PROPER BID SPECIFICATION AND PROCESS

Dale Williams, PE
Executive Director
Missouri Asphalt Pavement Association (MAPA)

June 3, 2020
Bid Package

• Why is it Important?
• Key Components
• Bid Package Components
  – Complex Projects
  – Simple Projects
Why Is the Bid Package Important?

- Desired Outcome
- Best Price
- Lowered Risk
3 Key Components

Well Defined Scope of Work

Current Specifications and Accurate Plans

Itemized Contract with Estimated Budget
Well Defined Scope of Work

• Defines Exact Product to Built
  – Pizza vs Pepperoni Pizza

• Well Defined = Increased Competition
  – Increased Competition = Best Price
Plans and Specifications

• Accurate Plans
  – Match Site Conditions
  – Clearly Define Desired Work

• Current Specifications
  – 1990 Specifications vs 2020 Specifications

• Local Specifications
  – Is Material Specified Locally Available?
Itemized Contract & Defined Budget

- Know Your Budget
- Estimate Project Cost
  - Work With Local Contractors
- Build What You Can Afford
- Itemized Proposal
  - Lower Risk = Best Price
  - Everyone Bidding the Same Deliverable
Simple Bid Package Components

- Well Defined Scope of Work
- Itemized Proposal Detailing Project
- Plans or Map Detailing Work
- Contract Detailing All Work to be Completed
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010</td>
<td>Parking Lot Edge Mill &amp; 2&quot; Overlay</td>
<td>1.00</td>
<td>LS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1.00</td>
<td>LS</td>
</tr>
<tr>
<td>0030</td>
<td>Parking Lot Crackfill And Seal</td>
<td>8,056.00</td>
<td>SY</td>
</tr>
<tr>
<td>0040</td>
<td>Striping</td>
<td>1.00</td>
<td>LS</td>
</tr>
</tbody>
</table>

**Notes:**
- Bid Item 0010: Over the approximate 1,204 SY area, mill where necessary for a smooth transition. These milled areas will be cleaned off and the entire area will receive one application of tack oil followed by 2" of BP-1 asphalt.
- Bid Item 0030: Over approximately 8,056 SY, long singular cracks will be cleaned out and receive one application of hot joint compound. Following the completion of crack filling, the entire area will be cleaned off and will receive one application of sand sealer. Per request of the owner, this task will be split into 3 phases and will be completed at night. Due to the current backlog of projects and the short sealing season, we cannot guarantee this item will be completed this year.
- Bid Item 0040: Following the completion of the asphalt maintenance, parking stalls along with other parking lot markings will be painted on to match the existing layout of the lot. Any additional parking lot markings will be made at an additional cost.

**Paving Contractors Scope of Work:** Provide aggregate base and asphalt pavement

1. Paving Contractor to mobilize one time for backfilling and compacting approximately 74,000 SF of 6" thick MoDOT Type 5 aggregate base after construction of concrete curbs are complete.
2. Paving Contractor to mobilize a second time for laying of approximately 74,000 SF of 3" compacted thickness MoDOT BP-2 hot mix asphalt all of which is specified as Standard Duty Ashalt (i.e. no Heavy Duty Asphalt is included).
3. No gravel lot is included as shown on the Gravel Detail.

**Schedule:** Includes 2 mobilizations
Best Practices

• Advertise through On-Line Plans Rooms
  – E-Plan
  – Dodge
  – Etc.
  – SITE Eastern Missouri/St Louis Market

• Utilize Contractors that are Members of Trade Associations

• Seek Contractor Qualifications
Complex Bid Package Components

Invitation to Bid
Bidder Instructions
Contract Execution
Bid Documents

General Conditions
Invitation to Bid

• Defines Project
  – Letting Date, Time and Location
  – Plan Availability
  – Description of Work
  – Pre-Bid Meeting (optional)
  – Project Questions
INVITATION FOR BIDS

FOR

ASPHALT
ROTOMILL AND OVERLAY

The City of Webster Groves is accepting sealed bids for asphalt rotomill and overlay on Project 19PW09, until 10:00 A.M., Wednesday, March 4, 2020. Bid packages are available at planroom.drexeltech.com. A five (5) percent security in the form specified must accompany each bid. A non mandatory pre-bid meeting will be held at 11:00 A.M., Wednesday, February 26, 2020 at City Hall in the Council Chambers. The City reserves the right to reject any or all bids and waive any technicalities.

