

d) **Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – Transit Mixed Concrete**

Resolution #2019-04-042-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Transit Mixed Concrete with an option to renew for one (1) additional year to the sole bidder meeting specifications, *Superior Materials, LLC of Farmington Hills, MI*, to be ordered on as needed basis and not to exceed budgetary limitations as per the unit prices contained in the bid tabulation opened April 4, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, contract to expire April 30, 2021.

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid documents, insurance certificates and all other specified requirements.

# BLANKET ORDER

Ship To

CITY OF TROY  
Streets  
4693 ROCHESTER ROAD  
TROY, MI 48085

Bill To

CITY OF TROY  
Streets  
4693 ROCHESTER ROAD  
TROY, MI 48085

No. 2019-00001313  
DATE: 04/29/2019  
PAGE: 1 of 1  
FOB DESTINATION

VENDOR NO. 123132

Vendor

SUPERIOR MATERIALS, INC.  
30701 W. 10 MILE ROAD, SUITE 500  
FARMINGTON HILLS, MI 48333

EXPIRATION DATE  
04/30/2020  
COUNCIL RESOLUTION  
2019-04-042-J-4d

QUANTITIES ARE ESTIMATED AND WILL BE ORDERED AS NEEDED

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	Lump Sum	Transit Mix Concrete CONTRACT to furnish ONE (1) year Requirements of Transit Mix Concrete with an option to renew for ONE (1) additional year in accordance with all bid specifications of ITB-COT 19-24 at the prices as detailed in the attached bid tab summary. This PO is for Year One of a potential 2-Year Contract.	125,000.0000	\$125,000.00

Entered By: MaryBeth Murz

\$125,000.00

## Special Instructions:

CITY COUNCIL AWARD DATE: 4/22/2019. Insurance required to be on file as PRIMARY SUPPLIER. Certificate of Insurance and Endorsement shall be on file for duration of contract.

## TERMS & CONDITIONS

- Purchases of Municipalities are exempt from State Sales and Federal Excise Taxes.
- Prior to acceptance, vendor agrees to provide City with information under the Right-to-Know Law, P.A. 1986, No. 80, and fully comply with all terms and conditions of the Michigan Occupational Safety and Health Act, MCL 408.1001, et seq. including vendor shall provide City with an "MSDS". Vendor also agrees to be responsible for all required labeling.
- In cases of emergency/disaster, the City can purchase up to six(6) times the order amount for a period of six(6) months at the price contained in the contract.
- Purchase Orders are signed electronically based upon computer generated "on-line" authorized approvals. Authentic signatures are on file in the City of Troy Purchasing Department.

NOTICE: The City could put the vendor on notice that vendors will be held financially responsible for any claims or awards made against the City as a result of the vendor's action. If the City has to defend the initial lawsuit, the City will bring in the vendor as a co-defendant or sue the vendor, either as the result of settling a claim or the conclusion of the lawsuit.

I HEREBY CERTIFY THAT THIS ORDER IS PROPERLY AUTHORIZED AND APPROVED.

*MaryBeth Murz*

CITY OF TROY  
PURCHASE ORDER  
TRANSIT MIXED CONCRETE

ITB-COT 19-24  
Pg. 1 of 1

VENDOR NAME:

Superior Materials, LLC

Farmington Hills, MI

**PROPOSAL: One-Year Requirements of Transit Mixed Concrete with an Option to Renew for one (1) additional year**

ITEM		QTY		DESCRIPTION		UNIT PRICE	TOTAL PRICE	
PROPOSAL A: WEEKDAY DELIVERY								
1	600	YDS	6 SACK MIX			\$121.00	\$72,600.00	
2	200	YDS	7 SACK MIX (High Early)			\$127.00	\$25,400.00	
3	50	YDS	12 HR 300 PSI MIX			\$133.00	\$6,650.00	
			Flexural Strength/ 7 sack					
SPLIT LOAD CHARGES								
4a	20	TIMES	2 LOCATIONS				No Bid	
4b	5	TIMES	3 LOCATIONS				No Bid	
5	20	TIMES	BELOW MINIMUM LOAD CHARGE			\$95.00	\$1,900.00	
6	20	YDS	COLD WEATHER PROTECTION			\$7.25	\$145.00	
ESTIMATED TOTAL PROPOSAL A:						\$106,695.00		
PROPOSAL B: SATURDAY DELIVERY								
1	25	YDS	6 SACK MIX			\$128.00	\$3,200.00	
2	25	YDS	7 SACK MIX (High Early)			\$135.00	\$3,375.00	
3	25	YDS	12 HR 300 PSI MIX			\$141.00	\$3,525.00	
			Flexural Strength/ 7 sack					
SPLIT LOAD CHARGES								
4a	5	TIMES	2 LOCATIONS				No Bid	
4b	2	TIMES	3 LOCATIONS				No Bid	
5	5	TIMES	BELOW MINIMUM LOAD CHARGE			\$95.00	\$475.00	
6	5	YDS	COLD WEATHER PROTECTION			\$7.25	\$36.25	
ESTIMATED TOTAL PROPOSAL B:						\$10,611.25		
ESTIMATED GRAND TOTAL:						\$117,306.25		
		UNLOADING TIME/CU. YD.:				6 minutes		
		MINIMUM LOAD:				2 yards		
		DELIVERY: After Verbal Request				7AM - 5PM		
		HOURS OF OPERATION:				7AM - 5PM		
		24 HRS PHONE NO.				(248) 521-9948		
						(248) 640-0029		
		INSURANCE MET:			Y or N	Y		
		WARRANTY:			Y or N	N		
		PAYMENT TERMS:				Net 30		
		EXCEPTIONS:			Y or N	N		
		ACKNOWLEDGEMENT:			Y or N	Y		
		FORMS:			Y or N	Y		

