

**INVITATION TO BID
YELLOWSTONE COUNTY, MONTANA
PUBLIC WORKS Eagle Bend of the Yellowstone Gravel 2025
Eagle Bend Boulevard, River Run Road, Wild Game Trail, and Turkey Trail**

Yellowstone County will receive sealed bids for surface gravel work in Eagle Bend of the Yellowstone Subdivision per the enclosed specifications until 3:00 p.m. September 15, 2025. All bids must be submitted in triplicate (1 original and 2 copies) to the Board of County Commissioners, P.O. Box 35000, Billings, MT 59107 or delivered to their office in City Hall, Room 3101, 316 North 26th Street, Billings, MT 59101. Envelopes containing bids must be marked "Eagle Bend of the Yellowstone" in the lower right-hand corner.

All Bids received will be time and date stamped. The time and date stamped on each bid must indicate that it was received no later than 3:00 p.m. September 15, 2025.

All timely bids will be opened and read aloud at 9:00 a.m. September 16, 2025 in the Commissioners Board Room, Room 3108, located on the third floor of City Hall 316 North 26th Street. All bids received that are time and date stamped later than 3:00 p.m. September 15, 2025 will not be opened.

All bids must include a bid bond made in favor of Yellowstone County in an amount equal to 10% of the total bid. The security may consist of cash, a cashier's check, a certified check, a bank money order, a certificate of deposit, a money market certificate, or a bank draft. The security must be: a) drawn and issued by a federally chartered or state chartered bank or savings and loan association that is insured by or for which insurance is administered by the Federal Deposit Insurance Corporation; b) drawn and issued by a credit union insured by the National Credit Union Share Insurance Fund c) a bid bond or bonds, original only, no copies, executed by a surety company authorized to do business in the State of Montana. Personal checks, business checks, and facsimiles will not be accepted for bid security.

No bid may be withdrawn prior to sixty (60) days after the scheduled time for receipt of the bids.

Each bidder must have a current Montana Public Contractor's Registration number when submitting their bid. The number must appear on the bid. All subcontractors, if any, must obtain a registration number prior to beginning any work on the project. Bid only registrations are acceptable for the bidding process.

All contractors and subcontractors performing work pertaining to the construction, reconstruction, or improvement of any public road or street or bridge construction repair or maintenance awarded by any government agency, must obtain and

maintain a Special Fuel User Permit from the Montana Department of Transportation.

The successful bidder will be required to provide the County with a performance bond and labor and materials bond, both for 100% of the contract amount, within ten days of the execution of the contract and prior to starting any work on the project. The selected Contractor will also be required to provide a copy of their commercial liability insurance certificate and workers compensation coverage prior to beginning the project.

The successful bidder will be required to follow all the directives included in section 18-2-422 of the Montana Code Annotated concerning Montana Prevailing Wages. Those directives are as follows:

(1) the contractor and any subcontractors are required to pay the standard prevailing wage rate, including fringe benefits, for each job classification as stated in the current prevailing wage rate schedules. This information is included in the four prevailing wage rate schedules that are being provided to each bidder as part of this bid package. The current schedules are also available at the State of Montana web-site <https://erd.dli.mt.gov/labor-standards/state-prevailing-wage-rates/>. It is the responsibility of the contractors to obtain and use the applicable Wage Rate Schedules.

(2) each contractor and subcontractor is required to maintain payroll records in a manner readily capable of being certified for submission under statute 18-2-423, for not less than 3 years after the contractor's and subcontractor's completion of work on the project;

(3) each contractor is required to post a statement of all wages and fringe benefits in compliance with statute 18-2-423.

Statute 18-2-423 is as follows: If a complaint is filed with the department alleging noncompliance with 18-2-422, the department may require the project to submit to it certified copies of the payroll records for workers employed on that project. A contractor or a subcontractor shall pay employees receiving an hourly wage on a weekly basis. If a wage violation complaint is filed with the department, the contractor or subcontractor shall provide the employee's payroll records to the department within 5 days of receiving the payroll request from the department.

