



CITY OF CASTROVILLE, TEXAS  
1209 FIORELLA  
(830) 931-4070

### NOTICE TO BIDDERS

Please review the specifications and terms and conditions carefully. No bid will be considered which does not equal or exceed all of the minimum specifications or does not comply with the terms and conditions.

If a brochure or information included with your bid does not exactly describe the item to be furnished, then notes on this bid proposal must explain the difference. If there is a difference in the item/service, bidder shall document, under separate cover, the reason for the difference, and must clearly state that the item/service does meet or exceed specifications herein described.

**Failure to complete all portions of this bid proposal may be just cause to disqualify bid. Failure to include all pages (pages 1 through 9) of this bid packet, which includes the INVITATION TO BID and all related information, upon submission of bid to the City, may be just cause to disqualify bid.**

### BIDDER'S CERTIFICATE

I certify that \_\_\_\_\_ is a resident bidder of the State of Texas, as defined by State Statute.

"Texas resident bidder" refers to a bidder whose principal place of business is in the state, and includes a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

The state or a governmental agency of the state may not award a contract for general construction, improvements, services, or public works projects or purchases of supplies, materials, or equipment to a nonresident bidder unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

## CITY OF CASTROVILLE 2018 STREET PROGRAM

### TERMS AND CONDITIONS

1. Sealed bids will be received by the City Secretary, Castroville City Hall, 1209 Fiorella, Castroville, TX 78009, on or before **2:00 p.m., Wednesday, May 16, 2018**, at which time the sealed bids will be publicly opened and read aloud.
2. Bids received after closing time will be returned unopened. Late bids will not be considered under any circumstances.
3. All bids shall be submitted in sealed envelopes, plainly marked "**2018 Street Program**" on the envelope.
4. All bids shall be submitted in sealed envelopes upon the forms provided.
5. Bid sheets, specifications, and biddings documents are attached hereto, or may be obtained from the office of the City Secretary, 1209 Fiorella, Castroville, TX 78009; by telephone (830) 931-4070; website <http://www.castrovilletx.gov>, and **initial all pages not requiring signature**.
6. The City of Castroville reserves the right to revise or amend the specifications prior to the date set for the opening of bids. Such revisions or amendments, if any, will be announced by addenda or addendum to these specifications. Copies of such addenda so issued will be furnished to all prospective bidders, and may or may not affect the bid opening date.
7. Quote F.O.B. Destination. Bid the unit price on the quantity specified, extend and show total. In case of errors in the extension, UNIT PRICE shall govern. Bids subject to unlimited price increases will not be considered.
8. Bid prices must be firm for 30 days from bid opening date, and throughout the successful bidder's contract.
9. Bidder MUST give full name and address. Failure to manually sign bid will disqualify the bid. The person signing the bid must show title or authority to bind his/her firm in a contract. The firm's name shall appear on each page of the bid proposal.
10. Any bid may be withdrawn by the vendor prior to the scheduled time for opening. Any request by a bidder to withdraw his/her bid must be in writing and submitted to the City Secretary prior to the scheduled time for opening bids.
11. The City is exempt from taxes. **DO NOT INCLUDE TAX IN BID.**
12. Any catalog, brand name, or manufacturer's reference used in bid invitation is descriptive - not restrictive. It is to indicate type and quality desired. Bids on brands of like nature and quality will be considered. If bidding on other than reference specifications, bidder must show manufacturer, brand or trade name, lot number, etc., of article offered. If other than brand(s) specified is offered, illustrations and complete descriptions should be made part of the bid. If bidder indicates no exception to specifications or reference data, he/she will be required to furnish the brand names, numbers, etc., as specified.
13. Bid must show the number of days required for bid item/service to be placed in designated location under normal conditions. Failure to state delivery time obligates bidder to complete delivery in 30 calendar days. A difference in delivery promise may break a tie bid. Unrealistically short or long delivery promises without valid reason may cause removal from bid list.