Opening Date: 4/4/2019  
Date Reviewed - 4/4/2019

CITY OF TROY  
BID TABULATION  
TRANSIT MIXED CONCRETE

ITB-COT 19-24  
Pg. 1 of 1

VENDOR NAME:	Superior Materials, LLC		
	Farmington Hills, MI		

**PROPOSAL: One-Year Requirements of Transit Mixed Concrete with an Option to Renew for one (1) additional year**

ITEM	QTY		DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	UNIT PRICE
PROPOSAL A: WEEKDAY DELIVERY							
1	600	YDS	6 SACK MIX	\$121.00	\$72,600.00		
2	200	YDS	7 SACK MIX (High Early)	\$127.00	\$25,400.00		
3	50	YDS	12 HR 300 PSI MIX	\$133.00	\$6,650.00		
			Flexural Strength/ 7 sack				
SPLIT LOAD CHARGES							
4a	20	TIMES	2 LOCATIONS	No Bid			
4b	5	TIMES	3 LOCATIONS	No Bid			
5	20	TIMES	BELOW MINIMUM LOAD CHARGE	\$95.00	\$1,900.00		
6	20	YDS	COLD WEATHER PROTECTION	\$7.25	\$145.00		
ESTIMATED TOTAL PROPOSAL A:				\$106,695.00			
PROPOSAL B: SATURDAY DELIVERY							
1	25	YDS	6 SACK MIX	\$128.00	\$3,200.00		
2	25	YDS	7 SACK MIX (High Early)	\$135.00	\$3,375.00		
3	25	YDS	12 HR 300 PSI MIX	\$141.00	\$3,525.00		
			Flexural Strength/ 7 sack				
SPLIT LOAD CHARGES							
4a	5	TIMES	2 LOCATIONS	No Bid			
4b	2	TIMES	3 LOCATIONS	No Bid			
5	5	TIMES	BELOW MINIMUM LOAD CHARGE	\$95.00	\$475.00		
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ESTIMATED TOTAL PROPOSAL B:				\$10,611.25			
ESTIMATED GRAND TOTAL:				\$117,306.25			
			UNLOADING TIME/CU. YD.:	6 minutes			
			MINIMUM LOAD:	2 yards			
			DELIVERY: After Verbal Request	7AM - 5PM			
			HOURS OF OPERATION:	7AM - 5PM			
			24 HRS PHONE NO.	(248) 521-9948			
				(248) 640-0029			
			INSURANCE MET:	Y or N	Y		
			WARRANTY:	Y or N	N		
			PAYMENT TERMS:		Net 30		
			EXCEPTIONS:	Y or N	N		
			ACKNOWLEDGEMENT:	Y or N	Y		
			FORMS:	Y or N	Y		

**ATTEST:**

Kaitlin R Sackner  
Susan K Riesterer  
Kristine E Kallek  
Jackie Ahlstrom

MaryBeth Murz  
Purchasing Manager



CITY OF TROY  
BID PROPOSAL

ITB-COT 19-24  
Page 1 of 5

The undersigned proposes to furnish **ONE (1) YEAR REQUIREMENTS OF TRANSIT MIXED CONCRETE WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR**, in accordance with the attached specifications to be considered an integral part of this proposal, at the following prices.

COMPANY NAME: Superior Materials LLC

**PROPOSAL A – WEEK DAY DELIVERY**

Item	EST QTY (Yds)	Description	Unit Price
1.	600	6 Sack Mix	\$ 121 /cu yd
2.	200	7 Sack Mix (High Early)	\$ 127 /cu yd
3.	50	12 Hour 300 PSI Mix Flexural Strength/ 7 sack	\$ 133 /cu yd
<b>Split Load Charges</b>			
4a.	20 Times	2 Locations	\$ 0 ea
4b.	5 Times	3 Locations	\$ 0 ea
5.	20 Times	Below Minimum Load Charge	\$ 95- ea
6.	20	Cold Weather Protection	\$ 7.25 /cu yd

