

STANDARD BID CONDITIONS

M-07-102P

1. **ACCEPTANCE AND REJECTION:** The Arkansas State Highway and Transportation Department (AHTD) reserves the right to reject any or all bids, to accept bids in whole or in part (unless otherwise indicated by bidder), to waive any informalities in bids received, to accept bids on materials or equipment with variations from specifications where efficiency of operation will not be impaired, and to award bids to best serve the interest of the State.
2. **PRICES:** Unless otherwise stated in the Bid Invitation, the following will apply: (1) unit prices shall be bid, (2) prices should be stated in units of quantity specified (feet, each, lbs., etc.), (3) prices must be F.O.B. destination specified in bid, (4) prices must be firm and not subject to escalation, (5) bid must be firm for acceptance for 30 days from bid opening date. In case of errors in extension, unit prices shall govern. Discounts from bid price will not be considered in making awards.
3. **BID BONDS AND PERFORMANCE BONDS:** If required, a **Bid Bond** in the form of a cashier's check, certified check, or surety bond issued by a surety company, in an amount stated in the Bid Invitation, must accompany bid. Personal and company checks are not acceptable as Bid Bonds. Failure to submit a Bid Bond as required will cause a bid to be rejected. The Bid Bond will be forfeited as liquidated damages if the successful bidder fails to provide a required Performance Bond within the period stipulated by AHTD or fails to honor their bid. Cashier's checks and certified checks submitted as Bid Bonds will be returned to unsuccessful bidders; surety bonds will be retained. The successful bidder will be required to furnish a **Performance Bond** in an amount stated in the Bid Invitation and in the form of a cashier's check, certified check, or surety bond issued by a surety company, unless otherwise stated in the Bid Invitation, as a guarantee of delivery of goods/services in accordance with the specifications and within the time established in the bid. Personal and company checks are not acceptable as Performance Bonds. In some cases, a cashier's check or certified check submitted as a Bid Bond will be held as the Performance Bond of the successful bidder. Cashier's checks or certified checks submitted as Performance Bonds will be refunded shortly after payment has been made to the successful bidder for completion of all terms of the bid; surety bonds will be retained. Surety bonds must be issued by a surety company authorized to do business in Arkansas, and must be signed by a Resident Local Agent licensed by the Arkansas State Insurance Commissioner to represent that surety company. Resident Agent's Power-of-Attorney must accompany the surety bond. Certain bids involving labor will require Performance Bonds in the form of surety bonds only (no checks of any kind allowed). In such cases, the company issuing the surety bond must comply with all stipulations herein and must be named in the U. S. Treasury listing of companies holding Certificates of Authority as acceptable sureties on Federal Bonds and as acceptable reinsuring companies. Any excess between the face amount of the bond and the underwriting limitation of the bonding company shall be protected by reinsurance provided by an acceptable reinsuring company. Annual Bid and Performance Bonds on file with E & P Division must have sufficient unencumbered funds to meet current bonding requirements, or the bid will be rejected, unless the balance is submitted as set forth above, prior to bid opening.
4. **TAXES:** The AHTD is not exempt from Arkansas State Sales and Use Taxes, or local option city/county sales taxes, when applicable, and bidders are responsible to the State Revenue Department for such taxes. These taxes should not be included in bid prices, but where required by law, will be paid by the AHTD as an addition thereto, and should be added to the billing to the AHTD. The AHTD is exempt from Federal Excise Taxes on all commodities except motor fuels; and excise taxes should not be included in bid prices except for motor fuels. Where applicable, tax exemption certificates will be furnished by the AHTD.
5. **"ALL OR NONE" BIDS:** Bidders who wish to bid "All or None" on two or more items shall so stipulate on the face of bid sheet; otherwise, bid may be awarded on an individual item basis.
6. **SPECIFICATIONS:** Complete specifications should be attached for any substitution or alternate offered, or where amplification is necessary. Bidder's name must be placed on all attachments to the bid.
7. **EXCEPTIONS TO SPECIFICATIONS:** Any exceptions to the bid specifications must be stated in the bid. Any exceptions to manufacturer's published literature must be stated in the bid, or it will be assumed that bidder is bidding exactly as stated in the literature.
8. **BRAND NAME REFERENCES:** All brand name references in bid specifications refer to that commodity or its equivalent, unless otherwise stated in Bid Invitation. Bidder should state brand or trade name of item being bid, if such name exists.
9. **FREIGHT:** All freight charges should be included in bid price. Any change in common carrier rates authorized by the Interstate Commerce Commission will be adjusted if such change occurs after the bid opening date. Receipted common carrier bills that reflect ICC authorized rate changes must be furnished.
10. **SAMPLES, LITERATURE, DEMONSTRATIONS:** Samples and technical literature must be provided free of any charge within 14 days of AHTD request, and free demonstrations within 30 days, unless AHTD extends time. Failure to provide as requested within this period may cause bid to be rejected. Samples, literature and demonstrations must be substantially the same as the item(s) being bid, unless otherwise agreed to by AHTD. Samples that are not destroyed will be returned upon request at bidders expense. Samples from successful bidders may be retained for comparison with items actually furnished.
11. **GUARANTY:** Unless otherwise indicated in Bid Invitation, it is understood and agreed that any item offered or shipped on this bid shall be newly manufactured, latest model and design, and in first class condition; and that all containers shall be new, suitable for storage or shipment and in compliance with all applicable laws relating to construction, packaging, labeling and registration.
12. **BACKORDERS OR DELAY IN DELIVERY:** Backorders or failure to deliver within the time required may constitute default. Vendor must give written notice to the AHTD, as soon as possible, of the reason for any delay and the expected delivery date. The AHTD has the right to extend delivery if reasons appear valid. If reason or delivery date is not acceptable, vendor is in default.
13. **DEFAULT:** All commodities furnished will be subject to inspection and acceptance by AHTD after delivery. Default in promised delivery or failure to meet specifications authorizes the AHTD to cancel award or any portion of same, to reasonably purchase commodities or services elsewhere and to charge full increase, if any, in cost and handling to defaulting vendor. Applicable bonds may be forfeited.
14. **ETHICS:** *"It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a State contract upon an agreement of understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the contractor for the purpose of securing business."* (Arkansas Code, Annotated, Section 19-11-708).

