

# **Addendum No. 3**

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## **MATERIALS FOR RAIL ROAD CROSSINGS ON OLD S.H. 48**

May 31, 2018

1. **CHANGES TO BID OPENING DATE AND TIME**

- a. The **Bid Opening Date** has been changed from **Monday, June 4, 2018** to **Monday, June 11, 2018**. The Bid opening time remains at **2:00 P.M. C.D.T.**

2. **CHANGES TO DESCRIPTION ON ITEM 3**

- a. Modification on the description of item #3 will change from:

*Rail, #115RE, New AREMA Standard or New Industrial Quality, 80 feet long, Blind (un-Drilled Ends) Sticks - 11 each 90' Sticks (880 Lineal Feet Total).*

To:

*Rail, #115RE, New AREMA Standard or New Industrial Quality, 80 feet long, Blind (un-Drilled Ends) Sticks - 6 each 80' Sticks (480 Lineal Feet Total).*

The new Bidding Document is attached following this Addendum #3.

**BROWNSVILLE NAVIGATION DISTRICT  
OF CAMERON COUNTY, TEXAS**

**PORT OF BROWNSVILLE**

**Invitation to Bid**

**MATERIALS FOR  
RAILROAD CROSSINGS  
ON OLD S.H. 48**

**Deadline Date • May 29, 2018 • 2:00 P.M. C.D.T.  
2993 N. Indiana Ave. • Brownsville, Texas, 78526 • (956)831-4592 • Fax: (956)831-6153**

**SECTION I**  
**GENERAL INFORMATION AND INSTRUCTIONS**  
**NOTICE**

Information provided in these specifications is to be used for the purpose of submitting a bid detailing costs to provide:

**MATERIALS FOR RAILROAD CROSSINGS ON OLD S.H. 48**

in the property of the Brownsville Navigation District. It is further expected that each bidder will read these specifications with care, since failure to meet each condition or a combination of specified conditions may invalidate the bid.

The Brownsville Navigation District (hereafter referred to as the District) reserves the right to reject any or all bids or any portion thereof and to accept the bid deemed to be in the best interests of and provide the best value to the District.

Bidders are required to submit bids on the basis of these specifications. Any exceptions to terms requested herein must be clearly noted in writing and be included as a part of the bid.

The District believes that the data contained in these specifications is sufficient for the preparation of bids. The information is believed to be accurate and is based upon the latest available information, but it is not to be considered in any way as a warranty. Requests for additional information should be directed in writing to Mr. Ariel Chávez II, P.E./R.P.L.S., Director of Engineering Services, 2993 North Indiana Ave. Suite B, Brownsville, TX 78521, or by calling (956) 831-4592 (main office) or (956) 592-3973 (cel).

**STATEMENT OF PURPOSE**

1. The information contained in these specifications is to be used only in connection with preparing a bid to provide **Materials for railroad crossings on Old S.H. 48.**
2. The District reserves the right to accept or reject all or any part of the bids, waive minor technicalities, and award the bid to best serve the interest of the District. The District also reserves the right to waive or dispense with any of the formalities contained herein.
3. Bids are to be submitted on the basis of the specifications contained herein. All deviations from the specifications must be clearly identified and explained.
4. The information contained herein is believed to be accurate and up-to-date, but is not intended to be an express or implied warranty.
5. **No telephone, fax or e-mail bids will be accepted.** The District will not be responsible for missing, lost or late mail. Any bids received after the time set for opening will be returned to the bidder unopened.
6. Bidders are cordially invited to the bid opening, but are not required to attend.

**TIMETABLE**

1. Specifications will be ready for distribution on Monday, May 21, 2018.

2. Bids should be received by the District's Director of Finance no later than 2:00 PM on June 11, 2018.
3. It is anticipated that the successful bidder(s) will be notified on or after June 21, 2018.

### **PREPARATION OF BID**

The bidder shall prepare their bid in duplicate on the attached bid forms with attachments as necessary to fulfill the specifications contained herein. Unless otherwise stated, all blank spaces on the bid page or pages, applicable to the subject specification, must be correctly filled in. A unit price must be stated for each and every item, either typed in or written in ink. Any exceptions or deviations from the requested products or services must be clearly indicated in writing and must be submitted with and form a part of the bid form. Failure to follow this instruction will be grounds for disqualification of a bid.

