

11WCA044



PERFORMANCE GRADE ASPHALT, LLC

P.O. Box 6 Hitchcock, Texas 77563 / Production Facilities 5320 FM2004 Hitchcock, Texas 77563

409-986-7740 fax 409-986-7950

15 September 2011

Brenda Fuller
Williamson County

Brenda;

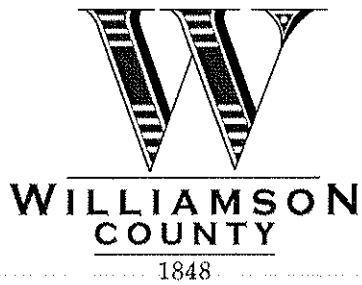
This letter is in regards to me request for price increases on your contract #'s 11WCA043 and 11WCA044. I wish to cancel my request for price increases on the above contracts. Since the time of the request asphalt prices have gone down enough to do away with the need for any increase.

The term of these contracts is about to expire and I would like to request to extend them. Actually, Williamson County may find it in their best interest to re-bid the above contracts. Asphalt prices have gone down enough to affect bid prices. Asphalt is now at a lower price than it was when these contracts were initially bid. I am positive that Williamson County will save a significant amount of money by re-bidding these contracts.

Thanks;

Clarke DuBose

A handwritten signature in black ink, appearing to read "Clarke", followed by a long horizontal flourish line.



**WILLIAMSON COUNTY
PURCHASING DEPARTMENT
301 SE INNER LOOP – SUITE 106
GEORGETOWN, TEXAS 78626**

<http://www.wilco.org/purchasing>

March 29, 2011

Performance Grade Asphalt
PO Box 6
Hitchcock, TX 77563
Attn: Clarke DuBose, President

RE: Bid/Contract # 11WCA044 – primary on item# 7&8; secondary on item# 2,5
tertiary on item# 4

Dear Mr. DuBose,

The bid process for Williamson County has been completed, and I would like to personally thank you for the valuable time you put into submitting your bid.

The Williamson County Commissioners Court has approved awarding the contract for Asphalt Emulsions for the above referenced items to your company for the contract period April 1, 2011 through September 30, 2011. Your contract number is 11WCA044.

The bid tabulation is located on our County web site at the following link: <http://www.wilco.org/purchasing>. Click "All Past Bids" to locate the bid you are interested in.

If you have any questions or if I can be of additional assistance, please contact me at (512) 943-1546 or email me at khancock@wilco.org.

Thank you again for your participation.

Sincerely,

Kerstin Hancock

Kerstin Hancock
Assistant Purchasing Agent
Williamson County

WILLIAMSON COUNTY BID FORM
 ASPHALT EMULSIONS FOR WILLIAMSON COUNTY
 UNIFIED ROAD AND BRIDGE SYSTEM

ORIGINAL

BID NUMBER: 11WCA044

NAME OF BIDDER: PERFORMANCE GRADE ASPHALT, LLC.

Mailing Address: P.O. Box 6

City: HITCHCOCK State: TX Zip: 77563

Email Address: clarked@pgasphalt.com

Telephone: (409) 986-7740 Fax: (409) 986-7950

Mobile Phone: (281) 387-9869

SPECIFY F.O.B. SITES.

ITEM #	DESCRIPTION	F.O.B. SITE	UNIT	UNIT PRICE
1	HFRS-2 TxDot Item 300.2, Table 7	any WtCo. location	Gal	no bid
2	CRS-2, TxDot Item 300.2, Table 8	any WtCo. location	Gal	2.15
3	HFRS-2P TxDot Item 300.2, Table 9	any WtCo. location	Gal	no bid
4	CRS-2P TxDot Item 300.2, Table 9	any WtCo. location	Gal	2.65
5	SS-1 Emulsion TxDot Item 300.2, Table 7	any WtCo. location	Gal	2.15
6	RS-1P Emulsion TxDot Item 300.2, Table 9	—	Gal	no bid
7	Asphalt Rejuvenation Agent (see above)	any WtCo. location	Gal	2.80
8	Asphalt Emulsion Stabilizer (see above)	any WtCo. location	Gal	2.80
9	Pump Charge			none

CHECK ONE OF THE FOLLOWING:

☒ low item basis. (Will accept award on "any or all" items.)

☐ "all or none" basis. (Will accept award of "all" items only. If left blank, low item will apply.)

