

Proposal And Bidding Packet

For:

Liquid Asphalt



KLICKITAT COUNTY PUBLIC WORKS DEPARTMENT

NOTICE TO VENDORS

Sealed bids for Klickitat County **Liquid Asphalt** will be received by the Board of County Commissioners at the reception desk located in the Klickitat County Public Works Department, 115 W. Court St. Room 302, Goldendale Washington. Mailing address 115 W. Court St, MS 303, Goldendale Washington 98620 until 1:15 PM on March 22, 2022 for providing materials described below. Sealed bids will be opened at the Klickitat County Commissioners Chambers and publicly read aloud on Tuesday, March 22, 2022 at 1:30 PM or shortly thereafter. Bids received after 1:15 PM March 22, 2022 will not be considered. The County reserves the right to reject and and all bids, and to waive informalities.

Bid envelopes shall be appropriately marked on the outside **"Bid Opening 1:30 p.m. March 22, 2022 Liquid Asphalt."**

Materials shall be furnished to Klickitat County Public Works Department include various liquid asphalt meeting or exceeding the Technical Specifications and requirements for CSS-1H, CRS-2P, and CMS-2S. This is considered an open-ended bid as no specific quantities will be purchased against this bid during life of the contract from April 15, 2022 through November 15, 2022.

Total Estimated Project Cost Range \$500,000 to \$800,000

The County of Klickitat, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

Obtaining Bid Documents:

1. Free of charge: Plans, Specifications, addenda, bidders list, and plan holders list for the project are available through the Klickitat County's on-line plan room. Free of charge access is provided to Prime Contractors, Subcontractors and Venders by going to <http://bxwa.com> and clicking on: Posted Projects; Goods & Services; Public Works; Klickitat County; and Projects Bidding. Bidders are encouraged to "Register" in order to receive automatic email notification of future addenda and to place themselves on the self registered "Bidders List." This on-line plan room provides Bidders with fully usable on-line documents; with the ability to: download, print to your own printer, order full / partial plan sets from numerous reprographic sources (on-line print order form), and a free on-line digitizer / take-off tool. Contact Builders Exchange of Washington at 425-258-1303 should you require assistance.

IN WITNESS WHEREOF, the parties here to have signed this agreement this 15th day of February, 2022.

BOARD OF COUNTY COMMISSIONERS
Klickitat County, Washington

Jacob Anderson

Jacob Anderson, Chairman

Dan Christopher

Dan Christopher, Commissioner

David M. Sauter

David M. Sauter, Commissioner

ATTEST:

Clerk of the Board

[Signature]

In and for the County of Klickitat,
State of Washington

BID REQUIREMENTS

INSTRUCTIONS TO BIDDERS

The documents that make up this Proposal and Bidding Packets are the Road Maintenance Materials (Liquid Asphalt) Proposal Form, Invitation to Bid and Signature Page, and the Bid Requirements that consists of Instructions to Bidders, and Special Provisions.

1.1 INTENT OF BID

To furnish to Klickitat County Public Works Department various liquid asphalt materials meeting or exceeding the Specifications and requirements set forth herein. It is the intent of this bid to obtain a convenient, continuous, and readily available source and supply of liquid asphalt materials at the lowest price and in quantities as needed in the maintenance and operation of Klickitat County roads. This is considered an open-ended bid as no specific quantities during the life of the contract of the materials will be purchased against this bid during the period of April 15, 2022 through November 15, 2022.

1.2 KLICKITAT COUNTY ER&R SUPERVISOR

The Klickitat County ER&R Supervisor or his representative is the sole contact in Klickitat County for this procurement. All communication between the bidder and Klickitat County upon release of this contact shall be with the following:

Name: Larry Stephenson, ER&R Supervisor

E-mail Address: larrys@klickitatcounty.org

Mailing Address: Public Works
115 West Court St., MS 303
Goldendale, WA 98620

Phone Number: (509) 773-2391

Fax Number: (509) 773-2491

Any other communications will be considered unofficial and non-binding on Klickitat County. Bidders are to rely on written statements issued by Klickitat County ER&R Supervisor.

1.3 BASIS OF AWARD

Purchase orders will be issued on an “as needed” basis for each type of material to the lowest responsible bidder.

If there is undue delay at the selected vendor’s plant site, Klickitat County reserves the right to select the next lowest bidder. Undue delay means that the material is not available or the necessary quantity is not available at the time the item is needed for a given project.

The Board of Klickitat County Commissioners may waive informalities in the bidding, reject any or all bids, republish the call for bids, or revise or cancel the procurement.

