



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES**

**SPECIFICATIONS**

**Bituminous Stockpile Patching Material  
(Cold Mix)  
Invitation for Bid No. 6100048512**



**SPECIFICATIONS**  
**Bituminous Stockpile Patching Material (Cold Mix)**  
Solicitation Number

1. **SCOPE:** The Commonwealth of Pennsylvania, Department of General Services, is issuing this Invitation for Bid (IFB) for Bituminous Stockpile Patching Material (Cold Mix) for Commonwealth agencies. 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. This contract covers materials only. Suppliers are not permitted to perform any application services. Failure by any supplier to abide by the scope of this contract may result in the termination of their contract. For the purposes of these Specifications, the Pennsylvania Department of Transportation (PennDOT) is referred to as the “Department.” In addition to this Specifications document, the following documents are incorporated as exhibits and are made part of these Specifications.

Exhibit 1	Terms and Conditions
Exhibit 2	Bituminous Stockpile Patching Material Bid Sheet
Exhibit 3	Contractor Point of Contact Form
Exhibit 4	PennDOT County by Plant Number
Exhibit 5	PennDOT County Index List
Exhibit 6	Map of PennDOT Districts and Counties
Exhibit 7	COSTARS Program Election to Participate
Exhibit 8	GSPUR-89 Reciprocal Limitations Act Requirements
Exhibit 9	Iran Free Procurement Certification Form
Exhibit 10	Lobbying Certification Form

The Bituminous Stockpile Patching Material Bid Sheet, Exhibit 2 to these Specifications, describes the individual line items and the applicable PennDOT county along with the products contained within.

2. **BIDDING INFORMATION:** The Commonwealth is requesting bidders submit bids for Bituminous Stockpile Patching Material, based on PennDOT counties. Do not enter pricing on the electronic Invitation for Bid, rather Bidders must enter bid pricing into the attached Exhibit 2 Bituminous Stockpile Patching Material Bid Sheet and submit it along with the 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.

- One (1) original completed Excel Bituminous Stockpile Patching Material Bid Sheet, Exhibit 2 to these Specifications. **Do not provide in PDF format.** Must be Excel format
  - Contractor Point of Contact Form, Exhibit 3 to these Specifications
  - COSTARS Program Election to Participate form, Exhibit 7 to these Specifications
  - GSPUR-89, Exhibit 8 to these Specifications
  - Iran Free Procurement Certification Form, Exhibit 9 to these Specifications
  - Lobbying Certification Form, Exhibit 10 to these Specifications
  - Copy of active DGS Certified Small Business certification (if applicable)
3. **BID ITEM SHEETS:** The Excel Workbook has three sheets; the first worksheet is for stockpile deliveries of Category 1 and Category 2 material. The second worksheet is for stockpile deliveries of Category 3 material. The third sheet is for source pick-

up. When completing the item sheets, please ensure that you complete with the following information.

Stockpile Cat. 1 and Cat. 2 Worksheet enter the following:

- Enter the Supplier Code from the appropriate bulletin.
- Unit price – Insert the unit price per ton
- Total Dollar Amount – Multiply the unit price by the estimated tons Balance of Season. The spreadsheet has been configured to calculate this figure automatically.
- Supplier SAP Number
- Supplier Name

Stockpile Cat. 3 Worksheet enter the following for each product you wish to provide:

- Enter the Supplier Code from the appropriate bulletin
- Product name (as listed in the Department of Transportation Bulletin 15, Miscellaneous Section, “Special Bituminous Patching Materials”)
- Unit price – Insert the unit price per ton
- Total Dollar Amount – Multiply the unit price by the estimated tons Balance of Season. The spreadsheet has been configured to calculate this figure automatically.
- Supplier SAP Number
- Supplier Name

Source Worksheet enter the following:

- Enter the Type of Material you are supplying
- List Geographic Location of Plant(s) as shown in Bulletin 41
- Enter the Supplier Code from the appropriate bulletin.
- Enter the base county location for the Permanent or PPA Plant.
- Unit price – Insert the unit price per ton
- Enter Supplier SAP Number
- Supplier Name

4. **TERM OF CONTRACT:** The Contract shall commence on the Effective Date, no earlier than September 1, 2019 and expire on August 31, 2021.

5. **DEFINITIONS:**

- FOB Destination (Free on Board): The responsibility of material passes from the supplier to the Department at the delivery location. Orders in transit should be considered as inventory by the supplier, since the sale does not occur until the Order reaches the delivery location. Prices for FOB Destination are for delivery to any location within a given County for a given material. The price will be the same no matter where the ordering location is within the County.
- FOB Source: Prices for FOB Source are for material picked up by the Commonwealth at the supplier’s unrestricted source location(s).

