



CALL FOR BIDS

FOR

HOT MIX ASPHALT

JANUARY 20, 2024

**CITY OF WALLA WALLA
CALL FOR BIDS FOR HOT MIX ASPHALT**

The following "Instructions to Bidders," "Specifications," and "Bid Proposal" are for materials to be used by the City of Walla Walla Public Works Department.

The venue and jurisdiction of any actions of claim for or against the bidder or the City of Walla Walla Public Works Department shall be in Walla Walla County and in the District Court or Superior Courts thereof according to the jurisdictional amount.

INSTRUCTIONS TO BIDDERS

1. These instructions to bidders are a part of the specifications.
2. The City must be notified by 3:00 p.m. on January 31, 2024, of any revisions the bidder suggests being made to the detailed specifications. Any changes, additions, or deletions to the specifications by the City will be made by written addendum only and will be posted on the City's website under "Bids and RFPs." Prior to submitting bids, all bidders shall check the City's website after 10:00 a.m. on February 2, 2024, to confirm receipt of all addenda.
3. Bids will be considered final at the time and date stated for opening bids. The City will not accept any changes for any reason.
4. Use of the enclosed bid proposal is required. Only bids submitted on the official bid proposal form will be considered.
5. Washington State Sales Tax WILL NOT be considered a part of the total bid.
6. The successful bidder shall protect, defend, indemnify, and hold the City, its agents, employees, officials, and officers harmless from any damages, costs, or liability for any injuries to persons or property arising from acts or omissions of the bidder, bidder's employees, agents, or subcontractors, howsoever caused.
7. The bidder shall comply with Title VI, ADA and other applicable Federal civil rights laws and will not discriminate against any client, employee, or applicant for employment and services based on race, color, national origin, age, disability, religion, veteran status, sexual orientation, gender identity, or sex.
8. The bid shall be placed in a SEALED ENVELOPE marked on the outside "**2024 HOT MIX ASPHALT AND CATIONIC EMULSIFIED ASPHALT BID – Do not open with regular mail**" and may be mailed or delivered to the City of Walla Walla, Attention: Lisa Neissl, 15 N. 3rd Avenue, Walla Walla, Washington, 99362. **All bids must be received at the above location prior to 2:00 p.m. February 7, 2024.**
9. The City of Walla Walla reserves the right to accept or reject any or all bids submitted. The City reserves the right to waive any irregularity in the bids to accept in whole or in part such bid or bids as may be deemed in the best interest of the City.
10. Any additional information or questions concerning this Call for Bids can be obtained by emailing Jason Mings at jmings@wallawallawa.gov.

SPECIFICATIONS

1. Firm bids are requested for hot mix asphalt and Cationic Emulsified Asphalt CSS-1 for the period March 11, 2024, through December 16, 2024.
2. Receipt of product will be made on an "as needed - when needed" basis. Daily quantities may be as little as 2 tons of product or as much as 200 tons of product. Payment will only be for the quantity of material purchased. The estimated quantities listed in the bid proposal are for bidding purposes only and provides no assurances of purchase of the estimated quantity.
3. The bid price for both classes of hot mix asphalt shall be FOB at the plant. The supplier shall load the asphalt into City trucks. The successful bidder shall have operators available at the plant to load City trucks by 7:30 a.m. until 3:30 p.m. each workday. The supplier shall reimburse the City for labor and equipment expenses associated with delays due to:
 - a) Operator not being available to load trucks during this time period.
 - b) Plant equipment outages; and
 - c) Loading delays in excess of ½ hour after City trucks arrive at the plant.

The supplier may be assessed standby charges for crew costs up to \$1,000 per hour for such delays to cover actual labor and equipment costs until crews can be reassigned to other projects. To help preclude such impacts, a City representative will contact the designated plant representative by 6:30 a.m. to alert the supplier of City's plans to pick up hot mix. Should problems arise which cause mix to be unavailable, the supplier must notify the City Street Division (phone: 509-527-4363) by 7:00 a.m. on the day mix is needed to enable the City to reassign crews to alternative projects. Failure to do so will result in downtime for City forces and financial assessment for the delay.

