

#2023h-3b – RECYCLED ASPHALT PAVEMENT (COLD)
USING HIGHFLOAT EMULSIONS

DETAILED SPECIFICATIONS

DESCRIPTION

The work shall consist of cold recycling of existing bituminous pavements using high float emulsions with reclaimed asphalt pavement (RAP) in such proportions as determined by the Superintendent of Highways according to any of the options listed below.

MATERIALS

1. Bituminous Materials. The high float rejuvenating agent shall be compatible with anionic emulsions and conform to the following requirements.

Sieve Test, %	0.10 max.
Storage Stability, 1 day	1.0 max.
Stone Coating, Shall pass	Note #1 or #2
Distillation Test	
Residue from Distillation % min.	65
Oil Distillate	0-5
Test on Residue from Distillation	
Penetration, 77°F, 100 g, 5 sec	200+
Float Test @140°F, Note #3	1200+
Solubility in Trichloroethylene, %	97.5+
Flash Point, COC, F min	350
Saturates, % max	20

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TABLE 1
COMPOSITION OF COMPLETED RECYCLED
ASPHALT MIXTURE

TYPE 3

GENERAL MIXTURE
REQUIREMENTS LIMITS %

SCREEN SIZE	PASSING
2"	100
1"	87-100
1/2"	60-90
1/4"	38-74
1/8"	25-62
80	4-16
200	2-8

BITUMINOUS MATERIAL
%OF RESIDUAL BITUMEN (2)

4.5-7.0

NOTES:

- (1) Aggregate percentages are based on total weight of aggregate.
- (2) The bitumen content is based on the total weight of the mix, exclusive of water or oil distillate.

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TABLE 2
TEST ON ABSON RECOVERY OF
COMPLETED RECYCLED ASPHALT MIX

	Minimum	Maximum
Penetration, 77 F, 100g, 5 sec	50	200
Solubility in trichloroethylene, %	99.0	---
Ductility, 60 F, 5 cm/min, cm	40	---
Flash Point, F	350	
Loss of Heating, %	---	1.5

Aggregate: The mineral aggregate shall conform to the requirements set out in the NYSDoT Standard Specifications for Construction and Materials.

CONTRACTOR QUALIFICATIONS

1. Contractor shall have access to a complete and permanently operating manufacturing plant with facilities located within a reasonable delivery distance to job sites.
2. Operator of plant facilities shall have a minimum of two (2) years experience in the production of the type of material specified to insure proper mixtures and satisfactory service. The bidder shall supply with the bid, documentation showing that he has manufactured and supplied high float emulsion for at least 35,000 square yards of cold recycling projects in the previous one (1) year.
3. Contractor shall be prepared upon forty eight (48) hours prior notice to supply all required high float rejuvenating agent (HFRA) at temperatures requested by the Superintendent of Highways for the specific job.
4. The plant owner shall own, operate, and maintain a working laboratory at the plant of origin. The laboratory shall be equipped with all equipment necessary to perform all specified tests on the high float emulsion sample and recycled asphalt pavement (RAP) material. The laboratory shall be operated by a full time qualified technician and shall be available for use by any Highway Department personnel. In addition, the laboratory shall also include sufficient equipment to test aggregates and mixes required by NYSDoT materials method #5. The Highway Department may at any time have samples tested by a certified independent testing laboratory.
5. The bidder, at the time of bidding, must be listed on the NYSDoT list of “Cold In-Place Asphalt Concrete Recycling”.