Description of Work

The Scope of Work includes improvements for cold rotomilling 64,766 S.Y. of asphalt pavement and placing a 2” asphalt overlay pavement, rotomilling 7,641 S.Y. and placing a 2” asphalt overlay on a parking lot in 2 phases, utility adjustments, traffic control, and other incidental items necessary, as shown in the construction drawings and specifications.
ADVERTISEMENT FOR BIDS

NOTICE TO BIDDERS

SEALED PROPOSALS for the Cole County Asphalt Overlay Program, consisting of:

2020 ASPHALT OVERLAY PROGRAM
Project No. 2020-501-1

WILL be received and opened publicly at the office of Cole County Commission, Courthouse Annex, Room 200, 311 East High Street, Jefferson City, Missouri 65101 at 9:00 A.M. on Friday, May 1, 2020

Any and all bids received after the time specified above will be returned unopened.

The proposed work includes cold milling existing asphalt and concrete pavements and placement of new asphalt throughout the County.

Plans and specifications may be viewed and downloaded online in the bids section at www.colecounty.org. A hard copy of the plans and specifications will not be provided. All contractors wishing to bid on this project shall submit the plan holder contact information form found in the specifications to ccpwprojects@colecounty.org prior to the bid opening.
NOTICE TO BIDDERS

Sealed proposals will be received at the office of the Cole County Commission, Courthouse Annex, Room 200, 311 East High Street, Jefferson City, Missouri, 65101, until 9:00 A.M., Friday, May 1, 2020. The bids will be opened and read aloud at the Cole County Commission, Courthouse Annex, Room 200, 311 East High Street at 9:00 A.M. on that same day.

The proposed work includes cold milling existing asphalt and concrete pavements and placement of new asphalt throughout the County for:

2020 ASPHALT OVERLAY PROGRAM
PROJECT NO. 2020-501-1
<table>
<thead>
<tr>
<th>Day / Date</th>
<th>Thursday, May 21, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time</td>
<td>11:00 A.M.</td>
</tr>
<tr>
<td>Location / Address</td>
<td>Tele-Conference</td>
</tr>
<tr>
<td></td>
<td>Dial-In Number: 701-801-1211</td>
</tr>
<tr>
<td></td>
<td>Access Code: 758-401-651</td>
</tr>
</tbody>
</table>

The meeting will be conducted by teleconference only. Interested bidders have the option to submit questions in advance and/or to attend the teleconferenced pre-bid meeting.
Bidder Instructions

• Definitions
• Qualification of Bidders
• Bid Security
• Preparation of Bids
• Addendum
• Submission of Bids
• Bid Modification or Withdrawal
• Consideration of Bids
DEFINITIONS

1.1 Bidding Documents include the Invitation to Bid, Instructions to Bidders, the Bid Form and the proposed Contract Documents including any Addenda issued prior to receipt of bids. The Contract Documents proposed for the Work consist of the City Contractor Agreement, the General Conditions of City-Contractor Agreement, State Wage Determination, Prevailing Wage Law Compliance Affidavit, Non-Collusion Affidavit, Immigration and OSHA Affidavit, Non-Segregation Affidavit, Performance Payment Bond, the Drawings, the Specifications, the Construction Schedule, all Addenda, and all Modifications.

1.2 All definitions set forth in the General Conditions of City-Contractor Agreement or in other Contract Documents are applicable to the Bidding Documents.

1.3 Addenda are written or graphic instruments issued prior to the execution of the City-Contractor Agreement which modify or interpret the Bidding Documents by additions, deletions, clarifications or corrections.

1.4 A Bid is a complete and properly signed proposal to do the Work or a designated portion thereof for the sums stipulated therein, submitted in accordance with the Bidding Documents.

