

MISC. ORDER NO. 2023-30

IN THE COUNTY COURT OF CRAIGHEAD COUNTY, ARKANSAS

IN THE MATTER OF AWARDED BIDS
FOR ASPHALT PATCHING OF VARIOUS
COUNTY ROADS

FILED

APR 20 2023

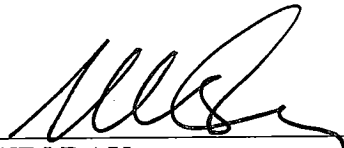
ORDER

COUNTY & PROBATE COURT CLERK

COMES BEFORE THE COUNTY COURT THE MATTER OF AWARDED BIDS FOR
PATCHING SECTIONS OF VARIOUS ASPHALT COUNTY ROADS.

BIDS WERE ADVERTISED AND PUBLICLY OPENED IN ACCORDANCE WITH
ARKANSAS CODE 14-22-101 THROUGH 14-22-115 CONCERNING PUBLIC BIDDING. IT IS
THEREFORE CONSIDERED, ORDERED AND ADJUDGED THAT THE LOW OVERALL
BID OF \$1,583,440.23 BE ACCEPTED FROM SUGG CONSTRUCTION, INC., JONESBORO,
AR 72403.

DATED THIS 20th DAY OF APRIL 2023.

APPROVED: 
MARVIN DAY
CRAIGHEAD COUNTY JUDGE

171113
530542

FROM:

Craighead County Purchasing Department
c/o County Judge's Office
511 Union, Room 119
Jonesboro, AR 72401
Phone 870-933-4500
Fax 870-933-4504

VENDOR'S COPY
PURCHASE ORDER
CRAIGHEAD COUNTY
ARKANSAS

SHOW THIS NO. ON ALL INVOICES,
DELIVERY SLIPS, CASES, BOXES, ETC
PURCHASE ORDER 55924

TO: Sugg Construction, Inc
PO BOX 17164
Jonesboro, AR 72403

DATE 4-20-23
Req. by: Judge Day
Req. No.:
Bid No.: 2023-14
Charge to
Account No.:

Please furnish the following to Craighead County
and be governed by the instructions hereon.

ITEM	QUANTITY	BRAND, CATALOG NO. AND DESCRIPTION	UNIT PRICE	TOTAL
		PATCHING SECTIONS OF VARIOUS ARKANSAS COUNTY ROADS. ALL ACCORDING TO BID SPECIFICATIONS IN BID # 2023-14.		
		Job Road# TOTAL COST		
		A CR 505 \$ 295,385.27		
		B CR 837 \$ 149,962.44		
		C CR 620 \$ 217,034.42		
		D CR 846 \$ 129,459.04		
		E CR 754 \$ 452,517.25		
		F CR 458 \$ 144,268.49		
		G CR 454 \$ 26,793.30		
		H CR 457 \$ 140,395.74		
		I CR 455 \$ 27,629.28		
		<u>\$ 1,583,440.23</u>		

TOTAL ▶

SHIP TO:
Craighead County Board Room
2800 Moore Rd
Jonesboro, AR 72404

DEL. PROMISED: DEL. REQUIRED: TERMS:
F.O.B.: DESTINATION PRICING:

I certify that all the above articles or services have been received
in good order except as noted.
Dated _____ 20____
Signed _____

CRAIGHEAD COUNTY
By [Signature]
Purchasing Agent

BID TABULATION SHEET

Bid No. 2023-14

Asphalt patching of various county roads

DATE: April 19, 2023

Craighead County Road Department

2800 Moore Road

Jonesboro, AR 72401

Atlas Asphalt

PO Box 2500

Jonesboro, AR 72402

Brian Fulkerson

Ph 932-1246

Fax 335-6687

Sugg Construction, Inc

PO Box 17164

Jonesboro, AR 72403

Burt Sugg

burt@suggconstruction.com

Job number of County Roads to be overlaid (Patching)