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DESIGN, CERTIFICATION, AND DEMONSTRATIONS

1. PreConstruction Conference. For all In-Place projects, a preconstruction conference shall be held at least five days prior to site work to discuss mix designs, application procedures, maintenance and protection of traffic, public notification, scalar chain, and other operational issues.
2. Prior to commencing any mixing work, the successful bidder shall sample the recycled asphalt pavement (RAP) to be used on the project. The RAP material shall then be extracted by standard ASTM methods and as a minimum, the following shall be determined:
 1. Percent asphalt residue in RAP
 2. Penetration of aged asphalt in RAP
 3. Sieve analysis of aggregate in RAP
 4. Percent high float emulsion required to bring the aged asphalt in RAP to desired penetration.
3. After analyzing the RAP material, the supplier shall then submit a certified recommended job mix formula to the Superintendent of Highways. The recommended job mix should include the following as a minimum:
 1. Complete analysis of RAP material
 2. Percent RAP material to be used
 3. Percent and type of virgin aggregate to be added, if any
 4. Combined aggregate gradation
 5. Percent of asphalt residue in finished mix
 6. Percent of high float emulsion to be added
 7. Test on residue from Absorption Recovery of Complete Recycled Asphalt Mix (RAM) as required in Composition of Complete Recycled mixtures section

Acceptance of the job mix formula by the Superintendent of Highways is solely for the purpose of quality control, and in no way releases the contractor from his responsibilities.

4. Either during or immediately after construction, the Contractor shall provide to the Superintendent of Highways complete certified test analysis of all job mix formula parameters as outlined above and listed in Tables 1 & 2, on the complete cold recycled mixture.

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OPTION A
CENTRAL PLANT MIXING

DESCRIPTION: Under this option, the supplier/contractor will provide the equipment specified, high-float emulsion, testing and certification, supplies and labor, to grind, mix and place the Recycled Asphalt Pavement.

EQUIPMENT

1. **Grinding:** The equipment for grinding and profiling pavement surface shall be a power operated, planing machine or grinder capable of removing, in one pass, a thickness of asphaltic concrete necessary to provide profile, cross slope, and desired texture uniformly across the entire pavement surface up to seven (7) inches in one pass. Minimum drum cutting width shall be six feet three inches. The equipment shall be self-propelled with sufficient power, traction, and stability to maintain accurate depth of cut and slope. The cutting drum shall have bi-directional cutting capability in order to control chunk size meeting the following gradation:

Chunk Size Gradation

Sieve Size	% Passing
3"	100
2"	95-100
#200	0-12

In addition, the machine shall be so designed that the drum is capable of cutting with a zero side clearance on at least one side. The reclaimed material will be discharged to the rear of the machine onto a 24" pick-up conveyor belt. This conveyor will either windrow material behind the machine and clear of the tracks or transfer material to a minimum 24" wide truck loading conveyor. The equipment shall be capable of accurately and automatically establishing profile grades along each edge of the machine (within +/- 1/8") by referencing from the existing pavement by means of a ski or matching shoe or from an independent grade control and shall be controlled by an automatic system for controlling grade elevation and cross slope at a given rate. The machine shall be equipped with means to control dust and other particulate matter created by the cutting action. The speed of the machine shall be variable in order to leave the desired grid pattern surface texture. Determination of the type carbide milling teeth shall be the sole discretion of the using agency if the intended milling is to be used as a serviceable riding texture for an indeterminate time.

The pavement surface shall be removed to the depth, width, grade and cross section as directed by the Superintendent of Highways. The Superintendent of Highways may require that the pavement planing operations be referenced from an independent grade control in those areas where he deems this type of control to be appropriate. For this type of operation, the independent grade control shall be established and maintained by the contractor in a manner acceptable to the Superintendent of Highways, and the final position of same shall be acceptable to the Superintendent of Highways. In the event the entire pavement width along a section of highway has not been planed to a flush surface by the end of a work period, resulting in a vertical or near vertical longitudinal face exceeding 1 1/4" in height, this longitudinal face shall be sloped in a manner acceptable to the Superintendent of Highways as not to create a hazard to traffic using the facility during periods when construction is not in progress. Transverse faces that are present at the end of a working period will be tapered in the manner approved by the Superintendent of Highways to avoid creating a hazard for traffic.

The loose material resulting from the operations shall remain the property of the Highway Department. The grindings will not be stockpiled higher than 10 feet.

