



PURCHASING OFFICE

July 30, 2021

Dear Madam/Sir:

**REF: RFP 3069-2021 Ready to Use Asphalt Patching Compound**

Questions and Answers for **ASU RFP 3069- Ready to Use Asphalt Patching Compound** are forwarded for your consideration/bid proposal. Your "sealed bid/proposal" (i.e., in a sealed envelope/container) marked "**ASU RFP 3069-2021 DO NOT OPEN**" must reach the Procurement Department, P O Box 271, Montgomery, AL 36101-0271 (Mailing Address) or 1301 West Fifth Street (Physical Address) by **Friday, August 6, 2021 @ 10:00 A.M. (CST. Late/Faxed/Emailed/Unsealed bids will not be considered.**

If you have any questions, please contact me at (334) 229-6997.

Respectfully,

Patricia Thomas, DM  
Director of Contracts and Acquisition

Attachments (Revised Bid/RFP Specs and Questions & Answers – 11 pages)

**Please acknowledge receipt of specifications as soon as possible by Fax (334) 229-4954 or Email [pthomas@alasu.edu](mailto:pthomas@alasu.edu).**

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

Company: \_\_\_\_\_

**ALABAMA  
STATE  
UNIVERSITY**

If not submitting a proposal, please provide reason. Thanks.

P.O. Box 271  
MONTGOMERY,  
ALABAMA  
36101-0271  
334.229.5156  
334.229.4954 FAX  
www.alasu.edu



**QUESTIONS AND ANSWERS**  
**ASU RFP 3069-2021 Ready to Use Asphalt Patching Compound**

PURCHASING OFFICE

1. The Bid Opening date has been corrected to the following:
  - August 6, 2021
  - Sealed bids in original, subject to (1) the terms and conditions of the Invitation to Bid, (2) the accompanying schedule, which is incorporated herein by reference, and (3) such other contract provisions and specifications as are attached or incorporated by reference in the schedule, **will be received at the above office until Friday, August 6, 2021 at 10:00 a.m. CST**, and at that time will be publicly opened for furnishing the supplies or services in the accompanying schedule, for delivery, f.o.b. Montgomery, AL 36104. **(Late/Faxed/Emailed/Unsealed Bids will not be accepted). Alabama State University is tax-exempt.**
  
2. Page 3 states “Alabama State is seeking a cold-applied ready to use asphalt patching compound...”

Page 4 of the bid documents state the “total bid prices must include all products, installation and any other associated costs”.  
To confirm the intent of this bid, is the cold patch to be installed OR will this be purchased as a delivered product (material only) to a specific location on campus for others to install?

- **Page 4 has changed to the following:**
  - o Total Bid Prices must include all products and any other associated cost.

**ALABAMA  
STATE  
UNIVERSITY**

P.O. Box 271  
MONTGOMERY,  
ALABAMA  
36101-0271  
334.229.4605  
334.229.4406  
334.229.6824  
334.229.4954 FAX  
[www.alasu.edu](http://www.alasu.edu)

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# **ALABAMA STATE UNIVERSITY**

## **Request for Proposals**

**ASU RFP  
#3069-2021**

**(Addendum 1)**

**FOR**

**Ready to Use Asphalt Patching Compound**

**ISSUED BY:**

**Office of Facilities Management and Operations**

Alabama State University  
915 South Jackson Street  
Montgomery, Alabama 36104

**ISSUED DATE:**

**Friday, July 16, 2021**

**OPENING DATE**

**Friday, August 6, 2021**

**10:00 A.M. (CST)**

Sealed bids in original, subject to (1) the terms and conditions of the Invitation to Bid, (2) the accompanying schedule, which is incorporated herein by reference, and (3) such other contract provisions and specifications as are attached or incorporated by reference in the schedule, **will be received at the above office until Friday, August 6, 2021 at 10:00 a.m. CST**, and at that time will be publicly opened for furnishing the supplies or services in the accompanying schedule, for delivery, f.o.b. Montgomery, AL 36104. **(Late/Faxed/Emailed/Unsealed Bids will not be accepted). Alabama State University is tax-exempt.**

