



March 29, 2021

Mr. Adam Lanning
Rochelle Municipal Utilities
700 West Second Avenue
PO Box 456
Rochelle, IL 61068

Ref: 2031K004 – Prologis Park Substation Upgrades
Installation Contract

Dear Mr. Lanning:

The RMU received and opened bids on March 25, 2021 for the installation contract, a part of the Prologis Park Substation Upgrades project. A total of five (5) bids were received and have been reviewed for completeness and ability to meet specification requirements.

Bidder	Total Bid Price	Notes
JF Electric	\$6,924,179.00 (\$6,986,387.00)	Exclusions listed
Whittaker Constr.	\$6,935,150.00	None
LE Myers	\$7,078,826.06	Clarifications listed
Morse Group	\$7,116,178.00	None
Tri-City Electric	\$8,405,200.00	None

The bid from JF Electric included several exclusions, a clarification summary is attached which takes their bid higher than Whittaker. Therefore, it was determined the bid from Whittaker Construction was the low bid for Specification 2031K004, no major exceptions were listed. Whittaker has a good list of reference completed projects. The company appears to be in good standing and employs certified and trained craftsmen, they are partnered with the Morse Group to complete the electrical portion.

The low bid for the project is unfortunately over our Engineer’s budget of \$5,500,000 for the contract. We feel this overage can be attributed to the significant increase in material prices this last year, and partially due to the some of the requirements imposed by ComED.


With the City’s approval, release, and financial approval; BHMGM can assist with issuing contract documents. Should you have any questions concerning the bids or the project, please do not hesitate to contact us.

Sincerely:
BHMGM Engineers, Inc.

Jason F. Jackson, P.E.
Enclosures: Bid tab, Whittaker’s Bid, and clarification documents




2031 K004- ROCHELLE MUNICIPAL UTILITIES - PROLOGIS PARK SUBSTATION INSTALLATION CONTRACT

BIDDERS / PROPOSALS	Power Line Supply / USCCO	Whittaker Construction & Excavating	The Morse Group	TRC Companies
BID SECURITY		5% Bid Bond	5% Bid Bond	No Bid
Furnish the Goods & Special Services for the Equipment Purchase	No Bid	\$6,935,150.00	\$7,116,178.00	No Bid
PROJECT COMPLETION TIME - PROPOSAL 1				
	<input checked="" type="checkbox"/> Registered Bidder <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specification	<input checked="" type="checkbox"/> Registered Bidder <input type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specificaton	<input checked="" type="checkbox"/> Registered Bidder <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specificaton	<input checked="" type="checkbox"/> Registered Bidder <input type="checkbox"/> Non-Collusion Affidavit <input type="checkbox"/> Bid Bond <input type="checkbox"/> Bid Form <input type="checkbox"/> Any other documents as required by the specificaton
BHMGM ENGINEERS, INC. Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010		ROCHELLE MUNICIPAL UTILITIES Prologis Park Substation Installation Contract Bids Received 11:00 a.m., 03/25/21		Bid Opening Witnesses: City: _____ BHMGM: 




