



**CITY OF HOUSTON**  
FINANCE DEPARTMENT  
Strategic Procurement Division

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Date: December 17, 2014

Subject: Letter of Clarification No. 3  
Flexible Base Materials for the Public Works & Engineering Department

Reference: Invitation to Bid (ITB) No.: S59-S25113

To All Prospective Bidders:

This Letter of Clarification is issued for the following reason:

- To revise the above referenced solicitation as follow:
  1. To extended the bid opening date from December 18, 2014 to January 8, 2015.
  2. In Section B, replace: "pages 6 through 10 of 21, with attached pages 6 through 10 of 21 marked Revised 12/16/14".

This Letter of Clarification will be considered part of the solicitation referenced above. All revisions, responses, and answers incorporated into the Letter of Clarification are collaboratively from both the Strategic Procurement Division and the applicable City Department.

Furthermore, it is the responsibility of each BIDDER to obtain any previous Letter(s) of Clarification associated with this solicitation.

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**SECTION B.**

**CITY OF HOUSTON  
TECHNICAL SPECIFICATIONS  
FOR  
FLEXIBLE BASE MATERIALS  
FOR THE  
PUBLIC WORKS & ENGINEERING DEPARTMENT**

**1.0 BIDDER QUALIFICATIONS:**

Bidders must be established dealers in the item quoted and currently have a plant in operation that can produce sufficient stocks to meet City of Houston daily requirements as herein stated.

**2.0 GROUP I, ITEM NO. 1 LIMESTONE COARSE AGGREGATE 1”**

2.1 The material shall conform to the physical requirements for Texas Department of Highways and Public Transportation (TXDOT) Standard Specifications, 2004 edition, or latest revision. Item 421 (#57 Rock)

2.2 <ftp://ftp.dot.state.tx.us/pub/txdot-info/cmd/cserve/specs/2004/prov/sp247040.pdf>

**3.0 GROUP I, ITEM NO. 2 TYPE D ROCK 1/2” MINUS CRUSHED LIMESTONE ROCK**

3.1 The material shall conform to the physical requirements for Texas Department of Highways and Public Transportation (TXDOT) Standard Specifications, 2004 Item #421.

3.2 The aggregate must meet the following minimum specifications:

Product Code			
Size:	1/2 x 0		
Product Code:			
Product I.D.:	1/2 x 0		
1/2”		Spec % passing	Range 100
3/8”	9.5 mm.	Spec % passing	Range 90 -100
#4	4.8 mm.	Spec % passing	Range 35 - 60
#8		Spec % passing	Range 5 - 15
#200		Spec % passing	Range 0 - 5
Bulk (SSD) Gs	Avg. 2.40 min.	ASTM C 127	
LA Abrasion		ASTM C 131	
Magnesium Sulfate		ASTM C 88	
Soundness		ASTM C 88	

3.3 Provide coarse aggregate that is crush stone from a single source, free from injurious amounts of salt, alkali, vegetable matter, or other objectionable materials. Provide coarse aggregate of uniform quality throughout.

3.4 The material shall conform to the physical requirements to TXDOT Item 421 concrete specification for “coarse aggregates”, except that the gradation requirements are shown herein.

SECTION B. OFFICIAL BID FORM FOR FLEXIBLE BASE MATERIALS FOR PUBLIC WORKS & ENGINEERING DEPARTMENT, CONTINUED:

**4.0 GROUP I, ITEM NO. 3 LIMESTONE FLEXIBLE BASE TYPE A GRADE 1**

- 4.1 Type A – Grade 1 of crushed stone produced and graded from oversized quarried aggregate that originates from a single, naturally occurring source.
- 4.2 Texas Department of Highways and Transportation (TXDOT #247 or latest revision)
- 4.3 TXDOT Tex-101-E - Preparation of Soil and Flexible Base Materials for Testing.
- 4.4 TXDOT Tex-103-E - Determining Moisture Content in Soil Materials
- 4.5 TXDOT Tex-104-E- Determining Liquid Limit of Soils
- 4.6 TXDOT Tex-106-E - Calculating the Plasticity Index of Soils
- 4.7 TXDOT Tex-110-E- Particle Size Analysis of Soils
- 4.8 TXDOT Tex-116-E- Ball Mill Method for Determining the Disintegration of Flexible Base Material
- 4.9 TXDOT Tex-117-E- Triaxial Compression Tests for Disturbed Soils and Base Materials

