

ADDENDUM FOUR QUESTIONS and ANSWERS

Date: March 30, 2020

To: All Bidders

From: Brenda Sensibaugh, Buyer
AS Materiel State Purchasing Bureau

RE: Addendum for Invitation to Bid Number 6261 OF to be opened April 8, 2020 at 2:00 P.M.
Central Time

Questions and Answers

Following are the questions submitted and answers provided for the above mentioned Request for Proposal. The questions and answers are to be considered as part of the Request for Proposal. 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.	K	31	In section K of the bid it state that you certify that you are an authorized dealer for Rock Salt. My question is what all does that entail? We didn't know if there is a permit through the state or what all we needed to do. Please let me know if you can help or point me in the right direction.	No permit is required by the State in order to become an authorized dealer. Qualified vendors must be able to supply and deliver product that meets the State's specifications ("Sodium Chloride, ASTM D632 Type I, Grade 1"). Section VI.K of the Invitation to Bid ("AUTHORIZED DEALER") asks bidders to self-certify that they understand and meet this requirement. There exist multiple manufacturers of "Sodium Chloride, ASTM D632 Type I, Grade 1." Bidders are required to complete and turn in with their bid Attachment B (Road Salt Product Checklist), which declares the specific product(s) being bid.
2.			How does the new bid effect the remaining guaranteed tons from the current contract expiring August 6, 2020?	No matter which action the State elects to take regarding the current solicitation (6261 OF), the 80% guarantee for the annual period that ends on August 6, 2020, shall be honored by the State, as provided by current contracts for this commodity.
3.			Will you guaranty the prefill tons in addition to the tons you have	In accordance with the current solicitation (6261 OF), the State

			remaining on contract	guarantees the purchase of at least 80% of the estimated annual requirement for each District. Annual requirement is a combination of all (peak and off-peak) requirements. The State makes no further guarantee regarding purchases for either current contracts for this commodity or any contracts which might result from the current solicitation (6261 OF).
4.			Will you have a conference line available for the March 24 th pre-proposal conference?	Yes. The Optional Pre-Proposal Conference will be attended via Conference Call. Dial-in number (US): (425) 436-6334 Access code: 755739# Online meeting ID: brendasensibaugh Join the online meeting: https://join.freeconferencecall.com/brendasensibaugh For additional assistance connecting to the meeting text "Help" to the Dial-In number above. Message and data rates may apply.
5.			Do to the current travel restrictions will you consider sending out the bid tab shortly after the opening?	If the State accepts some or all bids, the bid tab will be published as expeditiously as is feasible.
6.			How soon do you plan to make an award or reject the bid	If the State elects to award one or more contracts from this solicitation (6261 OF), such contract(s) would be executed as expeditiously as is feasible.
7.			Will order due dates be adjusted for holidays?	No. All orders must be delivered within the prescribed number of calendar days after receipt of order (ARO), or as mutually agreed upon between the parties.

8.			<p>Please verify the award will not be given based on a weighted average of the two prices. This section is missing from the previous contracts.</p>	<p>The State reserves the right to make awards that are in the best interest of the State. The State will consider, but is not limited to, pricing in award criteria. Pricing will be evaluated based upon the District total extended price. All bids that are responsive to the solicitation will be evaluated based on the following:</p> <p>a. Bid Sheet – Attachment A. This document, which is included within this Invitation to Bid, automatically calculates the “Extended Price” for a District, once PEAK and OFF-PEAK pricing is provided for each yard within that District. The vendor must provide a per-ton price (for both PEAK and OFF-PEAK seasons) for delivery to each location within an entire District in order to submit a valid bid for that District.</p> <p>b. Neb. Rev. Stat. §81-161 allows the quality of performance of previous contracts to be considered when evaluating responses to competitively bid solicitations in determining the lowest responsible bidder.</p> <p>c. Neb. Rev. Stat. §73-107 allows for a preference for a resident disabled veteran or business located in a designated enterprise zone.</p>
9.			<p>Please confirm the most recent pricing for the areas Blackstrap won</p>	<p>a. Amendment 1 of 14822 OC (effective 11/2/2018) contains the most recent negotiated prices for Districts 6, 7, and 8 (formerly “Region 3”), as follows:</p> <p>i. PEAK - \$64.69/ton</p> <p>ii. OFF-PEAK - \$54.97/ton</p> <p>b. Amendment 3 of 14822 OC (effective 9/19/2019) contains the most recent negotiated prices for Districts 3 and 4 (formerly “Region 2”), as follows:</p>

