

**CONTRACT DOCUMENTS  
CONTRACT, BOND AND CONDITIONS  
CC - CONTRACT**

**Contract No. 1212**

This Contract, made the 2 day of October 2000  
by and between

Michuda Construction, Inc., a corporation organized and existing  
under the laws of the State of Illinois

with offices at  
11204 South Western Avenue, City of Chicago, State of Illinois

hereinafter called the "Contractor", and **THE PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation organized and existing pursuant to the *Illinois Public Building Commission Act*, as amended, with offices at the Richard J. Daley Center, 66 West Washington, Chicago, Illinois 60602, hereinafter called the "Commission".

WITNESSETH, that the Contractor and the Commission for the consideration stated herein agree as follows:

**ARTICLE 1 STATEMENT OF WORK**

The Contractor agrees to perform everything required to be performed and to provide all of the labor, necessary tools, machinery and materials, and all facilities for the construction of the project as described herein and as further identified in the "Request for Prequalification" for this project and other work necessary to perform and complete in a workmanlike manner, and within the specified time, all of the Work listed in the foregoing Advertisement for Bids dated July 21, 2000 in strict accordance with the Contract Documents.

**ARTICLE 2 TIME OF PERFORMANCE**

Time is of the essence of this Contract. The Contractor agrees that it will commence the performance of the Work on the date set forth in the Notice to Proceed issued by the Commission and that it will complete the Work within the time set forth in the Special Conditions.

**ARTICLE 3 BASE CONTRACT PRICE**

The base/~~total~~ bid of Thirty Million Eight Hundred Forty Six Thousand Eight  
Nine Dollars  
(\$30,846,809.00), as adjusted from time to time pursuant to the Contract Documents, shall be full compensation to the Contractor for having well and faithfully completed the Work, free and clear of all claims, liens and charges whatsoever, of any kind or nature, and in full compliance with the Contract.

**ARTICLE 4 PAYMENT**

Payment for the Work will be made in the manner set forth in the General Conditions.

**ARTICLE 5 CONTRACT DOCUMENTS**

The agreement between the parties includes not only this instrument, but also the remaining Contract Documents described under the section entitled "Definitions", General Conditions, and all of which shall be binding on the parties hereto.

**ARTICLE 6 COVENANT AGAINST CONTINGENT FEES**

The Contractor warrants that it has not employed any person to solicit or secure this Contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Commission the right to terminate the Contract, or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to any commission payable by the Contractor upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business

**ARTICLE 7 CHANGES**

The following changes were made in the terms of this Contract before the execution thereof.

PUBLIC BUILDING COMMISSION OF CHICAGO

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in two (2) original counterparts the day and year first above written.

WITNESS:

\_\_\_\_\_  
Name

\_\_\_\_\_  
(Contractor)

\_\_\_\_\_  
Street

\_\_\_\_\_  
(Partner)

\_\_\_\_\_  
City State

\_\_\_\_\_  
(Partner)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City State

CORPORATE SEAL

ATTEST:

Michuda Construction, Inc.  
(Contractor)

By Josef L. Michuda  
Josef L. Michuda Secretary  
(Title)

By Leo A. Michuda  
Leo A. Michuda, President  
(Title)

11204 South Western Avenue  
(Street)

Chicago, Illinois 60643  
(City)

PUBLIC BUILDING COMMISSION OF CHICAGO

Paul M. Daley  
Chairman  
(Print or type the names underneath all signatures)

Eileen J. Conroy  
Secretary

PUBLIC BUILDING COMMISSION OF CHICAGO

CORPORATE RESOLUTION

I, the undersigned, DO HEREBY CERTIFY that the following is a complete, true and correct copy of certain preambles and resolutions of the board of directors of

Michuda Construction, Inc.

a corporation duly organized and existing under the laws of the State of Illinois and authorized to do business in the State of Illinois, which resolutions were duly adopted at a duly called meeting of said board held on October 2 2000, a quorum being present, and are set forth in the minutes of said meeting; that I am the keeper of the corporate seal and of the minutes and records of said corporation; and that the said resolutions have not been rescinded or modified:

WHEREAS, this corporation submitted a bid, dated August 17 2000 to the Public Building Commission of Chicago, for Contract No. 1212 of said Commission, for the sum of Thirty Million Eight Hundred Forty Six Thousand Eight Hundred Nine (\$ 30,846,809.00 ); and

WHEREAS, this corporation has been notified in writing by the Public Building Commission of Chicago that the Commission has awarded to this company said Contract No. 1212, in accordance with the terms of the bid submitted by this company and in accordance with all of the terms and provisions of the Contract Documents;

NOW, THEREFORE, BE IT RESOLVED: That the president or vice president and the secretary or assistant secretary of this corporation be, and they are hereby, authorized and directed to execute for and on behalf of and under the name and seal of this corporation said Contract No. 1212 of the Public Building Commission of Chicago, in the amount of \$30,846,809.00 ; and

BE IT FURTHER RESOLVED: That the aforesaid officers of this corporation be, and they are hereby, authorized and directed to execute and deliver to the Commission, for and on behalf of this corporation, such other and all documents as may be necessary or pertinent to the aforesaid contract, and to do and perform any and all other acts relative thereto.

I FURTHER CERTIFY that the following-named persons are the officers of this corporation duly qualified and now acting as such:

President:	<u>Leo A. Michuda</u>
Vice President:	<u>Mark Michuda</u>
Secretary:	<u>Josef L. Michuda</u>
Treasurer:	<u>Leo A. Michuda</u>
Assistant Secretary:	<u>Mark Michuda</u>

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said corporation, this 2 day of October, 2000

Josef L. Michuda  
Secretary

*Michuda*

**CONTRACT DOCUMENTS  
BID DOCUMENTATION  
BD-4 PROPOSAL**

**Contract No. 1212**

**BD-4(a) BID FORM**

**TO: PUBLIC BUILDING COMMISSION OF CHICAGO**

**BD-4(a) - 1 BASE BID AND AWARD CRITERIA**

In compliance with the foregoing Instructions to Bidders and Advertisement for Bids dated the undersigned, having inspected the Site of the Work and become familiar with the conditions affecting the cost of the work and with the requirements of the Contract, hereby proposes to furnish all labor, necessary tools, materials and other work necessary to perform and complete in a workmanlike manner the

**General Work**

work for

**Cermak Elementary School/National Teaching Academy, 55 West Cermak Road and 2200 South Federal Street, Chicago, Illinois**

located at the Site designated in the Advertisement for Bids, all as required by and in strict accordance with the Contract Documents and with all addenda issued by the Commission, receipt of which is hereby acknowledged, all for the Total Sum of

*Thirty Million Eight Hundred Forty Six Eight Hundred Nine*

DOLLARS (\$ 30,846,809 )

which shall be known as the Base Bid or Base Contract Price. It is stipulated that the Base Bid includes a "Contingency Fund" as described in Paragraph BD-3-16.