4. It is the City's intent to enter into contract with both the low bidder and the second low bidder based on their corresponding individual bid. The low bidder will receive first preference from the City to supply the materials identified in this call for bids. If, however, the low bidder is unable to supply materials as outlined in section 3 of these specifications, the City reserves the right to call upon and receive materials from the second low bidder. Preference to low bidder shall be maintained by the City on a day-to-day basis giving them first opportunity to supply materials. At no time shall preference be given to the second low bidder if the low bidder is able to meet these specifications for supply of materials.
5. The primary asphalt plant must be located within 15 miles of Walla Walla. The City reserves the right to obtain asphalt from any plants the company operates at other locations for the same unit bid price.
6. Hot mix asphalt shall meet the requirements of the 2024 Edition, WSDOT standard specification for **HMA CL ½" PG 64-28** and **HMA CL 3/8" PG 64-28 (as modified herein)**. There shall be no ER oil in the mix. Therefore, in the 2021 WSDOT Specifications section 9-02.1(4), paragraph 2 including the table "Additional Requirements by Performance Grade (PG) Asphalt Binders" is deleted in its entirety. The minimum asphalt binder content shall be 5.5%. A WSDOT approved anti-strip additive will be required at the rate of 0.5%, unless a WSDOT approved mix design is presented, with a different determination of anti-strip requirements. Anti-strip additives shall be added to the asphalt binder prior to shipment to the contractor. Documentation shall be provided to the City.

7. Section 9-03.8(6) WSDOT Standard Specifications Proportions of Materials Aggregate Gradation Control Points for 3/8" are modified as follows:

| AGGREGATE SIZE | % PASSING |
|----------------|-----------|
| 1/2" | 100 |
| 3/8" | 95-100 |
| No. 4 | 73-89 |
| No. 8 | 43-59 |
| No. 200 | 3.9-7 |

8. Asphalt Cost Price Adjustment: The City of Walla Walla may make an Asphalt Cost Price Adjustment, either credit or a payment, for qualifying changes in the reference cost of asphalt binder. The adjustment is not a guarantee of full compensation for changes in the cost of asphalt binder. The City of Walla Walla does not guarantee that asphalt binder will be available at the reference cost. The asphalt binder reference cost is updated based on information in the Washington State Department of Transportation (WSDOT) website at:

<http://www.wsdot.wa.gov/Business/Construction/AsphaltBinderReferenceCost.htm>

The reference cost will be determined using posted prices furnished by Poten & Partners, Inc.

The base cost established for this contract is the reference cost posted on the WSDOT website for the period immediately preceding the bid opening date.

Adjustments will be based on the reference cost for Eastern Washington as posted on the WSDOT website on the 21st of each month. The adjustment will be calculated as follows:

No adjustment will be made if the reference cost is within 5% of the base cost.

If the reference cost is greater than or equal to 105% of the base cost, then

Adjustment = (Current Reference Cost – (1.05 x Base Cost)) x (Q x 0.056).

If the reference cost is less than or equal to 95% of the base cost, then

Adjustment = (Current Reference Cost – (0.95 x Base Cost)) x (Q x 0.056).

Q = total tons of HMA paid in the current month's progress payment.

Contractor's invoices shall clearly reflect binder reference cost used in calculating requested payment amount.

9. Workability of the AC material supplied is an important factor the City will use as acceptance criteria. In regards specifically to the 3/8" material, the intended use is for skin patching, leveling up, and small miscellaneous patch work. The 1/2" material's intended use is for utility patching at depths of 3" typically. The material must meet the specifications herein and be workable for the intended uses.
10. Unless specified otherwise, all materials shall meet the requirements of the 2024 Edition of the WSDOT Standard Specifications. The following tolerances for Commercial Evaluation will be

used for acceptance.