				<p>iii. PEAK – \$60.07</p> <p>iv. OFF-PEAK – \$56.38</p>
10.			Do they (Blackstrap) still have a current contract with the State of Nebraska?	No.
11.			If a price on an awarded contract is increased to a vendor, due to a requested increase in subsequent years, would the increase also be given to all other vendors with contracts to avoid discrimination? If not, why not?	No. Any request for a price increase must be submitted in writing to the State Purchasing Bureau, and must show cause and be accompanied by supporting documentation in order to justify the increase. Road salt (ASTM D632 Type I, Grade 1 Sodium Chloride) may be sourced from a number of manufacturers, and is required to be delivered to all locales across the entire state of Nebraska – there are a number of factors (which change with the geography) that have effect on pricing. Therefore, requests for price increases must be submitted by individual Contractors, and any such request will be considered by the State on an individual, case-by-case basis.
12.			Please confirm, if all products, manufacturers and supplier origins that we list on Attachment B are on the Clear Roads Qualified Product List, then no other attachments or samples are required to be submitted with our bid?	Correct. Vendors must list on “Attachment B” each product and/or supplier origin they intend to utilize in fulfilling the contract. Vendors who bid products that are not currently on the <i>Clear Roads Qualified Products List</i> (https://clearroads.org/qualified-product-list/) must also submit additional documentation and product samples (per “Attachment B”). Products that appear on the <i>Clear Roads Qualified Products List</i> do not require any additional documentation and are not subject to any sample submission requirement for the purpose of this solicitation.
13.			As major important solicitation terms and/or NEDOT needs have changed from the current Road Salt contract to the present solicitation, and/or possibly for future Road Salt events, such as: the preference of material source, material characteristics/specifications, and/or specific usages of material, as well as the intended	The State has no preferred material source. While all three salt mines in Kansas market and produce Road Salt (ASTM D632 Type I, Grade 1 Sodium Chloride), the State will equally consider product from any manufacturer that meets the same specifications, as are detailed in Section VI.C of this Invitation to Bid (6261 OF). These product

			Date ranges of "Off-Peak" ordering and delivery Terms, in addition to increased storage capacities, what specific parts or evaluations of past quality of performance reports will be valid when assessing possible awards to a vendor?	specifications are consistent with what appears in current and previous contracts. In addition to product specifications, the State requires delivery in accordance with Section V.F of this Invitation to Bid. All aspects of past performance, as they relate to product quality and delivery, are valid.
14.			How is past performance comparable to expected future performance if the previously stated solicitation terms are inherently different from the current contract in place to the current solicitation, and possible future contracts, that may have created a situation that led to reduced quality of performance in the past?	After conducting a thorough review of the State's winter maintenance program this past season, the State determined that the contract needed to be revised in order to better reflect their requirements. None of the changes that the State is implementing with this Invitation to Bid were compelled by past vendor performance, and none of the contractual duties (current or previous) have been removed or lessened.
15.			In District 3, what is the overall average percentage of tonnage of the current Road Salt Contract used specifically for Brine Generating Purposes within a margin of 10%?	This solicitation is for Road Salt (ASTM D632 Type I, Grade 1 Sodium Chloride). Product specifications and delivery requirements are identical for all orders to all locations, regardless of how the State chooses to use its product. The tonnage requirements, for all locations, are detailed in "Attachment A".
16.			What percentage is forecasted for District 3's annual required tons for the current solicitation for Road Salt Supply to be used for Brine Generation Purposes in Year 1 within a 10% margin, if this solicitation is awarded as a contract?"	This solicitation is for Road Salt (ASTM D632 Type I, Grade 1 Sodium Chloride). Product specifications and delivery requirements are identical for all orders to all locations, regardless of how the State chooses to use its product. The tonnage requirements, for all locations, are detailed in "Attachment A".
17.			When does the NEDOT anticipate this solicitation going into effect as a contract (if awarded), and when will orders potentially be placed for "Off-Peak" season orders?	If the State elects to award one or more contracts from this solicitation (6261 OF), such contract(s) would be executed as expeditiously as is feasible. Orders for off-peak salt would be placed immediately subsequent to contract award.

