

**Meeting Date:** 10/22/2013

**Report Type:** Consent

**Report ID:** 2013-00779

**Title: Purchase/Cooperative Agreement: Traffic Paint and Thermo-Plastic Materials**

**Location:** Citywide

**Issue:** The Department of Public Works, Traffic Signs and Markings Section has an ongoing need to purchase traffic paint and thermo-plastic materials.

**Recommendation:** Pass a Motion 1) approving the purchase of traffic-marking materials through a Cooperative Agreement with the State of California for a one-year period in an amount not to exceed \$150,000; and 2) authorizing the City Manager to execute additional one-year terms for a total not to exceed three years (including the initial term and all extensions) for an amount limited to \$150,000 for each extension provided that sufficient funds are available in the budget adopted for the applicable fiscal year and continuing through March 2015.

**Contact:** Tom Webber, Operations General Supervisor, (916) 808-4038; Hector Barron, City Traffic Engineer, (916) 808-2669, Department of Public Works

**Presenter:** None

**Department:** Public Works Department

**Division:** Transportation Division

**Dept ID:** 15001911

**Attachments:**

01-Description/Analysis

02-Background

03-Exhibit A

04-Exhibit B

05-Exhibit C

06-Exhibit D

07-Exhibit E

08-Exhibit F

09-Exhibit G

10-Exhibit H

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**City Attorney Review**

Approved as to Form  
Gerald Hicks  
10/16/2013 2:24:10 PM

**City Treasurer Review**

Reviewed for Impact on Cash and Debt  
Russell Fehr  
10/7/2013 10:53:51 AM

**Approvals/Acknowledgements**

Department Director or Designee: Jerry Way - 10/15/2013 12:24:19 PM

## Description/Analysis

**Issue:** The use of cooperative purchasing agreements is an alternative to City conducted competitive solicitation, that usually results in lower costs through volume purchasing by combining resources and requirements with other government agencies or public jurisdictions. City Council approval is needed to use an existing Cooperative Agreement with the State of California, Department of Transportation for the purchase of paint and thermo-plastic materials.

**Policy Considerations:** The recommendations in this report are in accordance with the provisions of City Code Chapter 3.56.240 which allows the purchase of supplies through the use of cooperative purchase agreements.

**Economic Impacts:** None.

### Environmental Considerations:

**California Environmental Quality Act (CEQA):** The purchase of paint and thermo-plastic marking materials has been determined to be exempt from the requirements of CEQA, under Section 15061(b)(3) of the CEQA guidelines.

**Sustainability:** The supplies purchased under this contract meet the City of Sacramento's Sustainability Master Plan by improving and optimizing the transportation infrastructure.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** The Department of Public Works, Transportation Division has an ongoing need to purchase traffic paint and thermo-plastic marking materials.

The pricing terms and conditions of this agreement were offered and accepted through a competitive solicitation conducted by the State of California.

The City has used both regional and national cooperative purchase agreements to complement its own contracting initiatives. Cooperative purchasing enables City departments and the Procurement Services Division to evaluate a broader range of contracting opportunities and to share resources with other jurisdictions. Cooperative purchasing also leverages internal and external resources to maximize cost savings opportunities for the City.

**Financial Considerations:** The proposed cooperative agreement with the State of California would continue through the existing State contract period with Ennis-Flint,

which ends in March of 2015. The initial term would be in the amount of \$150,000 from Traffic Signs and Markings (15001931) Operating funds for FY13/14, with a one year extension in the amount of \$150,000 provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

**Emerging Small Business Development (ESBD):** Cooperative Purchasing Agreements are created, evaluated, and awarded by other government agencies that may or may not have similar emerging and small business programs. It would be difficult for an emerging or small business to provide the volume of striping materials needed for the maintenance of the City's roadways.

## **Background**

The Transportation Division performs routine work each year for the maintenance of existing striping and legends, as well as installation of new markings. Approximately 2,600 gallons of paint and 35 tons of thermoplastic material are installed each year. This benefits all roadway users, including drivers, pedestrians and cyclists by enhancing safety throughout the City.

In accordance with City Code 3.56.240, the City Manager may, by the use of Cooperative Purchasing Agreements approved by the City Council, purchase paint and asphalt materials through the contracts of other governmental jurisdictions or public agencies without a separate competitive bidding by the City. This results in lower operating costs through volume purchasing and combining resources with other Government agencies.

The paint and thermoplastic materials purchased through the cooperative use of the State of California purchase agreement will be used to maintain the safety and efficiency of the City's transportation corridors, optimizing and improving the transportation infrastructure.



**Invitation For Bid**

<b>DUE DATE</b> 12/21/2012		<b>Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date</b>			
<b>SUPPLIER NAME AND ADDRESS</b> Ennis Paint, Inc. 1509 S. Kaufman Ennis, TX 75119		<b>SOLICITATION NO. REV.</b> IFB 1211-020		<b>DATE</b> 11/30/12	<b>DELIVERY DATE</b> As Specified
		<b>PURCHASE EST. NO. REV.</b> N/A		<b>AGENCY BILLING CODE</b> N/A	<b>AGENCY PURCHASE EST NO.</b> N/A
		<b>F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE</b>		<b>ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		<b>0 % CASH DISCOUNT FOR PAYMENT WITHIN 30 DAYS</b>		<b>SHIP TO:</b>  <b>As Specified</b>	
<b>SUPPLIER CONTACT: Dane Alsbrook</b> PHONE: 800-331-8118		<b>SEE REQUIRED PAYMENT DATE OF THE GENERAL PROVISIONS PARAGRAPH 30.</b>		<b>IF YES, MANUFACTURER?</b> YES <input type="checkbox"/> NO <input type="checkbox"/>	
<b>NAME (PRINT)</b> Dane Alsbrook		<b>FOR FURTHER INFORMATION, CONTACT:</b> <b>BUYER: Mike Murphy</b> <b>PHONE: (916) 375-5918</b> <b>EMAIL: mike.murphy@dgs.ca.gov</b>		<b>ARE YOU A NON-SMALL BUSINESS CLAIMING AT LEAST 25% SMALL BUSINESS SUBCONTRACTOR PREFERENCE?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
<b>TITLE</b> Assistant Vice President 12-12-12		<b>RETURN TO:</b> <b>DGS/PROCUREMENT DIVISION</b> <b>Attn: Bid Room (IFB 1211-020)</b> <b>707 3rd Street, 2nd Floor</b> <b>West Sacramento, CA 95605</b>		<b>SECTION 14835 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE REQUIRES THAT A 5% PREFERENCE BE GIVEN TO BIDDERS WHO QUALIFY AS A SMALL BUSINESS OR BIDDERS WHO QUALIFY AS A NON-SMALL BUSINESS CLAIMING AT LEAST 25% CALIFORNIA CERTIFIED SMALL BUSINESS PARTICIPATION. FOR REQUIREMENTS SEE TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 1896, ET SEQ. THE REQUIREMENTS FOR NONPROFIT VETERAN SERVICE AGENCIES QUALIFYING AS A SMALL BUSINESS ARE CONTAINED IN SECTION 999.50 ET SEQ. OF THE MILITARY AND VETERANS CODE.</b>	
<b>SIGNATURE</b> 					
<b>TELEPHONE NUMBER</b> 800-331-8118		<b>FAX NUMBER</b> 800-555-0217			
<b>FEDERAL EMPLOYER IDENTIFICATION NUMBER</b> 75-265-7523					

Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions. **DECLARATIONS UNDER PENALTY OF PERJURY:** By signing above, with inclusion of the date of signature, the above signed bidder **DECLARES UNDER PENALTY OF PERJURY** under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) the National Labor Relations Board declaration set forth in Paragraph 48 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.

**(80-03) PD Reference Only**

**SCOPE:**  
This solicitation covers the estimated two (2) years requirements of the State of California for **THERMOPLASTIC TRAFFIC STRIPING MATERIAL, ALKYD RESIN BINDER, WHITE and LEAD-FREE YELLOW and SPRAYABLE THERMOPLASTIC TRAFFIC STRIPING MATERIAL, ALKYD RESIN BINDER, WHITE and LEAD-FREE YELLOW, PAINT, RAPID DRY WATERBORNE, WHITE, YELLOW and BLACK, PAINT, HIGH BUILD TRAFFIC LINE WHITE, YELLOW and BLACK and GLASS SPHERES (BEADS).**

The contract(s) resulting from this solicitation will be mandatory for the Department of Transportation and available for use by participating local agencies. The term of the contract(s) resulting from this solicitation will be for two (2) years. The contract(s) will contain two (2) extension options of one (1) year or a portion thereof. If a mutual agreement for a contract extension cannot be met, the contract(s) may be terminated at the end of the current contract term and/or contract extension(s).

