

## ADDENDUM ONE QUESTIONS and ANSWERS

Date: January 6, 2020

To: All Bidders

From: Brenda Sensibaugh, Buyer  
AS Materiel State Purchasing

RE: Addendum for Invitation to Bid Number 6211 OF to be opened January 20, 2020 at 2:00 p.m.  
Central Time

### Questions and Answers

Following are the questions submitted and answers provided for the above mentioned Invitation to Bid. The questions and answers are to be considered as part of the Invitation to Bid. It is the Bidder's responsibility to check the State Purchasing Bureau website for all addenda or amendments.

<u>Question Number</u>	<u>ITB Section Reference</u>	<u>ITB Page Number</u>	<u>Question</u>	<u>State Response</u>
1.	Section V A. "Scope of Work"	22	<p>This section states:</p> <p>ACCEPTABLE BRANDS; APPROVED BRANDS - Products bid must be the brand(s) as specified within the specifications. The State of Nebraska will not be accepting alternatives to the brands specified for contract award(s). In order to submit a bid for this solicitation, the bidder's proposed product for Bulk Bituminous Cold Patch Material must be an "Approved Brand" by the Nebraska Department of Transportation (NDOT). Products that are not an</p> <p>"Approved Brand" will not be considered for this Invitation to Bid (ITB).</p> <p>UPM High Performance Cold Patch, QPR, EZ Street, Proline or Perma Patch are considered "Approved Brands" which have previously been tested by the NDOT for meeting specification requirements.</p> <p>However, Section VI C.3 of page 24 states:</p> <p>3. Material bid must be manufactured in a plant owned</p>	<p>Yes, the Approved Materials apply to both bulk and bagged materials and have underwent the approved criteria listed.</p>

			<p>and operated by the bidder. Contractor may be required to substantiate that he/she is the direct manufacturer. Proof, if required, must be submitted to State Purchasing within three (3) days of request.</p> <p>1. Therefore, with the above stated in mind, there seems to be some discrepancy between bidding an "Approved Brand" and "Contractor must substantiate that he/she is the direct manufacturer." Is the State of Nebraska expecting this ITB to be for simply supplying bulk bags of the "Approved Brand?" If so, for what purpose are the specifications of the "Bulk Bituminous Cold Patch Material" outlined in section VI, if in fact, the contractor is to only bid a pre-approved brand listed in Section VI. C. 1.? Furthermore, if Section VI C.3 is in fact the State's intention, then our understanding is that only the original manufacture of the "Approved Brands" may bid on</p> <p>This ITB, is that correct? Yes, the Approved Materials apply to both bulk and bagged materials and have underwent the approved criteria listed.</p>	
2.			<p>2. May the contractor manufacture their own "Bulk Bituminous Cold Patch Material" for this ITB as long as it meets the specifications set forth in Section "VI. Technical Specifications?"</p>	<p>A contractor may manufacture the bulk materials that are on the approved list, not just the technical specifications. If asking - can they bid based on technical specs and not an approved brand - they must be an approved brand/vendor.</p>

This addendum will become part of the ITB and should be acknowledged with the Invitation to Bid response.