



CITY OF HOUSTON

Annise D. Parker

Mayor

P.O. Box 1562
Houston, Texas 77251-1562

Telephone – Dial 311
www.houstontx.gov
<http://purchasing.houstontx.gov>

September 15, 2014

Subject: Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103 for Asphaltic Pavement Overlay Services Citywide for the Public Works and Engineering Department

To: All Prospective Bidders:

This letter of Clarification is being issued for the following reasons:

- **To revise SECTION “B” Scope of Work/Technical Specifications, the Electronic Bid Form and answer questions posed by perspective bidders :**

- 1.) Remove Page Nos. 13, 14, 15, 16 of 45 and replace with the revised Page Nos. 13, 14, 16 of 45 marked, REVISED 9/12/2014.
- 2.) See the revised Electronic Bid Form.
- 3.) The following questions and the City of Houston responses are hereby incorporated and made a part of the Invitation to Bid:

Question No. 1: The City mentioned it would not need the **RAP millings** which are generated from Bid Item No. 11; so they will become the property of the contractor. Please make a change to the scope of work 1.4.4.1 since this item states **“On occasion, the City may wish to retain the milled material” this statement needs to be deleted.**

Answer: See the attached revised Page Nos. 13 & 14 of 45 marked, REVISED 9/12/2014.

Question No. 2: There is no depth for the millings in Bid Item No. 11 where it states **“Remove and Dispose of existing asphalt pavement with/without base”**. We need to have a range of **depths** of milling to be able to quote this item. The City needs to add an item to haul RAP to the City of Houston within a 50 mile radius if they want the RAP.

Answer: The above is addressed in Bid Line Item Nos. 9, 10, 11 & 12. See the revised Electronic Bid Form.

Question No. 3: We talked about the 750,000 S.Y. of millings in Bid Item No. 11 and that the 2” milling which is required would need 82,500 tons of asphalt to replace the removed millings. Please change Bid Item No. 13 to reflect these 82,500 tons since the currently the number is only 1,000 tons. You could reduce the quantity of millings and add additional tons of asphalt for the quantity of millings to be done?

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

Answer: The specifications and the electronic bid form have been revised to address the concerns/questions above. See the attached revised Page No. 13 of 45 marked, REVISED 9/12/2014 and the revised Electronic Bid Form.

Question No. 4: What is the **depth** of full depth and spot repair of flexible/concrete pavement in Bid Item No. 12"? In order to bid this item we must have the depth that you will require this work to be done.

Answer: The depth will vary anywhere from 6" – 12", depending on the existing base. See the revised Electronic Bid Form.

Question No. 5: Bid Item Nos. 14 and 15 deals with Curb Ramps. The quantities shown for these items are huge. The extension amount for either of these bid items based on these quantities would be more than the entire advertised budget for this total contract using only one of these items?

Answer: The curb ramps have been deleted from these two line items See the revised Electronic Bid Form.

Question No. 6: Referring to Section 1.7.3.27, it states there will be an item for the "**Premium Cost for Night Work**" to lay asphalt by the ton. This item for night work needs to be added to the bid?

Answer: Section 1.7.3.27 has been deleted. See the attached revised Page No. 16 of 45 marked, REVISED 9/12/2014.

Question No. 7: Section 1.7.3.29 states that the contractor will be required to clear and remove trash and debris in the area of the requested work area. We are requesting changing this item since there is no way to quantify this? This project is a work order bid invitation and no streets have been identified so we do not know the streets to be constructed. Please make a change to this item stating that the streets will be cleared of debris and trash by the Solid Waste Department of the City of Houston before we are requested to do work in these neighborhood areas.

Answer: Section 1.7.3.29 has been revised to reflect the concerns mentioned above. See the attached revised Page No. 16 of 45 marked, REVISED 9/12/2014.

Question No. 8: There is no striping item set up for this bid. Please set up a bid item for paint striping since this will need to be done in conjunction with the milling and paving construction. Section 1.7.3.31 on page 16 of 45 reads that traffic markings shall be in place prior to opening to traffic?