**Award Criteria Figure**

*Twenty Nine Million Three Hundred Sixty Six One Hundred Sixty Three*  
DOLLARS (\$ 29,366,163 ) *Sixty Three*

(Insert Line 15 of Canvassing Formula)

**Included and Acknowledged:** Addendum No. 1 , Dated 8-01-00.  
Addendum No. 2 , Dated 8-08-00.  
Addendum No. 3 , Dated 8-08-00.

Alternate #1 (Campus Park - Area B.1 & B.2) \$ \_\_\_\_\_

Alternate #2 (S. Federal Street & W. 23rd Street - Area C) \$ \_\_\_\_\_

Alternate #3 (Parking Lot - Area D) \$ \_\_\_\_\_

**BASIS OF CONTRACT AWARD (Award Criteria)**

To promote the intended goal of affirmative action and maximize the use of minority personnel on this project, the Public Building Commission of Chicago has established the Award Criteria formula for the purpose of evaluating proposals and awarding the contract. A contract in the amount of the total Base Bid or Base Contract Price will be awarded to the responsible bidder with the lowest Award Criteria Figure. The Public Building Commission of Chicago reserves the right to check all calculations for correctness. The fulfillment of the Award Criteria does not abrogate the responsibilities of the contractor to comply with federal and state requirements under the *Equal Employment Act* and the *Illinois Human Rights Act*.

**INSTRUCTIONS**

The Bidder shall complete the Award Criteria Formula and transfer the final Award Criteria Figure - Line 15 to the space provided on the itemized proposal sheet. Failure to complete the formula may be cause for rejection of the Bidder's proposal. The successful bidder will be held responsible for adhering to the figures submitted in Lines 1, 2, 4, 6, 10 and 12 during construction of the project.

Lines 2, 4 and 6 in the formula shall not be greater than fifty percent (50%) in each category for the purpose only of determining award of the contract. Similarly, lines 8, 10 and 12 shall not be greater than ten (10%) percent in each category for the purpose of award criteria only. The fifty percent (50%) and ten percent (10%) goals are not intended to restrict the total number of minority and female employees to be used on the project, but only to establish limiting figures for use in the formula. Journeyworker includes journeyworkers from the major trades listed herein, and the teamsters. Watchmen and custodial workers are not creditable in the formula.

**AWARD CRITERIA FORMULA**

Line 1. Base Bid, in figures

30846809

Line 2. Percentage of the Journeyworkers hours that the Contractor proposes to be worked by minority Journeyworker during construction of the project. (Maximum figure 0.50)

50%

Line 3. Multiply Line 2 by Line 1 by 0.04

616936

Line 4. Percentage of the total Apprentice hours that the Contractor proposes to be worked by minority Apprentices during construction of the project.(Maximum figure 0.50)

50%

Line 5. Multiply Line 4 by Line 1 by 0.03

462702

Line 6. Percentage of the total Laborer hours that the Contractor proposes to be worked by minority Laborers during construction of the project. (Maximum figure 0.50)

50%

Line 7. Multiply Line 6 by Line 1 of 0.01

154234

Line 8. Percentage of the total Journeyworker hours that the Contractor proposes to be worked by female Journeyworkers during construction of the project. (Maximum figure 0.10)

10%  
123387

Line 9. Multiply Line 8 by Line 1 by 0.04

Line 10. Percentage of total Apprentice hours that the Contractor proposes to be worked by female Apprentices during construction of the project. (Maximum figure 0.10)

10%  
92940

Line 11. Multiply Line 10 by Line 1 by 0.03

Line 12. Percentage of the total Laborer hours that the Contractor proposes to be worked by female Laborers during construction of the project. (Maximum figure 0.10)

10%  
30847  
1,480,646

Line 13. Multiply Line 12 by Line 1 by 0.01

Line 14. Summation of Lines 3, 5, 7, 9, 11 and 13

Line 15. Subtract Line 14 from Line 1 ("Award Criteria Figure")

29,366,163

**Award Criteria Figure**

DOLLARS (\$) 29,366,163  
(Insert Line 15 of Award Criteria Formula)

**Base Bid or Base Contract Price**

DOLLARS (\$) 30,846,809

**BD-4 PROPOSAL**

**BD-4(a) BID FORM**

**TO: PUBLIC BUILDING COMMISSION OF CHICAGO**

**BD-4(a) - 1(b) UNIT PRICES**

(a) Unit prices provided below in accordance with the provisions of the Detailed Specifications will be used as the basis for adjustments to the Contract price in the event the quantities of work required by the Contract Documents are increased or decreased.

(b) Unit Prices:

	TYPE OF WORK	\$ AMOUNT	UNIT(S)
1.	Catch basin or manhole removal and bulkhead		EA
2.	Catch basin or manhole removal and reset		EA
3.	Pavement removal, bituminous roads, 3" thick		SY
4.	Pavement removal, bituminous roads, 4" - 6" thick		SY
5.	Curb concrete removal		LF
6.	Pipe removal, sewer/water with excavation, 12" diameter		LF
7.	Pipe removal, sewer/water with excavation, 15" diameter		LF
8.	Pipe removal, sewer/water with excavation, 24" diameter		LF
9.	Pipe removal, sewer/water with excavation, 36" diameter		LF
10.	Sidewalk removal, 4" concrete		SY
11.	Concrete curb and gutter		LF
12.	5" P.C.C. sidewalk including sub base		SF
13.	Irrigation spray heads		EA
14.	Irrigation piping		LF
15.	CL-1 ceiling		SF
16.	CL-2 ceiling		SF
17.	CL-3 ceiling		SF
18.	CL-4 ceiling		SF
19.	Single face exit sign		EA
20.	Double face exit sign		EA
21.	Sprinkler head - pendant type		EA
22.	Sprinkler head - brass upright		EA
23.	Single pole toggle switch		EA
24.	Three-way switch		EA
25.	Duplex receptacle		EA
26.	Duplex receptacle - separate circuit		EA
27.	Smoke detector		EA
28.	Intercom speaker - ceiling mounted		EA
29.	Intercom speaker - wall mounted		EA
30.	Voice outlet		EA
31.	Data outlet		EA
32.	Wall mounted motion detector		EA



**LIQUIDATED DAMAGES**

The Contractor hereby consents and agrees that, in the event that it fails to comply with each of the minimum commitments submitted with this Proposal on Lines 2, 4, 6, 8, 10 and 12 of the Award Criteria Formula, covering minority and female Journeyworkers, apprentices, and laborers respectively, the following shall apply.

For any net deficiency in each category, the following amounts shall be deducted as liquidated damages from monies due the Contractor and the Contract Sum modified accordingly:

- a. For each full one (1%) percent deficiency of minority Journeyworkers not utilized - four cents per each hundred dollars of the base bid calculated as follows:

$$\frac{\text{Line 1} \times 0.04}{100}$$

Each one (1%) percent deficiency toward the goal for female Journeyworkers (Line 8) shall be calculated in the same way.

