



# COMMISSION ORDER

STATE OF MISSOURI }  
County of Franklin } ss.

Tuesday, July 18, 2023  
Bid Award

**IN THE MATTER OF AWARDING THE BID FOR "HOT MIX OVERLAY-KOHL CITY RD, GROB RD, GRAY SUMMIT HILLS SUBD." TO N.B. WEST CONTRACTING COMPANY**

**WHEREAS**, a Public Notice to Bidders asking for sealed bids for "Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd." was published in the Washington Missourian June 07, 2023 edition for receipt by June 27, 2023; and

**WHEREAS**, two (2) bids were received from N.B. West Contracting Company and Pace Construction Company, LLC.; and

**WHEREAS**, after due deliberation and consideration, it is the recommendation of the Franklin County Purchasing Department that the contract for "Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd." be awarded to the lowest and most responsive bidder, N.B. West Contracting Company; and

**WHEREAS**, the Franklin County Commission hereby finds and determines it is in the best interest of Franklin County to award the bid for "Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd." to N.B. West Contracting Company for the total cost not to exceed \$897,185.00.


**IT IS THEREFORE ORDERED** by the Franklin County Commission that the contract for "Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd." be and is hereby awarded to N.B. West Contracting Company.

**IT IS FURTHER ORDERED** that the Presiding Commissioner, Tim Brinker, is authorized to execute any and all documents as may be necessary or desirable to carry out and comply with the intent of this Order, for and on behalf of the County of Franklin, Missouri.

**IT IS FURTHER ORDERED** that a copy of this Order be provided to N.B. West Contracting Company; Jim Grutsch, Highway Administrator; Michelle Patke, Highway Department; Shakara Bray, Purchasing Director; Meagan Johnson, Purchasing Agent; Lynne Maloney, Accounts Payable; and to Angela Gibson, Auditor.

I hereby certify that there is a balance otherwise unencumbered to the credit of the current year appropriation to which this order is chargeable and a cash balance otherwise unencumbered in the treasury to the credit of the fund which payment is to be made, each sufficient to meet this obligation.

Auditor Angela Gibson 7/24/23  
Act. 200-901-697.200

  
Presiding Commissioner

  
Commissioner of 1<sup>st</sup> District

  
Commissioner of 2<sup>nd</sup> District

# **FRANKLIN COUNTY**

## **PURCHASING DEPARTMENT**

400 EAST LOCUST STREET, RM 004  
UNION, MO 63084  
636-584-6274



July 6, 2023

Tim Brinker, Presiding Commissioner  
Todd Boland, 1<sup>st</sup> District Commissioner  
Dave Hinson, 2<sup>nd</sup> District Commissioner

RE: 2023-16 Hot Mix Overlay Kohl City Road, Grob Road, Gray Summit Hills

Dear Commissioners,

On June 27, 2023 the Purchasing Department received and opened two bids. The publication date of the solicitation was June 7, 2023. The responses were from NB West & Pace Construction Company, LLC. Following review, the Purchasing Department hereby submits recommendation for awarding to NB West as they are the lowest and most responsive.

Respectfully,

A handwritten signature in blue ink that reads "Shakara Bray". The signature is written in a cursive style.

Shakara Bray,  
Purchasing Agent, Franklin County Missouri

## 2023-16 Hot Mix Tab Sheet

Bidder	Total Project Cost:
NB West	\$897,185.00
Pace Construction Company, LLC.	\$995,777.00



ORIGINAL



**FRANKLIN COUNTY  
PURCHASING DEPARTMENT  
REQUEST FOR BID (RFB) COVER PAGE**

RFB NO: 2023-16

TITLE: Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd.

Solicitation Schedule & Deadlines:

June 7, 2023	Solicitation Release/Advertising Date
June 14, 2023 2:00PM	Deadline for Submitting Questions
June 16, 2023 4:30 pm	Deadline to post Addendum
June 27, 2023 2:00 pm	Deadline to Submit Response
June 27, 2023 2:30 pm	Opening Date   Time

Responses must be received no later than "Deadline to Submit Response"

June 27, 2023 2:00PM

Shakara Bray, Purchasing Agent

Meagan Cowsert, Assistant Purchasing Agent

Phone: 636-584-6274 Email: [purchasing@franklinmo.gov](mailto:purchasing@franklinmo.gov)

Submittal Instructions: Print this Packet in its entirety and complete all pages per instructions. Print the SEALED RESPONSE LABEL found in Attachment 1 of this packet and attach to the front of your envelope.

