



City of Tacoma Public Works Department

REQUEST FOR BIDS PW22-0338F HMA Aggregates

Submittal Deadline: 11:00 a.m., Pacific Time, Tuesday, January 3, 2023

Submittals must be received by the City's Procurement and Payables Division prior to 11:00 a.m. Pacific Time. For electronic submittals, the City of Tacoma will designate the time of receipt recorded by our email, bids@cityoftacoma.org, as the official time of receipt. This clock will be used as the official time of receipt of all parts of electronic bid submittals.

Submittal Delivery: Sealed submittals will be received as follows:

By Email:

bids@cityoftacoma.org

Maximum file size: 35 MB. Multiple emails may be sent for each submittal.

Bid Opening: Sealed submittals in response to a RFB will be opened Tuesday's at 11AM by a purchasing representative and read aloud during a public bid opening held at the Tacoma Public Utilities Administrative Building North, 3628 S. 35th Street, Tacoma, WA 98409, conference room M-1, located on the main floor. They will also be held virtually Tuesday's at 11AM. Attend <u>via this link</u> or call 1 (253) 215 8782. Submittals in response to an RFP, RFQ or RFI will be recorded as received. As soon as possible, after 1:00 PM, on the day of submittal deadline, preliminary results will be posted to <u>www.TacomaPurchasing.org.</u>

Solicitation Documents: An electronic copy of the complete solicitation documents may be viewed and obtained by accessing the City of Tacoma Purchasing website at www.TacomaPurchasing.org.

- <u>Register for the Bid Holders List</u> to receive notices of addenda, questions and answers and related updates.
- Click here to see a list of vendors registered for this solicitation.

Pre-Proposal Meeting: A pre-proposal meeting will not be held.

Project Scope: To establish a contract(s) to provide for as-needed purchases of HMA aggregate for the City of Tacoma, Street Operations Division. This contract is to be in effect for three years, with options to renew for two (2) additional one-year periods.

Estimate: The City's project estimate over the potential 5-year contract term is \$2,128,530.74.

Paid Sick Leave: The City of Tacoma requires all employers to provide paid sick leave as set forth in Title 18 of the Tacoma Municipal Code. For more information, visit our Minimum Employment Standards Paid Sick Leave webpage.

Americans with Disabilities Act (ADA Information: The City of Tacoma, in accordance with Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), commits to nondiscrimination on the basis of disability, in all of its programs and activities. Specification materials can be made available in an alternate format by emailing Gail Himes at ghimes@cityoftacoma.org, or by calling her collect at 253-591-5785.

Title VI Information:

"The City of Tacoma" in accordance with provisions of Title VI of the Civil Rights Act of 1964, (78 Stat. 252, 42 U.S.C. sections 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin in consideration of award.

Form No. SPEC-040C Revised: 09/29/2022

Additional Information: Requests for information regarding the specifications may be obtained by contacting Tina Eide, Senior Buyer by email to teide@cityoftacoma.org.

Protest Policy: City of Tacoma <u>protest policy</u>, located at <u>www.tacomapurchasing.org</u>, specifies procedures for protests submitted prior to and after submittal deadline.



Meeting sites are accessible to persons with disabilities. Reasonable accommodations for persons with disabilities can be arranged with 48 hours advance notice by calling 253-502-8468.

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SUBMITTAL CHECK LIST

This checklist identifies items to be included with your submittal. Any submittal received without these required items may be deemed non-responsive and not be considered for award. Submittals must be received by the City of Tacoma Purchasing Division by the date and time specified in the Request for Bids page.

The following items make up your complete electronic submittal package (include all the items below):	V
Signature Page (Appendix A)	
To be filled in and executed by a duly authorized officer or representative of the bidding entity. If the bidder is a subsidiary or doing business on behalf of another entity, so state, and provide the firm name under which business is hereby transacted.	
Price Proposal Form	
The unit prices bid must be shown in the space provided. Check your computations for omissions and errors.	
Information in Section 19	
After award, the following documents will be executed:	
Services Contract	
Services Contract	
Certificate of Insurance and related endorsements	

1. BACKGROUND

The City of Tacoma (City) / Tacoma Public Utilities (TPU) is soliciting bids to establish one or more contracts with qualified vendors to fulfill the City's needs for aggregates for Hot Mix Asphalt (HMA) on an as-needed basis. Contract(s) will be awarded to the lowest responsive and responsible bidder(s) based on price, product quality and availability.

