

# SEALED COMPETITIVE PROPOSALS

FOR

## Hot Mix Asphalt Type D RFP 2024-002 PID: N/A

BIDDER'S NAME

\_\_\_\_\_  
(PLEASE PRINT CLEARLY)

### CHECKLIST OF ITEMS TO BE RETURNED

The following items shall be returned in order for the bid submittal to be considered acceptable:

- |   |  |
|---|--|
| <input type="checkbox"/> Completed this Bid Summary Sheet | <input type="checkbox"/> Conflict of Interest Questionnaire    |
| <input type="checkbox"/> No boycott Forms                 | <input type="checkbox"/> Acknowledgment of Addenda             |
| <input type="checkbox"/> Completed Bid Form               | <input type="checkbox"/> Completed Bidder's Qualification Form |

PREPARED FOR:



1001 Buchanan Dr. Ste 4  
Burnet, Tx 78611

**ADVERTISEMENT FOR COMPETITIVE SEALED PROPOSALS  
RFP 2024-002**

Pursuant to chapter 2269 of the Texas Government Code, the City of Burnet seeks competitive sealed proposals, in envelopes addressed to the City of Burnet, 1001 Buchanan Drive Suite 4, Burnet, Texas 78611, for the **Hot Mix Asphalt Type D, PID: RFP 2024-002**, in the City of Burnet, Texas, which will be received at the above-mentioned address until **11:00 A.M., May 16, 2024**. At such time the proposals will be publicly opened and the name of each offeror and the corresponding price component of each proposal will be read aloud. Bids will be opened in-person.

Proposals must be submitted in sealed envelopes and marked "Hot Mix Asphalt Type D Sealed Proposal."

The Contract Documents and Specifications are available at the City of Burnet. Questions and requests for additional information shall be sent by email to: [ebelaj@cityofburnet.com](mailto:ebelaj@cityofburnet.com). For this project, all bidders will be **required** to accept Addenda and other pertinent information by email, as well as provide written acknowledgement of Addenda as prescribed in the Instructions to Bidders. **No questions or requests for additional information will be accepted later than 5:00 p.m., May 13, 2024.**

Bid packages will be available at the City of Burnet City Hall, located at 1001 Buchanan Drive Suite 4, Burnet, Texas 78611, Monday through Friday, 8:00 a.m. to 5:00 p.m. for viewing only. Project general conditions and standard specifications manual can be found on the City's website at [www.cityofburnet.com](http://www.cityofburnet.com)

An optional pre-bid conference will be held on **May 9, 2024**, at 11:00 AM at the physical located noted above.

The City of reserves the right to waive any irregularity, informality, or nonconformity in the submission of a proposal or to disqualify from consideration any offeror who fails to submit requisite information. The City reserves the right to postpone proposal submission deadlines or cancel this solicitation at any time prior to execution of the contract contemplated by this RFQ..

No bidder may withdraw his bid within ninety (90) days after the actual date of opening thereof and pricing submitted with the proposal must be valid for 90 days following the date of opening listed above.

If you have any questions, please e-mail Eric Belaj at: [ebelaj@cityofburnet.com](mailto:ebelaj@cityofburnet.com).

City of Burnet, Texas  
Eric Belaj, City Engineer

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Newspaper ad published twice:

**Wednesday, May 1, 2024**  
**Wednesday, May 8, 2024**

CITY HAS COPY OF AFFIDAVIT OF PUBLICATION

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## PROPOSAL INSTRUCTIONS

Project supplements to general conditions and standard specifications manual can be found on the City's website at [www.cityofburnet.com](http://www.cityofburnet.com).

