

ARKANSAS STATE HIGHWAY COMMISSION
LITTLE ROCK, ARKANSAS
AHTD - EQUIPMENT & PROCUREMENT DIVISION

Bid No. H-17-307P

BIDDER: _____

ITEM NO.	DESCRIPTION	UNIT PRICE
1.	High Visibility (Solid) Work Cap	\$_____ each
2.	High Visibility (Mesh) Work Cap	\$_____ each

STANDARD BID CONDITIONS

1. **GENERAL:** Any special terms and conditions included in the invitation for bid override these standard terms and conditions. The standard terms and conditions and any special terms and conditions become part of any contract entered into if any or all parts of the bid are accepted by the Arkansas State Highway Commission (AHTD).
2. **ACCEPTANCE AND REJECTION:** 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.
3. **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.
4. **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. When a bidder claims and can show clear and convincing evidence that a material mistake was made in the bid and was not the bid intended, the bidder may be permitted to withdraw their bid prior to award without forfeiture of bid bond. 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). These bonds shall not only serve to guarantee the completion of the work, but also to guarantee the excellence of both workmanship and material until the work is finally accepted and the provisions of the Plans, Specifications, and Special Provisions fulfilled. 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.
5. **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.
6. **"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.
7. **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.
8. **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.
9. **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.
10. **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. Received common carrier bills that reflect ICC authorized rate changes must be furnished.
11. **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.

12. **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.
13. **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.
14. **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.
15. **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).
16. **NOTICE OF NONDISCRIMINATION:** The Arkansas State Highway Commission, through the AHTD, complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the AHTD does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in the AHTD's programs and activities, as well as the AHTD's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the AHTD nondiscrimination policies may be directed to Joanna P. McFadden 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: joanna.mcfadden@ahtd.ar.gov. Free language assistance for Limited English Proficient individuals is available upon request. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.
17. **PROHIBITION OF EMPLOYMENT OF ILLEGAL IMMIGRANTS:** Pursuant to Arkansas Code Annotated 19-11-105, all bidders must certify prior to award of a contract that they **do not** employ or contract with any illegal immigrant(s) in its contract with the state. Bidders shall certify online at <https://www.ark.org/dfa/immigrant/index.php>.
18. **DISCLOSURE:** Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that order, **shall** be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy **shall** be subject to all legal remedies available to the agency.

ATTACHMENT A

ELIGIBLE BIDDER CERTIFICATION

The Bidder represents and warrants for itself, its employees and its subcontractors and certifies they:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this Bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph two (2) of this Certification;
4. Have not within a one-year period preceding this application/Bid had one or more public transactions (Federal, State, or local) terminated for cause or default; and

The Bidder represents, warrants and acknowledges the understanding that restrictions placed on the employment of labor or on the scale of pay for the work on a contract will be the requirements of the Fair Labor Standards Act (Federal Wage-Hour Law) of 1938, 28 USC §201 et seq., and other applicable labor laws.

The person executing this Certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understands that the provisions of 31 USC §3801 et seq. are applicable thereto.

BIDDER NAME

BY: _____

Signature

TITLE: _____

CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

SUBCONTRACTOR: _____ SUBCONTRACTOR NAME: _____
 Yes No

IS THIS FOR:

TAXPAYER ID NAME: _____ Goods? Services? Both?

YOUR LAST NAME: _____ FIRST NAME: _____ M.I.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____ COUNTY: _____

AS A CONDITION OF OBTAINING, EXTENDING, AMENDING, OR RENEWING A CONTRACT, LEASE, PURCHASE AGREEMENT, OR GRANT AWARD WITH ANY ARKANSAS STATE AGENCY, THE FOLLOWING INFORMATION MUST BE DISCLOSED:

FOR INDIVIDUALS*

Indicate below if: you, your spouse or the brother, sister, parent, or child of you or your spouse is a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

Position Held	Mark (✓)		Name of Position of Job Held <small>(senator, representative, name of board/ commission, data entry, etc.)</small>	For How Long?		What is the person(s) name and how are they related to you? <small>(i.e., Jane Q. Public, spouse, John Q. Public, Jr., child, etc.)</small>	
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Relation
General Assembly							
Constitutional Officer							
State Board or Commission Member							
State Employee							

None of the above applies

FOR AN ENTITY (BUSINESS)*

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

Position Held	Mark (✓)		Name of Position of Job Held <small>(senator, representative, name of board/ commission, data entry, etc.)</small>	For How Long?		What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?		
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Ownership Interest (%)	Position of Control
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee								