#### **Contact Information for Questions**

Any information provided by Alabama State University to any Vendor prior to the release of this Invitation to Bid, verbally or in writing, is considered preliminary and is not binding on Alabama State University. The Vendor must not make available nor discuss any cost information contained in the sealed copy of the bid proposal to or with any employee of Alabama State University from the date of issuance of this Invitation to Bid until the contract award has been announced, unless allowed by **Alabama State University Procurement Department** in writing for the purpose of clarification or evaluation. No interpretation of the meaning of the specifications, or other bidding documents, or correction of any ambiguity, inconsistency, or error therein will be made orally to any Vendor. Every request for such interpretation or correction should be in writing, addressed to Alabama State University, Dr. Patricia Thomas, Director of Contracts and Acquisitions, Procurement Department, 1301 W. 5th Street, Montgomery, AL 36104 or pthomas@alasu.edu.

#### **Submittal of Questions**

Dr. Patricia Thomas, Director of Contracting and Acquisitions/Procurement Department, will administer the solicitation process and will be the point of contact for purposes of this Invitation to Bid. All questions and inquiries should be emailed to pthomas@alasu.edu.

In case Alabama State University finds it expedient to supplement, modify, or interpret any portion of the bidding documents prior to the proposed bid date, such procedure will be accomplished by the issuance of written addenda to the Invitation to Bid which will be emailed, faxed or mailed to all prospective Vendors at the respective addresses furnished for such purpose.

**Addenda:** All addenda will become part of this Invitation to Bid and must be responded to by each Vendor. All addenda must be acknowledged in writing in the bid submitted by the Vendor. This Invitation to bid, any subsequent addenda, and any written responses to questions take precedence over any information previously provided.

Vendors that obtain specifications from the internet sites are responsible for obtaining any addenda that may be added at a later time.

**Confidentiality of Documents:** Alabama State University considers all information, documentation and other materials requested to be submitted in response to this invitation to be of a non-confidential and/or non-proprietary nature and therefore shall be subject to public disclosure.

## SPECIFICATIONS

Alabama State is seeking a cold-applied ready to use asphalt patching compound for use on asphalt and concrete surfaces. Product should be an all-weather formual that can withstand from sub-zero temperatures all the way to summer heat without degradation.

## EVALUATION

To insure that all RFP's are fairly evaluated, scored and ranked, it is very important that the RFP's are prepared according to the prescribed format. Failure to follow this requirement may result in the disqualification of your proposal.

Point System: All proposals will be evaluated on the following point scale.

•	<b>Scope of Services</b>	<b>20 Points</b>
•	<b>Adequacy of Staffing and Supervision</b>	<b>20 Points</b>
•	<b>Related Experience</b>	<b>20 Points</b>
•	<b>Distance to Sites</b>	<b>20 Points</b>
•	<b>Proposed Fee Schedule</b>	<b>20 Points</b>
		<b>Total 100 Points</b>

Total Bid Prices must include all products and any other associated cost. **Alabama State University is tax-exempt, exemption certificate will be provided upon award.** In compliance with the above, the undersigned offers and agrees, if this bid is accepted, to furnish, any or all of the items upon which prices are quoted at the price set opposite each item, delivered at the designated point(s) within the time specified in the schedule.

**SCHEDULE OF DATES**

Invitation to Bid Issued Date	Friday, July 16, 2021
Site Visit	Wednesday, July 21, 2021 @ 10 A.M. CST
Questions Submitted	July 27, 2021, no later than 12 noon CST
If needed, Addendum Issued	Thursday, July 29, 2021 CST
<b>Bid Proposals Due and Opening</b>	<b>Friday, August 6, 2021 @ 10 A.M. CST</b>
Review and Selection of Bid Proposal	Notifications will be emailed/faxed
Commencement of Contract	Upon Agreement and Acceptance of Contract

**NOTE:**

**No later than, Tuesday, July 20, 2021 @ 3:00 P.M. CST, SITE VISITS** may be requested by contacting the Office of Facilities Management and Operations: 334-229-4199, [jgknight@alasu.edu](mailto:jgknight@alasu.edu) or 334-229-6995, [bmwilliams@alasu.edu](mailto:bmwilliams@alasu.edu).

