

Ord.

2012-0118

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 12-4-1

An ordinance to approve and authorize the execution of a contract with Command Construction Industries, LLC., for the Beautification and Parish Boundary Signage, Federal Aid Project No. H009115, State Project No. H.009115, to construct Parish signs along routes US 61, US 90, and I-310.

WHEREAS, the Louisiana Department of Transportation and Development (LADOTD) opened bids on February 8, 2012, for said project; and,

WHEREAS, by way of a letter dated February 10, 2012, the LADOTD requested the Parish review the bids and submit to the LADOTD written recommendation of the award of the contract to the low bidder, Command Construction Industries, LLC.; and,

WHEREAS, the Parish submitted a letter dated February 10, 2012, concurring with the award of said project to said low bidder; and,

WHEREAS, the LADOTD has prepared a contract between the Parish and Command Construction Industries, LLC., for said project; and,

WHEREAS, it is the desire of the Parish Council to approve said contract.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the contract between St. Charles Parish and Command Construction Industries, LLC., for the Beautification and Parish Boundary Signage, Federal Aid Project No. H009115, State Project No. H.009115, is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Agreement and to act on behalf of St. Charles Parish in all matters pertaining to this project.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, WILSON, TASTET, HOGAN, COCHRAN, FLETCHER, NUSS

NAYS: NONE

ABSENT: FAUCHEUX, BENEDETTO

And the ordinance was declared adopted this 9th day of April, 2012, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]

ACTING SECRETARY: Calli Madore

DLVD/PARISH PRESIDENT: April 10, 2012

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RET/SECRETARY: 4-10-12

AT: 3:32pm RECD BY: cdm

RECORDED IN THE ST. CHARLES PARISH
CLERK OF COURT OFFICE

ON April 25, 2012

AS ENTRY NO. 378510

IN MORTGAGE/CONVEYANCE BOOK

NO. 1471 FOLIO 534

By: Ord. 12-12-2 AMENDED

Checked by: _____

Date _____

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT



CONTRACT
FOR

ST. CHARLES PARISH

FEDERAL AID PROJECT

STATE PROJECT NO. H.009115
CONTROL SECTION NOS. 005-08, 005-09, 007-03, 450-36, and 450-38
BEAUTIFICATION AND PAR BOUNDARY SIGNAGE
ROUTES US 61, US 90 and I-310
ST. CHARLES PARISH

STATE OF LOUISIANA
ST. CHARLES PARISH
CONTRACT

This agreement, is made and executed in two (2) originals, between the St. Charles Parish, acting through the Parish President, hereafter designated as the "Contracting Agency," and Command Construction Industries LLC, hereafter designated as the "Contractor."

The Louisiana Department of Transportation and Development, hereafter designated as "Department" did advertise for, receive and accept a bid from the Contractor for work on a construction project for the Contracting Agency identified as,

STATE PROJECT NO. H.009115

CONTROL SECTION NOS. 005-08, 005-09, 007-03, 450-36, and 450-38

FEDERAL AID PROJECT NO. H009115

DESCRIPTION: BEAUTIFICATION AND PAR BOUNDARY SIGNAGE

ROUTES: US 61, US 90 and I-310

PARISH: ST. CHARLES

TYPE: BEAUTIFICATION AND SIGNAGE.

LIMITS: State Project No. H.009115: LOCATED AT VARIOUS SITES AS DESCRIBED IN THE PLANS.

The Contractor's submission is evidenced by a copy of the "Vendor's Bid Information Sheet" incorporated herein as part of the Contract Documents defined hereafter.

In consideration of the agreements herein contained, to be performed by the parties hereto and of the payments hereafter agreed to be made, it is mutually agreed by both parties that:

CONTRACT DOCUMENTS

The contract consists of the "Contract Documents" including but not limited to the following:

- a. Agreement (This Instrument)
- b. Vendor's Bid Information Sheet
- c. Louisiana Standard Specifications for Road and Bridges, 2006 Edition (hereafter referred to as "2006 Standard Specifications")
- d. Construction Proposal (Notice to Contractors, Required Federal Aid Construction Contract Provisions, Required Federal Aid DBE Participation Contract Provisions, Special Provisions, Supplemental Specifications, Schedule of Items)
- e. Plans
- f. Plan revisions
- g. Two (2) Addenda made or issued prior to receipt of bids
- h. Payment, Performance, and Retainage Bonds or Retainage Agreement.

For these purposes, all of the provisions contained in the listed Contract Documents are incorporated herein by reference with the same force and effect as though said Contract Documents were herein set out in full. The Contract Documents are kept in the official file at the Contracting Agency together with the acknowledgment of receipt correspondence signed by the Contractor.