6. **METHOD OF AWARD:** The contract will be awarded as a two (2) year contract.

- FOB DESTINATION CAT. 1 & CAT. 2: A line item award will be made by county based off the delivered price per ton, to the lowest responsive and responsible bidder for each item.

- FOB DESTINATION CAT. 3: An award will be made by county to all responsive and responsible bidders who are providing an approved material as listed in the Department of Transportation Bulletin 15, Miscellaneous Section, “Special Bituminous Patching Materials”. Where multiple suppliers bid the same product in the same County, award will be made to the supplier providing the lowest delivered price per ton. Orders will be issued at the discretion of the Department based on the determination by the individual Counties as to which product best meets their needs.
  - FOB SOURCE: There will be an award to all responsive and responsible bidders. After award, the Commonwealth will exercise its option to pick-up material, as needed, from the source representing the best value to the Commonwealth at the time an order is placed, taking into consideration such factors as, but not limited to, haul time, haul distance, availability of equipment, crew and materials. The Commonwealth reserves the right to purchase materials, FOB Source on a local basis if there are no producer sources within reasonable proximity on this contract.
7. **MATERIAL SPECIFICATIONS:** Bituminous Stockpile Patching Material shall conform to Pennsylvania Department of Transportation, Pub 408, latest edition, and all supplements thereto. “Specifications for Bituminous Materials,” Bulletin 25. Specifications for Bituminous Mixtures, Bulletin 27, Sections 485 and 486. Special Bituminous Patching Materials as listed in Bulletin 15, Miscellaneous Section: “**Special Bituminous Patching Materials.**”
8. **APPROVED MATERIAL & SOURCE:** Materials under this contract must be furnished from a source approved by the Pennsylvania Department of Transportation, Materials and Testing Division, 81 Lab Lane, Harrisburg, PA 17110 prior to the time and date of the bid opening. Identify the geographic location of each source as listed in the Pennsylvania Department of Transportation Bulletin 41, Producers of Bituminous Mixtures or bid may be rejected. Special Bituminous Patching Materials must be provided from a source approved by the Department of Transportation, Materials and Testing Division, 81 Lab Lane, Harrisburg, PA 17110 and listed in the Department of Transportation Bulletin 15, Miscellaneous Section, “**Special Bituminous Patching Materials.**”
9. **AGGREGATES:** Contractors are not required to list their source of aggregates when submitting their bid. Awarded contractors are responsible for providing aggregates, as required, in accordance with specifications and furnished from an approved source as listed in the Department of Transportation Bulletin 14. The Department of Transportation field inspector will verify acceptability of aggregates.
10. **QUALIFICATIONS OF CATEGORY 3 BIDDERS:** Bidders of Category 3 must provide Special Bituminous Patching Materials from a source approved by the Department of Transportation, Materials and Testing Division, 81 Lab Lane, Harrisburg, PA 17110, and listed in the Department of Transportation Bulletin 15, Miscellaneous Section, “**Special Bituminous Patching Materials.**”
- Bidders of Category 3 must indicate on Exhibit 8 the type of material they are bidding for every Category 3 line item. Complete Attachment “A” by listing line item and the type of Special Bituminous Patching Materials as listed in the Department of Transportation Bulletin 15. **This chart must be completed and submitted with the bid no later than two (2) business days after notification from the Department of General Services to furnish the information.** Failure to complete this chart **and provide the required information prior to the expiration of the second business day after notification shall** result in the rejection of the bid.
11. **MINIMUM ORDER/SHIPMENT:** The minimum quantity for any order/shipment to a stockpile is Twenty (20) tons. Suppliers may accept orders for less than the contract minimum, shipped FOB

Destination at their own option, if requested by the Department. Suppliers may add an additional freight charge not to exceed 5% of the total value of the material, to any orders that do not meet the minimum order quantity.