**PROPOSAL B – SATURDAY DELIVERY**

Item	EST QTY (Yds)	Description	Unit Price
1.	25	6 Sack Mix	\$ 128 /cu yd
2.	25	7 Sack Mix (High Early)	\$ 135 /cu yd
3.	25	12 Hour 300 PSI Mix-Flexural Strength/ 7 sack	\$ 141 /cu yd
<b>Split Load Charges</b>			
4a.	5 Times	2 Locations	\$ 0 ea
4b.	2 Times	3 Locations	\$ 0 ea
5.	5 Times	Below Minimum Load Charge	\$ 95- ea
6.	5	Cold Weather Protection	\$ 7.25 /cu yd

Unloading time per cubic yard: 6 min

Minimum load: 2 yds

Hours of Operation: 7 AM - 5 PM

24 Hr. Emergency Phone No. Pat Joynt 248-521-9948 Stacy Dawson 248-640-0029

**PROPOSAL:** Contract is divided into two (2) proposals – Proposal A for week day delivery and Proposal B for Saturday delivery. Please ensure your company quotes accordingly.

**ESTIMATED QUANTITIES:** Quantities stated are estimated and not guaranteed. The quantities stated will be used for award purposes only. The City of Troy will not be penalized for ordering more or less than the stated quantities.

**INFORMATION:** For additional general information or questions about this project, please contact Kaitlin Sackner at (248) 524-3376 between the hours of 8:00 a.m. and 4:30 p.m.

**CURRENCY:** All figures are to be in U. S. Funds.

**DOWNPAYMENTS AND PREPAYMENTS:** Any bid submitted which requires a down payment or prepayment of any kind prior to delivery of material and acceptance, as being in conformance with specifications will not be considered for award.

**AWARD:** It is the intent of the City to qualify one Primary and one Secondary Supplier of Transit Mixed Concrete. In the event the Primary Supplier is unable to deliver material as specified, the Secondary Supplier will be contacted. Award will be made on a low total bid basis using estimated quantities FOR PROPOSAL A ONLY. A primary and secondary Source will be awarded for Proposal A and Proposal B.

The City of Troy reserves the right to award this bid to the lowest total responsible bidder(s) meeting specifications; to reject low bids that have major deviations from specifications, to accept a higher bid that has only minor deviations.

**CONTRACT FORMS:**

Bidders should complete the Legal Status of Bidder, Non-Collusion Affidavit, Certification regarding Debarment, the Certification regarding "Iran Linked Business" and the Familial Disclosure Forms and return with your bid proposal.

**DELIVERY:** The contractor will be notified as to the quantity needed before noon on the day prior to the desired delivery date. Delivery will be expected at the time requested as long as the minimum notification is given. The successful bidder(s) will provide continuous delivery until the order is complete.

**RECIPROCITY:** The City of Troy intends to use reciprocity between the Primary and Secondary Suppliers utilizing one or the other, in the event of a plant closing or inability to meet delivery times. **The suppliers will abide by bid pricing on all items of the contract.**

**APPROVED ALTERNATES:** The City of Troy's designated department representative or his/her designee will review all items submitted for consideration as approved alternates. Their decision as to acceptability will be deemed in the City of Troy's best interest and will be final.

**IMPORTANT:** All City of Troy purchases require a SAFETY DATA SHEET, where applicable, in compliance with the MIOSHA "Right to Know" Law. Please include a copy of any relevant SDS at the time of bid submission.

**NOTE:** The City of Troy, at their discretion, may require the bidder to supply a Financial Report from an impartial Financial Credit Reporting Service before award of contract.

**REFERENCES:** The City of Troy requires that your company list at least three (3) clients who have recently had similar work performed by your company.

COMPANY: MACOMB COUNTY ROAD COMMISSION  
ADDRESS: CLINTON STREET CHAN  
PHONE: 586-291-3081 CONTACT SHAW  
EMAIL: \_\_\_\_\_

COMPANY: CITY OF ROCHASTER HHS/DPW  
ADDRESS: 811 AUBURN RD  
PHONE: 248-877-3972 CONTACT BOB LEMON  
EMAIL: \_\_\_\_\_

COMPANY: CITY OF GARDEN CITY  
ADDRESS: 31800 BEECHWOOD ST  
PHONE: 734-793-1800 CONTACT KRIV  
EMAIL: KOPANY

COMPANY NAME: SUPERIOR MATERIALS LLC

**INSURANCE REQUIREMENTS:**

Insurance requirements shall be in accordance with the attached **SAMPLE INSURANCE CERTIFICATE** and **ENDORSEMENT**. The required Insurance Certificate and Endorsement must be submitted to the city within 5 days of the verbal/ electronic request after the bid award. The Insurance Certificate and Endorsement may be faxed to the Purchasing Office at (248) 619-7608, and is the only bid document accepted in this format.

The contractor, or any of their subcontractors, shall not commence work under this contract until they have obtained the insurance required, and shall keep such insurance in force during the entire life of this contract. All coverage shall be with insurance companies licensed and admitted to business in the State of Michigan and acceptable to the City of Troy. The requirements below should not be interpreted to limit the liability of the Contractor. All deductibles and self-insured retentions (SIR's) are the responsibility of the Contractor.

