AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Acknowledgment of Bid Award; Construction of Metal

Action Requested: Motion

Parties to the Agreement: Professional Contractors, Inc. and Gunnison County

Term Begins: 02/21/2017 **Term Ends:** 6/30/2017 **Grant Contract #:**

Summary:

Two bids were received for the metal building at the new Recycling Center.
Ridgeway Valley /Montrose $193,350.00

Fiscal Impact: $85,429.00

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
This cost was anticipated in the 2017 adopted budget. No concerns. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 2/15/2017

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 2/17/2017 Certificate of Insurance Required Yes (●) No ( )

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 2/17/2017

( ) Consent Agenda (●) Regular Agenda ( ) Worksession Time Allotted: DCM Report

Agenda Date: 2/21/2017

Revised April 2015

RIDGWAY VALLEY enterprises, inc.
COMMERCIAL CONTRACTOR

Response to Request for Proposal for:

Gunnison County Public Works Metal Storage Building

February 14, 2017

CONTRACTOR'S BID PROPOSAL

DATE: January 27, 2017

TO: Potential Contractors

Gunnison County has solicited bids for the construction of a 32' x 100' metal storage building at the new location of the Gunnison County Recycling Center, located on property adjacent to the Gunnison County Public Works Department, 195 Basin Park Drive, Gunnison, CO 81230.

Structural Notes:

A. Building Code: 2009 International Building Code.

B. Design Loads:

1. Wind – 100 mph (3 second gust)
2. Roof Snow Load – 40 pound per square foot

C. General:

1. Foundation specifications will be provided following loading requirements of the building;
2. The Administrative Land Use Change permit and approvals from the Department of Energy and the Colorado Department of Public Health and Environment will be the responsibility of Gunnison County. The Contractor will be responsible for obtaining the Gunnison County building permit;
3. Roof and wall sheeting will be 26 gauge Galvalume PBR Profile metal;
4. Two vinyl 3'x3' vinyl windows with horizontal sliders on both ends for ventilation.
5. Structural steel will be red iron components;
6. Structural materials shall meet or exceed all current codes;
7. Metal building supplier must be a member of MBMA;
8. Building must carry a one (1) year contractor's warranty;
9. A 5% Bid Bond will be required and Payment and Performance bonding will be required as presented in the Contract Agreement.

D. Foundation and Excavation:

General:

1. Based on previous investigations, there is a varying depth layer of compacted structural pit run that was placed over the entire site during the past reclamation project. Minor soils investigations have shown the material is highly compacted, well drained and adequate to accommodate building loads of 3,000psf. The seasonal ground water table should not be a factor on this building site;

2. Adequate drainage of 2° minimum shall be provided in all directions away from the foundation;
3. In light of site excavation restrictions no disturbance below 3′ of the present ground surface will be accepted.

Gunnison County will:

1. Provide all site excavation and compacted fill placement;
2. Provide engineered foundation design based on reactions supplied by the Contractor;
3. Provide radon testing during excavation;
4. Provide final grading and asphalt millings placement inside and outside of the building.

Contractor will:

1. Provide reactions for foundation design to a Colorado Registered Professional Engineer designated by the County;
2. Excavate, place compacted fill, form and pour all elements of the foundation.

Pursuant to your "Invitation to Bid" the undersigned submits the following bid:

Overall Project:

Item	Contract Item Description	Unit	Quantity	Unit Price	Amount
01	Building Construction	LS	Lump Sum	$ 193,350.00	$ 193,350.00

TOTAL BID $ 193,350.00

The date of substantial completion shall be May 1, 2017. Substantial completion is defined as the completion of all work.

The date of final completion shall be May 31, 2017, which allows the Contractor time to complete final punch list items.

The undersigned acknowledges the receipt of the following addendum

Addendum #1 - Dated 02/08/17

Any questions regarding this project should be submitted to Marlene D. Crosby at mcrosby@gunnisoncounty.org.

The undersigned agrees that this bid proposal may not be withdrawn for a period of thirty (30) days from the opening thereof. In submitting this bid proposal, it is understood that the right is reserved by Gunnison County to waive any informality in, or to reject any or all bids. If all bids exceed the allocated funds the County reserves the right to reduce the scope of the Project or reject all BIDS. The County may negotiate with the lowest responsible BIDDER to reduce the scope of work for this Project as required to conform to the funds available. Entering into negotiations does not guaranty award of the BID.

By _____

Title Katee McCollum - President

Company Ridgway Valley Enterprises, Inc.