- b. For each full one (1%) percent deficiency of minority apprentices not utilized - three cents per hundred dollars of the base bid calculated as follows:

$$\frac{\text{Line 1} \times 0.03}{100}$$

Each one (1%) percent deficiency toward the goal for female apprentices (Line 10) shall be calculated in the same way.

- c. For each one (1%) percent deficiency of minority laborers not utilized - one cent per each hundred dollars of the base bid calculated as follows:

$$\frac{\text{Line 1} \times 0.01}{100}$$

Each one (1%) percent deficiency toward the goal for minority laborers (Line 12) shall be calculated in the same way.

	TYPE OF WORK	\$ AMOUNT	UNIT(S)
33.	Ceiling mounted motion detector		EA
34.	Keypad		EA
35.	Door contact		EA
36.	Electric strike		EA
37.	Light fixture Type A		EA
38.	Light fixture Type B		EA
39.	Light fixture Type B1		EA
40.	Light fixture Type B2		EA
41.	Light fixture Type C		EA
42.	Removal and disposal of contaminated soil (special waste)		CY
43.	Removal and disposal of contaminated soil (hazardous waste, if any)		CY

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**REPORTING**

In accordance with this commitment, the Contractor must submit both the Contractor's Payroll Record Form and the Contractor's Recapitulation of Minority and Female Worker Hours and Percentages Form on a monthly basis. All Subcontractors shall be listed on the Contractor's Recapitulation Form whether active or not. For the purpose of this report, the following group categories will be used:

- a. The classification "White" includes person of Indo-European descent.
- b. The classification "Black" or "African-American" includes persons having origins in any of the black racial groups of Africa.
- c. The classification "Hispanic" includes persons whose origins are from Mexico, Puerto Rico, Cuba, Central or South America, the Caribbean Islands or other Spanish culture or origin, regardless of race.
- d. The classification "Native American" includes persons who are Native Americans by virtue of tribal association.
- e. The classification "Asian-Pacific" includes persons whose origins are from East Asia, Southeast Asia, the Pacific Islands or the Indian sub-continent.
- f. The classification "Other" includes qualified individuals with disabilities who meet legitimate skill, experience, education or other requirements of employment positions held or sought and who perform the essential function with or without reasonable accommodation and other groups or other individuals found by the Public Building Commission of Chicago to be socially and economically disadvantaged and to have suffered actual racial or ethnic discrimination and decreased opportunities to compete in Chicago area markets.

The Contractor shall maintain data which records its good faith efforts to identify, train and/or hire lower-income residents from the project area and to utilize business concerns which are located in or owned in substantial part by persons residing in the area of the project.

**MAJOR TRADES**

Asbestos Workers	Operating Engineers
Boiler Makers	Painters
Bricklayers	Pile Driver Mechanics
Carpenters	Pipe Fitters/Steam Fitters
Cement Masons	Plasterers
Electricians	Plumbers
Elevator Construction	Roofers
Glaziers	Sheet Metal Workers
Mechanists	Sprinkler Fitters
Machinery Movers	Technical Engineers
Ornamental Iron Workers	Tuck Pointers
Lathers	

For approval of other trades for consideration in the Award Criteria Formula, written approval should be requested from the Public Building Commission of Chicago.

**FOR INFORMATION ONLY**

**TRADE PARTICIPATION**

The following information must be supplied by the Contractor for the purposes of evaluating figures supplied in the Award Criteria Formula. It is understood that these figures are estimates only and are not to be considered as limiting in any manner actual participation on the project.

Anticipated levels of minority participation, to be expressed as percentages, must be supplied for each trade, whether attributable to the Contractor's work force or any Subcontractor which will be active on this project.

**TRADE PARTICIPATION**

**PERCENT OF MINORITY**

Laborers	50%
Painters	25%
Mechanical	25%
Roofers	25%
Electricians	25%
Carpenters	25%
Plumbers	25%

**ADDITIONAL REQUIREMENTS**

This project is subject to the following requirement:

The Contractor shall maintain data which records its good faith efforts to identify, train and/or hire lower-income residents from the project area and to utilize business concerns which are located in or owned in substantial part by persons residing in the area of the project.

**BD-4 PROPOSAL**

**BD-4(a) BID FORM**

**TO: PUBLIC BUILDING COMMISSION OF CHICAGO**

**BD-4(a) - 2 TIME FOR COMPLETION**

The Contractor agrees that, if awarded the Contract, the Contractor will complete the work within the time for performance specified in the Special Conditions including any phasing that may be required pursuant to the Contract Documents.

**BD-4(a) - 3 BID GUARANTEE**

- a. Upon acceptance of this bid by the Commission, the Bidder agrees that it will execute and deliver a Contract in the form required by the Contract Documents, that it will give a Performance and Payment Bond as specified in said documents, with good and sufficient surety or sureties, and that it will furnish the required insurance, all within five (5) days after the Contract is presented for signature.
  
- b. The Bidder encloses herewith the bid security as required in the Instructions to Bidders in the Contract Documents in the form of Bid Bond (State if bid bond, certified check or cashier's check) in the sum of One Million Four Hundred Thousand & No/100 Dollars \$ 1,400,000.00 and has executed the attached Affidavit of Non-collusion which by this reference is made a part hereof.  
Fidelity & Deposit Company of Maryland  
 \_\_\_\_\_  
 (Name of Surety Company)  
 proposes to furnish the Performance and Payment Bond required by the Contract Documents.  
Assurance Agency, Ltd.  
 \_\_\_\_\_  
 (Name of Insurance Company)  
 proposes to furnish the insurance required by the Contract Documents.
  
- c. The Bidder agrees that this bid may be held by the Commission for a period not exceeding one hundred twenty (120) days from the date fixed for the opening of bids and that the bid may not be withdrawn within that period.
  
- d. If written notice of the acceptance of this Proposal is mailed, telegraphed or delivered to the undersigned within the time noted herein, or at any time thereafter before this Proposal is withdrawn, the undersigned agrees to execute and enter into a Contract with the Public Building Commission of Chicago with the Proposal as accepted.

**PUBLIC BUILDING COMMISSION OF CHICAGO**

**CONTRACT DOCUMENTS  
 BID DOCUMENTATION  
 BD-4 PROPOSAL**

**BID FORM**

**TO: PUBLIC BUILDING COMMISSION OF CHICAGO**

**BD-4(a)-4 BASE BID BREAKDOWN**

General Contractor must provide the following base bid breakdown. Breakdown to include the work described in the bid documents and addenda, if any.