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14. All items bid shall be new, in first class condition, and manufacturer's latest model/design/product, including containers suitable for shipment and storage, unless otherwise indicated in bid invitation. Verbal agreement to the contrary will not be recognized.
15. No substitutions or cancellations are permitted without written approval of the City.
16. The City of Castroville reserves the right to reject any and all bids and to waive minor technicalities and informalities in bids received.
17. Bid will be awarded to the lowest responsible bidder complying with the bid specifications and conditions, provided the bid is reasonable and in the best interest of the city. The city reserves the right to reject any or all bids.
18. Bids are subject to City Council review and acceptance.
19. Delivery of items/services shall be made during normal business days and hours only, 8 a.m. to 5 p.m., unless prior approval for late/early delivery has been obtained from the City Administrator or his appointee.
20. All bidders and other interested persons are invited to attend the bid opening but are not required to be present.
21. When two or more responsible bidders submit identical bids in both amount and nature, the City Council will enter into a contract with only one bidder and reject all other bids. The one bidder shall be selected by the casting of lots, except local vendors will be favorably considered in the awarding of contracts for tie bids.
22. Consistent and continued tie bidding may cause rejection of bids by the City and/or investigation of Anti-Trust violations.
23. Payment will be made within 30 days of successful completion of items and/or services.
24. Bidders should carefully examine the specifications and any other documents, and fully inform themselves as to all conditions. Should a bidder find discrepancies in or omissions from the specifications or other documents, or should there be doubt as to their meaning, the City Secretary should be notified immediately in writing for clarifications prior to submitting the bid. Notification for clarification can be by mail to 1209 Fiorella, Castroville, TX 78009 or by email to [debra.howe@castrovilletx.gov](mailto:debra.howe@castrovilletx.gov).
25. The City shall have the privilege of increasing or decreasing the amount of streets/roads to be seal coated. Budgetary restraints and costs bid will dictate the number of streets/roads that will be improved.
26. If, at the end of this project, additional funds are found to be available to the city for additional Seal Coating of streets, the Street Program Contract awarded under this bid may be extended for 90 days.
27. The bidder agrees to protect the City from claims involving infringement of patents or copyrights.
28. All bidders must meet or exceed the minimum specifications to be considered a valid bid.
29. Invoices submitted for payment should be addressed to the City Secretary, and should reference the "**City of Castroville 2018 Street Program.**"
30. All bids shall be accompanied by a bid bond or cashier's check payable to the City, in an amount equal to five percent (5%) of the largest possible total of the bid amount submitted by the bidder. The successful bidder must

furnish performance and payment bonds in the amount of one hundred percent (100%) of the contract price from a responsible surety payment company authorized to do business in the State of Texas, and satisfactory to the City; and proof of liability insurance and Worker's Compensation insurance must be submitted, as required by state law, prior to contract acceptance.

31. The bidder warrants, by execution of this bid proposal, that he/she has complied with all federal laws and requirements thereof regarding immigration and citizenship and that all employees are qualified employees as dictated therein.

32. The bidder, by execution of this bid, guarantees/warrants all work and products for one full year from date of project completion. T

**The successful bidder, herein, shall be referred to as "Contractor," and the City of Castroville shall be referred to as "Owner" or "City."**

### **ITEM/SERVICE**

This item shall consist of a surface treatment composed of a single or double as required, application of asphalt covered with aggregate for the sealing or existing pavements which shall leave the surface in a smooth and rideable condition, in accordance with these specifications.

Materials shall not be applied when the air temperature is below 60 degrees Fahrenheit and is falling, but may be applied when the temperature is above 50 degrees and is rising; the air temperature being taken in the shade and away from artificial heat. Asphaltic material shall not be placed when general weather conditions, in the opinion of the City Public Works Director or designee, are not suitable.

### **MATERIALS, TESTING, CONTROL**

1. Bituminous materials - Bituminous materials for the surfacing shall be 120-250 penetration asphalt cement. The Public Works Director or designee will designate the asphalt penetration to be used. The asphalt material specified herein shall be AC 5 asphalt, applied at a rate of 0.30 gallons per square yard (0.30gal/yd<sup>2</sup>).