			Estimated Asphalt Tons	Estimated Tack(Gallons) .05 gl/sq yd	Price Per Ton	Price Per Gallon	Total Price	Price Per Ton	Price Per Gallon	Total Price
Job A	CR 505	Patching (4")(12.5 surface)	2,017					\$145.31		\$293,090.27
		Estimated Sq Ft Patching 82,532sf		459					\$5.00	\$2,295.00
									Total	\$295,385.27
Job B	CR 837	Patching (4")(12.5 surface)	1,024					\$145.31		\$148,797.44
		Estimated Sq Ft Patching 41,898sf		233					\$5.00	\$1,165.00
									Total	\$149,962.44
Job C	CR 620	Patching (4")(12.5 surface)	1,482					\$145.31		\$215,349.42
		Estimated Sq Ft Patching 60,613sf		337					\$5.00	\$1,685.00
									Total	\$217,034.42
Job D	CR 846	Patching (4")(12.5 surface)	884					\$145.31		\$128,454.04
		Estimated Sq Ft Patching 36,174sf		201					\$5.00	\$1,005.00
									Total	\$129,459.04
Job E	CR 754	Patching (4")(12.5 surface)	1,149					\$145.31		\$166,961.19
		Estimated Sq Ft Patching 47,001sf		1,137					\$5.00	\$5,685.00
		Overlay	1,926					\$145.31		\$279,867.06
									Total	\$452,513.25
Job F	CR 458	Patching (4")(12.5 surface)	188					\$145.31		\$27,318.28
		Estimated Sq Ft Patching 7,687sf		402					\$5.00	\$2,010.00
		Overlay	791					\$145.31		\$114,940.21
									Total	\$144,268.49

Job	CR 454	Patching (4")(12.5 surface)	6.6							\$145.31		\$959.05
G		Estimated Sq Ft Patching 270sf		81							\$5.00	\$405.00
		Overlay	175							\$145.31		\$25,429.25
											Total	\$26,793.30
Job	CR 457	Patching (4")(12.5 surface)	352.0							\$145.31		\$51,149.12
H		Estimated Sq Ft Patching 14,399sf		354							\$5.00	\$1,770.00
		Overlay	602							\$145.31		\$87,476.62
											Total	\$140,395.74
Job	CR 455	Patching (4")(12.5 surface)	101.0							\$145.31		\$14,676.31
I		Estimated Sq Ft Patching 4,113sf		62							\$5.00	\$310.00
		Overlay	87							\$145.31		\$12,641.97
											Total	\$27,628.28
											Total Bid Price	\$1,583,440.23
<p>Craighead County has reviewed all bids received in detail and weighed all options as to the best benefit for Craighead County and has determined that the bid received meets all bid specifications in regards to patching of asphalt county roads and meets all ARDOT specifications regarding asphalt patching. With all things considered and evaluated, it is determined that the best value for Craighead County is offered by Sugg Construction, Inc., PO Box 17164, Jonesboro, AR 72403 as outlined above.</p>												

**CRAIGHEAD COUNTY
INVITATION TO BID-Not an Order**

Craighead County Judge's Office
511 Union St. Suite 119
Jonesboro, Arkansas 72401

PURCHASING OFFICE

BID NO. 2023-14

DATE April 5, 2023

Sealed bids, subject to the conditions on the attached hereof, and as may be attached hereto, will be received at this office until 2:00 PM April 19, 2023 and then publicly opened, for furnishing the supplies, materials, and/or services as described below.

Bids will be opened April 19, 2023
2:00 P.M. Local Time

FOB Craighead County, Arkansas

BY: Al Haines
Purchasing Director

Item #	DESCRIPTION
1	The intent of the attached specifications is to describe asphalt paving, asphalt overlay, asphalt patching, and type of materials to use for paving, overlaying, and patching County Roads in Craighead County.
2	The successful bidder will furnish Craighead County a signed copy of all delivery receipts for each road or job, and will invoice the County for each job individually.
3	Does bidder meet all specifications? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If no, please attach sheets explaining differences.
4	Successful bidder shall maintain bid price throughout the 2023 asphalt patching/paving season.
5	Bidder should specify approximate start date if awarded bid. Days <u>5 days</u>
6	Bidder shall quote per laid ton price on asphalt and per gallon of prime/tack per road or job.
7	Bid must be signed by an authorized representative or bid will be rejected.
8	Bidder should return all pages of this bid package.
9	Bid # 2023-14 must be noted on the outside of bidders envelope.
10	Bidder shall specify any cash discounts, if available.
11	Bidder should list price: Total cost for all jobs \$ <u>1,583,440.23</u>

EXECUTION OF BID

Date 4-19-2023

We, the undersigned, have read all the requirements set forth in this bid proposal including specifications, conditions, and pertinent information regarding the articles being bid on, and we agree to furnish articles at the prices instructions, stated.