Company Name: NB West

## CONTRACTUAL TERMS AND CONDITIONS ACKNOWLEDGEMENT

The undersigned Vendor/Contractor has read, understood, and accepted the Terms and Conditions as published on the Franklin County Official Website located at:

<http://www.franklinmo.org>

All terms and conditions as stated shall be adhered to by Vendor/Contractor upon acceptance of contract. Vendor/Contractor enters into this agreement voluntarily, with full knowledge of its effect.

NB West



Vendor/Contractor Signature

6-27-23

Date

NB West

DAVE LARAMORE Project Manager

Vendor/Contractor Name and Title

## PRICING FORM

### 2023-16 Hot Mix Overlay-Kohl City Rd, Grob Rd, Gray Summit Hills Subd.

#### REQUIRED PRICING

The bidder shall complete the following pricing table and provide firm, fixed pricing necessary to meet the mandatory requirements of the IFB.

Company: NB West

Item	Description	Quantity	Units	Unit Price	Item Total
1	Tack Coat	6,500	GA	<u>3.10</u>	<u>20,150.00</u>
2	Bituminous Pavement	8,400	TN	<u>93.70</u>	<u>787,080.00</u>
3	Millings Gutterline Gray Summit Hills Subd.	9,700	SY	<u>3.55</u>	<u>34,435.00</u>
4	Milling :Butt Joints	1,000	SY	<u>11.50</u>	<u>11,500.00</u>
4	Pavement Marking	41,000	LF	<u>0.25</u>	<u>10,250.00</u>
5	Traffic Control	1.0	LS	<u>19,120.00</u>	<u>19,120.00</u>
6	Mobilization	1.0	LS	<u>14,650.00</u>	<u>14,650.00</u>
Base Project Total:				\$	<u>897,185.00</u>

Pricing form cont.

Signature: Dave Laramore

Printed Name: DAVE LARAMORE

Printed Title: PROJECT MANAGER

Address: 18637 OLD HWY 66, PACIFIC, MO. 63069

Business Phone: 314-962-3145 Cell Phone: 314-803-7229

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

d/laramore@nbwest.com

Franklin County reserves the right to request supporting documentation for the proposed pricing. In addition, it may be necessary to evaluate the bidder's expertise and experience in order to award a bid. Franklin County reserves the right to request reference information and/or proof of expertise if necessary. *Franklin County reserves the right to request supporting documentation for the proposed pricing. In addition, it may be necessary to evaluate the bidder's expertise and experience in order to award a bid. Franklin County reserves the right to request reference information and/or proof of expertise if necessary.*



AFFIDAVIT OF WORK AUTHORIZATION

The grantee, sub grantee, contractor or subcontractor who meets the section 285.525, RSMo definition of a business entity must complete and return the following Affidavit of Work Authorization.

Comes now Dave Laramore (Name of Business Entity Authorized Representative)  
as Project Manager (Position/Title)

first being duly sworn on my oath, affirm NB West (Business Entity Name) is enrolled and will continue to participate in the E-Verify Federal Work Authorization program with respect to employees hired after enrollment in the program who are proposed to work in connection with the services related to Hot mix overlay (Bid/Grant/Subgrant/Contract/Subcontract) for the duration of the grant, subgrant, contractor, or subcontractor, if awarded in accordance with subsection 2 of section 285.530, RSMo. I also affirm that NB West (Business Entity Name)

does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services related to Hot mix overlay (Bid/Grant/Subgrant/Contract/Subcontract) for the duration of the grant, subgrant, contract, or subcontract, if awarded.

*In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)*

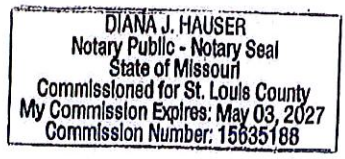
Dave Laramore Dave Laramore  
Authorized Representative's Signature Printed Name

Project Manager 6-27-23  
Title Date

Subscribed and sworn to before me this 27<sup>th</sup> of June 2023. I am  
Day Month, Year

commissioned as a notary public within the County of Saint Louis, State of  
MO and my commission expires on Date 5/31/2027

[Signature] 6/27/2023  
Signature of Notary Date





**AFFIDAVIT OF WORK AUTHORIZATION**

(Continued)

**CURRENT BUSINESS ENTITY STATUS**

I certify that NB West (Business Entity Name) **MEETS** the definition of a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo as stated above.

