

# WASHINGTON SUBURBAN SANITARY COMMISSION

---

## COMMISSION APPROVAL

August 19, 2009

Logistic Office

Item Number - Contract Number: 5423, High Performance (Asphalt) Cold Mix

### **Table of Contents**

1.	Commission Summary	P. 1
2.	Overview of Contract	P. 2
3.	Purchase Order Data Sheet	P. 3
4.	Location of Contractor	P. 5
5.	Market Analysis	P. 6
6.	SLMBE Office Review	P. 7
7.	Five Year History	P. 8

Total Number of Pages – 9 (without this cover sheet)



**WASHINGTON SUBURBAN SANITARY COMMISSION**

**COMMISSION APPROVAL**

**AGENDA CATEGORY:** Logistic Group

**ITEM NUMBER:**

**DATE:** August 19, 2009

<b>SUBJECT</b>	Work Session (Contract No. 5423 for High Performance Cold mix to QPR a Division of Lafarge.)
<b>SUMMARY</b>	Furnish and deliver High Performance Cold Mix to various Commission warehouses and jobsites on an "as needed" basis for the Materials & Services Group.
<b>SPECIAL COMMENTS</b>	
<b>CONTRACT NO./ REFERENCE NO.</b>	5423
<b>COSTS</b>	\$832,276
<b>AMENDMENT/ CHANGE ORDER NO. AMOUNT</b>	N/A
<b>MBE PARTICIPATION</b>	6.7% to TSC Transport, Inc. a local certified minority owned firm located in Hyattsville, Maryland.
<b>PRIOR STAFF/ COMMITTEE REVIEW</b>	Materials & Services Group SLMBE Office Goods & Services Group Leader
<b>PRIOR STAFF/ COMMITTEE APPROVALS</b>	Purchase Order Review Committee Acting Acquisition Director (06/24/09) SLMBE Director (06/24/09) Chief Financial Officer (06/24/09) Interim Deputy General Manager (06/24/09) Interim General Manager (06/26/09)
<b>RECOMMENDATION TO COMMISSION</b>	Staff recommends approval and agrees with the award of this Contract.
<b>COMMISSION ACTION</b>	

**OVERVIEW  
OF  
CONTRACT NO. 5423  
FOR  
HIGH PERFORMANCE (ASPHALT) COLD MIX**

**SCOPE:**

This Contract is to furnish and deliver High Performance (Asphalt) Cold Mix for use in the maintenance of the Commission's water and sewer system.

**SOLICITATION PROCESS:**

- On July 31, 2008, Commission approved award of this Contract to QPR for a period of one year with four additional one year options if exercised by the Commission. QPR was determined to be the lowest, responsive, responsible bidder based on the unit price. The solicitation contained a mandatory 28% MBE subcontracting requirement.
- On April 22, 2009, QPR submitted a request to reduce the MBE subcontracting requirement to 6.7%, which was approved on May 21, 2009 by the SLMBE Office.
- In accordance with Clause No. 3, "Economic Price Adjustment," of Part Two of the Special Provisions, the unit prices for the option year will increase or decrease at the beginning of the option period by the same percentage of annual change that is reported in the Consumer Price Index for Urban Consumers (CPI-U) in the Washington, DC, Maryland, and Virginia, West Virginia area as published by the US Department of Labor.
- A market analysis was conducted in the form of a Request for Information and the prices were approximately 15.9% higher than the current contract price. (See page number 5)

**REQUESTED ACTION:**

Approval is requested to exercise the first option year of Contract No. 5423 for High Performance (Asphalt) Cold Mix to cover the period of October 1, 2009 through September 30, 2010. QPR proffers to subcontract 6.7% to TSC Transport, Inc. The estimated total amount for this option year is \$832,276. The unit prices for the option year are decreased by -.2% at the beginning of the option period by the same percentage of annual change that is reported in Consumer Price Index for Urban Consumers (CPI-U) in the Washington, DC, Maryland, and Virginia, West Virginia area as published by the US Department of Labor. To date this fiscal year, the Commission has spent approximately \$431,491 under this Contract.