**5.0 GROUP I, ITEM NO. 4 TYPE D GRADE 1 FLEXIBLE BASE**

Texas Department of Highways and Transportation (TXDOT #247 or latest revision)

**6.0 GROUP I, ITEM NO. 5 3” MINUS BALLAST LIMESTONE**

<b>Sieve Size</b>	<b>Specification</b>
3”	100
2-1/2”	100
2”	90 –100
1-1/2”	60 – 90
1”	10 - 35
3/4”	0 - 10

- 6.1 Provide coarse aggregate that is crush stone from a single source, free from injurious amounts of salt, alkali, vegetable matter, or other objectionable materials. Provide coarse aggregate of uniform quality throughout.
- 6.2 The material shall conform to the physical requirements to TXDOT Item 421 concrete specification for “coarse aggregates”, except that the gradation requirements are shown herein.

**7.0 SUBMITTALS**

- 7.1 Submittals shall conform to TXDOT requirements of Section 01330 - Submittals Procedures.
- 7.2 Submit samples for testing of flexible base course to the department requester
- 7.3 Submit copy of permits, certifications and licenses to the Strategic Purchasing Division and department requester
- 7.4 Submit list of three (3) Texas certified Material Testing Laboratories to SPD and department requester

SECTION B. OFFICIAL BID FORM FOR FLEXIBLE BASE MATERIALS FOR PUBLIC WORKS & ENGINEERING DEPARTMENT, CONTINUED:

**8.0 QUALITY CONTROL**

- 8.1 Tests and analysis of soil materials will be performed in accordance with Tex-101-E, Tex-104-E, Tex- 106 E, Tex-116-E and Tex-117-E, under provisions of Section 01454 - Testing Laboratory Services.
- 8.2 The moisture content of the material to be determined in accordance with Tex-103-E for each delivery day, and more often if condition warrants.

**9.0 DELIVERY, STORAGE, AND HANDLING**

- 9.1 Provide materials from stockpiles that are protected during storage from contaminants that would be detrimental to the flexible base course.
- 9.2 Load materials from same area of stockpile to maintain uniformity of each successive delivery to the project site.
- 9.3 Materials shall be delivered to the City of Houston to various locations to be announced by the department when order is placed.
- 9.4 Delivery times shall be between 7 am – 2 pm Mondays thru Fridays and orders must be fulfilled daily.
- 9.5 Emergency order(s) must be completely fulfilled within 24 hours from receipt of purchase order

**10.0 MATERIALS**

- 10.1 Crushed Limestone: Material shall meet the following requirements:
  - 10.1.1 Durable particles of crusher-run broken limestone obtained from an approved source.
  - 10.1.2 Material shall be Type A, Grade 1 and 4.
  - 10.1.3 The crushed stone shall have an abrasion loss of not more than 40% when subjected to the Wet Ball Mill Test, TEX -116-E with a maximum of 20% increase in passing the No. 40 Sieve.

**11.0 MEASUREMENT AND PAYMENT**

**11.1 UNIT PRICES**

- 11.1.1 Measurement for flexible base course material is per ton of dry weight of material as delivered on site. The dry weight will be determined by deducting the weight of the moisture in the material at the time of the weighing from the gross weight of the material.
- 11.1.2 No separate payment will be made for material testing.
- 11.1.3 Payment will be made for the type and grade specified. The unit price is full compensation for furnishing materials, temporary stockpiling, assistance provided in stockpile sampling and operations to level stockpiles for measurement, loading, hauling, delivery of materials, furnishing scales and labor for weighing and measuring, and equipment, labor, tools, and incidental.

**12.0 AWARD COMPLIANCE:**

- 12.1 The City of Houston reserves the right to monitor this award to ensure that the supplier is providing the goods and services required in strict accordance with award specifications, as well as, complying with the award terms and conditions.

SECTION B. OFFICIAL BID FORM FOR FLEXIBLE BASE MATERIALS FOR PUBLIC WORKS & ENGINEERING DEPARTMENT, CONTINUED:

**12.0 AWARD COMPLIANCE (CONTINUE):**

12.2 Monitoring may take the form of, but shall not necessarily be limited to:

12.2.1 Site visits.

12.2.2 Testing and sampling of goods and services.

12.2.3 Review of deliveries received for accuracy and timeliness.

12.2.4 Review of permits, certifications and/or licenses.

12.2.5 Review of suppliers invoices for accuracy.

12.2.6 The Contract Compliance Group of the applicable department(s) and/or Public Works & Engineering Department shall be responsible for compliance on this award.