18.			<p>If a particular yard location has the capacity to store two times or more of the annual usage requirement of tonnage as stated in the solicitation for that location, what are 3 reasons for these locations to order peak Season Deliveries at a potentially higher contract price versus taking advantage of Off Peak deliveries and associated prices, given the capacity to store the entirety of what is required for yearly usage?</p>	<p>Peak season is November 1 through March 31 - this is the annual period during which we expect to consume the most salt. When the State requires salt to be delivered to any location during the peak season, it would not be acceptable to wait until the off-peak season for that salt to be delivered.</p>
19.			<p>Is it within NEDOT's discretion, intent, or best interest to award one District to multiple vendors?</p>	<p>After evaluation of the bids, the State may award a single district or multiple districts to one or more contractors. Under no circumstances will any single district be awarded to multiple contractors; nor will any contractor be awarded only peak season, or only off-peak season – for any district. Any awards which may result from this solicitation (6261 OF) will be to individual contractors for the service of an entire district (both peak and off-peak seasons), or for the service of multiple districts (both peak and off-peak seasons).</p>
20.			<p>Is it within the NEDOT's best interest to award a Lump Sum for All Districts to one Vendor with one source based solely on low bid price, given the potential for catastrophic mine failure or extended breakdowns?</p>	<p>See response to Line 19.</p>
21.			<p>Will towns within a District, be subject to being awarded individually?</p>	<p>No. The Districts will not be divided; each may only be awarded in their entirety – all locations, for both peak and off-peak seasons.</p>
22.			<p>Peak Season Delivery – Delivery requirement will be ten (10) days ARO. Is this working days or calendar days?</p>	<p>All orders must be delivered within the prescribed number of calendar days after receipt of order (ARO), or as mutually agreed upon between the parties.</p>
23.			<p>Will the calculation on the Bid Sheet as 'District Total be the final amount to determine low bid? a) What would cause the unit price to govern?"</p>	<p>Pricing will be evaluated based upon the District total extended price. The Bid Sheet – Attachment A, which is included within this solicitation, automatically calculates the "Extended Price" for a District, once peak and off-peak pricing is provided for each yard within that District. The</p>

				vendor must provide a per-ton price (for both peak and off-peak seasons) for delivery to each location within an entire District in order to submit a valid bid for that District.
24.			Could a 'List of All Bidders' be supplied on the Addendum you will issue answering submitted questions?	No. The State is publishing these questions and responses several days ahead of bid opening.
25.			When will the "Failure to Deliver" statement be implemented? Will this be enforced if a vendor is a day or two late and/or over holidays?	The "FAILURE TO DELIVER" statement (Section V.F.3b of the ITB) is not a new provision. Similar language also appears in current and previous contracts, under the "ORDERS AND DELIVERY" Section. The State does not intend to implement this provision any more aggressively than it has in the past. While the State would be within its right to enforce this provision immediately, once a vendor is in breach, the State intends to enforce this provision only when doing so would be necessary in order to acceptably address a supply shortage.
26.			Confirm the state plans to order the majority of salt in April. Would the state consider a max quantity that can be ordered after July 1st? A 30 day ARO due date can be hard to meet if large quantities are ordered late in the season as they have been in the past.	The State intends to order the majority of its off-peak salt in April. The State will consolidate off-peak fill requirements for all Districts, and place those altogether, at the same time (with our various vendors), on or about April 1 of each year. This will be done in order to avoid placing large orders later in the off-peak period (i.e.; "after July 1st"). The State believes that this new practice will alleviate any need to set a maximum limit on off-peak order quantities.
27.			Clarify if the state plans to award pre-season tons to one vendor and peak season to another or if the whole district will go to one vendor (pre-season & peak).	See response to line 19.
28.			Will the State accept electronic bids?	No, not at this time. Please continue to monitor the website for all updates and information regarding electronic bidding.

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