

BOROUGH OF NESQUEHONING

114 WEST CATAWISSA STREET
NESQUEHONING PA 18240

Borough Building
Phone: 570-669-9588
Fax: 570-669-9306

Additional Instructions and Special Conditions for MS-963 Materials Contract

Bidding Instructions

- Bidders are required to bid on documents provided by the Borough of Nesquehoning.
- Bidders are to provide for items 1 through 8 an FOB Price for Plant Pick-up and Delivery to Nesquehoning Borough Garage or job site. Minimum delivery shall be 20 tons or unless otherwise agreed to by the vendor and municipality.
- Bidders are to provide for items 4, 5 and 6 an FOB Price for Plant Pick-up, also provide a price for materials to be delivered to a paver.
- Bidders are to provide Location of Source and Mileage One Way from the Source to the Nesquehoning Borough Garage.

Material Suppliers

All materials must come from a PennDOT Approved Materials Supplier listed in one of the following Bulletins:

- Bulletin 14 – Approved Aggregate Producers
- Bulletin 15 – Approved Construction Materials
- Bulletin 41 – Producers of Bituminous Mixtures
- Bulletin 42 – Producers of Ready Mix Concrete

Delivery Tickets

The Contractor/Supplier will provide delivery tickets for all materials used on the project or supplied to the Borough of Nesquehoning.

Certifications of Compliance

A CS-4171 Certificate of Compliance or another acceptable form that has been pre-approved by PennDOT will either accompany the shipment or will be supplied within 1 working day to the Borough of Nesquehoning. This CS-4171 will represent the day's shipment for each type of material placed on the project or supplied to the Borough of Nesquehoning from each source.

Contract Dates

This contract will become effective November 28, 2019 and expire November 27, 2020

Bond Requirements

- Bidders shall provide with this proposal a certified check or bid Bond in the amount of 10% made payable to the Borough of Nesquehoning as a proposal guarantee which, it is understood, will be forfeited in case the contractor fails to comply with the requirement of the proposal.
- The successful bidder shall provide the Borough of Nesquehoning with a performance bond, conditioned upon the faithful performance of the contract. This bond shall be in the amount of 50% of the total contract amount of the awarded item(s).

Additional Instructions and Special Conditions for MS-963 Materials Contract (continued)

Price Adjustment of Bituminous Materials (Escalator Clause)

This contract does not contain an escalator clause for the Price Adjustment of Bituminous Materials for small quantities. A small quantity is a contract that uses or indicates for placement 100 tons or less of asphalt cement based on the actual mix designs or material specifications for the materials incorporated into the project. If the bituminous materials incorporated into this project exceed the 100 ton threshold, then a bituminous price adjustment will be allowed as per PennDOT Specifications Form 408, Current Edition Section 110.04 Price Adjustment of Bituminous Materials. If the bituminous material incorporates RAP in the mix design, the 100 ton limit and the bituminous price adjustment will only be calculated on the virgin asphalt. The Base Bid Price Index (IB) will be calculated using the month in which the project is first advertised and the work is in the applicable Zone. The Bidder will be responsible for completing a CS-1PA Price Adjustment of Bituminous Materials calculation form if applicable. Bituminous Materials calculation form if applicable. The bidder will provide this form with the invoices and the invoices will show the per ton or per SY price in the bid and the lump sum price increase or decrease supported with CS-1PA calculation form. The bidder shall also supply the Municipality with a copy of the bituminous mix design for each material supplied with the initial CS-1PA form or if the bituminous mix design changes. Prior to the start of the work, the bidder shall provide the Municipality with the per ton or per SY calculation of the bituminous price adjustment.

Fuel Surcharge

A fuel surcharge will not apply to this contract.

Awarding of FOB Plant Pick-up Materials

The Borough of Nesquehoning will normally haul materials to and from the source that represents the lowest responsible cost to the Borough of Nesquehoning after taking into consideration length of haul and dead haul. However, in some instances, the Borough of Nesquehoning may select the most economic source based upon other considerations such as, but not limited to, differences in haul time due to terrain or urban congestion; length of wait at the source; cooling due to length of haul; crew productivity based on truck availability and haul distance. Details of such determinations are the responsibility of the Borough of Nesquehoning and are available for review by any bidders to the contract after the award of the contract.

Availability of Material for Pick-up

- Quantities less than 50 tons per day must be available at any time the plant is open.
- Quantities greater than 50 tons must be available within 24 hours of receipt of notice of the order and available within 1 hour of the agreed upon time for start of pick-up.
- Materials will be loaded in Nesquehoning Borough truck on a first come, first serve basis.
- The Contractor will be penalized \$100 or each occurrence not to exceed \$100 per day. This penalty may be waived if non compliance is due to extenuating circumstances beyond the control of the bidder/supplier. The Borough of Nesquehoning will make the final determination as to what constitutes an extenuation circumstances.

Wait Time for Delivery of Materials

The Municipality will only pay waiting time after a truck has been waiting to unload at the paver for 1 hour. The driver will be responsible for presenting his delivery ticket to the Borough's Representative and having his arrival time noted on the ticket. Waiting time will be paid in 15 minute intervals. The Municipality will coordinate truck spacing intervals with the material supplier and will not be obligated to pay waiting time if haulers do not comply with the Municipality's pre-requested spacing interval. Bidders shall provide a rate per hour for wait time.