

CITY COUNCIL MINUTES

March 18, 2024

**Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications –
Asphalt Patching Material - COLD**

Resolution #2024-03-046-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for seasonal requirements of Asphalt Patching Material – Cold Patch to local low bidder meeting specifications, *Ajax Materials Corporation of Troy, MI*, for an estimated total cost of \$31,775 at the per ton unit price contained in the bid tabulation opened February 15, 2024, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; the cost of which shall not exceed annual budgetary limitations.

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

PURCHASE 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. 2024-00001119

DATE: 04/01/2024

PAGE: 1 of 1

FOB DESTINATION

COUNCIL RESOLUTION

2024-03-046-J-4b

INSTRUCTIONS

Return to Department


EXPIRES: 04/30/2025

VENDOR NO. 108433

Vendor

AJAX MATERIALS CORPORATION
PO BOX 7058
TROY, MI 48007

QUANTITIES ARE ESTIMATED AND WILL BE ORDERED AS NEEDED

| QUANTITY | UNIT | DESCRIPTION | UNIT COST | TOTAL COST |
|---|------|---|-----------|-------------|
| 250 | Ton | Asphalt Patching Materials - Cold Patch | 127.1000 | \$31,775.00 |
|  | | | | |

Entered By: Nellie Bert

\$31,775.00

Special Instructions:

CITY COUNCIL AWARD DATE: 3/18/2024. Contract for Asphalt Cold Patch in accordance with the specifications and completion date of ITB-COT 24-01. CERTIFICATE OF INSURANCE and ENDORSEMENTS shall be on file through contract completion.

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.



Opening Date - 02/15/2024
Date Reviewed - 02/15/2024

CITY OF TROY
BID TABULATION
ASPHALT PATCHING MATERIAL - COLD PATCH

ITB-COT 24-01
Pg 1 of 1

| | | | | |
|--------------|-----------------------------------|------------------------|----------------------------|-----------------------|
| VENDOR NAME: | Pavement Maintenance Systems, LLC | Ace-Saginaw Paving Co. | Ajax Materials Corporation | Cadillac Asphalt, LLC |
| CITY: | Imlay City, MI | Saginaw, MI | Troy, MI | Farmington Hills, MI |

PROPOSAL: To furnish SEASONAL REQUIREMENTS OF ASPHALT PATCHING MATERIAL - COLD PATCH with a one year renewal

Proposal A - WEEK DAY DELIVERY

| Description | EST QTY (Tons) | Unit Price | Ext Price | Unit Price | Ext Price | Unit Price | Ext Price | Unit Price | Ext Price |
|---|----------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| QPR/UPM or Approved Alternate - Delivered | 250 | \$127.10 | \$31,775.00 | \$130.00 | \$32,500.00 | \$131.50 | \$32,875.00 | \$134.95 | \$33,737.50 |
| TOTALS: | | \$31,775.00 | | \$32,500.00 | | \$32,875.00 | | \$33,737.50 | |

| | | | | |
|---|---------------|---------------|---------------|---------------|
| Please State Material QPR/ UPM or Approved Alternate: | Not Specified | Not Specified | Not Specified | Not Specified |
|---|---------------|---------------|---------------|---------------|

| | | | | |
|--|----------------|----------------|-------------------------------------|-------------------|
| Minimum Load Requirement: | 50 Ton Loads | 50 Ton | 50 Ton Train Loads | 50 |
| Contract Information: Hours of Operation: | 7AM-5PM | N/A | Mon-Fri 8AM-2PM | Mon-Thurs 7AM-3PM |
| 24 Hour Emergency Phone #: | (810) 614-1351 | (989) 737-2863 | (248) 388-1687 | (248) 228-6281 |
| References: Y or N | Y | Y | Y | Y |
| Insurance Met: Y or N | Y | Y | Y | Y |
| Payment Terms: | Not Specified | Net 30 | Net 30 days upon receipt of invoice | Net 30 |
| Warranty: | Not Specified | Not Specified | As per UPM requirements | N/A |
| Delivery Time: | 7AM-5PM | 2 Days | 24-48 hours | 7AM-2PM |
| Exceptions: | None | None | None | None |
| Acknowledgement: | Y | Y | Y | Y |
| Forms: | Y | Y | Y | Y |

ATTEST:

(*Bid Opening conducted via a Zoom Meeting)

Mike Verstraete

Andrew Chambliss

Nellie Bert

Heather Chomiak

Emily Frontera

Purchasing Manager



**CITY OF TROY
BID PROPOSAL**

ITB-COT 24-01
Page 1 of 6

The undersigned proposes to furnish **SEASONAL REQUIREMENTS OF ASPHALT PATCHING MATERIAL - COLD PATCH WITH AN OPTION TO RENEW FOR (ONE) 1 ADDITIONAL YEAR** in accordance with the attached bid specifications to be considered an integral part of this proposal, at the following prices.

