

**ERIE AREA COUNCIL OF GOVERNMENTS  
JOINT BIDDING COMMITTEE  
2021**

**BID # 2021 – 4  
STREET & ROAD MAINTENANCE & PAVING MATERIALS**

**PLEASE CONTACT JESSICA HORAN-KUNCO WITH QUESTIONS  
AT JHKUNCO@ERIEAREACOG.ORG  
OR (814) 454-1770**

**PROPOSAL FROM:**

**COMPANY:** Lindy Paving, Inc.  
**ADDRESS:** 1807 Shenango Road  
New Galilee, PA 16141  
**CONTACT NAME:** Laurie Gasper  
**PHONE #:** (724) 336-1400  
**E-MAIL:** laurie.gasper@lindypaving.com  
**DATE:** April 8, 2021

**ERIE AREA COUNCIL OF GOVERNMENTS  
JOINT MUNICIPAL BIDDING COMMITTEE**

**FORM OF PROPOSAL  
2021**

**STREET AND ROAD MAINTENANCE MATERIALS**

I/We have investigated the availability of the specified materials and agree to furnish F.O.B.(and an optional delivery price) all the specified materials at the following prices:

**UNIT PRICE PER TON  
PICKED-UP AND LOADED ON MUNICIPAL TRUCKS**

**HOT MIX**

	<u>RAP MATERIAL</u>	<u>VIRGIN MATERIAL</u>
9.5MM superpave Wearing Course	\$ <u>65.00</u>	\$ <u>70.00</u>
9.5 MM <u>with Fiber Reinforcement</u>	\$ <u>75.00</u>	\$ <u>80.00</u>
FJ 1 Wearing Course	\$ <u>75.00</u>	\$ <u>80.00</u>
19MM Binder Course	\$ <u>60.00</u>	\$ <u>65.00</u>
19 MM Binder <u>w/Fiber Reinforcement</u>	\$ <u>70.00</u>	\$ <u>75.00</u>
25MM Binder Course	\$ <u>58.25</u>	\$ <u>63.25</u>

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**Cold Patching Material** \$ No Bid

**High Performance Patching Material** \$ 94.25

**Pick up location:** Erie Plant - 2002 Pittsburgh Avenue - Erie, PA Hot Mix Material

Wheelertown Plant - 3580 Wheelertown Road - Waterford, PA Hot Mix and Patch Material

**OPTIONAL-DELIVERY PRICE:** **To the following Bidders Sites:**

<u>MUNICIPALITY:</u>	<u>price per ton</u>	<u>FJ 1</u>	<u>COLD PATCH</u>
Franklin Township 10411 Rt. 98 Edinboro, PA 16412	approx. 22 tons	\$ <u>No Bid</u>	approx.175 tons \$ <u>No Bid</u>
Girard Township 10140 Ridge Rd. Girard, PA 16417			approx.25 tons \$ <u>No Bid</u>

**FORM OF PROPOSAL  
2021**

### Alternative Proposal:

Bidders desiring to furnish the materials in substantial compliance with these specifications but differing slightly in some respects shall be required to indicate in the spaces provided below IN DETAIL the specific deviations of the unit they propose to furnish. A proposal containing no entries in these spaces below will be assumed by the Municipalities as being in complete compliance with these specifications.

[illegible]

**ERIE AREA COUNCIL OF GOVERNMENTS  
JOINT MUNICIPAL BIDDING COMMITTEE  
FORM OF PROPOSAL  
2021**

Accompanying this Proposal is a certified check or bid bond (circle one) in the amount of 5% of Total Bid dollars (\$) made payable to the Erie Area Council of Governments, Erie, Pennsylvania, which is agreed, shall be retained as liquidated damages by the Erie Area Council of Governments if the undersigned fails to execute a Contract in conformity with the Contract Documents and furnish any specified bonds within ten (10) days after notification of award of the Contract to the undersigned. It is agreed that this Proposal may not be withdrawn for a period of sixty (60) days from the opening thereof.

I/We hereby certify that I/we have read, understand, and agree to all the conditions outlined in the Solicitation of Bids, Instructions to Bidders, Special Conditions, Detail Specifications, and all other parts of the Bid Documents. I am/We are the only person(s) interested in the Proposal as principal(s). This Proposal is made without collusion with any person, firm or corporation.

Company Lindy Paving, Inc.

Address 1807 Shenango Road

New Galilee PA 16141

ATTEST:

Phone (724) 336-1400

State of Incorporation - PA

E-Mail laurie.gasper@lindypaving.com

Mia Tutino Mitchell  
Mia Tutino Mitchell, Secretary  
(Title)

Signed Vincent Tutino

Name Vincent Tutino

(Type or Print)  
Title President

(SEAL)

Date April 8, 2021

# Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

Lindy Paving, Inc.  
1807 Shenango Road  
New Galilee, PA 16141

### SURETY:

(Name, legal status and principal place of business)

Travelers Casualty and Surety Company of America

10 Sentry Parkway, Suite 300  
Blue Bell, PA 19422

### Mailing Address for Notices

Same

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

### OWNER:

(Name, legal status and address)

Erie Area Council of Governments  
150 East Front Street, Suite 300  
Erie, PA 16507

**BOND AMOUNT:** 5% Five Percent of Amount Bid

### PROJECT:

(Name, location or address, and Project number, if any)

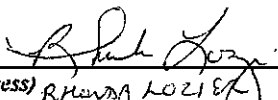
Street & Road Maintenance & Paving Materials

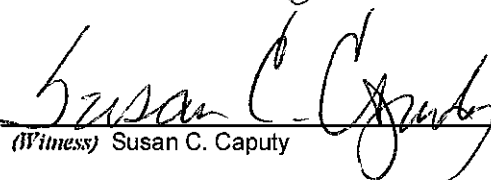
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner 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. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 8th day of April, 2021.

  
(Witness) Linda A. Lopez

  
(Witness) Susan C. Caputy

Lindy Paving, Inc.

(Principal)

(Seal)

By: 

(Title) PRESIDENT

Travelers Casualty and Surety Company of America

(Surety)

(Seal)

By: 

(Title) Jeffrey A. Frank, Attorney-in-Fact





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

#### POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty 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 **Jeffrey A. Frank of Pittsburgh, PA**, 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, including the following bond:

**Surety Bond No.: Bid Bond  
OR**

**Principal: Lindy Paving, Inc.  
Obligee: Erie Area Council of Governments**

**Project Description: Street & Road Maintenance & Paving Materials**

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, **this 6th day of May, 2019.**



State of Connecticut

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

*Robert L. Raney*  
Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the **6th day of May, 2019**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, 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*  
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 each of the Companies, 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 each of the Companies, 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 **8th** day of April, 2021.



*Kevin E. Hughes*  
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.**