

ITEM A-80-23 BITUMINOUS CONCRETE
DATED: JANUARY 2023
CONTRACT PERIOD: 3/31/23 - 3/30/24

INTENT

It is the intent of this bid proposal to solicit bids for plant mixed bituminous concrete, hauling, paver rental with operator and screed man and roller rental with operator.

SCOPE

Work performed under this bid proposal may include material purchase and material hauled to site, rental of paver with operator and screed man, rental of one or two dual steel wheel rollers with operators, in any combination as in the opinion of the Montgomery County Commissioner of Public Works, hereinafter referred to as "the Commissioner", will best meet individual project requirements.

QUALIFICATION OF BIDDER

When requested by the Commissioner, the bidder must present evidence of experience, ability, financial standing and a statement as to equipment. The bidder shall own or lease, manage and control a plant adequate for and devoted to the manufacture of the item that it proposes to furnish.

PRE-CONSTRUCTION CONFERENCE

When bidder's equipment is rented, the bidder shall meet with the Commissioner or his designated representative at least one week prior to the start of work.

MAINTENANCE & PROTECTION OF TRAFFIC:

The Commissioner shall provide maintenance and protection of traffic for all work performed under this proposal.

MATERIALS

All plant mixed bituminous concrete items shall be furnished in accordance with Section 400 of the New York State Department of Transportation Standard Specifications, Construction and Materials, dated January 2, 1990, including addenda. If in the Commissioner's opinion, undesirable material is furnished from accepted sources through faulty operation or any other cause whatsoever, the objectionable material and accompanying load slip(s) shall be returned for credit.

PLANT REQUIREMENTS

All materials furnished shall be produced in a plant inspected and approved within the previous 12-month period as meeting New York State Department of Transportation requirements, Section 401 (New York State Department of Transportation Construction and Materials). Certification must be submitted with the bid.

EQUIPMENT

Paver - The rented paver must evenly spread and partially compact the bituminous concrete, leaving a finished surface, which is then ready for final compaction by steel wheel vibratory rollers. It must compensate for minor grade irregularities, and must be able to form proper crowns and super elevations for highways. The paver must be capable of paving a 17' wide mat in one pass, and the entire length of screed must be heated and vibratory.

Rollers - The rented roller(s) shall be steel wheel vibratory with a minimum operating weight of 20,000 pounds. Drum vibration shall be dual amplitude providing a minimum centrifugal force of 23,500 pounds at maximum amplitude.

DELIVERY

Delivery of the bituminous concrete shall be made at the plant into trucks owned or hired by the County, only after authorization by the Commissioner or his designated representative. Bids are also requested on delivery costs for hauling the material from the plant to the project location in trucks owned or hired by the material supplier, including the unloading of the materials into the hopper. This option may be used by the County, when necessary, to expedite the work. A weight slip is required with each delivery.

QUANTITY

Quantity shall be the tonnage necessary for the season's requirements for construction and maintenance. It is very important that the material be supplied at a rate to maintain continuity of the paving operation. The County will supplement material from the second low bidder if the low bidder is unable to meet the quantity requirements. This also holds true the delivery using bidder's trucks.

SPECIAL CONDITIONS

The bidder is informed that the delivery of bituminous concrete is to be made immediately in the quantity, type and at the time ordered by the County. It is mutually understood that the bidder will be notified as far in advance as possible as to the projected total quantity and type of bituminous concrete required, and the approximate date the delivery is to be made. When bidder's equipment is used, the Commissioner shall notify the bidder as far in advance as possible to the project start date. If the low bidder is unable to provide the equipment in a reasonable amount of time, the County may elect to complete the project using the second low bidder.

PURCHASES:

All purchases made based on this specification will be done on a project by project basis, based on price per ton bid, haul cost, and when applicable, equipment rental. Rates to be used for calculating haul cost for County trucks are as follows.

Price per ton - mile for hauling by County trucks

- \$0.30 each mile for first 5 miles
- plus
- \$0.25 each additional mile - 6-15 miles

plus
\$0.20 each additional mile - over 15 miles

EXAMPLE: Project to plant - 1-way = 12 miles

$$5 \times \$0.30 = \$1.50$$

+

$$7 \times \$0.25 = \underline{\$1.75}$$

\$3.25 = \$3.25 added to unit bid price per ton
for a total cost per ton.

The actual minimum haul miles, one way, will be determined by the County. Trucks rented by the County will be considered as County-owned. A price calculation worksheet will be completed by the County for each project exceeding \$1,000.00 to determine low bidder, sample attached.

**MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS
ITEM A-80-23 BITUMINOUS CONCRETE
PRICE CALCULATION WORK SHEET**

Project Location: Road Name _____ C.R. # _____
 Project Begins _____
 Project Ends _____

Bituminous Concrete Type: Item No. _____ Est. Qty. _____
 Item No. _____ Est. Qty. _____

Estimated number of days to complete project: _____ days.

Note: The County is only required to consider those bidders whose mileage from their plant to the project location is a practical distance to assure the proper quality and production controls of the bituminous concrete.