Answer: Section 1.7.3.31 has been revised to address the concerns mentioned above. See the attached revised Page No. 16 of 45 marked, REVISED 9/12/2014.

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

Question No. 9: Can you add an item for the removal of curb ramps and curb and gutter since there is not a removal item set up for this in order to install the new ramps?

Answer: No. The electronic bid form has been revised to address the above.

Question No. 10: Will the City of Houston be doing the laboratory testing and will the laboratory be paid by the City of Houston?

Answer: No. See the attached revised Page No. 15 of 45 marked, REVISED 9/12/2014.

Question No. 11: What will be the minimum dollar amount for each work order that is issued?

Answer: There is no minimum dollar amount per work order. Work orders will vary in costs.

Question No. 12: Does the City of Houston think that this contract will be awarded by line item? In other words will it be awarded as a complete package or will it be broken up and awarded by line item to multiple bidders?

Answer: The City does not anticipate awarding by line item but, the City always reserves the right to do so.

Question No. 13: Please explain what you mean by having Certified Flagmen by MTA of Harris County? What is the requirement to be certified?

Answer: See the link below for flagger training and certification requirements.
http://www.workzonesafety.org/training/flagger_training
See the attached revised Page No. 19 of 45 marked, REVISED 9/12/2014.

Question No. 14: We understand that the PPI will be done annually for the Hot Mix Asphaltic Concrete but, how is the price increase for the concrete ramps, millings and other items of this bid invitation handled in regard to price increasing?

Answer: The increase will be based on the formula in the ITB and incorporated into the resulting contract.

Question No. 15: In Section 4.0, Tolerances, what are the tolerances going to be in regard to acceptance or rejection?

Answer: The City will inspect all work and accept or reject the finished project based upon the specifications.

Question No. 16: There is only a blank sheet for Exhibit "D". Can you provide Exhibit "D" since we need to read this document?

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

Answer: See the link below to find Exhibit "D" in the procurement table of documents.

<http://purchasing.houstontx.gov/buyer/BidDocumentManager.aspx?id=C25103>

Question No. 17: There are no "Supplemental Conditions" so please provide the document for us to read since there is only a blank sheet shown currently. These supplemental conditions are supposed to explain the Liquidated Damages which can be assessed should the work not be completed timely, see page 44 of 45 pages.

Answer: See response to Question No. 16 above.

Question No. 18: Can the MBE and WBE percentages be reduced on this project? How can we provide the DBE/WBE when we do not know what is to be done on this project? At best, we would only be guessing what to do. How would any DBE/WBE be able to participate not knowing what they would be doing?

Answer:

- 1.) No, the advertised goals (MBE 12% and WBE 7%) remain unchanged. The bidder that is unable to meet these goals shall be required to provide "Good Faith Efforts" by completing Document Nos. 00471 and 00472 in the Bid Document (Page Nos. 9 & 11 of 45) and provide these documents with its bid response.
- 2.) The bidder should review and share the scope of work and technical specifications with its prospective certified MBE/WBE subcontractors.

Note: No further questions will be accepted after the publication of this Letter of Clarification.

When issued, Letter(s) of Clarification shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Letter(s) of Clarification. All revisions, responses, and answers incorporated into the Letter(s) of Clarification are collaboratively from both the Strategic Purchasing Division and the applicable City Department(s). It is the responsibility of the bidder/respondent to ensure that it has obtained all such letter(s). By submitting a bid on this project, bidders/respondents shall be deemed to have received all Letter(s) of Clarification and to have incorporated them into this solicitation and resulting bid.

Furthermore, it is the responsibility of each Contractor to obtain any previous Letter of Clarification associated with this solicitation.

Arturo Lopez

Arturo Lopez

Senior Procurement Specialist

832-393-8731

Attachments: Revised Page Nos. 13, 14, 15, 16 & 19 of 45

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

REVISED 9/12/2014

**SECTION B
SCOPE OF WORK/TECHNICAL SPECIFICATIONS
ASPHALTIC PAVEMENT OVERLAY
SERVICES**

1.0 PROJECT GENERAL:

1.1 The Contractor shall be required to furnish all labor, materials, equipment and supplies, and shall perform all work necessary for asphaltic pavement overlay services citywide. The work will consist of using asphaltic material for repairing pavement failure, filling excavated and/or damaged areas of roadway, for the mitigation of pavement hazards, and/or improvement of existing pavement.