STATE OF LOUISIANA
ST. CHARLES PARISH
CONTRACT

INTENT OF CONTRACT

In accordance with the 2006 Standard Specifications and the Contract Documents, the Contractor agrees to the terms and requirements for the intent of the contract to provide all materials, equipment and labor and perform the work required to complete the project in a thorough and workmanlike manner, to the satisfaction of the appropriate official of the Contracting Agency.

CONTRACT AMOUNT

The Contractor did submit as advertised with his (her) bid, a dollar value amount for each of the items designated in the construction proposal on the "Schedule of Items" and that the "Schedule of Items," attached hereto and incorporated herein as part of the Contract Documents, submitted by the contractor, establish that the total contract amount for this project is **EIGHTY-NINE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$89,200.00)** as obtained by a summation of the product of the unit bid price submitted by the contractor for each item multiplied by the item quantity as estimated by the Department. The Contractor agrees to accept and the Contracting Agency agrees to pay for the work at the prices stipulated in this contract in lawful money of the United States in a timely manner as set forth in the 2006 Standard Specifications.

CONTRACT TIME

The entire contract shall be completed in all details and ready for final acceptance within **forty-five (45) working days**. Performance of work on this contract shall begin on the date stipulated in the "Notice to Proceed" and shall be completed within the time specified in the Contract Documents, subject to such extensions as may be authorized.

ALTERATION OF CONTRACT

In accordance with the 2006 Standard Specifications and the Contract Documents, the Contractor agrees to the terms and requirements for alteration of the contract.

STIPULATED DAMAGES

Contractor agrees to the assessment of Stipulated Damages as provided in the Subsection 108.08 of the 2006 Standard Specifications as amended by the Contract Documents.

DAMAGE CLAIMS

Contractor acknowledges that he/she has reviewed and understands Subsection 107.17 of the 2006 Standard Specifications and specifically agrees to be bound by the terms and conditions thereof.

JOINT EFFORT

This Agreement shall be deemed for all purposes prepared by the joint efforts of the parties hereto and shall not be construed against one party or the other as a result of the preparation, drafting, submittal or other event of negotiation, drafting or execution of the Agreement.

08/06
Form AC-15BB

STATE OF LOUISIANA
ST. CHARLES PARISH
CONTRACT FOR STATE PROJECT NO. H.009115

This contract shall become effective on the date all parties hereto have signed the same.

In witness whereof, the Contracting Agency, and the Contractor, has also hereunto subscribed their name.

COMMAND CONSTRUCTION INDUSTRIES
LLC
CONTRACTOR

26-1280480

(Federal Identification Number)

By:

(Signature of Authorized Agent)

February 28, 2012
(Date)

Kelly Commander, MANAGING MEMBER
Typed or Printed Name and Title

Miriam Shelton

Witness

Harold Brown

Witness

STATE OF LOUISIANA
ST. CHARLES PARISH

Theresa Allen

Witness

By:

PARISH PRESIDENT

Calli Madere

Witness

4-10-12

(Date)

Vendor 1 of 1: Command Construction Industries LLC (48896000)
Call Order 012 (Proposal: H.009115.6-R2)

Bid Information

County: St. Charles

Address: 3206 N. Turnbull Drive
Metairie , Louisiana , 70002

Signature Check: Kelly_Commander_48896000

Time Bid Received: February 08, 2012 08:43 AM

Amendment Count: 0

Bid Checksum: 809DC31F

Bid Total: \$89,200.00

Items Total: \$89,200.00

Time Total: \$0.00

Bidding Errors:

None.

Vendor 1 of 1: Command Construction Industries LLC (48896000)
Call Order 012 (Proposal: H.009115.6-R2)

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SLA12976390	Agency Execution Date:
Paid by Check: No	Surety Name: surety2000
Bond Percent:	Bond Agency Name:



2/8/2012

**Louisiana Department of Transportation and Development
Contract Schedule**

Page: 1

Contract ID: H.009115.6-R2

Project(s): H.009115.6

Awarded 48896000

Command Construction Industries LLC

SECTION 1**General Items****\$89,200.00**

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0001	202-02-38240 Removal of Signs and Supports US 90 @ Jefferson P/L	1.000 EACH		1,000.00000		1,000.00
0002	202-02-38240 Removal of Signs and Supports US 61 @ Jefferson P/L	1.000 EACH		1,000.00000		1,000.00
0003	713-01-00100 Temporary Signs and Barricades	LUMP SUM	LUMP SUM			100.00
0004	714-01-00700 Slab Sodding (Centipede)	56.000 SQYD		10.00000		560.00
0005	715-01-00100 Topsoil	48.000 CUYD		30.00000		1,440.00
0006	727-01-00100 Mobilization	LUMP SUM	LUMP SUM			9,000.00
0007	740-01-00100 Construction Layout	LUMP SUM	LUMP SUM			100.00
0008	NS-ENH-19100 Sign (Gateway) HDU Sign on 6" Post - US 90 @ Jefferson P/L	1.000 EACH		10,000.00000		10,000.00
0009	NS-ENH-19100 Sign (Gateway) HDU Sign on Monument - I-310 off ramp near LA 18	1.000 EACH		25,000.00000		25,000.00
0010	NS-ENH-19100 Sign (Gateway) HDU Sign on Monument - I-310 off ramp near LA 48	1.000 EACH		25,000.00000		25,000.00
0011	NS-ENH-19100 Sign (Gateway) HDU Sign on 6" Post - US 61 @ Jefferson P/L	1.000 EACH		8,000.00000		8,000.00
0012	NS-ENH-19100 Sign (Gateway) HDU Sign on 6" Post - US 90 @ Lafourche P/L	1.000 EACH		8,000.00000		8,000.00