COMPANY NAME: Ajax Materials Corporation

PROPOSAL A – WEEK DAY DELIVERY

| Item | EST QTY | | Unit Price |
|------|---------|---|-----------------------|
| | (Tons) | Description | |
| 1. | 250 | QPR/UPM or Approved Alternate - Delivered | \$ <u>131.50</u> /ton |

Please State Material QPR/ UPM or Approved Alternate:

MINIMUM LOAD (state minimum load requirement): 50 ton train loads

HOURS OF OPERATION:

Mon - Fri 8:00am - 2:00pm

24 Hr. EMERGENCY PHONE #:

(248) 388-1687

ESTIMATED QUANTITIES:

Quantities stated are estimated and not guaranteed. The quantities stated will be used for award purposes only but were based upon an average of actual usage for seasonal requirements. The City of Troy will not be penalized for ordering more or less than the stated quantities.

DELIVERY:

QPR/UPM or approved alternate materials are F.O.B. delivered, freight paid, to the City of Troy DPW Yard, 4693 Rochester Rd., Troy, MI 48085.

INFORMATION:

For additional general information or questions about this material, please contact **Mike Verstraete at (248) 524-3501 / Mike.Verstraete@troymi.gov**. between the hours of 8:00 a.m. and 4:30 p.m., Monday – Friday

CURRENCY:

All figures are to be in U. S. Funds.

DOWN PAYMENTS AND PREPAYMENTS:

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

AWARD:

The evaluation and award of this bid shall be a combination of factors, including by not limited to: cost, compliance, and the correlation of the proposal submitted to the needs of the City of Troy.

The City of Troy reserves the right to award this bid to the lowest responsible bidder meeting specifications; to reject low bids that have major deviations from specifications; to accept a higher bid that has only minor deviations; whatever is deemed to be in the City's best interest.

CONTRACT FORMS:

Bidders should complete and sign 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.

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.

PRICES:

Prices quoted shall remain firm for 60 days or bid award, whichever comes first, except the successful bidder whose prices are to remain firm for the entire contract period, which shall commence on the date of award and expire April 30, 2025.

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 Dept. of Roads
ADDRESS: 117 S. Groesbeck Highway Mt. Clemens, MI 48043
PHONE: (586) 469-5255 CONTACT Mark Chomontowski

EMAIL: mchomontowski@rcmcweb.org

COMPANY: Road Commission for Oakland County
ADDRESS: 2420 Pontiac Lake Road, Waterford, MI 48328
PHONE: (248) 858-4848 CONTACT Lena Sabbagh

EMAIL: lsabbagh@floc.org

COMPANY: City of Rochester Hills
ADDRESS: 1000 Rochester Hills Drive, Rochester Hills, MI 48309
PHONE: (248) 841-2533 CONTACT Joe Snyder

EMAIL: snyderj@rochesterhills.org

COMPANY NAME: Ajax Materials Corporation

PURCHASE ORDER:

After the Troy City Council has approved the award and acceptable insurance certificates received, the successful bidder will be issued a purchase order from the City of Troy, which will create a bilateral contract between the City of Troy and the successful bidder. The purchase order shall commit the bidder to perform the contract in accordance with the specifications. A contract document will not be issued.

CONTRACT TERMINATION:

The City of Troy shall reserve the right to terminate the contract upon 30 days written notice for any reason deemed to be in its best interest. For performance related issues, the City of Troy designated representative will be solely responsible for determining acceptable performance levels. His / her decision will be deemed in the City of Troy's best interest and will be final.

DEFAULTED VENDORS:

If a vendor has defaulted on a past City of Troy contract, that vendor is precluded from bidding on this contract.

LOCAL PREFERENCE:

The City of Troy reserves the right to award a contract to a local business, one who 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: Ajax Materials Corporation

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.

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.

COMPANY NAME: Ajex Materials Corp

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.

COMPANY NAME:

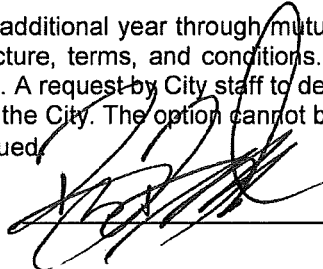
 Ajax Materials Corporation

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. The renewal is subject to a favorable market survey and City Council approval. A request by City staff to determine a successful bidder's interest in renewing a contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a blanket purchase order issued.

 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE:



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.

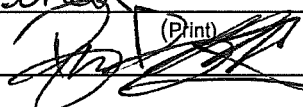
COMPANY Ajax Materials Corporation

ADDRESS 1517 Craks Rd. Suite A CITY Troy STATE MI ZIP 48064

TELEPHONE NO. (248) 244-3355 FAX NO. (248) 244-3484

REPRESENTATIVE'S NAME Brian Borich

 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE



TERMS net 30 days upon receipt of invoice WARRANTY as per VPM requirements

E-MAIL bborich@ajaxpaving.com DELIVERY TIME: 24-48 hrs

EXCEPTIONS:

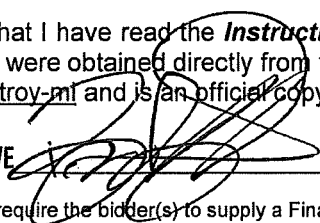
Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception(s), deviation(s), or substitution(s) is an integral part of this bid offer:

none

ACKNOWLEDGEMENT:

I, Brian Borich, certify that I have read the **Instructions to Bidders** (3 Pages) and that the bid proposal documents contained herein were obtained directly from the City's Purchasing Department or MITN website, www.bidnetdirect.com/city-of-troy-mi and is an official copy of the Authorized Version.