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2. Mixing:

Option A: Reference subsection 405-3.02 equipment to be used for mixing. Mixing shall be done with a rotating twin paddle shaft pugmill providing suitable pressure-kneading action in mixing. Mixing by blading, shoveling and/or scooping will not be permitted. The mixer shall be either a central continuous or batch type pugmill designed to accurately proportion either by volume or by weight, so that when the aggregate and bituminous materials are incorporated in the mix, a thorough and uniform coating will result. The mixer shall be equipped to mechanically or electrically interlock the bituminous feed with the aggregate feed such that uniformity of the mixture is assured at all times. The pugmill mixer, shall be provided with weighing, volumetric or other gauging equipment which shall be capable of totalizing the quantity of bituminous material applied to the mixing chamber. The aggregate feed system must contain a minimum of two (2) compartments or bins; each compartment or bin shall have adjustable feed gates so that the RAP material and virgin aggregate, if needed, can be proportioned at the specified rate. The capacities of the cold feed bins shall be sufficient to maintain a continuous flow of material. Each bin shall have a mechanical device for uniform feed of the aggregate. The mixer shall be approved by the Superintendent of Highways or his representative prior to commencing any work.

3. Paving:

Bidder shall bid rental rate for Caterpillar AP1000E (or equal) which will be used in spreading the RAP. The paver shall be equipped with a screed that is fully extendable from 10 feet to 19 feet 6 inches. Heat and vibration shall be provided for the full extended width. The extenders shall have independent slope control and on-the-go capabilities to change width and slope. Highway Department will load and haul RAP from mixing site to paver. Contractor will be responsible for compacting pavement mat.

HIGHWAY DEPARTMENT TO:

1. Purchase, deliver, and stockpile any aggregate, if required.
2. Supply sufficient trucks to haul RAP or recycled material.
3. Furnish suitable stockpile area with adequate room for mixing and stockpiling.
4. Furnish two (2) loaders and operators to stockpile RAP and charge pugmill mixer during mixer operation.
5. Supply water Source.
6. Locate, mark and be responsible for all utilities within right-of-way of pavement to be ground.

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OPTION B
IN-PLACE RECYCLING

DESCRIPTION: Under this option, the supplier/contractor will provide all necessary equipment, rejuvenating agent, testing and certification, aggregate (if required), and manpower to grind, mix, place, and compact recycled asphalt pavement. All materials, testing, design, certification, gradation demonstration, and aggregate provisions as specified shall apply. NOTE: In Design, Certification, and Demonstration, the RAP will be read as "sampling cores" for in-place recycling.

EQUIPMENT

1. Grinding and Mixing: The equipment for grinding, mixing, and profiling the pavement surface or surfaces shall be a power operated, planing machine or grinder, capable of grinding and mixing, in one pass, a thickness of existing asphalt concrete necessary to provide profile, cross slope, and desired texture uniformly across the entire pavement surface up to seven (7) inches deep in one pass. The equipment shall be self-propelled with sufficient power, traction, and stability to maintain accurate depth on cut and slope. The cutting drum shall have bi-directional cutting capability in order to control chunk size meeting the following gradation:

Chunk Size Gradation

Sieve Size	% Passing
3"	100
2"	95-100
#200	0-10

The reclaimed material will be discharged to the rear of the machine. The equipment shall be capable of accurately and automatically establishing profile grades along each edge of the machine (within +/- 1/8") by referencing from the existing pavement by means of a ski or matching shoe or from an independent grade control and shall be controlled by an automatic system for controlling grade elevation and cross slope at a given rate. The machine shall be equipped with means to control dust and other particulate matter created by the cutting action. The speed of the machine shall be variable in order to leave the desired grid pattern surface texture. Determination of the type of carbide milling teeth shall be the sole discretion of the using agency if the intended milling is to be used as a serviceable riding texture for an indeterminate time.