**VENDOR'S INFORMATION**

**FEIN or SSN** \_\_\_\_\_ **Company Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Representative** \_\_\_\_\_ **Email** \_\_\_\_\_

**Telephone #** \_\_\_\_\_ **Toll Free #** \_\_\_\_\_ **Fax #** \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT** - I have read the entire bid documents and agree to furnish each item offered at the price quoted. I hereby affirm I have not been in any agreement of collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding.

**CERTIFICATION PURSUANT TO ACT NUM. 2006-557:** Alabama Law (Section 41-4-116, Code of Alabama 1975) provides that every bid submitted and contract executed shall contain a certification that the vendor, contractor, and all of its affiliates that make sales for delivery into Alabama or leases for use in Alabama are registered, collecting, and remitting Alabama State and Local Sales, Use and/or Lease Tax on all taxable sales and leases into Alabama. By submitting this bid, the bidder is hereby certifying that they are in full compliance with Act No. 2006-557. They are not barred from bidding or entering into a contract pursuant to 41-4-116, and acknowledge that the awarding authority may declare the contract void if the certification is false.

**Authorized Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Type or Print Signer's Name** \_\_\_\_\_ **Title** \_\_\_\_\_

**Sworn to and subscribed before me this** \_\_\_\_\_ **day of** \_\_\_\_\_ **2021.**

**Notary's Signature** \_\_\_\_\_ **Date Notary Expires** \_\_\_\_\_  
**Must include Notary Seal**

1. **SCOPE:** This solicitation is for Ready to Use Asphalt Patching Compound located on Alabama State University. This is a one-time contract.
  
2. **LICENSING:**     X     Applicable                      Not Applicable  
 General contractors (persons, firms, or corporations) must show evidence of a state license before their bid is considered. **THE CURRENT LICENSE NUMBER MUST BE INCLUDED ON THE OUTSIDE OF THE SEALED ENVELOPE** in which the bid proposal is delivered; otherwise, the bid will be rejected/not considered. Also, a legible copy of the license shall be included with the bid.
  
3. **GENERAL CONTRACTOR:**     X     Applicable                      Not Applicable  
 Section 34-8-1 (Chapter 8 of Title 34, Code of Alabama 1975, as amended), provides: "(a) For the purpose of this chapter, a "general contractor" is defined to be one who, for a fixed price, commission, fee, or wage undertakes to construct or superintend or engage in the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure, site work, grading, paving or project or any improvement in the State of Alabama where the cost of the undertaking is fifty thousand dollars (\$50,000) or more, shall be deemed and held to have engaged in the business of general contracting in the State of Alabama. (b) For the purpose of this chapter, a "general contractor" is defined to include one who, for a fixed price, commission, fee, or wage exceeding five thousand dollars (\$5,000), undertakes to construct, superintend the construction of, repair, or renovate, any swimming pool, and anyone who shall engage in the construction, superintending of the construction, repair, or renovation of any swimming pool in the State of Alabama, where the cost of the undertaking exceeds five thousand dollars (\$5,000), shall be deemed and held to have engaged in the business of general contracting in the State of Alabama and shall be subject to this chapter. (c) For the purpose of this chapter a "subcontractor" is defined to be one who constructs, superintends, or engages in the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure, site work, grading, paving, or project or any improvement in the State of Alabama where the cost of the undertaking is fifty thousand dollars (\$50,000) or more under contract to general contractor as defined in subsection (a) or another subcontractor." Section 230-X-1-.17 provides "a license is required for the installation of machinery or equipment that becomes affixed to a structure."
  
4. **FOREIGN CORPORATIONS (Out-of-State Firms):** Alabama law provides that a foreign corporation (out of-state company/firm) may not transact business in the State of Alabama until it obtains a certificate of authority from the Secretary of State. (Section 10-2B-15.01, Code of Alabama 1975). To obtain forms for a certificate of authority, contact the Secretary of State, Corporations Division. The certificate of authority does not keep the vendor from submitting a bid.
  