1.5 The Base Bid is the sum stated in the Bid for which the Bidder offers to perform the Work described in the Bidding Documents as the base to which work may be added or from which work may be deleted for sums stated in Alternate Bids.

1.6 An Alternate Bid is an amount stated in the Bid to be considered in addition to the Base Bid if the corresponding alternate to the Work, as described in the Bidding Documents, is accepted.

1.7 A Unit Price is an amount stated in the Bid as a price per unit of measurement for materials or services as described in the Bidding Documents or in the proposed Contract Documents.

1.8 A Bidder is a person or entity who submits a Bid.

1.9 A Sub-bidder is a person or entity who submits a bid to a Bidder for materials or labor for a portion of the Work.

1.10 Standard Specifications are defined as the 1997 St. Louis County Standard Specifications for Highway Construction current edition.
2-4 Qualifications of Bidders

The County of COLE may make such investigations as deemed necessary to determine the ability of the bidder to perform the work and the bidder shall furnish to the County of COLE all such information and data for this purpose as the County of COLE may request. The County of COLE reserves the right to reject any bid if the evidence submitted by the bidder or investigation of such bidder fails to satisfy the County of COLE that such bidder is properly qualified to carry out the obligations of the Contract and to complete the work contemplated therein.
2-6 Bid Security

Each bid must be accompanied by a certified check or bid bond made payable to the County of COLE for five percent (5%) of the amount of the bid. Bid securities will be returned after award of contract except to the successful bidder.

Should the successful bidder or bidders fail or refuse to execute the bond and the contract required within ten (10) days after he has received Notice of Acceptance of his bid, he shall forfeit to the County of COLE as liquidated damages for such failure or refusal, the security deposited with his bid.
2-7 Preparation of Bids

Bid must be made upon prescribed forms attached at the back of these Specifications. Only sealed bids will be considered, all bids otherwise submitted will be rejected as irregular.

All blank spaces in the bid must be filled in and no change shall be made in the phraseology of the bid or addition to the items mentioned therein. Any conditions, limitation, or provisions attached to bids will render them informal and may be considered cause for their rejection.

4.1 FORM AND STYLE OF BIDS

4.1.1 These Contract Documents include a complete set of bidding and contract forms which are for the convenience of bidders. All bids must be submitted on the Bid Forms provided.

4.1.2 All blanks on the bid form shall be filled in by type writer or manually in ink.

4.1.3 Where so indicated by the make-up of the bid form, dollar amount shall be expressed in both words and figures and in case of discrepancy between the two, the amount written in words shall govern.

4.1.4 Any interlineation, alteration or erasure must be initialed by the signer of the Bid.

4.1.5 Where two or more Bids for designated portions of the Work have been requested, the Bidder may, without forfeiture of his bid security, state his refusal to accept award of less than the combination of Bids he so stipulates. The Bidder shall make no additional stipulations on the bid form nor qualify his Bid in any other manner.

4.1.6 Each copy of the Bid shall include the legal name of the Bidder and a statement that the Bidder is a sole proprietor, a partnership, a corporation, or some other legal entity. Each copy shall be signed by the person or persons legally authorized to bind the Bidder to a contract. A Bid submitted by an agent shall have a current power of attorney attached certifying the agent’s authority to bind the Bidder.
3.4 ADDENDA

3.4.1 Addenda will be mailed or delivered to all who are known by the City to have received a complete set of Bidding Documents.

3.4.2 Copies of Addenda will be made available for inspection wherever Bidding Documents are on file for that purpose.

3.4.3 No Addenda will be issued later than four (4) days prior to the date for receipt of Bids, except an Addendum withdrawing the request for Bids or one which includes postponement of the date for receipt of Bids.

3.4.4 Prior to submitting his Bid, each Bidder shall ascertain that he has received all Addenda issued, and he shall acknowledge receipt of all such Addenda in his Bid.
4.3 SUBMISSION OF BIDS

4.3.1 Bidders must complete and submit with their bids the "Certificate of Non-Segregation" and the "Non-Collusion Affidavit" included with the Bid Form, and five (5) percent Bid Bond.

