

Clerk's Contract and Agreement Cover Page

Year: 2010

Legistar File ID#: 2010-0111

Multi Year:

Amount \$100,000.00

Contract Type:

Addendum

Contractor's Name:

Plotke Asphalt

Contractor's AKA:

Execution Date:

3/30/2010

Termination Date:

12/31/2010

Renewal Date:

12/31/2010

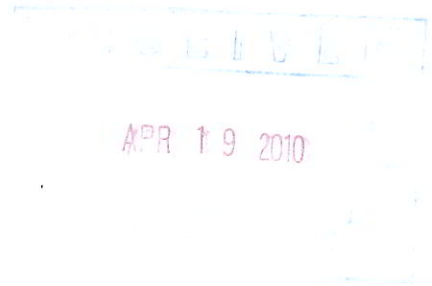
Department:

Public Works/Streets

Originating Person:

Tom Martin

Contract Description: Annual Pavement Crack Filling/Sealing Program - 2010



MAYOR
Daniel J. McLaughlin

VILLAGE CLERK
David P. Maher

14700 S. Ravinia Ave.
Orland Park, IL 60462
(708) 403-6100



VILLAGE HALL

TRUSTEES
Bernard A. Murphy
Kathleen M. Fenton
Brad S. O'Halloran
James V. Dodge
Edward G. Schussler III
Patricia Gira

April 19, 2010

Mr. John Plotke
Plotke Asphalt, Inc.
128 S. Harris Drive
Rockdale, Illinois 60436

RE: NOTICE TO PROCEED
Pavement Crack Filling and Sealing 2010

Dear Mr. Plotke:

For your records, I have enclosed one (1) original executed addendum dated March 30, 2010, which extends the term of the contract dated November 30, 2005 to December 31, 2010.

Please contact Tom Martin at 708-403-6103 or Ed Wilmes at 708-403-6357 to arrange the commencement of the work.

The Village will be processing a Purchase Order for this contract/service and it will be faxed to your company. It is imperative that this number on the Purchase Order be noted on all invoices, correspondence, etc. All invoices should be sent directly to the Accounts Payable Department at 14700 S. Ravinia Ave. Orland Park, IL 60462. Also, your final invoice for this contract/service should state that it is the final invoice pertaining to that Purchase Order.

If you have any questions, please call me at 708-403-6173.

Sincerely,


Denise Domalewski
Contract Administrator

cc: Tom Martin
Ed Wilmes

MAYOR
Daniel J. McLaughlin

VILLAGE CLERK
David P. Maher

14700 S. Ravinia Ave.
Orland Park, IL 60462
(708) 403-6100



VILLAGE HALL

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Bernard A. Murphy
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Edward G. Schussler III
Patricia Gira

March 29, 2010

Mr. John Plotke, President
Plotke Asphalt Inc.
128 S. Harris Drive
Rockdale, Illinois 60436

RE: NOTICE OF AWARD FOR PAVEMENT CRACK FILLING AND SEALING ADDENDUM 2010

Dear Mr. Plotke:

This notification is to inform you that on March 15, 2010, the Village of Orland Park Board of Trustees approved awarding Plotke Asphalt Inc. the extension of the Pavement Crack Filing and Sealing of Village roadways contract dated November 30, 2005 in the amount of \$0.40 per Linear Foot for fiscal year 2010.

Enclosed is the Addendum 2010 to the Agreement for Pavement Crack Filling and Sealing. Please sign two (2) copies and return them both directly to me. I will obtain signatures to fully execute the Addendum and one original executed Addendum will be returned to you. We will apply all the certifications that were signed in 2008 to this addendum.

Please deliver this information directly to me, Denise Domalewski, Contract Administrator, at Village Hall located at 14700 S. Ravinia Ave., Orland Park, IL 60462. The signed addendum is required to be in place and received at my office prior to the commencement of work on this project. You will be issued a *Notice to Proceed* letter and a purchase order when you are in full compliance with this process. Failure to comply with these conditions within the time specified will entitle the Village to consider your proposal abandoned and to annul this Notice of Award. If you have any questions, please do not hesitate to call me at 708-403-6173 or e-mail me at ddomalewski@orland-park.il.us.

