

PUBLISH DATES:  
Thursday February 16, 2023  
Thursday February 23, 2023  
Thursday March 2, 2023

**ADVERTISEMENT FOR BIDS  
COUNTY OF RACINE  
DEPARTMENT OF PUBLIC WORKS  
AND DEVELOPMENT SERVICES**

**PROJECT NUMBER PW-2306  
CTH-V From CTH-K To CTH-G  
Hot Mix Asphalt Materials Only  
Used By County For Highway Paving**

**Bid Instructions**

Complete the price and availability form and return the sealed bid and specifications form to the County of Racine.

NOTICE is hereby given that sealed bids will be received in the Office of the Racine County Director of Public Works and Development Services, 14200 Washington Avenue, Sturtevant, Wisconsin, 53177-1253; until 3:00 p.m. CDT, Thursday, March 9, 2023 for the aforementioned Project. Immediately thereafter all bids shall be publicly opened and read aloud.

THE PROJECT consists of HMA mixture items for highway pavement replacement. Project items include: approximately 17 thousand TONS of HMA Mix produced in accord with the WisDOT Quality Management Program. Racine County Public Works and Development Services Department will pick-up these items from the Contractors production facility.

FUNDING for this project came in part from the State of Wisconsin Department of Transportation, Local Roads Improvement Program (LRIP), County Highway Improvement Program Project Number 16897.

**GENERAL INFORMATION**

BIDDERS must submit bids on forms provided by the Racine County Public Works and Development Services Department.

PROJECT DOCUMENTS are on file, available for inspection at the Office of the Director of Public Works and Development Services; 14200 Washington Avenue; Sturtevant, WI 53177-1253. Telephone 262-886-8440. Email [RCPublicWorks@Racinecounty.com](mailto:RCPublicWorks@Racinecounty.com).

A CERTIFIED CHECK OR BID BOND equal to 5% of the bid, payable to Racine County, shall accompany each bid as a guarantee that if the bid is accepted, that the bidder will execute and file a contract and furnish a performance and payment bond for the full amount of the contract.

FOR MORE INFORMATION regarding this project telephone County of Racine Department of Public Works and Development Services Engineering Division: (262) 886-8440.

PLEASE INFORM the Public Works and Development Services Department if handicapped access or special accommodations are needed at the time of the public bid opening.

RACINE COUNTY through its duly authorized representatives, reserves the right to reject any or all bids, waive all technicalities, and to choose the offer deemed most advantageous to Racine County. All bidders by submitting their bids agree to abide by the rules, regulations, and decisions of Racine County.

Julie A. Anderson  
Director of Public Works  
and Development Services

## **Specifications**

Execute this work according to requirements of the State of Wisconsin Department of Transportation, Standard Specifications for Highway and Structure Construction, Most Recent Edition. Also work according to the requirements of the State of Wisconsin Department of Transportation Construction and Material Manual, Most Recent Edition, and these Specifications and Special Provisions.

Where in the specifications or special provisions any of the following terms appear, they will be accepted the meaning set defined as follows:

**Contractor:** For purposes of this Procurement and for the Specifications the terms Contractor and Vendor will remain synonymous.

**Director:** The Director of Public Works and Development Services, County of Racine Department of Public Works and Development Services.

**Engineer:** The Manager of Planning & Engineering Services, County of Racine Department of Public Works and Development Services.

**Inspector:** An authorized representative of the County of Racine assigned to make detailed inspection of the work.

**State Construction and Materials Manual:** The State of Wisconsin Department of Transportation, Construction and Materials Manual, Most Recent Edition.

**State Specifications:** The State of Wisconsin Department of Transportation, Standard Specifications for Highway and Structure Construction, Most Recent Edition.

## **Indemnification**

To the fullest extent permitted by law, Vendor shall indemnify, hold harmless, the County and its officers, agents and employees from any and all claims, damages to person or property, lawsuits or liability (including but not limited to reasonable fees and charges of consultants, architects, attorneys, and other professionals, and reasonable court costs) resulting from the negligent acts, errors or omissions of the Vendor or any of the Vendor's agents or employees in the performance of services under this quote.

To the fullest extent permitted by law, the County shall indemnify and hold harmless the Contractor and its officers, agents and employees from any and all claims, damages to person or property, lawsuits or liability (including but not limited to reasonable fees and charges of consultants, architects, attorneys, and other professionals, and reasonable court costs) resulting from the negligent acts, errors or omissions of Racine County or any of the County's agents, or employees in the performance of services under this quote.

