required to include all pending low bids not yet awarded or rejected. In a joint venture, list only that portion of the work which is the responsibility of your company. The uncompleted dollar value is to be based upon the most recent engineer's or owners estimate, and must include work subcontracted to others. If no work is contracted, show **NONE**.

Part I. Work Under Contract

	5081	16124	16113	16121		
	1	2	3	4	Awards Pending	
County and Section Number	LPC WIDE SPAN CRANWAY	2016 SSA ROADWAY IMP	PEARL STREET STATION	CIP CONTRACT A		
Contract With	BNSF RAILROAD	CLARENDON HILLS	ROSEMONT	CITY OF DESPLAINES		
Estimated Completion Date	4-30-17	05-01-16	9-01-17	5-15-17		
Total Contract Price	37,007,928.00	2,222,000.00	2,676,095.00	3,471,986.00		Accumulated Totals
Uncompleted Dollar Value If Firm Is the Prime Contractor	2,050,000.00	75,000.00	2,585,000.00	318,388.00	0.00	5,026,368.00
Uncompleted Dollar Value If Firm Is the Subcontractor						0.00
			Total Value of All Work	Total Value of All Work		5,026,368.00

Part II. Awards Pending and Uncompleted Work to be done with your own forces.

						Accumulated Totals
Earthwork	86,348.00	8,761.00	1,116,202.85	13,739.00	0.00	1,225,050.85
Portland Cement Concrete Paving	151,105.00					151,105.00
HMA Plant Mix	188,150.00	3,189.00	830,179.35	188,000.00	0.00	1,210,518.35
HMA Paving & HMA Patching	37,662.00	25,365.00		12,200.00	0.00	75,227.00
Clean & Seal Cracks/Joints						0.00
Aggregate Bases & Surfaces	37,866.00	2,830.00	284,755.58	19,545.00		344,996.58
Highway, R.R. and Waterway Structures	37,723.00					37,723.00
Drainage		0.00			0.00	0.00
Electrical						0.00
Cover and Seal Coats						0.00
Concrete Construction	61,476.93	0.00			0.00	61,476.93
Landscaping		0.00			0.00	0.00
Fencing						0.00
Guardrail						0.00
Painting						0.00
Signing						0.00
Cold Milling, Planing & Rotomilling	0.00	2,605.00		7,977.00	0.00	10,582.00
Demolition						0.00
Pavement Markings (Paint)						0.00
Other Const (List)		2,500.00				2,500.00
Traffic Control	1,920.00	4,750.00	61,065.72	7,500.00	0.00	75,235.72
Punch List						0.00
Totals	593,250.93	50,000.00	2,292,203.50	248,961.00	0.00	3,184,415.43

For each contract described in Part I, list all the work you have subcontracted to others.

	1	2	3	4	Awards Pending
Subcontractor	STALWORTH	GALAXY SEWER	DIGIOIA BROS	MAURA SEWER	
Type of Work	STEEL PILING	STORM SEWER	CONCRERE CURB	STORM SEWER	
Subcontract Price	2,184,650.00	347,457.00	268,806.00	1,769,673.00	
Amount Uncompleted	0.00	0.00	241,924.60	27,984.00	
Subcontractor	RAILWORKS	G & M CEMENT	PEREZ TREE	DIGIOIA BROS	
Type of Work	RAIL	CONC SHLD	LANDSCAPING	CONCRETE CURB	
Subcontract Price	8,245,538.86	449,229.25	60,872.00	346,963.00	
Amount Uncompleted	824,553.89	0.00	60,872.00	17,348.00	
Subcontractor	BUILDERS CONCRETE	FREDY'S LANDSCAPE		PEREZ TREE	
Type of Work	PCC FOUNDATION	LANDSCAPING		LANDSCAPING	
Subcontract Price	4,032,000.00	206,972.00		183,075.00	
Amount Uncompleted	20,160.00	25,000.00	0.00	18,075.00	
Subcontractor	RAY EDWARDS			NAFISCO	
	UNDERGROUND			SIGNS	
Subcontract Price	1,127,328.80			16,230.00	
Amount Uncompleted	0.00			4,000.00	
Subcontractor	ALLIED LANDSCAPE				
Type of Work	LANDSCAPING				
Subcontract Price	216,135.00				
Amount Uncompleted	2,161.00				
Subcontractor	LYONS/PINNER				
Type of Work	ELECTRICAL				
Subcontract Price	6,023,891.80				
Amount Uncompleted	602,389.18				
Subcontractor	DEMARR				
Type of Work	PAINT PAVT MARKING				
Subcontract Price	74,485.00				
Amount Uncompleted	7,485.00				
Total Uncompleted	1,466,749.07	25,000.00	292,796.60	67,407.00	0.00