The successful bidder will be required to give preference to the employment of bona fide Montana residents in the performance of the work on this project.

All state laws pertaining to Resident Bidders, both State and County will be adhered to if applicable.

A 5% retainage fee will be withheld from all progress payments made to the successful bidder. The fee will be returned to the contractor upon completion of the project and acceptance of the project by the County. The successful bidder will be required to pay the State of Montana a sum equal to 1% of the gross receipts

from the public contract. The County will withhold this amount and forward it to the State of Montana.

The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

Information relating to the bid specifications should be addressed to Logan McIsaac (406) 256-6996. Questions concerning the bid procedure may be addressed to Matt Kessler at (406) 256-2717.

The Board of County Commissioners will award the gravel project to the lowest and best responsible bidder. The Board reserves the right to reject any or all bids received, to waive informalities to evaluate the bids submitted, and to accept the bid which best serves the interests of Yellowstone County.

Done by order of the Board of County Commissioners of Yellowstone County, MT this 2nd day of September 2025.

Board of County Commissioners
Yellowstone County, Montana

(Seal)
Attest:

Mark Morse, Chair

Jeff Martin, Clerk and Recorder

INSURANCE REQUIREMENTS

The successful bidder (herein after Contractor), shall maintain at its sole cost and expense, commercial general liability insurance naming Yellowstone County/Yellowstone County Public Works, as additional insured for this project against liability for damages for bodily injury, including death and completed operations and property damages in a minimum amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) for each claim and One Million Five Hundred Thousand Dollars, (\$1,500,000.00), in the aggregate arising from incidents which occur as the result of Contractors negligence during the project and for which Yellowstone County/Yellowstone County Public Works sole basis of liability is vicarious liability for the acts or omissions of the Contractor or/and subcontractors. Contractor shall maintain for this project at its cost and expense, insurance against claims for injuries to persons or damages to property, including contractual liability which may arise from or in connection with the project by Contractor, agents, employees, representatives, assigns and sub-contractors. This insurance shall cover claims as may be caused by any negligent act or omission. The policy of insurance shall be an occurrence policy with a Best Rating of A- or better and must be in force throughout the project.

Contractor shall name on the Certificate of Liability Insurance Yellowstone County/Yellowstone County Public Works as additional insured throughout the project. In addition, Contractor will furnish to Yellowstone County a copy of the policy endorsement, CG 32 87 05 10, indicating that Yellowstone County/Yellowstone County Public Works are named as an additional insured under the Contractors insurance policy for this project. Contractor agrees to furnish both the Certificate of Insurance and policy endorsement at least ten (10) days prior to beginning work on the project.

Contractor agrees to defend, indemnify and hold harmless Yellowstone County /Yellowstone County Public Works from and against any and all claims demands, obligations causes of action, lawsuits and all damages and liabilities fines, judgments, costs, (including settlement costs), and expenses associated therewith (including reasonable attorney's fees and disbursements), arising from incidents that occur from the result of Contractors negligence during this project, and for which Yellowstone County /Yellowstone County Public Works sole basis of liability is vicarious liability for the acts or omissions of Contractor. The defense and indemnification obligations under this paragraph of the Invitation to Bid shall not be limited by any assertions or finding that Yellowstone County/Yellowstone County Public Works is liable for any damages by reason of a non-delegable duty.

WORKERS COMPENSATION

Contractor is required to maintain workers compensation insurance, or an independent contractor's exemption issued by the Montana Department of Labor covering Contractor and Contractor's employees. Contractor is not, nor are Contractor's workers, employees of Yellowstone County / Yellowstone County Public Works. Workers Compensation insurance, or the exemption from the workers compensation obligation must be valid for the entire period of the project.

CHECK LIST

Please be sure you have completed the following prior to submitting your bid.

Read and understand the specifications and bid procedure.

