

SPECIFICATIONS

Waterborne Traffic Line Paint

1. CONTRACT SCOPE/OVERVIEW: This Invitation for Bid (IFB) 6100049615 (identified here and in the other documents as the “Contract”) is being issued by the Pennsylvania Department of General Services (DGS) and will cover the requirements of the Commonwealth of Pennsylvania (Commonwealth) Agencies for Waterborne Traffic Line Paint, with the Pennsylvania Department of Transportation (PennDOT) being the primary user. In addition, Local Public Procurement Units (COSTARS), as defined by the Commonwealth Procurement Code, may use this contract in accordance with the COSTARS Provision contained within the contract terms and conditions.

2. BIDDING INFORMATION: Bidders must enter bid pricing into the attached Waterborne Traffic Line Paint Bid Sheet (**Attachment A**) and submit it along with the electronic bid response.

The following documents are required to be completed and returned/attached with your electronic bid. These are in addition to any other requirements to submit documentation within the bid specifications. Bids may be rejected for failure to complete and return required documents.

- Attachment A – Waterborne Traffic Line Paint Bid Sheet in Excel format. Do not provide in PDF format. Failure to return this document or to return it without bid pricing will result in the bid being rejected.
- State of Manufacture Chart (This is the Reciprocal limitations Act GSPUR-89 included as Attachment B to this Solicitation)
- Attachment C – Iran Free Procurement Certification Form
- Attachment D – Supplier Information Form
- Attachment E – Lobbying Certification Form
- COSTARS Program Supplier Election to Participate form (if applicable)
- Copy of active DGS Certified Small Business certification (if applicable)

3. BID SHEET: Attachment A – Waterborne Traffic Line Paint Bid Sheet consists of four separate worksheets: Formula Bid Form, White Waterborne Traffic Line Paint Cost Breakdown Form, Yellow Waterborne Traffic Line Paint Cost Breakdown Form, and Drop Shipment Charge Form.

For the purposes of this solicitation, **Statewide Cost per Gallon** represents the bid price to supply a specific formula.

3.1 FORMULA BID FORM: The Commonwealth is accepting bids for the following White Waterborne Traffic Line Paint formulas: **PMM-2018-01-075 (Hotline 18W1), PMM-2018-01-079 (Hotline 18W3), PMM-2018-01-085 (Hotline 18W6), PMM-2018-01-308 (18NTPWBW5), PMM-2018-01-316 (18NTPWBW9)** and Yellow Waterborne Traffic Line Paint formulas: **PMM-2018-01-309 (18NTPWBW5), PMM-2018-01-366 (Yellow Paint 2 PA1808).**

The Commonwealth will apply the Performance Adjustment Factor (PAF) to each bid price, Statewide Cost per Gallon and the Group Award Statewide Cost per Gallon for each formula. Refer to section 7 of these specifications, titled “Method of Award.”

3.2 WHITE WATERBORNE TRAFFIC LINE PAINT COST BREAKDOWN FORM: Suppliers shall submit a separate White Waterborne Traffic Line Paint Cost Breakdown form for each formula’s bid price. The cost per gallon will be for each specific geographical location identified here as a PennDOT Engineering District. Delivery of White Waterborne Traffic Line paint will be to specific counties/locations identified within PennDOT’s Engineering Districts.

The following information must be completed on each White Waterborne Traffic Line Paint Cost Breakdown form:

Cost per gallon of White Waterborne Traffic Line Paint **District**

Total Cost = (estimated gallons X cost per gallon) **Statewide**

Total Cost = Cost column totaled

Average Statewide Cost per Gallon = Statewide Total Cost/667150 gallons (2019 PennDOT Total)

3.3 YELLOW WATERBORNE TRAFFIC LINE PAINT COST BREAKDOWN FORM: Suppliers shall submit a separate Yellow Waterborne Traffic Line Paint Cost Breakdown form for each formula's bid price. The cost per gallon will be for each specific geographical location identified here as a PennDOT Engineering District. Delivery of Yellow Waterborne Traffic Line paint will be to specific counties/organizations identified with PennDOT's Engineering Districts.