**Note:** A local agency is any city, county, and county district, or local governmental body or corporation empowered to expend public funds (California Public Contract Code Section 10298).

**BIDDER INSTRUCTIONS:**  
The Bidder Instructions (rev 07/01/2010) applicable to this solicitation are located at the link below:  
<http://www.documents.dgs.ca.gov/pd/modellang/BidderInstructions070110.pdf>

**GENERAL PROVISIONS:**  
The General Provisions (rev 06/08/2010) applicable to this solicitation are located at the link below:  
<http://www.documents.dgs.ca.gov/pd/modellang/GPnonIT060810.pdf>

**IMPORTANT:** Read attached General Provisions carefully before bidding.

**Certificate of Compliance**

Manufacturer: Ennis Paint, Inc.  
 200 2ND STREET  
 BAKERFIELD, CA 93304  
 pH: (661)328-0503  
 fax: (661)328-0504

Lead Free Rapid Dry  
 Waterborne traffic marking paint  
 Product: PTWB-01 WHITE  
 Batch: Submittal  
 Color: White  
 Date of Manufacture: 7/6/2012  
 Gallons: 8000

	Min.	Max.	Actual
% Total Non Volitale	75.0%	79.0%	77.00%
% Pigment	58.0%	62.0%	59.00%
%Non Volitale Vehicle	42%		43.90%
Weight Lb./Gal(split weight)	13.67	14.33	14.33
Density Kg/l	1.64	1.72	1.72
Viscosity K.U.	78	92	78
Directional Reflectance	87		87
Yellowness Index		8	8
Fitness of Grind, Hegman	3		4+
Dry Opacity 5 Wet Mil	0.93		0.95
Color Matches Fed Std. 37925			Pass
Dry Time (No pick-up) ASTM D-711		10 Minutes	8 Minutes
Bleeding Ratio	0.95		Pass
V.O.C. Less Than (grams/liter)		100	92.56

Having the authority to act for Ennis Paint, Inc.,  
 I do hereby certify that the Traffic Paint data  
 hereon complies with specification PTWB-01R2

Name:   
 Title: Technical Services Representative

### Certificate of Compliance

Manufacturer: Ennis Paint, Inc.	Lead Free Rapid Dry
200 2ND STREET	Waterborne traffic marking paint
BAKERFIELD, CA 93304	Product: PTWB-01 YELLOW
	Batch: Submittal
pH: (661)328-0503	Color: Yellow
fax: (661)328-0504	Date: 09/24/12
	Gallons: 8000

	Min.	Max.	Actual
% Solids	74.0%	78.0%	75.86%
% Pigment	56.0%	60.0%	57.84%
% Non Volatile Vehicle	42%		42.74%
Weight Lb./Gal(split weight)	13.25	13.91	13.79
Density Kg/l	1.59	1.67	1.66
Viscosity K.U.	78	92	83
Matches Fed. Std. Color 33538			Pass
Fitness of Grind, Hegman			4
Dry Opacity 5 Wet Mil	0.89		0.9
Color Matches Fed Std. 33538			Pass
Dry Time (No pick-up) ASTM D-711		10 Minutes	9 Minutes
Color -x 2° illuminant C			0.4793
Color -y 2° illuminant C			0.4496
Directional Reflectance	47	60	57.25
V.O.C. Less Than (grams/liter)		100	87.65

Having the authority to act for Ennis Paint, Inc.,  
 I do hereby certify that the Traffic Paint data  
 hereon complies with specification PTWB-01R2

Name:   
 Title: Technical Services Representative

Test Results

Manufacturer: Ennis Paint, Inc.  
 200 2ND STREET  
 BAKERFIELD, CA 93304  
 pH: (661)328-0503  
 fax: (661)328-0504

Lead Free Rapid Dry  
 Waterborne traffic marking paint  
 Product: PTWB-01 BLACK  
 Batch: Submittal  
 Color: Black  
 Date of  
 Manufacture: 10/28/2009  
 Gallons: 2000

	Min.	Max.	Actual
% Total Non Volitale	74.0%	78.0%	75.00%
% Pigment	56.0%	60.0%	56.00%
%Non Volitale Vehicle	42%		43.18%
Weight Lb./Gal(split weight)	13.17	13.82	13.8
Viscosity K.U.	78	90	78
Directional Reflectance		4	4
Fitness of Grind, Hegman	3		4
Dry Opacity 5 Wet Mil	1.00		1
Color Matches Fed Std. 37038			Pass
Dry Time (No pick-up) ASTM D-711		10 Minutes	9Minutes
Bleeding Ratio	0.95		Pass
V.O.C. Less Than (grams/liter)		100	91.21

Having the authority to act for Ennis Paint, Inc.,  
 I do hereby certify that the Traffic Paint data  
 hereon complies with specification PTWB-01R2

Name:   
 Title: Technical Services Representative



# PRODUCT DATA SHEET

<b>DESCRIPTION:</b>	<b>WATERBORNE TRAFFIC PAINT</b>			
<b>PRODUCT NUMBER:</b>	985221 (White)	985222 (yellow)	985223 (black)	
	985224 (Red)	985225 (Blue)	985226 (Green)	
<b>SPECIFICATIONS:</b>	TT-P- 1952E			
<b>MAXIMUM WET FILM :</b>	30 mils	<b>PAINT CLASS:</b> FAST DRY	<b>HIGH BUILD</b>	

**PRODUCT DESCRIPTION:**

This is the most durable and reflective waterborne system available today. It utilizes the newest 3<sup>rd</sup> generation acrylic emulsion, designed for application at a rate of up to 30 mils wet. This thicker application rates enable the use of larger beads which improve the retroreflectivity, enhances the no track time to virtually the same of a regular 15 mil wet line, and provides superior durability over standard 15 mil lines.

Physical and color properties of paint conform to DOT Specifications.

**PRODUCT ADVANTAGES:**

- Non-flammable, No special solvents needed
- Product reduces and cleans up easily with water.
- Products perform equally on both asphalt and concrete.
- Paint demonstrates excellent bead retention.
- Keeps traffic control to a minimum when striping.

**RECOMMENDED FOR:** Ennis Stripe is designed for use as traffic marking, legend work and parking, delineation over asphalt, Portland cement and concrete pavement

**COVERAGES:** 1 gallon yields 320 feet of 4" stripe @ 15 mils, 400 feet of 4" stripe at 12 mils.  
Approximately 180 lin. feet of 4 inch line when applied at 24-28 mils.

**DRYING TIMES:** Dries to no pickup in less than 10 minutes @ 15 mils when ambient and surface temperature are 75° F or higher at 50±5% humidity. See conditions for application below for further information.

**TECHNICAL DATA**

Total solid wt%	>76	Hiding power @15 mils	Complete
Total solid volume%	>62	Flash point ASTM D3278)	Non-flammable
Total pigment wt%	>60	Reducer	water
NVV wt%	>40		
Viscosity (KU @77°F)	80-90	VOC (g/L)	<150
Weight per gallon	>14.3 (w) >13.4 (Y) >13 (other colors)	Thinner	water
Direct Reflectance at 15 mils wet film	85(w) 50(Y)	pH	>10
Contrast ratio @15 mils	>0.92 (white) >0.88(yellow) >0.95 (black) >0.88(red) >0.95 blue >0.95 (green)		

**ENVIRONMENTAL DATA:** All products conform to the Federal Clean Air Act Amendment of 1990. Volatile Organic Content is below 100 grams per liter. All products are free of lead, chrome and other heavy or toxic metals. Consult MSDS for additional safety and regulatory information

**DIRECTIONS FOR USE:** Mix thoroughly before using. Thinning is not recommended and should be considered ready for use. Adding water increases the drying time and can compromise the performance. If thinning is necessary for smaller equipment, add one (1) pint of water per five (5) gallons of paint. Product may be applied at desired mil thickness up to 15 wet mils. Thicker films will be slower drying and may exhibit cracking.

These paints, when applied in the 20-30 mils wet range, are designed to hold large glass beads, size of 0.8-1.3 mm, dual coated, applied at a rate of 8-12 lbs/gallon. Proper embedment is critical to this systems performance and should never be less than 50 %. Either air atomized or airless spray equipment can be used. Tip selection, pressure, paint viscosity and paint temperature are critical to the application of the paint and achieving enhanced durability and retroreflectivity. Proper consideration of these areas should insure a consistent and excellent appearance of the applied paint. Do not use organic solvents. All equipment must be clean and flushed with water before applying paints.