Arkansas use Tax Register No. 73714304 - 565

Bidder Sugg Construction Inc. Address P.O. Box 17144
By Bruce Sugg City Jonesboro AR 72403
(Person Authorized to Sign Bids) Title Vice President

UNSIGNED BIDS WILL BE REJECTED

BIDS ARE SUBJECT TO REJECTION UNLESS SUBMITTED ON THIS FORM

NOTICE TO BIDDERS, SEE REVERSE SIDE OR ATTACHMENTS FOR INSTRUCTIONS AND CONDITIONS.

CRAIGHEAD COUNTY
JONESBORO, ARKANSAS

CONDITIONS OF BIDDING

Compliance with the following conditions is necessary for consideration of this bid.

- 1 Signature-This bid must be signed with the firm name and by an authorized officer, employee or agent.
- 2 Sales Tax-Is not to be shown in the bid price, but is to be added by the vendor to the invoice billing to the County. The County is not exempt from Arkansas State Sales Tax. Contractors are to include all costs into the bid price, including applicable taxes.
- 3 Freight and other delivery charges-to destination at designated County job site in the County must be included in bid. Charges may not be added after the bid is opened.
- 4 Discounts-Show rate, total amount, and latest day any discounts will be allowed after receipt of article and invoice, otherwise County will deduct allowed discount when payment is made.
- 5 Firm Price-All prices quoted will remain firm for at least 30 days from date of bid, unless otherwise specified by the County or bidder
- 6 Identical Bids-In the event of two or more identical low bids, the contract may be awarded arbitrarily or for any reason to any of such bidders, or split in any proportion between the said two or more bidders at discretion of the County.
- 7 Clean up-Complete cleanup and proper disposal of any and all job related items is considered to be a part of any contract let by Craighead County.
- 8 Ambiguity in bid-Any ambiguity in any bid as the result of omission, error, lack of clarity or non-compliance specifications, instructions, and all conditions of bidding shall be construed in the light most favorable to the County
- 9 Construction
A. When requested, the Contractor is to supply the County with evidence of having and maintaining proper and specifically Workman's Compensation Insurance in accordance with the laws of the State of Arkansas, Public Liability, and Property Damage. All premiums and cost shall be paid by Contractor. In no way will the County be responsible in case of accident.
B. A Performance Bond equaling the total amount of any bid exceeding \$50,000 must be provided for erection of any public building, public structure, or public improvement(Pursuant to Arkansas Code 18-44-503.)
- 10 The County reserves the right to reject any and all bids, accept in whole or in part, to waive informalities in bids received, to accept bids on materials or equipment with variations from specifications in those cases where efficiency of operation will not be impaired, and unless otherwise specified by bidder, to accept any item in the bid. If unit prices and extensions thereof do not coincide, the County may accept the bid for the lesser amount whether reflected by extension or by the correct multiple of the unit price.

INSTRUCTIONS TO BIDDERS

(Please read carefully)

- 1 Submit bid on bid form attached.
- 2 Address all bids to: Purchasing Director, Craighead County Judge's Office, 511 Union St.; Suite 119, Jonesboro, Arkansas 72401 and make certain to indicate identifying bid number on the outside of bid envelope.
- 3 DO NOT include Federal Excise Tax in bid. County will furnish exemption certificate.
- 4 Bids received after stated time will not be considered.
- 5 Be sure and read all conditions and verify amounts before submitting bids. No changes or additions will be allowed after submission.
- 6 Guarantees and warranties should be attached as a part of the bid, as they may be a consideration in awarding contract.
- 7 Delivery or contract completion time is to be shown, as this date may, where time is of the essence, determine the contract award.
- 8 Additional information may be obtained from the Purchasing Department.
- 9 **Point of contact will be Road Supt, John James at 870-450-2352**

THE COUNTY RESERVES THE RIGHT TO ACCEPT PART OR ALL OF ANY SPECIFIC BID OR BIDS
AND TO ACCEPT BID WITH OR WITHOUT TRADE-IN, AND REJECT ANY AND ALL BIDS.