### 1. PROJECT

Objective of Request for Competitive Sealed Bids process is to competitively procure services with a qualified contractor whose Proposal provides best value for Owner (City of Burnet) for the project description below:

*Hot Mix Asphalt Type D, PID: RFP 2024-002, in the City of Burnet, Texas*

*Base Bid: Provide 1,000 Tons to 1,500 Tons Type D HMAC per TxDOT Item 340 along with the point of production of the material. RAP is allowed. The City is looking for HMAC Production plants within 30 miles from the Center of the City of Burnet. In considering bids, the City MAY consider distance and apply the IRS issued Standard Mileage Rate of \$0.585 per mile to the overall cost of the material.*

*Added Bid Alt1: NONE*

### 2. PROPOSAL EVALUATION

Proposals will be received, publicly opened, and names and monetary proposals of each Offeror read aloud. Subsequently, proposals will be evaluated and ranked according to the selection criteria described in this RFP. Not later than 45 days following the date the proposals were opened, the City will complete the evaluation and ranking of each proposal. The City will select the Offeror whose proposal offers the best value for the City based on the selection criteria and the City's evaluation. The City will enter into contract negotiations with highest ranked offeror for award of a contract to complete the Project. If negotiations with highest ranked firm are unsuccessful, the City will formally close negotiations with that firm and negotiate with next highest ranked firm, and so on. Upon agreement and receipt of the Offeror's signature on the Standard Construction Contract, as contained in this RFP, the city council shall consider award of the contract to the Offeror and upon approval, Contract will be executed by Owner.

The entire RFP and all accompanying documentation should be considered when submitting a responsive proposal. Offerors have responsibility for the completeness and responsiveness of a proposal. The City reserves the right to reject or otherwise disqualify any Offeror whose proposal contains errors even if such errors arise from an Offeror's misinterpretation of the RFP and associated documents. Dates, locations, and times of the proposal submittal are outlined in the Advertisement for Proposal.

The City and Engineer, in making copies of Bid Documents available on above noted terms, do so only for purpose of obtaining Proposals for Work and do not confer a license or grant for any other use.

### 3. SELECTION CRITERIA

The City, through the city council, has delegated authority for evaluation and ranking of proposals to a sub-committee comprised of city council members and/or city staff. The sub-committee will evaluate each Offeror's proposal using the following criteria and weighting:

1. Project Cost: 50 points  
Offeror's Proposed Cost of Performing Work shall be indicated in the Bid or Proposal Form.
2. Experience and reputation of Offeror & quality of Offeror's goods: 30 points  
Provide general information about the corporate structure, organization, and professional history of Offeror including value of work under contract and bonding capacity. Organization and a Statement of Qualifications. Include information on Projects of similar size and type which Offeror has performed in the last five (5) years. This list is to include name and a current telephone number of references for each listed project. Offerors shall

confirm the ability to procure and install the pre-approved materials as addressed in section 1 above. Offerors who cannot procure pre-approved material shall include information on proposed alternate materials with all information required for an as-equal evaluation per section 1.

3. Schedule Compliance: 10 points

Provide information showing Offeror's approach to scheduling, expected production rates, and processes to ensure schedule compliance. on Offeror's ability to devote adequate resources to the Project. If subcontractors will be utilized by Offeror, include information for schedule control applicable to subcontractors.

4. Other Factors: 10 points

Owner will consider other factors in evaluating Bids, including but not limited to the following:

- a. The bidder's past relationship with the municipality.
- b. Audited financial statement.
- c. Safety: Demonstrated success in implementation of a site safety program.
- d. Litigation History: Provide a list of all litigation, whether in court or arbitration, involving construction Projects in which Offeror has been a named party in the last five (5) years.

The criteria and weighting for the ranking of Offeror's Proposals is as outlined Below:

<u>Item No.</u>	<u>Evaluation Criteria</u>	<u>Points</u>
1.	Project Cost	50
2.	Experience & Reputation	30
3.	Schedule Compliance	10
4.	Other Factors	10
TOTAL		100

To permit the process of evaluation, ranking, and negotiation to occur as outlined in section 2 above, Offerors may not withdraw their Proposals for 90 calendar days from date on which Proposals are opened. If a submitted BID is withdrawn within the said period, BID guarantee shall become property of the OWNER, not as penalty, but as liquidated damages, and OWNER may pursue other action allowed by law.