- ☒ We can meet the specified insurance requirements.
- ☐ We cannot meet the specified insurance requirements.
- ☐ We do not carry the specified limits but can obtain the additional insurance coverage of \$ \_\_\_\_\_, at the cost of \$ \_\_\_\_\_.  
**NOTE:** Please note the amendments on a sample insurance certificate and attach it to your bid proposal.
- ☐ Our proposal is reduced by \$ \_\_\_\_\_ if we lower the requirement to \$ \_\_\_\_\_.  
**NOTE:** Please note the amendments on a sample insurance certificate and attach it to your bid proposal.

**IMPORTANT:** A Certificate of Insurance on an ACORD Form showing present coverage as well as the required endorsements SHALL be attached to the proposal document at the time of submission of the proposal to the Office of the City Clerk.

**NOTE:** Failure on the part of any bidder to contact his/her insurance carrier to verify that the insurance carried by the bidder meets City of Troy specifications may result in this proposal being completed incorrectly.

**OTHER:** Sole proprietors must execute a certificate of exemption from Worker's Compensation requirements or provide proof of Worker's Compensation Insurance. All coverage shall be with insurance carriers licensed and admitted to do business in Michigan in accordance with all applicable statutes of the State of Michigan and acceptable to the City of Troy.

**INSURANCE VERIFICATION:**

A bidder shall complete the above portion, which details additional costs that may be incurred for specified coverage without purchasing the additional coverage prior to bid submission.

**WORKERS' COMPENSATION INSURANCE,** including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

**COMMERCIAL GENERAL LIABILITY INSURANCE** on an "Occurrence Basis" with limits of liability not less than \$1,000,000.00 per occurrence and aggregate. Coverage shall include the following extensions: (A) Contractual liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent, if not already included; (E) Deletion of all Explosion, Collapse, and Underground (XCU) Exclusions, if applicable.

COMPANY NAME: \_\_\_\_\_

Superior MATERIALS LLC

**AUTOMOBILE LIABILITY**, including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000.00 per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

**ADDITIONAL INSURED:**

Commercial General Liability and Automobile Liability, as described in the attached SAMPLE shall include an Additional Insured Endorsement stating the following shall be ***Additional Insureds***: The City of Troy including all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and council members, including employees and volunteers thereof. It is understood and agreed by naming the City of Troy as additional insured, coverage afforded is considered to be primary and any other insurance the City of Troy may have in effect shall be considered secondary and/or excess.

**CANCELLATION NOTICE:**

All policies, as described above, shall include an endorsement stating that it is understood and agreed that Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be mailed to:

City of Troy  
Purchasing Manager  
500 West Big Beaver  
Troy, MI 48084

**PROOF OF INSURANCE COVERAGE:**

The Contractor shall provide the City of Troy, at the time that the contracts are returned by him/her for execution, a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, if applicable, a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be acceptable. Copies or certified copies of all policies mentioned above all shall be furnished, if so requested. If any of the applicable coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and endorsements to the City of Troy at least ten (10) days prior to the expiration date.

**LETTER VERIFICATION:**

The recommended bidder will be notified to submit a letter from the *insurance agent or carrier* that the insurance to be supplied will meet specifications. As an alternative, the recommended bidder may submit the certificate of insurance meeting specifications at this time at his/her option. ***The City must receive this letter or certificate within 5 business days after verbal / electronic notification has been delivered to the recommended bidder or the bidder will be considered non-responsive and the bid un-awardable.*** This process will occur before presentation of the award recommendation to the Troy City Council.

**FINAL INSURANCE CERTIFICATE SUBMISSION:**

After approval by Troy City Council, the City's Purchasing Manager will review the insurance certificates and endorsements to ensure all acceptable documents have been received and allow (5) business additional days after verbal / electronic notification to submit final insurance certificate(s) in accordance with specifications. The City of Troy reserves the right to WITHHOLD AND KEEP any bid surety for failure to comply. The company will be considered in default of contract and will be barred from doing business with the City of Troy for a minimum of three (3) years for failing to meet insurance requirements.

**LOCAL PREFERENCE:**

The City of Troy reserves the right to award a contract to a local business, one which pays City of Troy taxes (real and/or personal), if the bid of a local vendor is within 5% of the lowest responsive and responsible non-local bidder, then the local vendor is given one chance to match the low bid.

COMPANY NAME: Superior MATERIALS LLC

**SIGNATURE PAGE**

**PRICES:** Prices quoted shall remain firm for 60 days or bid award, whichever comes first, except the successful bidder(s) whose prices are to remain firm for the entire contract period.

The contract contains an option to renew for one additional year through mutual consent, within 90 days of contract termination under the same pricing structure, terms, and conditions. A request by City staff to determine a successful bidder's interest in renewing a contract in no way obligates the City.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: \_\_\_\_\_

*John M. Warner*

**NOTE:**

The undersigned has checked carefully the bid figures and understands that he/she shall be responsible for any error or omission in this bid offer and is in receipt of all addendum as issued.

