

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
FINANCIAL MANAGEMENT DIVISION, PROCUREMENT SECTION
ON BEHALF OF THE MAINTENANCE DIVISION
608 EAST BOULEVARD AVENUE
BISMARCK, ND 58505-0700

REQUEST FOR BIDS – 745-01/14-22-050
FOR
BITUMINOUS MIX MATERIAL FOR MAINTENANCE PURPOSES
(FOR THE PERIOD FROM APRIL 1, 2022, THROUGH MARCH 31, 2023)

CLOSING TIME FOR RECEIPT OF INFORMAL BIDS:
3:00 p.m.; **Tuesday, March 15, 2022**

BIDDER INFORMATION

Vendor Name		
Telephone	Fax	
Mailing Address		
City	State	Zip Code
Title of Person Signing		E-mail
Signature (This form must be signed or the bid will be rejected.) (Owner, Partner, President, Vice-President, or Corporate Officer)		Date
Type or print the name of the person signing this document		

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

NOTICE TO BIDDERS

The North Dakota Department of Transportation is requesting informal bids for furnishing bituminous mix material for maintenance purposes for the period from April 1, 2022, through March 31, 2023. The informal bid responses will be used to create a bid summary.

Bids must be marked as follows. Bid receipt is requested not later than 3:00 p.m. on **Tuesday, March 15, 2022.**

Bid for Bituminous Mix Material
North Dakota Department of Transportation
Procurement Section
608 East Boulevard Avenue
Bismarck, North Dakota 58505-0700

All bids shall be submitted on the bid forms furnished by this Department.

The state of North Dakota reserves the right to accept or reject any or all bids and to waive minor irregularities or technicalities, provided such waiver does not substantially change the offer or provide a competitive advantage to any vendor, in the judgment of the state.

Questions concerning this bid should be directed to the Purchasing Agent at 701-328-4466 or vbrosten@nd.gov not later than **March 1, 2022.**

SPECIFIC INSTRUCTIONS TO BIDDERS

Bids are requested in order that pricing will be readily available in case any material is requested during the period specified.

Delivery of materials shall be made during the period from April 1, 2022, through March 31, 2023, upon instructions issued by the Maintenance Engineers or District Engineers.

Quantities to be purchased are indefinite, dependent upon requirements, and therefore cannot be determined at the time bids are received. For that reason the Department reserves the right to make purchases from time to time in any quantities required to meet its current needs. There is a possibility that no purchases will be made on some of the bids accepted.

The supplier will be required to furnish the mix at the temperature requested by the district engineer up to a maximum temperature at discharge of 290⁰ Fahrenheit.

The unit price bid shall include all discounts and deductions, and shall be F.O.B. plant site, either loaded directly into NDDOT trucks or picked up from a stockpile, as indicated on the bid sheet. The State does not pay sales tax or federal excise tax.

The Contract Unit Prices shall be firm for the first one (1) month of the contract period. Thereafter, successful bidders may request a price adjustment (increase or decrease) at a minimum frequency of one (1) month. A written request for a price adjustment must be submitted to the Procurement Office and must include justification for the proposed change.

The justification should establish a base line at the time of bidding or last approved price adjustment and current pricing. For example: a copy of an invoice for burner fuel at the time of bidding would establish the base line and an invoice at the time of the request would indicate the increase or decrease. The baseline for Midwest diesel price shall be determined by U. S. Department of Energy weekly statistics, if fuel price becomes a factor in justifying price increases based on material transport.

If a price adjustment is approved by the NDDOT, the date the adjustment will be effective along with the new unit prices will be included in the written response to the requestor. Approval of any price adjustments renews the one (1) month firm price period.

The bituminous material will be measured by weight in tons of finished product (including bitumen) at the plant site, and the bidder should list the unit price per ton on that basis, F.O.B. plant site.

The bidder may submit prices in either or both of the following ways:

- Stockpiled at plant site (to be loaded by State forces)
- Loaded in NDDOT trucks at plant site.

The contractor shall show the number of gallons of bitumen anticipated per ton of mixed material, and the price per ton of bitumen on which the bid is based.

A price adjustment will be made to the price bid at the time of delivery if the quantity of bitumen used is greater than that specified at the time the bid is submitted. It is expected that bitumen quantity per ton will closely match the bid information. Adjustment will be based on 244 gallons per ton of bitumen.

Bidders will not be required to submit a bid guarantee with their bid, and no contract bond will be required for accepted bids.

The State does not pay sales tax or federal excise tax. The state sales tax exemption number is E-2001. The federal tax-free transaction number is 45-0309764.