<u>Dave Laenmore</u> Authorized Business Entity Representative's Name (Please Print)	<u>Dave Laenmore</u> Authorized Business Entity Representative's Signature
<u>NB West</u> Business Entity Name	<u>6-27-23</u> Date

As a business entity, the grantee, sub grantee, contractor, or subcontractor must perform/provide the following. The grantee, sub grantee, contractor, or subcontractor shall check each to verify completion/submission:

- Enroll and participate in the E-Verify Federal Work Authorization Program (Website: <http://www.dhs.gov/e-verify>; Phone: 888-464-4218 Email: [e-verify@dhs.gov](mailto:e-verify@dhs.gov)) with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required herein;

AND

- Provide documentation affirming said company's/individual's enrollment and participation in the E-Verify Federal Work Authorization Program. Documentation shall include a page from the E-Verify Memorandum of Understanding (MOU) listing the grantee's, subgrantee's, contractors, or subcontractor's name and the MOU signature page completed and signed, at minimum, by the grantee, subgrantee, contractor, or subcontractor and the Department of Homeland Security – Verification Division; (if the signature page of the MOU lists the grantee's, subgrantee's, contractor's, or subcontractor's name, then no additional pages of the MOU must be submitted).



# Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)  
N.B. West Contracting Company  
18637 US Highway 66  
Pacific, MO 63069

### SURETY:

(Name, legal status and principal place of business)  
Liberty Mutual Insurance Company  
175 Berkeley Street  
Boston, MA 02116

### OWNER:

(Name, legal status and address)  
Franklin County, MO  
400 East Locust Street  
Union, MO 63084

### Mailing Address for Notices

Liberty Mutual Insurance Company  
Attention: Surety Claims Department  
1001 4th Avenue, Suite 1700  
Seattle, WA 98154

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

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

**BOND AMOUNT:** 5% of Bid Amount Five Percent of Bid Amount

### PROJECT:

(Name, location or address, and Project number, if any)  
Hot Mix Overlay - Kohl City Road, Grob Road, Gray Summit Subdivision

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 27th day of June, 2023

\_\_\_\_\_  
(Witness)

N.B. West Contracting Company  
\_\_\_\_\_  
(Principal) (Seal)

\_\_\_\_\_  
(Title) Project Manager

\_\_\_\_\_  
(Witness)

Liberty Mutual Insurance Company  
\_\_\_\_\_  
(Surety)

\_\_\_\_\_  
(Title) Katherine M. Schwartz, Attorney-in-Fact





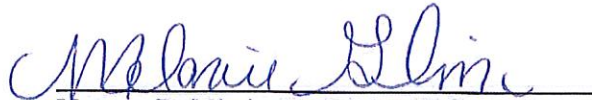
**ACKNOWLEDGMENT BY SURETY**

**STATE OF MISSOURI**

County of St. Louis

On this 27th day of June, 2023 before me personally appeared  
Katherine M. Schwartz known to me to be the Attorney - In - Fact of  
Liberty Mutual Insurance Company, the corporation that executed the within  
instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,  
at my office in the aforesaid County, and the day and year in this certificate first  
above written.

  
Notary Public in the State of Missouri  
County of St. Louis

09-04-2025  
My Commission Expires:





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8207339-969422

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Allyson Schulz, Chase H. Butler, Jeffery A. Mentel, Jessica Gryder, Katherine M. Schwartz

all of the city of Saint Louis state of MO each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 14th day of February, 2022.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

State of PENNSYLVANIA
County of MONTGOMERY

On this 14th day of February, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes herein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 27th day of June, 2023.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary



# COMMISSION ORDER PRECERTIFICATION FORM

Please return this completed form to the Purchasing Department to make a request for solicitation, contract, or contract renewal for the expenditure of funds.

Date: 7/16/2023

Official/Appointed Requestor: Meagan Cowser

Name of item/service requesting: Awarding RFB 2023-116  
Hot Mix Overlay Mohl City Road, Grob Road,  
Gray Summit Hills to NB West.  
(Proposed specifications/contract documents/quotes should be attached to form)

Budget Information: List the account(s) and estimated amount(s) used to make the purchase.

Account	Estimated Amount
_____	<u>\$897,185.00</u>
_____	_____
_____	_____

Auditor approval of funds: \_\_\_\_\_ Date: \_\_\_\_\_

Purchasing Director approval: Shakia Bly Date: 7/16/23

Circle One: Solicitation    New Contract    Renew Existing    Signature

Attached solicitation information and no: RFB 2023-116

Previous Commission Order number if applicable: \_\_\_\_\_

Cooperative Agreement Number/Information: \_\_\_\_\_

Notes: \_\_\_\_\_

Date of Agenda for Commission approval: \_\_\_\_\_

(Attached is all corresponding information; signed contract, awarding vendor, required documents.)