By signing this form:

- The bidder confirms that he/she has read the entire document and agrees to the terms herein.
- The bidder is acknowledging the Conflict of Interest Clause and agrees to follow necessary requirements

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with the terms and conditions of the attached Invitation for Bid, Specifications, and Special Provisions for the amount(s) shown on the accompanying bid sheet(s).

Signature of Person Authorized to Sign Bid

Date of Bid: 03/10/2011

Printed Name and Title of Signer:

Clarke DuBose, President

DO NOT SIGN OR SUBMIT WITHOUT READING ENTIRE DOCUMENT

THIS FORM MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID

Ergon Asphalt & Emulsions, Inc.

a company that works™

TO: Kerstin Hancock, Williamson County, Assistant Purchasing Agent
Brenda Fuller, CPPB, Purchasing Specialist, Williamson County Purchasing Department

FROM: Cary P. Brownlee, Ergon Asphalt and Emulsions, Inc., Regional Sales Manager

DATE: September 19, 2011

REF: Renewal Request for Wilco Contract 11WCA044

Dear Ms. Hancock:

Regarding the above referenced contract, Ergon will be in agreement with extending for an additional six (6) month period if Williamson County will agree to a price increase.

On March 15, 2011 Ergon Asphalt and Emulsions Inc. bid this contract. At that time the raw material asphalt product required to produce the products on this contract were selling for \$475.00 per ton. The current cost, as of September 19, 2011 is \$550 per ton. This increase in raw materials reflects an approximate 16% increase in our raw materials costs. I have included price sheets from our supplier verifying the cost of the raw material (EMFL).

Ergon Asphalt and Emulsions would agree to an extension providing Williamson County would agree to an Economic Adjustment increase of 10% as listed below.

<u>ITEM#</u>	<u>PRODUCT</u>	<u>CURRENT PRICE</u>	<u>PROPOSED PRICE</u>
1	HFRS-2	\$2.0209	\$2.223
2	CRS-2	\$2.0346	\$2.238
3	HFRS-2P	\$2.6209	\$2.883
5	SS-1	\$2.0209	\$2.223
4 - Secondary	CRS-2P	\$2.6346	\$2.898

Consideration of this Economic Adjustment increase for the requested extension by Williamson County would be greatly appreciated to help offset our increase in raw materials costs.

Sincerely your,



Cary P. Brownlee
Regional Marketing Manager

Enclosures: Valero Letter dated March 8, 2011
Valero Letter dated March 31, 2011
Valero Letter dated April 14, 2011
Valero Letter dated May 25, 2011
Valero Letter dated 9-19-11



March 8, 2011

Effective March 11, 2011 Valero Marketing And Supply Company will change the Daily Rack prices of conventional and polymer modified asphalt cement in Houston, Corpus Christi, and Brownsville. Below you will find updated pricing on individual materials that apply.



PG64-22	\$475/ ton
AC-10	\$502/ ton
AC-5	\$502/ ton
EMFL	\$475/ton

**The products listed are subject to availability and daily rack prices may change at any time.

We appreciate your business as always, and if you have any questions, please feel free to contact the Valero Marketing Manager for your area.

Houston - Sidney Pujol (225-603-3602) or Kyle Walker (281-415-1128)

Corpus Christi - Johnie Goodman (361-442-3909)

Thank You

Sidney Pujol
Sr. Mgr. - Gulf Coast Asphalt Marketing
225-603-3602 - Phone
210-370-4455 - Fax
sidney.pujol@valero.com

CC: Doug McClure - VMSO Executive Director - Asphalt Marketing



March 31, 2011

Effective April 1, 2011 Valero Marketing And Supply Company will change the Daily Rack prices of conventional and polymer modified asphalt cement in Houston, Corpus Christi, and Brownsville. Below you will find updated pricing on individual materials that apply.

<div></div>	
PG64-22	\$500 / ton
AC-10	\$527 / ton
AC-5	\$527 / ton
EMFL	\$525 / ton

**The products listed are subject to availability and daily rack prices may change at any time.

We appreciate your business as always, and if you have any questions, please feel free to contact the Valero Marketing Manager for your area.