Address 175 Merchant Drive, Montrose, CO 81401

Phone 970-249-9453

BID BOND
Recycle Storage Building

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, _____
Ridgway Valley Enterprises, Inc.
as Principal, and North American Specialty Insurance Company
held and firmly bound unto Gunnison County Public Works Department
in the penal sum of Five Percent (5%) of Total Amount Bid
for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed this 14th day of February, 2017. The condition of the above obligation is such that whereas the Principal has submitted to the **Gunnison County Public Works Department, Colorado,** a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for the **Recycle Storage Building.**

NOW, THEREFORE,

[a] If said Bid shall be rejected, or

[b] If said Bid shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a Bond for his faithful performance of said contract, and for the payment of all persons performing labor of furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said Bid, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its Bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

BID BOND
Recycle Storage Building

Ridgway Valley Enterprises, Inc. (L.S.)

Principal

By: Kathy McKee
President

North American Specialty Insurance Company

Surety

By: Christina L. Townsend

Christina L. Townsend, Attorney-in-Fact

IMPORTANT: **Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as Amended) and be authorized to transact business in the state where the project is located.**

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

TIMOTHY J. BLANCHARD, ANITA C. KELLER, BROOKE DIANA LEE BECK, TERRI L. REESE,
VICKIE GOLOBIC, ROBERT CHARLES TORREZ, JONATHAN B. LAND and CHRISTINA L. TOWNSEND

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION ($50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9th of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."

NORTH AMERICAN SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1973 NEW HAMPSHIRE

By _____
Steven P. Anderson, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company

By _____
Michael A. Ito, Senior Vice President of Washington International Insurance Company
& Senior Vice President of North American Specialty Insurance Company

WASHINGTON INTERNATIONAL INSURANCE COMPANY CORPORATE SEAL NEW HAMPSHIRE

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 28th day of September, 2015.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook ss:

On this 28th day of September, 2015, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Michael A. Ito, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.

OFFICIAL SEAL
M KENNY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12/04/2017

M. Kenny, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 14th day of February, 2017.

Jeffrey Goldberg, Vice President & Assistant Secretary of
Washington International Insurance Company & North American Specialty Insurance Company

CONTRACTOR'S BID PROPOSAL

DATE: January 27, 2017

TO: Potential Contractors

Gunnison County has solicited bids for the construction of a 32′ x 100′ metal storage building at the new location of the Gunnison County Recycling Center, located on property adjacent to the Gunnison County Public Works Department, 195 Basin Park Drive, Gunnison, CO 81230.

Structural Notes:

A. Building Code: 2009 International Building Code.

B. Design Loads:

1. Wind – 100 mph (3 second gust)
2. Roof Snow Load – 40 pound per square foot

C. General:

1. Foundation specifications will be provided following loading requirements of the building;
2. The Administrative Land Use Change permit and approvals from the Department of Energy and the Colorado Department of Public Health and Environment will be the responsibility of Gunnison County. The Contractor will be responsible for obtaining the Gunnison County building permit;
3. Roof and wall sheeting will be 26 gauge Galvalume PBR Profile metal;
4. Two vinyl 3′x3′ vinyl windows with horizontal sliders on both ends for ventilation.
5. Structural steel will be red iron components;
6. Structural materials shall meet or exceed all current codes;
7. Metal building supplier must be a member of MBMA;
8. Building must carry a one (1) year contractor's warranty;
9. A 5% Bid Bond will be required and Payment and Performance bonding will be required as presented in the Contract Agreement.

D. Foundation and Excavation:

General:

1. Based on previous investigations, there is a varying depth layer of compacted structural pit run that was placed over the entire site during the past reclamation project. Minor soils investigations have shown the material is highly compacted, well drained and adequate to accommodate building loads of 3,000psf. The seasonal ground water table should not be a factor on this building site;

2. Adequate drainage of 2° minimum shall be provided in all directions away from the foundation;
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Gunnison County will:

1. Provide all site excavation and compacted fill placement;
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4. Provide final grading and asphalt millings placement inside and outside of the building.

Contractor will:

1. Provide reactions for foundation design to a Colorado Registered Professional Engineer designated by the County;
2. Excavate, place compacted fill, form and pour all elements of the foundation.

Pursuant to your "Invitation to Bid" the undersigned submits the following bid:

Overall Project:

Item	Contract Item Description	Unit	Quantity	Unit Price	Amount
01	Building Construction	LS	Lump Sum	$85,429.00	$ 85,429.00

TOTAL BID $ 85,429.00

The date of substantial completion shall be May 1, 2017. Substantial completion is defined as the completion of all work.

The date of final completion shall be May 31, 2017, which allows the Contractor time to complete final punch list items.

