

**ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
EQUIPMENT AND PROCUREMENT DIVISION
BID INVITATION**

Bid Number: Contract No. H-14-239P

BID OPENING LOCATION:
AHTD Equipment and
Procurement Division
11302 W. Baseline Road
Little Rock, AR 72209

MAIL TO:
AHTD Equipment and
Procurement Division
P.O. Box 2261
Little Rock, AR 72203

DELIVER TO:
AHTD Equipment and
Procurement Division
11302 W. Baseline Road
Little Rock, AR 72209

Bid Opening Date: July 2, 2013 Time: 11:00 a.m.

Sealed bids for furnishing the commodities and/or services described below, subject to the Conditions on page 2 of this Bid Invitation will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the price set opposite each item.

Company Name: _____

Name (Type or Print): _____

Address: _____

Title: _____

Phone: _____ Fax: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

Federal Tax ID or Social Security No.: _____

Signature: _____

Signature must be legible, original (not photocopied) and in ink.
Unsigned bids will be rejected.

Item No.	Description	Quantity	Unit	Unit Price	Amount
87-00	<p>Service Contract for furnishing to the Arkansas State Highway and Transportation Department requirements for WASTEWATER TESTING according to specifications attached to and made a part of this bid, at pricing set forth on the attached sheet, for the period beginning August 1, 2013 thru July 31, 2014, with an option to renew as mutually agreed.</p> <p>FOB: Successful Bidder's Facility</p> <p>The Bid Invitation, Bid Form and Specifications are parts of the contract and by this reference are incorporated herein as fully and effectively as if set forth in detail herein.</p> <p>It shall be understood that by submission of bid that bidder agrees to the conditions herein specified and, if bid is found acceptable by the Department either in whole or in part, shall consider this bid a contract agreement bound under these conditions. The parties hereto agree that this contract in all things shall be governed by the Laws of the State of Arkansas. Should there be a conflict between conditions printed on Page 2 of Bid Invitation and other conditions stated with Bid Information and Specifications, the latter shall prevail.</p> <p>Bid Bond in the amount of \$500.00 required of all bidders at time of bid opening or bid will be rejected. Personal and company checks are not acceptable as Bid Bonds. See Condition 3 on Page 2 of Bid Invitation.</p> <p>Performance Bond in an amount to be determined by the Department, not to exceed \$1,000.00, will be required of successful bidder prior to providing goods/services. Personal and company checks are not acceptable as Performance Bonds. See Condition 3 on Page 2 of Bid Invitation.</p> <p>Bids and Specifications are available on-line by going to the AHTD Web Site – www.arkansashighways.com and clicking on "Commodities and Services Bids/Contracts Information". Tabulations will also be available at this site within 72 hours after bid opening. If you have any questions, call this office at 501-569-2667.</p> <p>TWO SIGNED COPIES OF BID INVITATION AND BID FORM MUST BE SUBMITTED.</p>			TOTAL BID	

STANDARD BID CONDITIONS

H-14-239P

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-14-239P
Wastewater Testing

BIDDER: _____

Page 1 of 2 Pages

Category A – Individual Tests Unit Price

<u>Item</u>	<u>Cost per Test</u>
1. Biochemical Oxygen Demand (BOD ₅)	\$ _____
2. Carbonaceous Biochemical Oxygen Demand (cBOD ₅)	\$ _____
3. Total Suspended Solids (TSS)	\$ _____
4. Fecal Coliform (FCB)	\$ _____
5. Ammonia Nitrogen (NH ₃ -N)	\$ _____
6. Chemical Oxygen Demand (COD)	\$ _____
7. Oil and Grease	\$ _____
8. Nickel	\$ _____
9. Lead	\$ _____
10. Zinc	\$ _____
11. Copper	\$ _____
12. Total Phosphorus	\$ _____

Category B – Test Locations, Parameters and Frequency of Testing

<u>Item</u>	<u>Location</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Testing Per Year</u>	<u>Unit Price</u>	<u>Extended Amount</u>
1.	Big Piney Rest Area West Bound AR0045691	cBOD ₅ NH ₃ -N TSS FCB Total Phosphorus	1/90 Days	4 Each	_____	_____
2.	Gurdon Rest Area East Bound AR0044270	BOD ₅ NH ₃ -N cBOD ₅ TSS FCB	1/90 Days	4 Each	_____	_____
3.	Gurdon Rest Area West Bound AR0044270	BOD ₅ NH ₃ -N cBOD ₅ TSS FCB	1/90 Days	4 Each	_____	_____

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

Contract No. H-14-239P
 Wastewater Testing

BIDDER: _____

Category B – Test Locations, Parameters and Frequency of Testing

Item	Location	Parameter	Frequency	Testing Per Year	Unit Price	Extended Amount
4.	Waldron Rest Area AR0045799	cBOD ₅ NH ₃ -N TSS FCB Total Phosphorus	1/90 Days	4 Each	_____	_____
5.	Batesville District Headquarters AR0048992	COD TSS Oil & Grease Lead Nickel Zinc Copper	1/90 Days	4 Each	_____	_____

