



CITY COUNCIL  
2267 N 1500 W  
CLINTON UT 84015  
Phone: (801)-614-0700  
Fax: (801) 614-0752  
www.clintoncity.net

AMENDED AGENDA  
July 28, 2015

Mayor

*L. Mitch Adams*

City Council

*Anna Stanton*

*Mike Petersen*

*Karen Peterson*

*Barbara Patterson*

*T.J. Mitchell*

**I. REGULAR SESSION – 7:00 P.M.**

1. Call to Order
  2. Pledge of Allegiance
  3. Invocation or Thought
  4. Roll Call
- A. Employee of the Month for May 2015 Kevin Sorenson, Public Works
  - B. Employee of the Month for June 2015 Tammy Anderson, Community Development
  - C. Department Head of the 2<sup>nd</sup> Quarter of 2015 – Police Chief Bill Chilson
  - D. **TABLED ITEM – OPEN PUBLIC HEARING – FROM JULY 14, 2015 – Resolution 18-15**  
- Review and action upon a recommendation from the Planning Commission on a request for approval of an Amendment to the Preliminary Plat and Development Agreement for Cranefield Estates and Clubview at Cranefield Estates, located at approximately 3650 West on 2300 North
  - E. **TABLED ITEM – OPEN PUBLIC HEARING – FROM JULY 14, 2015 – Resolution 19-15**  
- Subdivision Final Plat Approval - Review and action upon a recommendation to approve the Final Plat of Cranefield Estates Subdivision Phase V, located at approximately 3535 West on 2250 North
  - F. **Resolution No. 13-15**, Authorizing the Mayor to enter into an Interlocal Agreement with West Point City to supply sanitary sewer service to a portion of the City
  - G. **TABLED ITEM – OPEN PUBLIC HEARING – FROM JULY 14, 2015 – Subdivision final Plat Approval - Resolution 16-15** - Review and action upon a recommendation from the Planning Commission on a request for approval of the Final Plat of Clinton Meadows North Subdivision, located at approximately 3400 West on the north side of 1800 North.
  - H. **TABLED ITEM – OPEN PUBLIC HEARING – FROM June 23, 2015 - Subdivision Final Plat Approval – Resolution 11-15** - Review and action upon a recommendation from the Planning Commission on a request for approval of the Final Plat of Clinton Meadows South Subdivision, located at approximately 3400 West on the north side of 1800 North.
  - I. **7:45 P.M. PUBLIC HEARING, Resolution 20-15** - Review and action upon a recommendation from the Planning Commission on a request for approval of the Final Plat of Fenway Estates Subdivision, located at approximately 2475 West 2300 North and 1000 North on 2000 West
  - J. Subdivision Conditional Acceptance, Dawson Estates Second Amendment
  - K. Award of Bid for ONYX Pavement Treatment - Eccles Paving

**II. OTHER BUSINESS'**

- a. Approval of Meeting Minutes for July 14, 2015
- b. Accounts Payable
- c. Planning Commission Report
- d. City Manager's Report
- e. Mayor's Report
- f. Council Reports on Areas of Responsibility
- g. Action Item Review

**III. ADJOURN**

*Dennis W. Cluff*

If you attend this meeting and, due to a disability, will need assistance in understanding or participating therein, please notify the City at least eight hours prior to the meeting and we will seek to provide assistance. The order of agenda items may be changed or times accelerated as time permits with the exception of public hearing.