This product is used by the Public Works Street Operations Division's Asphalt Plant located at 3210 Center Street. The quantities listed are an estimated one-year usage for City of Tacoma Street Operations Division. These quantities are estimates only based upon an annual production of 15,000 tons of HMA per year and are no guarantee or representation of a maximum or minimum quantity the City may order or purchase. Nor, does the City represent or guarantee that all materials listed will be ordered or used. The City may only order quantities and commodities that are needed from time to time on an as needed basis. Vendors may be required to submit samples of their product for evaluation prior to award. Products that fail to meet City standards or any of the specifications herein may be rejected. Should a contracted vendor fail to meet quality and/or availability requirements contained in these specifications, the City may move to terminate the contract with 10 days written notice.

1.1 The City's project estimate over the potential 5-year contract term is \$2,128,530.74.

2. CALENDAR OF EVENTS

This is a tentative schedule only and may be altered at the sole discretion of the City.

Contract may be issued after City Council approval.

The anticipated schedule of events concerning this RFB is as follows:

Question Deadline:	12/16/2022
City response to Questions:	12/20/2022
Submittal Due Date:	1/3/2023
Anticipated Award Date:	1/9/2023
Public Utility Board/City Council Approval:	1/31/2023

3. INQUIRIES

- 3.1 Questions can be submitted to Tina Eide, Senior Buyer, via email to teide@cityoftacoma.org. Subject line to read: PW22-0338F HMA Aggregates VENDOR NAME
- **3.2** Questions are due by 3 pm on the date included in the Calendar of Events section.
- **3.3** Questions marked confidential will not be answered or included.

- **3.4** The City reserves the discretion to group similar questions to provide a single answer or not to respond when the requested information is confidential.
- **3.5** The answers are not typically considered an addendum.
- **3.6** The City will not be responsible for unsuccessful submittal of questions.
- **3.7** Written answers to questions will be posted alongside these specifications at www.tacomapurchasing.org.

4. PRE-BID MEETING

4.1 No pre-proposal meeting will be held; however, questions and request for clarifications of the specifications may be submitted as stated in the <u>inquiries</u> section.

5. DISCLAIMER

The City is not liable for any costs incurred by the Respondent for the preparation of materials or a proposal submitted in response to this RFB, for conducting any presentations to the City, or any other activities related to responding to this RFB, or to any subsequent requirements of the contract negotiation process.

6. DELIVERY

6.1 Deliveries will be made to 3210 Center Street Tacoma, WA 98402.
Materials in this contract shall be readily available. The City will require delivery within 48 hours of order request.

All solo load and truck-trailer load deliveries are to be FOB destination with no delivery charges.

Delivery of material shall be by end dump only. Side dumps shall not be used to deliver material. Side dump deliveries will be refused and delivery replacement costs will be the sole responsibility of the vendor.

Each vendor will be required to submit a delivery timeline they can commit to. Purchase order delivery dates will reflect this timeline. In the event a purchase order deliver date is not met, the City reserves the right to purchase these products elsewhere if they are in a time constraint. If constant late deliveries occur, the City may terminate the contract.

6.2 Hours of operation shall be Monday through Friday, 7:30 a.m. to 4:00 p.m., excluding legal holidays, as referred to in the Standard Terms and Conditions or as otherwise approved by the City.

7. STANDARDS

7.1	terials supplied by this contract shall meet the description and performance criteria set forth in the:
	Current Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction
	City of Tacoma Public Works Custom Specifications
	American Association of State Highway and Transportation Officials (AASHTO)

7.2 Material will be accepted via nonstatistical evaluation. Any material not meeting the required specifications will be rejected and may be cause for termination of the contract.

Aggregate Source

Bidders are to provide on their bid proposal sheet the aggregate source code.

If the components to blend the aggregate come from multiple aggregate sources, please provide a list of aggregate source codes for each component.

See the link below:

https://wsdot.wa.gov/biz/mats/ASA/ASASearch.cfm

8. CONTRACT TERM

The contract will be for a three-year period with the option to renew the contract two additional one-year terms and is subject to the price increase/decrease provisions per the Price
Adjustments section. The City reserves the right to cancel the contract for any reason, by written notice, as stipulated in the contract.