Houston - Sidney Pujol (225-603-3602) or Kyle Walker (281-415-1126)

Corpus Christi - Johnnie Goodman (361-442-3909)

Thank You

Sidney Pujol
Sr. Mgr. - Gulf Coast Asphalt Marketing
225-603-3602 - Phone
210-370-4455 - Fax
sidney.pujol@valero.com

CC: Doug McClure - VMSC Executive Director - Asphalt Marketing



April 14, 2011

Effective April 15, 2011 Valero Marketing And Supply Company will change the Daily Rack prices of conventional and polymer modified asphalt cement in Houston, Corpus Christi, and Brownsville. Below you will find updated pricing on individual materials that apply.

[REDACTED]	
PG64-22	\$550 / ton
AC-10	\$577 / ton
AC-5	\$577 / ton
EMFL	\$575 / ton

**The products listed are subject to availability and daily rack prices may change at any time.

We appreciate your business as always, and if you have any questions, please feel free to contact the Valero Marketing Manager for your area.

Houston - Sidney Pujol (225-603-3602) or Kyle Walker (281-415-1126)
Corpus Christi - Johnie Goodman (361-442-3909)

Thank You

Sidney Pujol
Sr. Mgr. - Gulf Coast Asphalt Marketing
225-603-3602 - Phone
210-370-4455 - Fax
sidney.pujol@valero.com

CC: Doug McClure - VMSG Executive Director - Asphalt Marketing

Cary Brownlee

From: Goodman, Johnie [Johnie.Goodman@valero.com]
Sent: Wednesday, May 25, 2011 3:02 PM
To: Myles McKemie
Cc: Lori Day; Cary Brownlee; Pujol, Sidney
Subject: Valero Asphalt Pricing

Hello Myles

Effective May 26, 2011 Valero in Corpus Christi will be raising prices \$25 ton. The new pricing is as follows.

PG 64-22 - \$575 ton

AC-5 - \$602 ton

AC-10 - \$602 ton

EMFL - \$600 ton

I appreciate your business and if you have any questions feel free to give me a call.

Thank You

Johnie Goodman

Valero Marketing & Supply

5/31/2011

Cary Brownlee

From: Goodman, Johnie [Johnie.Goodman@valero.com]

Sent: Monday, September 19, 2011 2:13 PM

To: Cary Brownlee

Subject: Valero Pricing

Hello Cary

Below is Ergons current pricing FOB Valero Corpus Christi. These prices are subject to change with notice. If you need anything else feel free to give me a call.

PG 64-22 - \$550

EMFL - \$550

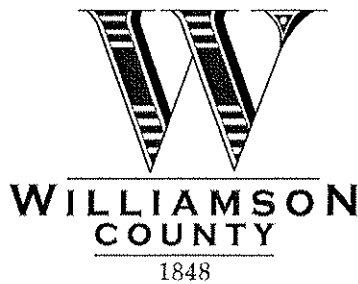
AC-10 - \$577

Thank You

Johnie Goodman

Valero Marketing & Supply

9/19/2011



**WILLIAMSON COUNTY
PURCHASING DEPARTMENT
301 SE INNER LOOP – SUITE 106
GEORGETOWN, TEXAS 78626**

<http://www.wilco.org/purchasing>

March 29, 2011

Ergon Asphalt & Emulsions, Inc.
11612 RM 2244, Building 1, Suite 250
Austin, TX 78738
Attn: Cary P. Brownlee, Regional Sales Manager

RE: Bid/Contract # 11WCA044 – primary item# 1, 2, 3 & 5; secondary item# 4

Dear Ms. Brownlee,

The bid process for Williamson County has been completed, and I would like to personally thank you for the valuable time you put into submitting your bid.

The Williamson County Commissioners Court has approved awarding the contract for Asphalt Emulsions for the above referenced items to your company for the contract period April 1, 2011 through September 30, 2011. Your contract number is 11WCA044.

The bid tabulation is located on our County web site at the following link: <http://www.wilco.org/purchasing>. Click "All Past Bids" to locate the bid you are interested in.

If you have any questions or if I can be of additional assistance, please contact me at (512) 943-1546 or email me at khancock@wilco.org.

Thank you again for your participation.

Sincerely,

Kerstin Hancock

Kerstin Hancock
Assistant Purchasing Agent
Williamson County

COPY

WILLIAMSON COUNTY BID FORM
ASPHALT EMULSIONS FOR WILLIAMSON COUNTY
UNIFIED ROAD AND BRIDGE SYSTEM

BID NUMBER: 11WCA044

NAME OF BIDDER: ERGON ASPHALT & EMULSIONS, INC.