**CONDITIONS FOR APPLICATION:** All surfaces must be clean, dry and free from oil, grease, antifreeze, loose sand, aggregate or chipping or peeling paint.. For complete drying and minimum dirt retention, lots should be closed to traffic for two hours minimum after painting. New asphalt and concrete should be allowed to cure for a minimum of 30 days before the application of paint when possible. Any curing compounds used on new concrete must be mechanically abraded off prior to striping. When striping on freshly sealed surfaces use caution as some sealers can affect the curing and adhesion of traffic paint.

**CAUTION:** For industrial use only. Not for residential use.

New asphalt surfaces should ideally be allowed to age several months before striping. Latex paints will not bleed on asphalt, but shrinkage of the paint film during curing may cause new asphalt to lift or crack. Exceeding the recommended film thickness will increase the tendency to cause asphalt lifting. If it is absolutely necessary to paint on new asphalt, thin the paint with one to two pints of water per gallon of paint and spray with the lowest pressure possible to produce a thin coat of no more than 7 mils of wet film thickness. Check asphalt by applying a test strip to aid in determining the readiness for painting. If applying two coats or over striping lines within a fire lane, allow the first coat to dry fully before applying the second coat.

**Application Limitation:**

Applying a test strip to determine dry to no- pickup time when humidity higher than 65%, cone whenever necessary.  
Do not heat paint in striping system above 110°F  
Do not apply when temperatures are below 50 F or humidity is greater than 85%  
Do not apply when rain is forecast.  
Do not mix with water  
Do not apply when temperatures are near or below the dew point or rain is forecast within 2 hours.  
Do not apply if temperatures expected to fall below freezing for 24 hours after application.

**Shelf Life**

Water based paint is best utilized within three months of delivery but remains usable for twelve months.

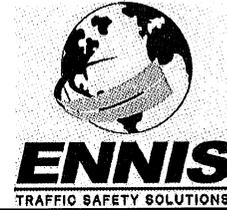
**EQUIPMENT:** All surfaces that come in contact with the paint should be stainless steel, PVC plastic, or a non reactive material. Galvanized, brass, copper, mild steel or aluminum will react with the product and clog the equipment.

**CLEANUP OF EQUIPMENT:** Flush the equipment with water. For dried residue a good household cleaner or "Windex" will aid in removal. A mixture of 25% alcohol and 75% water can be used to totally clean and flush the equipment, flush equipment with water only before reloading paint.

The Product Date offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

Ennis Traffic Safety Solutions  
P.O. Box 404  
1509 South Kaufman

Ennis, Texas 75120  
1-800-331-8118



## PRODUCT DATA SHEET

### WHITE ALKYD EXTRUDE THERMOPLASTIC TRAFFIC MARKING MATERIAL CALTRANS SPECIFICATION # PTH-02ALKYD EXTRUDE VISCOSITY GRADE 885450

#### DESCRIPTION:

Ennis Traffic Safety Solutions' White Alkyd Extrude Thermoplastic reflectorized pavement marking material is intended for use on Portland cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 425°F (218°C), and applied in a molten state to a pavement surface at a temperature of at least 400°F (204°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

#### CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)

Binder, % by weight	19.0
Glass Beads, AASHTO M-247, % by weight	30.2
Titanium Dioxide, % by weight	11.0
Tests on material after 4 hours heat with stirring at 425°F $\pm$ 2°F (218°F $\pm$ 1°C)	
Softening Point, °C	107.5
Tensile Bond Strength, psi	280
Hardness, Shore A2 @ 115°F (46°C)	61
Daylight Reflectance	82.35
Yellowness Index	6.52
Specific Gravity	2.08

#### DRY TIME:

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50 $\pm$ 3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130 $\pm$ 3°F (54°C).

#### WHEN TO USE PRIMER:

Use the thermoplastic manufacturer's recommended primer on all Portland concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

#### PACKAGING:

Ennis Traffic Safety Solutions' Alkyd Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST Rev. 6/23/11

The Product Data offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

Ennis Traffic Safety Solutions  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



## PRODUCT DATA SHEET

### WHITE ALKYD LOW VISCOSITY EXTRUDE THERMOPLASTIC TRAFFIC MARKING MATERIAL CALTRANS SPECIFICATION # PTH-02ALKYD LOW VISCOSITY GRADE 885440

#### DESCRIPTION:

Ennis Traffic Safety Solutions' White Alkyd Low Viscosity Extrude Thermoplastic reflectorized pavement marking material is intended for use on Portland cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 425°F (218°C), and applied in a molten state to a pavement surface at a temperature of at least 400°F (204°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

#### CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)

Binder, % by weight	19.1
Glass Beads, AASHTO M-247, % by weight	30.4
Titanium Dioxide, % by weight	10.1
Tests on material after 4 hours heat with stirring at 425°F ±2°F (218°F ±1°C)	
Softening Point, °C	105.4
Tensile Bond Strength, psi	310
Hardness, Shore A2 @ 115°F (46°C)	63
Daylight Reflectance	82.59
Yellowness Index	7.90
Specific Gravity	2.09

#### DRY TIME:

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50±3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130±3°F (54°C).

#### WHEN TO USE PRIMER:

Use the thermoplastic manufacturer's recommended primer on all Portland concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

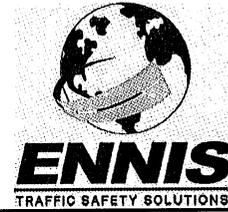
#### PACKAGING:

Ennis Traffic Safety Solutions' Alkyd Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST Rev. 6/23/11

The Product Data offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

Ennis Traffic Safety Solutions  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



**PRODUCT DATA SHEET**

**YELLOW LEADFREE ALKYD EXTRUDE THERMOPLASTIC TRAFFIC MARKING MATERIAL  
CALTRANS SPECIFICATION # PTH-02ALKYD LOW VISCOSITY GRADE  
885451**

**DESCRIPTION:**

Ennis Traffic Safety Solutions' Yellow Leadfree Alkyd Low Viscosity Extrude Thermoplastic reflectorized pavement marking material is intended for use on Portland cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 425°F (218°C), and applied in a molten state to a pavement surface at a temperature of at least 400°F (204°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

**CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)**

Binder, % by weight	21.3
Glass Beads, AASHTO M-247, % by weight	40.5
Tests on material after 4 hours heat with stirring at 425°F ±2°F (218°F ±1°C)	
Softening Point, °C	107.0
Tensile Bond Strength, psi	325
Hardness, Shore A2 @ 115°F (46°C)	60
Daylight Reflectance	44.30
Specific Gravity	2.08

**DRY TIME:**

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50±3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130±3°F (54°C).

**WHEN TO USE PRIMER:**

Use the thermoplastic manufacturer's recommended primer on all Portland concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

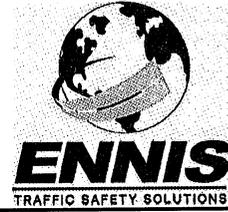
**PACKAGING:**

Ennis Traffic Safety Solutions' Alkyd Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST Rev. 12/15/10

The Product Data offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

Ennis Traffic Safety Solutions  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



**PRODUCT DATA SHEET**

**YELLOW LEADFREE ALKYD EXTRUDE THERMOPLASTIC TRAFFIC MARKING MATERIAL  
CALTRANS SPECIFICATION # PTH-02ALKYD EXTRUDE VISCOSITY GRADE  
885452**

**DESCRIPTION:**

Ennis Traffic Safety Solutions' Yellow Leadfree Alkyd Extrude Thermoplastic reflectorized pavement marking material is intended for use on Portland cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 425°F (218°C), and applied in a molten state to a pavement surface at a temperature of at least 400°F (204°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

**CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)**

Binder, % by weight	21.0
Glass Beads, AASHTO M-247, % by weight	30.7
Tests on material after 4 hours heat with stirring at 425°F ±2°F (218°F ±1°C)	
Softening Point, °C	107.0
Tensile Bond Strength, psi	270
Hardness, Shore A2 @ 115°F (46°C)	60
Daylight Reflectance	43.70
Specific Gravity	2.08

**DRY TIME:**

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50±3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130±3°F (54°C).

**WHEN TO USE PRIMER:**

Use the thermoplastic manufacturer's recommended primer on all Portland concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

**PACKAGING:**

Ennis Traffic Safety Solutions' Alkyd Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST Rev. 6/23/11

The Product Data offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

Ennis Traffic Safety Solutions  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



**PRODUCT DATA SHEET**

**WHITE ALKYD SPRAY (40 MIL THINLINE) THERMOPLASTIC TRAFFIC MARKING MATERIAL  
CALTRANS SPECIFICATION # PTH-02SPRAY  
884059**

**DESCRIPTION:**

Ennis Traffic Safety Solutions' White Alkyd Spray Thermoplastic reflectorized pavement marking material is intended for use on cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 400°F (204°C), and applied in a molten state to a pavement surface at a temperature of at least 375°F (191°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

**CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)**

Binder, % by weight	25.6
Glass Beads, AASHTO M-247, % by weight	30.5
Tests on material after 4 hours heat with stirring at 425°F ±2°F (218°F ±1°C)	
Softening Point, °C	96.5
Tensile Bond Strength, psi	250
Hardness, Shore A2 @ 115°F (46°C)	45
Daylight Reflectance	84.4
Yellowness Index	5.5
Specific Gravity	1.95

**DRY TIME**

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50±3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130±3°F (54°C).