9. RESPONSIVENESS

Bid submittals must provide ninety (90) days for acceptance by City from the due date for receipt of submittals. All submittals will be reviewed by the City to determine compliance with the requirements and instructions specified in this RFB. The Respondent is specifically notified that failure to comply with any part of this RFB may result in rejection of the submittal as non-responsive. The City reserves the right, in its sole discretion, to waive irregularities deemed immaterial. The City also reserves the right to not award a contract or to issue subsequent RFB's

10. AWARD

Contract award will be based upon the overall low bidder for delivered prices quoted for delivered prices quoted on a line item by line item basis. When determining the awarded vendor, the City will use the first year as a base price. The City of Tacoma reserves the right to Request for Bids

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award multiple contracts as best meets the needs of the City. The City may also take into consideration all other criteria for determining award, including evaluation factors set forth in Municipal Code Section 1.06.262.

All other elements or factors, whether or not specifically provided for in this specification, which would affect the final cost to and the benefits to be derived by the City will be considered in determining the award of the contract. The final award decision will be based on the best interests of the City.

The City reserves the right to let the contract to the lowest responsible bidder whose bid will be the most advantageous to the City, price and any other factors considered. In evaluating the proposals, the City may also consider any or all of the following:

- 1. Compliance with specification.
- 2. Proposal prices, listed separately if requested, as well as a lump sum total
- 3. Time of completion/delivery.
- 4. Warranty terms.
- 5. Bidder's responsibility based on, but not limited to:
 - a) Ability, capacity, organization, technical qualifications and skill to perform the contract or provide the services required.
 - b) References, judgment, experience, efficiency and stability.
 - c) Whether the contract can be performed within the time specified.
 - d) Quality of performance of previous contracts or services

11. PRICE ADJUSTMENTS

Bid submittal prices will establish a base against which Contractors may request price adjustments per the following terms:

- 1. The city may consider price adjustments for each 12-month period
- 2. Contractor shall submit proposed price changes in writing to the contract administrator (contract information provided after award) 45 days prior to the effective date
- 3. The city reserves the right to accept or reject all such price adjustments
- 4. Price increases will be adjusted only to the amount of cost increase to Contractor. No adjustment will be made for Contractor profit margin
- 5. Any proposed price increase to Contract line items must be beyond the control of the contractor and supported by written documentation from the manufacturer or wholesale distributor, indicating new higher cost adjustments in effect
- 6. Increase requests may be evaluated against various market conditions, including but not limited to:
 - a) Consumer Price Index for Seattle Tacoma Bremerton, All Items 1982-84+100, for comparable period
 - b) State/federal regulations affecting production costs of the materials
 - c) Volatile commodity market conditions
 - d) Various producer price or commodity indices
 - e) Minimum wage adjustments

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Request for Bids

12. STANDARD TERMS AND CONDITIONS

City of Tacoma Standard Terms and Conditions apply.

13. INSURANCE REQUIREMENTS

Successful proposer will provide proof and maintain the insurance coverage in the amounts and in the manner specified in the City of Tacoma Insurance Requirements document applicable to the services, products, and deliverables provided under the solicitation. The City of Tacoma Insurance Requirements document is fully incorporated into the solicitation by reference.

14. PREVAILING WAGE INFORMATION

If this project requires prevailing wages under chapter 39.12 RCW, any worker, laborer, or mechanic employed in the performance of any part of the work shall be paid not less than the applicable prevailing rate of wage.

The project site is located in Pierce County.

The effective date for prevailing wages on this project will be the submittal deadline with these exceptions:

- 1. If the project is not awarded within six months of the submittal deadline, the award date is the effective date.
- 2. If the project is not awarded pursuant to a competitive solicitation, the date the contract is executed is the effective date.
- 3. Janitorial contracts follow WAC 296-127-023.

Except for janitorial contracts, these rates shall apply for the duration of the contract unless otherwise noted in the solicitation.

Look up prevailing rates of pay, benefits, and overtime codes from this link:

https://secure.lni.wa.gov/wagelookup/

REQUIRED FILINGS

The contractor and all subcontractors covered under <u>39.12 RCW</u> shall submit to the Department of Labor and Industries (L&I) for work provided under this contract:

- 1. A Statement of Intent to Pay Prevailing Wages must be filed with and approved by L&I upon award of contract.
- 2. An Affidavit of Wages Paid must be filed with and approved by L&I upon job completion.

Payments cannot be released by the City until verification of these filings are received by the engineer. Additional information regarding these filings can be obtained by calling the Department of Labor & Industries, Prevailing Wage at 360-902-5335, https://secure.lni.wa.gov/ or by visiting their MY L&I account.

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15. INSPECTION

All goods are subject to final inspection and acceptance by the City. If any inspection fails, the vendor shall be required to make arrangements to exchange the goods at their own expense and replace it in a timely manner acceptable to the City.