4.3.2 All copies of the Bid, the Bid Bond and any other documents required to be submitted with the Bid shall be enclosed in a sealed envelope. The envelope shall be addressed to Department of Public Works, City of Webster Groves, Missouri 63119 and shall be identified with the Project name, the Bidder’s name and address and, if applicable, the designated portion of the Work for which the Bid is submitted. If the Bid is sent by mail, the sealed envelope shall be enclosed in a separate mailing envelope with the notation "SEALED BID ENCLOSED" on the face thereof.

4.3.3 Bids shall be deposited at the designated location prior to the time and date for receipt of Bids indicated in the Invitation to Bid, or any extension thereof made by an Addendum. Bids received after the time and date for receipt of Bids will be returned unopened.

4.3.4 The Bidder shall assume full responsibility for timely delivery at the location designated for receipt of Bids.
4.4 MODIFICATION OR WITHDRAWAL OF BID

4.4.1 A Bid may not be modified, withdrawn or canceled by the Bidder within sixty (60) days following the time and date designated for the receipt of Bids, and each Bidder so agrees in submitting his Bid.

4.4.2 Prior to the time and date designated for receipt of Bids, any Bid submitted may be modified or withdrawn by notice to the party receiving Bids at the place designated for receipt of Bids. Such notice shall be in writing over the signature of the Bidder or by telegram. If by telegram, written confirmation over the signature of the Bidder shall be mailed and postmarked on or before the date and time set for receipt of Bids, and it shall be so worded as not to reveal the amount of the original Bid.

4.4.3 Withdrawn Bids may be resubmitted up to the time designated for the receipt of Bids provided that they are then fully in conformance with these Instructions to Bidders.

4.4.4 The amount of the Bid Bond shall be in an amount sufficient for the Bid as modified or resubmitted.
CONSIDERATION OF BIDS

5.1 OPENING OF BIDS

5.1.1 Unless stated otherwise in the Invitation to Bid, the properly identified Bids received on time will be opened publicly and will be read aloud.

5.2 REJECTION OF BIDS

5.2.1 The City shall have the right to reject any or all Bids, to reject a Bid not accompanied by a Bid Bond or by other data required by the Bidding Documents, to reject a Bid which is in any way incomplete or irregular and to rebid the Work at a later date if all Bids are rejected. Deviations in a unit price which are greater than twenty-five (25) percent of the average unit price for the total present bid of a specific line item shall be the basis for rejection of a bid.

5.3 ACCEPTANCE OF BID (AWARD)

5.3.1 The City may make any investigation of a Bidder as it deems necessary to determine the ability of a Bidder to perform the Work. Bidders shall furnish information regarding their qualifications upon the reasonable request of the City. The City reserves the right to reject any Bid if the evidence submitted by, or other investigation of, the Bidder fails to satisfy the City that the Bidder has the proper qualifications to perform the Work in accordance with the Contract.

5.3.2 It is the intent of the City to award the Contract to the lowest responsible Bidder provided the Bid has been submitted in accordance with the requirements of the Bidding Documents and does not exceed the funds available. However, the City reserves the right to accept the Bid which, in the City’s judgment, is in the best interest of and most advantageous to the City. The City shall have the right to waive any informality or irregularity in any Bid or Bids received and to accept the Bid or Bids which, in its judgment, is in the City’s own best interests.
Bid Documents

• Itemized Proposal
• Contact Information
• Asphalt Index (Optional)
and being familiar with the local conditions affecting the work, hereby proposes to furnish all labor, materials, equipment and services required for the performance and completion of said project in accordance with the said Contract documents for the following itemized bid.

