

INVITATION TO BID

BID DATE: 1/29/2021

PLEASE REFER TO BID NO. 2021-009

**QUOTE NOT LATER THAN: 2/10/2021 BY 4:00 PM
(EST)**

TO:
VENDOR NAME:
ADDRESS:

FROM:
PURCHASING DEPARTMENT
COUNTY OF BERRIEN, MICHIGAN
ADMINISTRATION CENTER
701 MAIN STREET
ST. JOSEPH, MICHIGAN 49085

CONTACT:
TELEPHONE #:
EMAIL:

**PLEASE INDICATE "BID NO. 2021-009" ON OUTSIDE OF SEALED ENVELOPE TO INSURE PROPER
BID PLACEMENT.** DELIVERY REQUIREMENTS: AS PER SPECIFICATIONS

*The Berrien County Board of Commissioners reserves the right to reject any and all bids or make any deviations
deemed in the best interest of Berrien County.*

Quality: All materials/services furnished must be the best of their respective kinds (unless otherwise specified) and will be subject to our inspection and approval after delivery. If materials are rejected it will be held for disposition at your risk and expense.

QUANTITY	DESCRIPTION	PER M PRICE	TOTAL
	<u>REQUEST FOR BID ON THE FOLLOWING:</u>		
	Cold Patch Pavement		
	PLEASE SEE ATTACHED SPECIFICATIONS		
	<u>PLEASE SEND TWO (2) COPIES OF BID PROPOSAL</u>		

QUANTITY	DESCRIPTION	PER M PRICE	TOTAL
	<p>PURSUANT TO MICHIGAN PUBLIC ACT 517 OF 2012, AN IRAN-LINKED BUSINESS IS NOT ELIGIBLE TO SUBMIT A BID FOR THIS RFP. FURTHER, EACH BID SUBMISSION <u>MUST</u> INCLUDE WRITTEN CERTIFICATION BY THE BIDDER THAT THE BIDDER IS NOT AN IRAN LINKED BUSINESS (SEE ATTACHED FORM). A BID SUBMISSION WITHOUT THE REQUIRED WRITTEN CERTIFICATION MAY BE REJECTED AS INCOMPLETE AND VIOLATIVE OF LAW. A SUSTAINED DETERMINATION BY THE COUNTY THAT A BIDDER HAS SUBMITTED A FALSE CERTIFICATION OF BEING AN IRAN LINKED BUSINESS MAY RESULT IN THE CANCELLATION OF AN EXISTING CONTRACT, A CANCELLATION OF INTENT TO ENTER INTO A NEW CONTRACT, AND/OR REPORTING OF THE BIDDER TO THE STATE ATTORNEY GENERAL, AND POSSIBLE FINES AND COSTS, AND BAR FROM FURTHER BIDDING ON COUNTY RFP'S FOR AN ADDITIONAL 3 YEARS, AS PROVIDED UNDER P.A. 517 OF 2012.</p> <p>MEMBER OF HPS (HOSPITAL PURCHASING SERVICES), STATE OF MICHIGAN MIDEAL PURCHASING PROGRAM, AND NATIONAL JOINT POWERS ALLIANCE</p> <p>ANY QUESTIONS REGARDING BID SPECIFICATIONS, PLEASE CONTACT ADRI BOONE/DON GEISLER AT 269-925-1196 ext 4410 or aboone@bcroad.org</p> <p>ALL OTHER QUESTIONS REGARDING THE BID PROCESS, PLEASE CONTACT THE PURCHASING DEPT. AT 269-983-7111 EXT. 8295</p>		

Jake Litaker

JAKE LITAKER
 jlitaker@berriencounty.org
 FINANCIAL ACCOUNTANT/ANALYST
 PHONE: 269-983-7111 EXT. 8295
 FAX 269-982-8668

