



**FRANKLIN COUNTY
PURCHASING DEPARTMENT
REQUEST FOR BID (RFB) COVER PAGE**

RFB NO: 2022-02

TITLE: Bituminous Plant Mix Materials

Solicitation Schedule & Deadlines:

October 20, 2021	Solicitation Release/Advertising Date
November 2, 2021 2:00pm	Deadline for Submitting Questions
November 4, 2021 4:30pm	Deadline to post Addendum
November 16, 2021 2:00 pm	Deadline to Submit Response
November 16, 2021 2:30 pm	Opening Date I Time

Responses must be received no later than “Deadline to Submit Response”

November 16, 2021 2PM

Franklin County Purchasing Department

Shakara Bray, Purchasing Agent

Meagan Cowsert, Assistant Purchasing Agent

Phone: 636-584-6274 Email: purchasing@franklinmo.net

Submittal Instructions: Print this Packet in its entirety and complete all pages per instructions. Print the SEALED RESPONSE LABEL found in Attachment 1 of this packet and attach to the front of your envelope.

Company Name: _____

SUBMISSION CHECKLIST

_____ I have reviewed the bid schedule and deadlines, located on the solicitation cover page

_____ I have read ALL Terms and Conditions and Bid documents closely

(Located at www.franklinmo.org)

THE ITEMS LISTED BELOW ARE THE REQUIRED DOCUMENTATION FOR SUBMITTING A RESPONSE

USE THESE FORMS ONLY

_____ Solicitation Cover page

_____ Contractual Terms and Conditions Acknowledgement

_____ Pricing Form completed and signed

_____ I have one original and two copies that are labeled accordingly

_____ I have included contact information

_____ I have included the COI as requested

_____ Affidavit for Work Authorization is completed, Notarized, and supporting information is included

_____ Envelope is sealed and label attached

_____ W9 is filled out completely & included

SPECIFIC REQUIREMENTS

1. Contractor must be able to provide Bituminous Plant Mix Materials to the requesting departments, which meet or exceed the specifications contained in this document.
2. Delivery charge shall include material cost and all costs associated with loading, hauling and unloading. Delivery charge will start at the plant address and end at the closest point to the worksite. Delivery charge will be for a one-way trip. Mapquest.com will be used to determine delivery distance. Delivery charge shall be included in the bid per ton of material delivered.
3. Materials shall meet the requirements of Section 401.1 through 401.5 of the latest version of the Missouri Standard Specifications for Highway Construction.
4. County Mix Specifications: 3/8 Aggregate (53%), Mansand (23%), Screenings (17%), riversand (7%), RAP (15%), Virgin AC (4.1%) and Total AC (4.9%).
5. Franklin County, at its own expense, reserves the right to sample any material, for the purpose of having an independent laboratory test of the material for conformance to specifications. Product that does not meet the specifications listed will cause all of the shipments to be returned at the bidder's expense.
6. Contractor is responsible for adjusting asphalt prices according to MoDOT's Asphalt Cement Price Index prior to submitting invoice. Contractor may request to not use MoDOT's Asphalt Cement Price Index by submitting a letter stating same with bid documents.
7. Adjustments will be made to the payments due the Contractor for any plant mix bituminous base, plant mix bituminous pavement, plant mix bituminous surface leveling, asphaltic concrete pavement and ultrathin bonded asphalt wearing surface that contains PG64-22, PG70-22 or PG76-22 when it has been determined that the monthly average price for the midpoint of the published prices of PG64-22 for St. Louis, Missouri area and Kansas City area has fluctuated from the monthly average price of the month of the project was bid. The St. Louis, Missouri area and Kansas City area prices will be obtained from the Asphalt Weekly Monitor[®] published by Poten & Partners Inc. The monthly base price will be the price from the last published Asphalt Weekly Monitor[®] prior to the bid opening. The monthly base price, established prior to the monthly bid opening, shall apply to payment estimates for the following month.

8. The adjusted contract unit price will be applied to the actual amount of asphalt binder. The percentage of virgin asphalt, as shown in the job mix formula, will be the basis for adjustments for any asphalt mix purchased during the monthly index period. The

SPECIFIC REQUIREMENTS - CONTINUED

effective asphalt obtained from the use of Recycled Asphalt Pavement (RAP) and/or Recycled Asphalt Shingles (RAS) will not be eligible for adjustment. The base price index for PG64-22 will be applied to the asphalt mix for mixes using PG64-22, PG70-22 or PG76-22

9. To determine the adjustment for any material specified in this provision the following formula will be used.

$$A = (B \times C) \times (D - E)$$

Where: A = Adjustment for mix placed during monthly average index period

B = Tons of Mix Placed during the monthly average index period

C = % of virgin asphalt binder as listed in the job mix formula in use

D = monthly average price at time mix placement

E = monthly average price at time of bid

10. Delivery tickets must show the percent of asphalt. If percent of asphalt is not shown then the tickets will be returned unpaid- to be resubmitted with correct information.
11. Any price change shall be submitted in writing to Franklin County.
12. **Contract Period: The contract period shall be for one year January 1, 2022 thru December 31, 2022. This Contract will have the option to renew on a year by year basis, up to three years in total. The County also reserves the right to terminate and/or cancel the contract in writing prior via a formal contract amendment issued by the Purchasing Department.**