<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>ITEM DESCRIPTION</th>
<th>PLAN UNIT</th>
<th>PLAN QUANTITY</th>
<th>UNIT COST</th>
<th>TOTAL COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rotomilling (nominal 2”)</td>
<td>S.Y.</td>
<td>64,766</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Type “C” Asphal tic Concrete (nominal 2”)</td>
<td>Tons</td>
<td>7,228</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Reset and/or Adjust Manhole to Grade</td>
<td>EA</td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Traffic Control</td>
<td>L.S.</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Rotomilling (nominal 2&quot;) Parking Lot</td>
<td>S.Y.</td>
<td>7,641</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Type “C” Asphaltic Concrete Parking Lot</td>
<td>Tons</td>
<td>853</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL BID</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. **Response Form**  
(Note: This form must be signed. All signatures must be original and not photocopies. In addition, the County uses *DocuSign* when making a contract award. When providing a Contact Name and E-Mail Address below, the Contact and E-Mail address provided must be a person who has the legal authority to contractually bind the offeror’s/bidder’s company in a contract with the County.)

4.1. **Company Name:**  

4.2. **Address:**  

4.3. **City/Zip:**  

4.4. **Phone Number:**  

4.5. **Fax Number:**  

4.6. **Email Address:**  

4.7. **Federal Tax ID:**
4.10. **Optional Asphalt Cement Price Index Provision** (Section 2.9.1.3. of bid document) Failure by the bidder to check an option will be interpreted to mean election to not participate in the Asphalt Cement Price Index. Check One:

[ ] ACCEPT  [ ] DO NOT ACCEPT
General Conditions

• Contract Specifications
• Notice to Proceed
• Work Schedule
• Contract Time
• Liquidated Damages
• Asphalt Index (Optional)
• Job Special Provisions
TECHNICAL SPECIFICATIONS

The Technical Specifications for the Cole County Asphalt Overlay Program shall consist of the currently effective version of the Missouri Standard Specifications for Highway Construction, Sections 201-1092 except as modified or contradicted herein.
The contractor’s notice to proceed for each road will be as follows. Construction activities shall not commence on the respective roads until these dates:

**July 1, 2020**
- Grand Point Court
- Sunnybrook Court
- Scrivner Road
- Blackburn Lane

**July 15, 2020**
- Highland Way
- Aberdeen Way
- Balmoral Way
- Coventry Way
- Dalwhinnie Way
- Edinburgh Way

**August 1, 2020**
- Terra Bella Drive
- Terra Bella Court
- Kendalwood Court
- Meeting Street
- Catalina Drive
- Cross Key Court
- Ashley Court
- Wellington Green
2-24 Work Schedule

To insure that the work will proceed continuously through the succeeding operations to its completion with the least possible interference to traffic and inconvenience to the public, the Contractor shall submit for approval a complete schedule of his proposed construction procedure, stating the sequence in which various operations of work are to be performed. The Contractor may not change the work sequence without the prior approval of the Engineer.
2-27 Contract Time

This contract shall be a completion date contract. The contract shall be completed by no later than September 18, 2020.

2-28 Liquidated Damages

Liquidated damages shall be assessed at the rate of Seven Hundred Dollars ($700.00) per calendar day until the project is complete, should the project not be completed within the specified time period.
2.9.1. **Asphalt Cement Price Index**

2.9.1.1. If the bidder so chooses, asphaltic pavement and base mixes are eligible for the following price adjustment. This adjustment will apply only to the percentage of virgin asphalt cement actually placed on the job, excluding RAP or RAS, and will be calculated using the following formula:

$$ A = (B \times C) \times \left( \frac{D}{E} \right) $$

2.9.1.2. Where:

- **A** = Adjustment
- **B** = Tons of mix placed
- **C** = % of virgin asphalt binder as listed in the job mix formula
- **D** = monthly price for the month prior to mix placement
- **E** = monthly price for the month prior to bid submission

2.9.1.3. The monthly asphalt prices will be those shown in the Dollar/Ton column of the “Asphalt Price Index” table posted at MoDot.org – Bidding-Road & Bridge Construction Bidding Opportunities – Online Plan Rooms – Asphalt Price Index - on MoDOT’s website, also currently located at: [http://www.modot.org/eBidLettingPublicWeb/viewStream.do?documentType=general_info&key=658](http://www.modot.org/eBidLettingPublicWeb/viewStream.do?documentType=general_info&key=658)

All prices will be for the entire month regardless of when posted. Separate adjustments will be calculated for each month in which the bidder places eligible material.
JOB SPECIAL PROVISIONS TABLE OF CONTENTS
(Job Special Provisions shall prevail over General Special Provisions whenever in conflict therewith.)