 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE



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

U.S. FUNDS: PRICES QUOTED SHALL BE IN U.S. CURRENCY.



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 Michigan
for whom Brian Borich, bearing the office title of Sales 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:

Brian Michael Borich, being duly sworn deposed, says that he/she
(Print Full Name)

is Sales 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 8 day of February, 2024 in and for Oakland County.

My commission expires:

Nov 4, 2026

JENEFER LYN BASHAWATY
NOTARY PUBLIC, STATE OF MI
COUNTY OF LAPEER
MY COMMISSION EXPIRES Nov 4, 2026
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, and 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.**

Ajax Materials Corporation
Name of Agency/Company/Firm (Please Print)

Brian Borich Sales Manager
Name and title of authorized representative (Please Print)

[Signature]
Signature of authorized representative

2/08/24
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 | Ajex Materials Corporation |
| Street Address | 1957 Crooks Road, Suite #A |
| City | Troy |
| State, Zip | MI 48064 |
| Corporate I.D. Number/State | 38-1683150 / Michigan |
| Taxpayer I.D. # | |

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:

Brian Borich

Witness Signature:

Printed Name of Witness:

Jennifer Bashawaty



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

The undersigned, the owner or authorized officer of Ajax Materials Corp. (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 Ajax Materials Corp. and any member of the City of Troy City Council or City of Troy management.

List any Familial Relationships:

BIDDER:

Ajax Materials Corporation

By: Brian Borich

Its: [Signature]

STATE OF MICHIGAN)

)ss.

COUNTY OF Oakland)

This instrument was acknowledged before me on the 8 day of February, 2024, by

Brian Borich

[Signature]
JENEFER LYN BASHAWATY
NOTARY PUBLIC, STATE OF MI
COUNTY OF LAPEER
MY COMMISSION EXPIRES Nov 4, 2026
ACTING IN COUNTY OF Oakland

UPM High-Performance Asphalt Cold Mix

HIGH-PERFORMANCE GUARANTEE

Unique Paving Materials Corporation
guarantees UPM to perform as follows:

1. UPM will stay in place for the life of the surrounding pavement in at least 90% of all patches, when properly* applied.
2. UPM winter grades will remain workable for use in sub-freezing temperatures.
3. UPM will perform well in both extreme wet or dry weather conditions.
4. UPM requires no primer and will not bleed through hot mix overlays.
5. UPM makes permanent repairs which do not need to be replaced with hot mix.
6. UPM stockpile life will be greater than one year when properly stored.

*"Properly applied and stored" means reasonably similar to standard commercial practices for patching and stockpiling. See manufacturer's recommendations on reverse or call (800) 441-4881.

**If UPM does not meet the above high-performance guidelines,
Unique Paving Materials will replace it.
We want our customers to be like our patch - permanent!**

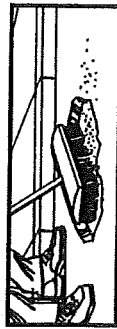
CUSTOMER SERVICE HOTLINE
[800] 441-4881



Manufacturer's Recommendations



UPM Patching - 3 Easy Steps



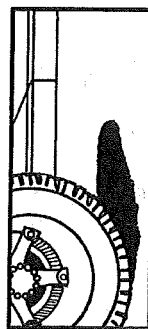
1. PREPARE

Remove all loose dust, dirt and debris by sweeping with a broom and scraping with a shovel.



2. APPLY

Shovel UPM into the hole and level out 25% higher than desired depth to allow for compaction. If patch is deeper than 3", apply and compact in separate 2" layers. Apply only over solid base, not mud or clay.



3. COMPACT

Compact UPM by driving truck back and forth over patch several times. Rollers and vibratory compactors generally improve all patch performance. Use them if available.

UPM Stockpiling

Place UPM on a clean pad of asphalt or concrete.
Do not allow UPM to be contaminated with other materials.
Dusty conditions will shorten UPM's stockpile life and lessen workability.

For in-depth technical information, contact your UPM
Sales Representative or please call us directly at
Unique Paving Materials Corporation (800) 441-4881

SECTION 1: Identification of the substance/mixture and of the company/undertaking

1.1. Product identifier

Product form : Mixture
Trade name : Permanent Pavement Repair Material

1.2. Relevant identified uses of the substance or mixture and uses advised against

1.3. Details of the supplier of the safety data sheet

UNIQUE Paving Materials Corp.
3993 East 93rd Street
Cleveland, 44106 - United States of America
T (216) 341-7711
<http://www.uniquepavingmaterials.com/>

1.4. Emergency telephone number

Emergency number : (800) 424-9300

SECTION 2: Hazards identification

2.1. Classification of the substance or mixture

Classification (GHS-US)

Skin Irrit. 2 H315
Carc. 1B H350
STOT RE 2 H373

Full text of H-phrases: see section 16

2.2. Label elements

GHS-US labeling

Hazard pictograms (GHS-US)



GHS07

GHS08

Signal word (GHS-US)

Hazard statements (GHS-US)

Precautionary statements (GHS-US)

: Danger
: H315 - Causes skin irritation
: H350 - May cause cancer
: H373 - May cause damage to organs through prolonged or repeated exposure
: P201 - Obtain special instructions before use
: P202 - Do not handle until all safety precautions have been read and understood
: P260 - Do not breathe dust
: P264 - Wash hands thoroughly after handling
: P280 - Wear protective gloves, clothes, and goggles.
: P302+P352 - If on skin: Wash with plenty of water for at least 15 minutes.
: P308+P313 - If exposed or concerned: Get medical attention
: P314 - Get medical attention if you feel unwell
: P321 - Specific treatment (see first aid measures on this label)
: P332+P313 - If skin irritation occurs: Get medical attention
: P362 - Take off contaminated clothing and wash before reuse
: P405 - Store locked up
: P501 - Dispose of contents to meet all regulations.

