

**Whatcom County
Invitation to Bid
Bid 23-09**

NOTICE IS HEREBY GIVEN that sealed bids will be received by Purchasing at their office in the Administrative Services Finance Department in the Whatcom County Courthouse, 311 Grand Avenue Suite 503, Bellingham WA 98225, for purchase of the following:

SUPPLY OF ASPHALTIC EMULSION (ROAD OIL)

UNTIL: 2:30 PM February 7, 2023

At which time and place the bids will be publicly opened (live via GoToMeeting), and read aloud. All bidders and any other interested people are invited to watch the virtual opening. Late submittals will not be considered.

Whatcom County Public Works Maintenance & Operations Division is requesting bids for the delivery and supply of asphaltic emulsion (road oil) for use in the maintenance and repair of county roads.

Further information is contained in the bid document, which can be downloaded at no charge from the Whatcom County Purchasing website at <http://www.whatcomcounty.us/Bids.aspx>, see “Related Documents” at the bottom of the bid posting page. If you are unable to download the pdf documents from this website, contact Purchasing at FN_Purchasing@co.whatcom.wa.us (preferred), or phone (360) 778-5330.

Award will be made to the lowest and/or best bidder. Whatcom County reserves the right to reject any or all bids, and to waive any irregularities.

Whatcom County affirms it will not discriminate against, or grant preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. Whatcom County encourages disadvantaged, minority, and women owned firms to respond.

Publication Date: January 25, 2023.

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Supply of Asphaltic Emulsion (Road Oil)

MINIMUM SPECIFICATIONS

Whatcom County Public Works Maintenance & Operations Division is requesting bids for the supply of asphaltic emulsion (road oil) for use in the maintenance and repair of county roads.

Deliver responses to Whatcom County Administrative Services Finance/Purchasing, located at 311 Grand Avenue Suite 503, Bellingham WA 98225. **The deadline for responses is 2:30 PM February 7, 2023.**

All responses, received on time and at the correct place, will be opened in a public format via GoToMeeting immediately following collection of all submittals received by the deadline time. All interested people are invited to attend the live solicitation opening via GoToMeeting as follows:

Please join my meeting from your computer, tablet, or smartphone.

<https://meet.goto.com/273232365>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (571) 317-3129

- One-touch: <tel:+15713173129,,273232365#>

Access Code: 273-232-365

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

Whatcom County does not consider:

- Late bids.
- E-mailed bids.
- Faxed bids.

Bid award and subsequent contract will be made to the lowest responsive and responsible bidder that meets all of the minimum specifications to the satisfaction of the County. This includes, but is not limited to:

- The quality of the articles to be provided.
- Their conformity with the specifications.
- The warranty clause, if any, will be taken into consideration.

Whatcom County reserves the right to accept any bid that, in their opinion, serves the best interest of the County and to reject any bid or all bids. The County reserves the right to award partial or the entire bid, if in the County's interest. The Equipment Services Manager will determine which option, if any, will be accepted.

PERIOD

Any agreement made as a result of this bid will be from May 15, 2023 through October 31, 2023. Prices quoted are to be considered firm during this period.

SALES TAX

Whatcom County will pay applicable Washington State sales tax or "use tax" upon receipt of a valid invoice. The County will pay sales tax directly to the State of Washington at a rate of 8.6% on purchases made from out-of-state vendors who do not have a Washington State sales tax number.

All other applicable taxes, except Washington State sales tax, as well as any other permits or fees required by compliance with federal, state, provincial, or local rules or regulations must be included in bid prices offered.

PAYMENT TERMS

Whatcom County intends to take advantage of prompt payment terms offered. Prompt payment discounts of 20 calendar days or more after receipt of correct material and invoice will be considered in evaluating bids as a constant percentage of dollar reduction to unit bid price.

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DELIVERY

All bid prices quoted for the asphaltic emulsion shall be in Whatcom County. No delivery of asphaltic emulsion is required to Lummi Island or Point Roberts in 2023.

