

# INVITATION TO BID

BID DATE: 04/12/18

PLEASE REFER TO BID NO. 2018-055

QUOTE NOT LATER THAN: 04/25/2018 BY 4:00 PM  
(EST)

TO:  
VENDOR NAME:  
ADDRESS:

CONTACT:  
TELEPHONE #:  
EMAIL:

FROM:  
PURCHASING DEPARTMENT  
COUNTY OF BERRIEN, MICHIGAN  
ADMINISTRATION CENTER  
701 MAIN STREET  
ST. JOSEPH, MICHIGAN 49085  
FAX #: 269-982-8668

**PLEASE INDICATE "BID NO. 2018-055" ON OUTSIDE OF SEALED ENVELOPE TO INSURE PROPER BID PLACEMENT. DELIVERY REQUIREMENTS: AS PER SPECIFICATIONS**

*The Berrien County Board of Commissioners reserves the right to reject any and all bids or make any deviations deemed in the best interest of Berrien County.*

Quality: All materials/services furnished must be the best of their respective kinds (unless otherwise specified) and will be subject to our inspection and approval after delivery. If materials are rejected it will be held for disposition at your risk and expense.

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	<b><u>REQUEST FOR BID ON THE FOLLOWING:</u></b>		
	2018 SPRING WEED/BRUSH GUARDRAIL SPRAYING & ROAD CRACK SPRAYING		
234,000 FEET	BRUSH SPRAYING		
2,300 FEET	ROAD CRACK SPRAYING		
	PLEASE SEE ATTACHED SPECIFICATIONS		
	<b><u>TOTAL COST OF PROJECT :</u></b>		
	<b><u>PLEASE SEND TWO (2) COPIES OF BID PROPOSAL</u></b>		

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	<p>PURSUANT TO MICHIGAN PUBLIC ACT 517 OF 2012, AN IRAN-LINKED BUSINESS IS NOT ELIGIBLE TO SUBMIT A BID FOR THIS RFP. FURTHER, <b>EACH BID SUBMISSION MUST INCLUDE WRITTEN CERTIFICATION BY THE BIDDER THAT THE BIDDER IS NOT AN IRAN LINKED BUSINESS (SEE ATTACHED FORM).</b> A BID SUBMISSION WITHOUT THE REQUIRED WRITTEN CERTIFICATION MAY BE REJECTED AS INCOMPLETE AND VIOLATIVE OF LAW. A SUSTAINED DETERMINATION BY THE COUNTY THAT A BIDDER HAS SUBMITTED A FALSE CERTIFICATION OF BEING AN IRAN LINKED BUSINESS MAY RESULT IN THE CANCELLATION OF AN EXISTING CONTRACT, A CANCELLATION OF INTENT TO ENTER INTO A NEW CONTRACT, AND/OR REPORTING OF THE BIDDER TO THE STATE ATTORNEY GENERAL, AND POSSIBLE FINES AND COSTS, AND BAR FROM FURTHER BIDDING ON COUNTY RFP'S FOR AN ADDITIONAL 3 YEARS, AS PROVIDED UNDER P.A. 517 OF 2012.</p> <p>MEMBER OF HPS (HOSPITAL PURCHASING SERVICES), STATE OF MICHIGAN MIDEAL PURCHASING PROGRAM, AND NATIONAL JOINT POWERS ALLIANCE</p> <p>ANY QUESTIONS REGARDING BID SPECIFICATIONS, PLEASE CONTACT DON GEILSER AT 269-925-1196 EXT. 4405 OR <a href="mailto:dgeisler@bcroad.org">dgeisler@bcroad.org</a></p> <p>ALL OTHER QUESTIONS REGARDING THE BID PROCESS, PLEASE CONTACT THE PURCHASING DEPT. AT 269-983-7111 EXT. 8020</p>		

*Cheri Vance*

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CHERI VANCE  
ACCOUNTING COORDINATOR  
PHONE: 269-983-7111 EXT. 8020  
([cvance@berriencounty.org](mailto:cvance@berriencounty.org))