The contents of this section include mandatory requirements that will be required of the successful bidder and subsequent contractor. The offeror is requested to provide responses to the requirements/desired attributes in this section pursuant to the directions identified herein. The offeror's response, whether responding to a mandatory requirement or a desired attribute, shall be binding in the event the bid is accepted by Franklin County. The offeror must provide all costs necessary to meet

the mandatory requirements and the fulfillment of any desirable attributes in the appropriate section titled Pricing.

INSURANCE REQUIREMENTS

1. The Contractor shall furnish County with a certificate of insurance indicating proof of the following insurance from company's license in the State of Missouri:

A. Worker's Compensation and Employers' Liability: Worker's Compensation Statutory in compliance with the Compensation law of the Sate and Employers' Liability Insurance with a limit no less than \$1,000,000.00 each accident.

B. Comprehensive or Commercial General Liability with a minimum limit of \$1,000,000.00 per occurrence, \$3,000,000.00 aggregate combined Single Limit for Bodily Injury and Property Damage Liability. This insurance shall include, but not be limited to, the following coverage.

1. Premises – Operations
2. Products and Completed Operations
3. Broad Form Property Damage
4. Contractual
5. Personal Injury

C. Automobile Liability with a minimum limit of \$1,000,000.00 per occurrence, \$3,000,000.00 aggregate Combined Single Limit for Bodily Injury and Property Damage Liability. This insurance shall include coverage for all the following:

1. Owned Automobiles
2. Hired Automobiles
3. Non-Owned Automobiles

D. The certificate shall list the Certificate Holder and Address as follows: Franklin County, 400 E Locust Street, Room 206, Union, Mo 63084. The services provided to Franklin County shall be listed under "Description of Operations."

E. Such insurance shall include under the General Liability and Automobile Liability policies Franklin County, its employees, elected officials, representatives, and members of its board and/or commissioners as “Additional Insured’s”.

2. The Agreement of Insurance shall provide for notice to the County of amendment or cancellation of insurance policies 30 days before such amendment or cancellation is to take effect.

ADDITIONAL REQUIREMENTS

1. E-Verify

Completion of Affidavit of Work Authorization and provide acceptable documentation of enrollment in the program.

2. Employment of Unauthorized Aliens Prohibited

a.) Vendor agrees to comply with Missouri Revised Statute Section 285.530.1 in that it shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri.

b.) As a condition for the award of this contract, the Vendor shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. The Vendor shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

c.) Vendor shall require each subcontractor to affirmatively state in its contract with Vendor that the subcontractor shall not knowingly employ, hire for employment or continue to employ an unauthorized alien to perform work within the State of Missouri and shall not henceforth do so. Alternatively, Vendor shall require each subcontractor to provide Contractor with a sworn affidavit under penalty of perjury attesting to the fact that the subcontractor’s employees are lawfully present in the United States.

The contents of this section include mandatory requirements that will be required of the successful bidder and subsequent contractor. The offeror is requested to provide responses to the requirements/desired attributes in this section pursuant to the directions identified herein. The offeror's response, whether responding to a mandatory requirement or a desired attribute, shall be binding in the event the bid is accepted by Franklin County. The offeror must provide all costs necessary to meet the mandatory requirements and the fulfillment of any desirable attributes in the appropriate section titled Pricing.

OTHER REQUIREMENTS - CONTINUED

Anti-Discrimination Against Israel Act Requirement

A public entity shall not enter into a contract with a company to acquire to dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.

Affidavit of Compliance with Section 34.600 RSMo for Contracts over \$100,000 or for
Contractors with Ten (10) or more employees

I, _____ [Contractor Agent], being duly sworn, attest and
state, under penalty of perjury, as follows:

1. I am employed by _____ [Contractor] and serve as the
_____ [Position with Contractor].
2. I hereby affirm that _____ [Contractor]:
 - a) is not currently engaged in and shall not, for the duration of the contract, engage
in a boycott of goods or services from the State of Israel; or
 - b) is not currently engaged in and shall not, for the duration of the contract, engage
in a boycott of goods or services from companies doing business in or with Israel
or authorized by, licensed by, or organized under the laws of the State of Israel; or
 - c) is not currently engaged in and shall not, for the duration of the contract, engage
in a boycott of goods or services from persons or entities doing business in the
State of Israel.

Further Affiant Sayeth Not.

[Contractor Agent]

STATE OF MISSOURI)
) ss.
_____ COUNTY)

Subscribed and sworn to me, a notary public, this ____ day of _____, 202_.