2. Aggregate - The aggregate shall be composed of sound and durable particles of gravel or stone; shall be free from organic matter, clay, loam, or pebbles coated therewith; and shall not contain more than five percent (5%) of shale, schist, or soft particles of sandstone. No local caliche or other material and dust coated character shall be used. The material shall be of a source proven satisfactory for this use. PB 4 topping rock shall be applied at a rate of 1 cubic yard/100 square yards (1yd<sup>3</sup>/100yd<sup>2</sup>).

3. Testing and Control - The asphaltic material shall be delivered in sealed tank cars or trucks and shall be tested and sealed at the point of loading by an approved testing laboratory. The asphaltic material will be accepted by the City's Public Works Director or designee, only upon receipt of the certificate of test that shows it conforms to the above specifications. The City Public Works Director or designee shall inspect and remove all tank seals. The Contractor will order all asphaltic material and make arrangements for delivery and storage. The Contractor shall be responsible for the safe and proper storage of asphaltic material. All oil used by the contractor for heating purposes or for operation of equipment shall be kept in tanks separate and apart from the asphaltic material. Hot mix will be accepted by the City's designee only upon receipt of the certificate of test showing that it conforms to these specifications.

### **CONSTRUCTION METHODS**

The area to be treated shall be cleaned of dirt, dust, or other deleterious matter by sweeping or other approved

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methods. It shall be the responsibility of the Contractor to contact owners of vehicles that are parked on the streets/roads and get the vehicles moved. Asphaltic material shall be applied on the cleaned surface by an approved type of self-propelled pressure distributor so operated as to distribute the material in the quantity specified, evenly and smoothly, under pressure necessary for proper distribution. The contractor shall provide all necessary facilities for determining the temperature of the asphaltic material in all of the heating equipment and in the distributor, for determining the rate at which it is applied, for each individual distributor load.

Where limestone base material is used, the limestone shall be compacted in no less than two layers. Compacted limestone shall measure at least six (6) inches in depth.

Where depressions or large open cracks exist in streets to be Seal Coated, the City of Castroville Public Works Department shall repair.

Before applying the seal coat, all loose debris, dirt, rock and other extraneous material shall be removed by brooming with a pick-up broom, and hauling off. No debris or seal coat material shall be swept onto adjoining property. Clean-up for over spraying of asphalt on curbs, or spillage of asphalt shall be done by the contractor.

Manhole covers, valve box covers, and reflective pavement markers shall be protected from seal coating/paving, so that manhole covers and valve box covers remain exposed.

The emulsion shall be applied at a rate of 0.35 gallons per square yard (0.35gal/yd<sup>2</sup>).

The asphaltic material shall be AC 5 applied at the rate of 0.30 gallons per square yard (0.30gal/yd<sup>2</sup>). Asphaltic material shall not be applied until immediate covering with aggregate is assured. Tank/distributor strapping will be required as determined by the Owner.

The aggregate shall be immediately and uniformly applied at the rate of 1 cubic yard/100 square yards (1yd<sup>3</sup>/100yd<sup>2</sup>).

The entire surface shall then be broomed and rolled as follows:

The initial rolling shall be with steel wheel rollers and all additional rolling shall be with pneumatic wheel rollers. All surplus aggregate shall be removed before final rolling in order to leave the surface free from loose aggregate. The surplus shall be stockpiled for use by the Owner.

The rolling equipment shall be approved by the City Public Works Director or designee, and shall be as follows:

Steel Wheel Roller shall be self-propelled, three-wheeled, having a gross weight of not less than six (6) tons and not more than twelve (12) tons.

Pneumatic Wheel Roller shall have a gross weight of not less than ten (10) tons and not more than twenty-five (25) tons. The Contractor shall use one (1) roller per day for each 9,000 square yards, or major part thereof, surface to be worked.