2.3. Other hazards

No additional information available

2.4. Unknown acute toxicity (GHS-US)

Not applicable

SECTION 3: Composition/information on ingredients

3.1. Substance

Not applicable

3.2. Mixture

| Name | Product identifier | % | Classification (GHS-US) |
|------------------------|---------------------|--------------|---|
| Petroleum Asphalt Base | (CAS No) 8052-42-4 | 2 - 8 | Carc. 1B, H350 |
| Petroleum Solvent | (CAS No) 68476-34-6 | 1 - 3 | Flam. Liq. 3, H226 Acute Tox. 4 (Dermal), H312 Acute Tox. 4 (Inhalation), H332 Skin Irrit. 2, H315 Carc. 2, H351 STOT RE 2, H373 Asp. Tox. 1, H304 Aquatic Chronic 2, H411 |
| Quartz | (CAS No) 14808-60-7 | 0.091 - 0.97 | Carc. 1A, H350 |

Full text of H-phrases: see section 16

SECTION 4: First aid measures

4.1. Description of first aid measures

- First-aid measures general : Never give anything by mouth to an unconscious person. If you feel unwell, seek medical advice (show the label where possible).
- First-aid measures after inhalation : Give oxygen or artificial respiration if necessary. Get medical advice/attention if you feel unwell. Allow victim to breathe fresh air. Allow the victim to rest.
- First-aid measures after skin contact : Take off contaminated clothing and wash it before reuse. Wash with plenty of soap and water. Wash contaminated clothing before reuse. If skin irritation occurs: Get medical advice/attention. Specific treatment (see first aid measures on this label).
- First-aid measures after eye contact : Rinse immediately with plenty of water. Obtain medical attention if pain, blinking or redness persists.
- First-aid measures after ingestion : Rinse mouth. Do NOT induce vomiting. Obtain emergency medical attention.

4.2. Most important symptoms and effects, both acute and delayed

- Symptoms/injuries after inhalation : Dizziness, headaches, nausea. May cause respiratory irritation.
- Symptoms/injuries after skin contact : Irritation. Causes skin irritation.
- Symptoms/injuries after eye contact : Severe irritation including redness, tearing and blurred vision.

4.3. Indication of any immediate medical attention and special treatment needed

No additional information available

SECTION 5: Firefighting measures

5.1. Extinguishing media

- Suitable extinguishing media : Foam. Dry powder. Carbon dioxide. Water spray. Sand.
- Unsuitable extinguishing media : Do not use a heavy water stream.

5.2. Special hazards arising from the substance or mixture

- Explosion hazard : Never use a welding or cutting torch on or near drums of this material (even empty drums) because the material can ignite explosively.
- Reactivity : Stable under normal conditions.

5.3. Advice for firefighters

- Firefighting instructions : Use water spray or fog for cooling exposed containers. Exercise caution when fighting any chemical fire. Prevent fire-fighting water from entering environment.
- Protection during firefighting : Do not enter fire area without proper protective equipment, including respiratory protection.



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Special protective equipment for fire fighters : Full face piece respirator.
Other information : Water or foam may cause frothing which can be violent and may present a life-threatening situation. Frothing is most likely to occur when streams of water or foam are sprayed into hot or burning containers.

SECTION 6: Accidental release measures

6.1. Personal precautions, protective equipment and emergency procedures

General measures : The material can be reused; use old material as a base under fresh product.

6.1.1. For non-emergency personnel

Emergency procedures : Evacuate unnecessary personnel.

6.1.2. For emergency responders

Protective equipment : Equip cleanup crew with proper protection.

Emergency procedures : Ventilate area.

6.2. Environmental precautions

Prevent entry to sewers and public waters. Notify authorities if liquid enters sewers or public waters.

6.3. Methods and material for containment and cleaning up

Methods for cleaning up : On land, sweep or shovel into suitable containers. Minimize generation of dust. Store away from other materials.

6.4. Reference to other sections

See Heading 8. Exposure controls and personal protection.

SECTION 7: Handling and storage

7.1. Precautions for safe handling

Precautions for safe handling : Wash hands and other exposed areas with mild soap and water before eating, drinking or smoking and when leaving work. Provide good ventilation in process area to prevent formation of vapour. Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Avoid breathing dust.
Hygiene measures : Wash contaminated clothing before reuse. Wash hands thoroughly after handling.

7.2. Conditions for safe storage, including any incompatibilities

Storage conditions : Keep only in the original container in a cool, well ventilated place away from: Keep container closed when not in use.

Incompatible products : Strong bases. Strong acids.

Incompatible materials : Sources of ignition. Direct sunlight.