BIDDERS NAME: \_\_\_\_\_

BIDDERS PHONE NUMBER: \_\_\_\_\_

BID DATE: \_\_\_\_\_

# **BERRIEN COUNTY ROAD DEPARTMENT**

## **PROPOSAL AND SPECIFICATION**

### **2018 SPRING WEED/BRUSH GUARDRAIL SPRAYING**

**&**

### **2018 SPRING WEED/BRUSH ROAD CRACK SPRAYING**

# BERRIEN COUNTY ROAD DEPARTMENT

## SPECIFICATION SHEET FOR 2018 SPRING ROADSIDE GUARDRAIL WEED/BRUSH SPRAYING AND ROAD CRACK WEED SPRAYING

It is the intent of the Berrien County Road Department to contract for 2018 Spring Roadside Weed/Brush Spraying and Road Crack Weed Spraying, as needed.

**SUMMARY:** The Bidder must be specifically trained and licensed through the Michigan Department of Agriculture, and be experienced in this work (5 years Minimum) spraying roadsides with herbicides in county or state levels manned with operators with at least 3 years experience.

The Contractor shall personally supervise the work or shall have a competent person at the site at all times to act for him. Bidders **MUST** be willing to address and respond to, in a timely manner, any citizen complaints regarding the program. A daily spray log must be turned in when the job is completed.

Contractor, while spraying, shall at all times exercise extreme care to prevent damage to residential plantings, vegetable or flower gardens or to any susceptible farm crops or other desirable plants adjacent to roadsides. Contractor shall have the right to shut off spray at any time he may feel the application of such spray may cause damage. Berrien County Road Department to be held harmless against any and all claims arising from operations covered above.

### SPECIFICATIONS

#### A. GENERAL SPECIFICATIONS

1. Contractor will supply all equipment, labor and materials.
2. All weed/brush spraying will be as follows:
  - A 48" wide band centered under the guardrail.
  - A 12" wide band centered on the crack between the hot asphalt pavement and concrete curb and gutter.
3. Contractors are notified to investigate and become familiar with conditions relating to the work to be performed. Failure on the part of the contractor to investigate or inspect the required work will not be grounds for additional compensation under this contract.

# **BERRIEN COUNTY ROAD DEPARTMENT**

## **B. METHOD OF TREATMENT**

All specified roadside shall be treated with one application at the proper time to insure maximum control. Spray will be applied (with hand gun only) so as to completely cover the vegetation.

## **C. MATERIALS TO BE USED**

Dupont Oust, Cyanamid Pendulum WDG, manufactured within two years of application, plus a spreader-sticker agent Miller Nu-Film-IR, plus Glyphosate 41%.

## **D. RATE OF APPLICATION**

One application of spray solution consisting of Dupont Oust 3 oz., 6.6 lbs Cyanamid Pendulum WDG, 8 oz. Miller Nu-Film IR plus 3 quarts Glyphosate (41%) in each 100 gallons of water. Contractor shall furnish a current label and MSDS for these products. Applied at a rate of 100 gal. of mixture per acre treated.

## **E. TIME OF APPLICATION**

The application shall start in early/active stage of weed growth, usually late April/early May or as approved by the Berrien County Road Department. A minimum of 10 days notice shall be given to the Berrien County Road Department in advance of beginning operations. Some flexibility for weather delays are understood, however, it is necessary to complete the spraying as efficiently and quickly as possible. The Contractor and it's employees shall be available to meet with the Berrien County Road Department in advance of the actual work in order to discuss the products and procedures to insure the safe and proper application for the program. A map of the areas to receive spray will be available for review at that meeting.

## **F. EQUIPMENT**

Contractor shall furnish, operate, and maintain suitable and adequate equipment necessary to perform above operations in an approved and workmanlike manner without hindrance or delay. Recommended equipment shall consist of: truck mounted spray unit with a liquid capacity of not less than 250 gallons. Each spray unit shall be powered by a pump of sufficient size to assure a consistent spray pattern while maintaining **CONTINUOUS GOOD MECHANICAL OR HYDRAULIC BYPASS AGITATION** under full application conditions throughout. Pressure regulation shall be flexible enough to permit easy adjustment to insure coverage at minimum risk. Berrien County Road Department reserves the right to inspect the contractor's equipment prior to beginning of the project.