<b>BASE BID BREAKDOWN</b>	<b>DIVISION</b>	<b>\$ AMOUNT</b>	<b>TOTAL</b>
<b>AREA A.1 – TEACHING ACADEMY/ CERMAK ELEMENTARY SCHOOL</b>			
Sitework	2		
Concrete	3		
Masonry	4		
Metals	5		
Wood & Plastics	6		
Thermal & Moisture Protection	7		
Doors & Windows	8		
Finishes	9		
Specialities	10		
Equipment	11		
Furnishings	12		
Special Construction	13		
Conveying Systems	14		
Mechanical	15		
Electrical	16		
<b>Area A.1 Subtotal</b>			
<b>AREA A.2 – BRIDGE LINK</b>			
Sitework	2		
Concrete	3		
Masonry	4		
Metals	5		
Wood & Plastics	6		
Thermal & Moisture Protection	7		
Doors & Windows	8		
Finishes	9		
Specialities	10		

BASE BID BREAKDOWN (cont'd.)	DIVISION	\$ AMOUNT	TOTAL
Equipment	11		
Furnishings	12		
Special Construction	13		
Conveying Systems	14		
Mechanical	15		
Electrical	16		
<b>Area A.2 Subtotal</b>			
<b>AREA A.3 – COMMUNITY LINK</b>			
Sitework	2		
Concrete	3		
Masonry	4		
Metals	5		
Wood & Plastics	6		
Thermal & Moisture Protection	7		
Doors & Windows	8		
Finishes	9		
Specialities	10		
Equipment	11		
Furnishings	12		
Special Construction	13		
Conveying Systems	14		
Mechanical	15		
Electrical	16		
<b>Area A.3 Subtotal</b>			
General Conditions			
Fee			
Commission's Contingency Fee			1,400,000
<b>TOTAL BASE BID</b>			

PUBLIC BUILDING COMMISSION OF CHICAGO

CONTRACT DOCUMENTS  
 BID DOCUMENTATION  
 BD-4 PROPOSAL

BID FORM

TO: PUBLIC BUILDING COMMISSION OF CHICAGO

BD-4(a)-4 ALTERNATE #1 BID BREAKDOWN

General Contractor must provide the following base bid breakdown. Breakdown to include the work described in the bid documents and addenda, if any.

ALTERNATE #1 BID BREAKDOWN	DIVISION	\$ AMOUNT	TOTAL
AREA B.1 & B.2 – CAMPUS PARK			
Sitework	2		
Concrete	3		
Masonry	4		
Metals	5		
Wood & Plastics	6		
Thermal & Moisture Protection	7		
Doors & Windows	8		
Finishes	9		
Specialities	10		
Equipment	11		
Furnishings	12		
Special Construction	13		
Conveying Systems	14		
Mechanical	15		
Electrical	16		
Area B.1 & B.2 Subtotal			
General Conditions			
Fee			
<b>TOTAL ALTERNATE #1 BID</b>			<b>1,399,500</b>



PUBLIC BUILDING COMMISSION OF CHICAGO

CONTRACT DOCUMENTS  
 BID DOCUMENTATION  
 BD-4 PROPOSAL

BID FORM

TO: PUBLIC BUILDING COMMISSION OF CHICAGO

BD-4(a)-4 ALTERNATE #2 BID BREAKDOWN

General Contractor must provide the following base bid breakdown. Breakdown to include the work described in the bid documents and addenda, if any.

ALTERNATE #2 BID BREAKDOWN	UNITS	UNIT PRICE	QUANTITY	TOTAL
Special Excavation	CY	60.00	2,500	150,000
Special Waste Hauling and Disposal	TON	40.00 <del>2.17</del>	3,250	130,000 <del>60,810</del>
Saw Cutting Pavement	LF	25.00	350	8,750
Tree Removal (6 to 15" Dia.)	IN. DIA	100.00	100	10,000
Tree Removal (Over 15" Dia.)	IN. DIA	150.00	50	7,500
Stabilization Stone	CY	10.00	150	1,500
Crushed Stone (Temporary Use)	TON	80.00 <del>14.91/100</del>	100	8,000
Sub-Base Granular Material, Type 8, 6"	CY	30.00	1,050	31,500
PCC Base Course, 7"	SY	108.00	4,250	459,000
Bituminous Concrete Surface Course, Mix D, Class 1, Type 2, 1-1/2"	TON	60.00	400	24,000
Bituminous Concrete Binder Course, Type 2, 1-1/2"	TON	54.00	400	21,600
Level Binder (Hand Method) Type 2	TON	102.00	60	6,120
Bituminous Material (Prime Coat)	GAL	2.60	1,275	3,315
P.C.C. Comb. Curb and Gutter, Type 3 and/or Modified Curb	LF	15.00	2,750	41,250
P.C.C. Driveway and Alley Pavement, 8"	SY	125.00	275	34,375
P.C.C. Sidewalk, 5"	SF	5.00	11,000	55,000

P.C.C. Sidewalk, 8", Special (Curb Ramps For People with Disabilities)	SF	18.00	1,000	18,000
Protective Coat	SY	18.00	4,250	7,650
CB, MH, or Inlet To Be Cleaned	EA	300	8	2,400
WW, CB, MH or Inlet To Be Adjusted	EA	250	15	3,750
City Electric Vault or Handhole To Be Adjusted	EA	2,000	5	10,000
MH, CB Or Inlet To Be Filled	EA	250	16	4,000
Manhole, Type A (Except Frame and Lid)	EA	6,000	2	12,000
Junction Box (60" X 30")	EA	26,000	1	26,000
Catch Basin (Except Frame and Lids)	EA	2,200	14	30,800
Chicago Standard MH, CB, Inlet, and Water Meter Vault Frames	EA	325	16	5,200
Lids For Manholes, Catch Basins, Inlet, and Water Meter Vault	EA	100	16	1,600
Storm Sewer, Type 2, 8"	LF	35	280	9,800
Storm Sewer, Type 2, 30" RCP	LF	75	565	42,375
Trench Backfill	CY	25	950	23,750
Class 'SI' Concrete (Miscellaneous)	CY	125	50	6,250
Traffic Control and Protection	LS	20,000	1	20,000
Autumn Blaze Maple 2 1/2" to 3" B&B	EA	825	25	20,625
Tree Gate 6' X 6'	EA	400	25	10,000
Utility Removal	LS	75,000	1	75,000
Precast Pavers	SF	5.80	6300	36,540
Ornamental Fencing/Gate	LS	12,000	1	12,000

<b>UNIT PRICE SUB-TOTAL</b>				

**NOTES:**

1. Contractor to provide required "Units", "Unit Pricing", "Quantities", and "Totals" for any additional Scope of Service items, as needed, in the blank spaces provided above.
2. Unit prices or Lump Sums will be used to determine the amount to "ADD TO" or "DEDUCT FROM" contract price for any properly authorized additional or omitted work. Unit prices shall be inclusive of the cost of materials, work, layout, drafting, balancing and testing, tools and sundries, overhead and profit, supervision and any and all other costs of whatsoever nature in connection therewith for work in place and accepted or omitted as the case may be. The calculation for determining the number of units of work shall be actual surface, volume, length, hours and number of individual items listed for the class of work complete in place and accepted or omitted. No allowance for waste, loss breakage, damage or difficulties shall be made.
3. Basis of Payment: This work will be paid for per the Contract unit prices or Lump Sums in full for all materials, tools equipment, and labor required to complete the work as outlined in the Contract Documents.

