



OFFICE OF WILL COUNTY EXECUTIVE
LAWRENCE M. WALSH

Will County Office Building – 302 N Chicago Street – Joliet, Illinois
60432

Rita Weiss
Purchasing Director

(815) 740-4605
Fax (815) 740-4604
rweiss@willcountyillinois.com

December 19, 2016

To Whom It May Concern:

You are invited to submit your bid for the Lease for Agricultural Purposes on 53.33 Acres of County Landfill Property from the Will County Land Use Department, Joliet, Illinois. Complete bid specifications are attached. This bid is for a three (3) year award, beginning March 19, 2017, through and including March 18, 2020, with an annual contract, based on approximate acreage.

Viewing the site will be available weekdays, from January 10, 2017 to January 12, 2017, by appointment only by contacting **Dean Olson** or **Dave Hartke, Land Use Department, at 815-727-8834**.

Bids will be received in the Purchasing Department, 2nd Floor, Will County Office Building, 302 N. Chicago St., Joliet, IL 60432, not later than **Friday, January 20, 2017, at 10:00 a.m. "As so indicated by the time stamp clock of Will County"**.

Bids will be publicly opened and read by the Will County Executive or his representative on **Friday, January 20, 2017, at 10:10 a.m.** at the Will County Office Building, 2nd Floor, 302 N. Chicago St., Joliet, IL 60432.

The bidder acknowledges the right of the County of Will to reject all bids, and to waive non-material informality or irregularity in any bid received in whole or in part as maybe specified in the solicitation.

If you should have any questions regarding the content of the bid specifications, please contact Rita Weiss in writing at rweiss@willcountyillinois.com.

We welcome your bid.

Sincerely,

Rita Weiss

Rita Weiss
Purchasing Director

ADVERTISEMENT OF BID
FOR THE LEASE FOR AGRICULTURAL PURPOSES
ON 53.33 ACRES OF COUNTY LANDFILL PROPERTY

SEALED BIDS FOR THE LEASE FOR AGRICULTURAL PURPOSES ON 53.33 ACRES OF COUNTY LANDFILL PROPERTY JOLIET, ILLINOIS, WILL BE RECEIVED AT THE WILL COUNTY PURCHASING DEPARTMENT, WILL COUNTY OFFICE BUILDING, 302 N. CHICAGO ST., JOLIET, IL 60432, UNTIL THE HOUR OF 10:00 A.M., FRIDAY, JANUARY, 20, 2017. BIDS WILL BE PUBLICLY OPENED AND READ BY THE WILL COUNTY EXECUTIVE OR HIS REPRESENTATIVE AT 10:10 A.M., FRIDAY, JANUARY 20, 2017, AT THE WILL COUNTY OFFICE BUILDING, 302 N. CHICAGO ST., 2ND FL, JOLIET, IL 60432.

SPECIFICATIONS AND CONDITIONS OF THE BID ARE AVAILABLE AT www.demandstar.com AND www.willcountyillinois.com, AS WELL AS THE PURCHASING DEPARTMENT, 2ND FLOOR, WILL COUNTY OFFICE BUILDING, 302 N. CHICAGO ST., JOLIET, IL 60432, (815) 740-4605 OR EMAIL purchasing@willcountyillinois.com.

THE TENDERING OF A BID TO THE COUNTY SHALL BE CONSTRUED AS ACCEPTANCE OF THE SPECIFICATIONS. THE BIDDER ASKNOWLEDGES THE RIGHT OF THE COUNTY OF WILL TO REJECT ANY AND ALL BIDS, AND TO WAIVE NON-MATERIAL INFORMALITY OR IRREGULARITY IN ANY BID RECEIVED IN WHOLE OR PART AS MAY BE SPECIFIED IN THE SOLICITATION.

BY ORDER OF THE WILL COUNTY EXECUTIVE, LAWRENCE M. WALSH.

**INSTRUCTIONS TO BIDDERS
FOR THE LEASE FOR AGRICULTURAL PURPOSES
ON 53.33 ACRES OF COUNTY LANDFILL PROPERTY**

Sealed Bids are invited for the lease for agricultural purposes on 53.33 acres of County Landfill Property, Joliet, IL. Bids will be received in the Purchasing Department, Will County Office Building, 302 N. Chicago Street, 2nd Floor, Joliet, Illinois 60432, not later than **10:00 a.m., Friday, Friday, January 20, 2017, “as so indicated by the time stamp clock of Will County”**.

BIDS RECEIVED AFTER THIS TIME WILL NOT BE ACCEPTED.

Bids will be publicly opened and read aloud by the Will County Executive or his representative at **10:10 a.m., Friday, January 20, 2017**, at the Will County Office Building, 302 N. Chicago St., 2nd Floor, Joliet, IL, 60432.