1.4 UNIT BID PRICING

Unit bid prices shall be firm fixed prices for the duration of the contract commencing from the bid opening date until November 15, 2022.

1.5 COOPERATIVE PURCHASES

Pursuant to the Washington State Interlocal Cooperative Act, RCW 39.34, other public agencies, who have filed an interlocal cooperative purchasing agreement with Klickitat County, may elect to purchase road oil materials from bidders based on the terms and conditions of this contract subject to bidders' consent.

SPECIAL PROVISIONS

STANARD SPECIFICATIONS

The 2022 Standard Specifications for Road, Bridge, and Municipal Construction prepared by the Washington State Department of Transportation (WSDOT) and the Washington State Chapter of the American Public Works Association (APWA) and all amendments thereto, including the "Division One Supplement" shall be hereinafter referred to as the "Standard Specifications" together with the laws of the state of Washington; and the Ordinances, Special Provisions, and Standard Details of Klickitat County, so far as applicable, are hereby included in these Specifications and shall apply as though quoted in their entirety.

Division 1 General Requirements

1-02.5 Proposal Forms *(July 31, 2017 APWA GSP)*

Delete this section and replace it with the following:

The Proposal Form will identify the project and its location and describe the work. It will also list estimated quantities, units of measurement, the items of work, and the materials to be furnished at the unit bid prices. The bidder shall complete spaces on the proposal form that call for, but are not limited to, unit prices; extensions; summations; the total bid amount; signatures; date; and, where applicable, retail sales taxes and acknowledgment of addenda; the bidder's name, address, telephone number, and signature; the bidder's D/M/WBE commitment, if applicable; a State of Washington Contractor's Registration Number; and a Business License Number, if applicable. Bids shall be completed by typing or shall be printed in ink by hand, preferably in black ink. The required certifications are included as part of the Proposal Form.

The Contracting Agency reserves the right to arrange the proposal forms with alternates and additives, if such be to the advantage of the Contracting Agency. The bidder shall bid on all alternates and additives set forth in the Proposal Form unless otherwise specified.

1-02.9 Delivery of Proposal *(*****)*

Delete this section and replace it with the following:

Each proposal shall be submitted in a sealed envelope, with the Project Name and Project Number as stated in the Advertisement for Bids clearly marked on the outside of the envelope, or as otherwise required in the Bid Documents, to ensure proper handling and delivery.

The Contracting Agency will not consider Proposals it receives after the time fixed for opening Bids in the call for Bids.

1-02.13 Irregular Proposals

(October 1, 2020 APWA GSP)

Delete this section and replace it with the following:

1. A Proposal will be considered irregular and will be rejected if:
 - a. The Bidder is not prequalified when so required;
 - b. The authorized Proposal form furnished by the Contracting Agency is not used or is altered;
 - c. The completed Proposal form contains any unauthorized additions, deletions, alternate Bids, or conditions;
 - d. The Bidder adds provisions reserving the right to reject or accept the award, or enter into the Contract;
 - e. A price per unit cannot be determined from the Bid Proposal;
 - f. The Proposal form is not properly executed;
 - g. The Bidder fails to submit or properly complete a Subcontractor list, if applicable, as required in Section 1-02.6;
 - h. The Bidder fails to submit or properly complete a Disadvantaged Business Enterprise Certification, if applicable, as required in Section 1-02.6;
 - i. The Bidder fails to submit written confirmation from each DBE firm listed on the Bidder's completed DBE Utilization Certification that they are in agreement with the bidder's DBE participation commitment, if applicable, as required in Section 1-02.6, or if the written confirmation that is submitted fails to meet the requirements of the Special Provisions;
 - j. The Bidder fails to submit DBE Good Faith Effort documentation, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to demonstrate that a Good Faith Effort to meet the Condition of Award was made;
 - k. The Bidder fails to submit a DBE Bid Item Breakdown form, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to meet the requirements of the Special Provisions;
 - l. The Bidder fails to submit DBE Trucking Credit Forms, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to meet the requirements of the Special Provisions;
 - m. The Bid Proposal does not constitute a definite and unqualified offer to meet the material terms of the Bid invitation; or
 - n. More than one Proposal is submitted for the same project from a Bidder under the same or different names.