7.3. Specific end use(s)

No additional information available

SECTION 8: Exposure controls/personal protection

8.1. Control parameters

| Permanent Pavement Repair Material | | |
|------------------------------------|-------------------|-----------|
| ACGIH | Not applicable | |
| OSHA | Not applicable | |
| | | |
| Petroleum Solvent (68476-34-6) | | |
| ACGIH | ACGIH TWA (mg/m³) | 100 mg/m³ |
| OSHA | Not applicable | |

| Petroleum Asphalt Base (8052-42-4) | |
|---|----------------|
| ACGIH | Not applicable |
| OSHA | Not applicable |

| Quartz (14808-60-7) | | |
|----------------------------|-------------------------------------|---------------------------------------|
| ACGIH | ACGIH TWA (mg/m ³) | 0.025 respirable fraction |
| OSHA | OSHA PEL (TWA) (mg/m ³) | 0.1 mg/m ³ respirable dust |
| OSHA | Remark (OSHA) | (3) See Table Z-3. |

8.2. Exposure controls

| | |
|-------------------------------|---|
| Personal protective equipment | : Avoid all unnecessary exposure. |
| Hand protection | : Wear protective gloves. |
| Eye protection | : Chemical goggles or safety glasses. |
| Skin and body protection | : Impervious clothing. Impervious shoes. Wear suitable protective clothing. |
| Respiratory protection | : Wear appropriate mask. |
| Other information | : Do not eat, drink or smoke during use. |

SECTION 9: Physical and chemical properties

9.1. Information on basic physical and chemical properties

| | |
|---|--|
| Physical state | : Solid |
| Appearance | : Black coated stone. |
| Color | : Black |
| Odor | : Tar, Petroleum |
| Odor threshold | : No data available |
| pH | : No data available |
| Relative evaporation rate (butyl acetate=1) | : Slower than ether. |
| Melting point | : No data available |
| Freezing point | : No data available |
| Boiling point | : No data available |
| Flash point | : > 200 °F Cleveland Tag Open Cup Method |
| Auto-ignition temperature | : No data available |
| Decomposition temperature | : No data available |
| Flammability (solid, gas) | : No data available |
| Vapor pressure | : No data available |
| Relative vapor density at 20 °C | : No data available |
| Relative density | : Heavier than air. |
| Solubility | : Negligible. Water: Solubility in water of component(s) of the mixture : •: 0.001 % |



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Log Pow : No data available
Log Kow : No data available
Viscosity, kinematic : No data available
Viscosity, dynamic : No data available
Explosive properties : No data available
Oxidizing properties : No data available
Explosive limits : No data available

9.2. Other information

No additional information available

SECTION 10: Stability and reactivity

10.1. Reactivity

Stable under normal conditions.

10.2. Chemical stability

Stable under normal conditions.

10.3. Possibility of hazardous reactions

None known.

10.4. Conditions to avoid

Direct sunlight. Extremely high or low temperatures.

10.5. Incompatible materials

Strong acids. Strong bases.

10.6. Hazardous decomposition products

fume. Carbon monoxide. Carbon dioxide.

SECTION 11: Toxicological information

11.1. Information on toxicological effects

Acute toxicity : Not classified

| Petroleum Solvent (68476-34-6) | |
|--------------------------------|----------------------------|
| LD50 oral rat | 5000 mg/kg |
| LD50 dermal rabbit | 2000 mg/kg |
| ATE US (oral) | 5000.000 mg/kg body weight |
| ATE US (dermal) | 2000.000 mg/kg body weight |
| ATE US (gases) | 4500.000 ppmV/4h |
| ATE US (vapors) | 11.000 mg/l/4h |
| ATE US (dust, mist) | 1.500 mg/l/4h |

| Petroleum Asphalt Base (8052-42-4) | |
|------------------------------------|--------------------------|
| LD50 oral rat | > 5000 mg/kg |
| LD50 dermal rabbit | > 2000 mg/kg |
| LC50 inhalation rat (mg/l) | > 94.4 ml/m ³ |



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Skin corrosion/irritation : Causes skin irritation.
Serious eye damage/irritation : Not classified
Respiratory or skin sensitization : Not classified
Germ cell mutagenicity : Not classified
Carcinogenicity : May cause cancer.

| | |
|---|--|
| Petroleum Asphalt Base (8052-42-4) | |
| IARC group | 2A - Probably carcinogenic to humans, 2B - Possibly carcinogenic to humans |

| | |
|----------------------------|----------------------------|
| Quartz (14808-60-7) | |
| IARC group | 1 - Carcinogenic to humans |

Reproductive toxicity : Not classified
Specific target organ toxicity (single exposure) : Not classified

Specific target organ toxicity (repeated exposure) : May cause damage to organs through prolonged or repeated exposure.

Aspiration hazard : Not classified
Potential Adverse human health effects and symptoms : Based on available data, the classification criteria are not met.
Symptoms/injuries after inhalation : Dizziness, headaches, nausea. May cause respiratory irritation.
Symptoms/injuries after skin contact : Irritation. Causes skin irritation.
Symptoms/injuries after eye contact : Severe irritation including redness, tearing and blurred vision.