The various types of material to be covered by this bid shall conform to the specifications shown in Table I below for Class 27 and Class 29 Asphalt Mixes, and Tables 2-5 below for FAA 43 Mix:

Table 1: Aggregates for Class 27 and Class 29 Asphalt Mixes

Sieve Size Percent Passing	Asphalt Hot Mix Low to High Quality	
	Class 27	Class 29
3"		
1-1/2"		
1-1/4"		
1"		
3/4"		
5/8"	100	100
1/2"	70-100	70-100
3/8"		
No. 4	40-70	40-70
No. 8		
No. 16		
No. 30	15-35	15-35
No. 50		
No. 200	2.0-7.0	2.0-7.0
Shale ¹	5.00%	5.00%
L. A. Abrasion ¹	40%	40%
Plasticity Index ²	3	3
Fractured Faces ³	55%	65%
Crushed Fines ⁴	10%	40%

Footnotes for Table I:

¹ Maximum Allowable Percentages

² Maximum allowable unless range shown. N.P. = Non Plastic as per AASHTO T-90. Use material passing the No. 40 sieve (standard method).

³ Minimum weight percentage allowable for the portion of the aggregate retained on a No. 4 sieve having at least 1 fractured face for Classes 27 and 29.

⁴ Minimum percentage of material passing a No. 4 sieve that is composed of fractured material produced by a crushing process. The Contractor shall demonstrate that the crushing operation produces this result.

Table 2: Aggregates for Superpave Mixes

Sieve Size Percent Passing	1/2 Inch Nominal Maximum Aggregate Size ¹ Percent Passing
5/8"	100
1/2"	90-100
No. 4	40-70
No. 30	15-35
No. 200	2.0-7.0

¹ Nominal aggregate size is defined as 1 sieve size larger than the first sieve to retain more than 10 percent.

Table 3: Aggregate Requirements for Table 2

Test Designation	Test Name	Criteria
ND T 176	Plastic Fines in Graded Aggregates and Soils by Use of the Sand Equivalent Test	40% minimum
ND D 4791	Test Method for Flat Particles, Elongated Particles, or Flat Elongated Particles in Coarse Aggregate	10% maximum
AASHTO T 96	Standard Method of Test for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine	40% maximum
ND T 113	Lightweight Pieces in Virgin Aggregate	5.0% maximum

Table 4: Superpave Mix Requirements

Property	FAA 43
Fractured Particles in Coarse Aggregate (minimum)	75%
Fine Aggregate Angularity (minimum)	43%
Gyratory Effort, # of Gyrations	N _{ini} =7, N _{des} =75, N _{max} =115
Voids filled with Bitumen	65-78%
%G _{mm} @ N _{ini} (maximum)	89%

Table 5: Methods for Determining Superpave Mix Properties

Fractured Particles in Coarse Aggregate	NDDOT 4
Fine Aggregate Angularity	ND T 304
Gyratory Effort, # of Gyrations	AASHTO R 35
Voids filled with Bitumen	AASHTO M 323, NDDOT T 166
%G _{mm} @ N _{ini}	AASHTO M 323, NDDOT T 166

Indemnification - The attached Risk Management Appendix will be incorporated into the contract. The successful Bidder may be required to furnish proof of insurance, as detailed in the Risk Management Appendix.

BID SHEET

The undersigned hereby submits the following bid for bituminous mix material for maintenance purposes as may be ordered by the North Dakota Department of Transportation during the period from April 1, 2022, through March 31, 2023, in accordance with the terms and conditions contained herein, all material to conform to the Specifications of the North Dakota Department of Transportation, adopted January 2022 as well as Tables 1-5 in this contract.

Bid Price per Ton of Bituminous Material (including Combined Aggregate, Bitumen, and Mixing). F.O.B. delivered or from plant location specified below.

Plant Location: _____

Class of Aggregate planned for use at this plant: _____

Number of gallons of Bitumen per Ton of Mixed Material: _____ Gallons

Price per Ton of Bitumen Mix:

- From Stockpile (by NDDOT) \$ _____
- Loaded in Trucks (by vendor) \$ _____

Name of Bidder: _____

Dated: _____, 2022

NOTE: Use a separate sheet for each pit location or class of material.

Risk Management Appendix

Supply Contracts with Private Individuals, Companies, Corporations, Etc.:

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Contractor, or Contractor's delivery agent, shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability** and **automobile liability** insurance.
- 2) **Workers compensation** insurance.

Contractor shall produce certificates of insurance or copies of insurance policies upon request by the State.

When a portion of a Contract is sublet, the Contractor shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Contractor and the State as a result of work undertaken by the Subcontractor. In addition, the Contractor shall ensure that any and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subcontractors performing work under the Contract are required to maintain the same scope of insurance required of the Contractor. The Contractor shall be held responsible for ensuring compliance with those requirements by all Subcontractors.

RM Consulted 2007
Revised 6-07