Arkansas Highway & Transportation Department
Specifications for Fluorescent Red-Orange
ANSI/ISEA Specified Class II High Visibility
Break-Away Style Safety Vest
Bid No. M-07-102P

Scope:

The following specification outlines the high visibility requirements for a garment that will be worn by AHTD employees for enhancing their visibility while working in or adjacent to roadway traffic, moving motor vehicles, heavy equipment or other endangering elements

Description:

The ANSI/ISEA specifications 107- 2004 or most recent standard or requirements mentioned hereinafter will be specifically referring to the “most current” ANSI/ISEA specifications and guidelines. This specification is for a finished ANSI/ISEA Class II high visibility breakaway safety vest that will be worn by the Arkansas Highway and Transportation Department personnel during day and night conditions. The vest shall be in compliance with the most current Edition of the MUTCD Part 6E.02: High-Visibility Safety Apparel. The vests must be manufactured using ANSI/ISEA certified background and retroreflective component materials and meet all of ANSI/ISEA design requirements. The finished garment, the background material and the reflective material must be made in the USA. Component material in this specification shall be separately certified to ANSI/ISEA specifications by a competent and qualified independent laboratory

Materials:

Background Material – ANSI/ISEA certified and made in the USA:

1. Shall be flame retardant NFPA 701 fluorescent red-orange 3-oz. or 3.4-oz polyester knit mesh material.
2. Shall meet color, performance, care label recommendations per ANSI/ISEA specifications.
3. Shall meet care label recommendations per ANSI/ISEA and a third party certificate of compliance for the background material is required.

Retroreflective Material – ANSI/ISEA certified and made in the USA:

4. Shall be 3M™ Scotchlite™ Reflective Material – 6187R Fluorescent Lime-Yellow High Gloss combined-performance retroreflective material.
5. Shall be Level II retroreflective material and shall be 2 inches wide.
6. The 2-inch chevrons shall be combined-performance and must have a separate and independent ANSI/ISEA certificate of compliance.
7. Shall meet care label recommendations per ANSI/ISEA and a third party certificate of compliance for the combined-performance reflective material is required.