1.2 WORK COVERED BY CONTRACT DOCUMENTS:

1.2.1 The work includes, but is not limited to, leveling course if directed; asphaltic pavement overlay of approximately 2 inches of hot mix asphaltic, reclaimed asphalt pavement (**RAP**), concrete pavement; accessible ramps; pavement marking; and a variety of miscellaneous work, as needed or as directed by the Streets and Drainage Division (SDD) project manager.

1.2.1.1 *The Contractor shall be required to lay down two inches (2") of hot asphaltic mix. The Contractor shall also be required to mill down to the original concrete street level on concrete streets and within a half inch, to one inch (½" – 1"), on open ditch streets.*

1.2.2 Curb ramps along intersections of roads/streets to be overlaid shall be evaluated for compliance with the Americans with Disabilities Act (ADA) standards. If the evaluated ramps do not meet these standards, the Contractor shall be required to upgrade or replace them. The Standards for Accessible Design, Title III regulations 28 CFR Part 36, revised September 15, 2010 is located at the following website. www.usdoj.gov/crt/stdspdf.htm. Speed humps will be replaced only as directed by SDD Project Manager.

1.2.3 Truncated domes shall be utilized and are incidental to curb ramps.

1.2.4 All level up work for manholes and valve boxes is incidental to asphalt overlay work.

1.2.5 Contract document includes, City-furnished specifications, Contractor use of Premises, and Warranty.

1.3 CITY-FURNISHED PRODUCTS:

1.3.1 No items will be furnished by the City.

1.4 CONTRACTOR'S RESPONSIBILITIES:

1.4.1 Arrange and pay for product delivery to the site.

1.4.2 Receive and unload products at the site; jointly with the City, inspect for completeness or damage.

1.4.3 Handle, store, Install, and finish Products.

1.4.4 Repair or replace damaged items.

1.4.4.1 DELETED:

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

REVISED 9/12/2014

- 1.5 CONTRACTOR USE OF PREMISES:
- 1.5.1 Comply with procedures for access to the site and Contractor's use of rights-of-way.
 - 1.5.2 Construction Operations: Limited to the City's rights-of-way provided by the City and areas shown or described in the work order documents provided at time of work request.
 - 1.5.3 Utility Outages and Shutdown: Provide a minimum of 48 hour notice to the City and private utility companies (when applicable), excluding weekends and holidays, in advance of required utility shutdown. Coordinate all work as required.
 - 1.5.4 The Contractor will deliver a notification letter and door hangers to all residents and businesses **one week** prior to the beginning of any construction activity. The letter should include (but not limited to) indication of the daily start and ending time, general description of scope of work and sequence of work to be performed, Contractors and City contact names and phone numbers. Sample door hangers will be provided by SDD project manager. The Contractor shall be responsible for informing the public in advance when vehicles need to be removed within the construction limits of the project.
- 1.6 WARRANTY:
- 1.6.1 The Contractor shall be required to warrant all work rendered for a minimum of **one calendar year** from the date the work is accepted by the City for each job location.
- 1.7 ADDITIONAL CONDITIONS FOR SUBSTANTIAL COMPLETION:
- 1.7.1 Prior to beginning any work, Project Identification signs shall be placed on the job site as specified in the Work Order or as directed by the SDD Project Manager.
 - 1.7.2 The location of utilities are not shown on the plans, it is the Contractor's responsibility to determine the exact location of all utilities before commencing work and protect them from damage during construction. To arrange for utility line locations, call the TEXAS ONE CALL SYSTEM at 1-800-669-8344 at least 48 hours prior to the commencement of work.
 - 1.7.3 Performance of Work:
 - 1.7.3.1 **Prior to overlay, the Contractor shall be required to provide an approved laboratory test run of TEX-227-F on approved mix designs.**
 - 1.7.3.2 Materials for asphaltic overlay shall be furnished by the contractor in accordance with TXDOT. (See website below)
<https://www.dot.state.tx.us/business/specifications.htm>
 - 1.7.3.3 The work will be assigned to the contractor through work orders distributed by the Public Works and Engineering Department's Streets and Drainage Division Personnel.
 - 1.7.3.4 Work Orders will be grouped by areas as designated in the Houston Harris County Key Map (by Key Map, Inc.).
 - 1.7.3.5 The Contractor shall make all data available from laboratory testing to the inspector prior to overlay.