Mailing Address: 11612 RM 2244, BUILDING 1, SUITE 250

City: AUSTIN State: TEXAS Zip: 78738

Email Address: beth.roe@ergon.com OR cary.brownlee@ergon.com

Telephone: (512) 469-9292 Fax: (512) 469-0391

Mobile Phone: (512) 517-5517

SPECIFY F.O.B. SITES.

ITEM #	DESCRIPTION	F.O.B. SITE	UNIT	UNIT PRICE
1	HFRS-2 TxDot Item 300.2, Table 7	\$2.1014	Gal	\$2.00
2	CRS-2, TxDot Item 300.2, Table 8	\$2.1144	Gal	\$2.00
3	HFRS-2P TxDot Item 300.2, Table 9	\$2.7014	Gal	\$2.60
4	CRS-2P TxDot Item 300.2, Table 9	\$2.7144	Gal	\$2.60
5	SS-1 Emulsion TxDot Item 300.2, Table 7	\$2.1014	Gal	\$2.00
6	RS-1P Emulsion TxDot Item 300.2, Table 9	NO BID	Gal	NO BID
7	Asphalt Rejuvenation Agent (see above)	NO BID	Gal	NO BID
8	Asphalt Emulsion Stabilizer (see above)	NO BID	Gal	NO BID
9	Pump Charge			\$80.00 PER LOAD

Federal Environmental Fee will be added to above prices
at rate of \$.4424/ton for asphalt & polymer loads
or \$.00133/gal for emulsion loads.

PLEASE SEE ATTACHMENT WHICH FOLLOWS!

ATTACHMENT

This bid is for full transport loads of 5,500 gallons. Freight is based on a full transport load, even if a full load of material is not ordered. The common carrier bills demurrage at \$80.00 per hour, after the second hour. Return freight is one-half of the outgoing tariff. Pump and hose charge is \$80.00 per load.

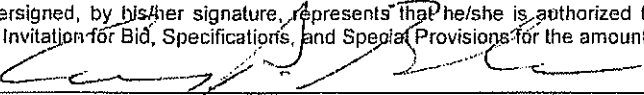
CHECK ONE OF THE FOLLOWING:

- ☒ low item basis. (Will accept award on "any or all" items.)
- ☐ "all or none" basis. (Will accept award of "all" items only. If left blank, low item will apply.)

By signing this form:

- The bidder confirms that he/she has read the entire document and agrees to the terms herein.
- The bidder is acknowledging the Conflict of Interest Clause and agrees to follow necessary requirements

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with the terms and conditions of the attached Invitation for Bid, Specifications, and Special Provisions for the amount(s) shown on the accompanying bid sheet(s).


Signature of Person Authorized to Sign Bid Date of Bid: JULY 16, 2010

Printed Name and Title of Signer: CARY P. BROWNLEE - REGIONAL SALES MANAGER

DO NOT SIGN OR SUBMIT WITHOUT READING ENTIRE DOCUMENT

THIS FORM MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID



WILLIAMSON COUNTY
PURCHASING DEPARTMENT
301 SE INNER LOOP - SUITE 106
GEORGETOWN, TEXAS 78626

<http://wilco-online.org/ebids/bids.aspx>

INVITATION FOR BIDS

ASPHALT EMULSIONS FOR WILLIAMSON COUNTY UNIFIED ROAD AND BRIDGE SYSTEM

BID NUMBER: 11WCA044

BIDS MUST BE RECEIVED ON OR BEFORE: March 15, 2011 – 1:30 PM

BIDS WILL BE PUBLICLY OPENED: March 15, 2011 – 2:00 PM

BID SUBMISSION

DEADLINE: Bids must be received in the Williamson County Purchasing Department on or before **1:30 PM on Tuesday March 15, 2011**. Bids will be publicly opened at **2:00 PM or soon thereafter** in the Williamson County Purchasing Department, Williamson County Inner Loop Annex, 301 SE Inner Loop – Suite 106, Georgetown, Texas.

METHODS: Sealed bids may be hand-delivered or mailed to the *Williamson County Purchasing Department, Attn: Brenda Fuller, Williamson County Inner Loop Annex, 301 SE Inner Loop – Suite 106, Georgetown, Texas 78626*.

LOCATION DIRECTIONS: Please see page 9 of this document for a map and directions to the Williamson County Inner Loop Annex.