I, being duly sworn, do hereby declare this affidavit is a true and correct statement relating to ALL uncompleted contracts of the undersigned for Federal, State, County, City and private work, including ALL subcontract work, ALL pending low bids not yet awarded or rejected and ALL estimated completion dates

Subscribed and sworn to before me

this 13th. day of December, 2016

Rosalia Godinez
 Notary Public

My commission expires: 04-21-17



Type or Print Name James Behrends, Vice-President
 Officer or Director Title

Signed *James Behrends*

Company ORANGE CRUSH, LLC.

Address 321 Center Street

Hillside, Illinois 60161 (708) 544-9440

For each contract described in Part I, list all the work you have subcontracted to others.

	5	6	7	8	PENDING
Subcontractor	JOHN NERI CONST	NONE			
Type of Work	STORM SEWER				
Subcontract Price	2,087,879.50				
Amount Uncompleted	24,000.00	0.00		0.00	0.00
Subcontractor	DIGIOIA BROS				
Type of Work	CONCRETE CURB				
Subcontract Price	534,094.00				
Amount Uncompleted	16,000.00			0.00	0.00
Subcontractor	PEREZ TREE				
Type of Work	LANDSCAPING				
Subcontract Price	231,290.00				
Amount Uncompleted	23,290.00	0.00		0.00	
Subcontractor	NAFISCO				
Type of Work	SIGNS				
Subcontract Price	13,278.00				
Amount Uncompleted	3,700.00	0.00		0.00	
Subcontractor	PINNER ELECTRIC				
Type of Work	ELECTRICAL				
Subcontract Price	27,000.00			0.00	
Amount Uncompleted	7,600.00	0.00			
Subcontractor					
Type of Work					
Subcontract Price					
Amount Uncompleted		0.00			
Subcontractor					
Type of Work					
Subcontract Price					
Amount Uncompleted					
Total Uncompleted	74,490.00	0.00	0.00	0.00	0.00

being duly sworn, do hereby declare this affidavit is a true and correct statement relating to ALL uncompleted contracts of the undersigned for Federal, State, County, City and private work, including ALL subcontract work, ALL pending low bids not yet awarded or rejected and ALL estimated completion dates

Subscribed and sworn to before me

this 13th day of December, 2016

Rosalia Godinez
Notary Public

My commission expires: 04-21-17

Type or Print Name James Behrends, Vice-President
Officer or Director Title

Signed James Behrends
Company ORANGE CRUSH, LLC.

Address 321 Center Street
Hillside, Illinois 60161 (708) 544-9440





Illinois Department of Transportation

Apprenticeship or Training Program Certification

Return with Bid

Route South Michigan Avenue
County DuPage
Local Agency Village of Villa Park
Section N/A

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:

Village of Villa Park - South Michigan Ave. Reconstruction

Illinois Department of Transportation 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. The award decision is subject to approval by the Department. 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 (1) approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training, and (2) 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 either (A) is, at the time of such bid, participating in an approved, applicable apprenticeship or training program; or (B) will, prior to commencement of performance of work pursuant to this contract, establish participation in an approved 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.