COMPANY Superior MATERIALS LLC

ADDRESS 30701 W 10 Mile CITY FARMINGTON STATE MI ZIP 48333

TELEPHONE NO. (313) 215-1873 FAX NO. (248) 592-9130

REPRESENTATIVE'S NAME JOHN M. WARNER

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE *John M. Warner* (Print)

TERMS NET 30 WARRANTY \_\_\_\_\_

E-MAIL jmwerner@superiormaterials.net DELIVERY TIME: 7am - 5pm

**EXCEPTIONS:**

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception(s), deviation(s), or substitution(s) is an integral part of this bid offer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ *None*

**ACKNOWLEDGEMENT:**

I, JOHN M. WARNER, certify that I have read the **Instructions to Bidders** (2 Pages) and that the bid proposal documents contained herein were obtained directly from the City's Purchasing Department or MITN website, [www.mitn.info](http://www.mitn.info) and is an official copy of the Authorized Version.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE \_\_\_\_\_

*John M. Warner*



## Legal Status of Bidder:

The Bidder shall fill out the appropriate form and strike out the other two:

A **corporation** duly organized and doing business under the laws of the State of MICH for whom JOHN M. WANNEN, bearing the office title of GENERAL MANAGER, whose signature is affixed to this proposal, is duly authorized to execute contracts.

A **partnership**, all members of which, with addresses, is:

AN **INDIVIDUAL**, WHOSE SIGNATURE IS AFFIXED TO THE PROPOSAL:



CITY OF TROY  
OAKLAND COUNTY, MICHIGAN  
NON-COLLUSION AFFIDAVIT

TO WHOM IT MAY CONCERN:

John M. Wren, being duly sworn deposed, says that he/she  
(Print Full Name)

is General Manager. The party making the foregoing proposal or bid,  
(State Official Capacity in Firm)

that such bid is genuine and not collusion or sham; that said bidder has not colluded, conspired, connived, or agree, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding and has not in any manner directly or indirectly sought by agreement or collusion, or communication or conference, with any person to fix the bid price or affiant or any other bidder, or to fix any overhead, profit, or cost element of said bid price, or that of any other bidder, or to secure the advantage against the City of Troy or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true.

[Signature]  
SIGNATURE OF PERSON SUBMITTING BID

[Signature]  
NOTARY'S SIGNATURE

Subscribed and sworn to before me this 21 day of March, 2019 in and for Oakland County.

My commission expires:

2/10/2020

THERESA M. RUSSELL  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Feb 10, 2020  
ACTING IN COUNTY OF Oakland



**CERTIFICATION REGARDING  
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The prospective participant certifies, to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in transactions under any non-procurement programs by any federal, state or local agency.
2. Have not, within the three year period preceding, had one or more public transactions (federal, state, or local) terminated for cause or default; and
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) and have not, within the three year period preceding the proposal, been convicted of or had a civil judgment rendered against it:
  - a. For the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction (federal, state, or local), or a procurement contract under such a public transaction;
  - b. For the violation of federal, or state antitrust statutes, including those proscribing price fixing between competitors, the allocation of customers between competitors, or bid rigging; or
  - c. For the commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

I understand that a false statement on this certification may be grounds for the rejection of this proposal or the termination of the award. In addition, the general grant of this authority exists within the City's Charter, Chapter 12, Section 12.2- Contracts.

☒ I am able to certify to the above statements.

Superior materials LLC  
Name of Agency/Company/Firm (Please Print)

JOHN M. WARNER G.M.  
Name and title of authorized representative (Please Print)

[Signature] 3/21/19  
Signature of authorized representative Date

☐ I am unable to certify to the above statements. Attached is my explanation.



**VENDOR CERTIFICATION  
THAT IT IS NOT AN  
"IRAN LINKED BUSINESS"**

Pursuant to Michigan law, (the Iran Economic Sanctions Act, 2012 PA 517, MCL 129.311 et seq.), before accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must first certify that it is not an "IRAN LINKED BUSINESS", as defined by law.

Vendor	
Legal Name	Superior MATERIALS LLC
Street Address	30701 W 10 MILE ST #500
City	FARMINGTON HILLS
State, Zip	MICH 48333
Corporate I.D. Number/State	ME 016434
Taxpayer I.D. #	59-3838910

The undersigned, with: 1.)full knowledge of all of Vendors business activities, 2.)full knowledge of the requirements and possible penalties under the law MCL 129.311 et seq. and 3.) the full and complete authority to make this certification on behalf of the Vendor, by his/her signature below, certifies that: the Vendor is NOT an "IRAN LINKED BUSINESS" as require by MCL 129.311 et seq., and as such that Vendor is legally eligible to submit a bid and be considered for a possible contract to supply goods and/or services to the City of Troy.