SECTION 12: Ecological information

12.1. Toxicity

No additional information available

12.2. Persistence and degradability

| | |
|---|------------------|
| Permanent Pavement Repair Material | |
| Persistence and degradability | Not established. |

| | |
|---------------------------------------|---|
| Petroleum Solvent (68476-34-6) | |
| Persistence and degradability | May cause long-term adverse effects in the environment. |

| | |
|---|------------------|
| Petroleum Asphalt Base (8052-42-4) | |
| Persistence and degradability | Not established. |

| | |
|-------------------------------|------------------|
| Quartz (14808-60-7) | |
| Persistence and degradability | Not established. |

12.3. Bioaccumulative potential

| | |
|---|--|
| Permanent Pavement Repair Material | |
| Bioaccumulative potential | Although there is no evidence that the components of UPM asphalt cold mix bioaccumulate in the food chains, the heavier molecular eight components of asphalt and Petroleum solvent may be persistent under some environmental conditions. Release of these products into surface waters should be avoided. Not established. |

| | |
|---------------------------------------|------------------|
| Petroleum Solvent (68476-34-6) | |
| Bioaccumulative potential | Not established. |



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| | |
|---|------------------|
| Petroleum Asphalt Base (8052-42-4) | |
| Bioaccumulative potential | Not established. |

| | |
|----------------------------|------------------|
| Quartz (14808-60-7) | |
| Bioaccumulative potential | Not established. |

12.4. Mobility in soil

No additional information available

12.5. Other adverse effects

Effect on ozone layer :

Effect on the global warming : No known ecological damage caused by this product.

Other information : Avoid release to the environment.

SECTION 13: Disposal considerations

13.1. Waste treatment methods

Waste disposal recommendations : Dispose in a safe manner in accordance with local/national regulations. Dispose of contents to meet local and national regulations.

Ecology - waste materials : Avoid release to the environment.

SECTION 14: Transport information

In accordance with DOT

Not regulated for transport

Additional information

Other information : No supplementary information available.

ADR

No additional information available

Transport by sea

No additional information available

Air transport

No additional information available

SECTION 15: Regulatory information

15.1. US Federal regulations

| | |
|---|--|
| Petroleum Solvent (68476-34-6) | |
| Listed on the United States TSCA (Toxic Substances Control Act) inventory | |

| | |
|---|--|
| Petroleum Asphalt Base (8052-42-4) | |
| Listed on the United States TSCA (Toxic Substances Control Act) inventory | |

| | |
|---|--|
| Quartz, Silica (14808-60-7) | |
| Listed on the United States TSCA (Toxic Substances Control Act) inventory | |

15.2. International regulations

CANADA

No additional information available

EU-Regulations

No additional information available



UPM® Permanent Pavement Repair Material Safety Data Sheet

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Classification according to Regulation (EC) No. 1272/2008 [CLP]

Classification according to Directive 67/548/EEC [DSD] or 1999/45/EC [DPD]

Not classified

15.2.2. National regulations

Quartz, Silica (14808-60-7)

Listed on IARC (International Agency for Research on Cancer)

15.3. US State regulations

Petroleum Asphalt Base (8052-42-4)

U.S. - New Jersey - Right to Know Hazardous Substance List

Quartz, Silica (14808-60-7)

U.S. - New Jersey - Right to Know Hazardous Substance List

SECTION 16: Other information

Other information : None.

Full text of H-phrases:

| | | |
|-------|---------------------------|---|
| ----- | Acute Tox. 4 (Dermal) | Acute toxicity (dermal) Category 4 |
| ----- | Acute Tox. 4 (Inhalation) | Acute toxicity (inhalation) Category 4 |
| ----- | Aquatic Chronic 2 | Hazardous to the aquatic environment - Chronic Hazard Category 2 |
| ----- | Asp. Tox. 1 | Aspiration hazard Category 1 |
| ----- | Carc. 1A | Carcinogenicity Category 1A |
| ----- | Carc. 1B | Carcinogenicity Category 1B |
| ----- | Carc. 2 | Carcinogenicity Category 2 |
| ----- | Flam. Liq. 3 | Flammable liquids Category 3 |
| ----- | Skin Irrit. 2 | Skin corrosion/irritation Category 2 |
| ----- | STOT RE 2 | Specific target organ toxicity (repeated exposure) Category 2 |
| ----- | H226 | Flammable liquid and vapour |
| ----- | H304 | May be fatal if swallowed and enters airways |
| ----- | H312 | Harmful in contact with skin |
| ----- | H315 | Causes skin irritation |
| ----- | H332 | Harmful if inhaled |
| ----- | H350 | May cause cancer |
| ----- | H351 | Suspected of causing cancer |
| ----- | H373 | May cause damage to organs through prolonged or repeated exposure |
| ----- | H411 | Toxic to aquatic life with long lasting effects |

SDS US (GHS HazCom 2012)

This information is based on our current knowledge and is intended to describe the product for the purposes of health, safety and environmental requirements only. It should not therefore be construed as guaranteeing any specific property of the product

"Providing valuable products from valuable people to valuable customers."

This document contains confidential proprietary and trade secret information of UNIQUE Paving Materials Corp., and copying, dissemination, or use by anyone other than UNIQUE'S intended recipient is strictly prohibited by law.



