

STANDARD BID CONDITIONS

H-12-005P

1. **ACCEPTANCE AND REJECTION:** The Arkansas State Highway and Transportation Department (AHTD) reserves the right to reject any or all bids, to accept bids in whole or in part (unless otherwise indicated by bidder), to waive any informalities in bids received, to accept bids on materials or equipment with variations from specifications where efficiency of operation will not be impaired, and to award bids to best serve the interest of the State.
2. **PRICES:** Unless otherwise stated in the Bid Invitation, the following will apply: (1) unit prices shall be bid, (2) prices should be stated in units of quantity specified (feet, each, lbs., etc.), (3) prices must be F.O.B. destination specified in bid, (4) prices must be firm and not subject to escalation, (5) bid must be firm for acceptance for 30 days from bid opening date. In case of errors in extension, unit prices shall govern. Discounts from bid price will not be considered in making awards.
3. **BID BONDS AND PERFORMANCE BONDS:** If required, a **Bid Bond** in the form of a cashier's check, certified check, or surety bond issued by a surety company, in an amount stated in the Bid Invitation, must accompany bid. **Personal and company checks are not acceptable as Bid Bonds.** Failure to submit a Bid Bond as required will cause a bid to be rejected. The Bid Bond will be forfeited as liquidated damages if the successful bidder fails to provide a required Performance Bond within the period stipulated by AHTD or fails to honor their bid. Cashier's checks and certified checks submitted as Bid Bonds will be returned to unsuccessful bidders; surety bonds will be retained. The successful bidder will be required to furnish a **Performance Bond** in an amount stated in the Bid Invitation and in the form of a cashier's check, certified check, or surety bond issued by a surety company, unless otherwise stated in the Bid Invitation, as a guarantee of delivery of goods/services in accordance with the specifications and within the time established in the bid. **Personal and company checks are not acceptable as Performance Bonds.** In some cases, a cashier's check or certified check submitted as a Bid Bond will be held as the Performance Bond of the successful bidder. Cashier's checks or certified checks submitted as Performance Bonds will be refunded shortly after payment has been made to the successful bidder for completion of all terms of the bid; surety bonds will be retained. Surety bonds must be issued by a surety company authorized to do business in Arkansas, and must be signed by a Resident Local Agent licensed by the Arkansas State Insurance Commissioner to represent that surety company. Resident Agent's Power-of-Attorney must accompany the surety bond. Certain bids involving labor will require Performance Bonds in the form of surety bonds only (no checks of any kind allowed). In such cases, the company issuing the surety bond must comply with all stipulations herein and must be named in the U. S. Treasury listing of companies holding Certificates of Authority as acceptable sureties on Federal Bonds and as acceptable reinsuring companies. Any excess between the face amount of the bond and the underwriting limitation of the bonding company shall be protected by reinsurance provided by an acceptable reinsuring company. Annual Bid and Performance Bonds on file with E & P Division must have sufficient unencumbered funds to meet current bonding requirements, or the bid will be rejected, unless the balance is submitted as set forth above, prior to bid opening.
4. **TAXES:** The AHTD is not exempt from Arkansas State Sales and Use Taxes, or local option city/county sales taxes, when applicable, and bidders are responsible to the State Revenue Department for such taxes. These taxes should not be included in bid prices, but where required by law, will be paid by the AHTD as an addition thereto, and should be added to the billing to the AHTD. The AHTD is exempt from Federal Excise Taxes on all commodities except motor fuels; and excise taxes should not be included in bid prices except for motor fuels. Where applicable, tax exemption certificates will be furnished by the AHTD.
5. **"ALL OR NONE" BIDS:** Bidders who wish to bid "All or None" on two or more items shall so stipulate on the face of bid sheet; otherwise, bid may be awarded on an individual item basis.
6. **SPECIFICATIONS:** Complete specifications should be attached for any substitution or alternate offered, or where amplification is necessary. Bidder's name must be placed on all attachments to the bid.
7. **EXCEPTIONS TO SPECIFICATIONS:** Any exceptions to the bid specifications must be stated in the bid. Any exceptions to manufacturer's published literature must be stated in the bid, or it will be assumed that bidder is bidding exactly as stated in the literature.
8. **BRAND NAME REFERENCES:** All brand name references in bid specifications refer to that commodity or its equivalent, unless otherwise stated in Bid Invitation. Bidder should state brand or trade name of item being bid, if such name exists.
9. **FREIGHT:** All freight charges should be included in bid price. Any change in common carrier rates authorized by the Interstate Commerce Commission will be adjusted if such change occurs after the bid opening date. Receipted common carrier bills that reflect ICC authorized rate changes must be furnished.
10. **SAMPLES, LITERATURE, DEMONSTRATIONS:** Samples and technical literature must be provided free of any charge within 14 days of AHTD request, and free demonstrations within 30 days, unless AHTD extends time. Failure to provide as requested within this period may cause bid to be rejected. Samples, literature and demonstrations must be substantially the same as the item(s) being bid, unless otherwise agreed to by AHTD. Samples that are not destroyed will be returned upon request at bidders expense. Samples from successful bidders may be retained for comparison with items actually furnished.
11. **GUARANTY:** Unless otherwise indicated in Bid Invitation, it is understood and agreed that any item offered or shipped on this bid shall be newly manufactured, latest model and design, and in first class condition; and that all containers shall be new, suitable for storage or shipment and in compliance with all applicable laws relating to construction, packaging, labeling and registration.
12. **BACKORDERS OR DELAY IN DELIVERY:** Backorders or failure to deliver within the time required may constitute default. Vendor must give written notice to the AHTD, as soon as possible, of the reason for any delay and the expected delivery date. The AHTD has the right to extend delivery if reasons appear valid. If reason or delivery date is not acceptable, vendor is in default.
13. **DEFAULT:** All commodities furnished will be subject to inspection and acceptance by AHTD after delivery. Default in promised delivery or failure to meet specifications authorizes the AHTD to cancel award or any portion of same, to reasonably purchase commodities or services elsewhere and to charge full increase, if any, in cost and handling to defaulting vendor. Applicable bonds may be forfeited.
14. **ETHICS:** *"It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a State contract upon an agreement of understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the contractor for the purpose of securing business."* (Arkansas Code, Annotated, Section 19-11-708).