PUBLIC BUILDING COMMISSION OF CHICAGO

CONTRACT DOCUMENTS  
 BID DOCUMENTATION  
 BD-4 PROPOSAL

BID FORM

TO: PUBLIC BUILDING COMMISSION OF CHICAGO

BD-4(a)-4 ALTERNATE #3 BID BREAKDOWN

General Contractor must provide the following base bid breakdown. Breakdown to include the work described in the bid documents and addenda, if any.

ALTERNATE #3 BID BREAKDOWN	DIVISION	\$ AMOUNT	TOTAL
AREA D - REMOTE PARKING LOT			
Sitework	2		
Concrete	3		
Masonry	4		
Metals	5		
Wood & Plastics	6		
Thermal & Moisture Protection	7		
Doors & Windows	8		
Finishes	9		
Specialities	10		
Equipment	11		
Furnishings	12		
Special Construction	13		
Conveying Systems	14		
Mechanical	15		
Electrical	16		
<b>Area D Subtotal</b>			
General Conditions			
Fee			
<b>TOTAL ALTERNATE #3 BID</b>			<b>260,000</b>

BD-4 PROPOSAL

BD-4(b) AFFIDAVIT OF NONCOLLUSION

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

Mark A. Michuda

, being first duly sworn, deposes and says that:

(1) He/She is Executive Vice President  
(Owner, Partner, Officer, Representative or Agent) of Michuda Construction, Inc.  
the Bidder that has submitted the attached Bid;

(2) That Bidder is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

(3) Such Bid is genuine and is not a collusive or sham bid;

(4) Neither Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, connived, conspired or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham bid in connection with the Contract for which the attached bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit or cost element of the bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Public Building Commission of Chicago or any person interested in the proposed Contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(6) The Bidder is not barred from bidding as a result of having violated *Illinois Criminal Code*, 720 ILCS 5/33E-3 (Bid-rigging), 720 ILCS 5/33E-4 (Bid rotating) or the *Prevailing Wage Act*, 30 ILCS 570/0.01 through 570/7.

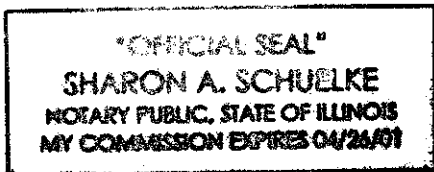
[Signature]  
(Signed)

Executive Vice President  
(Title)

Subscribed and sworn to before me this 17th day of August 20 00

[Signature]  
Notary Public  
(Title)

My Commission expires: 4-26-01

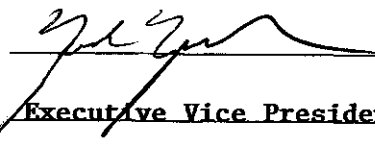


**BD-4 PROPOSAL**

**BD-4(c) STATEMENT OF CONTRACTOR'S QUALIFICATIONS**

(Contractor may elect to reference the previously submitted pre-qualification proposal form.)

Bidder Michuda Construction, Inc.

Submitted By 

Title Executive Vice President

Permanent Main Office Address 11204 S. Western Ave., Chicago, IL 60643

Local Address (Same as above)

Local Telephone No. and FAX No. 773/445-5505 Fax: 773/445-5518

How many years operating as contractor for work of this nature  
**81 years.**

List of recently completed, contracts of similar dollar value and scope of work.

Name/Address	Dollar Amount of Contract	Year	Nature of Project
1. <u>Lucy Flower/King School</u>	<u>\$ 6,145,211.00</u>	<u>1999</u>	<u>Renovation</u>
2. <u>King/Whitter Schools</u>	<u>\$ 3,759,217.00</u>	<u>1999</u>	<u>Renovation</u>
3. <u>Greene School</u>	<u>\$10,968,934.00</u>	<u>1998</u>	<u>New Construction</u>
4. <u>Nightingale Elem.</u>	<u>\$ 8,166,931.00</u>	<u>1998</u>	<u>New Construction</u>
5. <u>Sawyer Elem.</u>	<u>\$11,684,280.00</u>	<u>1998</u>	<u>New Construction</u>
6. <u>Carson Elem.</u>	<u>\$10,541,190.00</u>	<u>1998</u>	<u>New Construction</u>

List of contracts on hand.

Name/Address	Dollar Amount of Contract	Will Complete	Nature of Project
<b>Region 2 H.S.</b>			
1. <u>(Walter Payton Acad)</u>	<u>\$23,913,833.</u>	<u>August, 2000</u>	<u>New Construction</u>
2. <u>Morris Elem.</u>	<u>\$21,404,182.</u>	<u>July, 2001</u>	<u>New Construction</u>
3. <u>Brady Elem.</u>	<u>\$ 1,999,800.</u>	<u>August, 2000</u>	<u>Addition &amp; Rehab.</u>
4. <u>William King School</u>	<u>\$ 2,337,499.</u>	<u>August, 2000</u>	<u>Renovation</u>

BD-4 PROPOSAL

BD-4(c) STATEMENT OF CONTRACTOR'S QUALIFICATIONS (continued)

The undersigned hereby authorizes any person, firm or corporation to furnish any information requested by the Public Building Commission of Chicago, in verification of this Statement of Contractor's Qualifications.

If submitted by an individual:

- (a) Firm Name
- (b) The Owner and Official Address

---



---



---

If submitted by a partnership:

- (a) Firm Name
- (b) Official Address
- (c) Names of all of the Partners:

---



---

If submitted by a corporation:

- (a) Corporation Name Michuda Construction, Inc.
- (b) State and City in which incorporated Illinois, Chicago
- (c) If incorporated in another state, are you authorized to do business in the State of Illinois?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- (d) Name and address of registered agent in Illinois  
Leo A. Michuda, 11204 S. Western Ave., Chicago, IL 60643

(e) Names and titles of officers authorized to sign contracts

President  
Title

Executive Vice President  
Title

Leo A. Michuda

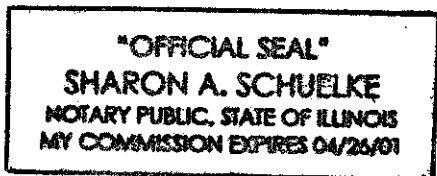
Mark A. Michuda

[Signature]  
Signature of Affiant

Subscribed and sworn to before me this 17th day of August 20 00

[Signature]  
Notary Public

My Commission expires: 4-26-01



**BD-4 PROPOSAL**

**BD-4(c) STATEMENT OF CONTRACTOR'S QUALIFICATIONS (continued)**

Contractor shall furnish its most recent Financial Statements available (which shall be attached hereto and thereby made a part hereof), together with a Statement of Credit Available. The Contractor shall also submit, such additional information regarding the capability of the Contractor to perform the Contract as may be requested by the Commission.