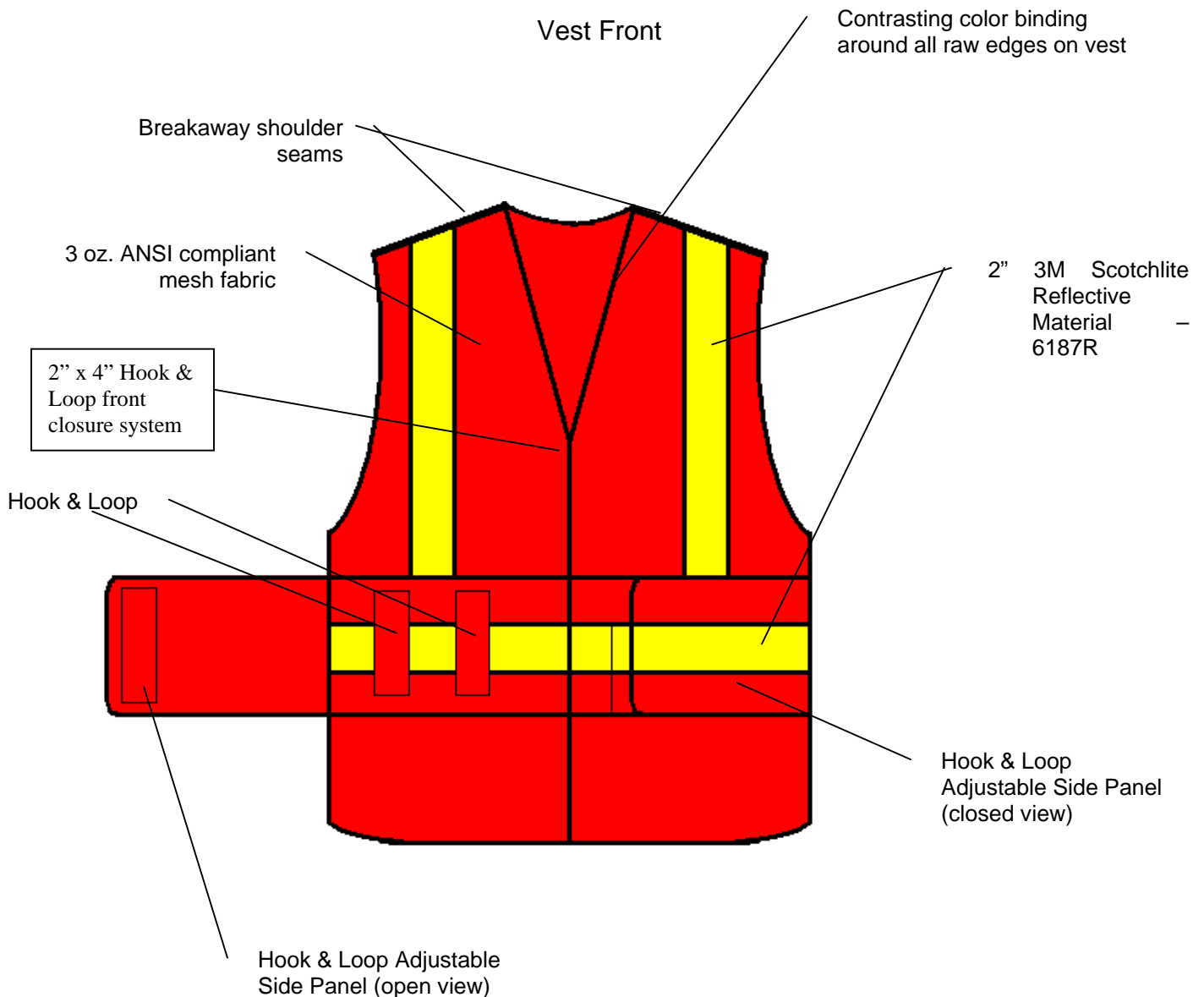
8. Shall not dissolve or pucker when wiped with a soft cloth containing mineral spirits, kerosene, methanol, or VM&P Naphtha.
9. After exposure to 300 hours of accelerated Xenon testing (ASTM G 155, cycle 1 daylight), the combined-performance reflective material shall maintain its fluorescent color and shall still comply with ANSI/ISEA Table 3. The combined-performance reflective material shall retain 80% of the initial coefficient of retroreflectivity (R_A) after the accelerated Xenon testing.
10. Retroreflective material shall not show any visible dye migration after being exposed to 120° F for 24 hours.
11. The combined performance reflective trim shall be ANSI/ISEA certified to 10 washings.