ARKANSAS STATE HIGHWAY & TRANSPORTATION DEPARTMENT
LITTLE ROCK, ARKANSAS
EQUIPMENT & PROCUREMENT DIVISION

Contract No. H-12-005P

BIDDER: _____

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT
1.	Small - Medium	25	ea.	\$ _____	\$ _____
2.	Large - X-Large	25	ea.	\$ _____	\$ _____
3.	2X - 3X	25	ea.	\$ _____	\$ _____
4.	4X - 5X	25	ea.	\$ _____	\$ _____
5.	6X - 7X	25	ea.	\$ _____	\$ _____
6.	8X - 9X	25	ea.	\$ _____	\$ _____
7.	10X	25	ea.	\$ _____	\$ _____

BID TOTAL _____

AHTD F.O.B. LOCATIONS

	<u>LOCATION</u>	<u>INVOICING ADDRESS</u>
District 1 Headquarters	2701 Hwy. 64 West Wynne, AR 72396	P.O. Box 278 Wynne, AR 72396
District 2 Headquarters	4900 Hwy. 65 South Pine Bluff, AR 71611	P.O. Box 6836 Pine Bluff, AR 71611
District 3 Headquarters	2911 Hwy. 29 North Hope, AR 71801	P.O. Box 490 Hope, AR 71802-0490
District 4 Headquarters	4019 Towson Ave. Ft. Smith, AR 72901	P.O. Box 1424 Ft. Smith, AR 72902
District 5 Headquarters	1673 Batesville Pike Batesville, AR 73501	P.O. Box 2376 Batesville, AR 72503
District 6 Headquarters	8900 Mabelvale Pike Little Rock, AR 72209	P.O. Box 190296 Little Rock, AR 72219
District 7 Headquarters	2245 California Ave. Camden, AR 71701	P.O. Box 897 Camden, AR 71711
District 8 Headquarters	370 Aspen Drive Russellville, AR 72801	P.O. Box 70 Russellville, AR 72811
District 9 Headquarters	4590 Hwy. 65 South Harrison, AR 72601	P.O. Box 610 Harrison, AR 72602
District 10 Headquarters	2510 West Kingshighway Paragould, AR 72450	P.O. Box 98 Paragould, AR 72451
Equipment & Procurement	11302 W. Baseline Rd. Little Rock, AR 72209	P.O. Box 2261 Little Rock, AR 72203

**ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT**

NOTICE OF NONDISCRIMINATION

The Arkansas State Highway and Transportation (Department) complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and other federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in Department programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to James B. Moore, Jr., Section Head - EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: james.moore@arkansashighways.com.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

Arkansas Highway Transportation Department Specifications for an ANSI/ISEA 107-2010 Compliant Class 2 Vest with Split Trim Configuration

Scope:

The following specification outlines the high visibility requirements for safety vests to be worn by AHTD employees for enhancing their visibility while working in or adjacent to moving traffic, heavy equipment, work zones or other endangering elements.

Description:

The ANSI/ISEA specifications and or requirements mentioned hereinafter will be specifically referring to the “most current edition” of ANSI/ISEA 107-2010, American National Standard for High Visibility Safety Apparel and Headwear specification and guidelines. This specification is for finished ANSI/ISEA 107 – 2010 Class 2 high visibility safety vest that will be worn by AHTD personnel during day and night conditions. The class 2 vest shall be in compliance with the 2009 Edition of the MUTCD Part 6E.02 – High Visibility Safety Apparel. The class 2 vest must be manufactured using ANSI/ISEA certified background and retroreflective component materials and meet all of ANSI/ISEA design requirements. Component reflective and background material in this specification shall be separately certified to ANSI/ISEA 107-2010 by an accredited laboratory having a certificate of accreditation meeting the requirements ISO/IEC 17025:2005 as prescribed by ANSI/ISEA 107-2010.

Materials:

Background Material and Ribbons – ANSI/ISEA 107-2010 certified:

- a. Vest background material shall be 3 - 4 oz/yd² fluorescent orange-red polyester mesh.
- b. The vest shall have two (2) vertical 4.5-inch wide ribbons over the shoulders made from ANSI/ISEA 107 - 2010 compliant fluorescent yellow-green polyester mesh.
- c. The vertical bands over the shoulder shall be a 4.5-inch mesh ribbon with hemmed edges that extends to the top of a 4.5-inch horizontal band of ANSI/ISEA 107 - 2010 compliant fluorescent yellow-green solid ribbon.
- d. The 4.5-inch wide solid fluorescent yellow-green horizontal ribbon shall be hemmed and sewn onto the vest to create a 360-degree contiguous stripe around the vest when the adjustable left and right side panels are in the closed or extended position to adjust for sizing.
- e. The horizontal band shall overlap at least one quarter inch of the bottom of the vertical band and shall appear seamless.
- f. The edges of the contrasting mesh ribbon with the laminated 1-inch 3M™ Scotchlite™ Reflective Material – 8712 Silver Transfer Film or equivalent stripes shall be hemmed.

- g. The contrasting fluorescent mesh ribbon shall appear as part of the vest and the edges of the vertical mesh bands shall be hemmed and sewn and stitched so the thread will not cause failure or allow the ribbon to separate from the background material.
- h. Shall meet color, performance and care label recommendations per ANSI/ISEA 107.
- i. Shall meet third party certificate of compliance for background material by an accredited laboratory having a certificate of accreditation meeting the requirements ISO/IEC 17025:2005 as prescribed by ANSI/ISEA 107-2010.