### **SUBMISSION OF BID**

The bid shall be submitted in duplicate in a sealed envelope. Each envelope or package must be addressed as follows:

**Stephen Fitzgibbons  
Director of Finance  
2993 North Indiana Ave. Suite B  
Brownsville, Texas 78526**

On the front of each envelope shall be written the following words:

**“MATERIALS FOR RAILROAD CROSSINGS ON OLD S.H. 48”**

Bids must be received by the District's Director of Finance by the deadline date and time listed on the cover of these specifications.

### **WITHDRAWAL OF BID**

Bidders may withdraw their bids at any time up to the time specified as the closing time for acceptance of bids. However, no bidder shall withdraw or cancel their bid for a period of thirty (30) days after said closing date for acceptance of bids. The successful bidder shall not withdraw or cancel or modify their bid, except at the request of the District, after having been notified that said bid has been accepted by the District. Withdrawal or cancellation of a bid after the closing date for acceptance of bids shall affect consideration for future bid awards.

### **INTERPRETATION OF SPECIFICATIONS**

If any person contemplating submitting a bid is in doubt as to the true meaning of any part of the specifications, they may submit a written request for interpretation thereof to Mr. Ariel Chávez II, P.E./R.P.L.S., Director of Engineering Services for the District.

### **CRITERIA USED IN EVALUATING BIDS**

1. Bids will be evaluated for cost and for compliance with the requirements contained in the specifications.
2. Bid form contains two alternate bids: Alternate #1 for planks and ties, and Alternate #2 for other rail materials and appurtenances.

3. Bidders can submit a bid for either Alternate or for both. However, the District will evaluate each alternate separately and will award each alternate based on the lowest and most advantageous bid for the District on each alternate separately and independently.

### **QUALIFICATION OF COMPANIES SUBMITTING BIDS**

The District reserves the right to require the successful bidder to provide a list of customers to whom the bidder has provided similar services in the prior twelve months, including a list of public entity references in Texas.

### **DEVIATION FROM SPECIFIED REQUIREMENTS**

Bidders must specifically state each specified item that is not being included in the bid. It will not be acceptable to simply refer to an attached document. Failure to follow this instruction will be grounds for disqualification.

These specifications are not intended to be restrictive with respect to any alternative bid if a distinct advantage can be demonstrated. Bids failing to meet all of the specifications will not necessarily be rejected, but any deviations must be clearly noted to be considered.

### **ADDENDA TO INVITATION TO BID**

If it becomes necessary to revise any part of this Invitation to Bid, a written addendum will be provided to all bidders. Bidder must acknowledge on the Bidder's Acknowledgement Form the receipt of all addenda in order for their bid to be considered. The District is not bound by any oral representation, clarifications, or changes made in the written specifications by the District's employees, unless such clarification or change is provided to bidders in written addendum from an authorized representative of the District.

### **COMPLIANCE WITH LAWS**

All Bidders involved shall observe and comply with all regulations, laws, ordinances, etc., of local, state, and federal governments as they apply to the service requested, and to this bidding process.

### **TEXAS ETHICS COMMISSION FORM 1295 DISCLOSURES**

Companies doing business with the Brownsville Navigation District, a governmental entity, are required to file a "Disclosure of Interested Parties Form" (Form 1295 for short). The successful bidder will be required to file a Form 1295 prior to the Board signing the purchase agreement (contract). Further information regarding this form may be found on the Texas Ethics website, and instructions will be provided to the successful bidder.

### **UNIT PRICE**

This bid must be prepared using unit price.

### **AUTHORIZED SIGNATURE**

All bid forms must be signed by individuals with legal authority to bind the Bidder to the items that are proposed.

## **DISQUALIFICATION AND REJECTION OF BIDS**

Failure to comply with the requirements or the procedures set forth herein, or to satisfy the criteria as set forth in the specifications, may result in disqualification. It is not intended that exceptions to the specifications will, in and of themselves, result in disqualification.

## **AWARD OF PURCHASE ORDER**

Award of a purchase order for the Materials for Railroad Crossings on Old S.H. 48 shall be based on the District's review of the bids according to the criteria listed above. The bid that is determined, in the sole opinion of the District, to be in the best interests of, and to provide the best value to, the District will be selected for the award of a purchase order. Nothing in this Invitation to Bid is intended to create an expectation on the part of any Bidder that the Bidder will be awarded the purchase order. The District reserves the right to reject any all bids, and to waive any informalities in bidding.