Obtain approval from the Engineer before commencing work under any of the following items.

## Items

### 1. SPV.0195.01 Special 01 HMA Mix 3 MT 58-28 S, TON

A. This work will be in accordance with section 460 of the State Specifications.

- i) Contractor will provide HMA materials at the production facility for pick-up by Racine County Public Works and Development Services.
  - (1) The County will schedule material orders with the Contractor at least 30-days in advance. Contractor's acceptance of the order will bind the schedule accordingly.
  - (2) Subsequently, the County and Contractor will verify the scheduled material order at least 3-days before the scheduled pick-up date.
  - (3) Schedules and changes must maintain HMA mix temperatures as indicated in the Mix Design. After order verification, either the Contractor or County may request a 24-hour schedule-adjustment to accommodate weather or other emergent factors.
- ii) HMA production facility qualifications include:
  - (1) Produce the items for pick-up at a facility in Wisconsin.
  - (2) Produce the items at a facility within 30-minutes drive time of the aforementioned Project location.
  - (3) Have the items available for pick-up according to the order scheduled order.
  - (4) Have the items available for pick-up during working hours from 6:00 AM through 6:00 PM.
- iii) Items will include WisDOT provisions for Quality Management Program Quality Assurance Testing (QMP-QA).
  - (1) Materials will correspond with an HMA mix design approved by WisDOT for manufacturing during 2023.
    - (a) In accordance with Wisconsin Statute 402.606, receipt of items from the Contractor will not constitute acceptance by the County nor disengage any QMP provisions or qualification for payment unless indicated by this Specification.
    - (b) The Contractor must submit any proposed job mix formula adjustments for approval by the Engineer. The County will not pay for HMA mix produced outside pre-approved job mix formula(s) without prior approval by the Engineer.
  - (2) Specifications will not require nuclear density testing of HMA Pavement by the Contractor. Nor will this item include pay reductions, incentives, or disincentives

based on nuclear density test values.

- B. The item SPV.0195.01 Special 01 HMA Mix 3 MT 58-28 S, TON will be measured by the unit TON. This item will be paid for at the contract TON price, which will be full compensation for all labor, materials, equipment, tools and incidentals necessary to complete the work.
- i) The County will adjust Unit Prices in accordance with section 460 of the State Specifications.
  - ii) For the purpose of payment adjustment, non-conformance will not include results of nuclear density testing.
  - iii) Notwithstanding provision ii) above, the Contractor will adhere to the Dispute Resolution provisions included in WisDOT CMM Chapter 836.
    - (1) For any Dispute Resolution referee testing, the role of WisDOT BTS will subsume to a County-Consultant accredited by A.A.S.H.T.O and listed on the Wisconsin Department of Transportation Roster of Eligible Engineering Consultants.

2. SPV.0195.02 Special 02 HMA Mix 4 MT 58-28 S, TON

A. This work will be in accordance with section 460 of the State Specifications.

- i) Contractor will provide HMA materials at the production facility for pick-up by Racine County Public Works and Development Services.
  - (1) The County will schedule material orders with the Contractor at least 30-days in advance. Contractor's acceptance of the order will bind the schedule accordingly.
  - (2) Subsequently, the County and Contractor will verify the scheduled material order at least 3-days before the scheduled pick-up date.
  - (3) Schedules and changes must maintain HMA mix temperatures as indicated in the Mix Design. After order verification, either the Contractor or County may request a 24-hour schedule-adjustment to accommodate weather or other emergent factors.
- ii) HMA production facility qualifications include:
  - (1) Produce the items for pick-up at a facility in Wisconsin.
  - (2) Produce the items at a facility within 30-minutes drive time of the aforementioned Project location.
  - (3) Have the items available for pick-up according to the order scheduled order.
  - (4) Have the items available for pick-up during working hours from 6:00 AM through 6:00 PM.