Proposal Security of up to the five (5) highest-ranking firms will be held by Owner until contract negotiations are finalized. The successful Offeror, after city council approval of award, must furnish required bonds on forms provided with the Contract Documents. ~~Performance and payment bonds shall be issued in an amount of one hundred percent (100%) of the contract amount from a solvent Surety company, authorized to do business in the State of Texas and acceptable to the OWNER. Prior to the City's final acceptance of the Work and payment of retainage, the selected Offeror shall issue the City a Maintenance Bond with a one-year term and a penal sum of ten (10) percent of the contract amount.~~

#### 4. OTHER PROCEDURES

Owner may conduct such investigations as Owner deems necessary to assist in evaluation of any Proposal and to establish the responsibility, qualifications and financial ability of Offerors in accordance with information submitted with a proposal.

Owner, at its discretion, may also choose to conduct interviews with the highest ranking Offerors. Failure to participate in the interview may result in disqualification. Should Owner choose to conduct interviews with top ranking Offerors, they will be notified of:

1. Time and place for interview.
2. Interview format and agenda.
3. Individuals that are expected to participate in the interview.

Owner reserves right to adopt most advantageous interpretation of Proposals submitted in case of ambiguity or lack of clearness in stating Proposal Prices, to reject any or all Proposals, and/or waive informalities.

SECTION 003

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003 ACKNOWLEDGMENT OF ADDENDA

Acknowledgement of Addenda:

All Addenda must be acknowledged below in the space provided. Alternatively, Addenda may be acknowledged on the outside of the sealed envelope submitted for bid next to the project name. Inclusion of the full text of any Addendum in this bid packet will also constitute the bidder's acknowledgement of that Addendum.

Bidder's Name: \_\_\_\_\_

(Fill in Bidder's Name exactly as it appears on pages 2 and 3 of the Bid Form)

I have received, acknowledge, and accept all of the following Addenda:

ADDENDUM NO.	SIGNATURE

Total Bid Amount in numbers:

Total bid in numbers (as tabulated on the Unit Price Schedule): \$ \_\_\_\_\_

The total bid in numbers above will be used to determine the apparent low bidder. The contract award will be based on bid amounts tabulated and verified by the Engineer.

004 CONFLICT OF INTEREST QUESTIONNAIRE

004.1 INSTRUCTIONS

CONFLICT OF INTEREST  
DISCLOSURE

IMPORTANT NOTICE TO VENDORS AND BIDDERS- NEW STATE LAW

**Chapter 176 of the Local Government Code requires the filing of Conflict of Interest Questionnaires (CIQ) by certain individuals and businesses.**

The questionnaires require disclosures describing certain business and gift giving relationships, if any, the filers may have with Local Government Officers or a member of a governing body of a local government entity.

The law applies to:

- Businesses and individuals who contract with the City,
- Businesses and individuals who seek to contract with the City (regardless of whether a bidder is awarded the contract), and
- Agents who represent such businesses in their business dealing with the City

A copy of the required reporting form is attached. [Form CIQ](#)

As part of the contracting process with governmental entities, Section 2252.908 of the Texas Government Code requires that for certain types of contracts, you must fill out a conflict of interest form (“Disclosure of Interested Parties”) at the time you submit your signed contract to the City. For further information please go to the Texas Ethics Commission website via the following link.

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm)

If you have any questions about compliance, please consult your own legal counsel. Compliance is the individual responsibility of each individual, business and agent who is subject to the law's filing requirement.

If you are required to file a Conflict of Interest Questionnaire, you should file it with the City's Secretary at 1001 Buchanan Dr. Suite 4, Burnet, Tx 78611.



004.2 CIQ FORM SAMPLE

# CONFLICT OF INTEREST QUESTIONNAIRE

# FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.  
This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person 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 person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.  
A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

## OFFICE USE ONLY

Date Received

**1** Name of person 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 the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes  No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes  No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes  No

D. Describe each employment or business relationship with the local government officer named in this section.

**4** Signature of person doing business with the governmental entity

Date

004.3 FORMS TGC 2271, 2274.01/02, & SB 252

# Certification of No Boycott

## No Boycott Israel

If Contractor/Vendor is a "Company", as that term is defined in Section 808.001 of the Texas Government Code and is not a sole proprietorship, then Contractor/Vendor certifies and verifies that it: (i) does not boycott Israel and (ii) will not boycott Israel during the term of the Purchase Order or Contract this Certification is attached to and incorporated into; or (iii) that it meets the requirements of an exception listed below.