2031 K004- ROCHELLE MUNICIPAL UTILITIES - PROLOGIS PARK SUBSTATION INSTALLATION CONTRACT

BIDDERS / PROPOSALS	The L.E. Myers Co.	J.F. Electric	Tri-City Electric Co.	Hooper Corporation
BID SECURITY	5% Bid Bond	5% Bid Bond	5% Bid Bond	
Furnish the Goods & Special Services for the Equipment Purchase	\$7,078,826.06	\$6,924,179. ⁷⁶	\$8,405,200. ⁰⁰	No Bid
PROJECT COMPLETION TIME - PROPOSAL 1				
	<input checked="" type="checkbox"/> Registered Bidder	<input checked="" type="checkbox"/> Registered Bidder	<input checked="" type="checkbox"/> Registered Bidder	<input checked="" type="checkbox"/> Registered Bidder
	<input checked="" type="checkbox"/> Non-Collusion Affidavit	<input checked="" type="checkbox"/> Non-Collusion Affidavit	<input checked="" type="checkbox"/> Non-Collusion Affidavit	<input checked="" type="checkbox"/> Non-Collusion Affidavit
	<input checked="" type="checkbox"/> Bid Bond	<input checked="" type="checkbox"/> Bid Bond	<input checked="" type="checkbox"/> Bid Bond	<input checked="" type="checkbox"/> Bid Bond
	<input checked="" type="checkbox"/> Bid Form	<input checked="" type="checkbox"/> Bid Form	<input checked="" type="checkbox"/> Bid Form	<input checked="" type="checkbox"/> Bid Form
	Any other documents as required by the specification	Any other documents as required by the specificaton	Any other documents as required by the specificaton	Any other documents as required by the specificaton
BHM ENGINEERS, INC. Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010	ROCHELLE MUNICIPAL UTILITIES Prologis Park Substation Installation Contract Bids Received 11:00 a.m., 03/25/21		Bid Opening Witnesses: City: _____ BHM: 	



2031 K004- ROCHELLE MUNICIPAL UTILITIES - PROLOGIS PARK SUBSTATION INSTALLATION CONTRACT

BIDDERS / PROPOSALS	Campos Construction, Inc.						
BID SECURITY							
Furnish the Goods & Special Services for the Equipment Purchase							
PROJECT COMPLETION TIME - PROPOSAL 1							
	✓	Registered Bidder	Registered Bidder	Registered Bidder	Registered Bidder		Registered Bidder
		Non-Collusion Affidavit	Non-Collusion Affidavit	Non-Collusion Affidavit	Non-Collusion Affidavit		Non-Collusion Affidavit
		Bid Bond	Bid Bond	Bid Bond	Bid Bond		Bid Bond
		Bid Form	Bid Form	Bid Form	Bid Form		Bid Form
		Any other documents as required by the specification	Any other documents as required by the specificaton	Any other documents as required by the specificaton	Any other documents as required by the specificaton		Any other documents as required by the specificaton
BHMGM ENGINEERS, INC. Consulting Engineers 630 Jeffco Blvd. Arnold, MO 63010			ROCHELLE MUNICIPAL UTILITIES Prologis Park Substation Installation Contract Bids Received 11:00 a.m., 03/25/21			Bid Opening Witnesses: City: _____ BHMGM: 	

NO Bid

BID FORM

TABLE OF ARTICLES

<u>Article</u>	<u>Article No.</u>
Bid Recipient	1
Bidder's Acknowledgements	2
Bidder's Representations	3
Further Representations	4
Basis of Bid	5
Time of Completion	6
Attachments to this Bid	7
Defined Terms	8
Bid Submittal	9

This Bid is submitted by: Whittaker Construction & Excavating, Inc.

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

**City of Rochelle
420 N 6th Street
Rochelle, IL 61068**

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, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged.

Addendum No.	Addendum Date
<u>Addendum 1</u>	<u>03/16/21</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 federal, state and local Laws and Regulations that may affect cost, progress and performance of the Work.

D. Bidder has obtained and carefully studied (or accepts the consequences for not doing so) all additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of 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 to be employed by Bidder, and safety precautions and programs incident thereto.

E. Bidder does not consider that any 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 and in accordance with the other terms and conditions of the Bidding Documents.

- F. 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.
- G. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with 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.
- I. 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.
- J. Bidder will submit written evidence of its authority to do business in the state where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 – FURTHER REPRESENTATIONS

4.01 Bidder further represents 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 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 sought by collusion to obtain for itself any advantage over any other Bidder or over Owner.

ARTICLE 5 – BASIS OF BID

5.01 Proposal No. 1 – All labor and materials for the installation of required equipment for the distribution substation installation, all as detailed in the specifications and drawings.

The contractor shall be required to furnish all material and labor, use of tools, and use of their equipment as required for the construction of the project, as required to make a complete working system.

Bidder will complete the Work in accordance with the Contract Documents including **Allowance No. 1** for the following price(s):

Lump Sum Bid Price	\$ 6,935,150.00
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- A. Required Bid security in the form of Bid Bond, Certified Check or Bank Money Order.
- B. List of Proposed Subcontractors, if applicable.
- C. List of Proposed Suppliers, if applicable.
- D. Non-Collusion Affidavit.
- E. This Document, Completed Bid Form Document 00410.
- F. Completed Bidder Qualification Form 00420.