BIDDERS NAME: _____

BIDDERS PHONE NUMBER: _____

BID DATE: _____



BERRIEN COUNTY

ROAD DEPARTMENT

PROPOSAL AND SPECIFICATIONS

FOR

**COLD PATCH PAVEMENT
REPAIR MATERIAL**

**Purchasing Department
County of Berrien, Michigan
Administration Center
701 Main Street
Saint Joseph, MI 49085
1-269-983-7111
www.berriencounty.org**

BERRIEN COUNTY ROAD DEPARTMENT

QUANTITY, SPECIFICATIONS & DELIVERY

Bids will be received for Cold Patch Pavement Repair Material delivered to the various sites listed in the price schedule.

The proposed material shall conform to the attached Quality Pavement Repair specification below.

The successful bidder shall upon award of the bid, contact the Berrien County Road Department to schedule delivery.

The price per TON shall include all material, freight, loading & hauling. The bidder further agrees to do the hauling during Road Department regular working hours, Monday through Friday.

The quantities in the Price Schedule are estimated quantities only and may be increased or decreased with no change in the price per TON.

Payment shall be by the TON. All material delivered shall have a stamped weight ticket. Handwritten tickets will not be accepted. The material is to be weighed on platform scales.

The material shall be dumped at stockpile in yards.

Berrien County Road Department (BCRD) will only request 50 tons of Cold Patch material to be delivered at a time to each BCRD facility. BCRD will call a request additional loads up to the original bid amount through the winter and early summer months. The bid price shall remain firm until December 1st, 2021.

SPECIAL NOTE: The Berrien County Road Department Weighmaster will check load tickets upon delivery of commodities. The Road Department **WILL NOT PAY** for any material above a legal load.



High Performance Permanent Pavement Repair Material Material Specification

DESCRIPTION

This material shall be a plant or pug mill mixed high performance pavement patching material capable of storage in an uncovered outdoor stockpile for a minimum of 12 months. It shall be composed of laboratory approved mineral aggregates and modified bituminous QPR[®] Liquid Oil Blend capable of coating wet aggregates without stripping and have stripping resistance of retained coating of not less than 95%. The permanent asphalt repair shall be uniform, remain flexible and cohesive to -15° F. and be capable of retaining adhesive qualities in wet applications. The patching material shall be able to repair asphalt, concrete, surface treated roads and shall not require removal and replacement if ever the pavement repair area is overlaid.

ENVIRONMENTAL IMPACT

The modified bituminous asphalt repair must have an independent test conducted by a certified laboratory as to toxicology results in a Static Acute Bio Assay Procedures for Hazardous Materials which determines effect of run-off into waterways, lakes, ponds, and ground water. Furthermore, results of analysis for the toxicity should indicate a 0% mortality rate of Daphnia magna at 100% effluent concentration. Further, the repair material must be classified as non-hazardous, and biologically non-toxic. Laboratory results must be available for review.

MATERIALS

A) Aggregate

The aggregate shall consist of 100% crushed stone or a laboratory approved equivalent under ASTM C-136. All aggregate is to be from approved sources, and representative samples of both fine and coarse aggregate shall be from the plant site and laboratory tested. Sampling and testing methods shall be in accordance with accepted local practice.

Gradation analysis to comply with all local requirements. Recommended gradation analysis is as follows:

<u>SCREEN SIZES</u>	<u>PERCENTAGE PASSING</u>
3/8"	100
#4	20 - 85
#8	2 - 40
#16	0 - 10
#50	0 - 6
#200	0 - 2

All aggregate percentages are based on the total weight of aggregate.

ASTM	C-88	Soundness Loss	12.0% Max.
ASTM	C-131	Los Angeles Abrasion	40.0% Max.
ASTM	C-117	-200 Sieve (by wash)	2.0% Max.
ASTM	C-127, 128	Absorption	1.0 - 2.0% Max.
ASTM	C-127, 128	Specific Gravity	2.55 - 2.75% Max
ASTM	C-123	Soft Aggregates	3.0% Max.