SPECIFICATIONS

- 1 Scope: We are requesting that 4" of pavement and/or gravel be removed from the spots as marked by county forces and 2 1/2" of 25 MM binder placed and compacted. Then, you will tack the binder and place 1 1/2" of 12.5 mm surface. The work will be done in accordance with the current ARDOT specifications for patching. The patching portion of this bid must be completed by June 30, 2023. The overlay portion of this bid must be completed by October 6, 2023. Liquidated damages after these dates are \$1,000 per calendar day. If material availability becomes an issue the County will consider alternative cross sections.
- 2 Each job listed below must be bid separately.
- 3 These figures are approximate. Please look at the job, calculate tonnage and gallons and give bid on work at cost per ton on asphalt and per gallon on tack.
- 4 Craighead County reserves the right to accept, reject, in whole or in part, to waive informalities in bids received, or accept bids with variations.
- 5 Traffic control shall be responsibility of contractor.
- 6 **Note: Contractor will remove unstable material and repair according to Section 415, Asphalt Concrete Hot Mix Patching of Existing Roadway.**
- 7 **Bid bond shall be submitted with bid and performance and insurance bonds shall be submitted upon bid award.**

Job number of County Roads to be overlaid (Patching)

			Estimated Asphalt Tons	Estimated Tack(Gallons) .05 gal/sq yd	Price Per Ton	Price Per Gallon	Total Price
Job A	CR 505	Patching (4")(12.5 surface) Estimated Sq Ft Patching 82,532sf	2,017	459	145.31	5	293,090.27 2295
Job B	CR 837	Patching (4")(12.5 surface) Estimated Sq Ft Patching 41,898sf	1,024	233	145.31	5	148,797.44 1165
Job C	CR 620	Patching (4")(12.5 surface) Estimated Sq Ft Patching 60,613sf	1,482	337	145.31	5	215,349.42 1685
Job D	CR 846	Patching (4")(12.5 surface) Estimated Sq Ft Patching 36,174sf	884	201	145.31	5	128,454.04 1005
Job E	CR 754	Patching (4")(12.5 surface) Estimated Sq Ft Patching 47,001sf Overlay	1,149 1,926	1,137	145.31 145.31	5	166,961.19 5685 279,867.06
Job F	CR 458	Patching (4")(12.5 surface) Estimated Sq Ft Patching 7,687sf Overlay	188 791	402	145.31 145.31	5	27,318.28 2010 114,940.21
Job G	CR 454	Patching (4")(12.5 surface) Estimated Sq Ft Patching 270sf Overlay	6.6 175	81	145.31 145.31	5	959.05 405 25,429.05

Job	CR 457	Patching (4")(12.5 surface)	352.0		145.31		57,149.12
H		Estimated Sq Ft Patching 14,399sf		354		5	1770
		Overlay	602		145.31		87,476.62
Job	CR 455	Patching (4")(12.5 surface)	101.0		145.31		14,676.31
I		Estimated Sq Ft Patching 4,113sf		62		5	310
		Overlay	87		145.31		12,641.97
Craighead County reserves the right to have any milling of product removed from asphalt patching on county roads to be loaded onto county truck at the discretion of Craighead County.							



P.O. Box 712 • Des Moines, Iowa 50306-0712

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation
- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

BENSON A CASHION, JUDY SCHOGGEN, MATTHEW K. CASHION JR, MICHAEL G. DORNBLASER, LEE W. JACKSON, JULIE MARTIN, DANETTE WARD, JOHN A. DAVIE, HEATHER HICKS

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the Surety Bond:

Any and All Bonds

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

The authority hereby granted shall expire October 10th, 2025, unless sooner revoked.

AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice-President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

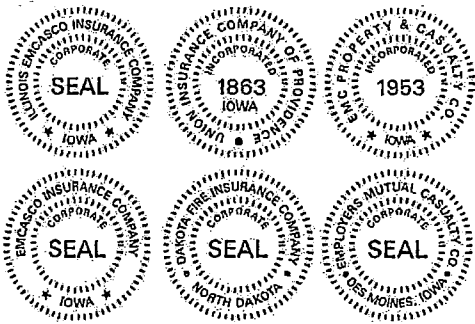
IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 22nd day of September, 2022.

Scott R. Jean

Scott R. Jean, President & CEO
of Company 1; Chairman, President
& CEO of Companies 2, 3, 4, 5 & 6

Todd Strother

Todd Strother, Executive Vice President
Chief Legal Officer & Secretary of
Companies 1, 2, 3, 4, 5 & 6



On this 22nd day of September, 2022 before me a Notary Public in and for the State of Iowa, personally appeared Scott R. Jean and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President, Executive Vice President, Chief Legal Officer and/or Secretary, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Scott R. Jean and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2025.