Viewing the site will be available weekdays, from **Tuesday, January 10, 2017** through **Thursday, January 12, 2017** by appointment only by contacting **Dean Olson** or **Dave Hartke, Land Use Department, at 815-774-8834**.

Bid Forms shall be completely filled out in accordance with the instructions contained herein. The complete set of Contract Documents shall be submitted with your bid. All Bid Forms and Specifications as attached hereto shall be used to form the Contract for the work to be performed.

Bids shall be submitted on the forms furnished by the County of Will in a sealed package, plainly marked, with the Bidder's name, address and the notation:

SEALED BID: 2017-19 FARM LEASE (COUNTY LANDFILL PROPERTY)

BIDS DUE: Friday, January 20, 2017, 10:00 a.m.

Bids shall be addressed to the Will County Purchasing Department, Will County Office Building, 302 N. Chicago Street, Joliet, IL, 60432.

PROPERTY DESCRIPTION:

This is for the property commonly known as the County Landfill Property near Wilmington, Will County, Illinois and as described in the Lease for Agricultural Purposes included herewith.

TERMS AND CONDITIONS:

The bidder shall execute the Lease for Agricultural Purposes which is included herewith and made a part hereof.

TAX EXEMPTION

The County of Will is exempt from Federal, State and Municipal Taxes.

SIGNATURE OF BIDS:

The signature on bid documents shall be that of an authorized representative of bidder. An officer or agent of the offering bidder who is empowered to bind the bidder in a Contract shall sign the proposal and any clarifications to that proposal. County of Will bears no responsibility for investigating or determining authority of signatory.

Each bidder, by making and signing his bid, represents that he has read and understands the bidding documents. **Any bid not containing said signed documents shall be non-conforming and shall be rejected.**

BIDDING PROCEDURES:

1. All bids must be prepared on the forms provided by the County of Will and submitted in **TRIPPLICATE** with One (1) original clearly marked, and two (2) complete copies, in accordance with the Instructions to Bidders.
2. A bid is invalid if it has not been deposited at the designated location prior to the time and date for receipt of bids indicated in the Advertisement for Bids or prior to any extension thereof issued to the bidders.
3. Unless otherwise provided in any supplement to the instructions to Bidders, no bidder shall modify, withdraw, or cancel his bid or any part thereof for ninety (90) days after the time designated for the receipt of bids in the Advertisement for Bids.
4. Changes or corrections may be made in the bid documents after they have been issued and before bids are received. In such cases, a written addendum describing the change or correction will be issued by the County of Will to all bidders recorded by the County of Will as having received the bidding documents and will be available for inspection whenever issued. Such addendum shall take precedence over that portion of the documents concerned, and shall become part of the bid documents. Except in unusual cases, addendum will be issued to reach the bidders at least five (5) days prior to date established for receipt of bids.
5. Each bidder shall carefully examine all bid documents and all addenda thereto, and shall thoroughly familiarize themselves with the detailed requirements thereof prior to submitting a proposal. Should a bidder find discrepancies or ambiguities in, or omissions from documents, or should they be in doubt as to their meaning, they shall, at once, and in any event, not later than seven (7) days prior to bid due date, notify the County of Will, who will, if necessary, send written addendum to all bidders. The County of Will will not be responsible for any oral instructions. All inquiries shall be directed in writing to Rita Weiss, Purchasing Director, at rweiss@willcountyillinois.com. After bids are received, the Bidder will make no allowance for oversight.

TECHNICAL CONTACT PERSON:

Any questions in relation to the specifications in this proposal should be directed in writing to:
rweiss@willcountyillinois.com.

NON-DISCRIMINATION:

The Contractor shall at all times observe and comply with any law, statute, regulation or the like relating in any way to civil rights including but not limited to the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq.

WORDS AND FIGURES:

Where amounts are given in both words and figures, the words shall govern. If the amount is not written in words the unit cost will take precedence over the extended price in case of a discrepancy in the multiplication.

REJECTION OF BIDS:

The bidder acknowledges the right of the County of Will to reject any bids not in compliance with the request for proposals and the right to reject all bids and the right to waive any non-material irregularities in any bid received.

INSURANCE:

RISK OF LOSS: The contractor shall assume all risks for loss or damages to materials whether stored on the site or elsewhere, or to tools or equipment owned or rented by the contractor, and he shall maintain such insurance, as he may deem necessary to protect himself against such loss or damage.

