

SPONSOR: \_\_\_\_\_

## ORDINANCE NO. 71-06

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR THE WATER PLANT TELEMETRY PROJECT TO MICRO-COMM, INC., 15895 S. PFLUMM ROAD, OLATHE, KANSAS 66062, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** Council finds that Micro-Comm, Inc., 15895 S. Pflumm Road, Olathe, Kansas 66062, is the lowest responsive and responsible bidder for the City of Jackson Water Plant Telemetry Project. This contract has been lawfully advertised and bid, and the lowest responsive and responsible bids is in an amount of Sixty Four Thousand Nine Hundred and No/100 Dollars (\$ 64,900.00). Funds for this project shall be paid from line item 702-7515-54005, Utility Distribution System – Water.

**Section Two.** The Mayor or the Safety Director is hereby authorized to execute this Contract and any financing documents according to the terms of the lowest responsive and responsible bid.

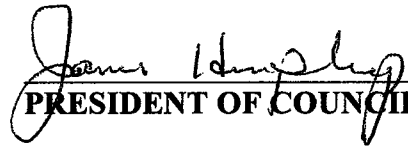
**Section Three.** This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to commence with the Water Plant Telemetry Project as soon as possible and in order to preserve the bid amount. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Four.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

**Section Five.**

This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public, all in compliance with the law.


Date: May 9, 2006

  
PRESIDENT OF COUNCIL

  
CLERK OF COUNCIL

Approved:

Date: 5/10/06

  
MAYOR

**John L. "Jack" Detty**

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**From:** Steve Benson [sbenson@jacksonohio.us]  
**Sent:** Tuesday, April 04, 2006 4:32 PM  
**To:** 'John L. "Jack" Detty'  
**Cc:** 'Shane Goodman'; gwilson@jacksonohio.us; 'Wendy'  
**Subject:** Water Plant Telemetry Bid

Jack;

We rec'd two bid today as follows;

C I Thornburg \$86,292.00

Micro-Com \$64,900.00

We need an Ord for Monday awarding the contract to Micro-Com in the amount of \$64,900.00 form Line Item 702-7515-54005 Utility Dist System-Water

We hope to have Woolpert's official recommendation letter by Monday.

Steve Benson, P.E., P.S.  
Director of Public Service  
City Engineer

4/4/2006

## ADVERTISEMENT FOR BIDS

Sealed proposals shall be received at the City of Jackson, Office of the Safety Service Director, Department of Public Service, 145 Broadway Street, City Building, Jackson, Ohio 45640 until:

**2:30 PM (Eastern Daylight Time) – April 4, 2006**

*(Insert date and time)*

Opened and read aloud immediately thereafter for furnishing all labor, materials, and equipment necessary to complete the project known as **TANK RADIO TELEMETRY SYSTEM**.

Clearly indicate on the outside of the package containing the bid proposal the project for which a bid proposal is enclosed. Bids received after the scheduled closing times for the receipt of bids will be returned unopened to the bidder. Bids will be opened at the above time and location.

All Bids shall be made in conformity with the plans and specifications obtained from the Office of the Engineer and shall be on the forms bound in the specifications and prepared as outlined in the Information for Bidders, General Conditions, and Supplementary General Conditions, and special funding agency requirements.

Plans and specifications may be obtained from Woolpert LLP, 1200 Corporate Court, Ashland, Kentucky 41102, (606) 329-1948 upon non-refundable payments of \$55.00 per set (cash or check only). Additional charges may accompany special handling or preferred courier services.

The Bidding Documents may be examined at the following locations: Woolpert LLP, 1200 Corporate Court, Ashland, Kentucky 41102; the City of Jackson, Department of Public Service, 145 Broadway Street, City Building, Jackson, Ohio 45640, and at FW Dodge plan room in Columbus, Ohio.

Each Bid shall be accompanied by a BID GUARANTY AND CONTRACT BOND as required by Section 153.571 of the Ohio Revised Code in an amount equal to the sum of the proposal, supported by a Power of Attorney for the bonding agent, a Certificate from the Department of Insurance authorizing the Surety Company to do Surety business in the State of Ohio, and a current financial statement of the Surety Company. The bond shall be on the form bound in the specifications, which bond shall be forthwith returned to the bidder in case the contract is awarded to another bidder.

In lieu of posting the Bond, a Contractor may use a Cashier's Check, Certified Check or Letter of Credit for 10% of the Bid as Bid Security. When a check or Letter of Credit is used, the Contractor will be required to post a 100% Performance Bond and a 100% Labor and Material Payment Bond, upon signing of the contract

Bids are to be sealed and addressed to the Attention of the City of Jackson, Office of the Safety Service Director, Department of Public Service, 145 Broadway Street, City Building, Jackson, Ohio 45640. If forwarded by mail, the sealed envelope containing the Bid must be enclosed in another envelope addressed as above. Bidders shall state on the outside of the Bid envelope, "**BID FOR TANK RADIO TELEMETRY SYSTEM**". Each proposal must contain the full names of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experience on projects of similar size and complexity. The owner intends and requires that this project be completed in no longer than 150 calendar days.

All Contractors and subcontractors involved with the project will, to the extent practicable use Ohio Products, materials, services, and labor in the implementation of this project. Additionally, contractor compliance with

the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

Bidders shall make special note to the following requirement regarding the use of domestic steel in all public improvements supported in whole or in part by the State of Ohio.

**"DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN SECTION 153.001 OF THE REVISED CODE APPLY TO THIS PROJECT. COPIES OF SECTION 153.001 OF THE REVISED CODE CAN BE OBTAINED FROM ANY OF THE OFFICES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES."**

Bidders must comply with the prevailing wage rates on Public Improvements in Jackson County, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division, (614) 644-2239.