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

REVISED 9/12/2014

- 1.7.3.6 The inspector will observe HMAC-RAP rolling pattern determination.
- 1.7.3.7 NICET or TXDOT certified asphalt technician from the lab would be present with functioning nuclear gauge.
- 1.7.3.8 The lab will take two samples from every 300 tons of HMAC-RAP. The testing lab will test a maximum of two samples per day, unless instructed otherwise by the Project Manager/Engineer.
- 1.7.3.9 The testing laboratory will record type and number of passes to obtain the specified density.
- 1.7.3.10 If the mix design density is not achieved, inspector will immediately notify SDD project manager.
- 1.7.3.11 The Contractor shall make additional trials to achieve density in mix design.
- 1.7.3.12 *Prior to HMAC-RAP construction, the Contractor shall be required to provide material testing of eight (8) random cores (two cores per location) by the testing laboratory at the test area. All lab testing will be done by the Contractor and results will be provided to City for final approval.***
- 1.7.3.13 The testing laboratory shall determine actual core density. The minimum core density is 91% using the maximum theoretical density (Rice) value of the HMAC-RAP.
- 1.7.3.14 The testing laboratory shall adjust nuclear density gauge for correlation with actual core density.
- 1.7.3.15 Nuclear gauge densities shall be taken daily. Final rolling pattern nuclear gauge densities will be taken throughout the day per street to establish representative data results.
- 1.7.3.16 The approved rolling pattern shall be established and followed on a daily basis.
- 1.7.3.17 The testing laboratory shall inform the Contractor and the Inspector immediately if the required HMAC-RAP mix design material properties and HMAC-RAP core densities have not been achieved.
- 1.7.3.18 The Contractor shall be required to correct conditions, where design requirements were not met at the Contractor's expense. It is the Contractor's responsibility and risk if he decides to continue overlaying, when nuclear density results are below the required minimum compaction.
- 1.7.3.19 No existing survey data, no proposed horizontal and vertical control, and top of curb and centerline elevations are provided to the Contractor as part of this project. The Contractor may use the services of a professional surveyor, if he/she wishes so, to provide all pertinent data at Contractor's cost.
- 1.7.3.20 The approximate location of existing utilities is given for reference only. The Contractor shall be responsible for verifying the location and elevation of all utilities in the construction area. Conflicts that result due to negligence by the Contractor to locate horizontally and vertically existing utilities, which are shown on the construction drawings or which the contractor has been given notice or has knowledge of, shall be the sole responsibility of the contractor.

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

REVISED 9/12/2014

- 1.7.3.21 The Contractor shall be responsible for damage to fences, concrete, driveway, curbing and other structures in or adjacent to the right-of-way.
- 1.7.3.22 The Contractor shall be required to overlay to existing asphaltic concrete limits only.
- 1.7.3.23 The "Scope of Work" and "Street Location Map" sheets will be provided during construction by the SDD personnel.
- 1.7.3.24 The Contractor is responsible for the repair of any base failures encountered during the overlay process.
- 1.7.3.25 Any manhole located in the path of proposed pavement must have its rim adjusted to the new pavement level. No manhole top shall be paved over.
- 1.7.3.26 The Downtown Street Work shall be scheduled for week night work from 7:00 PM and ends 5:00 AM and weekends from 7:00 PM Friday and ends 5:00 AM Monday. Downtown is defined as the Major Business Area located within Key Map Grids 493L, M, and Q and bounded by IH-10 to the North, IH-45 to the west and south, and US-59 to the east. This is a generic street overlay project. The actual streets that will be overlaid will be determined after awarding the contract.

