

The County of Upshur
State of Texas

Bid # RB07-22
For: Pug Milling
Bid opens date/time: January 31, 2022 @ 10:00 a.m.

The enclosed *Invitation to Bid* (ITB) and accompanying *Specifications/Bidder's Response Form* are for your convenience in bidding the referenced products or services for Upshur County.

Sealed bids shall be delivered no later than:

Date/Time: January 28, 2022 @ 4:00 p.m.
Location: Upshur County Judge, 100 W. Tyler St, 3rd Floor County Courthouse,
PO Box 790, Gilmer, TX 75644
Mark Envelope: Bid-RB07-22 Pug Milling

Bids must be signed by a person having the authority to bind the vendor in a contract. Bids that are not signed will be rejected. Upshur County reserves the right to waive simple informalities in this Invitation to Bid.

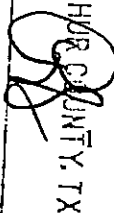
Please note that all bids must be received at the designated location by the deadline shown. Bids received after the deadline will not be considered for award of the contract. Bids will be opened in the Upshur County Courthouse, 100 West Tyler St., 3rd Floor, Gilmer, Texas. You are invited to attend.

Bids may be withdrawn by the bidder at any time prior to the official opening, but must be withdrawn in person. Alterations may not be made to a bid once submitted, but a new bid may be submitted if the substitution occurs before the opening time. After the official opening, bids may not be amended or altered and may not be withdrawn without the approval of the Commissioners Court.

Upshur County is aware of the time and effort expended in preparing and submitting bids to the County. Please let us know of any bid requirements which are causing you difficulty in responding to our bids. We want to make the process as easy and efficient as possible so that all responsible vendors can compete for the County's business.

Awards ordinarily will be made approximately two weeks after the bid opening date. To obtain results, or if you have any questions, please contact Andy Jordan, Road Administrator, at 903-843-7623.

Bid RB07-22
Pug Milling

FILED
TERRI ROSS
COUNTY CLERK
2022 JAN 31 AM 11:38
UPSHUR COUNTY, TX.
BY 
DEPUTY

Upshur County
Bid # RB07-22 Pug Milling
Instructions/Terms of Contract

By order of the Commissioners Court of Upshur County, Texas, sealed bids will be accepted for:

Pug Milling

IT IS UNDERSTOOD that the Commissioners Court of Upshur County reserves the right to reject any or all bids for the products covered in this bid request and to waive any formalities or defects in bids or to accept such bids as it shall deem to be in the best interest of Upshur County.

BIDS MUST BE SUBMITTED on the forms included for that purpose in this packet. Each bid should be signed by a person having the authority to bind the vendor in a contract, placed in a sealed envelope and marked clearly on the outside as shown below:

<u>Bids should be clearly marked:</u> Bid # RB07-22Pug Milling

RETURN SEALED BID TO the following address
January 28, 2022 not later than 4:00 p.m.

Upshur County Judge
100 W. Tyler Street 3rd Floor
P.O. Box 790
Gilmer, Texas 75644

FACSIMILE TRANSMITTALS WILL NOT BE ACCEPTED

All Bids must be received in the County Judge's Office before the opening date and time.
The time stamp located in the County Judge's Office will be considered the official time
the bids are received.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/26/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Parkway Family Insurance Agency 25500 SH 249 P O Box 1447 Tomball TX 77377-1447		CONTACT NAME: Barbara Nikodym PHONE (A/C, No, Ext): (832) 698-5298 E-MAIL ADDRESS: bnikodym@pkwyins.com FAX (A/C, No): (832) 698-5243																						
INSURED Sustainable Pavement Technologies LLC 21175 Tomball Pkwy/State Hwy 249 Suite 267 Houston TX 77070		<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>Crum & Forster</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td>AmGuard Insurance Co.</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td>Texas Mutual Insurance Company</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td>RLI</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Crum & Forster		INSURER B:	AmGuard Insurance Co.		INSURER C:	Texas Mutual Insurance Company		INSURER D:	RLI		INSURER E:			INSURER F:		
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INSURER E:																								
INSURER F:																								


COVERAGES CERTIFICATE NUMBER: CL2212605183 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			EPK138540	01/25/2022	01/25/2023	EACH OCCURRENCE	\$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:							MED EXP (Any one person)	\$ 5,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY	\$ 1,000,000	
	OTHER:						GENERAL AGGREGATE	\$ 2,000,000	
B	AUTOMOBILE LIABILITY			SUAU260036	04/13/2021	04/13/2022	COMBINED SINGLE LIMIT (Ea accident)	\$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$ 1,000,000	
	<input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$	
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
								\$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			EFX119700	01/25/2022	01/25/2023	EACH OCCURRENCE	\$ 3,000,000	
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE	\$ 3,000,000	
	DED	RETENTION \$						\$	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			0002051753	02/01/2022	02/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT	\$ 1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y					E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000	
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000	
D	Inland Marine			ILM070818	01/25/2022	01/25/2023	Scheduled	\$694,034	
	Deductibles vary						Leased/Rented	\$2,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as additional insured on all policies except workers compensation. Certificate holder is granted a waiver of subrogation as required by written contract.