BID TOTAL: \$ _____

References

Company Name/Address	Telephone #	Contact Person
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

CONTRACT NO. H-14-239P - WASTEWATER TESTING

BID INFORMATION

Page 1 of 3 Pages

1. The Arkansas State Highway and Transportation Department (hereinafter called the “Department”) will enter into a term contract with the successful bidder to furnish Wastewater Testing for the period set forth in the Bid Invitation.
2. Bids shall be submitted on the form furnished herewith. Bid envelope shall be sealed and marked so as to clearly indicate its contents and will be received at the locations noted on the Bid Invitation. Bids received after the date and time set for opening will be returned unopened to the bidder.
3. A bid may be withdrawn, modified, or corrected by the bidder after it has been submitted provided written request to do so is filed with the Equipment and Procurement Division prior to the time set for opening bids. Telegrams, faxes or letters received before time set for opening bids will be accepted and attached to the unopened bid, and the bid will be considered withdrawn, modified, corrected, or otherwise changed after the time set for opening bids.
4. The Department locations listed in this contract are issued renewal permits every five (5) years by the Arkansas Department of Pollution Control and Ecology. The testing requirements may be modified if a permit is renewed to require more or less testing at a particular location. In the event the testing requirements change as permits are reissued, the Department reserves the right to reduce or increase the contract price by the established bid price contained herein for particular location and test items. The Contract shall be given thirty (30) days notice of any changes concerning any testing requirements and/or effective dates.
5. Should any specified location no longer require the services of this contract due to system being removed or connected to adjacent city system, Contractor will be given thirty (30) days written notice to discontinue service to the location specified. At that time, the contract shall be reduced by the established bid price for the location removed from the list of locations required to be tested by EPA.
6. Bidders must have a Letter of Certification by the Arkansas Department of Pollution Control and Ecology. Copy of Letter of Certification shall be furnished to the Department and will be kept on file.
7. The Department requires testing for BOD₅, cBOD₅, TSS, FCB, NH₃-N, COD, OIL AND GREASE, NICKEL, LEAD, ZINC, COPPER and TOTAL PHOSPHORUS either monthly or quarterly as required on the Bid Form. These tests will be paid for under the individual testing unit items on a location-by-location basis. Each sample will be taken by Grab Method.
8. Bidders must give a price for individual unit items noted in Category A of the Bid Form. Category B notes the location, parameters and frequency of testing each year. Category B unit price would be the cost of all parameters at the individual location for one test period. The extended amount would be the unit price multiplied by the number of times tested in one year. Award of this contract will be made on the basis of the overall low bid bidding all locations in Category B.

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

CONTRACT NO. H-14-239P - WASTEWATER TESTING

BID INFORMATION

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9. Bidders are requested to submit at least three (3) references where similar work has been completed. These references should note company name and address, telephone number and contact person.
10. Bidders are cautioned to note that the Department reserves the right to inspect Bidder's facilities prior to award of this contract.
11. The successful bidder will be responsible for conducting all tests required following the parameters set forth by the Federal Government (Environmental Protection Agency, hereinafter known as EPA) and the Arkansas Department of Pollution Control and Ecology, and must familiarize himself with each parameter at each location to insure that all test will be completed as required.
12. Test samples will be delivered to the successful bidder by Department personnel.
13. The successful bidder will be held responsible for any violations or fines set upon the Department, if such violations or fines are attributed to the contractor not fulfilling the requirements of the contract or through the contractors' negligence.
14. The successful bidder must be covered by Workman's Compensation, Public Liability and Property Damage Insurance. Certification of Insurance shall be furnished to the Department and will be kept on file.
15. A written report indicating the results of the test for each specific location shall be sent within two (2) weeks after receipt of sample(s). Reporting/invoicing addresses are noted as Appendix A (Page 3).
16. Payment will be monthly for work invoiced during that thirty (30) day period. All invoices must reflect the specific location, the specific parameters tested and the cost of test. Invoicing should be addressed as noted in Appendix A (Page 3).
17. The Department reserves the right to cancel this contract, in whole or in part, upon giving the vendor thirty (30) days notice of its intention to terminate the contract. Upon giving of such notice, the contract shall be automatically terminated as the date given in said notice.

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

CONTRACT NO. H-14-239P - WASTEWATER TESTING

BID INFORMATION

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Appendix A

Test Location	Report/Invoice Address	Other Information
Big Piney Rest Area – West	AHTD – District 8 P.O. Box 70 Russellville, AR 72811	Attn: Scott Mullis District Engineer Phone: 479-968-2286
Gurdon Rest Area – East Gurdon Rest Area – West	AHTD – District 7 P.O. Box 897 Camden, AR 71711	Attn: Carl Bachelor District Engineer Phone: 870-836-6401
Waldron Rest Area	AHTD – District 4 P.O. Box 11170 Fort Smith, AR 72917-1170	Attn: Joe Shipman District Engineer Phone: 479-484-5306
Batesville District Headquarters	AHTD – District 5 P.O. Box 2376 Batesville, AR 72503	Attn: Lyndal Waits District Engineer Phone: 870-251-2374