ARTICLE 8 – (NOT USED)

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 This Bid submitted by:

If Bidder is:

A Corporation

Corporation Name: Whittaker Construction & Excavating, Inc.

State of Incorporation: Illinois

Type: General Contractor
(General Business, Professional, Service, Other)

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

Name: (typed or printed) Jason Whittaker

Title: President
(Corporate Seal)

Attest: 
(Signature of Corporate Secretary)

Business Address: 105 E. Park St. - P.O. Box 21
Earlville, IL 60518

Phone: 815-246-7119

Email Address: sara@whittakerconstruction.com

A Limited Liability Company (LLC)

LLC Name: _____

State in which organized: _____

By: _____
(Signature – attach evidence of authority to sign)

Name: *(typed or printed)* _____

Business Address: _____

Phone: _____

Email: _____

QUALIFICATIONS

PART 1 – GENERAL

1.01 SECTION INCLUDES

- A. Appointment of Counsel.
- B. Pre-qualifications.
- C. Bidder's Qualifications.
- D. Certifications.
- E. References.
- F. Signatures.

1.02 AWARD OF BID

- A. Failure of Bidder to meet all qualification criteria as stated in these Specifications shall disqualify Bidder from consideration for the Project.
- B. The Owner reserves the right to exclude Bidder from consideration due to the Bidder's failure to present with written documentation his experience and capability to complete the project to the Owner's expectations.

PART 2 – QUALIFICATIONS

2.01 APPOINTMENT OF COUNSEL – NONRESIDENT

- A. Bidder has appointed Gary Mickey, Esquire, whose address is 140 S. Municipal Drive Sugar Grove, IL 60554, as the agent of Bidder for service of process in the event any litigation or controversy results between the Bidder and Owner arising out of the contractual relationship created by the acceptance of this Bid. Bidder agrees that the courts of the State in which the project is located will have jurisdiction over Bidder for all such purposes to the same extent as though Bidder were a resident of the State.

2.02 PRE-QUALIFICATION

- A. Failure of Bidder to meet the Pre-qualification requirements as stated in the Instruction to Bidders Bid shall disqualify Bidder from consideration for the Project.

2.03 BIDDER'S QUALIFICATIONS

- A. Bidder shall prove to the Owner's satisfaction Bidder's experience in completing similar projects, thus demonstrating the ability of the Bidder to complete the Project to the Owner's Satisfaction.
- B. Bidder shall submit written proof and abide by the written proof that the Bidder will complete a minimum of (30) thirty percent of the overall project by his own company and workers.
- C. Bidder shall submit documentation proving that the Bidder is capable of funding the Project and is not in financial hardship.
- D. Bidder shall submit documentation proving that the Bidder uses only qualified, licensed workers experienced in the line of work.
- E. Bidder's subcontractors shall be the responsibility of the Bidder and shall be considered part of the Bidder's company and shall meet qualification requirements for all aspects of the Project.

2.04 CERTIFICATIONS

- A. The Bidder certifies the following as required by law:
 - 1. Bidder has not been convicted of bribery or attempting to bribe an officer or employee of the State, nor has the Bidder made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the Bidder been so convicted or made such admission of bribery on its behalf and pursuant to the direction or authorization of a responsible official thereof.
 - 2. Bidder is not barred from bidding with any unit of state or local government as a result of unlawful bid rigging.
 - 3. Under penalty of perjury, the Bidder certifies that the Federal Taxpayer Identification Number noted below is correct and the Bidder is doing business as a (please check one):

<input type="checkbox"/> Individual	<input type="checkbox"/> Real Estate Agent
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Government Entity
<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust or Estate
<input type="checkbox"/> Corporation	
<input type="checkbox"/> Not-for-Profit Corporation	
<input type="checkbox"/> Tax Exempt Organization (IRC 501 (a) only)	
<input type="checkbox"/> Medical and Health Care Services Provider Corporation	

- 4. Bidder, if an individual, is not in default on an educational loan.