Bidder Survey

Name: _____ Plant Location: _____
 Telephone No. _____ Haul Distance: _____ miles
 Item No _____ Est Qty _____ x FOB Plant Price _____ = _____
 Item No _____ Est Qty _____ x FOB Plant Price _____ = _____

County Haul Cost:
 _____ Miles x Est. Qty. _____ x Rate/Ton Mile _____ = _____

Bidder Haul Cost (Optional):
 _____ Miles x Est. Qty. _____ x Rate/Ton Mile _____ = _____

Paver Rental w/Operator & Screed Man (Optional):
 Est. Days _____ x _____ Rate/Day = _____

Roller Rental w/Operator (Optional):
 Est. Days _____ x _____ Rate/Day = _____

Roller Rental w/Operator (Optional):
 Est. Days _____ x _____ Rate/Day = _____

TOTAL COST = _____

Can Contractor Supply? Yes _____ No _____

Can Contractor Meet Schedule? Yes _____ No _____

Comments: _____

Under comments, explain any rejection of lowest price.

Signed _____ Date _____

AWARD

The Commissioner reserves the right to reject any and all proposals, or to waive minor informalities, to advertise for new proposals, or to proceed to do the work otherwise, if in his opinion, the best interests of the County will thereby be promoted.

PRICE ADJUSTMENTS

1. Price adjustments allowed will be based on **the January 2023 average of (\$626.00)** of the F.O.B. terminal price per ton of AC-10 or AC-20 asphalt cement (base average F.O.B. terminal price), at the following locations:

- Citgo, Bayonne, NJ
- Citgo, Albany, NY
- Chevron, Perth Amboy, NJ
- Chevron, Troy, NJ
- Marathon, Tonawanda, NY
- Sun Company, Inc. Philadelphia, PA
- United Refinery, Warren, PA
- United Refinery, Buffalo, NY
- United Refinery, Rochester, NY

Note: The same grade of asphalt cement used in establishing the base average F.O.B. terminal price shall be used in establishing the new average F.O.B. terminal price.

In the event that one or more of the above named sources discontinue posting a price for asphalt cement, the base average F.O.B. terminal price shall be recalculated upon notice by the supplier they have discontinued posting a price. A revised based average F.O.B. terminal price then shall be determined by removing that location from the original base average F.O.B. terminal price. All revised and new average F.O.B. terminal prices calculated from that date shall reflect the reduction in the number of reporting locations.

Any introduction or withdrawal of a temporary voluntary allowance, terminal operator's allowance or other discount offered to the trade in general from the posted price of asphalt cement at any of the above terminals will be considered, for purposes of price adjustment, as a change in the F.O.B. terminal price.

2. The new average F.O.B. terminal price will be determined based on the above F.O.B. terminal prices posted on the 3rd Wednesday of each month, hereafter known as the "Adjustment Date", during the contract period starting with April 1, 2020. However, price adjustments, in accordance with the formula below, will be effective for deliveries made on and after the first day of the month following the adjustment date.

3. The unit prices for tons of bituminous concrete material purchased from any award based on this specification will be subject to adjustment based on the following formula:

$$\text{Price adjustment (per ton)} = \frac{\text{New Avg. F.O.B. Terminal Price} - \text{Base Avg. F.O.B. Terminal Price}}{\text{Total \% Asphalt Plus Fuel Allowance}}$$

NEW AVERAGE F.O.B. TERMINAL PRICE

The average F.O.B. terminal price for AC-10 or AC-20 asphalt cement at the above mentioned nine locations as determined by the Department on a regular basis.

BASE AVERAGE F.O.B. TERMINAL PRICE

The average F.O.B. terminal price of AC-10 or AC-20 cement **as of January 2020 is \$626.00.**

TOTAL % ASPHALT PLUS FUEL

The percentage of total allowable asphalt and fuel for each item is as follows:

<u>Item</u>	<u>% Asphalt</u>	<u>Fuel Allowance</u>	<u>Total % Asphalt Plus Fuel Allowance</u>
403.11	5.0	1	6.0%
403.13	5.5	1	6.5%
403.15	8.25	1	9.25%
403.1701	6.4	1	7.4%
403.1901	7.0	1	8.0%
403.21	7.0	1	7.0%

Example: Item 403.15

Base Avg. Price = \$431.00

New Avg. Price = \$525.00

Total % Asphalt plus Fuel = 9.25%

$\$431.00 - \$525.00 \times .0925 = \$8.70 \text{ per ton}$

Positive Price Adjustment number shall be added to original Per Ton Bid Price.

Negative Price Adjustment number shall be subtracted from original Per Ton Bid Price.

4. Price adjustments allowed by this contract shall be calculated and applied to the original bid price. There will not be a price adjustment unless the change amounts to more than \$0.10 per ton from the original bid price.

