

RESOLUTION NO. 2022-09-1009R

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION TO ACCEPT THE LOW BID SUBMITTED BY SSI INCORPORATED OF NW ARKANSAS FOR CONSTRUCTION SERVICES FOR THE CENTRAL FIRE STATION PROJECT IN THE CITY OF TONTITOWN AND AUTHORIZE THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH SSI INCORPORATED OF NW ARKANSAS.

WHEREAS, as required by law, the City of Tontitown received bids for the above described project; and

WHEREAS, the low bid proposal, attached hereto as Exhibit "A", was submitted by SSI Incorporated of NW Arkansas; and

WHEREAS, after thorough review, the City Council finds it to be in the best interest of the citizens of the City of Tontitown to accept the low bid for construction services for the Central Fire Station Project, and to authorize the Mayor to negotiate and execute a contract with SSI Incorporated of NW Arkansas for the same.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tontitown, Arkansas:

Section 1. That the City Council of the City of Tontitown hereby accepts the bid submitted by SSI Incorporated of NW Arkansas, attached hereto as Exhibit "A", for construction services for the Central Fire Station Project and authorizes the Mayor to negotiate and enter into a contract with SSI Incorporated of NW Arkansas for the same.

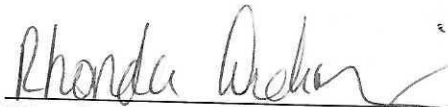
Section 2. The previous acts and actions of the Mayor or his designees to bid this project is hereby ratified and approved by the City Council and the Mayor and the City Clerk-Treasurer are authorized to take all actions required to complete the project.

PASSED AND APPROVED this 6 day of September 2022.

APPROVED:


Angela Russell, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer



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Fee Amt: \$40.00 Page 1 of 6
Washington County, AR
Kyle Sylvester Circuit Clerk

File 2022-00032900

EXHIBIT**A****SECTION 00 4100
BID FORM****TO:**

City of Tontitown, Arkansas

Physical Address: 235 E Henri de Tonti Blvd, Tontitown, AR 72762

Mailing Address: PO Box 305, Tontitown, AR 72770

FROM:Name of Bidder: SSI Incorporated of N.W. ArkansasAddress: 400 Jean Mary Avenue,
Springdale, AR. 72762Phone/Fax: P-479-361-5857 License No. 0001310423BASE BID F-479-361-5860

Pursuant to and in compliance with Bidding Documents, the proposed Contract Documents, and contingent upon Owner's funding, I hereby propose and agree to furnish material and labor to construct and complete the Tontitown Fire Station, in strict accordance with the Contract Documents for the sum of:

BASE BID: Four million four hundred seventy dollars + 00/100 \$4,470,000.00

Dollars (written out)

Numerical Amount

DEDUCTIVE ALTERNATES:

- A. No. 1; Provide a price to change ceiling material, mechanical layout and lighting as shown in drawing 3/A1.11 and drawing 3/M2.1. Changes include but are not limited to: ACT-1 ceilings in lieu of ACT-2 and MP-1 ceilings. Type D supply air diffusers in lieu of type N diffusers. Type H air exhaust in lieu of type U exhaust. Type B light fixtures in lieu of type C light fixtures. Switching for lighting to remain as is in base bid, see referenced drawings for additional information. Deduct:

\$12,000.00 Twelve thousand dollars + 00/100**UNIT PRICES**

Cost per cubic yard for removal of unsuitable soil and backfill / compaction: +/-

\$ 35.00

Cost per cubic yard for trench rock removal and backfill / compaction: +/-

\$ 400.00

Cost per cubic yard for mass rock removal soil and backfill / compaction: +/-

\$ 300.00**ADDENDA**

The undersigned acknowledges receipt of and inclusion as a part of the Contract Documents the following addenda:

1 Dated 08-08-2022# 2 Dated 08-10-2022# 3 Dated 08-15-2022**COMPLETION DATE:**

Bidder agrees that the work will begin within 10 days of Notice to Proceed and that all work will be substantially complete by 44 calendar weeks from Notice to Proceed. (Bidder to enter number of weeks.)

THE UNDERSIGNED, IN COMPLIANCE WITH THE CONTRACT DOCUMENTS FOR THE CONSTRUCTION OF THE ABOVE NAMED PROJECT, DOES HEREBY DECLARE:

That the undersigned understands the Owner reserves the right to reject any and all bids and to waive any formality;

That if awarded the Contract, the undersigned will enter into an Agreement, on a form identical to the form included in the Contract Documents and execute required performance and payment bonds;

The undersigned further agrees that the bid security payable to Owner and accompanying this proposal shall become the property of the Owner as liquidated damages if the undersigned fails to execute the Contract or to deliver the required bonds to the Owner within 5 days from receipt of the Intent to Award as these acts constitute a breach of the Contractor's duties.