FAX/EMAIL: Facsimile and electronic mail transmittals are not acceptable

BID REQUIREMENTS

SUBMITTAL: DUPLICATE: Bids are to be submitted in duplicate (1 original complete bid set and 1 copy of the bid set). The bid sets should be marked "original" or "copy". A "bid set" consists of the COMPLETED AND SIGNED Bid Form and any other required documentation. All copies should have the same attachments as the original.

SEALED: All bids must be returned in a sealed envelope with the bidder's name, address, bid name, number, opening date and time clearly marked on the outside. **If an overnight delivery service is used**, the bidder's

name, address, bid name, number, opening date and time should be clearly marked on the outside of the delivery service envelope.

REFERENCES: Williamson County may require bidder to supply a list of at least three (3) references where like services have been supplied by their firm if vendor has not done business with the County within the past five (5) years. Include name of firm, address, telephone number and name of representative.

LEGIBILITY: Bids must be legible and of a quality that can be reproduced.

FORMS: All bids will be submitted on the forms provided in this bid document. Changes to bid forms made by bidders may disqualify the bid. Bids cannot be altered or amended after submission deadline.

LATE BID: Bids received after submission deadline will not be opened and will be considered void and unacceptable. Williamson County is not responsible for lateness of mail, courier service, etc.

RESPONSIBILITY: It is expected that a prospective bidder will be able to affirmatively demonstrate bidder's responsibility. A prospective bidder should be able to meet the following requirements:

- a) have adequate financial resources, or the ability to obtain such resources as required;
- b) be able to comply with the required or proposed delivery schedule;
- c) have a satisfactory record of performance;
- d) be otherwise qualified and eligible to receive an award.

Williamson County may request representation and other information sufficient to determine bidder's ability to meet these minimum standards listed above.

AWARD

THIRTY DAYS: Awards should be made approximately thirty (30) days after the bid opening date. Results may be obtained by contacting the Purchasing Contact.

REJECTION OR ACCEPTANCE: A primary, secondary, third, and fourth award may be made for this bid. Bids may be rejected for some items, departments or areas, even though awards are made for others. The convenience of having a single source for similar items will be taken into consideration together with price in determining the lowest and best bid.

It is understood that the Commissioners Court of Williamson County, Texas, reserves the right to accept or reject any and/or all bids for any or all materials and/or services covered in this bid request, and to waive informalities or defects in the bid or to accept such bid it shall deem to be in the best interest of Williamson County. In determining the overall best bid, the County may exercise either (or both) of the following options granted to local government's under the Texas Local Government Code.

Option 1 – TLGC § 271.905. This option allows the County to consider a bidder's principal business location in determining the overall lowest and best bid.

Option 2 – TLGC § 271.907. This option allows the County to evaluate bids and give preference to goods and/or services of a vendor that demonstrates that the vendor meets or exceeds any and all state or federal environmental standards, including voluntary standards, relating to air quality. If the bid being submitted will have an effect on air quality for Williamson County (as it relates to any state, federal, or voluntary air quality standard), then the bidder should provide information in narrative form indicating the anticipated air quality impact. Bidders are expected to meet all mandated state and federal air quality standards.

CONTRACT: This Bid, when properly accepted by Williamson County, shall constitute a contract equally binding between the successful bidder and Williamson County.

The successful bidder may be required to sign an additional agreement containing terms necessary to ensure compliance with the bid.

CONTRACT ADMINISTRATION: Under this contract, Greg Bergeron, Unified Road and Bridge System Director, Williamson County, shall be the contract URS ASPHALT EMULSIONS BID

administrator with designated responsibility to ensure compliance with contract requirements, such as but not limited to, acceptance, inspection and delivery. The contract administrator will serve as liaison between Williamson County Commissioner's Court and the successful bidder.

CONTRACT PERIOD(S): The Contract Period is from April 1, 2011 through September 30, 2011.