Sincerely,
Denise Domalewski 
Contract Administrator

cc: Tom Martin

**ADDENDUM 2010 TO
"PAVEMENT CRACK FILLING AND SEALING AGREEMENT"
DATED NOVEMBER 30, 2005
BETWEEN THE VILLAGE OF ORLAND PARK, ILLINOIS
("VILLAGE") AND PLOTKE ASPHALT INC. ("CONTRACTOR")**

1. In the event of any conflict or inconsistency between the provisions of this Addendum and the Agreement, the provisions of this Addendum shall control.
2. In **SECTION 4: TERM OF THE CONTRACT**, of said Agreement, the sentence "The CONTRACTOR shall commence the WORK of this Contract upon receipt of a Notice to Proceed and shall complete performance of the WORK of this Contract by September 1, 2006 (hereinafter referred to as the "CONTRACT TIME.")" shall be stricken and replaced with the following sentence "The CONTRACTOR shall commence the WORK of this Contract upon receipt of a Notice to Proceed and shall complete performance of the WORK of this Contract by December 31, 2010 (hereinafter referred to as the "CONTRACT TIME")."
3. This addendum overrides all previously written addenda.
4. All of the other terms, covenants, representations and conditions of said Agreement, not deleted or amended herein shall remain in full force and effect during the effective term of said Agreement.
5. This Addendum may be executed in two or more counterparts, each of which taken together, shall constitute one and the same instrument.

This Addendum, made and entered into effective the 30th day of March, 2010, shall be attached to and form a part of the Agreement and shall take effect upon signature below by duly authorized agents of both parties.

AGREED AND ACCEPTED

FOR: THE VILLAGE

By: _____

Print Name: _____

Its: _____

Date: _____

Village Manager

4/17/10

PAUL G. GRIMES

FOR: THE CONTRACTOR

By: _____

Print Name: _____

Its: _____

Date: _____

John Plotke

John Plotke

President

4-7-10

128 S. Harris
Rockdale, IL 60436



(815) 741-8900
Fax (815) 741-8921

PROPOSAL AND ACCEPTANCE

DATE: FEB. 24, 2010

VILLAGE OF ORLAND PARK
PUBLIC WORKS DEPT.
15655 S. RAVINIA AVE.
ORLAND PARK, IL. 60462

ATT: TOM MARTIN

PHONE: 708-403-6350 708-403-8798 FAX

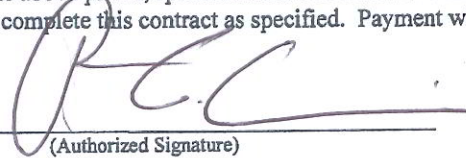
DESCRIPTION OF WORK TO BE PERFORMED:

PLOTKE ASPHALT WILL KEEP ALL PRICING FOR CRACKFILL THE SAME FOR THE 2010 SEASON. (\$.40 PER LIN. FT) WE LOOK FORWARD TO WORKING FOR YOU IN THE UP COMING YEAR.

ALL MATERIAL WILL BE PROVIDED AS STATED ABOVE. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. THE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. PLOTKE ASPHALT INC. TO CARRY WORKMAN'S COMPENSATION AND LIABILITY INSURANCE UNLESS OTHERWISE STATED. IT IS MUTUALLY AGREED THAT ALL MATERIALS FURNISHED HERE UNDER SHALL REMAIN THE PROPERTY OF PLOTKE ASPHALT INC. UNTIL ALL PAYMENTS HAVE BEEN PAID IN FULL AND THAT PLOTKE ASPHALT INC. MAY REGAIN POSSESSION THEREOF WITHOUT NOTICE TO PURCHASER. OWNER/GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL COLLECTION, ATTORNEY, COURT AND LIEN COSTS TO SATISFY CONTRACT AMOUNT. A 1 1/2% FINANCE CHARGE WILL BE ASSESSED 7 DAYS AFTER THE COMPLETION DATE. YOU ARE AUTHORIZED TO COMPLETE THIS CONTRACT AS SPECIFIED. ALL PERMITS/FEEES ARE RESPONSIBILITY OF OWNER.

Payments will be made as follows: Total balance due the day the work is completed.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to complete this contract as specified. Payment will be made as outlined above.



(Authorized Signature)



(Date of Acceptance)

PLEASE SIGN AND RETURN ONE COPY

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/20/2009

PRODUCER Phone: 630-324-2500 Fax: 630-324-2501
Willis
233 South Wacker Drive Suite 2000
Chicago IL 60606

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Selective Ins. Co. of SC	19259
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
Plotke Asphalt, Inc.
128 S. Harris Drive
Rockdale IL 60436

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	S191158900	10/1/2009	10/1/2010	EACH OCCURRENCE	\$ 1,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
						MED EXP (Any one person)	\$ 10,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 3,000,000
						PRODUCTS - COMP/OP AGG	\$ 3,000,000
A	X	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	S191158900	10/1/2009	10/1/2010	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
A		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	S191158900	10/1/2009	10/1/2010	EACH OCCURRENCE	\$ 1,000,000
						AGGREGATE	\$ 1,000,000
							\$
							\$
							\$
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC796679100	10/1/2009	10/1/2010	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	\$ 500,000
						E.L. DISEASE - EA EMPLOYEE	\$ 500,000
						E.L. DISEASE - POLICY LIMIT	\$ 500,000
A		OTHER Building Personal Property Business Income	S191158900	10/1/2009	10/1/2010		390,000 17,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Contractor Equipment Total \$58,772, Leased/rental/unschedule equipment \$14,500
Re: Pavement Crack Filing. It is agreed the following are Primary Additional Insured on the General Liability with respect to operations performed by the Named Insured, subject to policy terms and conditions. Village of Orland Park, and their respective Pfficers, trustees, directors employees and agents. Waiver of Subrogation applies to General Liability.