Form requirements:

- **This certification is required by Texas Government Code § 2271.002.**
- This form is required to be attached to and is incorporated into all Purchase Orders (goods) and Contracts (services) with a value of \$100,000 or more that is paid in whole or in part with state funds with a company with 10 or more full time employees. The campus department making the purchase of goods or contracting for services is responsible for obtaining the form from the Vendor or Contractor.

Texas Government Code §808.001 states that "Boycott Israel" means "refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes". Furthermore, Texas Government Code §808.001 states that the term "Company" means a "for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit", provided however that Texas Government Code §2271.001(2) excludes sole proprietorships from this definition of "Company".

Vendor/Contractor Name or Company Name	
Street Address	
City	
State	
Zip Code	
Phone Number	
Printed Name of Authorized Representative	
Title of Authorized Representative	
Signature of Authorized Representative	
Date	

---

**ONLY COMPLETE THIS SECTION IF YOU BELIEVE YOU ARE NOT REQUIRED TO PROVIDE THE CERTIFICATION - No Boycott Israel - FOR THE REASONS CITED BELOW**

My business is not required to provide the certification listed above because (select one):

- My business is not a for-profit "Company" as defined above, pursuant to Texas Government Code §808.001 and §2271.001.
- My Company has less than 10 full-time employees
- This is not an agreement for goods or services to be provided to the City.

---

Name

---

Signature

---

Date

# Certification of No Boycott

## No Boycott Energy Company

If Contractor/Vendor is a "Company", as that term is defined in Section 809.001 of the Texas Government Code and is not a sole proprietorship, then Contractor/Vendor certifies and verifies that it: (i) does not boycott energy companies and (ii) will not boycott energy companies during the term of Purchase Order or Contract this Certification is attached to and incorporated into; or (iii) that it meets the requirements of an exception listed below.

Form requirements:

- **This certification is required by Texas Government Code § 2274.002.**
- This form is required to be attached to and is incorporated into all Purchase Orders (goods) and Contracts (services) with a value of \$100,000 or more that is paid in whole or in part with state funds with a company with 10 or more full time employees. The campus department making the purchase of goods or contracting for services is responsible for obtaining the form from the Vendor or Contractor.

Texas Government Code §809.001(1) states that "Boycott energy company" means "without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company: (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by Paragraph (A)". Furthermore, Texas Government Code §809.001(2) states that the term "Company" means a "for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit", provided however that Texas Government Code §2274.001(2) excludes sole proprietorships from this definition of "Company".

Vendor/Contractor Name or Company Name	
Street Address	
City	
State	
Zip Code	
Phone Number	
Printed Name of Authorized Representative	
Title of Authorized Representative	
Signature of Authorized Representative	
Date	

**ONLY COMPLETE THIS SECTION IF YOU BELIEVE YOU ARE NOT REQUIRED TO PROVIDE THE CERTIFICATION – No Boycott Energy Company - FOR THE REASONS CITED BELOW**

My business is not required to provide the certification listed above because (select one):

- My business is not a for-profit "Company" as defined above, pursuant to Texas Government Code §809.001(2) and §2274.001(2).
- My Company has less than 10 full-time employees
- This is not an agreement for goods or services to be provided to the City.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Certification of No Boycott

## No Discrimination against Firearm and Ammunition Industries

If Contractor/Vendor is a “Company”, as that term is defined in Section 2274.001 of the Texas Government Code and is not a sole proprietorship, then Contractor/Vendor certifies and verifies that it: (i) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and (ii) will not discriminate against a firearm entity or firearm trade association during the term of the Purchase Order or Contract this Certification is attached to and incorporated into; or (iii) that it meets the requirements of an exception listed below.

Form requirements:

- **This certification is required by Texas Government Code § 2274.002**
- This form is required to be attached to and is incorporated into all Purchase Orders (goods) and Contracts (services) with a value of \$100,000 or more that is paid in whole or in part with state funds with a company with 10 or more full time employees. The campus department making the purchase of goods or contracting for services is responsible for obtaining the form from the Vendor or Contractor.