That this bid may not be withdrawn for a period of 30 days after the bid opening.

That the Owner's Intent is to construct all facilities proposed within the limits established by the funds appropriated for the project;

That the names of subcontractors and the nature of the work to be performed by each one have been included on the Bid Form; and

The following documents are attached to and made a condition of this Bid:
Bid security.

IN COMPLIANCE WITH ARKANSAS CODE ANNOTATED § 22-9-212, THE FOLLOWING SEPARATE PAY ITEM IS INCLUDED IN THE BASE BID:

TRENCHING OR EXCAVATION (IF REQUIRED)

SAFETY SYSTEMS: Five hundred dollars + tax \$ 500.00 Dollars

IF AWARDED THE CONTRACT, IN COMPLIANCE WITH ARKANSAS ANNOTATED CODE § 22-9-204, THE FIRMS NAMED BELOW WILL BE EMPLOYED AS SUBCONTRACTORS FOR THEIR RESPECTIVE TRADES

Mechanical: Professional Air Systems, LLC.

(Indicative of HV ACR)

Is amount of work \$50,000 or over: Yes ☒ No ☐ License No. 0381950523

Electrical: King Electric.

(Indicative of wiring and illuminating fixtures)

Is amount of work \$50,000 or over: Yes ☒ No ☐ License No. 0063870423

Plumbing: HDI Contractors

(Indicative of piping and plumbing)

Is amount of work \$50,000 or over: Yes ☒ No ☐ License No. 0007240423

Roofing/Sheet Metal: Stearman Roofing & Sheet Metal, LLC.

(Indicative of roofing applications)

Is amount of work \$50,000 or over: Yes ☒ No ☐ License No. 0351350523

IF AWARDED THE CONTRACT, I AGREE TO ENTER INTO AND EXECUTE A CONTRACT ON THE BASIS OF THIS BID, AND TO FURNISH BONDS AND PROOF OF INSURANCE IN ACCORDANCE WITH THE INSTRUCTION TO BIDDERS AND THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION.

I HAVE COMPLETED THE BID AND HAVE ATTACHED BID SECURITY, IN SPECIFIED AMOUNT, AND COPY OF SURETY AGENT'S POWER OF ATTORNEY.

FIRM NAME: SSI Incorporated of N.W. Arkansas

SIGNATURE: Leo Ruhl

TITLE: PRESIDENT

DATE: August 19, 2022

IF BIDDER IS A PARTNERSHIP, COMPLETE THE FOLLOWING:

NAMES AND n/a
ADDRESSES OF
PARTNERS: n/a

IF BIDDER IS A CORPORATION, COMPLETE THE FOLLOWING:

NAME AND Leo Anhalt

ADDRESS OF

PRESIDENT: 400 Jean Mary Avenue, Springdale, AR. 72762

NAME AND Leo Anhalt

ADDRESS OF

TREASURER: 400 Jean Mary Avenue, Springdale, AR. 72762

(SEAL)

END OF SECTION



5500 Euper Lane
PO Box 3529
Ft. Smith, AR 72913 (479) 452-4000
www.bhca.com

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we
(Here insert full name and address or legal title of Contractor)

SSI Incorporated of NW Arkansas
400 Jean Mary Avenue
Springdale, AR 72762

as Principal, hereinafter called the Principal, and
(Here insert full name and address or legal title of Surety)

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183

a corporation duly organized under the laws of the State of Connecticut
as Surety, hereinafter called the Surety, are held and firmly bound unto
(Here insert full name and address or legal title of Owner)

City of Tontitown
235 E. Henri De Tonti Blvd
Tontitown, AR 72770

as Obligee, hereinafter called the Obligee, in the sum of **FIVE PERCENT OF THE TOTAL AMOUNT BID**

Dollars (\$ **5%**), for the payment
of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for **New Central Fire Station for the City of Tontitown**
(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 19th day of August 2022

Kristin Karrou
(Witness)

SSI Incorporated of NW Arkansas
(Principal) Leo Anhalt (Seal)
(Title) Leo Anhalt, President

Rosa McCune
(Witness)

Travelers Casualty and Surety Company of America
(Surety) Mary Ann Justice (Seal)
(Title) Mary Ann Justice, Attorney-in-Fact

TRAVELERS

Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Mary Ann Justice** of **FORT SMITH** Arkansas, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 17th day of January, 2019.



State of Connecticut

City of Hartford ss.

By: _____

Robert L. Raney, Senior Vice President

On this the 17th day of January, 2019, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021



Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 19th day of August, 2022.



 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
 Please refer to the above-named Attorney-in-Fact and the details of the bond to which this Power of Attorney is attached.

Washington County, AR
I certify this instrument was filed on
10/06/2022 11:54:30 AM
and recorded in Real Estate
File Number 2022-00032900
Kyle Sylvester - Circuit Clerk

by



