

**City of Fayetteville Staff Review Form**

**2020-1110**

**Legistar File ID**

**1/5/2021**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Terry Gulley

12/10/2020

TRANSPORTATION SERVICES (410)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

An ordinance waiving the requirements of formal competitive bidding during calendar year 2021 for the purchase of asphalt materials for use by the Transportation Division but requiring informal quarterly bids or quotes.

**Budget Impact:**

Various	Various
Account Number	Fund
Various	Various
Project Number	Project Title
<b>Budgeted Item?</b> Yes	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
<b>Does item have a cost?</b> Yes	Item Cost
<b>Budget Adjustment Attached?</b> No	Budget Adjustment
	Remaining Budget \$ -

V20180321

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** 6269 \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:** The "item cost" and "current budget" boxes have been left blank because these items will vary depending upon fluctuating needs based on citizen service requests received, construction projects approved, and other variable factors.



**MEETING OF JANUARY 5, 2021**

**TO:** Mayor and City Council  
**THRU:** Susan Norton, Chief of Staff  
**FROM:** Terry Gulley, Transportation Services Director  
**DATE:** December 10, 2020  
**SUBJECT:** Bid Waiver for Asphalt Materials

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**RECOMMENDATION:**

Staff recommends an ordinance waiving the requirements of formal competitive bidding during calendar year 2021 for the purchase of asphalt materials for use by the Transportation Division but requiring informal quarterly bids or quotes.

**BACKGROUND:**

Due to the fluctuations in the price of crude oil, local asphalt suppliers cannot feasibly guarantee a fixed price over a twelve-month period.

**DISCUSSION:**

Staff recommends bidding asphalt materials on a quarterly basis without the need for further approval of the City Council, awarding the respective low bidder, and allowing for price adjustment requests based on the current bid language.

**BUDGET/STAFF IMPACT:**

Funds for the acquisition of these materials have been budgeted in the Street and Sales Tax Capital Improvement Funds.