CERTIFICATE HOLDER Upshur County, Texas through its County Road Administrator, Andy PO Box 730 Gilmer TX 75644		CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 	
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Upshur County
Bid # RB07-22 Pug Milling
Specifications

Scope:

It is the intent of Upshur County, Texas to purchase, through the competitive bidding process, Pug Milling, for use in Road and Bridge applications. The bid will be effective starting March 1, 2022 and expiring February 28, 2023 with the option to renew for two (2) additional years contingent upon both parties, but can be canceled by either party upon giving thirty (30) days written notice to the other party.

Award Of Contract:

The "PRICE PER UNIT" shall be used to determine the low bidder. Upshur County reserves the right to reject any or all bids. Upshur County reserves the right to award this bid to multiple vendors.

Whenever an article or material is defined by describing a proprietary product or by using the name of the manufacturer the term "OR EQUAL" if not inserted shall be implied unless otherwise indicated by "NO SUBSTITUTIONS". The specified article or material shall be understood as descriptive, not restrictive.

Specifications/Minimum Requirements for Pug Milling
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1. **Description:** This specification shall govern the processing of RAP and Sand in determined percentages by crushing, screening, sizing and the addition of refined Road Oil to RAP and Sand mixture thru pug mill.
2. **Materials:** The RAP and sand or other aggregates shall be supplied by the County. Refined Road Oil shall be used for blending with RAP and sand.
 - a. The amount of road oil shall be determined by mix design. The amount of sand shall be determined by mix design, based on the specific end use. For proposalding purposes 3% road oil shall be used.
 - b. RAP shall be screened and/or crushed to 1 inch max. size prior to mixing in pug mill with sand and road oil.
 - c. If 100% sand mix is used for Proposalsding purposes use 6.5% road oil.
3. **Equipment:** All equipment for processing materials shall be maintained in good repair and operating conditions.
 - a. A material sizing unit shall include 1 power screen and 1 crusher each separate from the other, for the purpose of blending crushed oversized RAP in proper percentages with screened RAP.
 - b. Pug Mill shall be equipped with digital belt scales for continuous weighing of pulverized and sized RAP material, along with sand. The asphalt metering device shall be capable of automatically adjusting the asphalt flow. Metering device shall deliver amount of road oil to within plus or minus 0.2 percent of the required amount by weight of RAP and sand. Digital readings shall be displayed for both asphalt flow rate, and total amount of RAP and sand. Meter shall also display amount of asphalt used at all times. Pug mill shall have a minimum rate of 200 tons per hour.

4. **Cold Feed Bins:** Pug mill shall have 2 cold feed bins. The 1st bin used for RAP and the 2nd bin used for sand. Conveyors from bins shall deposit RAP and sand at various rates determined by mix design and County. Digital belt scales shall be used by each cold bin to assure proper proportioning of RAP and sand. Digital reading shall be verified on each material prior to mixing. For proposal purposes and 80% RAP and 20% sand mixture shall be maintained during mixing process.

Payment: Payment shall be made by the ton for processed material. The actual quantity of processed material shall be determined either by certified scales or by accumulating the weight belt reading after each run. The weight of Road Oil used in the process will be determined from shipping invoices provided by the Road Oil supplier.

Bidding and Award of Contract

Quantities shown are approximate. Upshur County reserves the right to increase or decrease the quantities, to reject material not meeting specifications, to award separate contracts on each of the base bids, and to award contracts to more than one bidder. Upshur County will procure the road material(s) covered by this bid package on any particular instance from the vendor whose price is most economical to Upshur County.

Escalation and De-escalation Policy

It is agreed the unit price bid is based, in part, on prices charged or quoted at the time of this bid by a product supplier to the vendor. The unit price bid may be increased or decreased when a product supplier increases or decreases their price to the vendor; however, the increase or decrease in the unit price shall be limited to the amount of the increase or decrease in price a product supplier charges the vendor. Any change in the unit price bid shall be accompanied by supporting documents from the vendor's product supplier. **The vendor shall provide notice to the County at least two (2) days in advance of any increase in the unit price bid. The two-(2) day period shall begin upon receipt of the notice by the County Road Administrator.** Upshur County reserves the right to cease purchase of the product, purchase from the secondary bidder, re-bid or continue purchasing from the primary vendor if the unit price bid increases.

Bid for Pug Milling

Upshur County is requesting bids for Pug Milling as described in the foregoing specifications. Without change in the unit price, it is expressly understood that the total quantity indicated on this bid form is only an estimate.