A. General
B. Parital Acceptance
C. Traffic Control During Construction
D. Tack
E. Low Tracking or Non-Tracking Tack Coat
F. Location of Various Roads
G. Performance Graded Asphalt Binder
H. Order of Work
I. Preconstruction Conference
J. Haul Truck Types Prohibited
K. Approval of Asphalt Mix Design
L. Temporary Pavement Marking
M. Cooperation with County
N. Verification of Job Mix Formula
O. Asphalt Cores for Pavement Testing
P. Reclaimed Asphalt Shingles (RAS)
Q. Coldmilling Special Requirements
R. Transverse Joints (Headers)
S. Paving Requirement around Manhole Lids
T. Centerline Joint
U. Asphalt Paver Minimum Requirements
Contract Execution

- Award of Contract
- Performance Bond
- Insurance
- Prevailing Wage (if applicable)
- Anti-Collusion
AWARD OF CONTRACT

7.1 Following receipt to the satisfaction of the City of all information required under Paragraph 6.1 above, the City shall mail to the successful Bidder the Notice of Award of the Contract.

7.2 Within five (5) working days from the date of receipt of the Notice of Award, the successful Bidder shall execute and deliver to the City the Contract Documents, and shall furnish the Bonds required by Paragraph 8.1 below and the Certificates of Insurance required by Subparagraph 10.1.3 of the General Conditions. In the event the successful Bidder fails to execute and deliver the Contract Documents, the Bonds and the Certificates of Insurance as aforesaid, the City may, at its option, consider the Bidder in default and award the Contract to another Bidder, in which case the Bid Bond of the defaulting Bidder shall be forfeited to the City.
2-17 *Performance Bond*

A Performance Bond in an amount equivalent to one hundred percent (100%) of the Contract price, must be furnished and executed by the successful bidder or bidders, this bond to be in the form contained in this Contract.

The Surety shall be a corporate Surety Company or companies of recognized standing licensed to do business in the State of Missouri and acceptable to the County of COLE.
2-18 Indemnification and Insurance

The Contractor agrees to indemnify and hold harmless the County and the Engineer from all claims and suits for loss of or damage to property, including loss of all judgments recovered therefore, and from all expense in defending said claims, or suits, including court costs, attorney fees, and other expense caused by any act or omission of the Contractor and/or his subcontractors, their respective agents, servants, or employees.

Certificate of Insurance

The Contractor shall be required to provide the County of COLE with a "Certificate of Insurance."
2-21 Prevailing Wage Law

The principal contractor and all subcontractors shall pay not less than the prevailing wage hourly rate for each craft or type of workman required to execute this contract as determined by the Department of Labor and Industrial Relations of Missouri, pursuant to Sections 290.210 through 290.340, RSMo. 1986. (See Determination herewith included in Section 5.)
ANTI-COLLUSION STATEMENT

STATE OF MISSOURI

CITY OF ____________________________
______________________________, being first duly sworn, deposes and

says that he is ___________________________________________

(Title of Person Signing)

of ________________________________________________ (Name of

Bidder)

that all statements made and facts set out in the bid for the above project are true and correct; and the bidder
(person, firm, association, or corporation making said bid) has not, either directly or indirectly, entered into any
agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding
in connection with said bid or any contract which may result from its acceptance.

Affiant further certifies that bidder is not financially interested in, or financially affiliated with, any other bidder
for the above project

By __________________________

By __________________________

By __________________________

By __________________________

Sworn to before me this_________day of______________________, 20________

________________________

Notary Public

My Commission Expires ________________________________
Best Practices

• Plans & Spec Review Prior to Publishing
• Advertise through On-Line Plans Rooms
  – E-Plan
  – Dodge
  – Etc.
  – SITE Eastern Missouri/St. Louis Market
3 Key Components

- Well Defined Scope of Work
- Current Specifications and Accurate Plans
- Itemized Contract with Estimated Budget
QUESTIONS?

dalewilliams@moasphalt.org

573-635-6071