Notary Public

My commission expires: _____

CONTRACTUAL TERMS AND CONDITIONS ACKNOWLEDGEMENT

The undersigned Vendor/Contractor has read, understood, and accepted the Terms and Conditions as published on the Franklin County Official Website located at:

<http://www.franklinmo.org>

All terms and conditions as stated shall be adhered to by Vendor/Contractor upon acceptance of contract. Vendor/Contractor enters into this agreement voluntarily, with full knowledge of its effect.

Vendor/Contractor Signature

Date

Vendor/Contractor Name and Title

AFFIDAVIT OF WORK AUTHORIZATION

The grantee, sub grantee, contractor or subcontractor who meets the section 285.525, RSMo definition of a business entity must complete and return the following Affidavit of Work Authorization.

Comes now _____ (Name of Business Entity Authorized Representative)
as _____ (Position/Title)

first being duly sworn on my oath, affirm _____ (Business Entity Name) is enrolled and will continue to participate in the E-Verify Federal Work Authorization program with respect to employees hired after enrollment in the program who are proposed to work in connection with the services related to _____ (Bid/Grant/Subgrant/Contract/Subcontract) for the duration of the grant, subgrant, contractor, or subcontractor, if awarded in accordance with subsection 2 of section 285.530, RSMo. I also affirm that _____ (Business Entity Name)

does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services related to _____ (Bid/Grant/Subgrant/Contract/Subcontract) for the duration of the grant, subgrant, contract, or subcontract, if awarded.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

Authorized Representative's Signature

Printed Name

Title

Date

Subscribed and sworn to before me this _____ of _____, I am
Day Month, Year

commissioned as a notary public within the County of _____, State of _____ and my commission expires on Date

Signature of Notary

Date

AFFIDAVIT OF WORK AUTHORIZATION

(Continued)

CURRENT BUSINESS ENTITY STATUS

I certify that _____ (Business Entity Name) **MEETS** the definition of a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo as stated above.

Authorized Business Entity Representative's Name (Please Print)	Authorized Business Entity Representative's Signature
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Business Entity Name	Date
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As a business entity, the grantee, sub grantee, contractor, or subcontractor must perform/provide the following. The grantee, sub grantee, contractor, or subcontractor shall check each to verify completion/submission:

- Enroll and participate in the E-Verify Federal Work Authorization Program (Website: <http://www.dhs.gov/e-verify>; Phone: 888-464-4218 Email: e-verify@dhs.gov) with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required herein;

AND

- Provide documentation affirming said company's/individual's enrollment and participation in the E-Verify Federal Work Authorization Program. Documentation shall include a page from the E-Verify Memorandum of Understanding (MOU) listing the grantee's, subgrantee's, contractor's, or subcontractor's name and the MOU signature page completed and signed, at minimum, by the grantee, subgrantee, contractor, or subcontractor and the Department of Homeland Security – Verification Division; (if the signature page of the MOU lists the grantee's, subgrantee's, contractor's, or subcontractor's name, then no additional pages of the MOU must be submitted).

PRICING FORM

2022-02 BITUMINOUS PLANT MIX MATERIALS

The offeror shall complete the following pricing table and provide firm, fixed pricing necessary to meet the mandatory requirements of the solicitation. All invoices must reflect discounts applied to final order.

Plant Address: _____

Materials	Price Per Ton									
	Virgin Asphalt %	Picked	Delivered							35 to 40 Miles
		Up At Plant	0 to 5 Miles	5 to 10 Miles	10 to 15 Miles	15 to 20 Miles	20 to 25 Miles	25 to 30 Miles	30 to 35 Miles	
BP-1										
BP-2										
BP-3										
County Mix Bituminous Base										
Cold Mix (per MODOT specifications)										
UPM										

Required lead time for product of materials after request: _____ hours/days/weeks.

Restocking fees must be indicated on your bid sheet if applicable.

Company Name _____

Authorized Signature _____

Printed name and title _____

PRICING FORM - CONTINUED
2022-02 BITUMINOUS PLANT MIX MATERIALS

Mailing Address _____

Phone number _____

Contact Name _____

Contact Name Title _____

Email Address _____

Preferred method to place order

Franklin County reserves the right to request supporting documentation for the proposed pricing. In addition, it may be necessary to evaluate the bidder's expertise and experience in order to award a bid. Franklin County reserves the right to request reference information and/or proof of expertise if necessary.

ATTACHMENT 1

SEALED RESPONSE LABEL

PLEASE ATTACH LABEL TO OUTSIDE OF PACKAGE

SEALED BID RESPONSE ENCLOSED

DELIVER TO:

Purchasing Department
400 East Locust St, Rm 004
Union, MO 63084

SOLICITATION # 2022-02 DATE: **November 16, 2021** 2PM

DESCRIPTION: Bituminous Plant Mix Materials

Vendor Name: _____

Vendor Address: _____