**WHITTAKER CONSTRUCTION & EXCAVATING, INC.
GENERAL CONTRACTOR**

P.O. Box 21 - 105 Park St.
Earlville, Illinois 60518

Phone: 815-246-7119

Fax: 815-246-7118

email: sara@whittakerconstruction.com

Affidavit of Experience
City of Rochelle

Name of Owner **Phone #** **Amount \$** **Architect/Engineers**
FMWRD 630-892-4378 | 14,563,366.87 | Walter E. Deuchler Associates, Inc.
Contact Person Dan Caceras - 630-423-0457
Job Name: Operations & Maintenance Building - Phase 2 Building Improvements
Date Completed: Currently working on project, scheduled for completion 6/30/21
Construction of 45,000 square foot, two story operations and maintenance building, first floor CMU and tilt-up precast panels, complete with elevator, conference rooms, office areas, shower and locker rooms, high bay maintenance area complete with davit crane, paint booth, and welding bays.

Name of Owner **Phone #** **Amount \$** **Architect/Engineers**
Fermi National Labs 630-840-3839 \$6,000,000.00 Fermi National Accelerator Labs
Contact Person Brian Quinn - 630-840-5777
Job Name: Utility Corridor Accelerator Campus
Date Completed: Currently working on project, scheduled for completion 10/22/21
Install power and communication duct bank infrastructure for the new accelerator campus including power manholes, communication manholes, and Medium voltage switch gear. Pull and terminate new 750MCM feeder cables to power the accelerator campus. Install industrial cooling water, domestic water, sanitary sewer, and storm sewer piping to service the new accelerator campus buildings.
Building and site final grading and 2200' of maintenance service roadway.

Name of Owner **Phone #** **Amount \$** **Architect/Engineers**
City of Rochelle 815-562-6161 \$7,102,202.07 Baxter & Woodman
Contact Person Robert Mateja, Jr - 815-469-1260
Job Name: Water Reclamation Facility Improvements
Date Completed: 3/31/2021
Facility upgrade to new administration building / lab. Headworks, oxidation ditch, pump station & anaerobic lagoon including cast - in place concrete excavation, mechanical, electrical & control improvements.

Name of Owner **Phone #** **Amount \$** **Architect/Engineers**
Fermi National Labs 630-840-3839 \$13,179,319.05 Fermi National Accelerator Labs
Contact Person Chuck Federowicz - 630-840-3182
Job Name: UUP ICW Backbone Piping Network
Date Completed: 8/27/2018
Project consists of the construction and installation of new Industrial Cooling Piping at multiple locations at Fermilab. Installation of two pre-packaged pump stations and above grade building structures including all associated piping, intakes, valves, building components, (Including new pump station electrical room addition) transformers, manholes, concrete encased power and communication duct banks and wiring. Self performed 85% of contract.

Name of Owner **Phone #** **Amount \$** **Architect/Engineers**
Fermi National Labs 630-840-3839 \$1,314,012.46 Fermi National Accelerator Labs
Contact Person Gordon Bagby - 630-840-3388
Job Name: Master Substation Bypass
Date Completed: 8/29/2013
Construction of advanced upgrades and modifications to the existing 13.8 kV Power distribution system, that inter connect the feeder systems supplied by master sub station to the fermi lab kautz road substation feeder system.

Additional experience includes construction of new substations for city of Batavia & Fermilab National Accelerator Labs.

2.05 REFERENCES

- A. Bidder shall submit a minimum of three (3) written letters of recommendation with references' signatures and contact information to the Engineer.
- B. These References shall be from the Owner, Project Manager, or other individual who is knowledgeable on the project, or recent previous Projects with very similar Scope of Work completed under the current Bidder's name.
- C. Bidder shall submit a minimum of three (3) company brochures, or company information sheets, along with list of completed equivalent projects.

2.06 SIGNATURES

Firm Name: Whittaker Construction & Excavating, Inc.