**BD-4(d) MBE AND WBE COMMITMENTS**

As part of the Commission Remedial Program for Utilization of Minority-owned Business Enterprise ("MBE") and Women-owned Business Enterprise ("WBE") firms, each Bidder shall submit the attached Schedules A through D, inclusive, as part of this Proposal. The Schedules are part of the Contract requirements as is more fully set forth in SC-12, Special Conditions regarding MBE/WBE Utilization.



**SCHEDULE A**  
**Affidavit of MBE/WBE**

The undersigned,

\_\_\_\_\_  
(Company/Business Entity)

being first duly sworn on oath, depose and state as follows:

1. That he/she is the

\_\_\_\_\_  
(Designate Office)  
of

\_\_\_\_\_  
(Company/Business Entity)

2. That

\_\_\_\_\_  
(Company/Business Entity)

applied for certification as a MBE/WBE (strike the category which does not apply) with

\_\_\_\_\_  
(Name of Certifying Agency)  
on

\_\_\_\_\_  
(Date of Application)

3. That

\_\_\_\_\_  
(Company/Business Entity)

satisfies all of the requirements to obtain certification as a MBE/WBE.

4. That

\_\_\_\_\_  
(Company/Business Entity)

will provide the Public Building Commission of Chicago with a copy of its Letter of Certification promptly upon receipt.

\_\_\_\_\_  
Name of MBE/WBE Firm

\_\_\_\_\_  
Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission expires:

**SCHEDULE B  
Joint Venture Affidavit (1 of 5)**

*(This form need not be filled in if all joint venturers are MBE/WBE firms. In such case, however, a written joint venture agreement among the MBE/WBE firms should be submitted. Each MBE/WBE joint venturer must also execute and attach Schedule A, "Affidavit of MBE/WBE").*

1. Name of joint venture

\_\_\_\_\_

2. Address of joint venture

\_\_\_\_\_

3. Phone number of joint venture

\_\_\_\_\_

4. Identify the firms which comprise the joint venture

\_\_\_\_\_  
\_\_\_\_\_

A. Describe the role(s) of the MBE/WBE firm(s) in the joint venture. (Note that a "clearly defined portion of work" must here be shown as under the responsibility of the MBE/WBE firm.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Describe very briefly the experience and business qualifications of each non-MBE/WBE joint venturer.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Nature of joint venture's business

\_\_\_\_\_  
\_\_\_\_\_

6. Provide a copy of the joint venture agreement.

7. Ownership of joint venture: What is the claimed percentage MBE/WBE ownership of the joint venture? \_\_\_\_\_%

SCHEDULE B  
Joint Venture Affidavit (2 of 5)

Specify as to:

A. Profit and loss sharing  
\_\_\_\_\_ %

B. Capital contributions, including equipment  
\_\_\_\_\_ %

C. Other applicable ownership interests, including ownership options or other agreements which restrict ownership or control.  
\_\_\_\_\_  
\_\_\_\_\_

D. Describe any loan agreements between joint venturers, and identify the terms thereof.  
\_\_\_\_\_  
\_\_\_\_\_

8. Control of and participation in this contract. Identify by name, race, sex, and "firm" those individuals (and their titles) who are responsible for day-to-day management and policy decision making, including, but not limited to, those with prime responsibility for

A. Financial decisions  
\_\_\_\_\_

B. Management decisions such as:

(1) Estimating  
\_\_\_\_\_

(2) Marketing and Sales  
\_\_\_\_\_

(3) Hiring and firing of management personnel  
\_\_\_\_\_

(4) Other  
\_\_\_\_\_

**SCHEDULE B**  
**Joint Venture Affidavit (3 of 5)**

C. Purchasing of major items or supplies

\_\_\_\_\_

D. Supervision of field operations

\_\_\_\_\_

E. Supervision of office personnel

\_\_\_\_\_

F. Describe the financial controls of the joint venture, *e.g.*, will a separate cost center be established; which venturer will be responsible for keeping the book; how will the expense therefor be reimbursed; the authority of each joint venturer to commit or obligate the other. Describe the estimated contract cash flow for each joint venturer.

\_\_\_\_\_

\_\_\_\_\_

G. State approximate number of operational personnel, their craft and positions and whether they will be employees of the majority firm or the joint venture.

\_\_\_\_\_

\_\_\_\_\_

9. Please state any material facts of additional information pertinent to the control and structure of this joint venture.

\_\_\_\_\_

\_\_\_\_\_

**SCHEDULE B**  
**Joint Venture Affidavit (4 of 5)**

THE UNDERSIGNED SWEAR THAT THE FOREGOING STATEMENTS ARE CORRECT AND INCLUDE ALL MATERIAL INFORMATION NECESSARY TO IDENTIFY AND EXPLAIN THE TERMS AND OPERATIONS OF OUR JOINT VENTURE AND THE INTENDED PARTICIPATION BY EACH JOINT VENTURER IN THE UNDERTAKING. FURTHER, THE UNDERSIGNED COVENANT AND AGREE TO PROVIDE TO THE PUBLIC BUILDING COMMISSION OF CHICAGO CURRENT, COMPLETE AND ACCURATE INFORMATION REGARDING ACTUAL JOINT VENTURE WORK AND THE PAYMENT THEREFOR AND ANY PROPOSED CHANGES IN ANY OF THE JOINT VENTURE AGREEMENTS AND TO PERMIT THE AUDIT AND EXAMINATION OF THE BOOKS, RECORDS AND FILES OF THE JOINT VENTURE, OR THOSE OF EACH JOINT VENTURER RELEVANT TO THE JOINT VENTURE, BY AUTHORIZED REPRESENTATIVES OF THE COMMISSION. ANY MATERIAL MISREPRESENTATION WILL BE GROUNDS FOR TERMINATING ANY CONTRACT WHICH MAY BE AWARDED AND FOR INITIATING ACTION UNDER FEDERAL OR STATE LAWS CONCERNING FALSE STATEMENTS.

Note - If, after filing this Schedule B and before the completion of the joint venture's work on this Contract, there is any significant change in the information submitted, the joint venture must inform the Public Building Commission of Chicago, either directly or through the prime contractor if the joint venture is a subcontractor.

\_\_\_\_\_  
Name of Joint Venturer

\_\_\_\_\_  
Name of Joint Venturer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**SCHEDULE B  
Joint Venture Affidavit (5 of 5)**

Date \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared

\_\_\_\_\_, to me personally known, who, being

(Name)

duly sworn, did execute the foregoing affidavit, and did state that he or she was properly authorized by

\_\_\_\_\_ to execute the affidavit and did so as his

(Name of Joint Venture)

or her free act and deed.

\_\_\_\_\_  
Notary Public

Commission Expires:

(Seal)

Date \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared

\_\_\_\_\_, to me personally known, who, being

(Name)

duly sworn, did execute the foregoing affidavit, and did state that he or she was properly authorized by

\_\_\_\_\_ to execute the affidavit and did so as his

(Name of Joint Venture)

or her free act and deed.