None of the above applies

Contract and Grant Disclosure and Certification Form

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM**. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.
2. I will include the following language as a part of any agreement with a subcontractor:

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.
3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM** completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

Signature _____	Title _____	Date _____
Vendor Contact Person _____	Title _____	Phone No. _____

Agency Use Only				
Agency Number _____	Agency Name _____	Agency Contact Person _____	Contact Phone No. _____	Contract or Grant No. _____

Arkansas State Highway and Transportation Department
Specification for Fluorescent Red Orange
High Visibility **Solid Baseball Cap**
Contract No. H-17-307P

Scope:

The following specification outlines the high visibility requirements for compliant ANSI/ISEA 107 -2010 Headwear that will be worn by AHTD employees to enhance their visibility while working in or adjacent to moving traffic, heavy equipment, work zones or other endangering elements.

Style:

- a. The cap style shall be six (6) panel structured front with **low** profile and have an adjustable hook and loop (velcro) back strap.
- b. Cut size shall be 60cm.
- c. Shall have a minimum of 10 square inches of 3M™ Scotchlite Reflective Material – 8910 silver reflective fabric, or an approved equivalent.

Material:

- a. Cap fabric to be 100% textured polyester.
- b. Color to be Red/Orange fluorescent, ANSI Compliant
- c. Fabric weight shall be 5.5 OSY.
- d. Fabric to be rated as per AATC test methods for Color Fading - 4.0 to 4.5.
- e. Fabric to be rated as per AATC test method for Color Fastness – 4.0 to 4.5
- f. Reflective Fabric to be 3M™ Scotchlite™ Reflective Material – 8910 Silver Reflective Fabric, or an approved equivalent.
- g. 3M™ Scotchlite Reflective Material – 8910 silver reflective fabric, or an approved equivalent.

Crown Construction:

- a. Crown to be assembled, S/N lock stitch, sewn using 100% polyester matching thread.
- b. Stitch density SPI (stitches per inch) shall be 10.
- c. The two (2) needle spacing shall be 12 mm.
- d. The inside panel seams shall be covered with white cotton taping 15mm wide.
- e. All taping to have closed, turn and close and stitch cover seams.
- f. Each crown panel to have 1 sewn eyelet, centered on the panel.
- g. The eyelet color shall match the color of the ANSI compliant red orange fabric.
- h. The position of eyelet center shall be 70mm from the top of button
- i. The front two (2) panels shall have medium firmness, fusible buckram woven interlining.

- j. The crown shall have non rusting top button covered by 3M 8910 silver reflective fabric.
- k. The side two (2) cap panels on left and right of the bill to have an appliqué made of 3M 8910 silver reflective fabric or an approved equivalent, sewn on top of the red/orange fabric.
- l. The size of the left reflective panel is 5-1/4" long x 1" high plus 1/8" satin stitch boarder around the panel. Position is 1/2" from cap bottom.
- m. The size of the right reflective panel is 3-5/8" long by 1" high plus 1/8" satin stitch boarder around the panel. Position is 1/2" from cap bottom.
- n. Both reflective fabric patches shall have rounded corners (see artwork).

Crown Embroidery:

Front Center Crown

- a. All embroidery to be done prior to assembly.
- b. The AHTD (Arkansas State Highway and Transportation Department) logo shall be centered and embroidered; logo provided. (See attached artwork.)
- c. The logo size shall be 50mm wide.
- d. The area surrounding the logo should have no stitch puckering or distortion caused by the embroidery .
- e. Thread color for the logo shall be the following colors: Outline of State shall be white, AHTD letters shall be red, lettering around emblem and all other letters shall be gold in color and background shall be a non-fading navy blue.

Crown Sweatband: The crown sweatband to be manufactured using 3 parts.

- a. The sweatband shell material to be 100% cotton twill, construction of fabric (108 x 56) (20's x 16's).
- b. The raw edges of the sweatband to be turned and stitched closed on the inside.
- c. Inside the sweatband shall be a vapor / perspiration barrier 1 ply of polyethylene or close substitute.
- d. Second inside ply shall be firm, non woven interlining.
- e. Sweatband shall have 2 rows of stitching in addition to 1 row at edge and 1 row for attaching to the crown. SPI to be 10 - 12.

Crown Back Strap:

- a. The letters A.H.T.D. shall be embroidered on the adjusting strap on the back of the cap.
- b. Thread color for AHTD shall be gold to match the circle on the front of the cap.

Crown Back Strap Construction: .