Vest Design and Performance Benefits

12. The smallest size vest shall have a minimum amount of visible background material = 775 in²
13. The smallest size vest shall have a minimum amount of retroreflective material = 201 in²
14. The vest design shall conform to the most current ANSI/ISEA specifications (See Diagram A).
15. The safety vest shall be a breakaway style with a velcro fastening system in the shoulder seams. The velcro in the shoulder seams shall be 1-inch wide and attached to the back panel extending from the neck opening to the armpit opening with a contrasting color binding sewn around the raw edges.
16. The contrasting color binding shall be a color similar to the color of the combined performance reflective material.
17. The 1-inch wide velcro shall also be attached to the inside of the left and right breakaway front panel shoulder seams and can vary in length depending upon the size of the vest.
18. The vest front design shall consist of one 2-inch wide horizontal band of combined performance reflective material sewn to create a 360-degree contiguous stripe around the vest when the adjustable left and right side panels are in the closed or extended position to adjust for sizing.
19. The vest front panel shall have one 2-inch wide vertical band of combined performance reflective material over each shoulder that matches up with the combined performance reflective trim that is on the back panel when the breakaway shoulder seams are in the closed position. The vertical band on the left and right breakaway front panels shall be extended to the top of the horizontal band on the front or the horizontal reflective band on the left and right breakaway front panels can overlap the vertical band. (See Diagram A).
20. The back design of the vest shall have two 2" chevrons with the lower chevron connected to the horizontal band from the front adjustable side panel strap to create a 360-degree contiguous stripe. The top chevron shall be connected to the 2" vertical band of combined performance reflective material that is extended from the breakaway seam on the back panel.

- 21. The chevrons shall be 2-inch wide combined-performance and must have a separate and independent ANSI/ISEA certificate of compliance.
- 22. All raw edges on the vest shall be trimmed with a durable contrasting color cloth binding that is similar in color to the combined performance reflective material.
- 23. AHTD logo shall be centered and screen-printed directly onto the back of vest background material. The logo shall be in 2 inch black blocked letters.

Design Diagram A



Vest Back

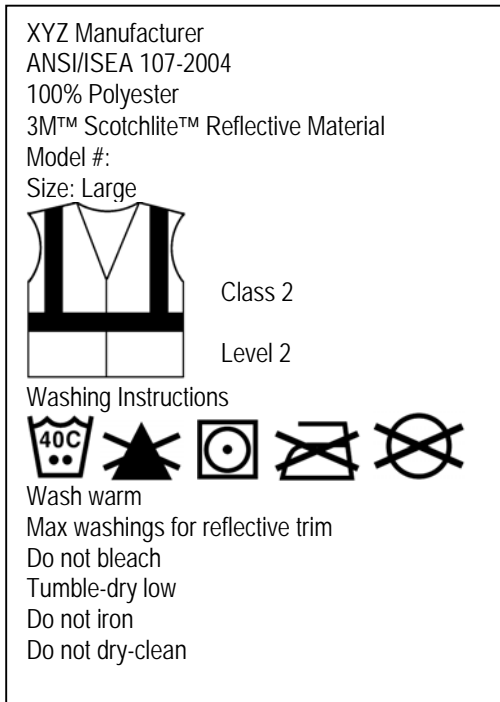


Garment Label Shall Include:

The vest label must include the following information:

- a. Manufacturer
- b. Most current ANSI/ISEA Certification
- c. Fabric type
- d. Model #
- e. Size
- f. Pictogram showing garment class and retroreflectivity level
- g. Care guide
- h. Maximum number of cycles if applicable

Label example:



Certificates:

ANSI/ISEA certificates for all component materials and the finished product shall be kept on file by the successful bidder and a copy shall be sent to Ken Jordan, AHTD Training & Safety and to the AHTD Purchasing Agent, 10324 Interstate 30, P.O. Box 2261, Little Rock, AR 72203-2261. Failure to submit proper ANSI/ISEA certifications will result in bid rejection.