CONTRACT EXTENSIONS: At the end of the contract period, the Commissioners Court reserves the right to extend this contract, by mutual agreement of both parties, as it deems to be in the best interest of the county. This extension will be in six (6) month increments for up to an additional twelve (12) months, with the terms and conditions remaining the same. Any requested price adjustments must follow the economic adjustment clause in the bid documents. The total period of this contract, including all extensions will not exceed a maximum combined period of eighteen (18) months. The extension of this contract is contingent on the appropriation of necessary funds by Commissioner's Court for the fiscal year in question. Upon the failure of Commissioner's Court to so appropriate in any year, the Vendor may elect to terminate this agreement, with no additional liability to the County. The County and the Vendor agree that termination shall be the Vendor's sole remedy under this circumstance

ECONOMIC ADJUSTMENT: The awarded Vendor may submit a request for a contract pricing adjustment for approval by the County if the Vendor can show just cause substantiating an adjustment. The Vendor's request must include evidence in the form of a certified statement or affidavit from the supplier or manufacturer that explains the price adjustment, effective date, and any other details requested by the Purchasing Office.

An adjustment request will be effective after approval of Commissioner's Court. Until then the original contract pricing will remain unchanged. If an issue regarding an adjustment request is not resolved, the Purchasing Office reserves the right to seek competition from other sources.

Any materials or services delivered by a Vendor at a not agreed upon price are done so at the Vendors risk.

Pricing must remain firm for the first three (3) months of the initial contract period. Any price adjustment may not exceed ten (10) % of the previous price.

BID CONTACTS

PURCHASING CONTACT:

Brenda Fuller
301 SE Inner Loop – Suite 106
Georgetown, TX 78626
(512) 943-1607
brendafuller@wilco.org

TECHNICAL CONTACT:

Greg Bergeron
3151 SE Inner Loop – Suite B
Georgetown, TX 78626
(512) 943-3330
roads@wilco.org

MISCELLANEOUS

FOB DESTINATION: All of the items listed are to be Free On Board to final destination (FOB Destination) with all transportation charges if applicable to be included in the price, unless otherwise specified in the Invitation for Bids. The title and risk of loss of the goods shall not pass to the County until receipt and acceptance takes place at the FOB point.

FIRM PRICING: All of the items listed are to be on a "per unit" basis, stating a firm price per unit or unit quantity of each item. This price must be good from the date of bid opening for a fixed period of time. Unless the Bid expressly states otherwise, this period shall be until the end of the current fiscal year on September 30, 2011. Bids which do not state a fixed price, or which are subject to change without notice, will not be considered. The Court may award a contract for the period implied or expressly stated in the lowest and best bid, but for no longer than the current fiscal year.

ESTIMATED QUANTITIES: The estimated quantity of each item listed in the notice is only an estimate -- the actual quantity to be purchased may be more or less. The County is not obligated to purchase any minimum amount, and the County may purchase any reasonable amount greater than the estimate for the same unit price. Any limit on quantities available must be stated expressly in the bid.

FUNDING: Funds for payment have been provided through the Williamson County budget approved by Commissioners Court for the October 1, 2010 thru September 30, 2011 fiscal year.

SALES TAX: Williamson County is by statute, exempt from the State Sales Tax and Federal Excise Tax.

STATEMENTS: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions, plans and/or specifications stated in the various Bid Packages and/or Bid Instructions/Requirements.

DELIVERY: The delivery time and location for the commodity and/or service covered by this bid shall be as stated in the various bid packages.
URS ASPHALT EMULSIONS BID

PURCHASE ORDER: If required by the Williamson County Purchasing Department a purchase order(s) may be generated to the successful bidder for products and/or services. If a purchase order is issued the purchase order number must appear on all itemized invoices and/or requests for payment.

PAYMENT: Payment shall be made by check from the County upon satisfactory completion and acceptance of items and submission of the Invoice to the ordering department for work specified by this Contract Document. All payments owed will be paid no later than thirty (30) days after the goods or services are received OR the date that the invoice is received by the Auditor's Office whichever is later. As a minimum, invoices shall include:

- (1) Name, address, and telephone number of Vendor and similar information in the event the payment is to be made to a different address
- (2) County contract, Purchase Order, and/or delivery order number
- (3) Identification of items or service as outlined in the contract
- (4) Quantity or quantities, applicable unit prices, total prices, and total amount
- (5) Any additional payment information which may be called for by the contract

Payment inquiries should be directed to the Auditor's Office, Accounts Payable Department: Donna Baker, 943-1558.

CONFLICT OF INTEREST: No public official shall have interest in a contract, in accordance with Vernon's Texas Codes Annotated, Local Government Code Title 5, Subtitle C, Chapter 171.

As of January 1, 2006 Vendor's are responsible for complying with Local Government Code Title 5, Subtitle C, Chapter 176. Additional information may be obtained from the County website at the following link: <http://www.wilco.org/CountyDepartments/Purchasing/ConflictOfInterestDisclosure/tabid/689/language/en-US/Default.aspx>.