- iii) Items will include WisDOT provisions for Quality Management Program Quality Assurance Testing (QMP-QA).
    - (1) Materials will correspond with an HMA mix design approved by WisDOT for manufacturing during 2023.
      - (a) In accordance with Wisconsin Statute 402.606, receipt of items from the Contractor will not constitute acceptance by the County nor disengage any QMP provisions or qualification for payment unless indicated by this Specification.
      - (b) The Contractor must submit any proposed job mix formula adjustments for approval by the Engineer. The County will not pay for HMA mix produced outside pre-approved job mix formula(s) without prior approval by the Engineer.
    - (2) Specifications will not require nuclear density testing of HMA Pavement by the Contractor. Nor will this item include pay reductions, incentives, or disincentives based on nuclear density test values.
- B. The item SPV.0195.01 Special 01 HMA Mix 3 MT 58-28 S, TON will be measured by the unit TON. This item will be paid for at the contract TON price, which will be full compensation for all labor, materials, equipment, tools and incidentals necessary to complete the work.
- i) The County will adjust Unit Prices in accordance with section 460 of the State Specifications.
  - ii) For the purpose of payment adjustment, non-conformance will not include results of nuclear density testing.
  - iii) Notwithstanding provision ii) above, the Contractor will adhere to the Dispute Resolution provisions included in WisDOT CMM Chapter 836.
    - (1) For any Dispute Resolution referee testing, the role of WisDOT BTS will subsume to a County-Consultant accredited by A.A.S.H.T.O and listed on the Wisconsin Department of Transportation Roster of Eligible Engineering Consultants.
3. SPV.0195.03 Special 03 HMA Mix 3 MT 58-28 S – Includes Additive For Cold-weather Paving, TON
- A. This work will be in accordance with section 460 of the State Specifications.
- i) Contractor will provide HMA materials at the production facility for pick-up by Racine County Public Works and Development Services.
    - (1) The County will schedule material orders with the Contractor at least 30-days in advance. Contractor's acceptance of the order will bind the schedule accordingly.

- (2) Subsequently, the County and Contractor will verify the scheduled material order at least 3-days before the scheduled pick-up date.
  - (3) Schedules and changes must maintain HMA mix temperatures as indicated in the Mix Design. After order verification, either the Contractor or County may request a 24-hour schedule-adjustment to accommodate weather or other emergent factors.
- ii) HMA production facility qualifications include:
- (1) Produce the items for pick-up at a facility in Wisconsin.
  - (2) Produce the items at a facility within 30-minutes drive time of the aforementioned Project location.
  - (3) Have the items available for pick-up according to the order scheduled order.
  - (4) Have the items available for pick-up during working hours from 6:00 AM through 6:00 PM.
- iii) Items will include WisDOT provisions for Quality Management Program Quality Assurance Testing (QMP-QA).
- (1) Materials will correspond with an HMA mix design approved by WisDOT for manufacturing during 2023.
    - (a) In accordance with Wisconsin Statute 402.606, receipt of items from the Contractor will not constitute acceptance by the County nor disengage any QMP provisions or qualification for payment unless indicated by this Specification.
    - (b) In accordance with WisDOT Specification 450, the Contractor must provide a WisDOT-accepted HMA mixture designed to include a warm mix additive from the WisDOT Approved Products List (APL). Contractor must submit any proposed cold-weather mix designs for approval by the Engineer.
    - (c) The County will accept HMA mixture produced under this item based on mix temperatures recorded at the production facility. After pick-up of the mixture, the County will maintain cold-weather mix-temperatures at the County's own risk.
    - (d) The Contractor must submit any proposed job mix formula adjustments for approval by the Engineer. The County will not pay for HMA mix produced outside pre-approved job mix formula(s) without prior approval by the Engineer.
  - (2) Specifications will not require nuclear density testing of HMA Pavement by the Contractor. Nor will this item include pay reductions, incentives, or disincentives based on nuclear density test values.
- B. The item SPV.0195.03 Special 03 HMA Mix 3 MT 58-28 S – Includes Additive for Cold-weather Paving, TON will be measured by the unit TON. This item will be paid for at the

contract TON price, which will be full compensation for all labor, materials, equipment, tools and incidentals necessary to complete the work.

- i) The County will adjust Unit Prices in accordance with section 460 of the State Specifications.
- ii) The County will adjust payment for non-conforming items. Non-conformance will not include results of nuclear density testing.
- iii) Notwithstanding provision ii) above, the Contractor will adhere to the Dispute Resolution provisions included in WisDOT CMM Chapter 836.
  - (1) For any Dispute Resolution referee testing, the role of WisDOT BTS will subsume to a County-Consultant accredited by A.A.S.H.T.O and listed on the Wisconsin Department of Transportation Roster of Eligible Engineering Consultants.