**WHEN TO USE PRIMER**

Use the thermoplastic manufacturer's recommended primer on all concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

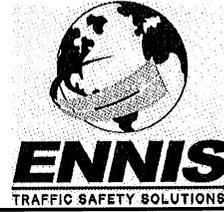
**PACKAGING**

Ennis Traffic Safety Solutions' White Alkyd Spray Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

**MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST**    Rev. 6/23/2011

The Product Data offered herein is, to the best of our knowledge, true and accurate, but all recommendations are made without warning, expressed or implied. Because the conditions of use are beyond our control, neither Ennis Traffic Safety Solutions, nor its agents shall be liable for any injury, loss or damage, direct or consequential, arising from the use or the inability to use the product described herein. No person is authorized to make any statement or recommendation not contained in the Product Data, and any such statement or recommendation, if made, shall not bind the Corporation. Further, nothing contained herein shall be construed as a recommendation to use any product in conflict with existing patents, and no license under the claims of any patent is either implied or granted.

**Ennis Traffic Safety Solutions**  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



## **PRODUCT DATA SHEET**

**YELLOW LEADFREE ALKYD SPRAY (40 MIL THINLINE)  
THERMOPLASTIC TRAFFIC MARKING MATERIAL  
CALTRANS SPECIFICATION # PTH-02SPRAY  
884062**

### **DESCRIPTION:**

Ennis Traffic Safety Solutions' Yellow Leadfree Alkyd Spray Thermoplastic reflectorized pavement marking material is intended for use on Portland cement or asphalt concrete road surfaces. It is a 100% solid material that must be pre-heated to a temperature of at least 400°F (204°C), and applied in a molten state to a pavement surface at a temperature of at least 375°F (191°C). Roadway surface temperature at the time of application shall not be less than 50°F (10°C) and shall be rising. The road surface shall be absolutely dry with no forecasted rain for the day. Upon cooling to normal pavement temperature, thermoplastic provides a very durable marking material for high traffic areas.

### **CHARACTERISTICS OF FINISHED THERMOPLASTIC: (typical)**

Binder, % by weight	26.0
Glass Beads, AASHTO M-247, % by weight	30.3
Tests on material after 4 hours heat with stirring at 425°F ±2°F (218°F ±1°C)	
Softening Point, °C	97.0
Tensile Bond Strength, psi	260
Hardness, Shore A2 @ 115°F (46°C)	41
Daylight Reflectance	45.0
Specific Gravity	1.95

### **DRY TIME:**

When applied to the pavement, the thermoplastic material shall be sufficiently tack-free to carry traffic in not more than 2 minutes when pavement surface temperature is at 50±3°F (10°C), and not more than 10 minutes when pavement surface temperature is 130±3°F (54°C).

### **WHEN TO USE PRIMER:**

Use the thermoplastic manufacturer's recommended primer on all Portland concrete, and on asphalt surfaces that are more than 2 years old, oxidized and/or have aggregate exposed. Check to make sure that the coverage is adequate and allow primer to cure according to manufacturer's instructions before applying thermoplastic.

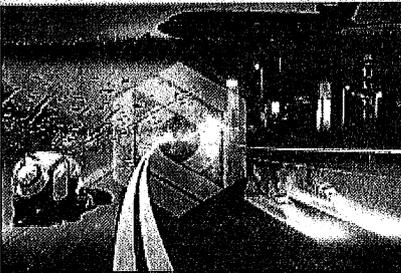
### **PACKAGING:**

Ennis Traffic Safety Solutions' Alkyd Thermoplastic is available in granular form packaged in 50lb. (22.7kg) meltable bags that are compatible with the thermoplastic allowing them to melt and become part of the hot melt mixture at application temperature.

**MATERIAL SAFETY DATA SHEET AVAILABLE UPON REQUEST** Rev. 6/23/11

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**Ennis Traffic Safety Solutions**  
5910 N. Central Expressway, Suite 1050  
Dallas, TX 75206  
1-800-331-8118



# HIGHWAY

STANDARD & PREMIUM SAFETY MARKING SPHERES

Durable, versatile and highly reflective... in all marking systems

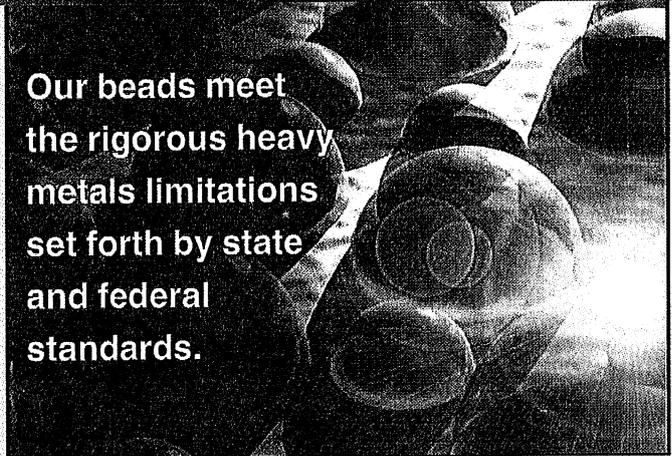
## STANDARD

### Potters Standard Highway Spheres— Cost-effective Highway Delineation

- Retroreflective pavement markings deliver continuous roadway guidance to drivers and have been proven to increase highway safety.
- Our Standard Highway Marking Spheres provide cost-effective nighttime roadway delineation, and can meet any specific standard glass bead specification in North America.
- Our Standard spheres are consistent in quality and composition. Strict quality control produces spheres that optimize retroreflectivity. Proprietary coatings are available to resist agglomeration, ensure flotation for ideal embedment and improve adhesion for greater durability.
- Standard spheres may be applied as a drop-on in all commercial binders, including waterborne paint, epoxy, polyester, thermoplastic, PMMA and polyurea.
- Our beads meet the rigorous heavy metals limitations set forth by state and federal standards.

### Standard Spheres: Facts and Figures

- **Size:** 20–80 mesh (850–150 microns); a range of sizes offsets effects of traffic/binder degradation.
- **Compatible binders:** waterborne or solvent-based paint, epoxy, polyester, thermoplastic, PMMA, polyurea
- **Standards:** Spheres can be supplied to meet state specifications for gradation (size), roundness and coatings. Potters Industries is able to supply glass beads which meet any specific standard glass bead specification in North America.

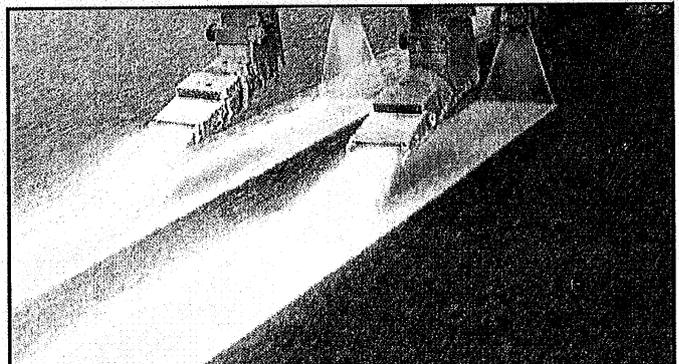


Our beads meet the rigorous heavy metals limitations set forth by state and federal standards.

### Typical Standard Bead Size

U.S. Mesh Size	Millimeters	Mass % Passing
16	1.18	100
20	0.850	95-100
30	0.600	75-95
50	0.300	15-35
100	0.150	0-5

AASHTO M-247, Type 1, Roundness — 70%, 75%, and 80% overall by sieve size.



Potters retroreflective pavement markings deliver continuous roadway guidance to drivers and have been proven to increase highway safety.



Potters respects the environment by recycling over one billion pounds of glass each year.

See Your Potters Representative or Call (800) 55-BEADS  
Visit Us On The Web at [www.pottersbeads.com](http://www.pottersbeads.com)

# HIGHWAY

STANDARD & PREMIUM SAFETY MARKING SPHERES

Durable, versatile and highly reflective... in all marking systems

## PREMIUM

### Potters Premium Highway Spheres— Larger in Size for Greater Retroreflectivity

- At approximately twice the size of our Standard Spheres, Potters Premium Highway Safety Marking Spheres provide improved retroreflectivity when specified at the same rounds percentage.