12.3 Testing facilities must be Texas certified, equipment must be Texas certified annually.

**13.0 POST AWARD/PRE-PERFORMANCE CONFERENCE:**

Subsequent to award, the Supplier shall be required to attend a pre-performance conference. The Strategic Procurement Division or the primary user the Public Works & Engineering Department will host the pre-performance conference for the purpose of the supplier to introduce his or her project manager to the City staff and for the City staff to introduce the end users, and Award Compliance and Accounts Payable representatives.

**14.0 MEASUREMENT & WEIGHING:**

14.1 Measurement will be by the ton of 2,000 pounds dry weight in vehicles as delivered.

14.2 The dry weight will be determined by deducting the weight of the moisture in the material at the time of the weighing from the gross weight of the material.

14.3 The moisture of the material will be determined in accordance with Test Method Tex-103-E each delivery day and more often if conditions warrant.

14.4 The standard laboratory test and report of moisture content will be at the expense of the Supplier, and the Supplier will provide the City of Houston three (3) testing facilities from which to choose.

14.5 To assure compliance, samples will be taken by the departmental Contract Compliance Group or their designee. Any percentage of moisture will be deducted from the Suppliers invoice.

14.6 Prior to acceptance of delivery, a copy of the Supplier's valid State Scale Certificate or current renewal may be required to be on file with each department receiving materials. Failure to provide the requested certificate may result in non-acceptance of a shipment.

14.7 Each department or its section or group thereof, reserves the right to weigh each and every shipment made by the Supplier to the City, for verification purposes.

14.8 At locations, where City scales exist, each delivery shall be reweighed by City personnel utilizing State certified scales.

14.8.1 If Supplier weights exceed the weight verified by City scales, the Supplier's invoices will be adjusted to reflect the weights processed by the City State certified scales. Invoice will reflect COH weight or lowest weight.

SECTION B. OFFICIAL BID FORM FOR FLEXIBLE BASE MATERIALS FOR PUBLIC WORKS & ENGINEERING DEPARTMENT, CONTINUED:

**14.0 MEASUREMENT & WEIGHING (CONTINUE):**

14.9 It is the responsibility of the Supplier to produce an adequate supply of trucks to meet the demand of the departments.

14.10 The City reserves the right to monitor all shipments delivered to the City at the Supplier's place of Business.

**15.0 PRICE ADJUSTMENT:**

15.1 Direct Cost:

15.1.1 In this section means Supplier's cost from the manufacturer of any item or if Supplier is the manufacturer, the cost of raw materials required to manufacture the item, plus costs of transportation from manufacturer to Supplier and Supplier to the City.

15.2 Price Decreases:

15.2.1 If the Supplier's Direct Cost **decreases** at any time during the full term of this award, **Supplier shall immediately** pass the decrease on to the City and lower its prices by the amount of the decrease in Direct Cost.

15.2.2 Supplier shall notify the City Purchasing Agent of price decreases in the same way as for price increases set out below. The price decrease shall become effective upon City Purchasing Agent's receipt of Supplier's notice.

15.3 Price Increases:

15.3.1 Suppliers may request a price increase after six (6) months from the bid opening date of the bid received by the City Secretary of the City of Houston. Subsequent price increases may be requested six (6) months from the date of the previous approved price increase. The amount of the first increase shall not exceed actual documented increase in Supplier's Direct Cost and shall not ever be more than ten (10) % above the previous bid price. The amount of the subsequent price increase shall also not exceed this percentage.

15.3.2 To request a price increase, Supplier must submit a letter setting the amount of the increase, along with an itemized list of any increased prices, showing the Supplier's current price, revised price, the actual dollar difference and the percentage of the price increase by line item. Documentation from the Supplier's supplier(s) showing the actual dollar increase to the Supplier must accompany this request. Such documentation from the Supplier's supplier must clearly show the dollar increase incurred by the Supplier on the applicable solicitation per item bid. The letter and documentation shall be sent to the following address:

15.3.3 If the City Purchasing Agent approves the price increase, he or she shall notify Supplier in writing; no price increase will be effective until Supplier receives this notice. If the City Purchasing Agent does not approve Supplier's price increase, Supplier may terminate its performance upon **sixty (60) days** advance written notice to the City Purchasing Agent. Termination of performance is Supplier's only remedy if the City Purchasing Agent does not approve the price increase.

15.3.4 If, at any time after approving a price increase, the City Purchasing Agent determines that the City can obtain the same item at a lower price from a different source without violating the State bid laws, the City may then purchase the item from the lower price source without any obligation to the Supplier.