To be eligible for bid award, the bidder must be capable of providing on-time truckload delivery to various job sites in Whatcom County as ordered during the summer of 2023 road oiling season, normally May through October. During peak season, the County requires three trucks minimum available for deliveries five days a week. Trucks will transfer asphaltic emulsion to the County oiling equipment on site.

Bidders must indicate the location of the vendor plant and provide oil transportation cost (total price per load) for delivery to various job sites throughout the County.

Bidder/supplier further agrees that deliveries will comply with all applicable current Washington State and/or Federal government COVID-19 recommendations.

CANCELLATION OF LOADS

The County may cancel pre-scheduled deliveries by notifying the vendor by telephone a minimum of five hours prior to delivery time and incur no cancellation charges.

The vendor will provide the County with a 24-hour telephone number and email address for emergency cancellations.

The County will not be charged a penalty if the trucking company does not bill the vendor for a cancellation.

STANDBY TIME

The County realizes that events such as equipment breakdowns and unforeseen traffic delays may occur during the annual chip work.

Promptly notify the County of all delays by telephone, cell phone, radio dispatch or any other means of communication. Every attempt will be made to find a reasonable solution to these delays. The County retains the right to invoke a standby charge of \$1,800.00 per hour on a case-by-case basis, should a delivery be delayed beyond a reasonable time frame.

The trucking company must be available by cell phone at all times.

DEMURRAGE

For a standard prearranged delivery, the County will have: 1) three hours to unload delivery of 7,000 gallons or less; and 2) four hours to unload delivery of more than 7,000 gallons. If the delivery should arrive late, the demurrage charge will begin 3 or 4 hours (as per preceding sentence) after arrival. Subsequent demurrage will be offset to reflect the first late truck.

In order to be considered, all demurrage claims must be agreed upon and signed by a Whatcom County representative on the day of delivery, before the driver leaves the work site.

The trucking company may charge the County no more than \$100.00 per hour as an agreed standby rate.

The trucking company must submit a fax and email each day of the previous day's demurrage and standby charges. Faxes are to be sent to the Whatcom County Central Shop Stores Department at (360) 778-6402. The County will fax the vendor any standby charges caused by delayed shipments.

RIGHT OF REFUSAL

Whatcom County reserves the right to refuse asphaltic emulsion that is defective, substandard, or does not meet the stated specifications. All asphaltic emulsion purchased as a result of this bid are subject to the approval of the Whatcom County Public Works County Engineer. Any asphaltic emulsion rejected, because of nonconformance with the terms and conditions of this bid, whether held by the County or returned, will be at the vendor's own risk and expense. The County reserves the right to terminate contracts with thirty days written notification for unsatisfactory performance or other significant change.

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CANADIAN BIDDERS

Canadian bidders must quote prices in U.S. tons and U.S. dollars. Canadian bidders must include in their bid price all U.S. and/or Canadian customs charges to be levied against delivered asphaltic emulsion entering the United States. Whatcom County will not pay any additional entry charges.

CONTACT

Questions regarding the specifications shall be made in writing and directed to all of the contacts below:

- Gina Miller, M&O Assistant Superintendent, [gmiller@co.whatcom.wa.us](mailto:gmillier@co.whatcom.wa.us), and
- John DeLappe, Central Shop Purchasing Coordinator, jdelappe@co.whatcom.wa.us, and cc:
- Garrett Reynolds, M&O Superintendent, greynold@co.whatcom.wa.us

SUBMISSION OF BIDS

Bids must be submitted on these forms, using ink or computer, and supplying all the information requested. **To be accepted, bids must be signed by a person or persons legally authorized to bind the bidder to a contract, and original documents submitted.**

Submit bids in a sealed package, plainly marked on the outside as follows:

- Name of Submitter
- Bid #23-09 Asphaltic Emulsion

Deliver bid to:

Attn: Sara Winger, Senior Purchasing Coordinator
Whatcom County AS Finance/Purchasing
311 Grand Ave Suite 503
Bellingham WA 98225

It is the bidder's responsibility to deliver the bid to the proper address by the assigned time. Whatcom County accepts no responsibility for misdirected or lost bids.

