

COUNTY OF ROCKLAND  
Department of General Services  
Purchasing Division

# Contract Award Notification

Title: Cold Milling Operations

Contract Period: November 10, 2022 through November 9, 2023 w/2-1 year options  
Ext through 11/9/24 w/1 year option

Original Date of Issue: November 10, 2022

Date of Revision: 04/24/24

**BID No:** RFB-RC-2022-110

**PRC#** 2022010323

**Catalog:** Highway & Road

Authorized Users: County Agencies, All Political Subdivisions

Address Inquiries to:

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**Description**

**This contract is to provide various cold milling operations.**

Contract #	Vendor Number	Contractor & Address	Telephone No.
BID 22-110	0000019852	Cavaliere Industries 226 Selleck Street, Suite C Stamford, CT 06902 Contact: DJ Cavaliere <a href="mailto:DJ@cavaliereindustries.com">DJ@cavaliereindustries.com</a>	203/323-6018  203/323-6010

**COLD MILLING OPERATIONS**

COUNTY OF ROCKLAND  
 DGS – PURCHASING DEPARTMENT  
 BLDG. A, 6TH FLOOR, 50 SANATORIUM ROAD  
 POMONA, NY 10970  
 TELEPHONE NO.: 845-364-3820  
 FAX NO.: 845-364-3809

VENDOR Cavaliere

LINE NO.	DESCRIPTION	ITEM NUMBER	EST. QTY.	UNIT	UNIT PRICE	EXTENDED PRICE
<b>COLD MILLING OPERATIONS OF EXISTING ASPHALT UP TO 2”.</b>						
1	<b>Over 40,000 Square Yards</b>	91395000059	150,000	Square Yard	\$3.15	\$472,500.00
<b>COLD MILLING OPERATIONS OF EXISTING ASPHALT FROM 2” – 4”</b>						
2	<b>Price per Square Yards</b>	91395000060	1,000	Square Yard	\$4.00	\$4,000.00
3	<b>Cost per Day to Provide Traffic Control (Based on 8 hour day) –2 people</b> (see § 11.2 of these Bid Specifications)	99046000001	15 days	Day	\$1,950.00	\$29,250.00
4	<b>Flagperson – Hourly Rate for additional people</b>	99046000002	75	Hour	\$110.00	\$8,250.00
5	<b>Overtime Rate Weekday</b> (Overtime rate applies after 8 hrs in day)	99046000003	30	Hour	\$125.00	\$3,750.00
6	<b>Overtime Rate Weekend/Holiday</b>	99046000004	1	Hour	\$135.00	\$135.00
9	<b>Indicate number of days to commence work after receipt of purchase order</b>			5 days		

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## PURCHASES BY OTHER

### LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND NON-PROFIT AGENCIES

As per the New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Non-Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

1. The County of Rockland shall make all contract award information available to other political subdivisions and non-profit agencies through our website: [www.rcpurchasing.com](http://www.rcpurchasing.com)
2. Any other political subdivision or Rockland County non-profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and shall be liable for any payments due on such purchase orders; and shall accept sole responsibility for any payment due.
3. All purchases shall be subject to audit and inspection by the other political subdivisions and Rockland County non-profit agencies for which the purchase was made.
4. No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
5. All Bidders shall be on notice that as a condition of the award of a County contract, the successful bidder shall accept the award of a similar contract with any other political subdivision in New York State and Rockland County non-profit agencies authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non-profit agencies is available on the Purchasing Division's website at [www.rcpurchasing.com](http://www.rcpurchasing.com). The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
6. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points shall be resolved between the successful bidder and the other political subdivisions and Rockland County non-profit agencies.

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## **SPECIFICATIONS**

### **1. SCOPE OF WORK**

- 1.1. The work included within these specifications consists of furnishing all labor, equipment and materials required to perform all operations necessary in connection with Cold Milling at various locations within Rockland County.

### **2. DESCRIPTION**

- 2.1. This work consists of removing existing asphaltic concrete pavement to improve the ride characteristic or to lower the finished surface adjacent to existing curb prior to resurfacing.
- 2.2. Rockland County will designate the milled asphalt stockpiling site within the County. Transporting of the milled asphalt pavement to the designated stockpiling area will be the responsibility of the Contractor. Cost of transporting the milled asphalt is to be included in the price bid for the Cold Milling Operations.

### **3. SALVAGED MATERIAL**

- 3.1. The salvaged material from this project shall remain the property of the County of Rockland Highway Department.