Signature of Vendor's Authorized Agent:

Printed Name of Vendor's Authorized Agent:

JOHN M. WARNER

Witness Signature:

Printed Name of Witness:

TERESA M. RUSSELL



**Proposer's Sworn and Notarized Familial Disclosure**  
(to be provided by the Proposer)

The undersigned, the owner or authorized officer of Superior MATERIALS (the "Proposer"), pursuant to the familial disclosure requirement provided in the Request for Proposal, hereby represent and warrant, except as provided below, that no familial relationships exist between the owner(s) or any employees of CITY OF TROY and any member of the City of Troy City Council or City of Troy management.

**List any Familial Relationships:**

**BIDDER:**

SUPERIOR MATERIALS LLC

By: JOHN M. WARRIN

Its: [Signature]

4  
STATE OF MICHIGAN )

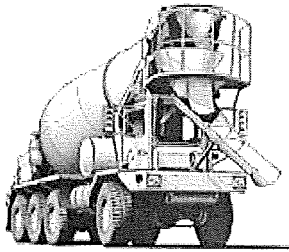
)ss.

COUNTY OF OAKLAND )

This instrument was acknowledged before me on the 21 day of MARCH, 2019, by

Theresa M. Russell

THERESA M. RUSSELL  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Feb 10, 2020  
ACTING IN COUNTY OF Oakland



## Concrete Order Desk

Toll Free 888-988-4400

SERVING ALL OF SOUTHEASTERN  
MICHIGAN



## CITY OF TROY READY MIX CONCRETE 2019

### READY MIXED CONCRETE

### Price List 2019

#### Mix Design Strength (Based on 4" Slump)

MDOT PI 6.0 Sack	\$ 121.00 /cyd
MDOT HE 7.0 Sack	\$ 127.00 /cyd
MDOT 12hr/300 flex 7.0 Sack	\$ 133.00 /cyd

### MINIMUM LOAD CHARGES

1 - 2.75 Cubic Yards	\$ 95.00	5 - 5.75 Cubic Yards	\$ 95.00
3 - 3.75 Cubic Yards	\$ 95.00	6 - 6.75 Cubic Yards	\$ 95.00
4 - 4.75 Cubic Yards	\$ 95.00		

*For deliveries during the period of Frost Law Enforcement, Minimum load cartage charges will apply.*

### ADDITIONAL SERVICE CHARGES

Monday through Friday — loads before 7:00 AM & After 5:00 PM	ADD \$ 7.25 per cubic yard, plus \$2,000.00 Plant opening charge
Saturday — loads between 7:00 AM — 12 Noon	ADD \$ 7.25 per cubic yard, plus \$2,000.00 Plant opening charge if necessary*
Saturday — loads Before 7:00 AM & after 12 Noon	ADD \$ 7.25 per cubic yard, plus \$2,000.00 plant opening charge
* Opening plants for Saturday deliveries is volume dependent with a minimum plant target production level. In the event the minimum target yardage is not obtained the plant opening charge will apply.	
Sunday or Holiday Delivery — all loads	ADD \$ 18.00 per cubic yard, plus \$3,000.00 plant opening charge
Unloading time allowance is 6 minutes per cubic yard	
Unloading time in excess of 6 minutes per cubic yard:	\$ 120.00 / hour (\$ 2.00 per minute)
Split Load (Per extra stop)	\$ 125.00
Extra Load Charge (Applies if customer required 2 loads for orders of 9 yards or under)	Min-Load charges apply
Pump Prime Grout	\$ 223.00
Washout charge — color purchased from Superior Materials	\$ 125.00 / truck
Washout charge — color not purchased from Superior Materials	\$ 200.00 / truck
Fuel Surcharge	Variable rate

### SEALERS, CURING COMPOUNDS, SURFACE TREATMENTS \*\*

**\*\*Properly curing and sealing exterior flatwork is essential for long lasting / durable concrete. Superior Materials will accept no liability for any concrete that has not been properly cured at time of placement. \*\***

*Please contact us for all other Concrete Product Needs*



## CLEAR PLASTIC VISQUEEN

10' x 100' (6 Mil)	\$ 65.00 Each
20' x 100' (6 Mil)	\$ 110.00 Each
24' x 100' (6 Mil)	\$ 130.00 Each

## REINFORCEMENT PRODUCTS

3/8" x 20' (#3) Rebar	\$ 7.50 Each
1/2" x 10' (#4) Rebar	\$ 7.50 Each
1/2" x 20' (#4) Rebar	\$ 13.50 Each
5/8" x 20' (#5) Rebar	\$ 25.00 Each
Commercial Poly Fiber 1.5#	\$ 9.50 /yd
Residential Poly Fiber 1.0#	\$ 9.50 /yd
Steel Fibers	Quoted upon request

## ADMIXTURES

1% Calcium Chloride	\$ 2.55 /yd
2% Calcium Chloride	\$ 5.10 /yd
1% Non-Calcium Chloride Accel.	\$ 7.25 /yd
Mid-Range Water Reducer	\$ 4.75 /yd
Superplasticizer	Quoted Upon Request
Retarder	\$ 5.75 /yd