- The typical size range for Potters Premium Highway Safety Marking Spheres is between 20 and 50 mesh (850 and 300 microns). Roundness, as measured by ASTM D-1155, can be 70% or 75% overall by sieve size.

- Retroreflective pavement markings have been proven to increase highway safety by delivering continuous roadway guidance to drivers.

- Potters Industries is able to supply glass beads which meet any specific standard glass bead specification in North America.

- Strict quality control produces spheres that optimize retroreflectivity. A variety of proprietary coatings provide increased resistance to agglomeration due to moisture, to ensure flotation for ideal embedment and improved adhesion for greater durability.

- Premium spheres may be applied as a drop-on in all commercial binder materials, including water borne paint, epoxy, polyester, thermoplastic, PMMA and polyurea. They may also be incorporated as an intermix into thicker binders, such as thermoplastic and PMMA.

- Potters SPEEDBEADER® and VISIGUN® safety marking sphere dispensers are designed for optimal application of all types of safety marking spheres. Premium Highway Safety Marking Spheres may also be applied using other commercial sphere applicators.

### Typical Premium Bead Size

U.S. Mesh Size	Millimeters	Mass % Retained
20	0.850	3-10
30	0.600	20-40
40	0.425	30-50
50	0.300	15-35
80	0.180	0-10

### Potters Premium Spheres: Facts and Figures

- **Size:** 20–50 mesh (850–300 microns); a range of sizes offsets the effects of traffic and binder degradation.
- **Compatible binders:** waterborne or solvent-based paint, epoxy, polyester, thermoplastic, PMMA and polyurea.
- **Standards:** Spheres can be supplied to meet state specifications for gradation (size), roundness and coatings.



Potters' Standard Highway Marking Spheres can be supplied to meet every standard in effect in the United States today, including the U.S. Department of Transportation Federal Highway Administration's FP-03 specifications.



**Potters Industries Inc.**  
an affiliate of PQ Corporation

Potters respects the environment by recycling over one billion pounds of glass each year.

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December 12, 2012

State of California  
Department of General Services  
Procurement Division  
707 Third Street 2<sup>nd</sup> Floor  
West Sacramento, CA 95605

Re: Solicitation 1211-020

Refer to page 5 of 15

Factory Authorized Distributor:

Ennis Paint, Inc. will manufacture and distribute the materials specified within this solicitation.

Ennis Paint, Inc. is the bidder, supplier and manufacturer of the Thermoplastic traffic striping material, rapid dry waterborne paint and the high build paint. Ennis Paint, Inc. is a factory authorized distributor of Potters Industries, Inc.

Ennis Paint, Inc. will receive purchase orders from all Caltrans Districts awarded and will manufacture product and arrange for transportation and manage delivery of the product.

Thank you,

A handwritten signature in cursive script that reads "Dan Lang".

Dan Lang  
Vice President

## State of California – DGS Procurement Division – IFB 1211-020

**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA):**

The Contractor agrees to comply with the American Recovery and Reinvestment Act of 2009 (ARRA) supplemental terms and conditions when notified by the ordering department that the purchase is being ARRA funded. The ARRA supplemental terms and conditions shall not replace standard state contract provisions. ARRA supplemental terms and conditions can be viewed at:

<http://www.documents.dgs.ca.gov/pd/poliproc/ARRAand%20C081009final.pdf>

**ATTACHMENTS:**

The following list identifies the applicable documents for this solicitation:

- Attachment 1 - Pricing Workbook, 8 pages  
Thermoplastic Striping
- Attachment 2 - State of California Bid Specification Number PTH-02ALKYD, Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, dated March 2009, 7 pages
- Attachment 3 - State of California Bid Specification Number PTH-02SPRAY, Alkyd Resin Binder, Sprayable Thermoplastic Traffic Striping Material, White and Lead-Free Yellow, dated March 2009, 7 pages
- Attachment 4 - State of California Miscellaneous Requirements for Specification PTH-02ALKYD, Thermoplastic Traffic Striping and PTH-02SPRAY, Sprayable Thermoplastic Traffic Striping Material, 4 pages
- Attachment 5 - State of California Environmental Bid Specification, Thermoplastic Traffic Striping Material - IFB 1106-037-E, dated February 24, 2010, 4 pages  
Waterborne Paint
- Attachment 6 - State of California Bid Specification Number Specification PTWB-01R2 Paint, Rapid Dry Waterborne Traffic Line, dated March 2010, 8 pages
- Attachment 7 - State of California Miscellaneous Requirements for Specification PTWB-01R2 Paint, Rapid Dry Waterborne Traffic Line, dated March 2010, 4 pages
- Attachment 8 - Federal Specification TT-P-1952E (Type III), Paint, High-Build Waterborne Traffic Line, August 2007, 13 pages
- Attachment 9 - State of California Miscellaneous Requirements for Federal Bid Specification Number TT-P-1952E, October 2012, 4 pages
- Attachment 10 - State of California Environmental Bid Specification, Paint, Rapid Dry Waterborne Traffic Line SOL 57549E, February 2010.
- Attachment 11 - Waterborne Paint Bulk Paint Container Specification Requirements, dated September 1991, 3 pages  
Glass Beads
- Attachment 12 - State of California Bid Specification 8010-004, December, 2009, 6 pages
- Attachment 13 - AASHTO Designation: M 247-11 (Type 2), August 2012, 4 pages
- Attachment 14 - State of California Miscellaneous Requirements, for AASHTO Designation Specification Number M 247-11, Glass Beads, Type 2, October 2012, 4 pages
- Attachment 15 - Glass Beads Tote Requirements, Specification 8010-005, 1 page
- Attachment 16 - Glass Bead Tote Drawing for Specification 8010-005, 1 page
- Attachment 17 - Post Consumer Recycled Content (PCRC) Workbook, 3 pages
- Attachment 18 - Reduction of Toxics in Packaging Law - Certificate of Compliance, 1 page
- Attachment 19 - State of California Wooden Pallet Specification 3990-01A-01, dated 01/2001, 3 pages
- Attachment 20 - Caltrans District Boundaries and Mailing Addresses Map, 1 page
- Attachment 21 - Customer Reference Form, 2 pages
- Attachment 22 - Contract Usage Report Template, 1 page
- Attachment 23 - California Disabled Veteran Business Enterprise, Bid Incentive Instructions REV 09/03/09, 3 pages
- Attachment 24 - Bidder Declaration Form (GSPD-05-105) REV 08/09, 2 pages
- Attachment 25 - Disabled Veteran Business Enterprise Declaration Form (STD. 843) REV 05/06, 1 page
- Attachment 26 - Darfur Contracting Act Certification, 1 page
- Attachment 27 - Alternative Protest Process Regulations, 9 pages

## State of California – DGS Procurement Division – IFB 1211-020

Please Note: All bidders are encouraged to carefully review all pages of this solicitation. All questions, comments, and concerns should be immediately directed to the buyer in writing within at least two (2) working days prior to bid due date. All questions and/or concerns should be emailed to [mike.murphy@dgs.ca.gov](mailto:mike.murphy@dgs.ca.gov).

Any bidder's failure to raise concerns, in writing, related to the solicitation requirements or failure to report an incorrect referenced internet link within at least two (2) working days prior to the bid due date will be deemed a waiver of the bidder's right to protest any decision for contract award relating to the solicitation requirements.

**METHOD OF AWARD:**

This solicitation shall be awarded by individual group or "All or None" total for all groups for Northern California and/or Southern California, whichever is deemed by the State to be in its best interest.

**Northern California** is designated as Caltrans districts 1, 2, 3, 4, and 10. **Southern California** is designated as Caltrans districts 5, 6, 7, 8, 9, 11, and 12. See Attachment 20 for Caltrans District Boundaries and Mailing Addresses map.

In order to be considered for award, all line items in the group must be bid. The groups are defined as follows:

**Northern California****Group 1 –**

Thermoplastic Traffic Striping Material, Alkyd Resin Binder – Specification PTH-02ALKYD  
Sprayable Thermoplastic Traffic Striping Material, Alkyd Resin Binder – Specification PTH-02SPRAY  
With Miscellaneous Requirements for Thermoplastic Striping Material

**Group 2–**

Paint, Rapid Dry Waterborne Traffic Line, White, Yellow and Black – Specification PTWB-01R2  
with California Miscellaneous Requirements  
Paint, High-Build Waterborne Traffic Line, White, Yellow and Black – Federal Bid Specification  
Number TT-P-1952E with California Miscellaneous Requirements

**Group 3 –**

Glass Beads, State Specification 8010-004  
Glass Beads, AASHTO Designation: M 247-11 (Type 2) with California Miscellaneous Requirements

The bidder offers the following discount if all groups for **Northern California** are awarded to the bidder  
1 % (this discount will be applied to all lines at contract development).