## **G. BIDDING UNIT**

Bids shall be submitted on the basis of cost per lineal foot of guardrail treated and cost per lineal foot of road crack treated.

# **BERRIEN COUNTY ROAD DEPARTMENT**

## **BIDDING PROPOSAL**

### **2018 SPRING ROADSIDE BRUSH/WEED GUARDRAIL SPRAYING**

**&**

### **SPRING WEED/BRUSH ROAD CRACK SPRAYING**

The undersigned, having thoroughly familiarized himself with the work sites and the local conditions affecting the work in each case and with all the bidding documents, including the instructions and information for bidders and specification, hereby proposes to perform everything required to be performed and except as may be otherwise provided to furnish all the equipment, labor, materials, necessary tools, expendable equipment and all utility transportation services necessary to complete in a workmanlike manner all the work required to properly and adequately perform the work.

#### **GUARDRAIL WEED/BRUSH SPRAY**

Spraying on approximately 234,000 lineal feet of guardrail along primary and local roads, county wide.

FORMULA: CYANMID PENDULUM WDG 6.6 LBS., DUPONT OUST 3 OZ., PLUS 8 OZ. MILLER NU-FILM IR, PLUS 4 QTS. GLYPHOSATE PER EACH 100 GALLONS OF WATER APPLIED PER ACRE TREATED.

\$ \_\_\_\_\_ PER LINEAL FOOT OF  
GUARDRAIL TREATED

#### **ROAD CRACK SPRAYING**

Spraying on approximately 2300 lineal feet of road crack on local roads, county wide.

\$ \_\_\_\_\_ PER LINEAL FOOT OF  
ROAD CRACK TREATED

# **BERRIEN COUNTY ROAD DEPARTMENT**

## **2018 SPRING WEED/BRUSH GUARDRAIL SPRAY LIST**

1. BAINBRIDGE
2. BARODA
3. BENTON
4. BERRIEN
5. BERTRAND
6. BUCHANAN
7. CHIKAMING
8. COLOMA
9. GALIEN
10. HAGAR
11. LAKE
12. LINCOLN
13. NEW BUFFALO
14. NILES
15. ORONOKO
16. PIPESTONE
17. ROYALTON
18. SODUS
19. ST. JOSEPH
20. THREE OAKS
21. WATERVLIET
22. WEESAW