Texas Government Code §2274.001(3) states that " discriminate against a firearm entity or firearm trade association " means “with respect to the entity or association, to: (i) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association; (ii) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or (iii) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association”. Furthermore, Texas Government Code §2274.001(2) states that the term “Company” means a “a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or associations that exists to make a profit. The term does not include a sole proprietorship.”

Vendor/Contractor Name or Company Name	
Street Address	
City	
State	
Zip Code	
Phone Number	
Printed Name of Authorized Representative	
Title of Authorized Representative	
Signature of Authorized Representative	
Date	

**ONLY COMPLETE THIS SECTION IF YOU BELIEVE YOU ARE NOT REQUIRED TO PROVIDE THE CERTIFICATION –No Discrimination against Firearm and Ammunition Industries- FOR THE REASONS CITED BELOW**

My business is not required to provide the certification listed above because (select one):

- My business is not a for-profit “Company” as defined above, pursuant to Texas Government Code §2274.001(2).
- My Company has less than 10 full-time employees
- This is not an agreement for goods or services to be provided to the City.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SENATE BILL 252 – CHAPTER 2252 VERIFICATION**

Effective September 1, 2017 contracts with companies engaged in business with Iran, Sudan, or foreign terrorist organization is prohibited. A governmental entity may not enter into a governmental contract with a company that is identified on a list prepared and maintained under Section 806.051, 807.051 or 2252.153. The comptroller shall prepare and maintain, and make available to each governmental entity, a list of companies known to have contracts with or provide supplies and services to a foreign terrorist organization.

I, \_\_\_\_\_, the undersigned representative of \_\_\_\_\_ (Company or Business Name) being an adult over the age of eighteen (18) years of age, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, certify that the company names above is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153.

I further certify that should the above-named company enter into a contract that is on said listing of companies on the website of the Comptroller of the State of Texas which do business with Iran, Sudan or any Foreign Terrorist Organization, I will immediately cause the work under contract with the City to stop, and notify the City of Burnet, office of the City Manager. I understand that any cost associated delays or cancellation of such work regarding this certification will not be compensated by the City. Furthermore, I understand that the City may consider this association as noted above, a breach of contract and may terminate the contract.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_

005 BID FORM



**BID SHORT FORM**

Project name: **Type D HMAC per TxDOT Item 340, PID: RFP 2024-004**

Construction Description: Provide a proposal along with qualifications including the items laid out in the Scope of Work attached hereto.

We, the undersigned, propose to furnish the item listed below and guarantee that if we are awarded the bid, we will furnish the goods in accordance with the attached documents and the City’s Technical Construction Standard Manual and Other Specifications and Conditions in the bid and contract documents. Proposalders will be required to fill out State of Texas Conflict of Interest Questionnaire, form TGC 2270 and no boycott forms, and other requested forms by the City.

The Owner is exempt from payment of State and Local sales, excise and use taxes under section 151.309 of the Texas Tax Code.

THIS FORM MAY BE COPIED

TOTAL LUMP SUM PRICE: \$ \_\_\_\_\_ for 1,000 Tons of Asphalt Ty-D.

UNIT PRICE: \$ \_\_\_\_\_ for 1,000 – 1,500 Tons of Asphalt Ty-D.

By submitting this proposal, the submitter understands that they must enter into an agreement with the City for the award of this contract.

By submitting this proposal, the submitter understands that they must enter into an agreement with the City for the award of this contract. The City may enter into a contract that restricts the total contract amount, total contract time, or number of accounts served.

BID PRICE IS GUARANTEED FOR 90 (NINETY) DAYS AFTER BID OPENING BY CITY.

The City of BURNET shall have the right to take such steps as it deems necessary to determine the ability of the bidder, to perform his obligations under the Contract and the bidder shall furnish the City of BURNET all such information and data for this purpose, as the City of BURNET may request it. The right is reserved to reject any bid where an investigation of the available evidence or information does not satisfy the City of Burnet, whereas the bidder is qualified to carry out properly the terms of the contract.

Authorized Signature Name of Firm: \_\_\_\_\_  
Signature Date

Printed Name of Signee: \_\_\_\_\_

Firm Address: \_\_\_\_\_  
Street No & Suite, City, State, Zip Code

Telephone Number: \_\_\_\_\_, Fax Number: \_\_\_\_\_

All Bids shall be submitted on forms supplied by the City.