Job Mix Formula Tolerances

For Asphalt Binder and Air Voids (VA), the acceptance limits are determined by adding the tolerances below to the approved JMF values. These values will also be the Upper Specification Limit (USL) and Lower Specification Limit (LSL) required in Section 1-06.2(2)D2

| Property | Commercial Evaluation |
|----------------|-----------------------|
| Asphalt Binder | +/- 0.7% |
| Air Voids, Va | N/A |

For Aggregates in the Mixture

(a) First, determine preliminary upper and lower acceptance limits by applying the following tolerances to the approved JMF.

| Aggregate Percent Passing | Commercial Evaluation |
|---------------------------|-----------------------|
| 1", ¾", ½", 3/8" sieves | +/- 8% |
| No. 4 sieve | +/- 8% |
| No. 8 sieve | +/- 8% |
| No. 200 sieve | +/- 3.0% |

(b) Second, adjust the preliminary upper and lower acceptance limits determined from step (a) the minimum amount necessary so that none of the aggregate properties are outside the control points in Section 9-03.8(6). The resulting values will be the upper and lower acceptance limits for aggregates, as well as the USL and LSL required by section 1-06.2(2)D2.

The City will select a certified laboratory for performing tests and will take samples for testing. Should the Hot Mix Asphalt fail to meet specifications, the City will reserve the right to make equitable price adjustments, including possibly not paying for the mix. Costs incurred by the City in performing tests on non-specification compliant material shall be deducted from monies owed to the supplier.

11. Acceptance of the asphalt will be based upon laboratory tests and visual acceptance of the mix by the City. Tests performed and frequency will be at the discretion of the City.
12. Material found to be out of specification may be cause for the City to declare the supplier to be in default and proceed with purchasing material from the second low bidder. Said declaration will be at the sole discretion of the City.
13. Contaminated or unsuitable asphalt will be returned to the supplier at no cost to the City of Walla Walla. Supplier will also be subject to costs borne by the City related to time loss/returned material.
14. The following is required, to meet accounting practices and expedite payment:
 - a) Submit invoices no later than 30 days following receipt or delivery of the product.
 - b) Invoices and statements must include accurate pricing, quantity, detail of costs, and sales tax.

- c) If needed, correction invoices must be provided to the City within 5 business days of the request.
- d) Credit invoices for actual credits only. Upon receipt of a credit invoice, the City will assume that a credit is due and therefore will not pay the charges from another invoice.
- e) Contractor will be subject to hourly charges for City time spent in addressing/correcting any of the above or related matters.

BIDDER'S CHECKLIST

The following items must be completed in full by the bidder to submit a valid bid.

- 1. Completed Bid Proposal.
- 2. Proper signatures on Bid Proposal.
- 3. Affirmation of receipt of addenda on the Bid Proposal.
- 4. Place all above items in properly marked and **SEALED ENVELOPE**.

BID PROPOSAL

To: Lisa Neissl, City Clerk, City of Walla Walla

The undersigned hereby certifies they have read and thoroughly understand the **Instructions to Bidders** and **Specifications** which are made a part of this proposal and the undersigned hereby further understands that the City of Walla Walla may hereby unilaterally accept this Bid Proposal and the undersigned agrees it is contractually bound to the following Materials and/or Supplies in accordance with said **Instructions to Bidders** and **Specifications** for the amount shown below:

BASE BID:

| Item No. | Description | Est. Quantity | Unit of Measure | Unit Price | Total Amount |
|----------|---|---------------|-----------------|------------|--------------|
| 1 | HMA CL 1/2" PG 64-28 OR HMA CI 3/8" PG 64-28 | 3,500 | Tons | | |
| 2 | Cationic Emulsified Asphalt CSS-1 | 1,500 | Gal | | |

Grand Total _____

Receipt is hereby acknowledged of addendum(s) No. (s) _____, _____, _____.

Bidder: _____

Address: _____

Uniform Business Identifier No. _____

Contact Person: _____

Phone: _____

Fax: _____

Signature of Authorized Official(s): _____

Typed or Printed Name: _____

Title: _____

Dated this _____ day of _____, 2023.