When mixing in place, if it is necessary to add additional aggregate to meet gradation or depth requirement, the proper aggregate shall be placed in a uniform layer over the existing surface at the proper rate to maintain control. The aggregate shall be placed by means of a pull type paver box. Gravity spreading of the aggregate is unacceptable prior to the grinding, mixing, and application of High Float Rejuvenator. The mixer shall be equipped with a stabilization package; consisting of an asphalt pump, totalizing meter and a spray bar mounted within the mixing chamber. The asphalt pump shall be mechanically or electrically interlocked with the ground speed of the machine.

The recycled mixture shall then be deposited directly into the hopper of a paver, or into a windrow behind the mixer, and then elevated into the hopper of a paver, capable of maintaining a proper grade and cross slope so as to produce the specified thickness of material and a uniform cross section after compaction. Paver to be a Caterpillar AP 1000, or equal equipped with automatic transverse slope and longitudinal grade screed controls. The paver shall be equipped with a screed that is fully extendible from 10 feet to 19 feet 6 inches. Heat and vibration shall be provided for the full extended width. The extenders shall have independent slope control and on the go capabilities to change width and slope. Contractor shall be responsible for compacting pavement materials.

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HIGHWAY DEPARTMENT TO:

1. Locate, mark and be responsible for all utilities within right-of-way of pavement to be
2. Furnish, haul and apply any additional aggregate required.

GENERAL PROVISIONS

A. Materials and Workmanship: The bidder/contractor warrants, for a period of two (2) years from the completion of the work, that the bituminous material supplied by the bidder/contractor and/or used in the production of the work and the workmanship in the application of materials by the bidder's/contractor's agents and employees shall be free from defects.

B. Recommendations: The bidder/contractor will make specific recommendations to the official or his designee regarding: 1) application rates to be used for liquid bituminous material, aggregates and mixtures; 2) aggregate gradation and acceptability; 3) proper procedures and techniques for each project; and 4) other information deemed by the bidder/contractor to be pertinent to the completion of the work.

C. Obligation of Department or Other Contracting Agency: 1) The contracting agency shall be solely responsible for all structural, subgrade, and drainage conditions of the pavement structure and conditions associated therewith and arising therefrom; 2) The contracting agency, its agents, contractors and employees shall fully conform with procedures and techniques established by the New York State Department of Transportation for use and application of liquid bituminous materials for surface treating and cold mix work; 3) The contracting agency, its agents, contractors, and employees shall fully comply with all recommendations provided by the bidder/contractor.

D. Conditions to the Bidder/Contractor Obligation: The bidder/contractor shall be relieved of all liability and obligations under this guarantee: 1) with respect to any failure or defect caused by pavement structural deficiencies; 2) with respect to any failure or defect in application performed by someone other than the bidder/contractor, its authorized agents or employees; or 3) in the event of the failure of the contracting agency, its agents, contractors, or employees to fully perform the contracting agency's obligations set forth in paragraph C above.

E. Remedies: The bidder's/contractor's liability under this Guarantee is limited to the replacement of all bituminous material (with similar material free from the defect in question), and to supply all equipment originally used in its expense, of any defects in material or workmanship which became apparent and of which the bidder/contractor is given notice in writing within two (2) years of the date of completion of the work. The bidder/contractor shall make such replacements of all bituminous material and shall supply equipment originally used with reasonable care and dispatch.

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DAMAGE

Payment shall be made to the contractor for repair or replacement of any permanent element of the highway which is completed to the stage of serving its intended function and is subsequently damaged by accident by public traffic. The contractor must supply satisfactory evidence that such damage was caused by a public traffic accident and not be vandalism or by the contractor's equipment. Satisfactory evidence shall generally be limited to: accident reports filed with the Motor Vehicle Department, police agencies, or insurance companies; statements by reliable, unbiased eye witnesses; identification of the vehicle involved in the accident. Physical evidence that the damage was caused by a motor vehicle (such as tire marks or broken headlight glass) will not be sufficient unless it can be shown that the damage was not caused by the contractor's vehicles or by vandalism.