### **4. UTILITY WORK**

- 4.1. Any utility work needed will be accomplished concurrently with this construction contract by the utility agencies. Where utility work must be coordinated with the construction operations, the portion of the anticipated adjustment period covering such concurrent work may not begin on the day the milling commences and may not be consecutive working days.
- 4.2. More precise scheduling to accomplish utility work in the most expeditious manner that is feasible should be coordinated with each utility agency with ample time before start of construction.

### **5. EQUIPMENT**

- 5.1. The equipment for this operation shall be a machine capable of maintaining a depth of cut and cross slope which will achieve the results specified herein. The machine shall be equipped with automatic grade controls which operate by sensing from one or more skids moving along the pavement surface and where required shall produce a skid resistant surface texture. The machine shall be equipped with a means to effectively limit the amount of dust escaping from the removal operation.

### **6. CONSTRUCTION**

- 6.1. The existing pavement shall be removed to varying depths in a manner which will restore the pavement surface to a uniform longitudinal profile and cross slope of  $\frac{1}{4}$ " per foot. Minimum removal shall be to approximately 1.5 inches depth. The longitudinal profile of the milled surface shall be established by skid sensor on the side of the cut nearest the centerline of the road. The cross slope of the milled surface shall be established by a second skid sensing device near the outside edge of the cut or by an automatic cross slope control mechanism. The Authorized Representative of the County of Rockland may waive the requirements for the automatic grade or cross slope controls where the situation warrants such action. The milling pattern, in conjunction with the lay-down operation, will be approved by the Authorized Representative of the County of Rockland prior to starting each phase.

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- 6.2. The Contractor may elect to make multiple cuts to achieve the required pavement configuration or depth of cut if approved by the Authorized Representative of the County of Rockland.
- 6.3. The milling machine shall be operated to effectively minimize the amount of dust being emitted from the machine. Pre-wetting of the pavement may be required, to be provided by the Contractor, at no additional cost to the County of Rockland.
- 6.4. Prior to opening an area which has been milled to traffic, the pavement shall be thoroughly swept with a power broom or other approved equipment to remove the greatest extent practicable, fine material which will dust under traffic. This operation shall be conducted in a manner so as to minimize the potential for creation of a traffic hazard and to minimize air pollution.
- 6.5. Sweeping of the milled surface with a mechanical-type sweeper prior to placing the new asphalt concrete is the responsibility of the Contractor and must be included in prices Bid.
- 6.6. At the end of each day of milling, the contractor shall be responsible for marking the edges of every manhole cover or catch basin that has been milled or jack hammered with bright orange paint. In the case where the marking cannot be done due to whether or wet surfaces, the contractor shall wrap each milled manhole or catch basin with loose milling material and mark the manholes or catch basins with paint as soon as conditions permit.

## **7. ENVIRONMENTAL REGULATIONS**

- 7.1. Special attention is directed to the Contractor to familiarize himself and comply with all Local, State and Federal environmental rules and regulations and to obtain **all necessary permits**.

## **8. METHOD OF MEASUREMENT**

- 8.1. The quantity of milling existing asphalt pavement to be paid for under this section shall be the area in square yards of milled asphalt pavement removed.

## **9. BASIS OF PAYMENT**

- 9.1. The quantity for milling existing asphalt pavement and disposal of milled asphalt determined as provided above shall be paid for at the contract unit price per square yard for milling existing asphalt pavement completed and accepted.

## **10. WORK SCHEDULE**

- 10.1. Normal working hours are 8:00 AM to 5:00 PM, Monday through Friday. Work on holidays, weekends, and evenings will only be done if approved by the Authorized Representative of the County of Rockland.

## **11. TRAFFIC CONTROL AND MAINTENANCE**

- 11.1. The Contractor shall provide all necessary traffic control signs such as "Men Working", "Flag person Ahead", and any other signs required by the New York State Traffic Control Manual and the cost of the signs shall be included, in Cost Per Day for Traffic Control (see Line# 3 of the Bid Proposal Pages).