## **DETERMINATION OF COMPLIANCE WITH SPECIFICATIONS**

The District will review the successful bid to verify compliance by the successful bidder with all requirements in the specifications' bid and will make the final determination on compliance. Upon making the determination, the District's Board will consider and award the purchase order or contract agreement to the successful bid deemed in compliance.

## **TERMS OF PAYMENT**

Once a purchase order is issued or a contract agreement is executed, the successful bidder will be issued payment once material have been received and the invoice payment approved by the Board of Commissioners. The billing address for invoices under this bid is:

**Brownsville Navigation District  
Accounts Payable  
1000 Foust Road  
Brownsville, TX 78521**

Electronic billing may be submitted at [vendor@portofbrownsville.com](mailto:vendor@portofbrownsville.com)

**BROWNSVILLE NAVIGATION DISTRICT  
Bidder's Acknowledgement Form**

Having carefully examined the information, notices and specifications and conditions contained in this package, the undersigned Bidder's agent or representative hereby proposes and agrees to provide the Bid for Materials for Railroad Crossings on Old S.H. 48 in strict compliance with the Specification at the prices bid. The Bidder affirms that, to the best of their knowledge, the bid has been arrived at independently and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other bidders in the award of this bid.

Addenda received:

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**Deadline for Submission:     June 11, 2018 – 2:00 P.M.**

Vendor:
Address:
City, State, Zip Code:
Signature of Bidder:
Title with Company:

**BROWNSVILLE NAVIGATION DISTRICT**  
**Materials for Railroad Crossings on Old S.H. 48**  
**Bid Submission Form**

**ALTERNATE BID NO. 1 – COMPOSITE PLANKS & TIES:**

ITEM	DESCRIPTION	EST. QTY.	UNIT PRICE	TOTAL
1	ENDURANCE-XL Composite Crossings for use with 112-115# Rail (7-1/2" Panel Thickness), 8'6" Ties and Tangent Track, Standard Plates and Cut Spikes, Pre-bored & Countersunk, Including 3/4" x 12" Lag Screws (Panels can be supplied pre-drilled or un-drilled, depending on customer's preference.)	216 TF		
2	Engineered Polymer Composite Ties to meet or exceed AREMA Standards, Manufactured by America TieTek. 7x9-8'6" Engineered Polymer Composite Railroad Tie	192 EA		
<b>TOTAL BID FOR ALTERNATE BID NO. 1 – COMPOSITE PLANKS &amp; TIES:</b>				

**ALTERNATE BID NO. 2 – RAIL & APPURTENANCES:**

ITEM	DESCRIPTION	EST. QTY.	UNIT PRICE	TOTAL
3	Rail, #115RE, New AREMA Standard or New Industrial Quality, 80 feet long, Blind (un-Drilled Ends) Sticks - 6 each 80' Sticks (480 Lineal Feet Total).	6 EA		
4	Tie Plates #115RE (5 1/2" Rail Base) Double Shoulder AREMA style, for cut spikes.	384 EA		
5	Track Bolts with Nuts, 1" x 6"	72 EA		
6	115RE/112RE Pair New 6-Hole Compromise Rail Joint Bars. Drilling 3.5" - 6" - 6" for both Rail Ends.	12 EA		
7	Ballast (3/4 - 1-1/2")	150 TON		
8	5/8" x 6" Track Spikes	18 KEG		
9	5-1/2" Rail Standard Anchors	768 EA		
<b>TOTAL BID FOR ALTERNATE BID NO. 2 – RAIL &amp; APPURTENANCES:</b>				

**NOTE:** Bidders can submit a bid for Alternate No. 1, Alternate No. 2, or both. Each Alternate will be evaluated and awarded separately and independently.

**Attachments to this bid that are required:**

1. Discussion of additional costs or requirements of the District.
2. Description of basic warranty, including any exclusions.
3. Discussion of representatives' location, availability and support.
4. Statement of any deviations from these specifications.

5. Contractor's Pre-Bid Disclosure Statement

*The following required attachments can be found at [www.portofbrownsville.com](http://www.portofbrownsville.com) – Vendor Information*

6. Vendor Registration Form.
7. Conflict of Interest Questionnaire.