Material failing to meet the requirements of this contract will be held at Vendor's risk and may be returned to Vendor. If so returned, the cost of transportation, unpacking, inspection, repackaging, reshipping, or other like expenses are the responsibility of the Vendor.

16. COMPLIANCE WITH SPECIFICATIONS

All products shall be new and unused. Any product that does not comply with any part of these technical specifications shall be rejected and the vendor shall, at its own expense, including shipping, replace the item.

17. MATERIALS AND WORKMANSHIP

The successful bidder shall be required to furnish all materials necessary to perform contractual requirements. Materials and workmanship for this contract shall conform to all codes, regulations and requirements for such specifications contained herein and the normal uses for which intended. Material shall be manufactured in accordance with the best commercial practices and standards for this type of goods. All literature and products must be packaged and labeled to sell in the United States.

18. QUANTITIES AND PURCHASE ORDERS

The quantities listed are an estimated one year usage for City of Tacoma Street Operations Division. These quantities are based on prior usage and are no guarantee or representation of a maximum or minimum quantity the City may order or purchase. Nor, does the City represent or guarantee that all materials listed will be ordered or used. The City may only order quantities and commodities that are needed from time to time on an as-needed basis. Delivery will be according to purchase order on an as-needed basis throughout the period of the contract.

19. CONTENT TO BE SUBMITTED

- 19.1 The City cannot legally accept a substantial deviation from the Specification.

 Bids/Proposals containing any substantial deviation may be rejected as non-responsive.

 It is agreed that you will perform according to the highest standard indicated.
- **19.2** Prices shall be quoted F.O.B. Destination, freight prepaid and allowed.

19.3 Have you incorporated sustainability into your everyday business practices?: Yes/No Request for Bids Specification No. PW22-0338F

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- **19.4** Please describe your sustainability efforts in your everyday business practices:
- **19.5** Please describe any measures taken to minimize impacts to the environment in the delivery of proposed goods and/or services:
- **19.6** Does your company provide a Prompt Payment Discount?: Yes/No
- **19.7** Specify the Prompt Payment Discount percentage. Payment discount periods of twenty (20) calendar days or more will be considered in determining lowest responsible bid
- **19.8** Does your company accept a procurement card?: Yes/No
- **19.9** Provide a statement regarding your ability to meet the City's credit card requirements (below) as well as identifying your reporting capabilities (Level I, II, or III). This information is not a consideration in the evaluation process.

20. ENVIRONMENTALLY PREFERABLE PROCUREMENT

In accordance with the City of Tacoma's <u>Sustainable Procurement Policy</u>, it is the policy of the City of Tacoma to encourage the use of products or services that help to minimize the environmental and human health impacts of City Operations. Respondents are encouraged to incorporate environmentally preferable products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, products, manufacturing, packaging, distribution reuse, operation, maintenance or disposal of the product or service.

The City of Tacoma encourages the use of sustainability practices and desires any awarded contractor(s) to assist in efforts to address such factors when feasible for:

- Reduction of pollutant releases
- Toxicity of materials used
- Waste generation
- Greenhouse gas emissions, including transportation of materials and services
- Recycle content
- Comprehensive energy conservation measures
- Waste manage reduction plans
- Potential impact on human health and the environment

21. EQUITY IN CONTRACTING

The City of Tacoma is committed to encouraging firms certified through the <u>Washington State</u> <u>Office of Minority and Women's Business Enterprise</u> to participate in City contracting opportunities. See the **TMC 1.07 Equity in Contracting Policy** at the City's <u>Equity in Contracting Program website</u>.

22. PROPRIETARY OR CONFIDENTIAL INFORMATION

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The Washington State Public Disclosure Act (RCW 42.56 et seq.) requires public agencies in Washington make public records available for inspection and copying unless they fall within the specified exemptions contained in the Act, or are otherwise privileged. Documents submitted under this RFB shall be considered public records and, with limited exceptions, will be made available for inspection and copying by the public.

Information that is confidential or proprietary must be clearly marked. Further, an index must be provided indicating the affected page number(s) and location(s) of all such identified material. Information not included in said index will not be reviewed for confidentiality or as proprietary before release.

23. PRICING

CITY OF TACOMA * PROPOSAL SHEET * SPECIFICATION NO.: PW22-0338F

We, the undersigned, hereby agree to furnish the following F.O.B. City of Tacoma Public Works Asphalt Plant, 3210 South Center, Tacoma, WA 98409, freight prepaid and allowed.

Vendors shall submit one original and two copies.