2/8/2012

Louisiana Department of Transportation and Development
Contract Schedule

Page: 2

Total Bid: \$89,200.00

**STATE OF LOUISIANA
PAYMENT, PERFORMANCE, AND RETAINAGE BONDS**

Be it known that **Command Construction Industries LLC**, as Principal, and
The Ohio Casualty Insurance Company

_____, as Surety(ies), authorized to do business in Louisiana, hereby bind themselves, in solido, to **St. Charles Parish**, and other potential claimants, for all obligations incurred by the Principal under its contract for the construction of
STATE PROJECT NO. H.009115, CONTROL SECTION NOS. 005-08, 005-09, 007-03, 450-36, and 450-38, FEDERAL AID PROJECT NO. H009115, DESCRIPTION: BEAUTIFICATION AND PAR BOUNDARY SIGNAGE, ROUTES: US 61, US 90 and I-310, PARISH: ST. CHARLES, in the full contract amount of **EIGHTY-NINE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$89,200.00)**. The obligations of the Principal and Surety(ies) under these payment, performance, and retainage bonds shall continue in full force and effect until all materials, equipment, and labor have been provided, AND all requirements contained in the contract, plans, and specifications have been completed in a timely, thorough, and workmanlike manner. The parties acknowledge that these bonds are given under the provisions and limitations contained in La. R.S. 48:250 et seq.

By this instrument(s), the Principal and Surety(ies) specifically bind themselves, their heirs, successors, and assigns, in solido, under the following bonds:

PAYMENT BOND. To the **St. Charles Parish**, and all "Claimants," as defined in La. R.S. 48:256.5 in the full contract amount of **EIGHTY-NINE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$89,200.00)**, in order to secure the full and timely claims under the project. The parties agree this bond is statutory in nature and governed by La. R.S. 48:256.3.

Claims pursuant to La. R.S. 48:256.3 shall be delivered to the Contracting Officer of the Contracting Agency.

PERFORMANCE BOND. To the **St. Charles Parish**, in the full contract amount of **EIGHTY-NINE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$89,200.00)**, in order to secure the full and faithful performance and timely completion of the project according to its plans and specifications, inclusive of overpayments to the contractor and stipulated damages as assessed.

RETAINAGE BOND. To the **St. Charles Parish**, in the full sum of **EIGHT THOUSAND NINE HUNDRED TWENTY AND 00/100 DOLLARS (\$8,920.00)**, ten percent (10%) of the contract amount, in lieu of the sums required to be withheld from progress payments under La. R.S. 48:256.1, inclusive of overpayments to the contractor and stipulated damages as assessed.

CONTRACTOR OPTION: RETAINAGE

I, Principal, elect to exercise my option to have ten percent retainage withheld from all payments in lieu of the above retainage bond.

By: _____
Principal

STATE OF LOUISIANA
PAYMENT, PERFORMANCE, AND RETAINAGE BONDS

In witness whereof we have signed this instrument as dated.

Olivia Skellon
Witness
[Signature]
Witness

COMMAND CONSTRUCTION INDUSTRIES
LLC

By [Signature]
Principal

February 28, 2012
Date

KEITH COMMANDER MANAGING MEMBER
Typed or Printed Name and Title

[Signature]
Witness
[Signature]
Witness

The Ohio Casualty Insurance Company
Surety

By Lauren Nuss
Attorney-in-Fact (Seal)

February 28, 2012
Date

Lauren Nuss, Attorney-in-Fact
Typed or Printed Name

Witness

Witness

Surety

By _____
Attorney-in-Fact (Seal)

Date

Typed or Printed Name

A copy of the contract and subsequent correspondence/communication from LA DOTD or the contracting agency with respect to the contract bonds should be directed to:

(FOR SURETY 1)

(FOR SURETY 2)

Ellsworth Corporation

Bonding Agency or Company Name

Lauren Nuss

Local Agent or Representative

P.O. Box 8210

Address

Metairie, LA 70011

504-455-4545

Phone Number

504-888-6645

Fax Number

Bonding Agency or Company Name

Local Agent or Representative

Address

Phone Number

Fax Number