Aggregate Acceptance

Aggregate compatibility approval must be obtained from the QPR quality control facility in Charleston, South Carolina prior to material production at any mixing plant.

B) Bituminous Material

The modified bituminous liquid oil blend shall be QPR[®] which meets the following requirements:

ASTM D-1310	Flashpoint (TOC):	200° F (94° C.) minimum
ASTM D-2170	Kinematic Viscosity at 60° C (140° F):	300-4000
ASTM D-95	Water:	0.2% maximum
ASTM D-402	Distillate Test (Volume of original sample):	
	To 437° F (225° C)	None
	To 500° F (260° C)	0 - 5%
	To 600° F (315° C)	0 - 25%
	Residue from distillate at 680° F (360° C)	72 - 95%

RESIDUE TESTS

ASTM D-2171	ABS. Viscosity at 140° F (60° C):	125-425 poises
ASTM D-5	Penetration:	200 Minimum
ASTM D-113	Ductility at 39° F (4° C) 0.4 in. /Min:	100 Minimum
ASTM D-2042	Solubility in Tricloroethylene:	99% Minimum

QPR[®] Liquid Oil Blend shall be shipped from authorized blending terminal locations. Liquid shall be completely blended at terminal under supervision of authorized Quality Control personnel. No additives, modifiers, or extra ingredients are to be introduced into the liquid oil blend at any time after shipment from terminal. A copy of bill of lading and material certification shall accompany every shipment. Liquid Oil Blend shall be shipped in insulated tankers to maintain oil temperature during transportation.

PLANT MIX

The cold mix shall consist of aggregates meeting material as specified in Section A) *Aggregate*, and the bituminous liquid oil blend meeting material specified in section B) *Bituminous Material* as indicated in the proposed job mix formula. Bituminous material shall be accepted at the supplier's source and at the plant site on the basis of a supplier material certification.

The preferred mixing ratio shall be 4.5% to 6% liquid oil blend per finished ton (2000 lbs) of mixed material. Continuous on-site testing will determine exact final mixing ratio which will be identified in the final job mix formula. All aggregate percentages are based on the total weight of the aggregate. The bituminous liquid oil blend content is based on the total weight of the mix.

The job mix formula information shall provide:

- Aggregate gradation band and aggregate type.
- Bituminous material - amount and type including any additives used.
- Temperature ranges for material preparation.

MANUFACTURING PREPARATION & OPERATION

Asphalt Plant Production

The mixture is to be produced through a conventional asphalt plant only under the direct supervision of a qualified QPR sales representative and finished product will not exceed 180°F. The bituminous liquid oil blend shall not be heated above 220°F. The final mixture must be tested in accordance with QPR on-site quality control requirements. When producing in an asphalt plant with heat, the finished QPR[®] material must be left in dump truck size loads for a minimum of 48 hours prior to pushing the material up into a large cone shaped stock pile, thus allowing the QPR[®] material to cool off to ambient temperature.

Pug mill Production

The mixture can be produced through a cold manufacturing process (PUG MILL). The QPR[®] Bituminous Liquid Oil Blend shall be heated between 200°F to 220°F. The QPR[®] Liquid Oil Blend temperature is elevated to help with the adhesion process between the bituminous liquid and the aggregate. The finished mix will not exceed 180°F when produced through the Pug mill. The final mixture must be tested in accordance with the QPR on-site quality control requirements.

STOCKPILE INSPECTION

Prior to production, the stockpile site is to be inspected for any contaminants that may affect the quality of the QPR[®] High Performance Permanent Cold Patch. The stockpile area should be a hard clean surface, preferably paved with concrete, or a bituminous surface and have proper retention.

