



CITY OF MILPITAS

CONTRACT

Project: On-Call Pavement Repair at Various City of Milpitas Sites
Bid No: IFB 2028
Annual Not-To-Exceed Amount of Contract: \$200,000.00

THIS CONTRACT, made this 3rd day of October, 2012 by and between the City of Milpitas, hereinafter referred to as "the City of Milpitas" and **DRT Grading & Paving, Inc.**, hereinafter referred to as "Contractor",

WITNESSETH:

A. WHEREAS, the City of Milpitas has caused specifications, drawings and other contract documents, hereinafter referred to as "Specifications", to be prepared for certain work on the referenced project; and

B. WHEREAS, said Specifications include:

- Part A – Invitation For Bids
- Part B – Scope of Work
- Part C – Minimum Basic Requirements
- Part D – General Conditions and Instructions To Bidders
- Part E – Special Conditions
- Part F – Technical Specifications
- Part G – Terms and Conditions for Receipt of Bid
- Part H – Addenda
- Part I – Bid Form
- Part J – Experience Statement
- Part K – Sample Contract
- Part L – Non-Collusion Affidavit
- Part M – Bidder's Statement Regarding Insurance Coverage
- Part N – Worker's Compensation Insurance Certificate
- Part O – Contractor's Nondiscriminatory Employment Certificate
- Part P – Local Purchasing Preference Certificate
- Part Q – Certificate of Compliance
- Part R - Insurance Requirements – General
- Part S - Acceptance & Release

C. WHEREAS, Contractor has offered to perform the proposed work in accordance with the terms of said Specifications as set forth by submission of the Contractor's Bid;

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained in said Specifications and Contractor's Bid, which are made a part hereof as though fully set forth, Contractor hereby agrees to complete the work at the prices and on the terms and conditions therein contained, and the City of Milpitas hereby employs the Contractor and agrees to pay the Contractor the contract prices therein provided for the fulfillment of the work and the performance of the covenants therein set forth.

IN WITNESS WHEREOF, this contract has been executed on the day and year first above written.

City of Milpitas,
A Municipal Corporation

DRT Grading & Paving, Inc.

Thomas C. Williams, City Manager

Contractor's Signature

Approved As To Form:

Title

Michael J. Ogaz, City Attorney

Approved As To Content:

Steve Chan, Traffic Engineer

ATTEST:

By _____
Mary Lavelle, City Clerk

Business Tax Compliance: Certificate No. _____