

**REQUEST FOR QUOTATION**  
SUBMIT BID TO  
PURCHASING DIVISION  
SHAWNEE COUNTY COURTHOUSE  
Room 201  
Topeka, Kansas 66603

|                   |          |              |
|-------------------|----------|--------------|
| QUOTATION NO.     | 076-18   | VENDOR_____  |
| DATE MAILED       | 12-03-18 | ADDRESS_____ |
| CLOSING 2:00 P.M. | 12-20-18 | PHONE_____   |

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***THIS IS NOT AN ORDER***

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1. In communications, always refer to the above quotation number.
2. In order to receive consideration, one copy of this request for quotation with your bid properly filled in must be signed and returned by the specified closing date.
3. All prices and conditions must be shown. Additions or conditions not shown on this bid will not be allowed.
4. Contracts or purchase orders resulting from this quotation may not be assigned without written prior consent of the Purchasing Division.
5. The Purchasing Division reserves the right to accept or reject any part of, or all of, any bid or proposal.
6. All prices quoted are to be less Federal Excise Tax and Kansas Sales Tax.
7. Failure to respond to RFQ may result in termination of future mailings.
8. Price quoted shall remain firm until bid has been awarded.

**ITEM AND DESCRIPTION**

Shawnee County is soliciting sealed bids for the purchase of BM-2A with 10% Recycled Asphalt Pavement (RAP) Bituminous Hot Mix Asphalt per the following minimum specifications.

**Bid results will not be given over the telephone. Results may be obtained by attending the public bid opening or by sending a self addressed stamped envelope to the Purchasing Division with your request for bid tabulation.**

NOTE: If your company resides in a locale which has a local preference law, please state what that preference is \_\_\_\_\_. If there is no preference in your locale please answer by stating NONE. FAILURE TO RESPOND TO THIS PART OF THE SPECIFICATION MAY RESULT IN REJECTION OF YOUR BID.

These specifications are guide specifications. Any exceptions to these specifications shall be so noted. The County reserves the right to waive minor technicalities under this specification. Bids on items which are "an approved equal" are encouraged unless otherwise noted. The burden of proof regarding "an approved equal" will be upon the Bidder/Supplier.

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**NONDISCRIMINATION:** Shawnee County is committed to the concept of equal employment opportunity. All bidders, suppliers and contractors are expected to comply with the provisions of K.S.A. 44-1030 and 44-1031, copies of which are attached and shall be a part of this contract and other applicable Federal and Kansas laws governing equal employment opportunity.

**BID FORMS:** Bid forms are to be completed, signed and returned to Shawnee County Purchasing Department, 200 SE 7<sup>th</sup> St., Room 201, Topeka, KS 66603. Bids shall be submitted on or before the date and time set for closing of bids. **Bids must be securely sealed in an envelope addressed and marked on the outside with the name and address of Bidder/Supplier, quotation number and closing date in the lower left-hand corner. Bids by telephone or telegraph, or facsimile will not be accepted.**

**SIGNATURE OF BIDS:** Each bid must show in the space provided the complete business or mailing address of the Bidder/Supplier and must be signed by him with his usual signature.

**CLOSING DATE:** Sealed bids will be received until 2:00 p.m. on the scheduled closing date at which time they will be opened and publicly read. Bids received after the scheduled closing time will not be considered. Bids that do not carry proper identification may be rejected. The Purchasing Division will accept no responsibility for the premature opening of a bid not properly identified on the outside of the envelope.

**MODIFICATION OF BIDS:** Bids already submitted may be modified by letter or telegraph provided modification request is received in the Purchasing Division prior to the time set for closing of bids.

**WITHDRAWAL OF BIDS:** Bids already submitted may be withdrawn upon proper identification of Bidder/Supplier and provided request is received prior to time of closing. Negligence on the part of the Bidder/Supplier in preparing the bid confers no right for the withdrawal after the time set for closing of bids.

**BASIS OF BID SELECTION:** **Shawnee County reserves the right to accept bids from more than one Bidder/Supplier and procure material from the Bidder/Supplier that the County determines will best meet its needs for a particular project, including material price, availability of material, quality of material, transportation costs, and anticipated wait times between loads of material.**

**Shawnee County further reserves the right to determine the supply**

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**source for locally produced materials based upon travel distance between the location of use and source of supply. Bidder/Suppliers shall submit location of plant(s), hours of operation and dates of availability.**

Asphalt material shall be BM-2A Asphalt with 10% RAP, as specified in the City of Topeka and Shawnee County Standard Technical Specifications, Section 7, ASPHALTIC CONCRETE, Paragraphs 2, 3 and 4. Shawnee County forces will pick up the asphalt material on site at the asphalt plant.

**NOTICE TO SUCCESSFUL BIDDERS:** The successful Bidder/Supplier will be notified by letter or telephone as soon as possible after bids have been opened, tabulated, and analyzed.