\_\_\_\_\_  
Notary Public

Commission Expires:

(Seal)

**SCHEDULE C  
 Letter of Intent from MBE/WBE  
 To Perform As  
 Subcontractor, Subconsultant and/or Material Supplier (1 of 2)  
 SCHEDULE C AND THE BACKUP MUST BE SUBMITTED WITH  
 YOUR BID**

Name of Project      **Cermak Elementary School/National Teaching Academy, 55 West Cermak Road and 2200 South Federal Street, Chicago, Illinois**

Contract Number      **1212**  
 Project Number

**FROM:**

\_\_\_\_\_  
 (Name of MBE or WBE)

MBE \_\_\_\_\_ WBE \_\_\_\_\_

**TO:**

**Michuda Construction, Inc.**  
 (Name of Prime or General Bidder)

and Public Building Commission of Chicago

The undersigned intends to perform work in connection with the above-referenced project as (check one):

- |                         |                       |
|-------------------------|-----------------------|
| _____ a Sole Proprietor | _____ a Corporation   |
| _____ a Partnership     | _____ a Joint Venture |

The MBE/WBE status of the undersigned is confirmed by the attached Letter of Certification, dated \_\_\_\_\_ . In addition, in the case where the undersigned is a Joint Venture with a non-MBE/WBE firm, a Schedule B, Joint Venture Affidavit, is provided.

The undersigned is prepared to provide the following described services or supply the following described goods in connection with the above-named project.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The above described services or goods are offered for the following price, with terms of payment as stipulated in the Contract Documents.

\_\_\_\_\_  
 \_\_\_\_\_

**SCHEDULE C  
Letter of Intent from MBE/WBE  
To Perform As  
Subcontractor, Subconsultant and/or Material Supplier (2 of 2)**

**PARTIAL PAY ITEMS**

For any of the above items which are partial pay items, specifically describe the work and subcontract dollar amount:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If more space is needed to fully describe the MBE/WBE firm's proposed scope of work and/or payment schedule, attach additional sheet(s).

**SUB-SUBCONTRACTING LEVELS**

\_\_\_\_\_ % of the dollar value of the MBE/WBE subcontract will be sublet to non-MBE/WBE contractors.

\_\_\_\_\_ % of the dollar value of the MBE/WBE subcontract will be sublet to MBE/WBE contractors.

If MBE/WBE subcontractor will not be sub-subcontracting any of the work described in this Schedule, a zero (0) must be filled in each blank above. If more than 10% percent of the value of the MBE/WBE subcontractor's scope of work will be sublet, a brief explanation and description of the work to be sublet must be provided.

The undersigned will enter into a formal agreement for the above work with you as Contractor, conditioned upon your execution of a contract with the Public Building Commission of Chicago, and will do so within five (5) working days of receipt of a notice of Contract award from the Commission.

By:

\_\_\_\_\_  
Name of MBE/WBE Firm (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Phone

IF APPLICABLE:

By:

\_\_\_\_\_  
Joint Venture Partner (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Phone

MBE \_\_\_ WBE \_\_\_ Non-MBE/WBE \_\_\_



**SCHEDULE D**  
**Affidavit of Prime Contractor Regarding MBE/WBE Participation (1 of 2)**

Name of Project: **Cermak Elementary School/National Teaching Academy, 55 West Cermak Road and 2200 South Federal Street, Chicago, Illinois**

Contract Number **1212**

STATE OF ILLINOIS     }  
                                       } SS  
 COUNTY OF COOK        }

In connection with the above-captioned contract, I HEREBY DECLARE AND AFFIRM that I am the **Executive Vice President**

Title \_\_\_\_\_  
 and duly authorized representative of  
**Michuda Construction, Inc.**

(Name of Prime Contractor)  
 whose address is  
**11204 S. Western Ave.**

in the City of **Chicago**, State of **Illinois**  
 and that I have personally reviewed the material and facts submitted with the attached Schedules of MBE/WBE participation in the above-referenced Contract, including Schedule A, Schedule C and Schedule B (if applicable), and the following is a statement of the extent to which MBE/WBE firms will participate in this Contract if awarded to this firm as the Contractor for the Project.

Name of MBE/WBE Contractor	Type of Work to be Done in Accordance with Schedule C	Dollar Credit Toward MBE/WBE Goals	
		MBE	WBE
<b>A.L.L.</b>	<b>Masonry</b>	\$ 7,450,000	\$
<b>Chicago Steel</b>	<b>Erectors</b>	\$ 2,392,000	\$
<b>Elite</b>	<b>Electrical</b>	\$	\$ 1,800,000
		\$	\$
		\$	\$
		\$	\$
<b>Total Net MBE/WBE Credit</b>		<b>\$ 9,842,000</b>	<b>\$ 1,800,000</b>

The Prime Contractor may count toward its MBE/WBE goal a portion of the total dollar value of a contract with a joint venture equal to the percentage of the ownership and control of the MBE/WBE partner.

SCHEDULE D  
Affidavit from Prime Contractor Regarding MBE/WBE Participation (2 of 2)

SUB-SUBCONTRACTING LEVELS

0 % of the dollar value of the MBE/WBE subcontract will be sublet to non-MBE/WBE contractors.

0 % of the dollar value of the MBE/WBE subcontract will be sublet to MBE/WBE contractors.

If MBE/WBE subcontractor will not be sub-subcontracting any of the work described in this Schedule, a zero (0) must be filled in each blank above.

If more than 10% percent of the value of the MBE/WBE subcontractor's scope of work will be sublet, a brief explanation and description of the work to be sublet must be provided.


The undersigned will enter into a formal agreement for the above work with the above referenced MBE/WBE firms, conditioned upon performance as Contractor of a Contract with the Commission, and will do so within five (5) working days of receipt of a notice of Contract award from the Commission.

By:

Michuda Construction, Inc.  
Name of Contractor (Print)

August 17, 2000  
Date

773/445-5505  
Phone

  
Signature

Mark A. Michuda, Exec. Vice President  
Name (Print)

IF APPLICABLE:

By:

\_\_\_\_\_  
Joint Venture Partner (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone/FAX

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Print)

MBE \_\_\_ WBE \_\_\_ Non-MBE/WBE \_\_\_

**BD-4(e) AFFIDAVIT OF CHICAGO RESIDENCY**

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

Mark A. Michuda, being first duly sworn, deposes and says that:

(1) He/~~She~~ is  
Executive Vice President

(Owner, Partner, Officer, Representative or Agent)

of Michuda Construction, Inc.

the Bidder that has submitted the attached Bid;

(2) That Bidder hereby agrees to ensure that at least fifty (50%) percent of the aggregate worker hours performed by Contractor and site-work Subcontractors in the category of construction laborers under this contract will be performed by actual residents of the City of Chicago as defined in Special Condition, SC-12 Chicago Residents as Employees.