**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**PURCHASE ORDER DATA SHEET**

Award Type:  Date:   
 Consultant:   
 Project Manager:   
 Organization:

**Purchase Order Description**

Commodity or Service Description:  Contract Number:   
 Purchase Order Number:   
 Change Orders:

**Advertising Information**

Bid Opening Date:  Number of Notices Sent:   
 Number of Firms Downloaded:   
 Number of Bids Received:

**Award Information**

Vendor:

Annual Amount	<input type="text" value="\$832,276.00"/>	Contract Term: From	<input type="text" value="10/01/2009"/>	To:	<input type="text" value="09/30/2010"/>
SLBE%:	<input type="text" value="0.00%"/>	with	<input type="text" value="3"/>	Option to Renew Period(s)	
MBE %:	<input type="text" value="6.70%"/>	Awarded Date:	<input type="text" value="07/03/2008"/>		
Bonds Required <input type="checkbox"/>		Insurance Expiration:	<input type="text"/>		

**Comments**

Approval is requested to award Purchase Order P72387 and to exercise the first of four one year options to QPR to commence on October 1, 2009 through September 30, 2010. The unit prices are decreased by -.2% in accordance with the recently Published Consumer Price Index for Urban Consumers (CPI-U) in the Washington, DC, Maryland, and Virginia, West Virginia area as published by the US Department of Labor. QPR proffers to subcontract 6.7% to TSC Transport, Inc. a local certified minority owned firm.

Approval by:

**Endorsed for Approval By:**

**Approved By**

	<input type="text" value="6/24/09"/>		<input type="text" value="6-26-09"/>
Acting Acquisition Director	Date	Interim General Manager	Date
	<input type="text" value="6/24/09"/>		
Chief Financial Officer	Date		
	<input type="text" value="6/24/09"/>		
SLMBE Director	Date		
	<input type="text" value="6/24/09"/>		
Interim Deputy General Manager	Date		



**WASHINGTON SUBURBAN SANITARY COMMISSION  
PURCHASE ORDER DATA SHEET**

---

**Purchase Order Description**

Commodity or Service Description:

Cold Mix, Asphalt-Anacostia

Contract Number:

5423

Purchase Order Number:

P72387

Change Orders:

**Certification**

- This is to certify that the Washington Suburban Sanitary Commission on this date voted to approve the above action.
  
- This is to certify that the Washington Suburban Sanitary Commission on this date voted to approve the above action with the following stipulations:  
\_\_\_\_\_  
\_\_\_\_\_
  
- This is to certify that the Washington Suburban Sanitary Commission on this date voted not to approve the above action.

---

COMMISSION

DATE

## LOCATION OF CONTRACTORS

QPR a Division of Lafarge  
12735 Morris Rd., Ste 150  
Alpharetta, GA 30004

Subcontractor  
TSC Transport  
5300B Tuxedo RD  
Hyattsville, MD 20781

RFI for High Performance Cold Mix\									
BIDDERS		QPR		QPR		Harrison Trucking, LLC		R. W. Frye Trucking	
	Curent Contract Price			with the CPI- Adjustment					
ITEM	QTY	U/P	TOTAL			U/P	TOTAL	U/P	TOTAL
1	2750	\$84.50	\$232,375.00	\$84.33	\$231,907.50	\$102.00	\$280,500.00	\$137.20	\$377,300.00
2	2310	\$89.00	\$ 205,590.00	\$88.22	\$ 203,788.20	\$102.00	\$235,620.00	\$137.20	\$316,932.00
3	500	\$89.00	\$ 44,500.00	\$88.22	\$ 44,110.00	\$102.00	\$51,000.00	\$137.20	\$68,600.00
4	1718	\$88.75	\$ 152,472.50	\$88.57	\$ 152,163.26	\$102.00	\$175,236.00	\$137.20	\$235,709.60
5	1718	\$90.50	\$ 155,479.00	\$90.31	\$ 155,152.58	\$102.00	\$175,236.00	\$137.20	\$235,709.60
6	500	\$90.50	\$ 45,250.00	\$90.31	\$ 45,155.00	\$102.00	\$51,000.00	\$137.20	\$68,600.00
			\$ 835,666.50		\$832,276.54		\$968,592.00		\$1,302,851.20
TERMS	Less	2% 20	\$ 818,952.00	Less 2%20	\$815,630.48	N30		N30	

# WASHINGTON SUBURBAN SANITARY COMMISSION

---

## Interoffice Memorandum

**TO:** COMMISSIONERS

**THRU:** TOWANDA R. LIVINGSTON, DIRECTOR   
SLMBE OFFICE

**FROM:** BRANDON STEWART, FIELD COMPLIANCE SPECIALIST   
SLMBE OFFICE

**DATE:** MAY 21, 2009

**SUBJECT:** REVIEW OF REQUEST TO EXERCISE THE FIRST OPTION-YEAR FOR  
CONTRACT NO. 5423 FOR HIGH PERFORMANCE COLD MIX (ASPHALT)