# CLINTON CITY COUNCIL AGENDA ITEM

<b>SUBJECT:</b> Award of Bid for ONYX Pavement Treatment - Eccles Paving	<b>AGENDA ITEM: K</b>
<b>PETITIONER:</b> Dennis Cluff, Mike Child	<b>MEETING DATE:</b>  July 28, 2016
<b>RECOMMENDATION:</b> That Council award the ONYX spray-on street surface treatment to Eccles Paving of Springville for	<b>ROLL CALL VOTE:</b> <b>NO</b>
<b>FISCAL IMPACT:</b>	
<p><b>BACKGROUND:</b></p> <p>Attached is the 3 bids we received for the ONYX spray on surface treatment. The bids were:            Eccles Paving = \$82,275.30;            Morgan Paving = \$83,957.60; and,            Precision Asphalt = \$84,061.50.</p> <p>The lowest bid came from Eccles Paving of Springville, UT. They have been contacted and confirmed that everything is correct on their bid. We have never done business with them, but the supplier of the spray on product, Aaron Edwards from NUROCK, confirms that they are a very good company. We would recommend that the City Council Award the project to them.</p>	
<b>ATTACHMENTS:</b>	

**CLINTON CITY CORPORATION**  
**2015 MASTIC SEAL STREET MAINTENANCE PROJECT**  
**BID SCHEDULE**

Item No.	Description	Bid Unit	Estimated Quantity	Bid Unit Price	Bid Total Price
1	Mobilization	LS	1	\$1250.00	\$1250.00
2	Traffic Control	LS	1	\$500.00	\$500.00
3	Slurry Seal Coat, Type II	SY	2,650	\$2.70/SY	\$7155.00
4	Onyx Mastic Seal Coat	TON	59,100	\$1.22/SY	\$72 870.30
5	SWPPP	EA	1	\$500.00	\$500.00
<b>Total of All Bid Prices</b>					\$82,275.30 <del>\$78961.50</del>

Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

**ARTICLE 6 – BID EVALUATION**

6.01 Owner reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. Owner further reserves the right to reject the Bid of any Bidder whom it finds, after reasonable inquiry and evaluation, to not be responsible. Owner may also reject the Bid of any Bidder if Owner believes that it would not be in the best interest of the Project to make an award to that Bidder. Owner also reserves the right to waive all informalities not involving price, time, or changes in the Work and to negotiate contract terms with the Successful Bidder.

**ARTICLE 7 – TIME OF COMPLETION**

7.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

7.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 8 – ATTACHMENTS TO THIS BID**

8.01 The following documents are submitted with and made a condition of this Bid:

A. List of Proposed Subcontractors;

B. List of Proposed Suppliers;

**ARTICLE 9 – DEFINED TERMS**

9.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

**ARTICLE 10 – BID SUBMITTAL**

10.01 Communication concerning this Bid shall be addressed to:

J-U-B ENGINEERS, Inc.  
466 North 900 West  
Kaysville, Utah 84037  
(801) 547-0393

10.02 Submitted date and license number.

SUBMITTED on July 9<sup>th</sup>, 2015.

State Contractor License No. 6213504-5501.

10.03 This Bid is submitted by:

If Bidder is: (Complete one of the following four pages, and “X” through the three that are not applicable.)

An Individual

Name (typed or printed): \_\_\_\_\_

By: \_\_\_\_\_  
(Individual's signature)

Doing business as: \_\_\_\_\_

Bidder's Business Address \_\_\_\_\_

Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

A Partnership

Partnership Name: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Bidder's Business Address \_\_\_\_\_

\_\_\_\_\_

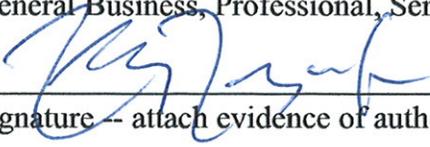
Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

A Corporation

Corporation Name: Sumsion Construction LC DBA Eckles Paving (SEAL)

State of Incorporation: Utah

Type (General Business, Professional, Service, Limited Liability): \_\_\_\_\_

By:  \_\_\_\_\_

(Signature -- attach evidence of authority to sign)

Name (typed or printed): Kory Longenecker

Title: Manager

(CORPORATE SEAL)

Attest \_\_\_\_\_

Date of Qualification to do business in Utah is 11 / 30 / 2015

Bidder's Business Address P.O. BOX 68 Springville, UT 84663

Phone No. 801 225 3715 Fax No. 801 489 6859

A Joint Venture

Name of Joint Venture: \_\_\_\_\_

First Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Second Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address \_\_\_\_\_

Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

CLINTON CITY CORP  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT

LISTING OF SUBCONTRACTORS

The Bidder shall list on the following lines the names and addresses of all subcontractors, if applicable.