(3) That Bidder hereby agrees to ensure that at least fifty (50%) percent of the aggregate worker hours performed by Contractor and site-work Subcontractors in the category of skilled construction trade workers under this contract will be performed by actual residents of the City of Chicago as defined in Special Condition, SC-13 Chicago Residents as Employees.

(4) That Bidder understands that these required minimum percentage levels of laborers and skilled construction trade workers shall not limit or determine the fuller utilization of actual residents of the City of Chicago beyond these numerical levels, but are intended instead as minimum requirements unless the Contractor can demonstrate the impracticability or excessive cost of complying with the specified percentages.

(5) That Bidder agrees to comply with the Compliance and Reporting procedures detailed in Special Condition, SC-12 Chicago Residents as Employees.

[Signature]  
(Signed)

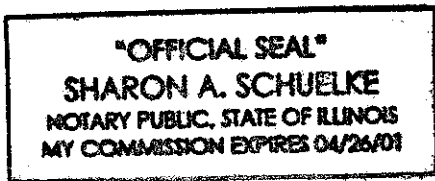
Executive Vice President  
(Title)

Subscribed and sworn to before me this 17th day of August 2000

[Signature]

Notary Public  
(Title)

My Commission expires: 4-26-01



**BD-4(f) LOCAL BUSINESS PREFERENCE**

Since the cost of doing business is higher for firms located in the City of Chicago due to higher taxes and other operating expenses, and the City of Chicago benefits from the presence of those firms in the City, the Commission applies a Local Business Preference to bids on projects funded by the City of Chicago. To be considered a local business, a firm must:

- be located within the corporate limits of the City of Chicago,
- have the majority of its regular, full-time work force located within the City of Chicago, and
- be subject to City of Chicago taxes.

For City-funded projects, a contract in the amount of the total Base Bid will be awarded to the responsible local business submitting the lowest Award Criteria Figure, provided that the Award Criteria Figure does not exceed the lowest Award Criteria Figure submitted by a responsible non-local business by more than two percent (2%).

If the Bidder is a joint venture, the joint venture shall be considered a local business if:

- all partners to the joint venture are Local Businesses, or
- one of the partners to the joint venture is a Local Business and holds at least a fifty percent (50%) interest in the joint venture.

A local business has a fifty percent (50%) interest in the joint venture only if it holds subcontracts equal to fifty percent (50%) or more of the amount of the bid. Joint venture bidders shall submit information and documentation (including, but not limited to, the joint venture agreement and subcontracts) with their bids to establish their eligibility for the Local Business Preference.

Each Bidder seeking classification as a Local Business must complete and sign the Affidavit of Local Business and shall submit documentation to support the assertions in the affidavit. The following documentation must be included with the affidavit:

- a copy of the current City of Chicago Business license issued to the Bidder by the City of Chicago for the Bidder's address within the corporate limits of the city of Chicago.

The Commission's determination of a bidder's eligibility for the Local Business Preference shall be final.

AFFIDAVIT OF LOCAL BUSINESS

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

Mark A. Michuda, being first duly sworn, deposes and says that:

(1) He/~~She~~ is Executive Vice President  
(Owner, Partner, Officer)  
of Michuda Construction, Inc.  
(the name of the Bidder that has submitted the attached Bid);

(2) Bidder, or partner with at least 50% interest in joint venture Bidder,  is  is not located within the corporate limits of the City of Chicago.

(3) Bidder, or partner with at least 50% interest in joint venture Bidder,  does  does not have business locations outside the corporate limits of the City of Chicago.

- If other business locations exist, provide business addresses and phone numbers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4) Bidder, or partner with at least 50% interest in joint venture Bidder,  has  does not have the majority of its regular, full-time work force located within the City of Chicago.

Bidder, or partner with at least 50% interest in joint venture Bidder, currently employs 20 (insert number) regular full-time people, and 20 (insert number) are located within the City of Chicago.

(5) Bidder, or partner(s) with at least 50% interest in joint venture Bidder,  is  is not subject to City of Chicago taxes.

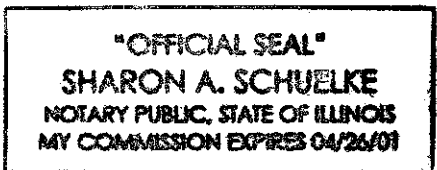
[Signature]  
(Signed)

Executive Vice President  
(Title)

Subscribed and sworn to before me this 17th day of August 2000

[Signature]  
(Signature)

Notary Public  
(Title)  
My Commission expires: 4-26-01





**Richard J. Daley Center**  
**50 W. Washington Street**  
**Room 200**  
**Chicago, Illinois 60602**  
**(312) 744-3090**  
**Fax: (312) 744-8005**

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Chicago Federation of Labor

Executive Director  
and Secretary  
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Assistant Treasurer  
JOHN E. WILSON  
John E. Wilson, Ltd.  
Certified Public Accountants

Assistant Secretary  
MIGUEL d'ESCOTO

October 2, 2000

Mr. Leo Michuda  
Michuda Construction, Inc.  
11294 South Western Avenue  
Chicago, Illinois 60643

RE: **Notice of Award**  
**Contract No. 1212**  
**General Work for**  
**Cermak Elementary School/**  
**National Teaching Academy**

Dear Mr. Michuda:

You are hereby notified that pursuant to resolution duly adopted by the Public Building Commission of Chicago on October 2, 2000 the Commission awarded to your company Contract No. 1212 in the amount of \$30,846,809.00.

Enclosed in duplicate is the completed Contract form, all copies of which are to be executed by the President or a Vice President of your Company, attested by the Secretary or an Assistant Secretary and impressed with your Corporate Seal.

It is requested that the Contract be returned to the Commission's offices no later than October 27, 2000 together with the specified Performance and Payment Bond, appropriate Certificates evidencing the required insurance coverage and a certified copy of an appropriate resolution duly adopted by the Board of Directors of your Company authorizing the execution of the Contract.

It would be appreciated if you would furnish the Contract, Performance and Payment Bond and Certificates of Insurance in duplicate.

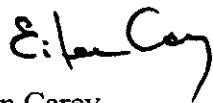
Upon receipt of the Contract and related documents they will be assembled into two complete sets of Contract Documents, including, in addition to the foregoing, a copy of your Bid, Affidavit of Non-Collusion, Statement of Contractor's Qualifications, Notice of Award and all other component parts of said "Contract Documents" as defined in Section I - General Conditions.

\_\_\_\_ If the line to the left is marked with an "X", this project is covered by the Commission's Owner Controlled Insurance Program, (OCIP) and you must also complete and return the OCIP enrollment form to the Commission's Representative, Near North Insurance.

The assembled Contract Documents will then be executed by the Commission and the Performance and Payment Bond approved by the Chairman. If all is found to be in accordance with the requirements of the Contract Documents, a completely executed copy will be sent to your office.

**It is strongly recommended that you send to your insurance agent a photocopy of the insurance requirements set forth in the Contract Documents.**

Very truly yours,



Eileen Carey  
Executive Director

EC/gmm

Enclosure: