



CITY OF DONNA

Invitation to Bid

The City of Donna hereby requests sealed bids for the following;

STREET MATERIAL = RFB No.: 2021-003

for Street Improvements and Construction

HOT MIX; CALICHE

Sealed bids addressed to City Secretary, will be accepted at the City of Donna, 307 S. 12th Street, Donna, Texas 78537, until **4:00 pm on April 23, 2021** at which time they will be opened and read aloud. Please mark envelope, "Sealed Bid"

STREET MATERIAL = RFB No.: 2021-003

HOT MIX; CALICHE

Potential Bidders/Respondents are advised that the bidding documents can be downloaded from the City of Donna web page address: www.cityofdonna.org, and may also be secured at the Donna City Hall ATTN: City Secretary, 307 S. 12th Street, Donna, Texas 78537, or by calling 956-464-3314. Be advised that if your company is contemplating on bidding this project you must contact the Public Utilities Department, so that any changes/additions via addendum form can be forwarded to your company. (Please include your company name, address, email, telephone and fax, and contact person). **No electronic bids will be accepted.**

The City of Donna reserves the right to accept or reject any or all bids, to waive any informalities, and to accept the bid to be the best and most advantageous to the City and to hold bids for a period of forty-five (45) days without taking action, for the purpose of reviewing the bids and investigation of bidders' qualifications prior to bid award. Bids submitted past the aforementioned date and time will not be accepted.

City of Donna

Norma Yanez, City Secretary

citysecretary@cityofdonna.org

**CITY OF DONNA
SOLICITATION FOR BIDS
STREET MATERIALS
INSTRUCTIONS TO BIDDERS**

IT IS THE INTENT OF THESE SPECIFICATIONS TO DESCRIBE AND GOVERN THE PURCHASE PRICE OF STREET MATERIALS REQUESTED. PROSPECTIVE BIDDERS ARE TO FILL THE FOLLOWING BLANK FORMS AND SUBMIT WITH THEIR BID.

MINIMUM SPECIFICATIONS:

1. Bid shall be submitted properly marked / identified in a sealed envelope upon the blank form attached hereto. Each form must be completely filled out. Bid must be filed with the City of Donna before opening day and hour. No late bids will be accepted. Bid will be returned to respondent unopened if not properly identified. Failure to meet request for Bid requirements may be grounds for disqualification.
2. Bid MUST give full firm name and address of respondent, and be manually signed. Failure to do so will disqualify your Bid. Person signing Bid must show title or AUTHORITY TO BIND HIS/HER FIRM IN A CONTRACT. Firm name and authorized signature must appear on each page that calls for this information.
3. Bid CANNOT be altered or amended after opening time. Alterations made before opening time must be initialed by bidder guaranteeing authenticity. No Bid may be withdrawn after opening time without acceptable reason in writing and only after approval by the City of Donna.
4. Quantities shown are approximate based on projected usage. It is specifically understood that these quantities may change without adjustment to the unit price. Prices quoted shall prevail for a period of one year with purchases as needed, starting on the day of the first Purchase Order.
5. It is the responsibility of the Supplier to verify that the materials meet specifications. Failure to do so or failure of the product itself will be cause to cancel all existing or pending order. The City of Donna reserves the right to request demonstrations and samples of the materials at the City's discretion to confirm the quality. All materials under these specifications shall be new and unused. Any deviation from these instructions will be subject to Bid cancellation.
6. In order for the City to meet its needs, it is understood that during the period of the contract, should the successful bidder be unable to supply the product, the City reserves the right to obtain the product from available sources.
7. Bids shall be analyzed on a total dollar value and what is most advantageous to the City and **will be awarded on an item per item basis.**
8. It shall be the legal obligation of the bidder during the term of the contract, to notify the Purchasing Office of any price decrease in the market and accordingly, reduced prices will be in effect with appropriate documentation as described above.
9. The bidder agrees to indemnify and hold harmless the City of Donna from all suits and actions of every nature and description brought against. for or on account of the use of patented appliances, products or processes. Awarded bidder/vendor shall pay all royalties and charges which are legal and equitable. Evidence of such ~~payment~~ or satisfaction shall

be submitted upon request from Purchasing Office, as a necessary requirement in connection with the final estimate for payment in which such patented appliance, products or processes are used.

10. Bidder shall carefully examine the Bid forms, requirements/specifications, and instructions to bidders. Should the bidder find discrepancies in, or omissions from Bid forms, specifications or other documents, or should he/she be in doubt as to their meaning, he/she should at once notify the City of Donna Public Utilities Department, 956-464-7861 and obtain clarification by addendum prior to submitting any Bids.
11. **Addenda and Interpretations:**
No Interpretations of the meaning of the specifications or other pre-bid documents will be made orally to any bidder. Every request for such interpretation should be in writing addressed to the City of Donna, ATTN: City Secretary, 307 S 12th Street, Donna, Texas 78537, and to be given consideration must be received at least seven (7) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instruction will be in the form of written addenda for specifications which, if issued, will be mailed/faxed or e-mailed (at the respective address furnished for such purposes), not later than three (3) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addenda or interpretation shall not relieve such bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the contract documents.
12. The City of Donna reserves the right to refuse and reject any or all Bids and to waive any or all informalities or technicalities and to accept the Bid to be the best and most advantageous to the City and to hold the Bids for a period of forty-five (45) days without taking action. Bids submitted past the aforementioned date and time will not be accepted. **NO ELECTRONIC BIDS WILL BE ACCEPTED.**
13. **Notice to Awarded Vendors:** In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. This new law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million.
14. **In connection with this RFB, interested Bidders should limit their contact to the City of Donna by communicating only with Jonas Gonzalez, Public Utilities Director at jgonzalez@cityofdonna.org or (956) 464-7861 regarding this RFB.**

ITEM:
DENSE-GRADED HOT-MIX ASPHALT (METHOD)

Description: Construct a pavement layer composed of a compacted, dense-graded mixture of aggregate and asphalt binder mixed hot in a mixing plant.

Materials: Furnish uncontaminated materials of uniform quality that meet the requirements of the specifications.

Notify the City Engineer of all material sources. Notify the Engineer before changing any material source or formulation. When the Contractor makes a source or formulation change, the Engineer will verify that the requirements of this Item are met and may require a new laboratory mixture design, trial batch, or both. The Engineer may sample and test project materials at any time during the project to verify compliance.

A. Aggregate. Furnish aggregates from sources that conform to the requirements shown in Table I, and as specified in this Section, unless otherwise shown on the plans. Provide aggregate stockpiles that meet the definition in this Section for either coarse aggregate or fine aggregate. When reclaimed asphalt pavement (RAP) is allowed by plan note, provide RAP stockpiles in accordance with this Section. Aggregate from RAP is not required to meet Table I requirements unless otherwise shown on the plans. Supply mechanically crushed gravel or stone aggregates that meet the definitions in Tex-1 00-E. The Engineer will designate the plant or the quarry as the sampling location. Samples must be from materials produced for the project. The Engineer will establish the surface aggregate classification (SAC) and perform Los Angeles abrasion, magnesium sulfate soundness, and Micro-Deval tests. Perform all other aggregate quality tests listed in Table I. Document all test results on the mixture design report. The Engineer may perform tests on independent or split samples to verify Contractor test results. Stockpile aggregates for each source and type separately. Determine aggregate gradations for mixture design and production testing based on the washed sieve analysis given in Tex-200-F, Part II. Do not add material to an approved stockpile from sources that do not meet the aggregate quality requirements of the Texas Department of Transportation's *Bituminous Rated Source Quality Catalog* (BRSQC) unless otherwise approved.

1. Coarse Aggregate. Coarse aggregate stockpiles must have no more than 20% material passing the No. 8 sieve. Provide aggregates from sources listed in the BRSQC. Provide aggregate from nonlisted sources only when tested by the Engineer and approved before use. Allow 30 calendar days for the Engineer to sample, test, and report results for nonlisted sources.

Provide coarse aggregate with at least the minimum SAC shown on the plans. SAC requirements apply only to aggregates used on the surface of travel lanes, unless otherwise shown on the plans. The SAC for sources on the Texas Department of Transportation's AQMP is listed in the BRSQC. Class B aggregate meeting all other requirements in Table I may be blended with a Class A aggregate in order to meet requirements for Class A materials. When blending Class A and B aggregates to meet a Class A requirement, ensure that at least 50% by weight of the material retained on the No. 4 sieve comes from the Class A aggregate source. Blend by volume if the bulk specific gravities of the Class A and B aggregates differ by more than 0.300. When blending, do not use Class C or D aggregates. For blending purposes, coarse aggregate from RAP will be considered as Class B aggregate.

2. RAP. RAP is salvaged, milled, pulverized, broken, or crushed asphalt pavement. Crush or break RAP so that 100% of the particles pass the 2-in. sieve.

RAP from either Contractor- or Department-owned sources, including RAP generated during the project, is permitted only when shown on the plans. Department-owned RAP, if allowed for use, will be available at the location shown on the plans. When RAP is used, determine asphalt content and gradation for mixture design purposes. Perform other tests on RAP when shown on the plans.

When RAP is allowed by plan note, use no more than 30% RAP in Type A or B mixtures unless otherwise shown on the plans. For all other mixtures, use no more than 20% RAP unless otherwise shown on the plans.

Do not use RAP contaminated with dirt or other objectionable materials. Do not use the RAP if the decantation value exceeds 5% and the plasticity index is greater than 8. Test the stockpiled RAP for decantation in accordance with the laboratory method given in Tex-406-A, Part I. Determine the plasticity index using Tex-106-E if the decantation value exceeds 5%. The decantation and plasticity index requirements do not apply to RAP samples with asphalt removed by extraction.

3. **Fine Aggregate.** Fine aggregates consist of manufactured sands, screenings, and field sands. Fine aggregate stockpiles must meet the gradation requirements in Table 2. Supply fine aggregates that are free from organic impurities. The Engineer may test the fine aggregate in accordance with Tex-408-A to verify the material is free from organic impurities. At most 15% of the total aggregate may be field sand or other uncrushed fine aggregate. With the exception of field sand, use fine aggregate from coarse aggregate sources that meet the requirements shown in Table 1, unless otherwise approved.

If 10% or more of the stockpile is retained on the No. 4 sieve, test the stockpile and verify that it meets the requirements in Table 1 for coarse aggregate angularity (Tex-460-A) and flat and elongated particles (Tex-280-F).

Table 1
Aggregate Quality Requirements

Property	Test Method	Requirement
Coarse Aggregate		
SAC	AQMP	As directed by City Engineer
Deleterious material, %, max	Tex-217-F, Part I	1.5
Decantation, %, max	Tex-217-F, Part II	1.5
Micro-Deval abrasion, %, max	Tex-461-A	Note I
Los Angeles abrasion, %, max	Tex-410-A	40
Magnesium sulfate soundness, 5 cycles, %, max	Tex-411-A	30 ²
Coarse aggregate angularity, 2 crushed faces, %, min	Tex 460-A, Part I	85 ³
Flat and elongated particles /a/, 5:1, %, max	Tex-280-F	10
Fine Aggregate		
Linear shrinkage, %, max	Tex-107-E	3
Combined Aggregate⁴		
Sand equivalent, %, min	Tex-203-F	45

1. Not used for acceptance purposes. Used by the Engineer as an indicator of the need for further investigation.
2. Unless otherwise shown on the plans.
3. Unless otherwise shown on the plans. Only applies to crushed gravel.
4. Aggregates, without mineral filler, RAP, or additives, combined as used in the job-mix formula (JMF).

Table 2
Gradation Requirements for Fine Aggregate

Sieve Size	% Passing by Weight or Volume
3/8"	100
#8	70-100
#200	0-30

- B. Mineral Filler.** Mineral filler consists of finely divided mineral matter such as agricultural lime, crusher fines, hydrated lime, cement, or fly ash. Mineral filler is allowed unless otherwise shown on the plans. Do not use more than 2% hydrated lime or cement, unless otherwise shown on the plans. The plans may require or disallow specific mineral fillers. When used, provide mineral filler that:
- is sufficiently dry, free-flowing, and free from clumps and foreign matter;
 - does not exceed 3% linear shrinkage when tested in accordance with Tex-107-E; and
 - meets the gradation requirements in Table 3.

Table 3

Gradation Requirements for Mineral Filler

Sieve Size	% Passing by Weight or Volume
#8	100
#200	55-100

- C. Baghouse Fines.** Fines collected by the baghouse or other dust-collecting equipment may be reintroduced into the mixing drum.
- D. Asphalt Binder.** Furnish the type and grade of performance-graded (PG) asphalt binder specified on the plans in accordance with Section 300.2.J, "Performance-Graded Binders."
- E. Tack Coat.** Unless otherwise shown on the plans or approved, furnish CSS-IH, SS-IH, or a PG binder with a minimum high-temperature grade of PG 58 for tack coat binder in accordance with Item 300, "Asphalts, Oils, and Emulsions."

Do not dilute emulsified asphalts at the terminal, in the field, or at any other location before use. If required, verify that emulsified asphalt proposed for use meets the minimum residual asphalt percentage specified in Item 300, "Asphalts, Oils, and Emulsions."

The Engineer will obtain at least 1 sample of the tack coat binder per project and test it to verify compliance with Item 300. The Engineer will obtain the sample from the asphalt distributor immediately before use.

- F. Additives.** When shown on the plans, use the type and rate of additive specified. Other additives that facilitate mixing or improve the quality of the mixture may be allowed when approved.

If lime or a liquid antistripping agent is used, add in accordance with Item 301, "Asphalt Antistripping Agents." Do not add lime directly into the mixing drum of any plant where lime is removed through the exhaust stream unless the plant has a baghouse or dust collection system that reintroduces the lime back into the drum.

FLEXIBLE BASE (Caliche)
Section 312200

Texas Highway Department 2004 Specifications Item 247 "Flexible Base (Caliche)", Grade 3 is the governing specification. This item is supplemented by Item 251 "Reworking Base Course." This item includes preparation of subgrade after completion of grading. All subgrade material shall be compacted to a density not less than 90% of the density as determined in accordance with the Standard Proctor Density Test.

Existing base and pavement designated to be removed and salvaged shall be excavated and relaid in the bottom course of the proposed flexible base.

Both new and salvaged flexible base shall be compacted to a minimum density of 95% of the density as determined in accordance with the Standard Proctor Density Test.

Flexible base (of the compacted thickness specified) will be measured by the square yard of finished surface.

The pay item shall be the unit price bid per square yard for "Flexible Base (of the compacted thickness specified)", including areas of existing base and pavement shown on plans to be salvaged and relaid, which price shall be full compensation for all materials, hauling, compaction, labor, tools, equipment and incidentals necessary to complete the work as described above.

**STREET MATERIALS
COST FACTOR SHEET**

BID NO:

THIS INFORMATION IN THE OPINION OF THE CITY OF DONNA PUBLICWORKS DEPARTMENT IS YEARLY ESTIMATION OF STREET IMPROVEMENT AND CONSTRUCTION PROJECTED USAGE OF STREET MATERIAL BASED ON BUDGETARY ANALYSIS AND PROJECTIONS ARE SUBJECT TO CHANGE.

<u>Item No:</u>	<u>Description</u>	<u>Estimated Annual Usage</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Hot Mix – Delivered	1,050 TONS	\$ _____	\$ _____
2	Hot Mix – At Location	1,050 TONS	\$ _____	\$ _____
3	Caliche – Delivered	250 TONS	\$ _____	\$ _____
4	Caliche – At Location	250 TONS	\$ _____	\$ _____

The _____ (Bidder), having read the instructions and specification, proposes to furnish the Street Material(s) for the full and firm price indicated on the Bid Form/ Cost Factor Sheet, in full compliance with the specifications. Bidder agrees that this bid shall be good and may not be withdrawn for a period of forty-five (45) calendar days after the scheduled closing time for receiving bids. The undersigned affirms that they are duly authorized to execute this contract, that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

Respectfully submitted this _____ day of _____, 2021

AUTHORIZED SIGNATURE: _____

(Failure to sign will disqualify Bid)

TYPE/PRINT NAME: _____

TITLE: _____

COMPANY: _____

ADDRESSES: _____

CITY: _____

STATE: _____

ZIP CODE: _____

TELEPHONE: _____

FAX: _____

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 _____
Signature of vendor doing business with the governmental entity _____
Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.