The following information must be completed on each Yellow Waterborne Traffic Line Paint cost breakdown form:

Cost per gallon of Yellow Waterborne Traffic Line Paint **District**

Total Cost = (estimated gallons X cost per gallon) **Statewide**

Total Cost = Cost column totaled

Average Statewide Cost per Gallon = Statewide Total Cost/930,875 gallons (2019 PennDOT Total)

3.4 DROP SHIPMENT CHARGE FORM: Suppliers shall bid a lump sum price for one additional drop per load.

4. METHOD OF AWARD: Award will be made by line item to the lowest responsive and responsible bidder(s). In order to emphasize quality and durability, the Commonwealth will apply a Performance Adjustment Factor (PAF) as a multiplier to each paint formula bid price prior to selecting the apparent low bid. The PennDOT formula for statewide bids for "white and yellow traffic line paint," (i.e., Contract) is as follows:

$$PAF = [1000 / ((0.85RB \times DB) + (0.15RC \times DC))]^{0.75}$$

Where:

RB = average retro reflectivity on bituminous pavements after 12 months on the test deck

DB = durability rating in wheel path on bituminous pavement after 12 months on the test deck

RC = average retro reflectivity on Portland cement pavements after 12 months on the test deck

DC = durability rating in wheel path on Portland cement after 12 months on the test deck

Award(s) may be made on a statewide or district basis for a specific formula, whichever is in the best interest of the Commonwealth.

A group award may be made for a specific formula for Material Numbers 303906 and 277171.

5. QUALIFICATIONS: Award is limited to those suppliers approved in PennDOT Bulletin 15 who can supply lead free, waterborne paints that satisfy the specifications for WATERBORNE TRAFFIC LINE PAINT, dated September 4, 2015, included as **Attachment F** to this solicitation. Suppliers may bid any paint formula that is approved in writing by PennDOT prior to the bid opening date. Materials shall be controlled in accordance with Section 106 of Publication 408, current version.

6. NOTIFICATION OF SAMPLING AND TESTING REQUIREMENTS: It is the responsibility of the supplier to contact the PennDOT Materials and Testing Division (MTD), 81 Lab Lane, Harrisburg PA 17110 (phone 717-787-4720) within seventy-two (72) hours of notification of award to arrange for materials sampling and testing.

7. POST AWARD CONFERENCE: The using agency may, at its discretion, schedule a post award conference with the supplier(s) prior to the first ordering deadline (Feb 15th) to review contract requirements.

8. MINIMUM ORDER: The minimum order is one truckload of Intermediate Bulk Containers (IBC). A summary of estimated order quantities by district, month, and color of paint has been provided with this solicitation – see **Attachment G**.

9. PACKAGING REQUIREMENTS: This section refers to the PennDOT Specifications dated August 18, 2006 – attached to this solicitation as **Attachments H and I**.

Paint shall be supplied in re-usable cylindrical 275-gallon polyethylene IBCs per the attached specifications. The IBC will remain the property of the supplier and the supplier is responsible to retrieve the IBC from the using agency within fifteen (15) days after written notification, or at the time of a subsequent delivery.

Suppliers shall comply with the regulations set forth in “40 CFR” and “49 CFR” for the transportation, reuse or disposal of all empty IBCs. Suppliers should submit with their bid, a plan regarding the disposition or reconditioning of empty IBCs for review and approval by PennDOT. Suppliers should include with their bid, the cleaning methods and inspection process of IBCs prior to filling with paint.

The supplier shall reimburse the using agency for any clean-up cost incurred due to IBCs that are leaking or damaged at the time of delivery.

10. DELIVERY: All deliveries shall be made FOB Destination to any agency location. IBCs shall be shipped on flatbed trucks only. **The using agency may refuse shipments that are not made on flatbed trucks.** For PennDOT deliveries, the supplier shall contact the District Office prior to each shipment to notify of intent to ship. The supplier or truck driver shall also contact the County Maintenance Office at least twenty-four (24) hours prior to delivery to arrange for acceptance of the order. The name and telephone number of a contact person shall appear on each order.

Deliveries are accepted Monday through Friday between the hours of 7:00 AM and 12:00 Noon excluding state holidays, unless other arrangements are approved by the using agency contact person. PennDOT District locations are indicated on the map included in this proposal as **Attachment J**.

All orders received by the supplier by the fifteenth (15th) of each month shall be delivered within thirty (30) calendar days of receipt of order. If the fifteenth (15th) day of the order month is a Saturday, Sunday or state holiday, the following workday is considered the last order day.