Bid documents shall be submitted via mail or in person. It is the sole responsibility of the bidder to see that his bid is received on time.

**BIDDERS (SUBMITTERS) QUALIFICATIONS:**

The City shall have the right to take such steps as it deems necessary to determine the ability of the bidder, to perform his obligations under the Contract and the bidder shall furnish the City all such information and data for this purpose, as the City of may request it. The right is reserved to reject any bid where an investigation of the available evidence or information does not satisfy the City, whereas the bidder is qualified to carry out properly the terms of the contract.

**AWARD OF CONTRACT: REJECTION OF BIDS:**

**ESTIMATED QUANTITIES:** It is estimated that the Owner will purchase the quantity stated in the Bid Form, on an as-needed basis, during the term of the contract. This represents a realistic estimate based on historical data for purposes of securing a quote. The quantities are not firm and are not hereby called for or ordered. These estimates do not constitute an order.

**ADDITIONAL QUANTITIES:** The Owner anticipates that it may require additional quantities of the goods described in the Bid Form. The bid price will apply to any additional quantities, including quantity discounts applied to the initial purchase. The Owner is not obligated to purchase any additional goods under this solicitation.

The Contract will be awarded to the responsible bidder submitting the best value evaluated bid complying with the specifications. Asphalt Plant or distribution location must be within 30-miles of the City of burnet. The award of the Contract will be based upon consideration of not only cost, but other factors as noted in Section 252 and 2269 of the Local government Code. The City, however, reserves the right to reject any and all bids and to waive any formality in bids received whenever such rejection or waiver is in the City's interest. The Bidder to whom the award is made will be notified at the earliest possible. Please see proposal instructions for further guidance.

007 BIDDER QUALIFICATION FORM

## **Bidder Qualification Form - Construction**

*(Firm must prepare this statement in the form shown)*

The undersigned bidder certifies that the information herein is true, correct, complete and accurate. Elaboration on the following information or additional information deemed to be useful for evaluation of bidder's capabilities or to prevent misleading representations may be attached to this form. With exception to material and equipment suppliers, any subcontractor completing 25% or more of the project in terms of cost, is required to fill out this form.

Date: \_\_\_\_\_ Texas License Number: \_\_\_\_\_ Federal ID No.: \_\_\_\_\_

Bidder (Legal Name of Firm): \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

\_\_\_\_\_ Fax Number: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Email: \_\_\_\_\_

President (or Managing Partner, etc.): \_\_\_\_\_

Dun and Bradstreet Number (if any): \_\_\_\_\_

Years in Business Under Present Name: \_\_\_\_\_

List all other names under which your business has operated in the last 10 years:

\_\_\_\_\_

Work Presently Under Contract (\$): \_\_\_\_\_

Work in place last year (\$): \_\_\_\_\_

Total Bonding Capacity (\$): \_\_\_\_\_

*(Attach a letter from Bonding Co. evidencing bonding capacity)*

Value of Work Presently Bonded (\$): \_\_\_\_\_

Bonding Company: \_\_\_\_\_

Bonding Agent: \_\_\_\_\_

Insurance Company: \_\_\_\_\_

Insurance Agent: \_\_\_\_\_ Phone: \_\_\_\_\_

Total Staff Employed by Firm *(Break down by Managers and Trades on separate sheet)*: \_\_\_\_\_

Contracting Specialty *(Indicate trades in which bidder performs)*: \_\_\_\_\_

Union Affiliations:     Local             National

Years Performing Work Specialty: \_\_\_\_\_ Percentage of Work Performed by Firm's Own Forces: \_\_\_\_\_

Is the Bidder in compliance with all applicable EEO requirements?  Yes  No  
*(If the answer is no, please attach summary of details on a separate sheet)*

**Bank References**

Address: \_\_\_\_\_ Contact Name: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Has the firm or predecessor firm been involved in a bankruptcy or reorganization?  Yes  No  
*(If the answer is yes, please attach summary of details on a separate sheet)*