Morgan Paving	625 S Main St Clearfield, UT 84015	Slurry Seal Type 2
Name	Address	Item

Name	Address	Item

Name	Address	Item

Name	Address	Item

Name	Address	Item

Name	Address	Item

Name	Address	Item

CLINTON CITY CORPORATION  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT  
LISTING OF SUPPLIERS

The Bidder shall list on the following lines the names and addresses of all suppliers, if applicable.

Name	Address	Material/ Equipment
NU ROCK	645 S Main ST CLEARFIELD, UT	ONYX SEALCOAT
Name	Address	Material/ Equipment

**CLINTON CITY CORPORATION**  
**2015 MASTIC SEAL STREET MAINTENANCE PROJECT**  
**BID SCHEDULE**

Item No.	Description	Bid Unit	Estimated Quantity	Bid Unit Price	Bid Total Price
1	Mobilization	LS	1	0	0
2	Traffic Control	LS	1	4200. <sup>00</sup>	4200. <sup>00</sup>
3	Slurry Seal Coat, Type II	SY	2,650	1.64	4346. <sup>00</sup>
4	Onyx Mastic Seal Coat	<del>SY</del> TON	59,100	1.276	75,411. <sup>60</sup>
5	SWPPP	EA	1	0	0
<b>Total of All Bid Prices</b>					<b>\$ 83,957.<sup>60</sup></b>

Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

**ARTICLE 6 – BID EVALUATION**

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A. List of Proposed Subcontractors;

B. List of Proposed Suppliers;

#### ARTICLE 9 – DEFINED TERMS

9.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

#### ARTICLE 10 – BID SUBMITTAL

10.01 Communication concerning this Bid shall be addressed to:

J-U-B ENGINEERS, Inc.  
466 North 900 West  
Kaysville, Utah 84037  
(801) 547-0393

10.02 Submitted date and license number.

SUBMITTED on July 10, 2015.

State Contractor License No. 93-269128-5501

10.03 This Bid is submitted by:

If Bidder is: (Complete one of the following four pages, and “X” through the three that are not applicable.)

An Individual

Name (typed or printed): \_\_\_\_\_

By: \_\_\_\_\_  
(Individual's signature)

Doing business as: \_\_\_\_\_

Bidder's Business Address \_\_\_\_\_

\_\_\_\_\_

Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

A Partnership

Partnership Name: \_\_\_\_\_

By: \_\_\_\_\_

(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Bidder's Business Address \_\_\_\_\_

\_\_\_\_\_

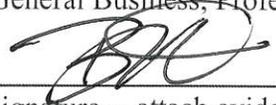
Phone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

A Corporation

Corporation Name: MORGAN PAVEMENT MAINT. (SEAL)

State of Incorporation: UTAH

Type (General Business, Professional, Service, Limited Liability): GENERAL BUSINESS

By:   
(Signature -- attach evidence of authority to sign)

Name (typed or printed): BRIAN ALLEN

Title: ESTIMATOR  
(CORPORATE SEAL)

Attest  Corp Sec/CFO

Date of Qualification to do business in Utah is 4/30/1987

Bidder's Business Address MORGAN PAVEMENT  
P.O. Box 190 CLEARFIELD, UT. 84015

Phone No. 801-544-5947 Fax No. 801-416-8061

A Joint Venture

Name of Joint Venture: \_\_\_\_\_

First Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Second Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address MORGAN PAVEMENT  
P.O. Box 190, CLEARFIELD UT.  
84015

Phone No. 801-544-5947 Fax No. 801-416-8061

CLINTON CITY CORP  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT

LISTING OF SUBCONTRACTORS

The Bidder shall list on the following lines the names and addresses of all subcontractors, if applicable.