Retroreflective Material – ANSI/ISEA 107-2010 certified

- a. Reflective stripes shall consist of two 1 inch wide stripes made from 3M™ Scotchlite™ Reflective Material – 8712 Silver Transfer Film or equivalent.
- b. The vertical bands shall have two 1-inch wide reflective stripes laminated with 2-inch spacing in the center of the of the 4.5 inch wide contrasting fluorescent mesh ribbon.
- c. The horizontal band shall have two 1-inch wide reflective stripes laminated onto the 4.5 inch wide solid ribbon with 2-inch spacing in the center of the solid ribbon.
- d. Shall be certified as ANSI/ISEA 107 - 2010 level 2 retroreflective material.
- e. Retroreflective material shall be certified to 25 home washings.
- f. Shall meet care label recommendations and labeled per ANSI/ISEA 107-2010.
- g. Shall meet third party certificate of compliance for retroreflective material by an accredited laboratory having a certificate of accreditation meeting the requirements ISO/IEC 17025:2005 as prescribed by ANSI/ISEA 107-2010.

Certificates:

Third party ANSI/ISEA 107-2010 certificates of compliance for both component materials shall be kept on file at the manufacturer, and a copy of all certificates shall be sent to Ken Jordan, AHTD Training & Safety and to Chicita Pate, AHTD Purchasing Agent, 10324 Interstate 30; P.O Box 2261, Little Rock, AR 72203-2261. Failure to submit proper ANSI/ISEA 107-2010 certifications prior to bid opening time will result in bid rejection.

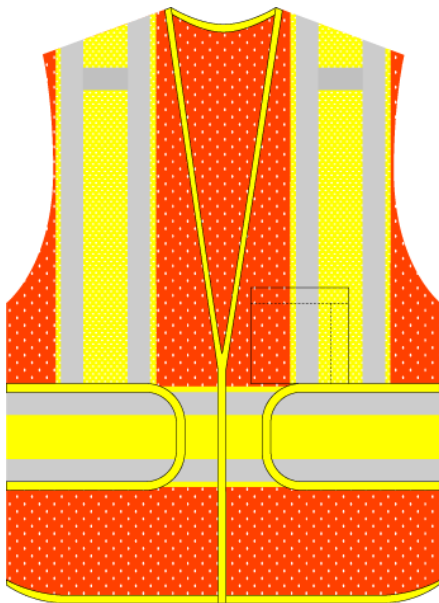
Failure to submit proper ANSI/ISEA 107-2010 certifications will result in bid rejection.

Design and Performance Benefits:

- a. The smallest size vest shall have 775 in² minimum of visible background material and 201 in² minimum of visible retroreflective material.
- b. The vest design shall conform to ANSI/ISEA 107-2010 Appendix C (see Figure C-4, page A-5).

- c. The vest design shall consist of two vertical ANSI/ISEA 107 compliant contrasting fluorescent yellow-green 4.5 inch wide mesh ribbon, one over each shoulder and one band of ANSI/ISEA compliant solid contrasting fluorescent yellow-green 4.5-inch wide solid ribbon.
- d. The vertical mesh ribbons shall have two 1- inch wide vertical bands of 3M 8712 - Silver Transfer Film or equivalent laminated onto the mesh ribbon with spacing 2-inch wide in the center.
- e. The contrasting fluorescent mesh ribbon shall appear as part of the vest and the edges of the vertical mesh bands shall be hemmed and sewn so the thread will not cause failure or allow the ribbon to separate from the background material.
- f. The horizontal ribbon shall be a solid ANSI/ISEA 107 compliant contrasting fluorescent yellow-green 4.5 inch wide sewn to create a 360° contiguous stripe around the vest with two 1- inch wide horizontal bands of 3M 8712 - Silver Transfer Film or equivalent laminated onto the solid ribbon with 2- inch spacing in the center..
- g. The horizontal band shall overlap at least one quarter inch of the bottom of the vertical band (front and back) and shall appear seamless.
- h. The lowest horizontal band of retroreflective material shall be a minimum of 2 inches from the bottom of the vest.
- i. Vest raw edges shall be trimmed with a durable cloth binding that is fluorescent yellow-green
- j. The vest shall have a front hook and loop closure system with adjustable side panels.
- k. The vest shall have microphone clips on each side at the front shoulder area made from a gray poly webbing material and placed between the two 1-inch strips of reflective material. The edges of the poly webbing shall be hemmed.
- l. The vest shall have a 6 inch by 6 inch inside left front inside portion pocket with a 1-inch pencil holder on the left front of the vest.
- m. AHTD (3 inch bold block letters) shall be screen printed in black ink on the center back of the vest.
- n. Any label that is sewn into the collar of the vest must be made from a soft fabric that is not abrasive to the wearer's neck.
- o. Adjustable Sizing shall include: (S-M, L-XL, 2X -3X, 4X - 5X, 6X – 7X, 8-9X; up to 10X).