**Relevant Experience**

Bidder should have successfully completed (substantially on-schedule, on-budget) at least three projects of similar size and nature for which they are submitting qualifications. List projects on a separate sheet with the following information on each and attach hereto:

1. Experience:

Project *(Name, Location and Contact)*

Architect *(N/A if not applicable):*

Engineer:

Contract Amount: \$

Date Completed *(Month/Year)*

Scope of Work: \_\_\_\_\_

List below any/all Contract(s) awarded to Bidder which it has failed to complete *(If applicable, attach a separate sheet):*

Project *(Name and Location):* \_\_\_\_\_

Contract with: \_\_\_\_\_

Brief Explanation of Cause and Resolution: \_\_\_\_\_

2. The reputation of the bidder and of the bidder's goods or services:

Provide general information about Organization and a Statement of Qualifications. Include information on Projects on similar which Offeror has had significant involvement in the last five (5) years, or that demonstrate experience with similar Projects. See proposal instructions to bidders. Add separate sheet as needed.

3. Experience/Qualifications of Sub-Contractor(s):

Provide information on Sub-Contractor(s) who are to complete 25% or more of the project in terms of cost, qualifications including information on Projects of similar which Sub-Contractor(s) has been in charge of in the last five (5) years, or that demonstrate experience with similar Projects. See proposal instructions to bidders.

4. Other Factors:

Owner will consider other factors in evaluating Bids, including but not limited to the items indicated in the proposal instructions.

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Has your company or company's principal(s), under contract as a prime contractor or sub-contractor, performed work with the city?

yes       no

Please Describe if yes: \_\_\_\_\_

If your company or company's principal(s) have performed work for the city as a prime contractor or sub-contractor, were any of those prior contracts subject to liquidated damages?

yes       no

Please Describe if yes: \_\_\_\_\_

List on a sheet attached hereto a flowchart of the project team that is anticipated to work or manage this project. Also list a resume of the project team including the field supervisor or superintendent. List at least 3 references, one of which is from either the insurance or bond company intended to be used for this project.

List on a sheet attached hereto all judgments, claims, arbitration proceedings, or suits pending or outstanding against bidder over the last five (5) years with amount of claim and brief description.

List on a sheet attached hereto all lawsuits or requested arbitration with regard to construction contracts which bidder has initiated within the last five (5) years and brief explanation of claim and outcome.

Attach to this form Bidder's current Financial Statement (assets/Liabilities), preferably audited.

A bid may be disqualified if the company or company's principal(s) have prior work experience with the city, as a prime consultant or sub-consultant, and the contract for that work was subject to liquidated damages. After the public bid opening, if a bidder does not respond to information requests regarding their statement of qualifications within 3 business days, the bid may be disqualified.

Signature: \_\_\_\_\_

Name (Officer or Partner): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**AFFIDAVIT OF AUTHENTICITY**  
*Must be included with Bidder's Qualifications*

STATE OF TEXAS :

COUNTY OF :

ON THIS, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, the undersigned officer,  
personally appeared \_\_\_\_\_, who acknowledged her/himself to be the  
\_\_\_\_\_ of \_\_\_\_\_  
*[title]* *[Contractor's full name]*

being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the  
name of the said contractor by her/himself as such \_\_\_\_\_, executed the  
*[title]*  
foregoing instrument for the purposes therein contained by signing her/his name.

STATE OF TEXAS :

COUNTY OF :

Sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (year), by \_\_\_\_\_.  
*(name of signer)*

\_\_\_\_\_  
Notary Public's Signature

~~SEE CONTRACT~~



**009 REQUEST FOR INFORMATION**

Communications concerning this Bid shall be addressed to:

Eric Belaj, PE, CFM  
*City Engineer*  
CITY OF BURNET  
1001 Buchanan Dr. Ste 4  
Burnet, Tx 78611  
[ebelaj@cityofburnet.com](mailto:ebelaj@cityofburnet.com)



# 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  
  1001 BUCHANAN DR. SUITE 4  
  BURNET, TX 78611  
  (512) 715-3217

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. RAP IS allowed.

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 30 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 1,000 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 items as indicated in the bidder qualification form.

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.