**Southern California****Group 4 –**

Thermoplastic Traffic Striping Material, Alkyd Resin Binder – Specification PTH-02ALKYD  
Sprayable Thermoplastic Traffic Striping Material, Alkyd Resin Binder – Specification PTH-02SPRAY  
With California Miscellaneous Requirements

**Group 5 –**

Paint, Rapid Dry Waterborne Traffic Line, White, Yellow and Black – Specification PTWB-01R2  
Paint, High-Build Waterborne Traffic Line, Federal Bid Specification Number TT-P-1952E with  
California Miscellaneous Requirements

**Group 6 –**

Glass Beads, State Specification 8010-004  
Glass Beads, AASHTO Designation: M 247-11 (Type 2) with California Miscellaneous Requirements

The bidder offers the following discount if all groups for **Southern California** are awarded to the bidder  
1 % (this discount will be applied to all lines at contract development).

The award will be made to the lowest responsive and responsible bidder(s) meeting all administrative and technical requirements, terms, and conditions of this solicitation.

## State of California – DGS Procurement Division – IFB 1211-020

**LINE ITEMS:**

All products to be offered as part of the contract resulting from this solicitation shall be listed on Attachment 1 – Pricing Workbook. Bidders are required to provide the following proposed product information for each line item (in the yellow cells provided on Attachment 1):

- Item Description
- Bidder's/Supplier's Product **Stock Keeping Unit Number (SKU#)**
- Unit of Measure (UOM)
- Quantity in UOM
- UNSPSC Code
- Manufacturer's Name (OEM)
- Manufacturer's Part Number (OEM #)
- Brand or Product Name
- Catalog List Price (MSRP)
- Contract State Price (Per Unit)

Note: Please refer to the Workbook Key tab for field definitions.

At the State's option prior to award, bidders may be required to submit additional written clarifying information.

**SPECIFICATIONS:**

All products offered must conform to the attached State of California Bid Specification Numbers:

- Attachment 2 - State of California Bid Specification Number PTH-02ALKYD, Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, dated March 2009, 7 pages
- Attachment 3 - State of California Bid Specification Number PTH-02SPRAY, Sprayable Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, dated March 2009, 7 pages
- Attachment 4 - State of California Bid Specification Number 'Specification PTH-02ALKYD & PTH-02SPRAY Miscellaneous Requirements, 4 pages
- Attachment 5 - State of California Environmental Bid Specification, Thermoplastic Traffic Striping Material - IFB 1106-037-E, dated February 24, 2010, 3 pages
- Attachment 6 - State of California Specification Number PTWB-01R2, Paint, Waterborne Traffic Line, dated March 2010, 8 pages
- Attachment 7 - State of California Specification Number PTWB-01R2, Paint, Waterborne Traffic Line, Miscellaneous Requirements, dated October 2012, 4 pages
- Attachment 8 - Federal Specification Number TT-P-1952E (Type III) High Build Traffic Paint Material Requirements, dated August 2007, 13 pages
- Attachment 9 - Federal Specification Number TT-P-1952E (Type III) High Build Traffic Paint Miscellaneous Requirements, dated October 2012, 4 pages
- Attachment 10 - State of California Environmental Bid Specification Requirements, Paint, Waterborne Traffic Line, dated February 2010
- Attachment 11 - State of California Bulk Paint Container Specification, Paint, Waterborne Traffic Paint 57549E, September, 1991
- Attachment 12 - State of California Specification 810-004, Standard Glass Beads, dated December 2009, 6 pages
- Attachment 13 - Specification AASHTO M247-11 (Type 2), Glass Beads, dated August 2012, 4 pages
- Attachment 14 - State of California Miscellaneous Requirements AASHTO M247-11 (Type 2) Glass Beads, November, 2012, 4 pages
- Attachment 15 - State of California Specification 810-005, Glass Beads Totes, dated January 2006, 1 page
- Attachment 16 - State of California Drawing of 810-005 Glass Bead Totes, dated January 1998, 2 pages
- Attachment 19 - State of California Wood Pallet 3990-01A-01, January 2001, 3 pages

Bidders must indicate proposed Brand/Product Number as applicable on Attachment 1 – Pricing Workbook. At the State's option prior to award, bidders may be required to submit additional written clarifying information.

## State of California – DGS Procurement Division – IFB 1211-020

**DESCRIPTIVE LITERATURE:**

Bidders are required to submit complete descriptive literature with the bid response. Descriptive literature shall be annotated to specify the applicable page, brand, model and Contract Line Item Number (CLIN). Failure to submit literature may result in your bid being considered non-responsive. At the State's option prior to award, bidders may be required to submit additional written clarifying information.

**FACTORY AUTHORIZED DISTRIBUTOR:**

All bidders shall be the factory, or a factory authorized distributor, and offer factory or factory authorized service for the products they are offering. The bidder shall provide a Factory Authorization Letter with the bid response or within five (5) working days from receipt of notice from the State. Notice may be made by phone, fax, e-mail, or commercial overnight carrier. If required, the bidder will be given one opportunity to submit the Factory Authorization Letter. Failure to submit requested information will result in your bid being considered non-responsive.

**PRICES:**

All prices shall be noted on Attachment 1 – Pricing Workbook. Prices shall be all inclusive. Only the prices/charges submitted in the bid response shall be included in the awarded contract. No other fees can be charged to the customer.

Bidders shall submit one (1) hard copy and one (1) electronic copy (on a CD-ROM in Microsoft Excel format) of the completed Attachment 1 – Pricing Workbook with the bid response. If a discrepancy occurs between the hard copy and the electronic copy, the hard copy will take precedence. Failure to submit the Attachment 1 – Pricing Workbook with your bid response shall result in your bid being considered non-responsive.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Notice may be made by phone, fax, email, or commercial overnight carrier. Failure to submit requested information may result in your bid being considered non-responsive.

For the purposes of this solicitation only, all bid pricing shall be valid for 60 (sixty) calendar days after bid opening date. This language hereby supersedes the 45 calendar days as indicated on page 1 of the solicitation.

**PRICE ADJUSTMENTS**

All prices shall be firm fixed for the contract term, including any optional year extensions, unless a price adjustment is granted.

**A. Frequency/Guidelines:**

Price adjustments will only be acknowledged in accordance with the following guidelines:

1. Price adjustments will not be made during the first year of the contract.
2. Price adjustment requests may only be requested no more than once within a 12 month or 365 calendar day period or no less than twelve (12) months or 365 calendar day period after the latest approved price adjustment.
3. Price adjustments may only be requested on Waterborne Traffic Paint or Thermoplastic Striping Material when the cost of finished products based on the U.S. Department of Labor Product Price Index (PPI) for WPU06210301, Chemicals and Allied Products (Special purpose coatings, including marine, industrial and construction coatings) have increased no less than five (5) percent.
4. Price adjustments may only be requested on Glass Beads when the cost of the finished products based on the U.S. Department of Labor Product Price Index (PPI) for PCU327215327215, (Glass product mfg. made of purchased glass) have increased no less than five (5) percent.
5. No price increase/decrease shall apply to quantities ordered from the contract prior to the effective date of the price adjustment.
6. Accepted price adjustments shall be for a minimum period of twelve (12) months from the approved price adjustment effective date.

**B. Request Process:**

Price adjustment requests will be processed as follows:

1. Any price adjustment request must be in writing and must be received 30 calendar days prior to the adjustment date. If a Contractor fails to request a price adjustment 30 calendar days prior to the adjustment date, the price

## State of California – DGS Procurement Division – IFB 1211-020

adjustment, if accepted, will be effective 30 calendar days after the State approves the written request .

2. Price adjustments requests must include:

- a. A copy of the applicable PPI Index illustrating the relevant percent increases/decreases.
- b. An excel spreadsheet listing the proposed modifications to the contract line item(s) information. The spreadsheet should include the Contract Line Item Number (CLIN), Current State Contract Price, Percent Increase/Decrease, and Adjusted State Contract Price for each contract line item that will be adjusted.

3. Price adjustment, if granted, will be made in accordance with the percentage change for the appropriate PPI Index. The percentage difference between the PPI issued for the month of contract award, and the PPI issued for the month of the price adjustment request will determine the maximum allowable adjustment of original contract prices. No retroactive contract price adjustments will be allowed. Only final PPI data will be used to adjust contract pricing. The State reserves the right to decrease prices in the same manner as price increase adjustments. Note: PPI data issued by the Bureau of Labor Statistics may be revised for up to four months after the original release date.