Work for which there is a bid item will be paid for the unit price for that item. Work for which there is not a bid item, will be paid for at an agreed price or by means of force account. Payment will not be made for repair or replacement in any way connected with untimely failure of any portion of the highway under public traffic, and the determination regarding this matter shall be made by the Highway Superintendent, taking into consideration the normal life and the amount of normal wear of the element involved. This provision does not relieve the contractor of the responsibility of maintenance and protection of traffic for the contract or the responsibility of having a wholly complete and acceptable job at the time of final inspection and acceptance of the entire contract. Payment for such damage shall be made only after the contractor has demonstrated to the satisfaction of the Highway Superintendent that he has made every reasonable effort to collect the costs from the persons responsible for the damage.

MEASUREMENT

Work prescribed by this item will be measured by the square yard surface area. Square yard calculations will be based on dimensions determine from measurements of the actual area planed and textured as authorized. **All bituminous material will be measured by the gallon, and paid from the Liquid Asphalt Materials bid.**

PAYMENT

The work performed as prescribed by this item, measured as provided under the MEASUREMENT will be paid for at the unit price bid per square yard. The bituminous materials will be paid using the Liquid Asphalt and Materials contract for the appropriate items. Price adjustment will be incorporated with the bituminous material using the NYSDoT/OGS price adjustment formula. Measurement and payment will be limited to the longitudinal length and width of which there is a definite texture present.

CONTRACT PRICE ADJUSTMENTS

All prices submitted must remain firm for a period of one hundred twenty (120) days from the date of award. Beginning September 1, 2023 subsequent price adjustments will be considered by the County. All requests for price adjustments must be submitted to the County a minimum of thirty (30) days prior to the date of the requested price adjustment. The change in price structure (increase or decrease) must be based on fluctuations in the latest published Consumer Price Index (CPI) for all urban consumers, as published by the U.S. Department of Labor, Bureau of Labor Statistics which is available at <https://stats.bls.gov>.

If, during the Contract term, the awarded vendor is unable to meet contractual requirements in whole or in part based on the price structure of the contract, it shall immediately notify the County in writing. The County may, but is not required to, consider an adjustment in the contract terms and/or pricing. Should the County in its sole discretion determine during the Contract term that the contract price structure results in prices which are unreasonable, excessive, or not truly reflective of current market conditions, and no adjustment in the contract terms and/or pricing is mutually agreeable, the County may terminate the contract through written notice to the vendor, purchase from an alternate source, or rebid the contract.

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OPTION A

The price bid per square yard shall include all labor and equipment for cold milling various public highways in accordance with the attached specifications loaded on County trucks.

The price bid per square yard shall include a rotating twin shaft pugmill in accordance with the attached specifications supplied with all testing, labor, fuel and necessary supplies. In addition, a price per day is solicited for a bituminous paver and vibratory roller for placing the mix. The price bid shall include delivery, two operators, fuel, and all necessary supplies. The paver shall be equipped with automatic transverse slope and longitudinal grade screed controls.

OPTION B

The price bid per square yard shall include all labor and supplies for recycling various County highways in accordance with these specifications except that the pavement shall be recycled in place.

The price bid per square yard shall include testing, labor, and supplies and a stabilization package on the grinding machine consisting of an asphalt pump and meter and a spray bar inside the cutting drum. The asphalt pump shall be a variable volume, variable speed pump interlocked with the ground speed of the machine. The operation shall be capable of grinding, mixing, and placing the recycled material using the equipment specified at the desired width and depth in one pass while producing a finished product meeting all material requirements of the specification.

