



City Hall • 333 W. Ellsworth • Midland, Michigan 48640 • 989-837-3300

**INVITATION TO BID
BID NO. 4614
ANNUAL BITUMINOUS MATERIALS**

Sealed bids will be accepted until **2:00 PM, Tuesday, January 27, 2026** to supply the Public Works Department with bituminous materials for the period of March 1, 2026 through February 28, 2027, in accord with the attached specifications and standard instructions. Technical questions about the bid shall be directed to Melissa Farley, Public Works Manager, at (989) 837-6908.

Bid should be submitted in a sealed envelope clearly marked as "**BID 4614 – ANNUAL BITUMINOUS MATERIALS**". Bid submission can be delivered or mailed **ATTN: Purchasing to City of Midland, Office of the City Clerk, 333 W. Ellsworth Street, Midland, MI 48640**.

Bid documents are available for download at Bidnet Direct by SOVRA/MITN Purchasing Group. Registration is required to view and download bid package and specifications; follow link at <https://www.bidnetdirect.com/mitn>. Information can also be obtained directly from the Purchasing Department which is part of the Finance Department at City Hall, Midland, MI or by emailing purchasing@midland-mi.org.

Invitation to Bid and all its pages, documents and attachments, including those added subsequently by written notice, submitted and properly executed, shall constitute the contract between the City of Midland and the successful vendor when approved and accepted by the City.

The City reserves the right to accept or reject all or any parts of any and all bids, to waive irregularities and to award in the best interests of the City of Midland.

Christina Evans
Christina Evans
Accounting Manager
Midland, Michigan

CITY OF MIDLAND, MICHIGAN
STANDARD INSTRUCTIONS TO BIDDERS

1. **Receipt and Opening of Bids:** Sealed bids will be accepted and date/time stamped upon receipt in the office of the City Clerk, City Hall, 333 West Ellsworth, Midland, MI 48640-5132, until the time indicated on the attached Invitation to Bid for goods or services listed in the specifications and will be publicly opened and read aloud.
2. **Form of Bid:** Bids shall be submitted on the enclosed form with any exceptions, deviations or modifications to the published requirements clearly noted and explained.
3. **Submission of Bids:**
 - A) Envelopes containing bids shall be sealed and clearly marked on the outside of the envelope with the name and address of the bidder, the title and bid number of the project, and the date and time of the scheduled bid opening.
 - B) Any bid received after the scheduled opening time will not be accepted and will be returned unopened.
 - C) Any bidder may withdraw their bid response by written request at any time prior to the scheduled bid opening.
 - D) Telephonic or faxed bids will not be accepted and telephonic, telegraphic, or faxed amendments to bids or withdrawals will not be accepted under any circumstances.
 - E) Unless otherwise specified, no bid may be withdrawn, changed, or modified in any way for a period of sixty (60) calendar days from the date of the bid opening.
 - F) Negligence on the part of the bidder in preparing the bid confers no rights for the withdrawal of the bid after opening.
 - G) Bids received prior to the time of bid opening will be securely kept unopened. No responsibility will attach to any officer or employee of the City for the premature opening of a bid not properly addressed or identified.
 - H) In case of a discrepancy between unit prices and their extensions, the unit price bid shall govern.
4. **Brand Names:** Wherever in the specifications or proposal form brand names, trade names, manufacturer, or catalog numbers are called, it is for establishing a grade or quality level only and the phrase "or equal" is deemed to follow unless a prequalified list or the term "only", "no exceptions", or similar phrase is included.
5. **Taxes:** The City of Midland is exempt from State and Federal taxes. However, property purchased by a contractor to be used in the construction, alteration, repair, or improvement of property owned by the City is taxable to the contractor. Therefore, the price bid for contracts other than construction contracts must be exclusive of taxes and will be so construed. Construction contracts will be construed to include all applicable taxes unless the contract specifies otherwise.
6. **Acceptance of Bids:** The City will award to the lowest, responsive, responsible vendor that meets the functional requirements and needs expressed by the specifications. Tie bids will be awarded based on the most favorable terms for payment and/or delivery schedule or other costs associated with the award process. Receipt of a purchase order or properly executed contract covering the materials or services as described in the bid will indicate the award of bid and contract of purchase.
7. **City's Rights:** The City reserves the right to accept or reject any or all bids, to waive irregularities or defects, to award on a split-order or lump-sum basis, and accept other than the low bid when deemed to be in the City's best interests.
8. **Non Appropriations:** The City shall be bound, hereunder, only to the extent that funds shall have been appropriated and budgeted or are otherwise available for the purpose of this contract. In the event that no funds or insufficient funds are appropriated and budgeted, or are otherwise unavailable by any means whatsoever in any fiscal period of payments due under this contract, then the City shall immediately notify the Contractor of such occurrence and this contract shall terminate the last day of the fiscal period for which appropriations were received without penalty or expense to the City of any kind, whatsoever.
9. **Delivery:** Bids shall include all delivery charges with terms of Freight Prepay - FOB Midland, MI.
10. **Laws:** The laws of the State of Michigan shall govern the rights, obligations, and remedies of the Parties under this bid and any agreement reached through this process. The City of Midland is a Michigan municipal corporation.
11. **Disclosure:** All of the information included in your bid response is subject to the "Freedom of Information Act" and may be disclosed in its entirety after the formal, public bid opening has been completed. Bid tabulations will be available on the MITN website, <https://www.bidnetdirect.com/mitn> subsequent to bid opening date.
12. **Independent Price Determination:** By submission of this proposal, the bidder certifies that the pricing structure offered has been arrived at independently without consultation, communication, or agreement of such prices for the purpose of restricting competition with any other bidder or competitor.
13. **Acceptance of Materials:** All components used in the manufacture or construction of materials, supplies, and equipment, and all finished goods, shall be new, the latest make/model, of the best quality, and highest grade workmanship. In the event the delivered material is found to be defective or does not conform to specifications, the City reserves the right to cancel the order upon written notice to the bidder and return the materials to the bidder at the bidder's expense.
14. **Non-Iran Linked Business:** By signing bid/quote response form, I certify and agree on behalf of myself and the company submitting this proposal the following: (1) that I am duly authorized to legally bind the company submitting this proposal; and (2) that the company submitting this proposal is not an "Iran linked business," as that term is defined in Section 2(e) of the Iran Economic Sanctions Act, being Michigan Public Act No. 517 of 2012; and (3) That I and the company submitting this proposal will immediately comply with any further certifications or information submissions requested by the City in this regard."