BID TABULATION

BID 21-06, ASPHALT MATERIALS - QUARTER 1

Line Item #	Items Description	Quantity Required	Unit of Measure	Total Cost		APAC-Central		Hutchens Construction Company, LLC	
				Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
						\$465,754.00		\$669,006.10	
1	SECTION A: TYPE 2 SURFACE								
#1-1	Asphalt Concrete Hot Mix Surface Course Type 2, per AHTD 1996 Specifications, PG 64-22, with millings and shingles allowed (RAP/RAS)	2000	Ton	No Bid	No Bid	\$55		\$110,000.00	
#1-2	Asphalt Concrete Hot Mix Surface Course Type 2 per AHTD 1996 Specifications, PG 64-22, with millings only (RAP)	1000	Ton	\$57	\$57,000.00	\$55		\$55,000.00	
#1-3	Asphalt Concrete Hot Mix Surface Course Type 2 per AHTD 1996 Specifications, PG 64-22, no millings or shingles (virgin).	1000	Ton	\$60	\$60,000.00	\$59		\$59,000.00	
2	SECTION B: TYPE 2 BINDER								
#2-1	Asphalt Concrete Hot Mix Binder Course Type 2 per AHTD 1996 Specifications, PG 64-22, with millings or shingles (RAP/RAS)	500	Ton	\$53	\$26,500.00	\$52		\$26,000.00	
3	SECTION C: SUPERPAVE SURFACE 9.5 MM								
#3-1	Asphalt Concrete Hot Mix Course 9.5mm as per AHTD 2014 Specifications, PG 64-22, with millings and Shingles (RAP/RAS)	1000	Ton	No Bid	No Bid	\$62		\$62,000.00	
#3-2	Asphalt concrete Hot Mix Surface Course 9.5mm as per AHTD 2014 Specifications, PG 64-22, with millings only (RAP)	500	Ton	\$65	\$32,500.00	\$64		\$32,000.00	
#3-3	Asphalt concrete Hot Mix Surface Course 9.5mm as per AHTH Specifications, PG 70-22, with millings only (RAP)	500	Ton	\$70	\$35,000.00	\$71		\$35,500.00	
4	SECTION D: SUPERPAVE SURFACE 12.5 MM								
#4-1	Asphalt concrete Hot Mix Surface Course 12.5mm as per AHTD 2014 Specifications, PG 64-22, with millings and Shingles (RAP/RAS)	500	Ton	No Bid	No Bid	\$60		\$30,000.00	
#4-2	Asphalt concrete Hot Mix surface course 12.5mm as per AHTD 2014 Specifications, PG 64-22, with millings only (RAP)	500	Ton	\$62	\$31,000.00	\$65		\$32,500.00	
#4-3	Asphalt concrete Hot Mix Surface Course 12.5mm as per AHTD 2014 Specifications, PG 70-22, with millings only (RAP)	500	Ton	\$67	\$33,500.00	\$76		\$38,000.00	
#4-4	Asphalt concrete Hot Mix Surface course 12.5mm as per AHTD 2014 Specifications, PG 76-22, with millings only (RAP). Pre-Oct 2018	500	Ton	\$76	\$38,000.00	\$76		\$38,000.00	
#4-5	Asphalt concrete Hot Mix Surface Course 12.5mm as per AHTD 2014 Specifications, PG 76-22, no millings or shingles (virgin)	500	Ton	\$76	\$38,000.00	\$77		\$38,500.00	
5	SECTION E: OTHER ITEMS								
#5-1	Asphalt concrete Hot Mix Surface Course 4.75mm as per AASHTO recommendation, PG 64-22, no millings or Shingles (virgin)	1500	Ton	\$65	\$97,500.00	\$68		\$102,000.00	
#5-2	Tack Oil (IN GALLONS)	2500	Gallon	\$6.50	\$16,250.00	\$4		\$10,000.00	
#5-3	START UP PRICE FOR PLANT - estimated one event each year	1	Each	\$500	\$500	\$500		\$500	
6	SECTION F: ASPHALT MILLINGS FOR SALE - PRICING VALID THROUGH 12/31/2021								
#6-1	Asphalt Millings (picked up by Vendor from City of Fayetteville)	1	Ton	No Bid	No Bid	No Bid		No Bid	
#6-2	Asphalt Millings (delivered to vendor at convenience of City Staff)	1	Ton	\$4	\$4	\$6.10		\$6.10	

\*NOTICE: Bid award is contingent upon vendor meeting minimum specifications and formal authorization by City officials



# Bid 21-06, Asphalt Materials – Quarter 1

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	Bid 21-06, Asphalt Materials – Quarter 1
<b>Project Name</b>	Bid 21-06, Asphalt Materials – Quarter 1
<b>Project Owner</b>	Les McGaugh
<b>Project Type</b>	ITB
<b>Department</b>	Purchasing
<b>Project Description</b>	The City of Fayetteville is accepting bids from properly licensed professionals to bid on the quarterly asphalt materials bid. Any questions concerning the bidding process should be addressed to Adonis Bwashi, City of Fayetteville Purchasing Agent, at <a href="mailto:abwashi@fayetteville-ar.gov">abwashi@fayetteville-ar.gov</a> or by calling (479)575-8258.
<b>Open Date</b>	Sep 28, 2020 12:00 AM CDT
<b>Close Date</b>	Oct 28, 2020 2:00 PM CDT

<b>Highest Scoring Supplier</b>	<b>Score</b>
<b>APAC-Central</b>	<b>100 pts</b>

## Seal status

Requested Information	Unsealed on	Unsealed by
W-9 Form	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi
Bid 21-06, Bid Document (Required Signature Form)	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi
AR Secretary of State Filing #	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi
Maximum Guaranteed Wait Time to Load	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi
Plant Location Address	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi
Bid 21-06, ASPHALT MATERIALS - QUARTER 1 (BT-14XZ)	Oct 28, 2020 2:12 PM CDT	Adonis Bwashi



## Conflict of Interest

# Declaration of Conflict of Interest You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee. ## Code of Conduct All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members. ## Conflict of Interest No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family: \* has direct or indirect financial interest in the award of the contract to any proponent; \* is currently employed by, or is a consultant to or under contract to a proponent; \* is negotiating or has an arrangement concerning future employment or contracting with any proponent; or, \* has an ownership interest in, or is an officer or director of, any proponent. Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict. I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.