## EXPANSION JOINT

3" x 1/2" x 5' Fiber	\$ 1.90 Each	8" x 1/2" x 5' Fiber	\$ 4.50 Each
4" x 1/2" x 5' Fiber	\$ 2.60 Each	8" x 1" x 5' Fiber	\$ 9.30 Each
6" x 1/2" x 5' Fiber	\$ 3.75 Each		
6" x 1" x 5' Fiber	\$ 7.60 Each	Zip Strip 1" x 10'	\$ 4.00 Each

## WINTER SERVICE CHARGES

November 1<sup>st</sup> through April 15<sup>th</sup>

Under 7 yards ADD \$ 7.50 per yard plus minimum load charge  
7 yards or more ADD \$ 7.50 per yard

Heated Sand: \$ 6.75 /cyd  
Type III Cement : \$ 9.00 /cyd

*For deliveries during the period of Frost Law Enforcement, Minimum Load Cartage charges will apply.*

## DECORATIVE CONCRETE MATERIALS

*We carry the full line of decorative concrete products. Call for details!*

**SALES TAX:** All sales subject to Michigan Sales Tax unless exemption certificate provided.

**TERMS:** Net 30 days.

A finance charge of 1.5% per month (18% per annum) will be charged on past due accounts.

**THE ABOVE PRICES SHALL APPLY TO ALL JOBS UNLESS SPECIFICALLY QUOTED OTHERWISE.**

**SUPERIOR MATERIALS SHALL NOT BE RESPONSIBLE FOR ANY LOSS OR DAMAGE DUE TO STRIKES, RAW MATERIAL SHORTAGES, FIRE, LOCKOUTS, ACCIDENTS OR ANY OTHER CAUSES BEYOND OUR CONTROL.**

**ALL PRICES SUBJECT TO CHANGE WITHOUT NOTICE.**



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

## CITY COUNCIL AGENDA ITEM

Date: April 16, 2019

To: Mark F. Miller, City Manager

From: MaryBeth Murz, Purchasing Manager  
Lisa Burnham, Finance Manager  
Kurt Bovensiepe, Public Works Director  
Scott Carruthers, Streets & Drains Operations Manager

RE: Standard Purchasing Resolution 2: Award to Sole Bidder meeting Specifications – Transit Mixed Concrete

### History

- Transit mix concrete is concrete mixed at a plant and brought to a job site by a concrete truck. The Department of Public Works uses transit mixed concrete throughout the year for repairs to the City's infrastructure, which includes sidewalks, curbs, and roads.
- The City of Troy uses the most current mix design to ensure Alkali Silica Reactivity (ASR) is avoided in all new concrete placed.
- Transit mixed concrete is purchased on an as needed basis throughout the year.
- The current contract expires April 30, 2019.

### Purchasing

On April 4, 2019, a bid opening was conducted as required by City Charter and Code for Transit Mixed Concrete. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; [www.mitn.info](http://www.mitn.info) and was sent to the Troy Chamber of Commerce. One hundred and seventy eight (178) vendors were notified of the bid opportunity via the MITN website. One (1) bid proposal was received. Below is a detailed summary of potential vendors for both bid opportunities.

Companies notified via MITN	178
Troy Companies notified via MITN	1
Troy Companies notified Active email Notification	1
Troy Companies Active Free	0
Companies that viewed the bid	4
Troy Companies that viewed the bid	0

*MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.*

**Active MITN** members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.

**Active MITN non-paying members** are responsible to monitor and check the MITN website for opportunities to do business with the City.

**Inactive MITN member** status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.

- The award is contingent upon contractors' submission of properly executed bid documents, insurance certificates, and all other specified documents.



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

## CITY COUNCIL AGENDA ITEM

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### **Financial**

Funds for these materials are available through the Public Works operating budgets.

### **Recommendation**

City management recommends awarding a one (1) year contract to provide Transit Mixed Concrete with an option to renew for one (1) additional year to the sole bidder *Superior Materials, LLC of Farmington Hills, MI* as per the unit prices listed in the bid tabulation opened April 4, 2019; to be ordered on as needed basis; contract to expire April 30, 2021.