**ANNUAL BITUMINOUS MATERIALS
BID NO. 4614**

Overview:

Supply the City of Midland Public Works Department with bituminous materials for the period of March 1, 2026 through February 28, 2027. Supplier to quote F.O.B. supplier's yard basis.

The cost calculation for the bid award will include the hourly labor and equipment cost to travel to the supplier's yard.

Estimated Volume:

Estimated Annual Quantity	Description of Item
3,000 tons	Bituminous Mixture No. 2 (Hot Patch), as per City of Midland Engineering Department Construction Standards Specification – Division 4: Surface Courses and Pavements, loaded onto City trucks.
200 tons	"QPR" (Cold Patch) or approved equal, bituminous patching material, loaded onto City trucks.

BID RESPONSE FORM FOR BID NO. 4614
ANNUAL BITUMINOUS MATERIALS
JANUARY 27, 2026; 2:00 PM

In compliance with the City of Midland's specifications and Standard Instructions to Bidders, the undersigned hereby proposes to supply for the price of:

<u>EST QTY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>EXTENDED COST</u>
3,000 Tons	Bituminous Mixture No. 2 (Hot Patch), as per City of Midland Engineering Department Construction Standards Specification – Division 4: Surface Courses and Pavements, loaded onto City trucks.	\$ _____ / ton	\$ _____
200 Tons	"QPR" (Cold Patch) or approved equal, patching material loaded onto City trucks per attached specifications.	\$ _____ / ton	\$ _____

Supplier's Yard location: _____

TOTAL BID: _____ \$ _____

BID SECURITY REQUIRED: YES NO **FIVE PERCENT (5%) AMOUNT**

I hereby state that all of the information I have provided is true, accurate, and complete. I hereby state that I have the authority to submit this bid, which will become a binding contract if accepted by the City of Midland.

(Print Name & Title of Above)

Bids shall be returned to the Office of the City Clerk, City Hall, 333 West Ellsworth, Midland, MI 48640, no later than the time and date listed above. Sealed envelopes shall be marked with the bid number, title, and opening date.

Bids may be inspected at the bid opening or in the Procurement Office during normal business hours. Tabulations will be available at the MITN website subsequent to bid open date.

LATE BIDS WILL BE REJECTED.