## **MAINTENANCE OF AREA, TRAFFIC CONTROL, AND NOTIFICATION TO RESIDENTS AND/OR BUSINESSES**

Contractor shall be responsible for maintenance of the surface and distribution of excess aggregate until work is accepted by the distribution of excess aggregate until work is accepted by the Owner. All holes or failures in the surface shall be repaired by the City of Castroville. All fat or bleeding surface areas shall be covered with approved cover material in such a manner that the asphaltic material will not adhere to or be picked up on the wheels of vehicles.

The Contractor shall conduct his work at all times in such a manner as to insure the least possible inconvenience to vehicular traffic. At the close of each work day, all streets, where possible (in the opinion of the Owner), will be opened to the public in order that all persons living in the area may have access to their home and businesses by use of the street.

Notification to residents and/or businesses to remove vehicles and/or to not park along street areas to be worked, barricades, warning signs, flagmen, and necessary lighting shall be provided by the Contractor, to the satisfaction of the Owner, at the expense of the Contractor.

**TAX EXEMPTION CERTIFICATE**

All materials purchased by the contractor which become part of the project are exempt from Sales Tax according to Ruling #9 of the State of Texas Comptroller of Public Accounts Limited Sales, Excise, and Use Tax Rules and Regulations, effective 4/3/1962. Tax Identification Number Certificates will be furnished by the Owner if necessary.

**MISCELLANEOUS**

The Contractor shall make its own arrangements for water if needed.

Contractor shall provide sanitary facilities for employees and such facilities must be maintained in a safe and inoffensive manner. Trash, debris, and remains of material must be kept picked up daily and disposed of properly. All storage areas must be kept clean and in order.

Further, in consideration of the being awarded the bid, the Contractor releases and agrees to indemnify and hold harmless the City of Castroville, its employees, officers, agents or representatives, against loss, including attorney fees, from any and every claim or demand of every kind and character which may be asserted by the Contractor or anyone else by reason of said work performed during the street seal/chip project, including but not limited to claims for injuries (including death) and/or damages to persons or property or the effects of consequences thereof. Nothing in this Release and Indemnification Agreement waives any defenses of the City, including governmental immunity.

**List of Streets**

The City reserves the right to decrease or increase the number of streets to be seal coated/paved, depending on the cost and funds available.

Street	Square Yds.
ALGIERS	7,656
COUNTRY LN	2,148
GENTILZ ST	5,881
HARVEST MOON	654

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ISABELLA ST	1,364
JACKSON ST	5,383
LAFAYETTE ST	8,897
LISBON ST	2,462
LONDON ST	8,823
LORENZO ST	7,702
MADRID ST	9,017
MAY ST	2,030
MEADOW DR	858
MEXICO ST	15,471
OLD HWY 90	8,148
RIVER BLUFF	3,990
RIVER COURT	1,103
RIVER FOREST	2,012
RIVER TRAIL	3,430
SAN JACINTO ST	5,720
SCHOTT ST	897
SHARP ST	986
SPRING RAIN	369
SUECH ST	898
SUMMER BREEZE	662
SUNNYLAND DR	2,457
VILLAGE PATH	2,848
WASHINGTON ST	7,678
WILLOW DR	631

## BID SHEET

Square yardage amount of 120,175 is an estimate used for continuity in bids and to reflect approximate total cost. Payment will be made for the area actually seal coated/paved at the unit price amount. **The area to be seal coated will depend on the cost per yard and availability of funds.**

(Bid amount to include all costs for labor and materials, including necessary level-up.)

**BID (cost per square yard) single course:** \_\_\_\_\_ **(Total)**

**BID (cost per square yard) double course:** \_\_\_\_\_ **(Total)**

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If awarded contract, work will begin on \_\_\_\_\_, 2018, and will take \_\_\_\_\_ days to complete.



BIDDER INFORMATION:

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Company's Authorized Representative:

\_\_\_\_\_  
(Signature)      (Title)

\_\_\_\_\_  
(Printed Name)      (Date)