500 West Big Beaver
Troy, MI 48064
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: March 5, 2024

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Deputy City Manager
Megan E Schubert, Assistant City Manager
Dee Ann Irby, Controller
Kurt Bovensiepe, Public Works Director
Mike Verstraete, Streets and Drains Operations Manager
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 2: Award to Low Bidder meeting Specifications – Asphalt Patching Material – COLD

History

- Asphalt Patching Material – Cold Patch is used on a seasonal basis during colder weather as a temporary patching repair to paved surfaces as needed.
- Usage history for patching material is as follows:

| | <u>Quantity (tons)</u> | <u>Price/Ton</u> | <u>Total</u> |
|------|------------------------|------------------|--------------|
| 2019 | 160 | \$101.00 | \$16,168.08 |
| 2020 | 50 | \$95.00 | \$4,924.80 |
| 2021 | 193 | \$95.00 | \$18,395.80 |
| 2022 | 150 | \$123.25 | \$18,487.50 |
| 2023 | 150 | \$123.25 | \$18,487.50 |

The current contract expires on April 30, 2024

Purchasing

- On February 15, 2024, a bid opening was conducted as required by City Charter/Code and bid proposals were received at the City's request from companies interested in providing seasonal requirements of Asphalt Patching Material – COLD Patch with an option to renew for one (1) additional year.
- The bid was posted on the MITN Purchasing Group website www.bidnetdirect.com/city-of-troy-mi. One hundred and one (101) vendors were notified via the MITN website.
- Four (4) bid responses were received. Below is a detailed summary of the vendor responses:

| | | |
|---|-----|---|
| Companies notified via MITN | 101 | 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. |
| Troy Companies notified via MITN | 2 | |
| Troy Companies notified Active email Notification | 2 | |
| Troy Companies - Active Free | 0 | |
| Companies that viewed the bid | 12 | |
| Troy Companies that viewed the bid | 1 | |



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Purchasing (Continued)

- Upon review of the bid proposal, it was determined that even though Pavement Maintenance Systems, LLC was the low bidder meeting specifications; it was determined that the bid from Ajax Materials Corporation, a Troy, MI company, met the local preference language which states:

"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."

- Ajax Materials Corporation of Troy, MI was within 3.5% of the low bidder and was given the opportunity and agreed to match the pricing of the low bidder; without exception and is therefore being recommended for award of this contract.
- The Asphalt Patching Material- COLD Patch will be ordered on a as need basis at the price of \$127.10/ton

Financial

Funds are budgeted and available in the General Fund under the Public Works operating budgets for the Streets and Water Divisions for the 2024 and 2025 Fiscal Years.

Recommendation

City Management recommends awarding a contract for seasonal requirements of Asphalt Patching Material – COLD, to the low bidder meeting specifications, Ajax Materials Corporation of Troy, MI, to be purchased on an as needed basis for an estimated total cost of \$31,775.00 as per the unit bid price contained in the bid tabulation opened February 15, 2024, not to exceed annual budget limitations.

Opening Date - 02/15/2024
Date Reviewed - 02/15/2024

CITY OF TROY
BID TABULATION
ASPHALT PATCHING MATERIAL - COLD PATCH

ITB-COT 24-01
Pg 1 of 1

| | | | | |
|--------------|-----------------------------------|------------------------|----------------------------|-----------------------|
| VENDOR NAME: | Pavement Maintenance Systems, LLC | Ace-Saginaw Paving Co. | Ajax Materials Corporation | Cadillac Asphalt, LLC |
| | Imlay City, MI | Saginaw, MI | Troy, MI | Farmington Hills, MI |
| CITY: | | | | |

PROPOSAL: To furnish SEASONAL REQUIREMENTS OF ASPHALT PATCHING MATERIAL - COLD PATCH with a one year renewal

Proposal A - WEEK DAY DELIVERY

| Description | EST QTY (Tons) | Unit Price | Ext Price | Unit Price | Ext Price | Unit Price | Ext Price | Unit Price | Ext Price |
|---|----------------|--------------------|-------------|--------------------|-------------|-------------------------------------|-------------|--------------------|-------------|
| QPR/UPM or Approved Alternate - Delivered | 250 | \$127.10 | \$31,775.00 | \$130.00 | \$32,500.00 | \$131.50 | \$32,875.00 | \$134.95 | \$33,737.50 |
| TOTALS: | | \$31,775.00 | | \$32,500.00 | | \$32,875.00 | | \$33,737.50 | |
| Please State Material QPR/ UPM or Approved Alternate: | | Not Specified | | Not Specified | | Not Specified | | Not Specified | |
| Minimum Load Requirement: | | 50 Ton Loads | | 50 Ton | | 50 Ton Train Loads | | 50 | |
| Contract Information: Hours of Operation: | | 7AM-5PM | | N/A | | Mon-Fri 8AM-2PM | | Mon-Thurs 7AM-3PM | |
| 24 Hour Emergency Phone #: | | (810) 614-1351 | | (989) 737-2863 | | (248) 388-1687 | | (248) 228-6281 | |
| References: Y or N | | Y | | Y | | Y | | Y | |
| Insurance Met: Y or N | | Y | | Y | | Y | | Y | |
| Payment Terms: | | Not Specified | | Net 30 | | Net 30 days upon receipt of invoice | | Net 30 | |
| Warranty: | | Not Specified | | Not Specified | | As per UPM requirements | | N/A | |
| Delivery Time: | | 7AM-5PM | | 2 Days | | 24-48 hours | | 7AM-2PM | |
| Exceptions: | | None | | None | | None | | None | |
| Acknowledgement: | | Y | | Y | | Y | | Y | |
| Forms: | | Y | | Y | | Y | | Y | |