The undersigned acknowledges the receipt of the following addendum

Addendum #1 [illegible]

Any questions regarding this project should be submitted to Marlene D. Crosby at mcrosby@gunnisoncounty.org.

The undersigned agrees that this bid proposal may not be withdrawn for a period of thirty (30) days from the opening thereof. In submitting this bid proposal, it is understood that the right is reserved by Gunnison County to waive any informality in, or to reject any or all bids. If all bids exceed the allocated funds the County reserves the right to reduce the scope of the Project or reject all BIDS. The County may negotiate with the lowest responsible BIDDER to reduce the scope of work for this Project as required to conform to the funds available. Entering into negotiations does not guaranty award of the BID.

By Matt Klosky

Title Owner

Company Professional Contractors Inc

Address P.O. Box 432 Gunnison, CO 81230

Phone 209-6062

Western Surety Company

BID BOND
(Percentage)

Bond Number: 71373293

KNOW ALL PERSONS BY THESE PRESENTS, That we Puchek Construction dba Professional Contractors Inc. of 125 N. Main St., Ste. B, Gunnison, CO 81230, hereinafter referred to as the Principal, and Western Surety Company, as Surety, are held and firmly bound unto Board of County Commissioners, Gunnison County, Colorado of 195 Basin Park Dr., Gunnison, CO 81230, hereinafter referred to as the Obligee, in the sum of Five (5 %) percent of the greatest amount bid, 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 Construction of a 32 Ft X 100 Ft Metal Storage Building at the New Location of the Gunnison County Recycling Center.

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 14th day of February, 2017.

Puchek Construction dba Professional Contractors Inc.
(Principal)

By _____ (Seal)

Western Surety Company
(Surety)

By CHRISTOPHER ALLEN JONES Attorney-in-Fact

WESTERN SURETY COMPANY CORPORATE SEAL SOUTH DAKOTA

Form F5876

CNA SURETY

PO Box 5077 Sioux Falls SD 57117-5077

1-800-331-6053
Fax 1-605-335-0357
www.cnasurety.com
uwservices@cnasurety.com

DATE: February 13, 2017 AGENT CODE: C5-16402

ATTENTION: Chris Jones Number of Pages: 3

RE: Bond 71873293 - Puchek Construction dba Professional Contractors Inc.

Construction of a 32 Ft X 100 Ft Metal Storage Building at the New Location of the Gunnison County Recycling Center 58

Contract Amount: $200,000.00
Company Code: 601 - Western Surety Company

Thank you for placing this business with CNA Surety.

Please execute the requested bond(s) by using the documents sent with this fax/email. Sign the bond(s) and attach a gold colored seal from your Western Surety Company kit to each bond issued.

****Please advise us of the bid results as soon as they are available. Please complete and fax/email us the following:

Contract Price: $ _____
Contract Date: _____
Next two lowest bidders: $ _____
$ _____
Was the principal the low bidder? ☐ Yes ☐ No
Do you need approval for the Performance and Payment bond at this time? ☐ Yes ☐ No

Please check your supply of gold seals periodically to ensure you have an adequate amount. To reorder gold seals, simply visit **cnasurety.com** and click on the "Order Supplies Here" icon under the Broker/Agent Services section.

**IMPORTANT NOTICE AND REMINDER: Approval of the requested Bid Bond is NOT an approval of any final or other bonds that may be requested by this principal. Further, the Bid Bond approval is limited to the contract amount approved by the underwriter. If the anticipated bid exceeds this amount, you must contact the underwriter at 800-331-6053 to inquire about specific approval before filing the bid. Failure to receive approval could result in declination of any subsequent performance and payment bond(s) requested. Furthermore, we reserve the right to decline any bond for any reason per the terms of the General Indemnity Agreement, and shall not be liable to the principal or any person or entity for such declination.

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 71873293

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint CHRISTOPHER ALLEN JONES

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Puchek Construction dba Professional Contractors Inc.

Obligee: Board of County Commissioners, Gunnison County, Colorado

Amount: $1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"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."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of May 14, 2017, but until such time shall be irrevocable and in full force and effect.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 14th day of February, 2017.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA
COUNTY OF MINNEHAHA } ss

On this 14th day of February, in the year 2017, before me, a notary public, personally appeared Paul T. Bruflat, who being to 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.

J. MOHR
NOTARY PUBLIC
SOUTH DAKOTA

Notary Public - South Dakota

My Commission Expires June 23, 2021

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 bylaws 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 seal of Western Surety Company this 14th day of February, 2017.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

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

Form F5306-1-2016