COMPREHENSIVE GENERAL LIABILITY AND PROPERTY DAMAGE INSURANCE:

The LESSEE shall procure and maintain during the duration of this contract, Comprehensive General Liability and Property Damage Insurance in an amount not less than \$1,000,000.00 for injuries including accidental death to any one person and not less than \$1,000,000.00 on account of any one occurrence and property damage insurance including completed operations broad form in an amount not less than \$1,000,000.00 combined single limit bodily injury and property damage.

TAXES:

The Contractor shall pay all applicable sales, use, service use, service occupation, social security, and other taxes, levies, assessments, and duties, and shall make income tax deductions, all as required by local, State and Federal law.

PRICES:

Prices shall remain firm for a minimum of ninety (90) days after the time designated for the receipt of bids in the Advertisement for Bids.

PAYMENT:

Payment **must** be made by **MAY 1 of each year** to the County of Will, c/o Resource Recovery & Energy Division, 58 E. Clinton Street, Suite 500, Joliet, IL, 60432.

PRIME CONTRACTOR CERTIFICATION:

Included in this bid package is a prime contractor certification form. This form must be filled out and returned with your bid package or it will not be accepted.

CHOICE OF LAW AND VENUE:

Any cause of action related to this bid, or contract related thereto, shall be governed by the laws of the State of Illinois without regard to conflict of law provisions. Venue for any cause of action related to this bid, or any contract related thereto, shall be in the Twelfth Judicial Circuit, Will County, Illinois.

ILLINOIS FREEDOM OF INFORMATION ACT:

Any and all submissions to the County of Will become the property of the County of Will and these and any late submissions will not be returned. Your proposal will be open to the public under the Illinois Freedom of Information Act (FOIA) (5 ILCS 140/1, et.seq.) and other applicable laws and rules, unless you request in your proposal that we treat certain information as exempt. We will not honor requests to exempt entire proposals. You must show the specific grounds in FOIA or other law or rule that support exempt treatment. If you request exempt treatment, you must submit an additional copy of the proposal with exempt information deleted. This copy must tell the general nature of the material removed and shall retain as much of the proposal as possible. In the event the County of Will receives a request for a document submitted, the County of Will shall provide notice to contractor as soon as practicable. Regardless, contractor will be responsible for any costs or damages associated with defending your request for exempt treatment. Furthermore, contractor warrants that County of Will's responses to requests for a document submitted that is not requested to be exempt will not violate the rights of any third party.

Please be advised that if your proposal is accepted by the County of Will all related records maintained by, provided to, or required to be provided to the County of Will during the contract duration are subject to FOIA. In the event the County of Will receives a request for a document relating to contractor, its provision of services, or the arranging for the provision of services, the County of Will shall provide notice to contractor as soon as practicable and, within the period available under FOIA, contractor may then identify those records, or portions thereof, that it in good faith believes to be exempt from production and the justification for such exemption. Regardless, contractor will be responsible for any costs or damages associated with defending the request for exempt treatment. Furthermore, contractor will warrant that County of Will's responses to requests for a document relating to contractor, its provision of services, or the arranging for the provision of services, will not violate the rights of any third party.

Please be advised also that FOIA provides that any record in the possession of a party with whom the County of Will has contracted to perform a governmental function on behalf of the County of Will, and that directly relates to the governmental function and is not otherwise exempt under FOIA is considered a public record of the County of Will for purposes of FOIA.

5 ILCS 140/7(2). As such, upon request by the County of Will (or any of its officers, agents, employees or officials), the contractor shall provide to the County of Will at no cost and within the timeframes of FOIA a copy of any "public record" as required by FOIA and in compliance with the provisions of FOIA. After request by the County of Will, contractor may then identify those records, or portions thereof, that it in good faith believes to be exempt from production and the justification for such exemption. Regardless, contractor will be responsible for any costs or damages associated with defending the request for exempt treatment.

AWARDING OF BID:

The bidder acknowledges the right of the County of Will to accept the bid deemed most favorable to the interest of the County of Will. Will County also reserves the right to refuse the high bid and re-bid the project if the total amount is deemed to be inadequate after all bids have been examined and evaluated.

The Bid is expected to be awarded at the February 16, 2017 meeting of the Will County Board.

SUBMITTAL REQUIREMENTS:

Each of the following Products shall be submitted by the bid time mentioned herein in order that the bid will be considered:

1. **Signed** Copy of Prime Contractor Certification
2. **Signed** and completed Bid Form
3. **Signed** and completed Receipt of Addenda Form

PRIME CONTRACTOR CERTIFICATION

The undersigned hereby certifies that _____

Name of Bidder

is not barred from contracting with any unit of State or local government as a result of a violation of either Section 33E-3 or 33E-4 of the Criminal Code of 1961.

Representative of Bidder

Title

Signature

Date

Note: A person who makes a false certificate commits a Class 3 Felony.

