



# REQUEST FOR SEALED COMPETITIVE BIDS

Hot Mix Asphalt Type D

SCOPE OF WORK

**RFP FOR Hot Mix Asphalt Type D****1. KEY INFORMATION**

PROPOSALS SENT TO: ERIC BELAJ  
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QUESTIONS DUE BY: 5:00 P.M., AUGUST 30, 2022

PROPOSAL DUE BY: 11:00 A.M., SEPTEMBER 1, 2022

This solicitation is a Request for Sealed Competitive Bid (or RFP). The City of Burnet (City) is requesting submittals from qualified firms or individuals interested in providing the City with materials for type D hot mix asphalt (HMAC TY-D). Design, produce, store, transport, place, and compact the specified paving mixture in accordance with the requirements of TxDOT Item 340.

The City reserves the right to negotiate with any and all persons or firms. The City also reserves the right to reject any or all submittals, or to accept any submittal deemed most advantageous, or to waive any irregularities or informalities in the submittal received, and to revise the process schedule as circumstances arise.

If a Respondent finds a discrepancy in, or omission from, or has a question about the meaning of, this RFP or other related documents, the Respondent should immediately notify the City.

By submitting a response to this RFP, each firm (or Respondent) unequivocally acknowledges that they have read and fully understand this RFP, have asked questions, and received satisfactory answers from the City regarding any provisions of this RFP with regard to which clarification was desired. The City of Burnet is not liable for any costs incurred by the Respondent in replying to this RFP.

**2. INTRODUCTION**

The City of Burnet is concentrating significant effort to rehabilitating the public streets within its Right of Way Jurisdiction. Some of the work will be done by bidding out turn key projects, while others will be done in-house with the assistance of Burnet County. This bid is being issued in response to an interlocal agreement with the County.

**3. SCOPE OF WORK**

The general scope of work shall include but not limited to the following:

Provide Type D HMAC per TxDOT Item 340 along with the point of production of the material. The City is looking for HMAC Production plants within 50 miles from the Center of the City of Burnet.

Bidder may submit to City for review and approval a different equivalent material or plant not fully matching these parameters prior to bid. The City will require 1-week review of any alternates. Proposed alternatives must be comparable to the mentioned criteria in reliability, availability, maintenance records, and availability of nearby qualified suppliers.

Please note that the City of Burnet is a Tax-Exempt entity, and as such the City will not pay any associated taxes on materials or workmanship for this project. Contractor is responsible for obtaining a Tax-Exempt certificate from the City for any purchases associated with the project.

1. Provide at the asphalt plant Type D HMAC as noted above. The quantities will vary between 1,100 Tons to 1,500 tons of HMAC TY-D.
2. The City anticipates ordering not less than 300-Tons per Day and not more than 600-Tons per Day under this contract.
3. The bid does not include delivery. The City will either haul material with its own forces or separately hire a hauling contractor.
4. The material must be available within 2 weeks of bid award.
5. The City will give not less than 2-week notice.
6. The bids and pricing should remain unchanged for not less than 3-months. After 3-months the supplier may raise or lower the price based on the Average Price of the Gulf Coast Oil Index. The price will be comparable to the oil price index at the opening bid day.

#### 4. PROPOSAL

The Respondent should provide information that indicate experience and expertise in the field, including but not limited to the following:

1. Submit in sealed envelope, clearly mark "**Hot Mix Asphalt Type D RFP: 2022-06.**" Add to cover on envelope, name and address of the respondent.
2. Name, address, phone number, and email address of the person the City should contact with any questions regarding the response submission.
3. Demonstrate to have conducted such similar project within the last 5-years. Submit qualifications of key personnel who are intended to work or manage the City's project.

**Questions and Addenda:** Questions should be submitted electronically to Eric Belaj at [ebelaj@cityofburnet.com](mailto:ebelaj@cityofburnet.com).

#### 5. RFP EVALUATION AND SELECTION

Only complete responses containing the required submittal documents and meeting qualifications will be considered. Minor inconsistencies or deviations may be waived at the City's sole discretion. The City will rank all proposals that are complete and responsive to the requirements of the RFQ and may select the Respondent whose proposal offers the apparent best value to the City. Each proposal will be evaluated based on best value to the City and its taxpayers. Owner will consider several factors in selecting a winning bidder as noted in the section 252.043 of the of State of Texas Government Code, and other applicable state codes which allow and will provide best value to Owner.

If for any reason of force majeure, either the contractor or the City shall be rendered unable, wholly or in part, to comply with this RFQ, the parties shall give notice of the reasons within a reasonable time after the occurrence of the event, which shall be defined as acts of God, natural or man-made disasters which interrupt operations and cannot be reasonable avoided, unavoidable civil disturbances, or other generally defined force majeure conditions. Force majeure shall not be used as absolute grounds for failing to perform. Force majeure shall be one of the conditions precedents for excusing performance under the RFQ.

**Evaluation:** The City may set up a Review Committee to evaluate and select a Respondent.

Respondents shall not contact members of the evaluation team.

The Respondent's qualifications will initially be scored on a pass/fail basis. It is the Respondent's obligation to ensure referenced projects are relevant and the scope performed is clear to the evaluation team. If the Respondent's qualifications demonstrate the minimum qualifications, the response will be further evaluated and ranked. Respondents that do not demonstrate that they meet the qualification criteria may not receive further consideration, and their technical responses may not be evaluated.

The response may be disqualified if the City is unable to verify qualification and experience requirements from the Respondent's references. The response may be disqualified if the City receives negative responses. The City will be the sole judge of references.

**Award:** Following evaluation, the City's project manager may inform the City Council regarding the proposal determined to provide the apparent best value to the City. The Council may favor or object the recommendation, and if permitted, will authorize the City Staff to negotiate with the apparent best Respondent. If it appears that the proposals will not provide the City with the overall best value, the City will then in its sole discretion, may either (1) reject all proposals, (2) modify the RFQ and begin again the solicitation, or (3) proceed to the next most highly ranked proposal and attempt to negotiate an agreement with that Respondent. Selections may be based on the City authorizing staff to negotiate individual projects. Respondents may be required to make presentations and/or provide written clarifications of their responses at the request of the City.

Type of award shall be either:

1. Single Award: One agreement shall be awarded to a single Respondent.  
Or
2. Term of Agreement: The agreement shall be for an initial term of one year from the date of execution on the contract for the project.  
Or
3. Any combination of the two methods above.