4. Upon receipt of such notice, the State reserves the right to:

- a. Accept the adjustment as competitive with the general market price at that time; or
- b. Negotiate proposed price adjustments. Note: The State will notify the Contractor, in writing, its desire to negotiate. The State will have ten (10) working days to complete negotiations; or
- c. Deny adjustment request and continue with current contract prices; or
- d. Cancel the contract's unpurchased balance without prejudice, effective upon written notice from the State.

Note: If negotiations fail to produce any agreement, the State reserves the right to exercise Options 4a or 4d with an effective date no later than ten (10) working days after unsuccessful negotiation.

C. Price Adjustment Example:

Price to be adjusted: **\$1.65/box**

Adjustment period: **Annually**

Contract term: **9/1/2008 through 8/31/2010**

PPI base index (**September 2008**): **172.0**

Current PPI index base point (August 2009): **175.9**

Process:

- Subtract the PPI base index from the current PPI index:  $(175.9 - 172.0 = 3.9)$
- Divide the result by the PPI base index:  $(3.9/172.0 = .022)$
- Multiply the result by 100 to obtain percentage:  $(.022 \times 100 = 2.20\%)$
- Multiply the price to be adjusted by the % increase:  $(\$1.65 \times .022 = \$.036)$
- Add the increase from the price to be adjusted:  $(\$1.65 + \$.036 = \$1.68)$

PPI adjusted price for contract term September 1, 2009 through August 31, 2010 is \$1.68 per box.

**PRICE DECLINES:**

The contractor shall immediately notify the State Contract Administrator of all manufacturers' price declines and the State shall receive full benefit of such declines, effective on the date of manufacturer's public announcement.

**SALES TAX:**

Sales tax is not to be included in the bid response or on Attachment 1 – Pricing Worksheet. If awarded the contract, sales tax should be added at time of invoicing. The sales tax rate applied should be based on the rate of the area where the product is to be delivered. If Federal Excise Tax applies, bidder shall list the amount and submit information with bid response.

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**QUANTITIES:**

Quantities shown for each line item on Attachment 1 – Pricing Worksheet are estimated for evaluation purposes only. The estimated quantities are based upon historical purchasing for a two (2) year period. Actual purchasing may vary from this pattern. The State will not guarantee that these quantities will be purchased. Consequently, there is no

guaranteed dollar value for this contract. The State will not be obligated to purchase contractor's excess inventory if actual purchases vary from the anticipated purchasing pattern. The State reserves the right to order more or less of any line item in this solicitation.

**CONTRACTOR ORDERING INFORMATION:**

By signing and submitting this solicitation, the bidder agrees to accept orders by facsimile, e-mail or U.S. Mail. Bidders must list below business address, facsimile, and e-mail address to which orders should be sent:

Company Name: Ennis Paint, Inc.  
 Street Address: 1509 S. Kaufman  
 City, State, and Zip: Ennis, TX 75119  
 Telephone Number: ( 800 ) 331-8118 ext. 7232 or 214-874-7232 direct  
 Facsimile Number: ( 800 ) 555-0217  
 E-Mail Address: kliska@ennistraffic.com  
 Contact (if applicable): Kelley Liska

**ORDERING PROCEDURE:** State departments shall submit a complete Purchasing Authority Purchase Order (STD. 65) directly to the contractor. The Purchasing Authority Purchase Order (STD. 65) shall contain, at a minimum, the following information:

1. Agency Order Number (Purchase Order Number)
2. Agency Billing Code
3. Purchasing Authority Number
4. Leveraged Procurement Number (Contract Number)
5. Agency Name
6. Item Number
7. Quantity
8. Unit
9. Description and Contract Line Item Number (CLIN), if applicable
10. Unit Price
11. Extension Price

Local agencies may use their own purchase document. The purchase documents must include the same data elements as listed above (Exception: Purchasing Authority Number is used by State departments only).

The contractor shall not accept incomplete orders from ordering agencies.

**ORDER RECEIPT CONFIRMATION:**

The contractor must confirm receipt of the purchase order, either via e-mail or facsimile, within 48 hours of receipt. Order Receipt Confirmation to each ordering agency shall include the following information:

1. Ordering Agency Name
2. Agency Order Number (Purchase Order Number)
3. Total Cost
4. Anticipated Delivery Date

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**MINIMUM ORDER:**

**Thermoplastic Striping:** The minimum order shall be twenty (20) tons. The minimum order for local agencies is twenty two (22) tons.

**Waterborne Traffic Paint:** The minimum order shall be one pallet of four (4) fifty-five (55) gallon drums or five (5) bulk totes.

**Glass Beads:** The minimum order shall be one (1) pallet of 48 fifty pounds (50 lbs.) bags, or one (1) pallet of four drums, or one (1) palletized tote.

**FREE ON BOARD (F.O.B.) ORIGIN AND DESTINATION:**

Delivery of orders that meet or exceed the minimum order requirements shall be F.O.B. destination.

F.O.B destination is freight prepaid by the Contractor to the ordering organization's receiving point. Responsibility and liability for loss or damage for all orders shall remain with the Contractor until final inspection and acceptance, when all responsibility shall pass to the ordering organization, except the responsibility for latent defects, fraud, and the warranty obligations.

Delivery of orders of less than the required minimum shall be F.O.B. Origin (Contractor's location), with the shipping cost "Prepaid and Add" to the invoices.

**F.O.B. Origin Location(s):**

Bakersfield, CA \_\_\_\_\_

**DELIVERY:**

Delivery for orders placed against the contract resulting from this solicitation shall be in accordance with the following:

A. **Locations**

Deliveries are to be made (statewide) to the location specified on the individual purchase order, which may include, but not limited to inside buildings, high-rise office buildings, ground level yards, and receiving docks.

B. **Schedule**

Since receiving hours for each ordering agency will vary by facility, it will be the Contractor's responsibility to check with each facility for their specific delivery hours before delivery occurs. The Contractor must notify the ordering agency within 12 hours of scheduled delivery time, if delivery cannot be made within the time frame specified on the Order Confirmation.

**Delivery**

Delivery of ordered product shall be completed in full within three (3) weeks from notice of approval from the Department of Transportation's Testing Laboratory. Delivery shall be made to any Department of Transportation location or local agency city/county within California. All deliveries must be made on a flatbed trailer.

Contractor is requested to make deliveries in Los Angeles County, Orange County, San Bernardino Metropolitan Area, and San Diego Metropolitan Area during off-peak hours. Off-peak hours are Monday through Friday, 10:00 AM to 4:00 PM.

**Note:** In accordance with paragraph 15 of the General Provisions entitled "Delivery", the contractor shall strictly adhere to the delivery terms and completion schedule as specified in this solicitation. Failure to comply with the delivery requirements, as stated, may be considered a breach of contract and subject the contractor to General Provisions 26, entitled "Rights and Remedies of the State for Default".

**LATE DELIVERY CHARGES:**

Late charges will be assessed if:

1. Complete orders are not delivered within three (3) weeks from notice of approval from the Department of Transportation's Testing Laboratory.

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2. Short or partial delivered within time schedule shown on the predetermined delivery schedule.
3. Random partial shipments are not delivered within thirty (30) days after the receipt of a “**REQUEST FOR DELIVERY**” by the contractor.

It is therefore agreed by both parties, unless the delay is authorized in writing by the State, late delivery charges will be assessed. The contractor will pay late delivery charges of \$250.00 per calendar day per “request for delivery” to the Ordering Agency until such time that the product is delivered or until the date after which the delivery will not be accepted, as specified in writing by the State, whichever occurs first.

In no case, shall the total delivery charged assessed against the contractor exceed fifty (50) percent of the total value of the order in question. In the event the late delivery charges are not paid from any amount due or that may become due to the contractor, the State reserves the right to deduct the total late delivery charges from any amount due or that may become due to the contractor.

**PALLETIZATION:**

All pallets employed in the delivery of goods must comply with the State of California Wooden Pallet Specification 3990-01A-01, dated January 2001 (Attachment 19). All pallets shall be of sturdy construction and adequate condition to assure delivery of the goods without damage to the goods or safety hazards. Exchange pallets may be available; however, the State assumes no responsibility for the availability of exchange pallets. Delivery drivers shall not remove more pallets from the facility than delivering at the time of delivery.

**RECALL PROCEDURES:**

The contractor shall provide recall notification, regardless of level, in writing to the State Contract Administrator and each ordering agency through the most expedient method possible. The notices, at a minimum, shall include a complete product description and/or identification, contract number, delivery order number and disposition instructions. The contractor shall issue replacement of product or credit for any product removed or recalled. Each ordering agency shall have the option of accepting either replacement product or credit in exchange for recalled/removed products.