2. A Proposal may be considered irregular and may be rejected if:
 - a. The Proposal does not include a unit price for every Bid item;
 - b. Any of the unit prices are excessively unbalanced (either above or below the amount of a reasonable Bid) to the potential detriment of the Contracting Agency;
 - c. Receipt of Addenda is not acknowledged;
 - d. A member of a joint venture or partnership and the joint venture or partnership submit Proposals for the same project (in such an instance, both Bids may be rejected); or
 - e. If Proposal form entries are not made in ink.

1-02.14 Disqualification of Bidders

(May 17, 2018 APWA GSP, Option A)

Delete this Section and replace it with the following:

A Bidder will be deemed not responsible if:

1. The Bidder does not meet the mandatory bidder responsibility criteria in RCW 39.04.350(1), as amended; or
2. Evidence of collusion exists with any other Bidder or potential Bidder. Participants in collusion will be restricted from submitting further bids; or
3. The Bidder, in the opinion of the Contracting Agency, is not qualified for the work or to the full extent of the bid, or to the extent that the bid exceeds the authorized prequalification amount as may have been determined by a prequalification of the Bidder; or
4. An unsatisfactory performance record exists based on past or current Contracting Agency work or for work done for others, as judged from the standpoint of conduct of the work; workmanship; or progress; affirmative action; equal employment opportunity practices; termination for cause; or Disadvantaged Business Enterprise, Minority Business Enterprise, or Women's Business Enterprise utilization; or
5. There is uncompleted work (Contracting Agency or otherwise), which in the opinion of the Contracting Agency might hinder or prevent the prompt completion of the work bid upon; or
6. The Bidder failed to settle bills for labor or materials on past or current contracts, unless there are extenuating circumstances acceptable to the Contracting Agency; or
7. The Bidder has failed to complete a written public contract or has been convicted of a crime arising from a previous public contract, unless there are extenuating circumstances acceptable to the Contracting Agency; or
8. The Bidder is unable, financially or otherwise, to perform the work, in the opinion of the Contracting Agency; or
9. There are any other reasons deemed proper by the Contracting Agency.

As evidence that the Bidder meets the bidder responsibility criteria above, the apparent two lowest Bidders must submit to the Contracting Agency within 24 hours of the bid submittal deadline, documentation (sufficient in the sole judgment of the Contracting Agency) demonstrating compliance with all applicable responsibility criteria, including all documentation specifically listed in the supplemental criteria. The Contracting Agency reserves the right to request such documentation from other Bidders as well, and to request further documentation as needed to assess bidder responsibility.

The basis for evaluation of Bidder compliance with these supplemental criteria shall be any documents or facts obtained by Contracting Agency (whether from the Bidder or third parties) which any reasonable owner would rely on for determining such compliance, including but not limited to: (i) financial, historical, or operational data from the Bidder; (ii) information obtained directly by the Contracting Agency from owners for whom the Bidder has worked, or other public agencies or private enterprises; and (iii) any additional information obtained by the Contracting Agency which is believed to be relevant to the matter.

If the Contracting Agency determines the Bidder does not meet the bidder responsibility criteria above and is therefore not a responsible Bidder, the Contracting Agency shall notify the Bidder in writing, with the reasons for its determination. If the Bidder disagrees with this determination, it may appeal the determination within 24 hours of receipt of the Contracting Agency's determination by presenting its appeal to the Contracting Agency. The Contracting Agency will consider the appeal before issuing its final determination. If the final determination affirms that the Bidder is not responsible, the Contracting Agency will not execute a contract with any other Bidder until at least two business days after the Bidder determined to be not responsible has received the final determination.

1-04.2 Coordination of Contract Documents, Plans, Special Provisions, Specifications, and Addenda
(December 10, 2020 APWA GSP)

Revise the second paragraph to read:

Any inconsistency in the parts of the contract shall be resolved by following this order of precedence (e.g., 1 presiding over 2, 2 over 3, 3 over 4, and so forth):

1. Addenda,
2. Proposal Form,
3. Special Provisions,
4. Contract Plans,
5. Standard Specifications,
6. Contracting Agency's Standard Plans or Details (if any), and
7. WSDOT Standard Plans for Road, Bridge, and Municipal Construction.

1-04.6 Variation in Estimated Quantities
(*****)

Supplement this Section with the following:

The quantities for CRS-2P, and CMS-2S, and CSS-1 have been entered into the Proposal only to provide a common proposal for bidders. Actual quantities will be determined in as needed, and will be paid at the original bid price, regardless of final quantity. These bid items shall not be subject to the provisions of 1-04.6 of the Standard Specifications.

1-07.2 State Taxes
(*****)

Supplement this Section with the following:

The bidder shall include **Washington State Retail Sales Taxes** in the various unit bid item prices.