5. If any time after April 1, 2019 the average posted price of asphalt cement at the aforementioned terminals increases or decreases by \$4.00 per ton or more over or under the last average F.O.B. posted price utilized by the State for adjustment purposes, the State shall publish a special price adjustment which shall be effective eight (8) days subsequent to the date on which the change in the average F.O.B. posted price became effective.

6. All price adjustments will be computed by calculator to three decimal places.

7. Should these provisions result on a price structure which becomes unworkable, detrimental or injurious to the County or in prices which are not truly reflective of market conditions or which are deemed by the Commissioner to be unreasonable or excessive and no adjustment in price is mutually

agreeable, the Commissioner reserves the sole right upon ten days written notice mailed to the contractor to terminate any contract resulting from this bid opening.

PREVAILING RATES SCHEDULE

Successful bidders shall pay not less than the prevailing wage rate established by the New York State Department of Labor, Bureau of Public Works. The Wage Rate Schedule as prepared by the Department of Labor hereby becomes a part of this contract, and is included herein.

INSURANCE

When bidder's equipment is rented, before the actual commencement of work, the bidder shall file with the Commissioner, liability insurance policies, with limits not less than the following amounts as indicated:

Types of Policies

- A. Contractor's Liability Insurance
- B. Contractor's Protective Liability Insurance
- C. Completed Operations Liability Insurance
- D. Protective Liability Insurance for the County
- E. Owner, Landlords and Tenants Liability Insurance

Minimum Limits

<u>Bodily Injury Liability</u>		<u>Property Damage Liability</u>	
Each Person	Each Accident	Each Accident	Aggregate
\$1,000,000.00	\$3,000,000.00	\$5,000,000.00	\$5,000,000.00

NOTE

Where reference is made in these specifications to any other specification, it shall mean that specification which is current on the date of advertisement for bids.

PROPOSAL

Each proposal must be submitted on the official form that is furnished within these specifications. In executing their proposal, the bidder shall indicate on the proposal form: unit bid price for each item, price per net ton mile supplier hauling from plant to job site, daily and half day, 4 hours or less, paver rental w/operator and screed man, daily and half day, 4 hours or less, roller rental w/operator. Each bidder must include with their proposal certification that all materials to be supplied meet the respective requirements as stated in the New York State Department of Transportation Standard Specifications, Construction and Materials, dated January 2, 1990, including addenda.

PAYMENT

Payment under this item shall be for: the tons of material used as indicated on the weight slip(s). The per net ton mile(s) when hauled by the supplier, tons as indicated on the weight slip, miles from plant to job site as determined by the County; paver rental, the actual number of days and or half-

days the paver is used to place materials; roller rental, the actual number of days and/or half-days the roller(s) are used to compact materials.

OTHER MUNICIPALITIES

All provisions of this specification and the ensuing contract, including insurance, shall be extended to all municipalities in the County of Montgomery, and work ordered by them, shall be furnished according to their needs at the prices and terms of the contract.

PROPOSAL FORM FOR ITEM A-80-23
BITUMINOUS CONCRETE
Sheet 1 of 2

Deliver Proposals to: Montgomery County Purchasing Department
 P.O. Box 1500
 Fonda, NY 12068-1500

Sir:

The undersigned as read and understands the Information and Instructions to Bidders and the specifications for the furnishing of Item A-80-23 Bituminous Concrete, and proposes to furnish the items at the cost shown on the attached sheet.

This proposal is subject to acceptance within forty-five (45) days of the time set for the opening of bids.

FIRM NAME: _____

ADDRESS: _____

TELEPHONE: _____

SIGNATURE OF AUTHORIZED REPRESENTATIVE: _____

NAME AND TITLE: _____

DATE: _____

BIDDERS FEDERAL ID NO.
OR SOCIAL SECURITY NO.: _____

IS FIRM INCORPORATED? _____

IS FIRM MINORITY OWNED? _____

(Minority ownership refers to ethnic origin NOT gender)

PROPOSAL FORM FOR ITEM A-80-23
BITUMINOUS CONCRETE
Sheet 2 of 2

PROPOSAL OF: _____

BITUMINOUS CONCRETE

Plant Location _____

- Item 403.11 Type 1 Base Course \$ _____ Per Ton F.O.B. Plant
- Item 403.13 Type 3 Binder Course \$ _____ Per Ton F.O.B. Plant
- Item 403.15 Type 5 Shim Course \$ _____ Per Ton F.O.B. Plant
- Item 403.1701 Type 6F Top Course \$ _____ Per Ton F.O.B. Plant
- Item 403.1901 Type 7F Top Course \$ _____ Per Ton F.O.B. Plant
- Item 403.21 Truing & Leveling Course \$ _____ Per Ton F.O.B. Plant

Price per Ton-Mile for Hauling Material by Supplier Trucks:

0-5 miles	6-15 miles	over 16 miles
\$ _____	\$ _____	\$ _____

Paver & Roller Rental

Paver Rental
w/Operator & Screed Man \$ _____ \$ _____

Roller Rental
w/Operator (1 or 2 may be req'd) \$ _____ Ea \$ _____ Ea