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- 11.2. There shall be at least (2) flag persons to direct the traffic. The Contractor shall submit as part of its bid documents hourly cost of each flag person. The cost per day shall be based on (2) flag persons, all traffic control signs, manhole safety ramps and any other items required by law for traffic safety. Any additional personnel required will be at the hourly rate provided with the bid.
- 11.3. No overtime pay will be paid unless authorized by the County of Rockland Representative. Requests for overtime pay must include overtime labor rates.
- 11.4. **The County of Rockland shall have the option of using Contractor's flag persons or provide its own in-house personnel for flagging.**
- 11.5. Bidder shall submit a price for traffic control separate from bid price as indicated on the Bid Proposal Pages. Cost shall be per day, any time less than 8 hours to be paid at the hourly rate as indicated on the Bid Proposal Page. All flaggers shall be NYS Certified flaggers.

## 12. LABOR

- 12.1. This project is subject to **New York State Labor Law 220, Article 8 Prevailing wages**. The Contractor shall submit with, each invoice, certified payrolls for all labor. Submission of Certified Payroll with invoice is a condition of payment.

## 13. RAILROAD PROTECTIVE LIABILITY

- 13.1. The Contractor shall be required to obtain a Railroad Protective Liability Policy (RPLP) in the event any project falls within 50 feet of a railroad in addition to all other insurance requirements.
- 13.2. The Contractor can submit a change order to cover the cost of the RPLP.

## 14. FUEL PRICE ADJUSTMENT

- 14.1. The fuel price adjustment will be based solely on the price changes for fuel as determined by the formulas below. No adjustment will be made if the monthly average posted price is within \$0.10 per gallon of the fuel index price.
- 14.1.1. **Quantity.** The quantity of Fuel (Gallons) considered for adjustment will be determined by multiplying the quantity of eligible milling area (SY) completed by the conversion factors which are listed in NYSDOT Engineering Bulletin EB 22-009 with Title: FUEL PRICE ADJUSTMENT CONVERSION FACTORS For Milling. Currently Fuel Price Adjustment Conversion Factor for Milling (Item 490 from NYSDOT Standard Specification) is 0.10 Gal/SY. Fuel Price Adjustment Conversion Factor for Milling may be adjusted if approved by the Rockland County for the eligible milling area measured in square yard. Milling area is estimated to be about 100,000 SY.
- 14.1.2. **Prices.** The fuel index price and the new monthly average posted price are defined as follows as listed in Section 698 – Price Adjustments from NYSDOT Standard Specifications:
- 14.1.2.1. **Fuel Index Price.** A price per gallon of fuel used solely as a basis from which to compute fuel price adjustments. The fuel index price for original contract bid price items and additional work at the original contract bid price will be the monthly average posted price for the month of the bid letting. The fuel index price for additional work at agreed price will be the monthly average posted price for the month of the milling work posted monthly at NYSDOT website entitled Fuel, Asphalt, & Steel Price Adjustment.

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14.1.2.2. **New Monthly Average Posted Price.** An average refinery or terminal price based on prices for ultra-low sulfur diesel (ULSD) and gasoline as posted by the New York State Department of Transportation for the month of the work complete. Normally New Monthly Average Posted Fuel price will be posted on the 20<sup>th</sup> of each month.

14.1.3. **Adjustment.** Fuel price adjustment will be based on the following formula

14.1.3.1. **When price increase:**

14.1.3.1.1. Price Adjustment = (Quantity of Fuel) x (New Monthly Average Posted Price - Fuel Index Price - \$0.10)

14.1.3.2. **When price decreases:**

14.1.3.2.1. Price Adjustment = (Quantity of Fuel) x (New Monthly Average Posted Price - Fuel Index Price +\$0.10)

14.1.3.3. Where Quantity of Fuel (Gal) = Eligible Milling Area (SY) \* 0.1 Gal /SY

14.1.4. **Initial Fuel Index Price will be the price posted for the end of September 2022. A separate contract line will be added upon award.**

## 15. CONTRACT PRICE ADJUSTMENTS UPON RENEWAL

15.1. The bid rates shall remain firm through the first contract period with no wage adjustments allowed. If the County exercises any of the option years of the award, Contractors may submit a request for adjustment on the yearly anniversary date of the contract. Any request for price adjustment(s) shall be submitted thirty (30) days in advance in writing to the Director of Purchasing. Any and all price adjustments will be limited to the percentage increase in the CPI Index – All Urban Consumers for the preceding 12 months. The County reserves the right to reject any request for price increase deemed excessive.

15.2. CPI-Index - Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor or a successor or substitute index, appropriately adjusted.

## 16. AWARD

16.1. This bid shall be awarded to the lowest responsible bidder meeting the stated requirements based on the total of lines 1 thru 6.