SPECIFICATION SAMPLING

A one quart sample of the QPR[®] Liquid Oil Blend will be retained at the asphalt blending terminal prior to shipment. Upon delivery of the transport tanker, an additional one-quart sample will be taken at the production site by the QPR sales representative and will be performed at the half way point of the load and is to be retained by the customer / producer for a period of one year, or until the stock pile is depleted.

QPR[®] QUALITY CONTROL

On each load, a Quality Control Report will be prepared by the QPR quality control technician. All phases of production of the plant operation and the material testing on each 150 tons of production will be prepared and entered accordingly in each category. Site tests will be completed which include Spot Test, Strip Resistance, Coating Observation and Roll Test.

HEATING OF FINISHED PRODUCT

QPR[®] should not be heated above 70°F (21°C) when utilizing a hot box.

TRAINING OF INSTALLATION CREWS

QPR will make available a complete training program for all road crews to ensure correct patching methods, along with updates on this subject.

STOCKPILING

One (1) year shelf life. QPR[®] may be stockpiled up to 12 months in an uncovered outdoor stockpile.

QPR[®] High Performance Pavement Repair, when applied according to our directions to deteriorated concrete or bituminous pavement surfaces, is guaranteed to adhere permanently to the repaired area for the life of the repair or until the surrounding pavement area fails. QPR will replace actual volumes of QPR[®] at no charge for any QPR[®] High Performance Pavement Repair that should ever ravel or release from a properly repaired area.

'QPR[®]', is a registered trademark of QPR.

BERRIEN COUNTY ROAD DEPARTMENT

PRICE SCHEDULE COLD PATCH PAVEMENT REPAIR MATERIAL

<u>LOCATION</u>		<u>PRICE PER TON</u>	<u>TOTAL</u>
Benton Harbor Yard 2860 E. Napier Avenue	300 Ton	\$ _____	\$ _____
Watervliet Yard 3377 Hennessey Road	50 Ton	\$ _____	\$ _____
Eau Claire Yard 760 Main Street	300 Ton	\$ _____	\$ _____
Baroda Yard 9200 Hills Road	400 Ton	\$ _____	\$ _____
Three Oaks Yard U.S. 12 East	50 Ton	\$ _____	\$ _____
Bakertown Yard 1960 Bakertown Road – S of U.S. 12	350 Ton	\$ _____	\$ _____

BERRIEN COUNTY ROAD DEPARTMENT

PROPOSAL

It is understood and agreed that this proposal is submitted with the understanding that an award of purchase will be made on the basis of the bid on the specific material required at each location.

TERMS: _____

REMARKS: _____

SUPPLIER

a) Name _____

b) Street Address _____

c) City and State _____

NAME AND ADDRESS OF BIDDER

NAME _____

STREET ADDRESS _____

CITY AND STATE _____

BID SUBMITTED BY: _____

(Authorized Signature)

TELEPHONE _____

DATE _____

BERRIEN COUNTY ROAD DEPARTMENT

TITLE VI

The Berrien County Road Department, in accordance with Title VI of 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 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, minority 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 gender, disability, race, color, or national origin in consideration for an award.

TITLE VI CONTRACT REQUIREMENTS:

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation, Title 49, code of Federal Regulations, Part 21 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulation, including employment practices when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the **BERRIEN COUNTY ROAD DEPARTMENT** to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State highway department, or the Federal

BERRIEN COUNTY ROAD DEPARTMENT

TITLE VI

Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Non-compliance:** In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the **BERRIEN COUNTY ROAD DEPARTMENT** shall
6. impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination or suspension of the contract, in whole or in part.
7. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the **BERRIEN COUNTY ROAD DEPARTMENT** may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the **BERRIEN COUNTY ROAD DEPARTMENT** to enter into such litigation to protect the interests of the County, and, in addition, the contractor may request the State highway department to enter into such litigation to protect the interests of the State and/or the United States to enter into such litigation to protect the interests of the United States.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;

BERRIEN COUNTY ROAD DEPARTMENT

TITLE VI

The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);

- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).