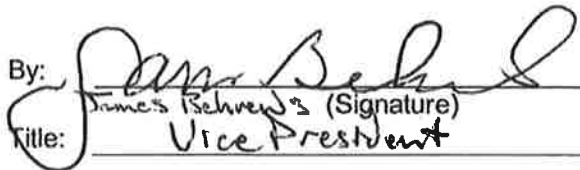
Operators Local 150
Teamsters Local 731
Laborers Local 076/096/1001/582

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.

N/A

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 Department at any time before or after award may require the production of 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. In order to fulfill the participation requirement, it shall not be necessary that any applicable program sponsor be currently taking or that it will take applications for apprenticeship, training or employment during the performance of the work of this contract or deliver and install proposal.

Bidder: Orange Crush, LLC
Address: 321 Center St.
Halsley, IL 60162

By: 
Title: James Behrens (Signature)
Vice President



Illinois Department of Transportation

Affidavit of Illinois Business Office

County DuPage
 Local Public Agency Villa Park
 Section Number N/A
 Route South Michigan Avenue

State of Illinois)
) ss.
 County of DuPage)

I, James Behrends of Villa Park, Illinois
 (Name of Affiant) (City of Affiant) (State of Affiant)

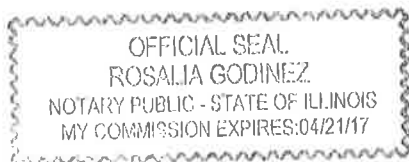
being first duly sworn upon oath, states as follows:

1. That I am the Vice President of Orange Crush, LLC
officer or position bidder
2. That I have personal knowledge of the facts herein stated.
3. That, if selected under this proposal, Orange Crush, LLC, will maintain a
(bidder)
 business office in the State of Illinois which will be located in Cook County, Illinois.
4. That this business office will serve as the primary place of employment for any persons employed in the construction contemplated by this proposal.
5. That this Affidavit is given as a requirement of state law as provided in Section 30-22(8) of the Illinois Procurement Code.

James Behrends
(Signature)
James Behrends - V.P.
(Print Name of Affiant)

This instrument was acknowledged before me on _____ day of December 12, 2016.

(SEAL)



Rosalia Godinez
(Signature of Notary Public)

Village of Villa Park
20 South Ardmore Ave
Villa Park, Illinois 60181
630-834-8500
publicworks@invillapark.com

To: All Planholders **From: Village of Villa Park**

Re: Village of Villa Park - South Michigan Avenue Reconstruction

ADDENDUM 1 **12/6/2016**

MESSAGE

*****ALL PLANHOLDERS PLEASE NOTE*****

Upon receipt of this Addendum, please **sign the requested confirmation below regardless of whether you plan to bid or not** and EMAIL to:

publicworks@invillapark.com

RECEIVED DATE:	12/6/2016
NAME:	Chad Tra
TITLE:	Project Manager
COMPANY NAME:	Orange Crush, LLC
SIGNATURE:	CT

If you do not receive all of the pages indicated above, please call the above number. This facsimile contains privileged information intended for the use of the individual named above. If the reader of the facsimile is not the intended recipient or the employee responsible for delivering it, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and return the original to us at the address above. Thank you.

Village of Villa Park
20 South Ardmore Ave
Villa Park, Illinois 60181
630-834-8500
publicworks@invillapark.com

To: All Planholders	From: Village of Villa Park
Re: Village of Villa Park - South Michigan Avenue Reconstruction	
ADDENDUM 2	12/9/2016

MESSAGE

*******ALL PLANHOLDERS PLEASE NOTE*******

Upon receipt of this Addendum, please **sign the requested confirmation below regardless of whether you plan to bid or not** and EMAIL to:

publicworks@invillapark.com

RECEIVED DATE:	12/9/2016
NAME:	Chad Tira
TITLE:	Project Manager
COMPANY NAME:	Orange Crush, LLC
SIGNATURE:	CT

If you do not receive all of the pages indicated above, please call the above number. This facsimile contains privileged information intended for the use of the individual named above. If the reader of the facsimile is not the intended recipient or the employee responsible for delivering it, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and return the original to us at the address above. Thank you.