**NOTICE TO UNSUCCESSFUL BIDDERS:** Unsuccessful Bidder/Suppliers will not be notified. However, information regarding bids will be available three working days after the bid opening. At that time, the results will be available in the Purchasing Division.

**NOTE:** In the event that goods or services delivered by the vendor are unsatisfactory as to quality or ability to furnish good and services as needed or when needed, the County reserves the right to purchase substitute goods or services from the other Bidder/Suppliers.

The County is exempt from the payment of Federal and excise taxes and from Kansas sales tax.

All bids received on or before the specified bid closing time and date shall be publicly opened, read aloud and properly recorded on the bid tabulation sheet. Subsequent to the bid opening, all bids shall be thoroughly evaluated and a determination made as to their compliance with applicable specifications. The appropriate County department head(s) and/or the architect or engineer as applicable shall make this determination jointly. Upon completion of the above determination, an analysis of all bids submitted shall be prepared and formally presented to the Board of County Commissioners for acceptance and approval of the lowest and/or best bid. The Board of County Commissioners reserves the right to accept or reject any and/or all bids and to waive any irregularities or informalities therein.

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The bid amounts shall not be subject to escalation prior to December 31, 2019 unless adjusted by the Asphalt Oil Adjustment clause described below.

The Bidder/Supplier may, but is not required to, offer asphalt material to Townships and other political subdivisions within Shawnee County at the same price as quoted in this Request For Quotation. Billing for Township materials, if any, is to be coordinated by and between the Bidder/Supplier and the respective Townships. No estimation of Township purchases has been included in the bidding quantities listed in the Schedule of Prices below.

If additional technical information is required, please contact Jerry King, Shawnee County Road & Bridge Superintendent @ 785-251-6071. If additional bidding information is required, please contact Michele Hanshaw, Purchasing Specialist @ 785-251-4039.

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Michele Hanshaw, Purchasing Specialist

SHOW TERMS \_\_\_\_\_

DELIVERY WILL BE MADE \_\_\_\_\_

F.O.B. \_\_\_\_\_

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

PHONE NO. \_\_\_\_\_

FAX NO. \_\_\_\_\_

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**BM-2A Hot-Mix Asphaltic Concrete with 10% Recycled Asphalt Pavement (RAP)**

1. All MATERIALS used in the production of BM-2A with 10% RAP shall be in accordance with City of Topeka and Shawnee County Standard Technical Specifications, Section 7 ASPHALTIC CONCRETE, Paragraph 2.

Asphalt binder used in the production of BM-2A shall be Performance Grade PG 64-22 unless otherwise specified or approved by the County Engineer.

2. MIX DESIGNATION for BM-2A. The asphaltic concrete shall conform to mix designation BM-2A as detailed in Paragraph 3, Section 7 ASPHALTIC CONCRETE of the City of Topeka and Shawnee County Standard Technical Specifications, latest edition. Subsection 1103.02 (b) (2), except as amended herein. The BM-2A asphaltic concrete shall be composed only of combinations of crushed stone (CS-1), crushed stone screenings (CS-2), sand and sand-gravel (SSG), and cement or crushed stone (MFS-1). Recycled asphalt pavement (RAP) millings will be allowed but shall not exceed 10% of the total volume.

3. ASPHALTIC CONCRETE MIX DESIGN shall be in accordance with Paragraph 4, Section 7, ASPHALTIC CONCRETE of the City of Topeka and Shawnee County Standard Technical Specifications, latest edition meet Marshall properties designated for Major/Minor Collectors.

No asphaltic concrete shall be produced for payment until an asphaltic concrete mix design, including a design job-mix gradation, has been approved by the County Engineer. The preparation of the asphaltic concrete mix design shall be performed by an approved testing laboratory and shall be subsidiary to the bid item BM-2A with 10% RAP BITUMINOUS HOT MIX ASPHALT. The mix design and materials certifications must be submitted for approval to the County Engineer and shall not be dated prior to January 1<sup>st</sup> of the bidding year.

It shall be the responsibility of the asphalt supplier to prepare and resubmit, for approval by the County Engineer, a new mix design anytime a change is made in the supplier of asphalt oil binder or any supplier of aggregate incorporated in the production of asphaltic concrete.

4. HOT MIX ASPHALT TESTING: Shawnee County, or its designated representative, shall have the right to enter onto Supplier's

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property for the purpose of collecting materials samples, as deemed necessary by the County Engineer, for use by the County in quality assurance testing. The Supplier shall assist the County's designated representative in the collection of these samples when requested.