12. **BLANKET ORDERS**: No blanket orders are permitted. Orders are based on actual need at the time of order. No blanket orders are established for drawing down quantities on an “as-needed” basis. Orders placed near the end of the contract period are for actual, immediate need only, based on availability of materials. County Maintenance Offices will not stockpile materials against a contract soon to expire unless absolutely necessary, and in no case, order materials that are delivered 30 days past the expiration date of the contract.
13. **DELIVERY**: FOB Destination Delivery shall be completed within 30 days after receipt of purchase order. The awarded contractor is required to notify county Maintenance Manager, or his designee, at least 48 hours prior to delivery so a representative of the Department is present to receive material.
14. **DELIVERY TICKET**: The supplier shall furnish with each shipment an original and one copy of a Certified Delivery Ticket. In cases where computerization requires the supplier to retain the original copy, two (2) copies of the delivery ticket are acceptable, however, stamp or indicate one (1) of the copies “ORIGINAL DUE TO COMPUTERIZED OR AUTOMATIC MACHINE ACCOUNTING.”
15. **WEIGHING**: Scales used for weighing require approval by the Department of Agriculture or tested and approved by a recognized, qualified scale repair service. Conduct weighing by competent, qualified personnel using measurement and computation methods conforming to standard engineering and construction practices. A certified weight slip from the supplier must accompany each truckload. If a source has the capability in its scale, use an electronic, digital measuring device. The Commonwealth reserves the right to have truck deliveries check-weighed at independent weighing stations.
16. **SUPPLEMENTAL SOURCE OF SUPPLY**: Supplier may add additional Department approved source(s) of supply in addition to the source(s) of supply originally listed on the PLANT LOCATION sheet in the bid proposal during the contract period. Requests of this nature must be submitted, in writing, to the respective District Executive(s) with no change in base price. Whether the request is approved or disapproved, the District Executive will forward the supplier’s letter and a letter signed by the District Executive to the Bureau of Construction and Materials, Materials Testing Division, and a copy of the letter to the Bureau of Maintenance and Operations, Maintenance Programs Section. Suppliers must prearrange delivery schedule with the Engineering District in sufficient time when material is furnished from the supplemental source of supply. NOTE: This applies to awards made for FOB Destination only.
17. **PRICE ADJUSTMENT CLAUSE**: The awarded contractors' prices shall be adjusted monthly in accordance with the following:
  - The location of the Supplier’s source establishes which Zone is applicable to the Suppliers material.
  - Tracking PG64-22 monitors the change in price for bitumen.
  - For payment and price adjustment purposes the Virgin Asphalt Content (VAC) percentage will be considered to be a standard 5.2% for all applicable materials.
  - There will be no price adjustment for the months of December, January and February.
  - Prices from the month of November will be used for the months of November, December, January, and February. A price adjustment will again take effect in the month of March if applicable and the months following until the end of the contract agreement.

<b>ZONE 1</b>	<b>REFINERS</b>	<b>POSTING LOCATION</b>
	NuStar	Baltimore, MD Perth Amboy, NJ Paulsboro, NJ
	Bitumar	Baltimore, MD
	Valero	Paulsboro, NJ Baltimore, MD

<b>ZONE 3</b>	<b>REFINERS</b>	<b>POSTING LOCATION</b>
	United Refining	Warren, PA Springdale, PA Dravosburg, PA
	Marathon	Floreffe, PA Cleveland, OH Canton, OH

**ZONE 2 AVERAGE OF ZONE 1 AND ZONE 3 PRICES**

The posted ton price of PG64-22 for the above posting locations will be averaged to arrive at the base price of a ton of PG64-22 (bitumen) and the monthly price of a ton of PG64-22 (bitumen).

The base price of a ton of PG64-22 (bitumen) for this contract is Zone 1, \$510.00/ton, Zone 2, \$509.00/ton, and Zone 3, \$508.00/ton determined June 27, 2019.

The monthly price of a ton of PG64-22 (bitumen) will be determined on the last Wednesday of each previous month.

When the monthly price divided by the base price is .90 thru 1.10, there will not be a price adjustment on the first of the next month.

When the monthly price divided by the base price is less than .90 or greater than 1.10, there will be a price adjustment effective on the first of the next month. A Change Notice to the contract is issued indicating the base price of a ton of PG64-22 (bitumen) for this contract and the price adjustment multiplier of 100%. It will also indicate the applicable monthly price of a ton of PG64-22 (bitumen) and the changed price adjustment multiplier percentage.

A Change Notice will be issued, if applicable, to indicate return to the base price of a ton of PG64-22 (bitumen) for this contract and the price adjustment multiplier of 100%.

Contractor's invoices shall show the adjusted unit price based on the price adjustment in effect on the date material was delivered and/or picked up. Calculations will be retained by DOT Bureau of Maintenance as required.

The following is a list of districts in each Zone.

**ZONES**

**DISTRICTS**

ZONE 1	3, 4, 5, 6, 8
ZONE 2	2, 9
ZONE 3	1, 10, 11, 12

**18. PENNDOT PLANT LOCATIONS:** For reference purposes, the PennDOT plant numbers and County Index listing are attached as Exhibits 4 and 5 to these Specifications. These locations are subject to change and the Commonwealth reserves the right to add, delete and/or alter locations as necessary. A map of the counties and PennDOT districts is contained forth in Exhibit 6 to these Specifications.