Name	Date Signed	Has a Conflict of Interest?
Adonis Bwashi	Oct 28, 2020 2:12 PM CDT	No



## Public Notices

### Pre-Bid Meeting in a Zoom Meeting on Oct. 13, 2020 at 10:00 AM

*Adonis Bwashi, Oct 08, 2020 11:08 AM CDT*

A non-mandatory Pre-Bid meeting will be held Tuesday, October 13, 2020 at 10:00 AM virtually.

Join Zoom Meeting:

<https://zoom.us/j/99184334363?pwd=czAxUmpxNDUxQ3dtMWZtQW1jTzR6UT09>. All

interested parties are encouraged to attend.



## Submissions

Supplier	Date Submitted	Name	Email	Confirmation Code
Hutchens Construction Company, LLC	Oct 22, 2020 3:42 PM CDT	Deanna Martin	dmartin@hutchensconstruction.com	MTA0NDMy
APAC-Central	Oct 26, 2020 1:21 PM CDT	Amanda Menke	amanda.menke@apac.com	MTA0NzYw





## Project Criteria

Criteria	Points	Description
Total Base Bid	100 pts	The Lowest Total Base Bid offered
<b>Total</b>	<b>100 pts</b>	






## Scoring Summary

### Active Submissions

	<b>Total</b>	<b>Total Base Bid</b>
<b>Supplier</b>	<b>/ 100 pts</b>	<b>/ 100 pts</b>
APAC-Central	100 pts	100 pts (\$465,754.00)
Hutchens Construction Company, LLC	69.62 pts	69.62 pts (\$669,006.10)

## Signatures

Name	Signatures
<p><b>Les McGaugh</b> (Project Owner)</p>	<p><b>Les McGaugh</b> Digitally signed by Les McGaugh Date: 2020.10.30 16:14:59 -05'00'</p> 
<p><b>Adonis Bwashi</b> (Evaluator)</p>	<p> Digitally signed by Adonis Bwashi DN: cn=Adonis Bwashi, email=abwashi@fayetteville-ar.gov, c=US Date: 2020.11.20 11:33:40 -06'00'</p> 



113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

**Ordinance: 6269**

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**File Number: 2019-0822**

**ASPHALT MATERIALS:**

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING DURING CALENDAR YEAR 2020 FOR THE PURCHASE OF ASPHALT MATERIALS FOR USE BY THE TRANSPORTATION DIVISION BUT TO REQUIRE INFORMAL QUARTERLY BIDS OR QUOTES

**WHEREAS**, the crude oil market continues to experience extreme price volatility; and

**WHEREAS**, this volatility has greatly increased the price of asphalt, making normal competitive bidding procedures unworkable, impractical and not feasible; and

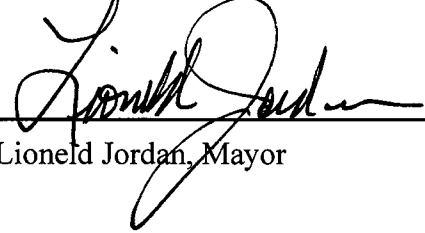
**WHEREAS**, the Transportation Division proposes to solicit and accept bids on a quarterly basis without the need for further approval of the City Council through calendar year 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby finds that such circumstances constitute an exceptional situation where annual competitive bidding is not feasible or practical, and therefore through calendar year 2020, waives the requirements of formal competitive bidding for the purchase of asphalt materials, and authorizes the Transportation Division to solicit informal bids or quotes on a quarterly basis without the need for further approval of the City Council.

PASSED and APPROVED on 12/17/2019

**Approved:**

  
\_\_\_\_\_  
Lioneld Jordan, Mayor

**Attest:**

  
\_\_\_\_\_  
Kara Paxton, City Clerk Treasurer

