

BERRIEN COUNTY ROAD COMMISSION

PROPOSAL AND SPECIFICATIONS

FOR

ASPHALT EMULSIONS

HFRS-2M

MSOP

**BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF BERRIEN
2860 EAST NAPIER AVENUE
BENTON HARBOR, MI 49022**

BERRIEN COUNTY ROAD COMMISSION

March 11, 2016

Notice is hereby given that sealed bids will be received at the office of the Board of County Road Commissioners of the County of Berrien, 2860 East Napier Avenue, Benton Harbor, Michigan 49022 until 11:00 A.M., Thursday, March 24, 2016 at which time and place they will be publicly opened and read aloud for the following:

- 1. Maintenance Bituminous Mixtures**
- 2. Asphalt Emulsions**
- 3. Ice Control Sand**
- 4. Hot Melt Crack Filler Material**
- 5. Defay Road – Jericho to Red Arrow-Reconstruction –
Lincoln Township**

All bids will be tabulated and presented to the Board of County Road Commissioners at their next regular meeting.

All bids shall be signed in ink and sealed in an envelope with the name of the items bid upon and the name of the bidder plainly marked on the outside. Specifications and proposal blanks may be obtained at the office of the Berrien County Road Commission.

The Road Commission reserves the right to accept or reject any or all bids, to waive defects in a proposal and to award the Bid in any manner deemed to be in the best interest of Berrien County.

**BY THE BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF BERRIEN**

**AUGUST ZIELKE
TIMOTHY LYNCH
JESS MINKS
WILLIAM HODGE
JOSEPH MARGOL**

BENTON HARBOR, MICHIGAN

BERRIEN COUNTY ROAD COMMISSION

QUANTITY AND DELIVERY POINT

1. QUANTITY

Bids will be received for approximately 600,000 gallons of Asphalt Emulsion for sealcoating and patching in accordance with 2012 Michigan Department of Transportation specifications for Asphalt Emulsion.

The quantity given is only approximate and the right is reserved by the Berrien County Road Commission to accept delivery on more or less than the quantity bid upon.

2. The delivered price asphalt shall be adjusted only in the event of a decrease in the publicly posted price per ton of asphalt cement, or the price at which private contractors may purchase asphalt cement. Provided that, no adjustment will be required if the price of asphalt cement does not change by a minimum of \$5 per ton.

3. DELIVERY POINT

The successful bidder shall deliver the material at such times throughout the year (May 1, 2016 to April 30, 2017) as the requirements of the Board shall necessitate, to various job sites in accordance with bid prices:

STAMPED OR METERED TICKETS

All materials supplied to the Berrien County Road Commission where quantities invoiced are based on measures of weight (tonnage, etc.) or volume (gallons), the supplier SHALL supply STAMPED or METERED TICKETS to verify quantities delivered.

When tanker purchases are delivered, terminal BILLS-OF-LADING for product delivered are required to be supplied with delivery made. Each Bill-Of-Lading MUST INDICATE ACCEPTANCE by an AUTHORIZED REPRESENTATIVE of the Road Commission.

HANDWRITTEN TICKETS will NOT be accepted.

QUALITY ASSURANCE

Producer to be Michigan Department of Transportation approved Emulsified Asphalt Supplier for the item bid. Producer to submit certification that supplied product meets Michigan Department of Transportation Specifications.

BERRIEN COUNTY ROAD COMMISSION

PROPOSAL

TYPE MS-OP ASPHALT EMULSION (ANIONIC)

<u>DESTINATION</u>	<u>PRICE PER GALLON F.O.B. DESTINATION</u>
Tank Truck Transport Job Site any place within Berrien County (Approx. 15,000 Gal.)	_____ PER GAL.
Berrien County Road Commission to Pick up material at plant	_____ PER GAL.
This Bid is based on a posted price of asphalt cement of: F.O.B. _____ /	_____ PER TON

The invoiced price decrease will be \$ _____ per gallon for each \$5 variation in the posted price of asphalt cement.

HFS-2M

<u>DESTINATION</u>	<u>PRICE PER GALLON F.O.B. DESTINATION</u>
Tank Truck Transport Job Site any place within Berrien County (Approx. 600,000 Gal.)	_____ PER GAL.
Berrien County Road Commission to Pick up material at plant	_____ PER GAL.
This Bid is based on a posted price of asphalt cement of: F.O.B. _____ /	_____ PER TON

The invoiced price decrease will be \$ _____ per gallon for each \$5 variation in the posted price of asphalt cement.

LOCATION OF PLANT:

BERRIEN COUNTY ROAD COMMISSION

PRODUCER

NAME _____

ADDRESS _____

CITY AND STATE _____

NAME AND ADDRESS OF BIDDER

NAME _____

ADDRESS _____

CITY AND STATE _____

BID SUBMITTED BY: _____

Authorized Signature

TELEPHONE NUMBER _____

DATE _____

DELIVERY _____ DAYS

TERMS: _____

REMARKS: _____

BERRIEN COUNTY ROAD COMMISSION

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 COMMISSION** 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 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 COMMISSION** shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

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- (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.

6. 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 COMMISSION** 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 COMMISSION** 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.