5. **MINORITY PARTICIPATION:** Provide any information with respect to your plans for utilization of minorities on this project and documentation which evidences your past utilization of minorities.
  
6. **OWNER:** Whenever the term "University" is used in these specifications it refers to Alabama State University.



7. **COMPLETION: Notice of Completion: Upon completion of Public Works Projects over \$50,000, the contractor shall:**
  - A. Give notice of completion by an advertisement in The Montgomery Advertiser Newspaper for a period of four (4) successive weeks and provide proof of publication to the University by affidavit of the publisher and a printed copy of the notice.
  - B. Final settlement will not be made until the expiration of 30 days after the completion of the notice.
8. **WITHDRAWAL:** Bids may be withdrawn on written or telegraphic request received from bidder(s) prior to the opening. Negligence on the part of the bidder in preparing the Bid confers no right for withdrawal of the Bid after it has been opened.
9. **BID OPENING and BID RESULTS:** Interested parties are invited to attend the bid opening. At the time fixed for the opening of the Bid, the contents will be made public for the information of bidders and others properly interested, which may be present in person or by representative.
10. **EQUAL OR APPROVED EQUAL:** Where a definite material and/or item are specified, it is not the intention to discriminate against an equal product made by another manufacturer. It is rather intended to set a definite standard. Bidders who intend to furnish another product as an equal to that specified, must submit with their bid current catalogs or brochures, including pictorials and sufficient specifications to support said claim of equality. Bids submitted with insufficient evidence to determine the claim of equal/better quality will be considered non-responsive. Any product that fails to meet the specifications, performance requirements or compatibility requirements will be rejected and returned to vendor at no cost to the University.
11. **AWARD OF CONTRACT:** A. The contract will be awarded as soon as possible to the lowest Responsible Bidder provided his/her bid is reasonable and in the best interest of the University to accept. B. The University reserves the right to (1) Waive any informality in bids received when such waiver is in the interest of the University, (2) To accept any item in the bid unless otherwise specified by the University or the Bidder, (3) Award the contract by low bid on each item, low bid on all items, all or none, or products groups. C. The University reserves the right to reject any and all bids when such rejection is in the interest of the University, and to reject the bid of a bidder who is not in a position to perform the contract. The decision of the University on all such questions shall be final. In the event of any adverse decision by the University, no claim of any sort shall be made or allowed against the University.

12. **ACCEPTANCE AND PAYMENT:** Upon delivery and with reasonable time to inspect the items/service, and upon acceptance thereof, payment will be made within a reasonable time thereafter.
13. **EXAMINATION OF BID DOCUMENTS:** Each bidder shall examine bid documents carefully and shall make written request to the ASU Purchasing Office for interpretation/clarification/correction of any ambiguity, inconsistency or error therein which he/she may discover. Any interpretation/correction will be issued as an Addendum by the Purchasing Office. Only a written interpretation/correction by Addendum shall be binding. No bidder shall rely upon any interpretation/correction given by any other method.
14. **NON-COLLUSION AFFIDAVIT:** Section 41-16-25 provides: "Any Agreement or collusion among bidders or prospective bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding or otherwise shall render the bids of such bidders void.
15. **DISCLOSURE STATEMENT:** The successful bidder will be required to file with ASU Procurement Department a **STATE OF ALABAMA VENDOR DISCLOSURE STATEMENT** of relationship between contractors/grantees and employees/officials of the University. This form must be completed prior to issuance of a purchase order by the University.
16. **DEFAULT OF CONTRACTOR:** Where the University determines the contractor to be in default, the University reserves the right to purchase any or all products or Services covered by the contract on the open market and to charge the contractor with cost in excess of the contract price. Until such assessed charges have been paid, no subsequent bid from defaulting contractor will be considered.
17. **DELIVERY:** Upon agreement and acceptance of contract.
18. **GENERAL CONTRACTORS LICENSE:** General contractors must show evidence of State of Alabama license before their bid is considered. License number must be included on the outside of the sealed envelope in which the proposal is delivered. Also, a legible copy of the license must be included with the bid.
19. **BID BOND:** Bid shall be accompanied by a certified check, cashier's check, or bid bond issued by a surety company located and authorized to do business in the State of Alabama, in an amount equal to at least 5% of the sum of the total amount bid, but in no event more than \$10,000.
20. **PERFORMANCE & PAYMENT BONDS:** Upon execution of the contract, the Successful bidder will be required to furnish Performance & Payment Bonds issued by a surety company duly authorized and qualified to make such bonds in the State of Alabama. The bond shall be no less than 100% of the total contractual amount and must be valid until all service has been completed. The bonds must be presented to Alabama State University Procurement Department before service is begun on this project.