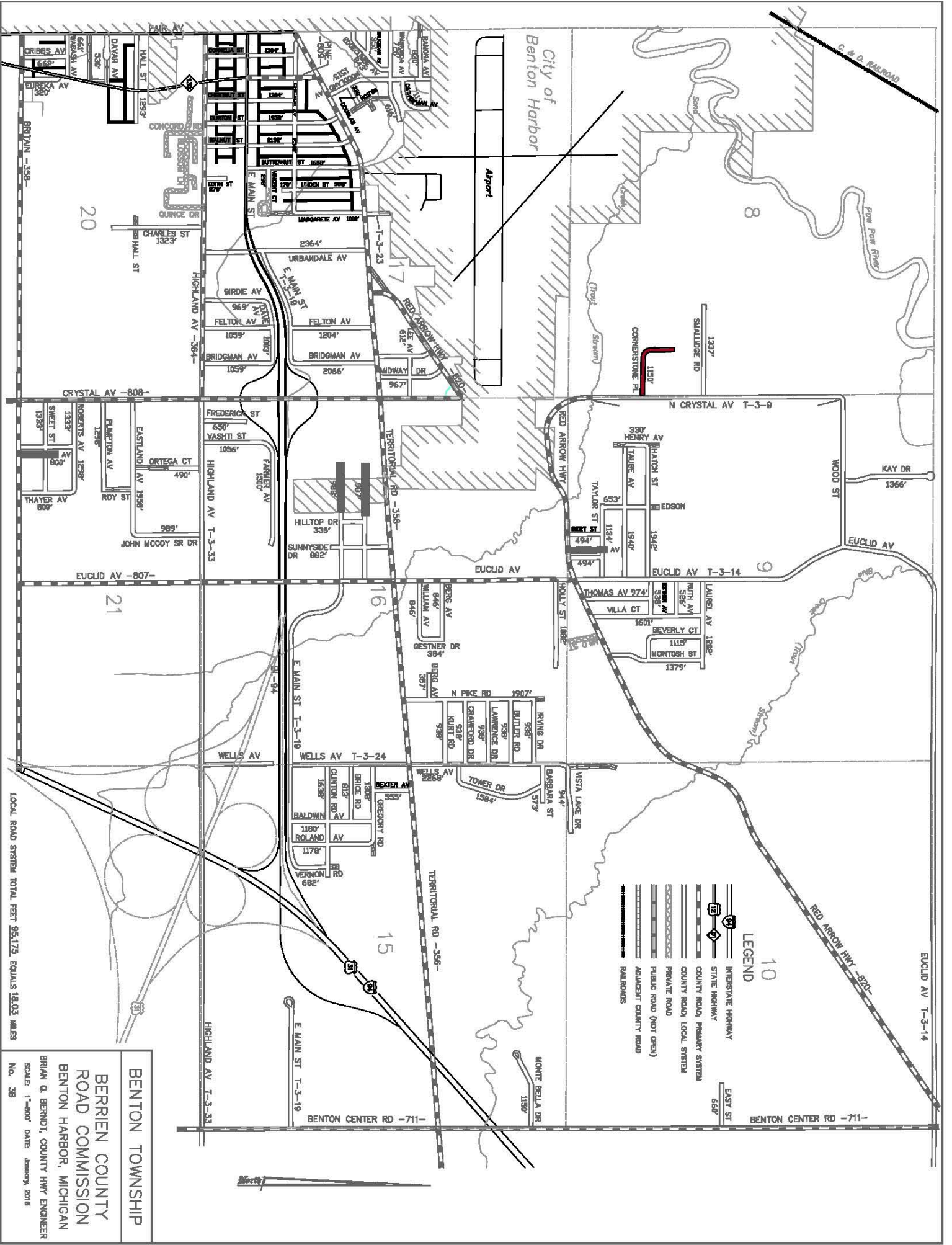
# **BERRIEN COUNTY ROAD DEPARTMENT**

## **2018 SPRING WEED/BRUSH ROAD CRACK SPRAYING**

### **BENTON TOWNSHIP**

- 1. Cornerstone Place                      2300 feet**





**BENTON TOWNSHIP**

**BERRIEN COUNTY ROAD COMMISSION**

**BENTON HARBOR, MICHIGAN**

BRIAN Q. BERNOTI, COUNTY HWY ENGINEER  
 SCALE: 1"=400' DATE: January, 2016  
 NO. 38

**10 LEGEND**

- INTERSTATE HIGHWAY
- STATE HIGHWAY
- COUNTY ROAD - PRIMARY SYSTEM
- COUNTY ROAD - LOCAL SYSTEM
- PRIVATE ROAD
- PUBLIC ROAD (NOT OPEN)
- ADJACENT COUNTY ROAD
- RAILROADS
- EASY ST  
650'

LOCAL ROAD SYSTEM TOTAL FEET 95,175 EQUALS 18.03 MILES

# BERRIEN COUNTY ROAD DEPARTMENT

## 2018 SPRING GUARDRAIL WEED/BRUSH SPRAYING

NAME AND ADDRESS OF BIDDER

SIGNED \_\_\_\_\_

NAME \_\_\_\_\_  
(Type or Print)

TITLE \_\_\_\_\_

COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

EMAIL \_\_\_\_\_

TELEPHONE \_\_\_\_\_

FAX \_\_\_\_\_

TERMS \_\_\_\_\_

DATE \_\_\_\_\_

### **\*REQUIRED TO ENTER:**

MICHIGAN COMMERCIAL PESTICIDE LICENSE NO. \_\_\_\_\_

# BERRIEN COUNTY ROAD DEPARTMENT

## HOLD HARMLESS

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the Berrien County Road Department and the Board of County Road Commissioners of the County of Berrien (hereinafter referred to as the BOARD) and \_\_\_\_\_ (hereinafter referred to as the CONTRACTOR).