No separate payment will be made.

Division 5
Surface Treatments and Pavements

Road Maintenance Materials (Liquid Asphalt)

5-02.4 Measurement

(*****)

Supplement this Section with the following:

Asphalt emulsion of the grade or grades specified will be measured by the ton in accordance with Section 1-09

Asphalt Tack will be measured by the ton before dilution in accordance with section 1-09.

Area Delivery will be paid for by ton of liquid asphalt delivered, round trip from the point of material pick up to the point of delivery area as specified. The ton measurement for payment shall include three (3) hours or less waiting time (demurrage) any longer will be compensated.

5-02.5 Payment

(*****)

Supplement this Section with the following:

Payment will be made in accordance with Section 1-04.1, for each of the following Bid items that are included in the Proposal

"Asphalt Emulsion CRS-2P" per ton

"Asphalt Emulsion CMS-2S" per ton

"Asphalt Emulsion CSS-1 " per ton

The unit contract price per ton for Area Delivery shall be full compensation for all labor and equipment necessary for loading, transporting, unloading liquid asphalt material and the return trip and including waiting time (demurrage) no additional compensation will be made for three (3) hours or less demurrage.

"White Salmon Delivery Area" per ton

"Goldendale delivery Area" per ton

Division 9 Materials

9-02.1(6) Cationic Emulsified Asphalt

(*****)

Supplement this Section with the following:

CMS-2S shall conform to the specifications of this Section.

TO: The Board of County Commissioners
 Klickitat County, Washington

Dear Commissioners:

The undersigned hereby certifies that he or she has read and thoroughly understands the plans, specifications, and contract governing the work embraced in this improvement, and the method by which payment will be made for said work, and hereby proposes to undertake and complete the work embraced in the improvement, or as much thereof as can be completed with the money available, in accordance with the said plans, specifications and contract and the following schedule of rates and prices.

Invitation to Bid Road Maintenance Materials (Liquid Asphalt)

(NOTE: Unit prices for all items, all extensions, and total amount of bid, shall be shown.)

ITEM NO.	QUANTITY	ITEM DESCRIPTION	UNIT PRICE		AMOUNT
			DOLLARS	CENTS	DOLLARS
1	1,094	CRS-2P			
			TON		
2	150	CMS-2S			
			TON		
3	10	CSS-1			
			TON		
4	669	White Salmon Delivery Area			
			TON		
5	575	Goldendale Delivery Area			
			TON		
TOTAL BID					

Invitation to Bid Liquid Asphalt Signature Page

The authorized signature below acknowledges having read and understood the entire Invitation to Bid, (ITB) and agrees to comply with the terms and conditions of the ITB in submitting and fulfilling the offer made in its Bid.

There will be no Bid Bond Required for the purchase of Liquid Asphalt.

In replacement of a bid bond The Supplier shall honor the bid price through the entire length of the contract regardless of materials or shipping cost increase during the contract for a time period of 9 months from bid opening date of March 22, 2022.

PROJECT CONTACT INFORMATION:

Fax questions to: 509-773-2491

Email questions to: larrys@klickitatcounty.org

SUBMITTAL OF BIDS: Bid submittals shall include all pages of this contract Bid envelopes shall be appropriately marked on the outside **“Bid Opening 1:30 PM March 22, 2022, Liquid Asphalt.”**

Public Opening Of Proposal

No oral or telephonically submitted bids will be considered.

Date Of Opening Bids

Sealed bids are to be received at one of the following locations prior to the time Specified:

1. Mailing address - Klickitat County Public Works Department, 115 West Court Street, Mail Stop 303, Goldendale, WA. 98620 until **1:15 P.M.** of the bid opening date. The Klickitat County Public Works Department will consider notification by the Post Office as actual receipt of the bid.
2. Physical address - Klickitat County Public Works Department, located in the County Services Building, 115 West Court Street, Room 302, Goldendale, WA, until **1:15 P.M.** of the bid opening date. Bids delivered in person will be received only at the Klickitat County Public Works Department.

The bid opening date for this project shall be. The bids will be publicly opened and read after 1:30 P.M. on this date. The clock in the Commissioners Chambers shall be used for the official bid opening time.

Bid envelopes shall be appropriately marked on the outside **“Bid Opening 1:30 PM March 22, 2022, Liquid Asphalt.”**

The signature below represents that he/she has the authority to bind the company named below to the Bid submitted and any purchase order that may be issued as a result of this ITB. This Bid is a firm offer for a period 9 months following the due date specified in the ITB, and it may be accepted by Klickitat County at any time within the 7 months.

