

**BIDDING INSTRUCTIONS AND DOCUMENTS FOR FURNISHING
EMULSIFIED ASPHALTS DURING 2009**

- **POLYMERIZED CATIONIC EMULSIFIED ASPHALT - RAPID SETTING - CRS-2P**
- **ANIONIC EMULSIFIED ASPHALT - RAPID SETTING - HFE 150**
- **CATIONIC EMULSIFIED ASPHALT - SLOW SETTING - CSS-1**

TO

DOUGLAS COUNTY, WASHINGTON

PART I - TERMS AND CONDITIONS OF BIDDING

PART II - TERMS AND CONDITIONS OF PURCHASE

PART III - SPECIFICATIONS

PART IV - PROPOSAL

BID OPENING

DATE: Tuesday, February 24, 2009

TIME: 11:00 a.m.

**PLACE: DOUGLAS COUNTY PUBLIC SERVICES BUILDING
Hearing Room
140 19th St. NW
East Wenatchee, Wa 98802**

This request for bids is authorized by Douglas County Resolution No. TLS 09-08

BIDS SUBMITTED BY FACSIMILE TRANSMISSION WILL NOT BE ACCEPTED

PART I - TERMS AND CONDITIONS OF BIDDING

A. BID OPENING

The Board of County Commissioners will open sealed bids and publicly read them aloud at 11:00 a.m. on Tuesday, February 24, 2009, at the Douglas County Public Services Building Hearing Room, 140 19th St. NW, East Wenatchee, WA 98802, for

EMULSIFIED ASPHALTS DURING 2009

Sealed bids must be received by the Clerk of the Board of County Commissioners no later than the date and time specified for bid opening. Bids must be received in a sealed envelope clearly marked "SEALED BID FOR EMULSIFIED ASPHALTS, TO BE OPENED TUESDAY, FEBRUARY 24, 2009, AT 11:00 A.M."

B. BID CONTENTS

The sealed bid must contain all pages of bidding documents:

Part I - Terms and Conditions of Bidding

Part II - Terms and Conditions of Purchase

Part III - Specifications (Bidders not fully meeting specifications must identify and list exceptions. All exceptions are subject to review, inspection, testing and approval by Douglas County.)

Part IV - Proposal and Signature

C. CLARIFICATION OF BID

A bidder may submit information to clarify the bid previously received by the Clerk. The information must be received in writing or by facsimile transmission prior to the date and time set for bid opening. The sole purpose of this provision is to allow clarification of any perceived ambiguity in Part III Specifications of the bid, or to modify responses to specifications in the bid. **NO OTHER CHANGES ARE ALLOWED EXCEPT BY SUBMITTING AN AMENDED SEALED BID PRIOR TO THE DATE AND TIME SET FOR BID OPENING.** Any unsealed clarification information received by the Clerk that discloses price will not be considered by the Board of County Commissioners and shall result in rejection of the entire bid.

D. BID REVIEW AND EVALUATION

Douglas County shall be evaluating bids against published Washington State cooperative purchasing prices.

The Board of County Commissioners reserves the right to reject any or all bids, waive informalities, and to contract as the best interests of Douglas County may require. When

evaluating bids, the following criteria, in addition to price, specifications, delivery terms, quality of goods, and guaranteed efficiencies, will be considered:

1. The bidder's experience, technical qualifications and skill;
2. The guaranteed availability of materials included in the bid;
3. The bidder's ability and capacity to fully perform within the time required, taking into account the bidder's existing performance commitments and past performance;
4. The bidder's qualifications and eligibility to contract under applicable laws and regulations;
5. The bidder's compliance with the terms and conditions and specifications of this request for bids;
6. Any equalizing elements or factors, in addition to price, which would affect the acquisition, maintenance and/or operation costs or benefits to Douglas County;
7. Any additional evaluation criteria or specifications set forth in Part I – Terms and Conditions of Bidding, Part II – Terms and Conditions of Purchase, and Part III - Specifications;
8. Any other information as may have a bearing on the bid.

E. CANCELLATION BY COUNTY

In its sole discretion, Douglas County may cancel any bid award upon written notification to a successful bidder within 30 (thirty) days after the date of the bid award, without any cost, expense, penalty or damages payable by Douglas County to the bidder.

PART II - TERMS AND CONDITIONS OF PURCHASE

A. PAYMENT

Invoicing shall be directed to Douglas County Transportation and Land Services, 140 19th Street N.W., East Wenatchee, WA. 98802. Payment will be made by Douglas County within 30 (thirty) days after receipt of vendor's invoice for materials delivered to and accepted by Douglas County.

B. EXCISE TAXES

The purchase of these materials is subject to Washington State sale and use excise taxes (WSST). The rate of such tax in Douglas County is 8.0%. Douglas County is exempt from federal excise taxes. Any new or increased taxes applicable to the purchase of materials shall be paid by Douglas County.

C. COOPERATIVE PURCHASES

The Washington State Interlocal Cooperative Act, RCW Chapter 39.34, provides a method under which governmental agencies, in addition to Douglas County, may make purchases on this bid award, in accordance with its price, terms and conditions.