1.7.3.27 DELETED:

- 1.7.3.28 The Contractor will not be able to close the street, the Contractor will need to clean the area before it leaves the area and/or street so that there is no debris left behind.
- 1.7.3.29 ***The City will clear all debris from streets prior to the Contractor beginning work. The Contractor shall be required to clear all debris after the work begins throughout the work order period. This material becomes the property of the Contractor to be legally disposed of in an approved manner at no additional cost to the City. This material becomes the property of the Contractor to be legally disposed of in an approved manner at no additional cost to the City.***
- 1.7.3.30 The Contractor shall be required to use the Storm Water Pollution Prevention Plan and the Traffic Control Plan for the major thoroughfares.
- 1.7.3.31 ***The Contractor shall be required to leave the street in a satisfactory condition for traffic at the end of each work period as directed by the field inspector. Striping will not be required. If the City requests work in a unique work area requiring striping, the City will request an add-services proposal from the Contractor.***
- 1.7.3.32 After milling, The Contractor shall be required to properly taper with asphalt all exposed elevated manhole utility covers to insure that traffic can maneuver over them without damage to vehicles. A damage vehicle cost claim sustained by these elevated tapered manhole covers shall be the responsibility of the Contractor.

**Letter of Clarification No. 1 to Invitation to Bid No. S50-C25103
for Asphaltic Pavement Overlay Services Citywide
for the Public Works and Engineering Department**

REVISED 9/12/2014

01555 Traffic Control and Regulation can be viewed at the website below.

<http://edocs.publicworks.houstontx.gov/engineering-and-construction/specifications.html>

- 5.5.2 Traffic Control – Contractor Furnished (Separate Bid Item):** Traffic control on two-lane type (non-divided) highways. The contractor shall supply and be responsible for all labor including a competent and certified flagger, equipment, signs, sign supports, cones and any other materials necessary. All temporary traffic control devices and flagger control shall conform to the current addition of the Manual of Uniform Traffic Control Devices, pages 531 through 546.
- 5.5.3 Flagmen must be certified by Metropolitan Transit Authority of Harris County, Texas (METRO). Flagmen shall wear safety apparel and be equipped with devices as prescribed in section 6E01 and section 6E02. Flagging procedures shall be in accordance with section 6E04. Flagging stations shall be located such that approaching road users will have sufficient distance to stop at an intended stopping point and as further described in section 6E05. Flagmen shall be dedicated to traffic control duties only. If relief for the flagger is required, another person shall assume the duties and responsibilities until the flagger returns. (See the link below for flagger training and certification requirements)**
http://www.workzonesafety.org/training/flagger_training
- 5.5.4 PERMITS:** The Contractor shall be responsible for securing any and all permits for the proposed work. Any fee charged for these permits should be the responsibility of the Contractor and not the City of Houston.

6.0 COMPLETION OF WORK ORDERS:

- 6.1 The Contractor shall notify the SDD representative and/or Contract Technical Representative (CTR) before the initiation of the project.
- 6.1.1 City personnel shall be authorized to observe all materials and work performed.
- 6.1.2 Such observation will not relieve the Contractor from any obligation to perform the work in strict accordance with these specifications.
- 6.2 Any extension of the original completion date requires prior approval, in writing, from the SDD and/or CTR representative.
- 6.3 Any deficiency listed by the City representative shall be corrected by the Contractor before final acceptance of the work (work order) is granted and the invoices are approved for payment.

7.0 LIABILITY:

- 7.1 All work shall be accomplished in such a manner as to prevent damage to the City of Houston facilities, equipment, roads, grounds, utilities, processes, etc. or to any private property to include but not limited to driveways, sidewalks, curbs, gutters, vehicles, mailboxes, or to any other existing utilities.
- 7.2 The Contractor shall be liable for any damage to electrical, water, gas, etc. which occurs during the performance of work under this contract.
- 7.3 When such damage is due to the failure of the Contractor to take precautionary actions, or to exercise sound judgment or fail to utilize proven construction practices, the Contractor shall restore, repair, or replace equipment within 24 hours.
- 7.3.1 The restoration, repair or replacement shall be to a state that it had been before the