CERTIFICATE HOLDER

Village of Orland Park
14700 Ravinia Ave.
Orland Park IL 60452

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <30> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Sharon Shannon

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.



VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Master

File Number: 2010-0111

File ID: 2010-0111	Type: MOTION	Status: PASSED
Version: 1	Reference:	Controlling Body: Board of Trustees
Department: Public Works Department	Cost:	File Created Date : 03/03/2010
Agenda Entry: Annual Pavement Crack Filling/Sealing Program - Extend Contract		Final Action: 03/15/2010
Title: Annual Pavement Crack Filling/Sealing Program - Extend Contract		

Notes:

Code Sections:	Agenda Date: 03/15/2010
Indexes:	Agenda Number:
Sponsors:	Res/Ord Date:
Attachments:	Res/Ord Number:
Drafter:	Hearing Date:
Department: publicworks@orland-park.il.us	Effective Date:
Contact:	

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
0	Public Works Department	03/03/2010	INTRODUCED TO COMMITTEE	Public Works and Engineering Committee			
	Action Text: INTRODUCED TO COMMITTEE to the Public Works and Engineering Committee						
0	Public Works and Engineering Committee	03/08/2010	RECOMMENDED FOR APPROVAL	Board of Trustees			Pass
	Action Text: A motion was made by Trustee Edward Schussler, seconded by Trustee Kathleen Fenton, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion CARRIED by the following vote:						
	Notes: <i>Director Wilmes reported that the Public Works Department would like to continue the Pavement Crack Filling/Sealing Program for the upcoming year. The Village started this program seven years ago and, for the most part, the program has been very well received. There have been almost no resident complaints and little to no failures of the sealant system that has been put in place. The program has been very beneficial in maintaining and extending pavement integrity by reducing the amount of water infiltrating the pavement. Staff has been informed by last year's contractor (Plotke Asphalt Inc. of Rockdale, Illinois) that they will be holding their costs for the 2010 budget year. Staff has been very pleased with the work that they have performed.</i>						
	Aye: 3 Chairman Murphy, Trustee Fenton, and Trustee Schussler						
	Nay: 0						
1	Public Works Department	03/10/2010	INTRODUCED TO BOARD	Board of Trustees			

Action Text: INTRODUCED TO BOARD to the Board of Trustees
1 Board of Trustees 03/15/2010 APPROVED Pass

Action Text: This matter was APPROVED on the Consent Agenda.

Notes: *The Public Works Department would like to continue the Pavement Crack Filling/Sealing Program for the upcoming year. The Village started this program seven years ago and, for the most part, the program has been very well received. There have been almost no resident complaints and little to no failures of the sealant system that has been put in place. The program has been very beneficial in maintaining and extending pavement integrity by reducing the amount of water infiltrating the pavement. Staff has been informed by last year's contractor (Plotke Asphalt Inc. of Rockdale, Illinois) that they will be holding their costs for the 2010 budget year. Staff has been very pleased with the work that they have performed.*

Aye: 5 Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, and Trustee Gira

Nay: 0

Absent: 2 Trustee Schussler, and Village President McLaughlin

Text of Legislative File 2010-0111

..Title

Annual Pavement Crack Filling/Sealing Program - Extend Contract

History

The Public Works Department would like to continue the Pavement Crack Filling/Sealing Program for the upcoming year. The Village started this program seven years ago and, for the most part, the program has been very well received. There have been almost no resident complaints and little to no failures of the sealant system that has been put in place. The program has been very beneficial in maintaining and extending pavement integrity by reducing the amount of water infiltrating the pavement. Staff has been informed by last year's contractor (Plotke Asphalt Inc. of Rockdale, Illinois) that they will be holding their costs for the 2010 budget year. Staff has been very pleased with the work that they have performed.

On March 8, 2010, this item was reviewed and approved by the Public Works and Engineering Committee and referred to the Board for approval.

INFORMATION PREVIOUSLY PROVIDED AS PART OF THE MARCH 8, 2010, PUBLIC WORKS AND ENGINEERING COMMITTEE PACKET.

Financial Impact

The Public Works 2010 Fiscal Year Budget has a Board approved line item (054-0000-499.71-25) in the amount of \$100,000 for Pavement Crack Filling/Sealing.

Recommended Action/Motion

I move to approve extending the contract with Plotke Asphalt Inc. of Rockdale, Illinois, for the Pavement Crack Filling/Sealing for the 2010 fiscal year for a cost not to exceed \$.40 per linear foot and a total cost not to exceed \$100,000.

And

Approve authorizing the Village Manager to execute the proposal/contract.