Federal Taxpayer Identification Number: 82-0544675

By:  Jason Whittaker

Title: President

By: _____

Title: _____

Note: If the Bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if the Bidder is a partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if the Bidder is an individual, his signature shall be placed above. If signature is by an agent, other than an officer of a corporation or member of a partnership, a power of attorney must be submitted with the bid.

PART 3 – EXECUTION (*NOT USED*)

END OF SECTION

BID BOND

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

BIDDER (Name and Address):

Whittaker Construction & Excavating, Inc.
P.O. Box 21
Earlville, IL 60518

SURETY (Name and Address of Principal Place of Business):

Hartford Fire Insurance Company
One Hartford Plaza
Hartford, CT 06155

**OWNER (Name and Address): City of Rochelle
420 N 6th Street
Rochelle, IL 61068**

BID

Bid Due Date: **March 25, 2021**
Project (Brief Description Including Location):
**Prologis Park Substation – Installation Contract
Rochelle Municipal Utilities**

BOND

Bond Number: N/A
Date (Not later than Bid due date): March 25, 2021

Penal Sum: Five Percent of Amount Bid----- 5% of Amount Bid
(Words) (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Bid Bond to be duly executed on its behalf by its authorized officer, agent, or representative.

BIDDER

SURETY

Whittaker Construction & Excavating, Inc. (Seal)
Bidder's Name and Corporate Seal

Hartford Fire Insurance Company (Seal)
Surety's Name and Corporate Seal

By: *Josa Whittaker*
Signature and Title **President**

By: *Maura P Kelly*
Signature and Title **Maura P Kelly**
(Attach Power of Attorney) **Attorney-in-Fact**

Attest: *Juan Chapman*
Signature and Title **Office Administrator**

Attest: *Will J. Viny*
Signature and Title **Attester**

Note: Above addresses are to be used for giving required notice.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder any difference between the total amount of Bidder's Bid and the total amount of the Bid of the next lowest, responsible Bidder who submitted a responsive Bid as determined by Owner for the work required by the Contract Documents, provided that:
 - 1.1. If there is no such next Bidder, and Owner does not abandon the Project, then Bidder and Surety shall pay to Owner the penal sum set forth on the face of this Bond, and
 - 1.2. In no event shall Bidder's and Surety's obligation hereunder exceed the penal sum set forth on the face of this Bond.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1. Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2. All Bids are rejected by Owner, or
 - 3.3. Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default by Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

POWER OF ATTORNEY

Direct Inquiries/Claims to:
THE HARTFORD
BOND, T-12
One Hartford Plaza
Hartford, Connecticut 06155
Bond.Claims@thehartford.com
call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: THE HARRY A KOCH COMPANY
Agency Code: 91-910385

- Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of** Unlimited :

Dustin Cooper, David A. Dominiani, Jacqueline L. Drey, Maura P. Kelly, Joan Leu, Sharon K. Murray, Kevin J. Stenger of OMAHA, Nebraska

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray, Assistant Secretary

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT }
COUNTY OF HARTFORD } ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard
Notary Public
My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President 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 is still in full force effective as of **MARCH 25, 2021**
Signed and sealed at the City of Hartford.



Kevin Heckman, Assistant Vice President

NON-COLLUSION AFFIDAVIT

The Municipality reserves the right, before any award of contract is made, to require any bidder to whom it may make an award of the Principal Contract, to sign a non-collusion affidavit in the form designated below:

STATE OF IL)

COUNTY OF LaSalle)

Jason Whittaker, being first duly sworn, deposes and says that he is President * (sole owner, partner, president, secretary, etc.) of the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such bid is genuine and not collusive or sham; that said bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that said bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of said bidder or of any bidder to fix any overhead, profit or cost element of such bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract; that all statements contained in such bid are true; and, further, that said bidder has not, directly or indirectly, submitted his bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid and will not pay any fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, or any member or agent thereof, or to any other individual except to such person or persons as have a partnership or other financial interest with said bidder in his general business.

Signed: Jason Whittaker Jason Whittaker

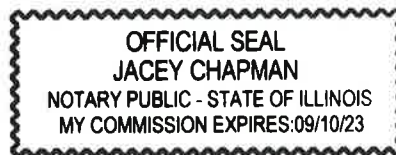
President

Title

Subscribed and sworn to before me this 25th day of March, 2021.