General Requirements:

1. All edges shall be bound and sewn with a single stitched durable cloth binding.
2. The binding shall be a contrasting color that is similar in color to the combined performance retroreflective material.
3. In the sewing process of the binding, the cloth shall be folded to create a smooth edge on all sides and edges of the safety vest
4. Plastic type bindings or borders are not acceptable

Construction:

5. The safety vests shall be V-necked style made of polyester knit mesh fabric with breakaway shoulder seams using 1-inch wide hook & loop. The vest shall consist of two front panels and a single back panel. The back panel shall be congruent to the closed front panels, with exception for the v-neck. The bottom corners shall be rounded.
6. The safety vest front and back panels shall form a breakaway style vest with a velcro fasting system in the shoulder seams. The velcro in the shoulder seams shall be 1-inch wide and attached to the back panel extending from the neck opening to the armpit opening with the contrasting color binding sewn over all raw edges of the velcro and the safety vest. The velcro attached to the front panels shall be 1-inch wide and have a contrasting color binding sewn over the raw edges of the velcro and the safety vest. The 1-inch wide velcro strip may vary in length depending upon the size of the vest.
7. A 2-wide by 4-inch long red orange velcro or hook & loop fastener shall be sewn vertically on the front center of the vest to form a front closure system.
8. A side strap 6-inches wide by 12-inches long shall be sewn on each side of the back panel. The free end of each side strap shall be rounded.
9. A 2-inch wide by 6-inches long velcro or hook & loop; fasters shall be sewn vertically on the inside of the side strap. This fastening system will allow the side straps to be attached to the corresponding fasteners.

10. The two front panels shall have a velcro or hook & loop fasteners that is 2-inches wide by 4-inches long sewn vertically on the two front panels with one on each side of the vertical reflective stripe immediately adjacent to the center opening.
11. The reflective trim shall be sewn onto the vest as specified in the heading: Vest Design and Performance Benefits.
12. Two separate and distinct vertical stripes of retroreflective trim shall be securely sewn on the front panels and joined at the breakaway shoulder seams to the back panel by a velcro fastening system.
13. The two contiguous horizontal bands of reflective trim shall be sewn 360 degrees with an upper and lower horizontal band as described in heading titled: Vest Design and Performance Benefits.

Sizing:

14. The vest shall be available in the sizes: LG, XL, 2X, 3X, 4X, 5X. See Charts below for sizing and dimensions information.

Special Sizing Provisions for Smaller sizes:

15. To accommodate small and medium size vests for AHTD employees the combined performance material can be counted towards the square inch requirement for background material. When this is done a certificate of compliance shall be provided for the combined performance reflective material as background. Failure to submit proper ANSI/ISEA certifications will result in bid rejection.

Vest With Side Straps Dimensions Chart

Vest Size	Front Width (Inches)	Back Width (Inches)	Length (Inches)	Belt Length (Inches)
L	18"	18"	54"	12"
XL	18"	18"	54"	13"
2X	20"	18"	60"	14"
3X	20"	18"	60"	15"
4X	22"	18"	64"	18"
5X	22"	18"	64"	19"

Packaging:

16. All garments shall be packaged individually in a poly bag so that the garment size will be visible without opening the package or the garment size can be adhered to the outside of the poly bag. There shall be one size per bag and one size per shipping carton/container.

Workmanship:

17. The safety vest shall be of quality workmanship, comfortable to wear and shall be free of ragged edges, surface blemishes, loose stitches, uneven seams or any defect which would make the vest unsuitable for their intended use.
18. **Each vest shall comply to ANSI/ISEA's most current edition for a class II garment with background and reflective material third party certification. Failure to submit proper ANSI/ISEA certification will result in bid rejection.**

Supplier Qualification:

The manufacturer must provide a sample garment to the department prior to the bid opening in order to be qualified for consideration. This sample garment will be inspected to validate workmanship quality and specification compliance. Failure to provide a garment for review prior to bid opening will eliminate the manufacturer from consideration.

Warranty

19. The safety vests offered shall be warranted against manufacturer defective in materials and workmanship.