- a. The sizing closure shall be made with the same Red/Orange material as mentioned above and use adjustable hook and loop as the means to make size adjustments to cap.
- b. Strap width shall be at least 20 mm.

Peak or Bill of Cap Construction:

- a. The board material for the peak shall be composite polyethylene, color to be black or an **approved** substitute.
- b. Cardboard or paper by-product is **not** acceptable.
- c. The peak shall be pre-curved at the factory.
- d. The top and bottom shell /cover ply will be 100% cotton 108 x 56 / 20's x 20's non-brushed black Chino cotton twill.
- e. Color fastness shall be grade 4 as per AATC test methods.
- f. The peak to have sandwich peak, with a separate piece of 3M #8910 silver reflective fabric, or an approved equivalent around the edge of the peak.
- g. All join seams on the peak are to be turned, folded and stitched closed.
- h. No raw seams to appear.
- i. The peak shall have six (6) rows stitching with the first row placement 20mm from edge of peak. Needle spacing for the other 5 rows shall be 10mm.
- j. Peak shall have – Crown join seam to have "Pro Stitch" attachment method.

Side Reflective Appliqués:

- a. The left side reflective appliqués shall be 140mm wide by 28mm high.
- b. The right side appliqués shall be 95mm wide and 28mm high.
- c. Both appliqué' shall be 10 to 12 mm from the bottom edge of the cap.
(See attached drawing)

Logos: No right side logo, no left side logo.



Certificates:

Third party ANSI/ISEA 107-2010 certificates of compliance for both component, reflective and background materials shall be kept on file at the manufacturer and, if requested, a copy of all certificates shall be sent to Eddie Tanner, AHTD Training & Safety and to Chicita Pate, AHTD Purchasing Manager, P.O. Box 2261, Little Rock, AR 72203-2261. Failure to submit proper ANSI/ISEA 107-2010 certifications upon request will result in bid rejection.

Evaluation Samples

Bidders may be requested to send one (1) finished sample of each style cap.
Failure to submit samples in a timely manner will result in rejection.

AHTD LOGO
(NOT ACTUAL SIZE)



Arkansas State Highway and Transportation Department
Specification for Fluorescent Red Orange
High Visibility Mesh Baseball Cap Specifications
Contract No. H-17-307P

Scope:

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Style:

- a. The cap style shall be six (6) panel structured front with **low** profile and have a velcro back strap.
- b. Cut size shall be 60cm.
- c. Shall have a minimum of 10 square inches of 3M™ Scotchlite Reflective Material – 8906 silver reflective fabric or equivalent. Front 2 panels performance textiles style #600-01 5 oz Poly. Back 4 panels performance textiles style #3000-60 poly mesh.

Material:

- a. Cap fabric to be 100% textured polyester.
- b. Color to be Red/Orange fluorescent, ANSI Compliant
- c. Fabric weight shall be 5.5 OSY.
- d. Fabric to be rated as per AATC test methods for Color Fading - 4.0 to 4.5.
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Crown Construction:

- a. Crown to be assembled, S/N lock stitch, sewn using 100% polyester matching thread.
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- g. The eyelet color shall match the color of the ANSI compliant red orange fabric.
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- i. The front two (2) panels shall have medium firmness, fusible buckram woven interlining.
- j. The crown shall have non rusting top button covered by 3M 8910 silver reflective fabric or equivalent.
- k. The side two (2) cap panels on left and right of the bill to have an appliqué made of 3M 8910 silver reflective fabric or equivalent, sewn on top of the red/orange fabric.
- l. The size of the left reflective panel is 5-1/4" long x 1" high plus 1/8" satin stitch border around the panel. Position is 1/2" from cap bottom.
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Evaluation Samples

Bidders may be requested to send one (1) finished sample of each style cap. **Failure to submit samples in a timely manner will result in rejection.**

Logo shall be as follows:

1. ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT YELLOW/GOLD LETTERING.
2. THE OUTLINE CIRCLES OF LOGO AND AROUND THE STATE OF ARKANSAS SHOULD BE YELLOW/GOLD IN COLOR.
3. THE SHAPE OF THE STATE OF ARKANSAS SHALL BE WHITE IN COLOR.
4. THE LETTERS "AHTD" ON THE EMBLEM SHALL BE RED IN COLOR.
5. THE BACKGROUND ON THE EMBLEM OF THE CAP SHALL BE ROYAL BLUE IN COLOR.



Front of cap shall be logo only. No silver reflective material.



Sizing strap must be Velcro instead of metal closure as shown in picture.