ATTEST:

(*Bid Opening conducted via a Zoom Meeting)

Mike Verstraete

Andrew Chambliss

Nellie Bert

Heather Chomiak

Emily Frontera

Purchasing Manager



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/5/2023

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 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 | CONTACT NAME: Debbie Rossi |
| Guy Hurley, LLC | PHONE (A/C, No, Ext): (248) 519-1306 |
| 989 E. South Boulevard | FAX (A/C, No): (248) 519-1401 |
| Suite 200 | E-MAIL ADDRESS: drossi@ghbh.com |
| Rochester Hills MI 48307 | INSURER(S) AFFORDING COVERAGE |
| INSURED | INSURER A: American Contractors Ins Co RRG A VIII 12300 |
| Ajax Paving Industries, Inc. | INSURER B: ACIG Insurance Company A VIII 19984 |
| 1957 Crooks Rd. | INSURER C: Continental Insurance Company A XV 35289 |
| Troy MI 48084 | INSURER D: Travelers Prop Cas Co Amer A++XV 25674 |
| | INSURER E: |
| | INSURER F: |

COVERAGES

CERTIFICATE NUMBER: 23-24 Master

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 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|--|-----------|----------|------------------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | GL23A00083 | 6/1/2023 | 6/1/2024 | EACH OCCURRENCE \$ 10,000,000 |
| A | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | GL23B00083 (GL Excess) | 6/1/2023 | 6/1/2024 | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 |
| | <input checked="" type="checkbox"/> XCU Coverage Included | X | | | | | MED EXP (Any one person) \$ 5,000 |
| A | <input checked="" type="checkbox"/> Contractual Liability | | | GL23C00083 (GL Excess) | 6/1/2023 | 6/1/2024 | PERSONAL & ADV INJURY \$ 10,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE \$ 10,000,000 |
| | <input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | PRODUCTS - COMP/OP AGG \$ 10,000,000 |
| | OTHER: | | | | | | \$ |
| A | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 |
| | <input checked="" type="checkbox"/> ANY AUTO | | | AL23000029 | 6/1/2023 | 6/1/2024 | BODILY INJURY (Per person) \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | | X | | | | BODILY INJURY (Per accident) \$ |
| | <input checked="" type="checkbox"/> HIRED AUTOS | | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS | | | | | | \$ |
| C | UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR | | | CUE7014990214 | 6/1/2023 | 6/1/2024 | EACH OCCURRENCE \$ 10,000,000 |
| | <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE | | | Excess GL & BA | | | AGGREGATE \$ 10,000,000 |
| | DED <input type="checkbox"/> RETENTION \$ | X | | | | | \$ |
| B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | WCA000004723 | 6/1/2023 | 6/1/2024 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | Y/N | N/A | | | | E.L. EACH ACCIDENT \$ 1,000,000 |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| D | Inland Marine | | | QT6308A099243 | 6/1/2023 | 6/1/2024 | Leased/Rented \$550,000 |

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

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 are Additional Insured for General Liability, Automobile Liability and Umbrella Liability when required by written contract. 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. 30 Day Notice of Cancellation (Except Non-Payment of Premium) applies in favor of (Enter Certificate Holder Name) for General Liability when required by written

CERTIFICATE HOLDER

CANCELLATION

| | |
|---|--|
| City of Troy 500 W. Big Beaver Rd. Troy, MI 48084 | 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 Richard McGregor/WEAL |

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COMMENTS/REMARKS

contract.

NOTICE OF CANCELLATION, NONRENEWAL OR MATERIAL CHANGE – CERTIFICATE HOLDERS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The certificate of insurance holders shown in the schedule below have requested that they receive written notice of cancellation, nonrenewal or material change with respect to this policy. If we decide to cancel, nonrenew or make a material change to this policy, we agree to mail or deliver sixty (60) days advance written notice to the certificate of insurance holders shown in the schedule below. However, if we are cancelling or nonrenewing due to nonpayment of premium, we will only provide the certificate of insurance holders shown in the schedule below with ten (10) days advance written notice.

The notice of cancellation, nonrenewal or material change will be mailed to the addresses provided to us by the certificate of insurance issuer. Proof of mailing will be considered sufficient proof of our good faith attempt to provide notice of cancellation, nonrenewal or material change to the certificate of insurance holders shown in the schedule below.

SCHEDULE

All certificate of insurance holders where written notice of cancellation, nonrenewal or material change to this policy is required by written contract, permit or agreement with the Named Insured.

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, conditions, provisions, agreements or limitations of the mentioned Policy, other than as above stated.

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.
(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective: **Same as policy effective date unless otherwise indicated above.**

Policy Effective: 6/1/2023

Policy No.: GL23A00083

Endorsement No.:

Insured: Ajax Paving Industries, Inc.

Premium \$

Insurance Company: American Contractors Insurance Co RRG