5. The County will make asphalt oil adjustment payment increases, or deductions, for the applicable monthly tonnage of hot mix asphalt purchased by the County based upon the following:

Prices quoted by the Bidder/Supplier for BM-2A with 10% RAP Bituminous Hot Mix Asphalt shall be based upon the asphalt oil price as determined by an **Asphalt Material Index (AMI)**, as established by the County. The County will update and publish the AMI on a monthly basis on the Shawnee County Public Works web page (<http://www.snco.us/publicworks/>). It is the Bidder/Supplier's responsibility to be aware of the current AMI at the time of bid. The AMI of the month that this supply contract is bid becomes the **Starting Asphalt Index (SAI)** for the duration of the supply contract. The AMI will be based on PG 64-22 asphalt oil. Asphalt Oil Adjustment payments (increases/decreases) will be calculated by the County Engineer, or his designated representative, and will be shown as a separate line item and added/subtracted to the Supplier's monthly invoice, based upon the amount of Hot Mix Asphalt furnished to and received by the County during the calendar month in question.

The Asphalt Oil Adjustment payments will be based upon the following example computations:

**Asphalt Oil Adjustment Calculation = (HMAT x AOC) x "A",**  
**where:**

**HMAT** = Hot Mix Asphalt Tonnage received by the County during a given calendar month

**AOC** = Asphalt Oil Content, as obtained from the approved Mix Design

**"A"** = AMI – SAI

**Note:** The Asphalt Oil adjustment will be based upon the Unit Weight shown in the approved Mix Design.

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**EXAMPLE #1:**

Given the following:

AMI = \$520/ton

SAI = \$500/ton

HMAT = 1,000 tons

AOC = 5%

Resulting Asphalt Oil Adjustment = (1,000 tons x 0.05) x (+\$20)  
= +\$1,000.00

**EXAMPLE #2:**

Given the following:

AMI = \$520/ton

SAI = \$550/ton

HMAT = 1,000 tons

AOC = 5%

Resulting Asphalt Oil Adjustment = (1,000 tons x 0.05) x (-\$30)  
= -\$1,500.00

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**SCHEDULE OF PRICES**

Quotation # \_\_\_\_\_

| Item No. | Description                                       | Estimated Quantity* | Unit Bid Price/ton** |
|----------|---|---------------------|----------------------|
| 1.       | BM-2A with 10% RAP:<br>BITUMINOUS HOT MIX ASPHALT | 20,000 tons         | \$ _____             |

#Starting Asphalt Oil Index (SAI) = \$500.00/Ton

\*Quantities bid are estimates only. Shawnee County reserves the right to increase or decrease quantities purchased with no change to the Unit Bid Price.

\*\* Unit Bid Price shall remain firm for the period January 2, 2019 through December 31, 2019.

\_\_\_\_\_  
COMPANY or FIRM NAME

BY: \_\_\_\_\_

**PLEASE COMPLETE THE FOLLOWING:**

Pricing is available to political subdivisions in Shawnee County Yes\_\_\_\_ No\_\_\_\_  
(Refusal will not be a determining factor in award of this contract)

**PLEASE SUBMIT THIS AS THE FIRST PAGE OF YOUR BID**

**Please submit the original and a copy of your bid**



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44-1030

Mandatory provisions applicable to contracts of the state and other political subdivisions; cancellation, when; application to subcontract; nonapplication to certain contract. (a) Except as provided by subsection (c) of this session, every contract for or on behalf of the state or any county or municipality or other political subdivision of the state or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

1. The contractor shall observe the provisions of the Kansas act against discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex physical handicap unrelated to such person's ability to engage in the particular work, national origin or ancestry.
2. In all solicitations or advertisements for employees, the contractor shall include the phrase, "equal opportunity employer," or a similar phrase to be approved by the commission.
3. If the contractor fails to comply with the manner in which the contractor reports to the commission in accordance with the provisions of K.S.A. 44-1032, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, whole or in part, by the contracting agency
4. If the contractor is found guilty of a violation of the Kansas act against discrimination under a decision or order of the commission which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole or in part, by the contracting agency.
5. The contractor shall include the provisions of paragraphs one (1) through four (4) inclusively of this sub-section (a) in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor. (b) The Kansas commission on civil rights shall not be prevented hereby from requiring reports of contractors found to be not in compliance with the Kansas act against discrimination. (c) The provisions of this section shall not apply to a contract entered into by a contractor: (1) Who employs fewer than four (4) employees during the term of such contract; or (2) Whose contracts with the governmental entity letting such contract cumulatively total five thousand dollars (\$5,000) or less during the fiscal year of such governmental entity.

44-1031. Same; personnel to be used in performing contracts; reports; non-application to certain contractors. Every person, as defined in subsection (a) of K.S.A. 44-1002, who wishes to enter into a contract which is covered by the provisions of K.S.A. 44-1030 shall upon request of the commission, inform the commission in writing of the manner in which such person shall recruit and screen personnel to be used in performing the contract. The report shall be made on forms to be supplied by the commission. The provisions of K.S.A. 44-1030 and of this section shall not apply to any contractor who has already complied with the provisions of such sections by reason of holding a contract with the federal government or a contract involving federal funds.

History: L.1972, ch.184, & 15; L. 1975, ch. 264, & 8; L. 1977, ch. 183, & 2; July 1.