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MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

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ADDENDUM 001 PLANT MIX OIL MAT MATERIAL REQUEST FOR BID #2-051129

Offerors shall acknowledge receipt of Addendum 001 (ONE) by **signing** and **including it** with the original bid. The due date for receipt of bids is **unchanged** by this Addendum. The following changes shall be included as mandatory requirements for this solicitation. All other terms and conditions remain unchanged and in full force. **Page 1, change of certificate of insurance and page 34 first paragraph. Please replace these two pages when submitting your bid.**

Bidder is required to submit a current certificate of their workers compensation and liability insurance with their bid. See page 4 Special Terms and Conditions – Insurance.

District 2 Only, Group 13 and 14. A minimum of 400 tons but NOT more than a maximum of 750 tons per day for roadway deliveries, and 750 tons minimum per day when delivery is to a stockpile site, unless other suitable arrangements are made by the Missouri Department of Transportation representative.

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| Name and Title of Signer (Print or type) | Name and Title of Department Authority Audrey Bunch General Services Procurement Agent |
| Contractor/Offeror Signature | Department of Transportation |
| (Signature of person authorized to sign) | (Authorizing Signature) |
| Date Signed: | Date Signed: November 7, 2005 |

**MISSOURI DEPARTMENT OF TRANSPORTATION
GENERAL SERVICES
JEFFERSON CITY, MISSOURI**

October 31, 2005

GENERAL SERVICES: Bids on Plant Mix Oil Mat Material

**Buyer: Audrey Bunch
Phone: 573-526-7929**

Sealed bids to supply, mix, haul and dump plant mix oil mat material on roadways or stockpile sites as described on the attached bid sheet(s) will be received by the Missouri Department of Transportation, 830 MoDOT Drive, Jefferson City, Missouri, 65109 at **10:00 A.M., CST, November 29, 2005**, and at that time will be publicly opened and read in the Missouri Department of Transportation Building, **830 MoDOT Drive, Jefferson City, Missouri.**

Bids are to be returned in an envelope plainly marked **BID ON PLANT MIX OIL MAT MATERIAL.**

The date specified for the receiving of bids is a firm deadline and all bids must be received at the designated office by that time. The Department does not recognize the **U.S. Mail, United Parcel Service, Federal Express**, or any other organization, as its agent for purposes of accepting proposals. Any proposals arriving at the designated office after the deadline specified will not be considered.

Bids on partial groups will not be considered. Awards will be made to the **lowest responsible bidder** for each group provided the prices are acceptable to the Commission. In the event of **tie low bids** the Commission reserves the right to establish the method to be used in determining the award.

The quantities listed in the proposal are estimates to be used for the purpose of comparing bids and awarding the contract, and may or may not represent the actual quantities encountered on the job. **The engineer or his representative will make such changes in the proportions of cutback asphalt or emulsified asphalt and aggregates as he considers necessary to obtain satisfactory field performance within the limits specified in this request for composition of the mixture.** In case of error in the extension of prices in the bid, unit prices will govern.

Each bid must be accompanied by a **proposal guaranty** as set out in the proposal.

Bidder is required to submit a current certificate of their workers compensation and liability insurance with their bid. **See page 4 Special Terms and Conditions – Insurance.**

Material shall be delivered as directed by the engineer or their representative.

By virtue of statutory authority, a preference will be given to materials, products, supplies, provisions and all other articles produced, manufactured, made or grown within the **State of Missouri.**

A minimum of **400 tons**, but **NOT** more than a maximum of **500 tons** per day for **roadway deliveries** and **500 tons minimum per day** when delivery is to a **stockpile site, unless other suitable arrangements are made by the Missouri Department of Transportation representative. District 2 Only, Group 13 and 14.** A minimum of 400 tons, but NOT more than a maximum of 750 tons per day for roadway deliveries, and 750 tons minimum per day when delivery is to a stockpile site, unless other suitable arrangements are made by the Missouri Department of Transportation representative. No deliveries will be made during the period from 30 minutes before sundown to sunrise. The Contractor may determine the sequence of the routes on which delivery is to be made, but hauling over routes on which the mixture has previously been delivered will not be permitted.

It will be necessary for the engineer or his representative to be present when the mixture is delivered. **No mixture will be accepted that has been dumped in the absence of the engineer or his representative.** The Contractor shall furnish the **appropriate Maintenance Supervisor or his representative with a planned delivery schedule a minimum of 48 hours before delivery** is to begin, unless other suitable arrangements are made by the Missouri Department of Transportation representative. **Once delivery is started on a day, it shall be continued on a consistent schedule throughout the day.** If this schedule cannot be maintained due to plant breakdown, rain at the plant, etc., the contractor shall inform the maintenance supervisor so that Department forces can be reassigned.

Roadway and Stockpile deliveries made after the completion dates outlined in this bid request will be accepted at the discretion of the engineer or the engineer's representative. After the completion date(s), all undelivered quantities may be cancelled or have liquidated damages assessed at the discretion of the engineer or the engineer's representative.

Materials may be refused or deliveries delayed at the discretion of the engineer or the engineer's representative based upon unfavorable weather conditions at the plant or the lot, roadway safety concerns, questionable material handling, and unknown material content or source. When materials are refused for cause, the vendor shall be notified by the engineer or the engineer's representative of the reason(s) for refusal. If the vendor is requested to delay deliveries based upon roadway safety concern or excessive rain delays, liquidated damages may be waived for an amount of time equal to the time of work stoppage. **To determine excessive rainfall, local weather records will be obtained.**

If the vendor is requested to delay deliveries based upon questionable material handling, and unknown material content or source, liquidated damages will not be waived.

6.1 Liquidated Damages: The bidder represents he has a plant available for use in this work which is capable of producing the type and grade of mixed material specified and guarantees that deliveries will be made at a daily rate sufficient to complete the work on or before the contract completion date, and will, if necessary to maintain this delivery rate, immediately install any additional equipment necessary to increase the rate of production or delivery to meet the minimum daily delivery requirements.

In the event the successful contractor fails to deliver the material within the time specified, the Department and the public will sustain damages because of such delay in delivery, the exact extent of which would be difficult to ascertain. **In order to liquidate such damage in advance, it is agreed that the sum of four-hundred dollars (\$400.00) per day, per group, for each assessable calendar days for which delivery has not been completed is reasonable and the best estimate which the parties can arrive at as liquidated damages.** It is therefore agreed that said amounts will be withheld from payments due the contractor or otherwise collected from the contractor as liquidated damages. Saturdays, Sundays, holidays and days whereas the Department has suspended work shall not be assessable days.

7.0 MEASUREMENT. The weight of the mixture will be determined from batch weights when a batch-type plant is used, and will be determined by weighing each truck load in accordance with the requirements of (SEC. 310 of Missouri Standard Specifications for Highway Construction 2004 Edition and its supplements, when other types of plants are used except that the 2% moisture deduction will not apply.

Measurements of liquid bituminous material to the nearest 0.1 ton for the total tonnage used in the accepted work will be determined from the bill of lading, manifest or truck ticket.

Measurement of the weight of mineral aggregate, to the nearest ton, will be determined by subtracting the weight of the liquid bituminous material from the weight of the mixture of aggregate and liquid bituminous material.