Seal of Notary

Jacey Chapman
Notary Public



* In making out this form, the title that is not applicable should be struck out. For example, if the Contractor is a corporation and this form is to be executed by its president, the words "Sole Owner", "Partner", "secretary", etc. should be struck out.

5.02 Allowances

A. General

1. Allowances as set forth in the specifications are to be used as compensation for items as set forth in this section.

B. Allowances

1. Use the allowances only as authorized for OWNER purposes and only by an approved allowance disbursement form that indicates the amount to be charged to the respective amount.
2. At substantial completion of the work, credit unused amounts remaining in the allowances to the owner by change order.

C. Allowance Disbursement

1. Contractor/vendor shall submit a request for allowance disbursement. Include all substantiating and/or required data along with the request.
2. Once the Owner has accepted the disbursement, the Engineer will sign the allowance disbursement form.

D. Schedule of Allowances

1. The following allowances shall be included in the base bid:
2. Allowance No. 1 – Include the stipulated sum of **\$150,000.00** for required scope change in the project.

ARTICLE 6 – TIME OF COMPLETION

6.01 Based on an award date on April 12, 2021, the project shall meet the proposed schedule below:

- Building Permit application: 04/21/21
- Mobilization: 05/13/21
- Temporary access road complete: 05/20/21
- Site grading complete: 06/04/21
- Access road complete: 06/25/21
- Transformer foundations complete: 08/13/21
- Switchgear foundation complete: 07/16/21
- Perimeter fence complete: 07/31/21
- Belowgrade electrical complete: 09/01/21
- Abovegrade electrical complete: 11/01/21
- Final completion: 12/01/21

ARTICLE 7 – ATTACHMENTS TO THIS BID

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

From: [Leslie Ford-Tindall](#)
To: [Jason F. Jackson](#)
Cc: [Jake Koons](#)
Subject: RE: Prologis - bid clarification
Date: Monday, March 29, 2021 10:09:43 AM

Jason,

Please see JF responses in red below.

New bid amount - \$6,986,387.00.

1. Do you have the electrical testing included, if so who is the company?
 - a. Please see revise pricing with testing and commissioning included from TRC.
 - b. This includes the following scope:
 - i. Testing and commissioning of the following equipment:
 1. Four (4) 138kV Circuit Breakers
 2. Four (4) CCVT's
 3. Twenty-One (21) 138kV Surge Arrestors
 4. Five (5) 138kV Disconnect Switches
 5. Thirty-Six (36) Transformer Low Side Voltage Cables
 6. Forty-Eight (48) 38kV Feeder Cables
 7. Twenty-Seven (27) 13.8kV Feeder Cables
 8. Station Ground Grid
1. The drive gates are excluded, but are the fence posts able to handle gates or does that needed included as well?
 - a. Due to the lack of information provided at bid for the fencing/gate details, the material, connection and embeds for the man door and gates are not included. If more direction or details are given, we can provide this cost addition.
2. What parts of the distribution Transformer is excluded, box pads, terminations, metering?
 - a. Please clarify what distribution transformer you referring to. We have included installing the three (3) pad mount distribution transformers including the pads and terminations. There has been no metering included in our bid cost.
3. The design has cable risers on the three distribution poles, is this included?
 - a. JF has included setting the three (3) distribution poles and pulling the feeder cables to the poles. Pulling cables up the poles and terminations has not been included.

Thanks!

Leslie Ford-Tindall

Assistant Project Manager



100 Lakefront Parkway
Edwardsville, IL, 62025
O: [+1 6187979071](tel:+16187979071)
M: [+1 6206408849](tel:+16206408849)

*Creating connections.
Delivering value.*



From: Jason F. Jackson <jjackson@bhmg.com>

Sent: Thursday, March 25, 2021 3:38 PM

To: Leslie Ford-Tindall <leslief@jfelectric.com>

Subject: Prologis - bid clarification

CAUTION: This email originated from outside of the Company. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Leslie

Can you please provide responses to the below topics?