Opening Date: 4/4/2019  
Date Reviewed - 4/4/2019

CITY OF TROY  
BID TABULATION  
TRANSIT MIXED CONCRETE

ITB-COT 19-24  
Pg. 1 of 1

VENDOR NAME:	Superior Materials, LLC		
	Farmington Hills, MI		

**PROPOSAL: One-Year Requirements of Transit Mixed Concrete with an Option to Renew for one (1) additional year**

ITEM	QTY		DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	UNIT PRICE
PROPOSAL A: WEEKDAY DELIVERY							
1	600	YDS	6 SACK MIX	\$121.00	\$72,600.00		
2	200	YDS	7 SACK MIX (High Early)	\$127.00	\$25,400.00		
3	50	YDS	12 HR 300 PSI MIX	\$133.00	\$6,650.00		
			Flexural Strength/ 7 sack				
SPLIT LOAD CHARGES							
4a	20	TIMES	2 LOCATIONS	No Bid			
4b	5	TIMES	3 LOCATIONS	No Bid			
5	20	TIMES	BELOW MINIMUM LOAD CHARGE	\$95.00	\$1,900.00		
6	20	YDS	COLD WEATHER PROTECTION	\$7.25	\$145.00		
ESTIMATED TOTAL PROPOSAL A:				\$106,695.00			
PROPOSAL B: SATURDAY DELIVERY							
1	25	YDS	6 SACK MIX	\$128.00	\$3,200.00		
2	25	YDS	7 SACK MIX (High Early)	\$135.00	\$3,375.00		
3	25	YDS	12 HR 300 PSI MIX	\$141.00	\$3,525.00		
			Flexural Strength/ 7 sack				
SPLIT LOAD CHARGES							
4a	5	TIMES	2 LOCATIONS	No Bid			
4b	2	TIMES	3 LOCATIONS	No Bid			
5	5	TIMES	BELOW MINIMUM LOAD CHARGE	\$95.00	\$475.00		
6	5	YDS	COLD WEATHER PROTECTION	\$7.25	\$36.25		
ESTIMATED TOTAL PROPOSAL B:				\$10,611.25			
ESTIMATED GRAND TOTAL:				\$117,306.25			
UNLOADING TIME/CU. YD.:				6 minutes			
MINIMUM LOAD:				2 yards			
DELIVERY: After Verbal Request				7AM - 5PM			
HOURS OF OPERATION:				7AM - 5PM			
24 HRS PHONE NO.				(248) 521-9948			
				(248) 640-0029			
INSURANCE MET:			Y or N	Y			
WARRANTY:			Y or N	N			
PAYMENT TERMS:				Net 30			
EXCEPTIONS:			Y or N	N			
ACKNOWLEDGEMENT:			Y or N	Y			
FORMS:			Y or N	Y			

**ATTEST:**

Kaitlin R Sackner  
Susan K Riesterer  
Kristine E Kallek  
Jackie Ahlstrom

MaryBeth Murz  
Purchasing Manager

**STANDARD PURCHASING RESOLUTION 2 – Award to Sole Bidder Meeting Specifications – Transit Mixed Concrete**

RESOLVED, That Troy City Council hereby AWARDS a one (1) year contract to provide Transit Mixed Concrete with an option to renew for one (1) additional year to the sole bidder meeting specifications; *Superior Materials, LLC of Farmington Hills, MI* to be ordered on as needed basis and not to exceed budgetary limitations, as per the unit prices contained in the bid tabulation opened April 4, 2019; a copy of which shall be ATTACHED to the original Minutes of this meeting; contract to expire April 30, 2021.

BE IT FINALLY RESOLVED, That the awards are contingent upon the contractors' submission of properly executed bid documents, insurance certificates and all other specified requirements.



# CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)  
11/20/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. 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).

PRODUCER  
Aon Risk Services, Inc. of Florida  
13901 Sutton Park Drive South  
Suite 360 - Building C  
Jacksonville FL 32224 USA

CONTACT  
NAME:  
PHONE  
(A/C, No. Ext): (904) 724-2001 FAX  
(A/C, No.): (904) 223-0797  
E-MAIL  
ADDRESS:

INSURED  
Superior Materials, LLC  
30701 W. 10 Mile  
Suite 500  
Farmington Hills MI 48333 USA

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Liberty Mutual Fire Ins Co	23035
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

## COVERAGES

CERTIFICATE NUMBER: 570073945541

REVISION NUMBER:

THIS IS TO CERTIFY THAT 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 CERTIFICATION 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			TB2651291674058	12/01/2018	12/01/2019	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			AS2651291674038	12/01/2018	12/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE AGGREGATE
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WA265D291674068	12/01/2018	12/01/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Troy including Architects and Engineers, all elected and appointed officials, all employees and volunteers, boards, commissions and/or authorities and their board members, employees, and volunteers are included as Additional Insureds in accordance with the policy provisions of the General Liability and Automobile policies. General Liability and Automobile evidenced herein is Primary to other insurance available to an Additional Insured, but only in accordance with the policy's provisions. General Liability and Automobile evidenced herein is Non-contributory to other insurance available to an Additional Insured, but only in accordance with the policy's provisions. A waiver of subrogation is granted in favor of additional insureds in accordance with the policy provisions of the General Liability, Automobile and Workers Compensation policies. 30

## CERTIFICATE HOLDER

## CANCELLATION

City of Troy  
4693 Rochester Road  
Troy, MI 48085 USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Aon Risk Services Inc. of Florida*

Holder Identifier :

Certificate No : 570073945541

**ADDITIONAL REMARKS SCHEDULE**

Page \_ of \_

AGENCY Aon Risk Services, Inc. of Florida		NAMED INSURED Superior Materials, LLC	
POLICY NUMBER See Certificate Number: 570073945541		EFFECTIVE DATE:	
CARRIER See Certificate Number: 570073945541	NAIC CODE		

**ADDITIONAL REMARKS**

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Additional Description of Operations / Locations / Vehicles:

days notice of cancellation except 10 days for non-payment of premium.