Having read and understood the attached instructions, specifications, terms and conditions, we submit the following bid:

Description of items	F.O.B Point	Price Per Ton
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Bid price includes furnishing Pug Mill, Loader, Radial Stacker, and operators for all equipment. Price includes mix design and lab work with county materials. Price Bid for mixing oil/sand per ton:

Sand Pit	\$ <u>10</u>
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If RAP is incorporated into pug mill mixing an additional cost will be applied based on required equipment needs. Example: Screen Crusher, Additional Loader, and amount of RAP to be incorporated into mix. The additional equipment will be based on County approval and requirements. Price bid for asphalt milling per ton:

Sand Pit	\$ <u>15</u>
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SUSTAINABLE PAVEMENT TECHNOLOGIES	26-3575114
Firm Submitting Bid 21175 TOMBALL PKWY, #267	Federal ID Number
Address HOUSTON, TX 77070	
City, State, Zip JOHN COLLINS, PRESIDENT	JOHN@SPTPAVEMENT.COM
Name and Title of Individual Submitting Bid 860.970.7159	E-Mail Address
Telephone Number	Fax Number
<i>John Collins</i> Signature of Authorized Representative	

References:

List three (3) companies or governmental agencies where these commodities have been provided:

1. Company Name: Rains County
Address: Emory, TX Phone No: (903) 268-6241
Contact Person: Ronnie Morgan Title: Unit Road Manager
2. Company Name: Hopkins County
Address: Sulphur Springs, TX Phone No: (903) 366-6624
Contact Person: Joe Price Title: Precinct 4 Commissioner
3. Company Name: Van Zandt County
Address: Canton, TX Phone No: (903) 603-5223
Contact Person: Keith Pearson Title: Precinct 3 Commissioner

Signature Page

As permitted under Article 4413(32c) V.A.C. other governmental entities may wish to participate under the same terms and conditions contained in this contract (i.e. piggyback). In the event any other entity participates, all purchase orders will be issued directly from and shipped directly to the entity requiring supplies/services. Upshur County shall not be held responsible for any orders placed, deliveries made or payment for supplies/services ordered by another entity. Each entity reserves the right to determine their participation in this contract.

Would Proposer be willing to allow other governmental entities to piggyback off this contract, if awarded, under the same terms and conditions:..... Yes No

This Proposal shall remain in effect for ninety(90) days from Proposal opening and shall be exclusive of federal excise and state and local sales tax (exempt).

The undersigned agrees, if this Proposal is accepted, to furnish any and all items upon which prices are offered, at the price and upon the terms and conditions in the invitation for Proposal, conditions of Proposaling. Terms of Contract, and Specifications and all other items made a part of the accepted contract.

The undersigned affirms that they are duly authorized to execute the contract, that this company, corporation, firm, partnership or individual has not prepared this Proposal in collusion with and other Proposer, and that the contents of this Proposal as to prices, terms or conditions of said Proposal have not been communicated by the undersigned nor by any employee or agent to any other Proposer or to any other person(s) engaged in this type of business prior to the official opening of this Proposal. And further, that neither the Proposer nor their employees nor agents have been for the past six(6) months directly nor indirectly concerned in any pool or agreement or combination to control the price of goods or services on, nor to influence any person to Proposal or not to Proposal thereon.

SUSTAINABLE PAVEMENT TECHNOLOGIES

Proposer (Entity Name)

John Collins John Collins
Signature

21175 Tomball Parkway, Suite 267

Street & Mailing Address

JOHN COLLINS

Printed Name

HOUSTON, TX 77070

City, State & Zip

1/25/2022

Date Signed

214.497.1676

Telephone Number

✓
Fax Number

JOHN@SPTPAVEMENT.COM

E-mail Address

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Sustainable Pavement Technologies
Houston, TX United States

Certificate Number:
2022-844099

Date Filed:
01/26/2022

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Upshur County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RB07-22
Pug milling

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is John Collins, and my date of birth is 7/11/86

My address is 10505 Estate Ln, Dallas, TX, 75238 USA
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 25 day of January, 20 22
(month) (year)

John Collins
Signature of authorized agent of contracting business entity
(Declarant)

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

FORM CIQ

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

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

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

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

OFFICE USE ONLY

Date Received

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

Sustainable Pavement Technologies, LLC

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

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

NA

None

Name of Officer

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

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

Yes

No

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

Yes

No

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

None

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

7 *John Collins*
Signature of vendor doing business with the governmental entity

1-25-22
Date

SALES CONTACT

Martin Grossman
Material Sales, Texas

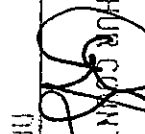
Mobile: 214.600.1970
Office: 214.497.1676
mgrossman@sptpavement.com

FILED
TERRI ROSS
COUNTY CLERK

2022 JAN 31 AM 11:38

UPSHUR COUNTY, TX.

BY



TERRI ROSS