Contractors and Subcontractors for this project shall at all times comply with all requirements of the Ohio Civil Rights Act, and shall, if requested by governing bodies, supply all reports or other information requested by them. The Owner reserves the right to reject any or all Bids. No bidder may withdraw his Bid for a period of sixty (60) days after the date set for the opening thereof.

BY ORDER OF  
CITY OF JACKSON, OHIO

SHANE A. GOODMAN, MAYOR

Advertise:

*Jackson County Times-Journal*

**BID FORM**

**PROJECT IDENTIFICATION:**

City of Jackson, Ohio  
Proposed Radio Telemetry System  
Jackson County, Ohio

**CONTRACT IDENTIFICATION AND NUMBER:**

Tank Radio Telemetry System

**THIS BID IS SUBMITTED TO:**

City of Jackson, Department of Public Service, 145 Broadway Street, Jackson, Ohio 45640

1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

2.01 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of OWNER.

3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of all which is hereby acknowledged.

<u>Addendum No.</u>	<u>Addendum Date</u>
_____	_____
_____	_____
_____	_____

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in paragraph 4.02 of the General Conditions, and (2) reports and drawings of a Hazardous Environmental Condition, if any, which has been identified in the Supplementary Conditions as provided in paragraph 4.06 of the General Conditions.

E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, and safety precautions and programs incident thereto.

F. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.

I. Bidder has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by ENGINEER is acceptable to Bidder.

J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

4.01 Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

**UNIT PRICE BID:**

No. ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE
1. David Avenue Tank Instrumentation and Control System Improvements Complete, In Place Including RTU, Level Transducer, Antenna, Disconnect, & Site Electrical for: Unit Price In Words  ten thousand three hundred(Dollars) and zero (Cents)	LS	1	<u>\$10,300.00</u>	<u>\$10,300.00</u>
2. Chillicothe Tower Instrumentation and Control System Improvements Complete, In Place Including RTU, Level Transducer, Antenna, Disconnect, & Site Electrical for: Unit Price In Words  ten thousand three hundred(Dollars) and zero (Cents)	LS	1	<u>\$10,300.00</u>	<u>\$10,300.00</u>
3. Apple Tower Instrumentation and Control System Improvements Complete, In Place Including RTU, Level Transducer, Antenna, Disconnect, & Site Electrical for: Unit Price In Words  ten thousand three hundred(Dollars) and zero (Cents)	LS	1	<u>\$10,300.00</u>	<u>\$10,300.00</u>



**UNIT PRICE BID:**  
(Continued...)

No. ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE
4. Holzer Tank Instrumentation and Control System Improvements Complete, In Place Including RTU, Level Transducer, Antenna, Disconnect, & Site Electrical for: Unit Price In Words  ten thousand three hundred (Dollars)  and zero (Cents)	LS	1	<u>\$10,300.00</u>	<u>\$10,300.00</u>
5. Oak Hill Tank Instrumentation and Control System Improvements Complete, In Place Including RTU, Level Transducer, Antenna, Disconnect, & Site Electrical for: Unit Price In Words  ten thousand three hundred (Dollars)  and zero (Cents)	LS	1	<u>\$10,300.00</u>	<u>\$10,300.00</u>
6. Water Treatment Plant MTU, Antenna, & Electrical Complete In Place, for: Unit Price in words  thirteen thousand four hundred (Dollars)  and zero (Cents)	LS	1	<u>\$13,400.00</u>	<u>\$13,400.00</u>
TOTAL OF ALL ESTIMATED PRICES (Items 1 through 6)			<u>(\$ 64,900.00)</u>	
Total of all Estimated Prices, Written in Words:			<u>sixty four thousand nine hundred dollars and zero cents</u>	
				Dollars

Unit Prices have been computed in accordance with paragraph 11.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

6.01 Bidder agrees that the Work will be substantially completed and completed and ready for final payment in accordance with paragraph 14.07.B of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified above, which shall be stated in the Agreement.

7.01 The following documents are attached to and made a condition of this Bid:

- A. Required Bid security in the form of a 5% Bid Bond;
- B. A tabulation of Subcontractors, Suppliers [and other] individuals and entities required to be identified in this Bid;
- C. Required bidder qualifications statement with supporting data; and
- D. (List other documents as pertinent).

8.01 The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

SUBMITTED on April 5, 20006.

State Contractor License No. N/A (If applicable)

If Bidder is:

An Individual

Name (typed or printed): \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
*(Individual's signature)*

Doing business as: \_\_\_\_\_

Business address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Partnership

Partnership Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
*(Signature of general partner -- attach evidence of authority to sign)*

Name (typed or printed): \_\_\_\_\_

Business address: \_\_\_\_\_

\_\_\_\_\_

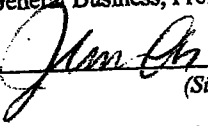
Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Corporation

Corporation Name: Micro-Comm, Inc. (SEAL)


State of Incorporation: Kansas

Type (General Business, Professional, Service, Limited Liability): General Business

By:   
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Jim Cote

Title: President (CORPORATE SEAL)

Attest  / Tim D. Ochs  
(Signature of Corporate Secretary)

Business address: 15895 S. Pflumm Rd. Olathe, KS 66062

Phone No.: 913-390-4500 FAX No.: 913-390-4550

Date of Qualification to do business is 1985



A Joint Venture

Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
*(Signature of joint venture partner -- attach evidence of authority to sign)*

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
*(Signature -- attach evidence of authority to sign)*

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Phone and FAX Number, and Address for receipt of official communications:

\_\_\_\_\_

\_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