BID SUMMARY: Enter the unit price figure and extended total of each item:

	Estimated	Unit of				Aggregate
Item	Quantity	Measure	Description	Unit Price	Total	Source
1	4360	Tons	5/8" x 3/8" Chip Rock	\$	\$	
2	2340	Tons	3/8" x #4 Chip Rock			
3	8560	Tons	#4 Minus Crusher Stone			
4	320	Tons	Paving Sand			
				Subtotal	\$	
				WSST		
				(10.3%)	\$	
				Grand Total	\$	

Prompt Payment Discount% days, net 30. Payment discount perions (20) calendar days or more will be considered in determining lowest responsible	
Products will be available 48 hours from receipt of order requestYes	No
Company can accept a City Procurement Card as payment:Yes	_No
No additional charges or surcharges are permitted for payment by P-Card.	
Are you a City of Tacoma Small Business Enterprise companyYes	No

24. SECTION 2 - TECHNICAL PROVISIONS

Α. SCOPE OF WORK AND DELIVERABLES

City of Tacoma custom specification for Aggregates for HMA

Crushed Screenings:

Crushed screenings shall meet all the applicable requirements of Section 9-03 of the current Washington State Department of Transportation (WSDOT) Standard Specifications for Road and Bridge Construction except as modified below.

5/8" x 3/8" chip

Sieve	Percent Passing		
3/4"	99-100		
1/2"	45-65		
3/8"	15-35		
#4	0-5		
#8	0-2		
#200	0-1.5		
Fracture	90% 1 FACE		

3/8" x #4 chip

Sieve	Percent Passing
3/4"	100
1/2"	99-100
3/8"	95-100
#4	3-15
#8	0-7
#200	0-1.5
Fracture	90% 1 FACE

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#4 minus manufactured crusher fines

Sieve	Percent Passing			
3/8"	99-100			
#4	80-94			
#8	48-65			
#50	12-23			
#200	9-12			
Fracture	100%			
SE	45 min			
FAA	44 min			

Natural washed blend sand

Sieve	Percent Passing		
#4	95-100		
#50	0-10		
#200	0-2.0		
SE	50 min		

25. APPENDIX A

SIGNATURE PAGE

SIGNATURE PAGE

CITY OF TACOMA PUBLIC WORKS DEPARTMENT

All submittals must be in ink or typewritten, executed by a duly authorized officer or representative of the bidding/proposing entity, and received and time stamped as directed in the **Request for Bids page near the beginning of the specification**. If the bidder/proposer is a subsidiary or doing business on behalf of another entity, so state, and provide the firm name under which business is hereby transacted.

REQUEST FOR BIDS SPECIFICATION NO. PW22-0038F HMA AGGREGATES

The undersigned bidder/proposer hereby agrees to execute the proposed contract and furnish all materials, labor, tools, equipment and all other facilities and services in accordance with these specifications.

The bidder/proposer agrees, by submitting a bid/proposal under these specifications, that in the event any litigation should arise concerning the submission of bids/proposals or the award of contract under this specification, Request for Bids, Request for Proposals or Request for Qualifications, the venue of such action or litigation shall be in the Superior Court of the State of Washington, in and for the County of Pierce.

Non-Collusion Declaration

The undersigned bidder/proposer hereby certifies under penalty of perjury that this bid/proposal is genuine and not a sham or collusive bid/proposal, or made in the interests or on behalf of any person or entity not herein named; and that said bidder/proposer has not directly or indirectly induced or solicited any contractor or supplier on the above work to put in a sham bid/proposal or any person or entity to refrain from submitting a bid/proposal; and that said bidder/proposer has not, in any manner, sought by collusion to secure to itself an advantage over any other contractor(s) or person(s).

Bidder/Proposer's Registered Name		_		rson Authorize or Bidder/Propo		Date
Address						
		Printed	Name a	nd Title		
City, State, Zip						
		(Area (Code) Tel	ephone Numb	er / Fax Numb	er
Authorized Signatory E-Mail Address						
·				License Numb as UBI (Unified Bu		Number
E.I.No. / Federal Social Security Number Used on Quarterly Federal Tax Return, U.S. Treasury Dept. Form 941		,		(,	
Todard Tax Notalli, C.S. Trodady Bopt. Form 641			Contractor Ch. 18.27,	r's License Nu R.C.W.)	mber	
E-Mail Address for Communications						
ddendum acknowledgement #1	#2_		#3	#4	#5	

THIS PAGE MUST BE SIGNED AND RETURNED WITH SUBMITTAL.

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