Said Contractor hereby agrees to undertake the following work in the status of independent contractor performing the following operations:

**2018 SPRING WEED/BRUSH GUARDRAIL SPRAYING & 2018 SPRING WEED/BRUSH ROAD CRACK SPRAYING**

Said Contractor shall at all times exercise extreme care and shall assume any and all liability for bodily injury, death or property damage arising out of the above stated operation or by anyone else acting in concert or under the control or direction of said Contractor, and will indemnify and hold harmless the Berrien County Road Department, its Commissioners, employees, attorneys and agents for any and all claims for bodily injury, death or property damage arising out of this agreement.

It is also agreed while engaged in such operation, that the Contractor shall maintain insurance, naming the Berrien County Road Department as an additional named insured with policy limits of:

Bodily Injury and Property Damage Liability:

Each Occurrence	\$1,000,000
Aggregate	\$2,000,000

Statutory Workmen's Compensation Insurance

Additionally said Contractor shall furnish to the Board a certificate of insurance providing above requested limits.

It is also agreed if the Board is involved in any litigation arising out of said operation, that the Contractor will indemnify and hold harmless the Board for any and all legal fees or cost incurred by the Board in defense of said Board.

**WITNESSED BY:**

\_\_\_\_\_  
**Contractor**

\_\_\_\_\_

Berrien County Road Department  
**BERRIEN COUNTY ROAD DEPARTMENT**

**TITLE VI CONTRACT REQUIREMENTS**

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation, Title 49, code of Federal Regulations, Part 21 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulation, including employment practices when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the **BERRIEN COUNTY ROAD DEPARTMENT** to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State highway department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Non-compliance:** In the event of the contractor’s non-compliance with the non-discrimination provisions of this contract, the **BERRIEN COUNTY ROAD DEPARTMENT** shall impose such contract sanctions as it or the Federal

Highway Administration may determine to be appropriate, including, but not limited to:

## BERRIEN COUNTY ROAD DEPARTMENT

### TITLE VI – Page 2

- (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) Cancellation, termination or suspension of the contract, in whole or in part.

**6. Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the **BERRIEN COUNTY ROAD DEPARTMENT** may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the **BERRIEN COUNTY ROAD DEPARTMENT** to enter into such litigation to protect the interests of the County, and, in addition, the contractor may request the State highway department to enter into such litigation to protect the interests of the State and/or the United States to enter into such litigation to protect the interests of the United States.

# **BERRIEN COUNTY ROAD DEPARTMENT**

## **TITLE VI**

“The Berrien County Road Department, in accordance with Title VI of Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 an Title 49, Code of Federal Regulations, Department of Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of gender, disability, race, color, or national origin in consideration for an award”.

**SWORN AND NOTARIZED AFFIDAVIT OF COMPLIANCE  
IRAN ECONOMIC SANCTIONS ACT  
Michigan Public Act No. 517 of 2012**

All bidders must submit the following certification statement in compliance with Public Act No.517 of 2012 (the "Iran Economic Sanctions Act") and attach this form to the bid. **The County of Berrien shall not accept a bid that does not include this sworn and notarized certification statement.** This form must be completed in its entirety.

The undersigned, the owner or authorized officer of \_\_\_\_\_ (the "Bidder"), pursuant to the compliance certification requirement provided in the County of Berrien Request for Proposal, hereby certifies, represents and warrants that the Bidder (including its officers, directors and employees) is not an "Iran linked business" within the meaning of the Iran Economic Sanctions Act, and that in the event the Bidder is awarded a contract as a result of the aforementioned Request for Proposal, the Bidder will not become an "Iran linked business" at any time during the course of performing the work or any services under the contract.

The Bidder further acknowledges that any person who is found to have submitted a false certification is responsible for a civil penalty of not more than \$250,000.00 or 2 times the amount of the contract or proposed contract for which the false certification is made, whichever is greater, the cost of the County of Berrien’s investigation, and reasonable attorney fees, in addition to the fine. Moreover, any person who submitted a false certification shall be ineligible to bid on a request for proposal for three (3) years from the date it is determined that the person has submitted the false certification.

**BIDDER:**

\_\_\_\_\_  
Name of Bidder

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
  )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

\_\_\_\_\_ County, \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Acting in the County of: \_\_\_\_\_