10.1 DROP SHIPMENT: Supplier shall bid a lump sum price for one additional drop per load on the Drop Shipment Charge Form, included as part of **Attachment A**. The using agency will limit drop shipment orders to one drop to an adjacent county within an Engineering District. Drop shipment requests will be indicated on the Purchase Order when applicable.

10.2 MIXED SHIPMENT: If the same supplier is awarded both white and yellow paint, the using agency, at its discretion may mix colors on any shipment of 2,750 or more gallons. The using agency must order a minimum of 550 gallons of either color in a mixed shipment.

11. EMPTY CONTAINER REMOVAL: Prior to removal of empty IBCs, the supplier shall contact the using agency to notify them of the intent to pick up empties. For pick up at PennDOT locations, the supplier shall notify the District Office. The supplier or truck driver shall also contact the County Maintenance Office at least twenty-four (24) hours prior to pick up. Pickups are accepted Monday through Friday between the hours of 10:00 AM and 1:00 PM excluding state holidays, unless the using agency contact person approves other arrangements. Pickups are limited to locations that have accumulated a minimum of ten (10) empty IBCs.

It is the responsibility of the using agency to use Commonwealth equipment to place the fully discharged IBCs onto the truck as directed by the supplier's truck driver.

12. CERTIFICATION: Prior to shipping paint, the supplier shall notify the Materials and Testing Division of any change in the source of raw materials or in the methods of manufacture:

- Paint accepted based on certification.
- When a batch is filled off, submit a copy of the required test results to the MTD for verification of compliance with PennDOT specifications.
- Specify the type of material and company lot number, on the certificate of compliance, for cross-referencing to the bill of lading.
- Have a responsible company official sign the certification.
- Obtain two (2) verification samples (1 pint each) from each batch used for PennDOT shipments. One sample forwarded to MTD for verification testing. The supplier shall retain one (1) pint for six (6) months. Batches representing greater than 10,000 gallons will require one sample being sent to the MTD for each 10,000 gallons.
- Use a form acceptable to the PennDOT Bureau of Construction & Materials, containing the following information:
 1. Statement that material was tested and meets PennDOT specifications
 2. Type of material
 3. Company lot identification
 4. Date of Shipment
 5. Producer's name and location
 6. Consignee's name and location
 7. Quantity (gallons)

13. LEVELS OF CERTIFICATION: Material provided by a manufacturer listed in PennDOT Bulletin 15, Approved Construction Materials, is approved for use only in its intended application(s). Manufacturers are assigned a Level of Certification, based on their ability to comply with the specifications, as follows:

- **LEVEL 1** – Test material at the minimum frequency identified in the approved quality control plan. Ship on the basis of certification.
- **LEVEL 2** – Test material at an increased frequency, as identified in a revised quality control plan, coordinated with the Bureau of Construction and Materials. Continue to ship on the basis of certification. Submit an action plan to demonstrate how material and processes are controlled to ensure the product consistently meets specification requirements.
- **LEVEL 3** – Test material at LEVEL 2 frequency and arrange for additional testing at the Level 2 frequency by an independent laboratory. Correlate test results from in-house and independent lab and continue to ship on the basis of certification.
- **LEVEL 4** – Test material at LEVEL 2 frequency and arrange for additional testing at the LEVEL 2 frequency by an independent laboratory. Correlate test results from in-house and independent lab. Certify that the material meets specifications; submit samples to MTD for verification; and ship, only after notification of acceptable lot test results from the Bureau of Construction and Materials.

Failure to advance above this level of certification will result in PennDOT initiating action for suspension/removal of the manufacturer from Bulletin 15 in accordance with the Commonwealth's Contractor Responsibility Program.

14. QUALITY CONTROL, VERIFICATION AND QUALITY ASSURANCE SAMPLES: The following limits are established to demonstrate compliance with the below physical testing values, based on the MTD's testing of approved paint formulations, as placed in the test deck on which the formulation was approved.

Viscosity (Krebs)	± 12% using ASTM D562
Weight per Gallon	± 1.8% using ASTM D1475
Volatiles	± 4.7% using ASTM D2369
% Pigment	± 1.05% using ASTM D4451

In addition, the quality control, verification and quality assurance sample testing shall meet the requirements of Sections 2 and 3 of the attached Specifications for WATERBORNE TRAFFIC LINE PAINT, dated September 4, 2015 – **Attachment F**.