ORDER QUANTITY

The following quantities are estimates only. The total emulsion usage for CRS-2 and CRS-2P will be a combined total of approximately 2,200 tons. There are no guarantees of minimum or maximum quantities of actual use, other than orders will be in truckloads. Orders will be issued on an as needed basis.

EMULSION TYPE	ESTIMATED USAGE (US TONS)
CRS-2	2,200 Tons*
CRS-2P	2,200 Tons*

*Total usage will be a combined total of approximately 2,200 tons.

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MATERIAL SPECIFICATIONS

All asphaltic emulsion must be in accordance with the latest edition of the “Standard Specifications for Road, Bridge and Municipal Construction” (Standard Specifications), as published by the Washington State Department of Transportation (WSDOT) and the American Public Works Association (APWA). Any reference therein to the State of Washington or to an officer thereof shall be construed to mean Whatcom County or the appropriate equivalent official of Whatcom County.

The Whatcom County Public Works County Engineer shall establish the standard of quality. Specific material requirements are listed in Section 9-02.1(6) for CRS-2 and CSS-1 (Cationic Emulsified Asphalt) and Section 9-02.1(6) A for CRS-2P (Polymerized Cationic Emulsified Asphalt) per the below specifications.

*******Modification to Standard Specifications 9-02.1(6)A, “Polymerized Cationic Emulsified Asphalt CRS-2P.”**

Specification Range for CRS-2P:

TEST	SPECIFICATION RANGE	
	MINIMUM	MAXIMUM
TESTS ON EMULSION		
Viscosity, 50°C (122°F), SFS	150	400
Sieve Test, 850 µm, %	--	0.05

Upon delivery, emulsion temperature shall have a minimum temperature of 140 degrees Fahrenheit and a maximum of 180 degrees Fahrenheit. The County will require each load of CRS-2 and CRS-2P be delivered with a Certificate of Analysis and a Certificate of Shipment in accordance with Standard Specification 9-02.2(1).

**Whatcom County
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 Bid Proposal Forms**

Please complete and include all pages of the Bid Response Forms.

Please print (in ink) or type all information on the Bid Response Forms, with exception to the signature field.

Submit Sealed Bids Before: 2:30 PM February 7, 2023
Deliver Bids To: Whatcom County Administrative Services Purchasing
 311 Grand Avenue Suite 503, Bellingham WA 98225
F.O.B. Delivery Point: Per Specifications

We are offering to supply the following items in full accordance with the attached bid specifications.

Plant Location: _____
Prices Guaranteed: From: _____ To: _____

EMULSION TYPE	ESTIMATED USAGE ¹ US Tons	PRICE PER US TON F.O.B. PLANT (US Dollars)	TRANSPORTATION COSTS ² Price per US Ton
CRS-2	2,200 Tons ³	\$ _____ per ton	\$ _____ per ton
CRS-2P	2,200 Tons ³	\$ _____ per ton	\$ _____ per ton

Notes: ¹ There are no guarantees of minimum or maximum quantities of actual use, other than orders will be in truckloads. Orders will be issued on an as needed basis.
² No delivery of asphaltic emulsion in 2023 to Lummi Island or Point Roberts.
³ Combined total of CRS-2 and CRS-2P to be 2,200 tons.

Price quoted in U.S. Dollars per U.S. Ton (2,000 lbs.).
 Prices do not include Washington State sales tax or "use tax", but do include all other applicable taxes, permits, and fees.

Maximum Delivery Time After Firm Order: _____
 Minimum Time Required to Place Order
 for Pick up at Plant: _____
 Regular Orders: _____
 Emergency Orders: _____
 Name of Trucking Firm: _____
 Address of Trucking Firm: _____
 Contact Name: _____
 Contact Phone: _____
 Additional Sheets Attached (Y/N): _____

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Bid Proposal Forms**

BIDDER IDENTIFICATION

Supplier Name: _____

Address: _____

Submitted By: _____
(Print Name and Title)

Signature: _____ Phone: _____

Emergency Contact: _____ 24-Hour: _____

Email: _____ Fax: _____