4. SPV.0195.04 Special 04 HMA Mix 4 MT 58-28 S – Includes Additive For Cold-weather Paving, TON

A. This work will be in accordance with section 460 of the State Specifications.

- i) Contractor will provide HMA materials at the production facility for pick-up by Racine County Public Works and Development Services.
  - (1) The County will schedule material orders with the Contractor at least 30-days in advance. Contractor's acceptance of the order will bind the schedule accordingly.
  - (2) Subsequently, the County and Contractor will verify the scheduled material order at least 3-days before the scheduled pick-up date.
  - (3) Schedules and changes must maintain HMA mix temperatures as indicated in the Mix Design. After order verification, either the Contractor or County may request a 24-hour schedule-adjustment to accommodate weather or other emergent factors.
- ii) HMA production facility qualifications include:
  - (1) Produce the items for pick-up at a facility in Wisconsin.
  - (2) Produce the items at a facility within 30-minutes drive time of the aforementioned Project location.
  - (3) Have the items available for pick-up according to the order scheduled order.
  - (4) Have the items available for pick-up during working hours from 6:00 AM through 6:00 PM.
- iii) Items will include WisDOT provisions for Quality Management Program Quality Assurance Testing (QMP-QA).

- (1) Materials will correspond with an HMA mix design approved by WisDOT for manufacturing during 2023.
    - (a) In accordance with Wisconsin Statute 402.606, receipt of items from the Contractor will not constitute acceptance by the County nor disengage any QMP provisions or qualification for payment unless indicated by this Specification.
    - (b) In accordance with WisDOT Specification 450, the Contractor must provide a WisDOT-accepted HMA mixture designed to include a warm mix additive from the WisDOT Approved Products List (APL). Contractor must submit any proposed cold-weather mix designs for approval by the Engineer.
    - (c) The County will accept HMA mixture produced under this item based on mix temperatures recorded at the production facility. After pick-up of the mixture, the County will maintain cold-weather mix-temperatures at the County's own risk.
    - (d) The Contractor must submit any proposed job mix formula adjustments for approval by the Engineer. The County will not pay for HMA mix produced outside pre-approved job mix formula(s) without prior approval by the Engineer.
  - (2) Specifications will not require nuclear density testing of HMA Pavement by the Contractor. Nor will this item include pay reductions, incentives, or disincentives based on nuclear density test values.
- B. The item SPV.0195.04 Special 04 HMA Mix 3 MT 58-28 S – Includes Additive For Cold-weather Paving, TON will be measured by the unit TON. This item will be paid for at the contract TON price, which will be full compensation for all labor, materials, equipment, tools and incidentals necessary to complete the work.
- i) The County will adjust Unit Prices in accordance with section 460 of the State Specifications.
  - ii) The County will adjust payment for non-conforming items. Non-conformance will not include results of nuclear density testing.
  - iii) Notwithstanding provision ii) above, the Contractor will adhere to the Dispute Resolution provisions included in WisDOT CMM Chapter 836.
- (1) For any Dispute Resolution referee testing, the role of WisDOT BTS will subsume to a County-Consultant accredited by A.A.S.H.T.O and listed on the Wisconsin Department of Transportation Roster of Eligible Engineering Consultants.



**Bid Form**

<b>County of Racine</b> <b>Department of Public Works and Development Services</b> <b>PROJECT NUMBER PW-2306</b> <b>CTH-V From CTH-K To CTH-G</b> <b>Hot Mix Asphalt Materials Only</b> <b>Used By County For Highway Paving</b> <b>Due By Thursday March 9, 2023 at 3:00 P.M.</b>					
Item	Description and Unit of Measure	Unit of Measure	Quantity	Unit Price	Price
SPV.0195.01	Special 01 HMA Mix 3 MT 58-28 S	TON	5,740		
SPV.0195.02	Special 02 HMA Mix 4 MT 58-28 S	TON	11,479		
<b>Alternate Items for Cold-weather Paving</b>					
SPV.0195.03	Special 03 HMA Mix 3 MT 58-28 S – Includes Additive For Cold-weather Paving	TON	5,740		
SPV.0195.04	Special 04 HMA Mix 4 MT 58-28 S- Includes Additive For Cold-weather Paving	TON	11,479		
<b>Total:</b>					
Signature:				Date:	
Print Name:			Company Name:		

**The County will award a Contract to the Bidder proposing the least total bid amount.**

**Depending on ambient temperature and other factors, the County will order quantities of material for normal or cold-weather paving accordingly. The County anticipates an order-schedule in accordance with the range of dates in the WisDOT Specifications: May 1, 2023 through November 1, 2023. The County estimates a total order-quantity of 17,219 TONS. Together, the Contractor and County may agree to vary the order-schedule and quantities in accord with the Contract terms.**