The Williamson County Conflict of Interest Statement is located on Page 8 of this Invitation for Bids. This form should be completed, signed, and submitted with your Bid.

ETHICS: The bidder shall not accept or offer gifts or anything of value nor enter into any business arrangement with any employee, official or agent of Williamson County.

DOCUMENTATION: Bidder shall provide with this bid response, all documentation required by this bid. Failure to provide this information may result in rejection of the bid.

TERMINATION FOR CAUSE: In the event of breach or default of this contract or any other additional agreement containing terms necessary to ensure compliance with the Bidder's bid, Williamson County reserves the right to enforce the performance of this contract or any additional agreement by any manner prescribed by law or deemed to be in the best interest of Williamson County. At Williamson County's sole discretion, the Bidder may be given a reasonable opportunity to cure its breach or default prior to Williamson County's termination under this provision. Williamson County's option to offer time to cure a default or breach shall, however, in no way be construed as negating the basis for termination for non-performance.

SILENCE OF SPECIFICATIONS: The apparent silence of these specifications as to any detail or to the apparent omission from it of a detailed description concerning any point, shall be regarded as meaning that only the best practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

COMPLIANCE WITH LAWS: The successful bidder shall comply with all applicable federal, state and local laws and regulations pertaining to the practice of the profession and the execution of duties under this bid including the TEXAS HAZARD COMMUNICATION ACT and THE WILLIAMSON COUNTY HAZARD COMMUNICATION PROGRAM POLICY.

WORKERS' COMPENSATION

This contract contemplates services that do not require worker's compensation insurance coverage. However, if it becomes necessary that the bidder provide services related to the project such as delivering equipment or materials, an amended contract will be executed which fully complies with the Texas Labor Code and the Division of Workers' Compensation requirements.

BID SPECIFICATIONS

All items must conform to TxDot 2004 Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges.

All items will be ordered on an "As Needed" basis.

The County is not obligated to purchase any minimum amount.

Testing may be performed at the request of Williamson County anytime during the length of the contract through an independent testing laboratory. Testing may be requested by the County on any and/or all items on this contract. If the results do not meet specifications, then the cost of the test will be absorbed by the successful bidder. If the results of the test meet specifications, then the cost will be borne by the County.

The bid analysis will include compliance to bid specifications, past performance with vendor, references, and the overall cost to Williamson County. The County reserves the right to consider deviations from these specifications.

A primary, secondary, tertiary and/or quaternary award may be made for this bid by the County.

It is expressly understood and agreed that in case Williamson County should need any item(s) not available within the time frame needed from the successful vendor(s) during the term of this contract, the County reserves the right to purchase the item(s) from other than the successful vendor(s) and shall not be in violation of any terms or conditions of said contract.

The County will award on a firm price "per unit" basis for a fixed six (6) month period. This price must be good from April 1, 2011 through September 30, 2011.

SPECIFY F.O.B. SITES.

Questions regarding this bid must be submitted in writing to Brenda Fuller at brendafuller@wilco.org by 5:00PM, Tuesday, March 8, 2011.

All questions and answers will be posted at <http://wilco-online.org/ebids/bids.aspx> .

ASPHALT REJUVENATION SPECIFICATIONS:

"The Rejuvenator" is a cold recycling asphalt emulsion designed to restore old asphalt road base.

Specifications:

The rejuvenator meets all TxDOT specifications for TxDOT Item 300.2(9)

<u>Test Property</u>		<u>Min</u>	<u>Max</u>
Viscosity	ASTM D244	15	100
Sieve	ASTM D244		0.10 % (=.001)
Miscibility	TEX-521-C		No Coagulation.
Color			Brown turns Black
Residue by Distillation	ASTM D244	63	

Test on Residue:

Flash Point	C.O.C. F	400	
Penetration		80	120

ASPHALT EMULSION STABILIZER:

"The Stabilizer" is an asphalt emulsion that binds the road base together.

Specifications:

The stabilizer meets all TxDOT specifications for TxDOT Item 314.
Containing 0% Oil in Distillate (no V.O.C.'s)

<u>Tests per ASDM 244</u>	<u>Min</u>	<u>Max</u>
Viscosity	20	100
Sieve		0.1 % (=.001)
Storage Stability 1 day %		1%
Residue by Distillation	60	68
Solubility in Trichloroethylene%	97.5%	
Ductility	80	
Color		Brown turns Black

Asphaltene, Resins, Cyclics, saturates content must be specifically formulated based on laboratory data of existing material in relation to rejuvenation demand and any added R.A.P. material.