A bidder unwilling to extend the bid to additional purchases by Douglas County or other governmental agencies must indicate this unwillingness in the bid.

D. CONFORMING CONDITION REQUIRED ON DELIVERY

Conform to all requirements of Part II - Terms and Conditions of Purchase and Part III - Specifications;

E. ESTIMATED QUANTITIES

Douglas County has, in good faith, estimated the material quantities expected to be used during 2009. These quantities are estimates only and are not a guarantee of Douglas County's expected purchases.

ESTIMATED QUANTITIES FOR 2009

	<u>East Wenatchee</u>	<u>Waterville</u>	<u>Mansfield</u>
CRS -2P	300 tons		280 tons
HFE 150		180 tons	270 tons
CSS -1		34 tons	

F. DELIVERY TERMS

Deliveries shall be made on an as needed basis within three (3) calendar days after ordered by Douglas County, unless otherwise agreed upon in writing. Delivery time is a material performance term.

Deliveries may be required to one or more of locations of Douglas county shops:

Douglas County East Wenatchee shop
110 2nd St. N.E.
East Wenatchee, WA 98802

Douglas County Mansfield shop
25 Main Street
Mansfield, WA 98830

Douglas County Waterville shop
800 North Monroe
Waterville, WA 98858

Terms of delivery are F.O.B. the Douglas County shop specified in Douglas County's order and delivery costs are included in the price of materials delivered.

G. ALTERNATIVE VENDORS

The successful vendor is not bidding on a requirements contract. Douglas County reserves the right to purchase from other vendors if a specified delivery time cannot be met or if a more favorable price for delivered materials may be obtained from another supplier.

PART III - SPECIFICATIONS

The following materials shall meet or exceed all WSDOT 2008 Standard Specifications for Road, Bridge, and Municipal Construction, 9-02 Bituminous Materials, and applicable WSDOT addenda and publications:

1. Polymerized Cationic Emulsified Asphalt - Rapid Setting - CRS-2p
2. Anionic Emulsified Asphalt - Rapid Setting - HFE 150
3. Cationic Emulsified Asphalt - Slow Setting - CSS-1

The delivered materials shall not contain recycled materials.

The vendor shall provide, upon request, evidence that delivered materials comply with all specifications.

Bidder fully meets each and every specification for each of the materials.



Bidder Authorized Signature

If bidder does not meet the WSDOT 2008 Standard Specifications, detail each specification not met and address the materiality of each non-conforming specification:

THE PRODUCT HFE-150 DOES NOT HAVE
A WSDOT DESIGNATED SPECIFICATION.
SEM WILL SUPPLY HFE-150 MEETING THE
ATTACHED SPECIFICATIONS.

Attach additional pages if space provided is insufficient.

PART IV - PROPOSAL

SEM MATERIALS LP 509-487-4560
Bidder Name Telephone

P.O. Box 6226 SPOKANE WA 99217
Street/Mailing Address City State Zip

Bidder agrees to deliver the following materials to Douglas County during calendar year 2009 (price per ton includes all delivery costs):

Product Delivery Location Total Price Per Ton

Polymerized Cationic Emulsified Asphalt - Rapid Setting - CRS-2p:

East Wenatchee shop \$ NO BID

WSST (8.0%) \$ S

Total \$ S

Waterville shop \$ NO BID

WSST (8.0%) \$ S

Total \$ S

Mansfield shop \$ NO BID

WSST (8.0%) \$ S

Total \$ S

APPROVED DISAPPROVED
BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Mary Hunt
Chair

Dale Syc
Vice-Chair

Dale Syc
Member

Date: 3-3-09

Anionic Emulsified Asphalt - Rapid Setting - HFE 150:

East Wenatchee shop \$ 533.00

WSST (8.0%) \$ 42.64

Total \$ 575.64

Continued:

Product

Delivery Location Total Price Per Ton

Anionic Emulsified Asphalt
- Rapid Setting - HFE 150:

Waterville shop \$ 533.00

WSST (8.0%) \$ 42.64

Total \$ 575.64

Mansfield shop \$ 533.00

WSST (8.0%) \$ 42.64

Total \$ 575.64

Cationic Emulsified Asphalt
- Slow Setting - CSS-1:

East Wenatchee shop \$ No Bid

WSST (8.0%) \$ S

Total \$ S

Waterville shop \$ No Bid

WSST (8.0%) \$ S

Total \$ S

Mansfield shop \$ No Bid

WSST (8.0%) \$ S

Total \$ S

RETURN ALL PAGES, COMPLETED AND SIGNED. IF DOUGLAS COUNTY ACCEPTS THIS PROPOSAL, THEN THIS SIGNED DOCUMENT WILL CONSTITUTE A CONTRACT TO FURNISH THE ABOVE MATERIALS TO DOUGLAS COUNTY ON THE TERMS AND CONDITIONS SET FORTH IN THE BID DOCUMENTS AND FOR THE ABOVE PRICE(S).

By SEM MATERIALS, L.P.
Kevin C. Clement 2/19/09
Bidder Authorized Signature Date

Kevin C. Clement
Vice President/Chief Operating Officer