Design A:



vest front



vest back

Samples:

All bids must be accompanied by sample vest (smallest ANSI compliant size). Bids without samples will be rejected.

Recommended Care Guide:

Washing Instructions



- Machine wash warm, 40 °C (105 °F)
- Max washings for retroreflective trim – 25x
- Only non-chlorine bleach when needed
- Tumble-dry low
- Use cool iron, 110 °C (230 °F)
- Dry-clean, normal cycle

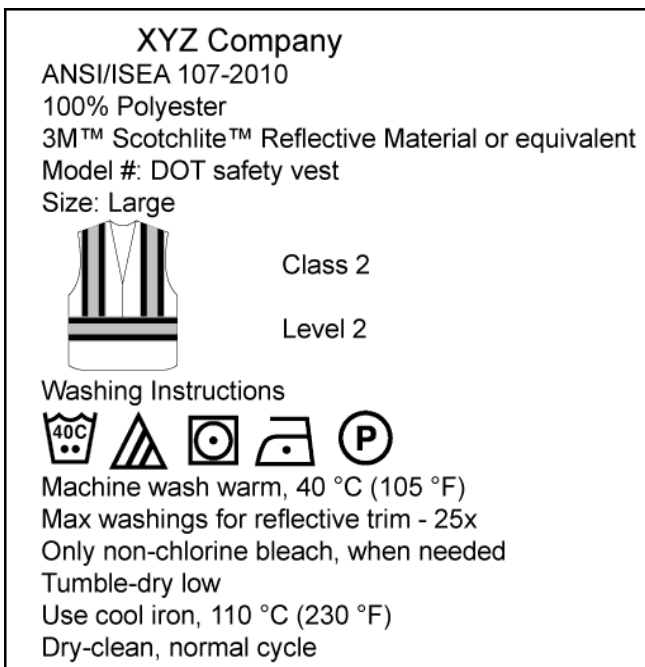
In addition, the manufacturer shall provide Instructions for Use. This may be provided on a garment label, to included special care instructions and appropriate precautions to observe.

Garment Label:

The vest label shall include the following information:

- a. Manufacturer
- b. ANSI/ISEA 107-2010
- c. Fabric type
- d. Model # (optional)
- e. Size
- f. Pictogram showing garment class and retroreflectivity level
- g. Care guide and maximum number of cycles

Label example:



Packaging:

All high visibility apparel shall be packaged individually in a poly bag so that the size will be visible without opening the package. The size can be adhered to the outside of the poly bag and there shall be one size per bag and one size per shipping carton/container.

Workmanship:

The high visibility safety vest shall be of expert workmanship, comfortable to wear, free of ragged edges, surface blemishes, loose stitches, uneven seams or any defect that would render the garment ineffective for its intended use. Any label that is sewn into the collar of the vest must be of a soft fabric that is not abrasive to the wearer's neck.

Cooperative Purchasing. Other tax-supported entities* in Arkansas (cities, counties, state agencies, school districts, etc.) may purchase commodities covered in this Contract on an individual basis under the same specifications and conditions, and at the pricing set forth by each vendor, all at the discretion of each vendor in each case. Prices could be reduced by a vendor for minor alterations in conditions (changing minimum order quantities, etc.) as agreed by both parties, but could not be raised above the contract bid price under any circumstances. Vendors would not be required to sell to any such entity under this Contract, and those entities would not be obligated to purchase from the Contract.

Each entity wishing to purchase from the Contract would make contact directly with the appropriate vendor(s). The Highway Department would remain “out of the loop” for such transactions: all contact, orders, invoices, payments, etc. regarding such transactions must take place exclusively between the tax-supported entity and the vendor. The Department would be held harmless of any and all liability arising from such transactions.

*Tax-supported entities are defined as those receiving more than half of total funding from appropriated tax funds.