Laboratory tests will be taken of streets to be recycled; data must be included with the bid. Application rates of the recycling agent must be determined by lab test and data before starting every recycle job. Lab test data will become property of the Road & Bridge District.

Supplier shall furnish transport tanker that can be delivered to Williamson County and used to transport and store material from vendor's plant. Supplier shall furnish a pump at the job site, if needed. Supplier shall be willing to allow Williamson County to return any unused material for full credit.

All costs for testing and supervision shall be paid by the supplier. Supplier shall furnish a sample of lab test data for the recycling agent as related to sample street. At the time of bidding Supplier shall furnish a list with names and phone numbers of three agencies whose approval of his product has been obtained and who can verify satisfactory results. Literature describing the product shall be included at the time of bidding.

WILLIAMSON COUNTY BID FORM
ASPHALT EMULSIONS FOR WILLIAMSON COUNTY
UNIFIED ROAD AND BRIDGE SYSTEM

BID NUMBER: 11WCA044

NAME OF BIDDER: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email Address: _____

Telephone: (_____) _____ Fax: (_____) _____

Mobile Phone: (_____) _____

SPECIFY F.O.B. SITES.

ITEM #	DESCRIPTION	F.O.B. SITE	UNIT	UNIT PRICE
1	HFRS-2 TxDot Item 300.2, Table 7		Gal	
2	CRS-2, TxDot Item 300.2, Table 8		Gal	
3	HFRS-2P TxDot Item 300.2, Table 9		Gal	
4	CRS-2P TxDot Item 300.2, Table 9		Gal	
5	SS-1 Emulsion TxDot Item 300.2, Table 7		Gal	
6	RS-1P Emulsion TxDot Item 300.2, Table 9		Gal	
7	Asphalt Rejuvenation Agent (see above)		Gal	
8	Asphalt Emulsion Stabilizer (see above)		Gal	
9	Pump Charge			

CHECK ONE OF THE FOLLOWING:

☐ low item basis. (Will accept award on "any or all" items.)

☐ "all or none" basis. (Will accept award of "all" items only. If left blank, low item will apply.)

By signing this form:

- The bidder confirms that he/she has read the entire document and agrees to the terms herein.
- The bidder is acknowledging the Conflict of Interest Clause and agrees to follow necessary requirements

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder to fully comply with the terms and conditions of the attached Invitation for Bid, Specifications, and Special Provisions for the amount(s) shown on the accompanying bid sheet(s).

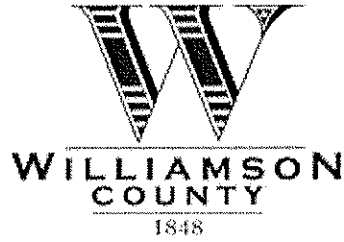
Signature of Person Authorized to Sign Bid

Date of Bid: _____

Printed Name and Title of Signer: _____

DO NOT SIGN OR SUBMIT WITHOUT READING ENTIRE DOCUMENT

THIS FORM MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID



WILLIAMSON COUNTY CONFLICT OF INTEREST STATEMENT

I hereby acknowledge that I am aware of the Local Government Code of the State of Texas, Section 176.006 regarding conflicts of interest and will abide by all provisions as required by Texas law.

Printed name of person submitting form:
Name of Company:
Date:
Signature of person submitting form:

Notarized:

Sworn and subscribed before me by: _____ on _____ (date)

Williamson County Inner Loop Annex

Address:

**301 SE Inner Loop
Georgetown, TX 78626**

Directions:

From South (Austin, Round Rock)

Take IH-35 Northbound

Exit 259

Stay on frontage road for approximately 2 miles

At stop sign, go right on Inner Loop

Just past Snead Drive, the Inner Loop Annex is on the left

Main entrance is on the side of the building by the flagpoles

From North (Georgetown, Jarrell)

Take IH-35 Southbound

Exit 259

At stop sign, go left under the overpass

At stop stay straight onto Inner Loop

Just past Snead Drive, the Inner Loop Annex is on the left

Main entrance is on the side of the building by the flagpoles