The sample parameter values for approved paint formulations are derived during the lab test portion of the NTPEP paint evaluation. These values are used in conjunction with the above ranges for all quality control, verification and quality assurance samples. The approved test methods for weight per gallon, % total solids, viscosity, contrast ratio and reflectance are noted in Table I of the attached Specifications for WATERBORNE TRAFFIC LINE PAINT – **Attachment F**.

15. DISPOSITION OF NON-SPECIFICATION MATERIAL: All paints and materials furnished under this contract shall meet the criteria noted above and the applicable sections of the attached specifications. If material delivered to an agency is suspected of not meeting specification requirements, or if quality assurance or lot verification samples do not meet the criteria established in these contract provisions, the agency will conduct a follow-up evaluation. If the follow-up evaluation confirms the traffic paint does not meet the testing or specification criteria, the supplier is required to replace the rejected paint within twenty (20) days after notice of such rejection at no additional cost to the Commonwealth.

16. SHELF LIFE REQUIREMENTS: All paints and materials furnished under contract shall have a minimum shelf life of nine (9) months. Shelf life is the period during which the product is satisfactory in every respect for use and is calculated from the date of manufacture to the agency. The using agency will return to the manufacturer any material that does not perform as intended within nine (9) months for replacement by the manufacturer within twenty (20) days. The manufacturer shall assume all costs associated with pick-up and replacement of material.

17. PRICE ADJUSTMENT: It is recognized by the Commonwealth that changes may occur relative to the industry and material costs, therefore, following the first year of the initial contract term and upon each subsequent renewal, contract prices will be adjusted in accordance with the following:

The Commonwealth shall adjust the prices based upon the Producer Price Index (PPI) for Series ID WPU062 – “Chemicals and allied products” (group name) and “Paints and allied products” (item name), Not Seasonally Adjusted which was 295.9 as published in October 2019. The PPI is available on the Bureau of Labor Statistics, U.S. Department of Labor’s website at www.bls.gov

The adjustment is calculated by taking the PPI published in September of the most current year for this commodity and dividing that by the established base index 295.9 to arrive at a multiplier. A multiplier of 1.10 or greater will result in an increase in prices; a multiplier of .90 or less will result in decrease of prices. If the multiplier falls between 1.10 and .90 there will be no adjustment and current pricing will remain firm for the ensuing contract term.

A change notice will be issued by the Commonwealth at the beginning of the contract period if such a renewal occurs which will include the adjusted prices. The newly adjusted pricing will be effective and applicable to all deliveries on or after the effective date of the price change as identified on the Change Notice.

18. CONTRACT CLOSEOUT CONFERENCE: A contract closeout conference may occur at the written request of either the supplier or the Commonwealth. Either party must receive a written request for a closeout conference no later than fifteen (15) days after the expiration of the contract.

19. ADDITION OF LINE ITEMS: Additional line items that are reasonably construed to be within the scope of this procurement may be added to the contract at the request of the using agency. In the event that DGS determines that the additional line item should be added, DGS will contact all suppliers who have been awarded a contract as a result of this procurement and request pricing of the new item. Award of the new item shall be based upon the lowest price received from the responding suppliers.

20. INVOICING: The PA Office of the Budget has initiated an E-Invoicing program that enables vendors to submit invoices via email. Submitting invoices via email enables vendors to save printing and postage costs, paper supplies, and mailing time needed to transmit paper invoices. The program's guidelines are available on the E-Invoicing website, located at <http://www.budget.pa.gov/programs/pages/e-invoicing.aspx>

21. POST AWARD ADMINISTRATION: The Suppliers performance shall be monitored and evaluated in accordance with the requirements outlined in the Contract. At a minimum, the Suppliers' performance shall be evaluated on an annual basis. Suppliers may be required to attend Contract Performance Review meetings. These meetings will be for the purpose of providing Supplier performance reviews, discussion of issues either party may have concerning the Contract or to evaluate the overall progress of the Contract. The meetings will be held quarterly, semi-annually or annually at the discretion of the Department of General Services, or upon special request of the using agencies.

22. INQUIRIES: Direct all technical questions via e-mail concerning the material in this bid to:

Michelle L. Scott, Commodity Specialist
Department of General Services, Bureau of Procurement
555 Walnut Street
6th Floor Forum Place
Harrisburg, PA 17101
717-703-294 (phone)
miscott@pa.gov