Sections 33E-3 and 33E-4 provide as follows:

33E-3. Bid-rigging. A person commits the offense of bid-rigging when he knowingly agrees with any person who is, or but for such agreement would be, a competitor of such person concerning any bid submitted or not submitted by such person or another to a unit of State or local government when with the intent that the bid submitted or not submitted will result in the award of a contract to such person or another and he either (1) provides such person or receives from another information concerning the price or other material term or terms of the bid which would otherwise not be disclosed to a competitor in an independent noncollusive submission of bids or (2) submits a bid that is of such a price or other material term or terms that he does not intend the bid to be accepted.

Bid-rigging is a Class 3 felony. Any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for 5 years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation as provided in paragraph (2) of subsection (a) of Section 5-4 of this Code.

33E-4 Bid rotating. A person commits the offense of bid rotating when, pursuant to any collusive scheme or agreement with another, he engages in a pattern over time (which, for the purposes of this Section, shall include at least 3 contract bids within a period of 10 years, the most recent of which occurs after the effective date of this amendatory Act of 1988) of submitting sealed bids to units of State or local government with the intent that the award of such bids rotates, or is distributed among, persons or business entities which submit bids on a substantial number of the same contracts. Bid rotating is a Class 2 felony. Any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be permanently barred from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation as provided in paragraph (2) of subsection (a) **of Section 5-4 of this Code.**

Possible violations of Section 33 can be reported to the Office of the Will County State's Attorney at (815) 727-8453.

Bid Let: 12-19-16
Due: 1-20-17, 10:00 a.m.
Open: 1-20-17, 10:10 a.m.

PURCHASING DEPARTMENT
COUNTY OF WILL
302 N. CHICAGO ST
JOLIET, IL. 60432

CONTRACT FOR
#2017-19 Farm Lease

NAME _____ F.E.I.N./SOC. SEC. # _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
CONTACT _____
PHONE _____ FAX _____
E-MAIL _____

For Additional Information contact: RITA WEISS, PURCHASING DIRECTOR, rweiss@willcountyillinois.com

THIS IS NOT AN ORDER

THE LESSEE AGREES TO PAY \$ _____ PER ACRE, BASED ON TOTAL OF 53.33 ACRES, FOR THE FIRST YEAR. ACREAGE MAY BE REDUCED IN YEARS TWO AND THREE DEPENDING UPON LANDFILL SITE DEVELOPMENT (TYPICAL REDUCTION IS 10 - 15 ACRES).

GRAND TOTAL AMOUNT WRITTEN IN WORDS. IN CASE OF DISCREPANCY, THE AMOUNT IN WORDS SHALL GOVERN.

This bid is for a three (3) year award, beginning March 19, 2017, through and including March 18, 2020, with an annual contract signed each year, based on current year acreage.

Signed By: _____ Title: _____
(Lessee)

Bid Let: 12-16-16
Due: 1-20-17, 10:00 a.m.
Open: 1-20-17, 10:10 a.m.

**RECEIPT OF ADDENDA FORM
PURCHASING DEPARTMENT
COUNTY OF WILL
302 N. CHICAGO ST
JOLIET, IL. 60432**

**CONTRACT FOR
#2017 -19 Farm Lease**

NAME _____ FEIN/SOC SEC # _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

CONTACT _____

PHONE _____ FAX _____

THIS IS NOT AN ORDER

**Agency Name and
Delivery Address:** JOLIET, IL. 60432

**For Additional
information contact:** RITA WEISS, PURCHASING
rweiss@willcountyillinois.com

ADDENDUM RECEIPT: Receipt of the following Addendum to the Bidding Documents is hereby acknowledged:

No._____, dated _____, signed _____

ADDENDUM RECEIPT: Receipt of the following Addendum to the Bidding Documents is hereby acknowledged:

No._____, dated _____, signed _____

ADDENDUM RECEIPT: Receipt of the following Addendum to the Bidding Documents is hereby acknowledged:

No._____, dated _____, signed _____

LATE BIDS CANNOT BE ACCEPTED!

SEALED BID DOCUMENT

BIDDER'S RETURN ADDRESS:

BID #: 2017-19
DUE DATE: 1-20-17
DUE: 10:00 A.M.
DESCRIPTION: Farm Lease

**DATED MATERIAL-DELIVER IMMEDIATELY
WILL COUNTY PURCHASING DEPARTMENT
302 N. CHICAGO ST., 2ND FLOOR
JOLIET, IL 60432**

**PLEASE CUT OUT AND AFFIX THIS BID LABEL (ABOVE)
TO THE OUTERMOST ENVELOPE OF YOUR SEALED BID
TO HELP ENSURE PROPER DELIVERY!**

LATE BIDS CANNOT BE ACCEPTED!