---

The Small, Local and Minority Business Enterprise (SLMBE) Office has reviewed the request to exercise the first option-year for Contract No. 5423 for High Performance Cold Mix (Asphalt). The original Solicitation contained a 28% mandatory Minority Business Enterprise (MBE) subcontracting requirement. QPR, a division of Lafarge Inc., was awarded the Contract. QPR proffered 28% to TSC Transport Inc., a certified-minority firm with the Maryland Department of Transportation (MDOT # 92-233) located in Hyattsville, (Prince George's County) Maryland. The upset limit of the base-year for this Contract was \$756,775. The first option-year is valued at \$832,700.

On April 22, 2009, QPR submitted a request for a partial waiver of 21.3% of the MBE subcontracting requirement and outlining their "good faith efforts" to use TSC Transport to the maximum extent of the Contract. On May 14, 2009, TSC Transport submitted a letter concurring with QPR's interpretation of the MBE subcontracting requirement and their efforts. After careful review and validation of efforts employed by QPR, the partial waiver request was approved by the SLMBE Office. In addition, QPR submitted a revised subcontracting plan, proffering 6.7% (\$55,744.00) of the total Contract value to TSC Transport. The new proffered percentage (6.7%) represents 100% of the hauling services for Contract No. 5423, which is the average of all 4 yards combined with the direct jobsite rate. The revised subcontracting plan was validated by the SLMBE Office.

Currently, both firms are registered in the Central Bidder Registration (CBR) system. Per the CBR Standard procedure (ACQ07-01) policy ALL vendors seeking to do business with WSSC must be registered in the CBR database. In addition, QPR and TSC Transport have not been recognized as Small Local Business Enterprise (SLBE) firms by the Commission. The SLMBE Office has verified and validated QPR's performance via SymTrac.

The SLMBE Office concurs with the request to extend the first option-year of Contract No. 5423 for High performance Cold Mix to QPR.

If you have any questions, please contact the SLMBE Office at 301-206-8800.

BS/tt/bp

cc: Acquisition Office

### Contract Performance History

**Company Name:** QPR a Division of Larfarge  
**Company Address:** 12735 Morris Rd., Ste 150  
 Alpharetta, GA 300004

Note: This is a two-year history.

Previous Contracts	Award Dates	Award Amount	Ending Contract Amount	Participation Goal	Name (MBE or SLBE)	Past Performance Rating
IFB 4861/B1146000 – for High Performance Cold Mix	05/01/06 – 04/30/07	Base yr. \$327,613	\$310,430	0%	QPR	SATISFACTORY
<b>Change Order History by Change Order No.:</b>	No change orders.		<b>Reasons for Change:</b>			
Previous Contracts	Award Dates	Award Amount	Ending Contract Amount	Participation Goal	Name (MBE or SLBE)	Past Performance Rating
IFB/B1193000 – for High Performance Cold Mix	05/01/07 – 04/30/08	Base: Opt Yr 1: \$334,090	\$327,427	0%	QPR	SATISFACTORY
<b>Change Order History by Change Order No.:</b>	No change orders.		<b>Reasons for Change:</b>			
Previous Contracts	Award Dates	Award Amount	Ending Contract Amount	Participation Goal	Name (MBE or SLBE)	Past Performance Rating
P66702	02/28/07	One time purchase. \$4,754	\$4,754	0%	QPR	SATISFACTORY
<b>Change Order History by Change Order No.:</b>			<b>Reasons for Change:</b>			

### Contract Performance History

Previous Contracts	Award Dates	Award Amount		Ending Contract Amount	Participation Goal	Name (MBE or SLBE)	Past Performance Rating
P71141	09/23/08	One time purchase	\$3,887	\$3,887	0%	QPR	SATISFACTORY
<b>Change Order History by Change Order No.:</b>	No change orders.			<b>Reasons for Change:</b>			
Previous Contracts	Award Dates	Award Amount		Ending Contract Amount	Participation Goal	Name (MBE or SLBE)	Past Performance Rating
IFB 5423/P71012	10//10/08 - Current	Base:	\$756,775	\$431,491	6.7%	QPR Sub. 6.7% to TSC Transport an MBE firm	SATISFACTORY
<b>Change Order History by Change Order No.:</b>				<b>Reasons for Change:</b>			