1. Do you have the electrical testing included, if so who is the company?
2. The drive gates are excluded, but are the fence posts able to handle gates or does that needed included as well?
3. What parts of the distribution Transformer is excluded, box pads, terminations, metering?
4. The design has cable risers on the three distribution poles, is this included?

Thanks

Jason Jackson, P.E. | Project Manager

BHMG Engineers, Inc.

jjackson@bhmg.com

O: [636.333.3926](tel:636.333.3926) | M: [314.780.5930](tel:314.780.5930)

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From: [Kevin Bomstad](#)
To: [Jason F. Jackson](#)
Subject: RE: Prologis - bid clarification
Date: Friday, March 26, 2021 8:42:49 AM
Attachments: [Technical Scope Prologis TC Rev 0.pdf](#)
[Compliance letter.pdf](#)
[Morse Electric Potential Suppliers.docx](#)

Jason,

Good Morning. I appreciate you reaching out to me yesterday and discussing the City of Rochelle Prologis Substation bid by Whittaker Construction and Excavating, Inc. (WCEI). It is understood that the list I am providing to you today is to assist you in a thorough review of our bid proposal. WCEI took no exceptions to the bid documents in preparation and submission of our bid. We also trust that this list of subcontractors and suppliers is not to be shared with any other bidder. Having said this, we recognize this list may be shared with the owner.

Per your request, please accept the following in accordance with Article 12 of the Instruction to Bidders:

General Conditions, Project Administration & Coordination – WCEI, Earlville, IL
Mass Grading, Roadway subbase & aggregate base preparation, Storm Sewer Installation, placement of clean stone, & topsoil placement – C & H Excavating, Inc., Earlville, IL
Bituminous Paving – Belrock Paving – Belvidere, IL
Dewatering – WCEI, Earlville, IL
Soil Erosion and Seeding – WCEI, Earlville, IL
Structure Excavation and Backfill – WCEI, Earlville, IL
Cast In Place Concrete (Foundations) – WCEI, Earlville, IL
Concrete Supplier – Roger’s Redimix, Rochelle, IL
Aggregate Supplier – Macklin, Inc., Rochelle, IL
Duct Bank Excavation and Encasement – WCEI, Earlville, IL
Cable Vaults – Utility Concrete Products, Morris, IL
Precast Wall Panels (Perimeter Fence) – Utility Concrete Products, Inc., Morris, IL
Drive Gates and Man Gate – Northern Illinois Fence, Cortland, IL
Painting – Lecuyer Painting and Decorating, Inc. – Sandwich, IL
Miscellaneous Metals – Breuer Metal Craftsmen, Beaver Dam, Wisconsin
Electrical - Morse Electric, Freeport, IL
Testing and Commissioning Subcontractor - Realtime Utility Engineers, Inc., Fitchburg, WI
Allowance of \$150,000 is included.

In addition to the above list, I have included the scope of work provided to Morse Electric for the Testing and Commissioning. As you can see, we have very limited subcontractors and I will reiterate that neither WCEI or Morse Electric took no exceptions to the specification. I welcome you to contact our references as I know you will be satisfied with the discussions with our past client representatives. Thank you again and please feel free to contact me if you need any additional information.

Respectfully Submitted,

Kevin S. Bomstad, P.E.
Project Manager
Whittaker Construction and Excavating, Inc.
PO Box 21
Earlville, IL 60518
Phone: 815/246-7119
Cell: 815/252-0820
email: kevin@whittakerconstruction.com

From: Jason F. Jackson <jackson@bhmg.com>
Sent: Thursday, March 25, 2021 2:52 PM
To: Kevin Bomstad <Kevin@whittakerconstruction.com>
Subject: Prologis - bid clarification

Kevin

Could you please share your list of subcontractors and suppliers for the Rochelle project?

Thanks

Jason Jackson, P.E. | Project Manager
BHMG Engineers, Inc.

jjackson@bhmg.com

O: [636.333.3926](tel:636.333.3926) | M: [314.780.5930](tel:314.780.5930)

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