100% SELF PERFORMED  
Name \_\_\_\_\_ Address \_\_\_\_\_ Item \_\_\_\_\_

\_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_ Item \_\_\_\_\_

CLINTON CITY CORPORATION  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT  
LISTING OF SUPPLIERS

The Bidder shall list on the following lines the names and addresses of all suppliers, if applicable.

<u>Nu - Rock</u> Name	<u>P.O. Box 189</u> Address <u>CLEARFIELD, UT</u> <u>84089</u>	<u>ONYX</u> Material/ Equipment
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<hr/> Name	<hr/> Address	<hr/> Material/ Equipment
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<hr/> Name	<hr/> Address	<hr/> Material/ Equipment
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<hr/> Name	<hr/> Address	<hr/> Material/ Equipment
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**BID FORM**

**Clinton City Corporation**

**2015 MASTIC SEAL STREET MAINTENANCE PROJECT**

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**ARTICLE 1 – BID RECIPIENT**

1.01 This Bid is submitted to:

*Clinton City Corporation  
2267 North 1500 West  
Clinton, UT 84015*

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS**

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 – BIDDER’S REPRESENTATIONS**

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
_____	_____
_____	_____
_____	_____

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site (except Underground Facilities) that have been identified in SC-4.02 as containing reliable "technical data," and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."

- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- 1. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

#### **ARTICLE 4 – BIDDER'S CERTIFICATION**

##### 4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
  4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.
- E. By submitting a bid, each Bidder agrees to wave any claim it has or may have against the Owner, the Engineer, and their respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any bid.

#### **ARTICLE 5 – BASIS OF BID**

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

All specified cash allowances are included in the price(s) set forth above, and have been computed in accordance with Paragraph 11.02 of the General Conditions.

5.02 Bidders shall submit bids for all Bid Schedules.

**CLINTON CITY CORPORATION**  
**2015 MASTIC SEAL STREET MAINTENANCE PROJECT**  
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Unit Prices have been computed in accordance with Paragraph 11.03.B of the General Conditions. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

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A. List of Proposed Subcontractors;

B. List of Proposed Suppliers;

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10.01 Communication concerning this Bid shall be addressed to:

J-U-B ENGINEERS, Inc.  
466 North 900 West  
Kaysville, Utah 84037  
(801) 547-0393

10.02 Submitted date and license number.

SUBMITTED on July 9<sup>th</sup>, 20 15.

State Contractor License No. 7843926-5501.

10.03 This Bid is submitted by:

If Bidder is: (Complete one of the following four pages, and “X” through the three that are not applicable.)

A Corporation

Corporation Name: Precision Asphalt (SEAL)

State of Incorporation: Utah

Type (General Business, Professional, Service, Limited Liability): Service

By: [Signature]  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Daveh aldi

Title: Precision Asphalt  
(CORPORATE SEAL)

Attest [Signature]

Date of Qualification to do business in Utah is 5/1/2007

Bidder's Business Address 897 McCormick Way Ste. 4  
Layton, Utah 84041

Phone No. 801-991-0158 Fax No. 888-543-0188

CLINTON CITY CORP  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT

LISTING OF SUBCONTRACTORS

The Bidder shall list on the following lines the names and addresses of all subcontractors, if applicable.

Name	Address	Item
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Name	Address	Item
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Name	Address	Item
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Name	Address	Item
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Name	Address	Item
------	---------	------

Name	Address	Item
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Name	Address	Item
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CLINTON CITY CORPORATION  
2015 MASTIC SEAL STREET MAINTENANCE PROJECT  
LISTING OF SUPPLIERS

The Bidder shall list on the following lines the names and addresses of all suppliers, if applicable.

<u>Nurock Coatings</u> Name	<u>455 Main St Clearfield</u> Address	<u>ONYX</u> Material/ Equipment
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<hr/> Name	<hr/> Address	<hr/> Material/ Equipment
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