The undersigned bidder hereby agrees to furnish the items hereinbefore listed at the prices quoted and specifications attached.

** Receipt is hereby acknowledged of addendum(s) if applicable No.(s)____,____&____

Bid Submitted by: _____
Company Name

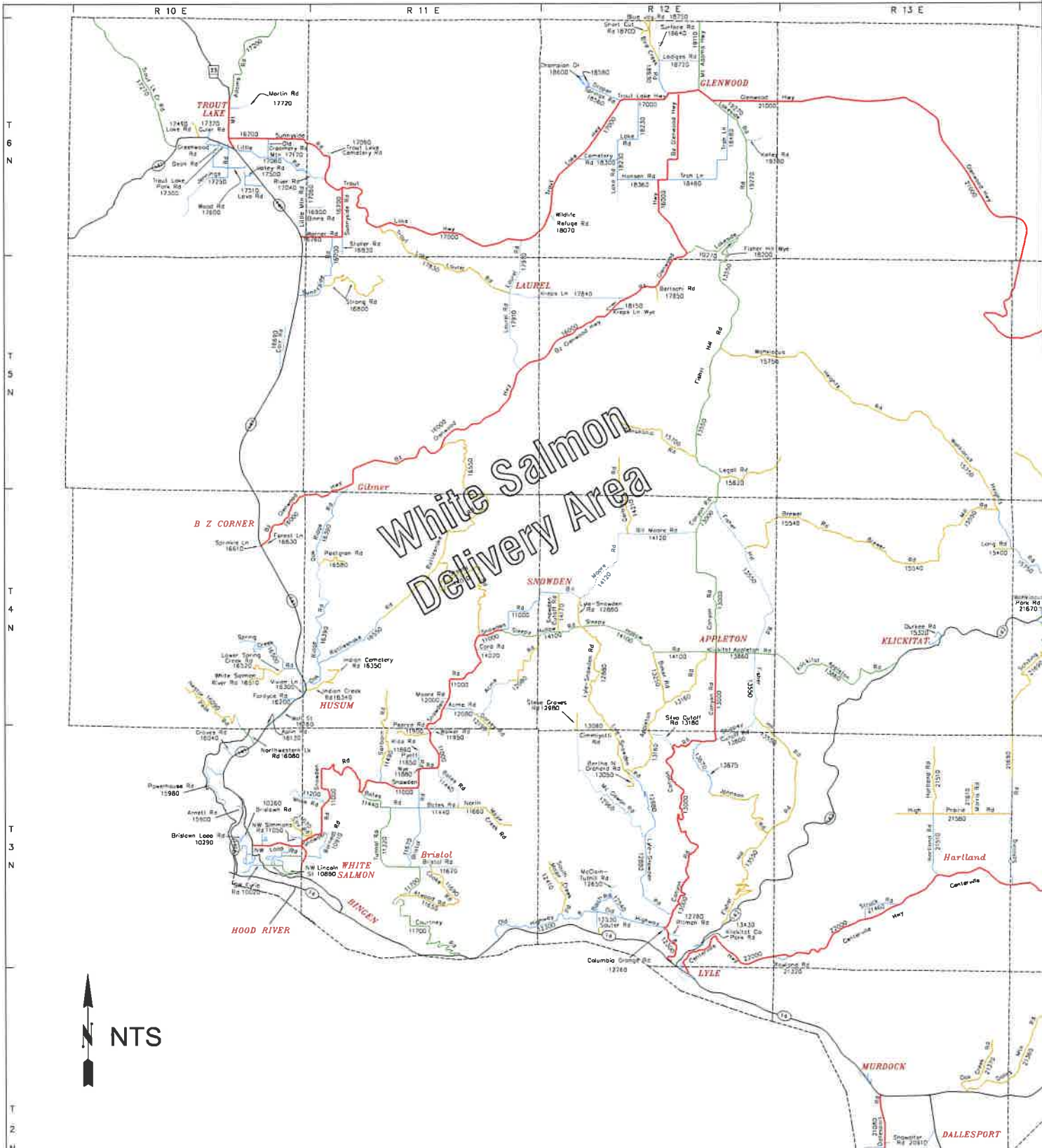
Authorized signature: _____

Title: _____

Address of Bidder: _____

Telephone: _____

Date of Bid: _____



White Salmon Delivery Area



NTS

R 15 E

R 16 E

R 17 E

R 18 E

Goldendale Delivery Area