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BID FORM

COMPANY NAME: _____

PER PROJECT OR SITE:	*OPTION A		*OPTION B	
	Central Plant Mixing		CIPR	
	Pricing with Maintenance & Protection Of Traffic	Pricing without Maintenance & Protection Of Traffic	Pricing with Maintenance & Protection Of Traffic	Pricing without Maintenance & Protection Of Traffic
0 – 10,000 S.Y. @ 1" to 3" depth	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.
10,001 – 25,000 S.Y. @ 1" to 3" depth	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.
25,001 – 50,000 S.Y. @ 1" to 3" of depth	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.
50,001 – 100,000 S.Y. @ 1" to 3" of depth	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.	\$ _____ S.Y.
Price per square yard over 100,000 S.Y. + @ 1" to 3" of depth	\$ _____ S.Y.		\$ _____ S.Y.	
Price per square yard for each additional Inch @ over 3" of depth	\$ _____ S.Y.		\$ _____ S.Y.	
HFMS-2 Recycle (Gal)	\$ _____ /GAL		\$ _____ /GAL	
Paver and Roller (Day)	\$ _____ /DAY			
Milling Machine (Day)	\$ _____ /DAY			

Mobilization - To be included in pricing.

*Prices to include with and without 'Maintenance and Protection of Traffic'.

Attached Bid Checklist, Signature/Non-Collusive Page, and Iran Notice must be signed to complete the bid.

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BID CHECKLIST

The documents required to complete this bid are indicated below.

- (X) Insurance Certificates See Exhibit A, pages F-G
- (X) Iran Notice See Pages 5m – 5n

- _____ We have reviewed and have submitted the items required under the Mandatory Submission Requirements.
- _____ The Bid Page(s), Signature/Non-Collusive Page, and Iran Notice are completed and included.
- _____ Deviations are noted and explained.
- _____ Insurance Certificates are enclosed if required.

**WAIVER OF IMMUNITY/NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO
SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW**

- A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:
 - 1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
 - 2. Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.
 - 3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where 1,2, and 3 above have not been complied with; provided, however, that in any case the bidder cannot make to foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where 1, 2, and 3 above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publications of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph “A” above.

- B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph “A” of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

SIGNATURE PAGE ON REVERSE MUST BE SIGNED TO COMPLETE THE BID.

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Iranian Energy Sector Divestment

Contractor hereby represents that said Contractor is in compliance with New York State General Municipal Law Section 103-g entitled “Iranian Energy Sector Divestment”, in that said Contractor has not:

- a. Provided goods and services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or
- b. Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person’s intent was to use the credit to provide goods or services in the energy sector in Iran.

Any Contractor who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible Bidder pursuant to Section 103 of the New York State General Municipal Law.

Except as otherwise specifically provided herein, every Contractor submitting a bid in response to this Request for Bids must certify and affirm the following under penalties of perjury:

- a. “By submission of this bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each Bidder is not on the list created pursuant to NYS Finance Law Section 165-a (3)(b).”

Jefferson County will accept this statement electronically in accordance with the provisions of Section 103 of the General Municipal Law.

Except as otherwise specifically provided herein, any Bid that is submitted without having complied with subdivision (a) above, shall not be considered for award. In any case where the Bidder cannot make the certification as set forth in subdivision (a) above, the Bidder shall so state and shall furnish with the bid a signed statement setting forth in detail the reasons therefore. The County reserves its rights, in accordance with General Municipal Law Section 103-g to award the Bid to any Bidder who cannot make certification, on a case-by-case basis under the following circumstances.

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County of Jefferson has made a determination that the goods or services are necessary for the County to perform its functions and that, absent such an exemption, the County of Jefferson would be unable to obtain the goods or services for which the Bid is offered. Such a determination shall be made by the County in writing and shall be a public document.

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Attachment
Certification Pursuant to Section 103-g
of the New York State
General Municipal Law

- A. By submission of this bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- B. A Bid shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the Bidder cannot make the foregoing certification set forth in Paragraph A above, the Bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to whom the bid is made, or his designee, may award a bid, on a case by case basis under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
 2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods and services for which the contract is offered. Such a determination shall be made in writing and shall be a public document.

Signature

Title

Date

Company Name