21. Before commencing work, the Contractor shall secure any/all necessary permits, and shall comply with all applicable federal, state and local laws, ordinances, codes, rules and regulations pertaining to this type project.
22. Contractor shall assume all liability for and shall indemnify and save harmless, the University from all damages and liability for injury to any person, and injury to or destruction of property, including the loss thereof, by reason of any accident or occurrence arising from operations under the contract, whether such operations be by the Contractor, Subcontractor, or anyone directly or indirectly employed by either, occurring on or about the work site during the term of the contract or any extension thereof.
23. **INSURANCE:** Upon execution of the contract, the successful bidder shall take out and maintain during the life of the contract, General Liability Insurance with \$1,000,000 General Aggregate and Workman's Compensation Insurance with \$100,000 on each accident to cover his/her liability under the above harmless provisions, and shall take out and maintain Such other insurance as may be required. Evidence of such insurance shall be provided to the University before commencement of work.

**RETURN SEALED BID PLUS TWO COPIES TO:**

**Via Regular Mail**

Alabama State University  
Procurement Department  
**ASU Bid #3069-2021-Do Not Open**  
PO Box 271  
Montgomery, AL 36101-0271

**Via Courier**

Alabama State University  
Procurement Department  
**ASU Bid #3069-2021-Do Not Open**  
1301 West 5th Street  
Montgomery, AL 36104

### CONTRACTOR QUALIFICATIONS

In order to qualify as a responsible bidder it must be documented that your firm is capable of satisfactorily complying with the terms, conditions and specifications of this ITB. Qualified bidder must have at least 3 years of experience in this area of services. The following information must be provided in order for the University to make an informed decision regarding your firm's capabilities. Your signature certifies under oath the truth and correctness of all statements and all answers provided in this ITB document.

Submitted by  
Company Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

( ) Corporation ( ) Partnership ( ) Individual ( ) Joint Venture ( ) Other \_\_\_\_\_

Tax Identification Number \_\_\_\_\_

1. How many years has your organization been in business as a service contractor? \_\_\_\_\_

2. How many years has your organization been in business under its present business name? \_\_\_\_\_

3. If a corporation, answer the following:

Date of Incorporation: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_

President: \_\_\_\_\_

Vice President(s): \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

4. Date of Organization: \_\_\_\_\_

Type of partnership: \_\_\_\_\_ (such as general or limited)

5. Name and address of all partners: (Note: Attach separate sheets as required)

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

6. If other than a corporation or partnership, describe organization and name principals:

\_\_\_\_\_

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7. Have you ever failed to complete any work awarded to you? If so, indicate when, where and why:

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8. Has any officer or partner of your organization ever been an officer or partner of another organization that failed to complete a service contracts? \_\_\_\_\_ If so, state circumstances:

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9. List major service contracts your organization has had under contract within the past twelve (12) months. Attach additional pages if necessary. The contractor must provide evidence that **other schools or facilities are comparable with the contract being bid by ASU.**

Building	Owner	Square Footage (or appropriate description)	Contract Amount	Contract Date	Length of Contract

10. List major service contracts your organization has had in the last five years. Attach additional pages if necessary.

Building	Owner	Square Footage (or appropriate description)	Contract Amount	Contract Date	Length of Contract