

How to Use Guide

AWARD #23371

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1.1 How to Use the Contract

How do I choose a contractor for Hot Mix Asphalt or Cold Patch?

To look for Hot Mix Asphalt or Cold Patch Contractors, please refer to the price pages published on the OGS Procurement Services webpage. The price pages contain the maximum price that the contractor can charge for each item. That price may be lowered through the Quick Quote process.

May I buy from any contractor or do I have to choose only from the contractors listed in my DOT Region or county?

Authorized Users of this contract can choose ANY of the contractors listed in this Contract Award Notification, without restrictions. Only Contractors that listed in this award may be used as part of this contract.

There are no purchasing restrictions by NYSDOT Region or by County when selecting a contractor. Please consider all the closest listed awardees located in your county and all the counties around you (including the surrounding counties that fall in a different NYSDOT Region) before sending the included Quick Quote Form.

Is a listed contractor on this Award allowed to increase the price included in this Contract Award Notification?

At no time may a unit price (without the Price Adjustment) for a specific item exceed the unit price shown in this Contract Award Notification. However, the user should be aware that this unit price doesn't include the Price Adjustment(s) set by the pricing information clause and the contractor is within his/her right to ask for that Price Adjustment.

Is the Quick Quote Worksheet mandatory when using this contract?

The use of the Quick Quote Worksheet will be MANDATORY for all purchases using the Contract(s) contained in this Contract Award Notification, with the only exception for cases where the material is being picked up by the user (at the plant). In those cases, the use of the Quick Quote will be optional (at the user's discretion).

1.2 Price Reductions

Contractors shall be permitted to reduce their pricing any time during the contract term. In addition, contractors may choose to offer lower prices in specific instances or for projects. Contractors may do so through the agencies use of the "quick quote" procedure.

1.3 Quick Quote

Authorized Users may select the appropriate Contractor to perform their particular project by using the quick quote (“Quick Quote”) worksheet form (“Quick Quote Worksheet”).

During the course of selecting and awarding one of the Contractors listed in this Contract, Authorized Users should try to obtain lower prices and Contractors may wish to lower their Contract prices for various reasons, i.e., excess supply, slow business, etc. Each Quick Quote situation is unique and the price is firm for that particular project only. If Bid security is a concern, the Authorized User may require Bids to be sealed and/or opened publicly.

The use of the Quick Quote Worksheet will be MANDATORY for all purchases made by any Authorized User through the Contract(s) resulting from this IFB, with the only exception being for cases where the material is being picked up by the Authorized User (at the facility). In those cases, the use of the Quick Quote Worksheet will be optional (at the Authorized User’s discretion).

The Template Quick Quote Worksheet will be published on the NYS OGS website (on the Contract’s landing page) once the Contract is awarded.

The Quick Quote Worksheet should be sent to the Contractors in its MS Excel format. The Contractor at that point should quick quote every single line item that the Authorized User is requesting. If the Price Pages published by OGS show a No Bid (NB) or a No Award (NA) for one of the Contractor’s line items, that Contractor won’t be able to bid the entire Quick Quote. Under those circumstances, if a Quick Quote is received from such Contractor, the Authorized User should reject it.

Agencies using the Quick Quote are required to award to the lowest responsive Bid meeting the Authorized User’s requirements outlined in the requested quote. There are no negotiations permitted following the “Quick Quote” and prices cannot be changed once offered. If award is made to other than the lowest Bid, the Authorized User must prepare detailed documentation explaining the action taken for the failure to meet requirements (e.g., the low Contractor could not provide the product in the time frame required, Contractor did not have needed equipment, etc.). This explanation along with the worksheets must be made a part of the procurement record.

Contractors are not required to lower prices when they receive a Quick Quote Worksheet. They may quote the Contract price. However, at no time may a Quick Quote unit price (without the Price Adjustment) exceed the Contract price. Materials cost, hauling expenses, etc., can be lowered by the Contractor during the quick quote process.

Since asphalt price adjustments will be charged/credited to all invoices (after the work is finished), the Authorized User and the Contractor understand that the Project’s Total Cost shown on the Quick Quote Worksheet includes all the needed Price Adjustments for the month indicated on the Quick Quote Worksheet (the month when the Quick Quote Worksheet was sent to the Contractor). If the project (or part of the project) is executed in a different month than the one used to calculate the Quick Quote, then the Project’s Total Cost will change accordingly to reflect the Price Adjustments for the Month in which the project (or part of the project) was actually performed.