Acknowledge any addendum, if applicable

Enclosed the required ten (10) percent bid bond.

Make yourself familiar with any State or County laws that pertain to this bid.

Asked and received answers to any questions regarding the bid procedure, specifications or questions of a general nature.

Addressed and mailed or delivered your bid to be received at the correct address by the time and date indicated in the Invitation to Bid.

GENERAL INFORMATION

The Yellowstone County Public Works Department is currently requesting bids hauling, placing, and compacting surface gravel on subdivision roads within Eagle Bend of the Yellowstone Subdivision.

The description of the area of the roads to be overlaid is as follows:

Eagle Bend of the Yellowstone Subdivision is located Northeast of Billings, MT off Church Road. A map of the RSID is available by contacting the County Public Works Department; a hard copy can be picked up or an electronic version emailed.

- The roads to have gravel added are Eagle Bend and River Run **Option I**. **Option II** Wild game Trail and **Option III** Turkey Trail. Options II and III will be considered dependent on available funding. The county is requesting a price using ¾" road mix.
- Depth of material placement shall be controlled at the roadway centerline and be able to be visually inspected at a minimum spacing of 150 linear feet. The cost of this work shall be incidental to the bid item(s).

Option I

- Blade, water and compact Eagle Bend and River Run beginning at the west side of the intersection approximately 550 feet on Eagle Bend and going east to the intersection of River Run and Eagle Bend then going north for 2,825 feet to the intersection of River Run and Whitetail Run filling potholes, establishing 2-3% center crown and an

approximate 24-foot top. Then add a 4" minimum depth compacted of road material. The road mix must meet Montana Public Works Standards (fractured faces)

Option II

- Blade, water and compact Wild Game Trail from the intersection of River Run to the intersection Whitetail Run on a for approximately 2,264 feet establishing 2-3% center crown and an approximate 24-foot top. Then add a 4" minimum depth compacted of road material. The road mix must meet Montana Public Works Standards (fractured faces)

Option III

- Blade, water and compact Turkey Trail for approximately 1,050 feet from the intersection of White Tail Run to Church Rd. establishing 2-3% center crown and an approximate 24-foot top. Then add a 4" minimum depth compacted of road material. The road mix must meet Montana Public Works Standards (fractured faces)

All work and incorporated material must meet the Montana Public Works Standard Specifications. All labor and material used during the course of the project must be warranted for a period of one (1) year after acceptance by Yellowstone County. The project must be completed no later than October 31, 2025.

Any questions concerning this project should be directed to Logan McIsaac, Project Manager at the Yellowstone County Public Works Department, (406) 256-6996.

**2025 Eagle Bend of the Yellowstone Gravel PROEJCT
BID SHEET
Options I, II, and III**

To: Yellowstone County Commissioners
PO Box 35000
Billings, MT 59107-5000

THE UNDERSIGNED BIDDER, having familiarized himself/herself with the work required by the bid documents, the site(s) where the work is to be performed, local labor conditions, and all laws, regulations, and other factors affecting performance of the work, and having satisfied himself/herself of the expense and difficulties attending performance of the work,

HEREBY PROPOSES and agrees, if this bid is accepted, to perform all work, including the assumption of all obligations, duties, and responsibilities necessary to the successful completion of the work and the furnishing of all labor, materials and equipment, supplies, permits, bonds, insurance for the total bid of:

OPTION I

Words

Figures

OPTION II

Words

Figures

OPTION III

Words

Figures

TOTAL IF ALL OPTIONS ACCEPTED

Words

Figures

SIGNATURE OF BIDDER _____

COMPANY _____

ADDRESS _____

CITY, STATE _____

PHONE NUMBER _____

MONTANA PUBLIC CONTRACTORS' REGISTRATION NUMBER _____

DATE _____

I acknowledge receiving the following addenda, if applicable.

#1	_____	_____	#2	_____	_____
	Initials	Date		Initials	Date