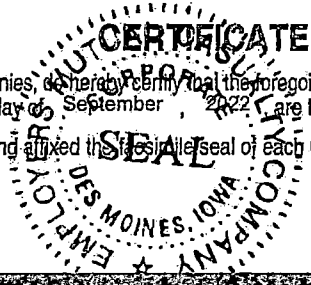
Kathy Loveridge

Notary Public in and for the State of Iowa



I, Ryan J. Springer, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on 22nd day of September, 2022, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the official seal of each Company this 19th day of April, 2023.



Ryan J. Springer

Vice President

BID BOND

Conforms with The American Institute of Architects, A.I.A. Document No. A-310

KNOW ALL BY THESE PRESENTS, That we, Sugg Construction, Inc.

_____ as Principal, hereinafter called the Principal,
and the Employers Mutual Casualty Company

of Des Moines, IA _____ a corporation duly organized under
the laws of the State of Iowa _____, as Surety, hereinafter called the Surety, are held and firmly bound unto

Craighead County, Arkansas _____ as Obligee, hereinafter called the Obligee,

in the sum of Five Percent of Amount of Bid

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

WHEREAS, the Principal has submitted a bid for _____
Bid No. 2023-14 - Craighead County Judge's Office, Jonesboro, Arkansas

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

Signed and sealed this 19th day of April, 2023

[Signature]

Witness

[Signature]

Witness

Sugg Construction, Inc. _____ (Seal)
Principal
[Signature]

Title

Employers Mutual Casualty Company
By [Signature]
Heather Hicks _____ Attorney-in-Fact



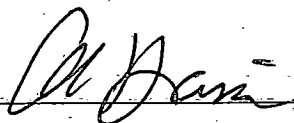
Craighead County Purchasing Department

April 19, 2023

Reference: Bid Package 2023-14

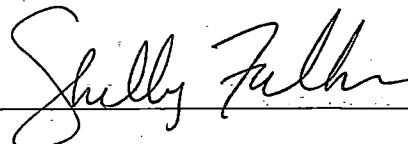
Patching various county roads in Craighead County.

This is to certify that only one (1) bid was received in reference to bid 2023-14,
patching various county roads.



Al Haines

County Purchasing Agent



Shelly Fulks

Office Secretary

AFFP
FROM THE OFFICE OF COUNTY

RECEIVED

APR 13 2023

Affidavit of Publication

FROM
CRAIGHEAD COUNTY
JUDGE'S OFFICE

STATE OF AR }
COUNTY OF CRAIGHEAD } SS

FROM THE OFFICE OF COUNTY JUDGE MARVIN DAY
NOTICE TO BIDDERS

Craighead County is now accepting bids until 2:00 PM, April 19, 2023, local time, at the Craighead County Judge's office for the following:

Matthew Smith, being duly sworn, says:

Asphalt patching and overlay of various county roads in Craighead County, Arkansas.

That he is Classified Director of the Jonesboro Sun, a daily newspaper of general circulation, printed and published in Jonesboro, Craighead County, AR; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Bid specifications may be picked up at the County Judge's office, Craighead County Courthouse Annex, 511 Union St, Suite 119, Jonesboro, Arkansas, Monday through Friday, from 8:00 A.M. until 5:00 P.M.

April 08, 2023

Bids will be opened at 2:00 PM, April 19, 2023, local time, in the County Judge's office.

The County reserves the right to reject any or all bids or any part of any specific bid.

Bid specifications are available on the County Web Site at www.craigheadcounty.org.

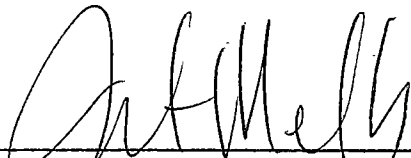
Publisher's Fee: \$ 79.95

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 8th day of April 2023.



Janet Melton, Notary Public 9/6/2032

JANET MELTON
NOTARY PUBLIC - STATE OF ARKANSAS
CRAIGHEAD COUNTY
My Commission Expires 09-06-2032
Commission No. 12389619

00013656 70641155

CRAIGHEAD COUNTY JUDGES OFFICE
511 UNION STE 119
JONESBORO, AR 72401

FROM THE OFFICE OF COUNTY JUDGE MARVIN DAY

NOTICE TO BIDDERS

Craighead County is now accepting bids until 2:00 PM, April 19, 2023, local time, at the Craighead County Judge's office for the following:

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Al Haines
Purchasing Agent
Craighead County

Please run April 8, 2023.