**19. INVOICING:**

**A. Submitting Invoices:** Vendor must submit one complete original invoice to the “Bill To” address on the Purchase Order or via the eInvoice process (more information is provided in item G. below) and must include the following items:

**1. Mandatory Items**

- a. Vendor Name and Address
- b. Purchase Order Number
- c. Invoice Date
- d. Invoice Number
- e. Invoice Quantity
- i. It is very helpful if invoices reflect quantities per delivery and delivery date for each line item on the invoice. Grouping multiple day deliveries on an invoice requires the Commonwealth to determine which Goods Receipt (GR) in our system match the appropriate invoice. This can cause delays and in some cases more information requested in order to make determination.
- f. Invoice Gross/Total Amount
- i. Items on invoice should be listed by unit price and extended price, and grand total due for all items on the invoice.

**2. Preferred Items**

- a. SAP Vendor Number
- b. Delivery Date
- c. Purchase Order Line Item Number referenced on invoice line items.

**B. Decimals and Rounding:** Decimal places for delivery ticket quantities and invoice quantities must be limited to two places (hundredths). If the third digit is 5 or greater, round to the next highest hundredth digit place. If the third digit is less than 5, round to the next lowest hundredth digit place.

**C. Rejection of Invoices:** The Commonwealth may reject invoices which contain incomplete information, inaccurate information, are for materials or services outside of purchase order validity dates or are believed to be duplicates. Invoice rejections will be communicated to the vendor by letter indicating the reason for rejection and corrective actions needed. Vendors can help prevent delays in payment due to rejections by ensuring all invoicing information is complete, accurate and submitted timely after delivery of service or materials.

The vendor may elect to provide a better grade material in lieu of the purchase order material grade and will invoice at the original quoted price for the lesser quality material on the purchase order. The

invoice should include the following text: “Material \_\_\_\_\_ was delivered in lieu of lesser quality material \_\_\_\_\_ on the purchase order at the purchase order price.”

**D. Corrected Invoices:** If a corrected invoice is required as a result of a rejection or for other reasons, it is important for timely processing that the following guidelines be followed:

1. The corrected invoice should be stamped with “Corrected Invoice” in a manner which makes it clearly visible without covering other information.
2. The corrected invoice number needs to be labeled as such, along with the original invoice number being replaced clearly designated. Both invoice numbers are required to avoid delays in payment.
3. A concise description of the reason for the correction should be placed on the invoice if possible. The description can be on separate attachment if necessary, but is not preferred.

**E. Duplicate Invoices:** Vendors should only submit original invoices once as described above. Multiple submissions of the same invoice will not result in faster payment. To the contrary, duplicate invoice submission will result in a delay due to increased research needed to resolve. If you have doubts that your invoice was received please use the contact information below to verify if resubmission is needed prior to sending.

**F. Contact Information for Invoicing:** For invoice status inquiries – Vendor may check payment status of submitted invoices by accessing Comptroller Office website at [www.budget.pa.gov](http://www.budget.pa.gov). Select Services, for Vendors, then Payment Lookup from the navigation links.

For other invoice questions – use the website address above however; select Supplier Service Center from the navigation link under Vendors.

For questions regarding your purchase order or contract please contact the “Purchasing Agent” listed on your purchase order or contract.

We also encourage you to sign up for ACH deposit of your payments. When coupled with Electronic Addendum (EA), this gets your payments deposited to your account directly, and gives you the visibility and information you need to apply your payments from the Commonwealth appropriately. For more information on ACH and Electronic Addendum, contact the Vendor Data Management Unit at Comptroller Operations via e-mail at [RA-PSC\\_SUPPLIER\\_REQUESTS@pa.gov](mailto:RA-PSC_SUPPLIER_REQUESTS@pa.gov) or by phone at 877-435-7363.

**22. E-INVOCING:** 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>.

**23. POST AWARD ADMINISTRATION:** The Contractors’ performance shall be monitored and evaluated in accordance with the requirements outlined in the contract and the agencies’ request for quotes. At a minimum, the contractors’ performance shall be evaluated on an annual basis. Contractors may be required to attend contract performance review meetings. These meetings will be for the purpose of providing contractor 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 Agency.



- 24. 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.
- 25. CONTRACTOR POINT OF CONTACT:** Each awarded Supplier is required to designate a point of contact person who is available to answer questions regarding the Supplier's material and ability to deliver the product. Supplier shall complete the Contractor Point of Contact Form as set forth in Exhibit 3 to these Specifications.
- 26. INQUIRIES:** Direct all questions concerning this Bid Invitation to the appropriate Commodity Specialist named herein.

John Jones, Commodity Specialist  
Department of General Services  
Bureau of Procurement  
6th Floor Forum Place, 555 Walnut Street  
Harrisburg PA 17101-1914  
Telephone: 717-346-3848  
Fax: 717-783-6241  
E-mail: [jotjones@pa.gov](mailto:jotjones@pa.gov)