**INVOICING REQUIREMENTS:**

The contractor is to render invoices as instructed on individual orders. Invoices must use the contractor's invoice that includes at a minimum:

1. Contractor's name, address and telephone number
2. Leveraged Procurement Number (Contract Number)
3. Agency Order Number (Purchase Order Number)
4. Line Item Number
5. Commodity Code Number
6. Quantity purchased
7. Contract Unit Price and Extension
8. State sales and/or use tax
9. Prompt payment discounts/cash discounts, if applicable
10. Totals for each order

The State's obligation to make payment pursuant to the contract is subject to availability of appropriation funds. Receipt of a Purchasing Authority Purchase Order (STD. 65) under this contract is proof of funds for that order.

**CONTRACTOR RESPONSIBILITY:**

1. Contractor shall perform all deliveries to facilities in a safe and professional manner. Contractor's equipment shall be in good working order and all personnel shall be trained in safety measures to preclude accidents endangering personnel or property.
2. Contractor must commit to delivery as requested, at time stated on accepted orders, through the term of the contract.
3. Contractor shall provide office and personnel resources for responding to requests, including telephone coverage weekdays during the hours of 8:00 AM through 5:00 PM (PST).
4. Contractor shall assign a Contract Manager to act as a contact for all contract-related issues.

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Provide Contractor Contract Manager information below:

Contract Manager's Name: Kelley Liska  
 Street Address: 1509 S. Kaufman  
 City, State, and Zip: Ennis, TX 75119  
 Telephone Number: ( 800 ) 331-8118 ext. 7232 or 214-874-7232 direct  
 Facsimile Number: ( 800 ) 555-0217  
 E-Mail Address: kliska@ennistraffic.com

**CONTRACT USAGE REPORTING:**

The contractor shall provide an electronic Contract Usage Report to the State Contract Administrator on a monthly basis. The Contract Usage Report shall detail all invoiced purchases against the contract during the specified reporting period.

The Contract Usage Report shall be provided in the format specified in the Contract Usage Report Template (Attachment 22). The contract usage report must contain at a minimum, but not limited to, the data elements identified in this template. The Contract Usage Report shall be provided to the State Contract Administrator, in Excel format via email or via U.S. Mail on a CD-ROM, by the 15th day following the ending of the reporting period (previous calendar month).

**INCENTIVE FEE FOR SALES TO LOCAL GOVERNMENTAL AGENCIES AND REPORTING REQUIREMENTS:**

For all local government agency transactions issued against the contract resulting from this solicitation, the Contractor is required to remit the Department of General Services, Procurement Division (DGS/PD) an Incentive Fee of an amount equal to 1% of the total purchase order amount excluding taxes and freight. Local government agencies include cities, counties, special districts, California State University and University of California systems, K-12 school districts and community colleges empowered to expend public funds (California Public Contract Code Section 10298). This Incentive Fee shall not be included in the agency's purchase price, nor invoiced or charged to the purchasing entity. (All prices quoted to local governmental agency customers shall reflect State contract pricing, including any and all applicable discounts, and shall include no other add-on fees.) Payment by the Contractor shall be made to DGS/PD based on the schedule shown below irrespective of reimbursement by each participating entity.

Contractor shall submit a check payable to the State of California, Department of General Services (DGS), for an amount equal to 1 percent (0.01) of the total local government agency sales for the monthly period less freight, taxes, returned products and credits along with a business activity report described below. (Example, if the net local governmental agency sales for a month totals \$100,000.00, the incentive fee due to DGS/PD would be \$1,000.00.)

Along with each check, a Local Business Activity Report shall be submitted to the State Contract Administrator for each contract detailing the purchases by local governmental agencies with the following information:

- Local Governmental Agency Name
- Purchase Order Number
- Purchase Order Date
- Total Purchase Amount (excluding taxes and freight)
- Local Governmental Agency Contact Name
- Local Governmental Agency Address
- Local Governmental Agency Telephone Number
- Total Dollars for the Month
- Total Amount of Incentive Fee

If a Contractor holds multiple contracts, the Contractor may submit one check per month covering the DGS/PD incentive fee for the total of all local governmental agency purchases. In this case, a separate report is still required for each contract, and a list of the total local governmental agency sales for each contract must be included with the check.

Local Business Activity Reports are required each month for sales to local governmental agencies even when there is no new activity for that month. Any report that does not follow the required format or that excludes information will be deemed

## State of California – DGS Procurement Division – IFB 1211-020

incomplete. Failure to submit correct reports and checks on a timely basis shall constitute grounds for suspension of this contract. Reports and check deliveries are due for the monthly period by the 15th day of the next month in a format to be prescribed by the DGS/PD. (Note: If the due date is on a Saturday or Sunday, the due date will be the Monday following.)

Local Business Activity Reports and checks shall be submitted to the following address:

Mike Murphy, State Contract Administrator  
 Department of General Services  
 Procurement Division  
 Contracts Management Unit  
 Acquisitions and Contracts Section  
 707 Third Street, 2nd Floor  
 West Sacramento, CA 95605

Note: The Local Business Activity Report is considered separate from the Contract Usage Reporting requirement.

**RESPONSIBLE BIDDER:**

The Department of General Services may require bidder(s) to submit evidence of their qualifications at such times, and under such conditions, as it may require. The question of whether a particular bidder is a responsible bidder involves an evaluation of the bidder's experience, facilities, reputation, financial resources, and other factors existing at the time of contract award. Being placed on the State bid list, shall not preclude the State from determining that the bidder is not a responsible bidder. If determined to be not a responsible bidder, your bid will be rejected.

**CUSTOMER REFERENCES:**

Bidders shall submit three (3) customer references from different contracts using the Customer Reference Form (Attachment 21). The customer references are intended to gather information related to the bidder's experience successfully servicing accounts similar to the requirements of this solicitation.

Customers must fully complete the Customer Reference Form and return directly to the bidder. The bidders must then submit the completed Customer Reference Forms with the bid response.

Each contract reference shall:

- Be valued at \$245,000.00, at a minimum;
- Be for work performed within the last three (3) years;
- Have similar scope of work to that requested in this solicitation

The average score for each customer reference must be 3 or higher. If the average score on any reference is less than 3 the bid will be considered non-responsive. Note: Customer reference forms from any other solicitation will not be accepted. Failure to submit the completed customer references will result in your bid being considered non-responsive.

**SELLER PERMIT:**

Bidders must provide their California retailer's seller's permit or certification of registration and, if applicable, the permit or certification of all participating affiliates, issued by California's State Board of Equalization (BOE), pursuant to all requirements as set forth in Sections 6487, 7101 and Sections 6452.1, 6487.3, 18510 of the Revenue and Taxation Code, and Section 10295.1 of the Public Contract code. In order to expedite the process of verifying the validity of the permit, provide the BOE permit number in the space provided below (or attach a copy of the permit with your bid.)

**Retailer's Seller's Permit Number:** 097-534784

Note: Award will be conditional on providing seller permit information prior to award.

**DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PROGRAM REQUIREMENTS AND DVBE INCENTIVE:**

For the purposes of this solicitation, the Disabled Veteran Business Enterprises (DVBE) participation requirement has been waived.

This solicitation provides an incentive for DVBE participation. The California DVBE Bid Incentive Instructions packet (Attachment 25) includes information about the DVBE incentive.



December 12, 2012

State of California  
Department of General Services  
Procurement Division  
707 Third Street 2<sup>nd</sup> Floor  
West Sacramento, CA 95605

Re: Solicitation 1211-020

Refer to page 12 of 15

Distribution Plan:

The following is the Distribution Plan for Ennis Paint, Inc.

1. Accept and acknowledge order from California DOT
2. Ennis Paint personnel confirm raw material requirements
3. Ennis Paint will schedule production date
4. Product will be manufactured
5. Product will be tested through quality control
6. Product will be sent to Caltrans testing lab for approval
7. Once approved by Caltrans product will be released to logistics department to schedule transportation
8. Delivery to California DOT

Thank you,

Dane Alsbrook  
Assistant Vice President

## State of California – DGS Procurement Division – IFB 1211-020

**DECLARATION FORMS:**

All bidders must complete the Bidder Declaration GSPD-05-105 (Attachment 24) and include it with the bid response. When completing the declaration, bidders must identify all subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the contract.

Bidders who have been certified by California as a DVBE (or who are bidding rental equipment and have obtained the participation of subcontractors certified by California as a DVBE) must also submit a completed Disabled Veteran Business Enterprise Declaration Form STD 843 (Attachment 25). All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign the form(s). Should the form not be included with the solicitation, contact the State contracting official or obtain a copy at the following website: [www.documents.dgs.ca.gov/pd/poliproc/STD-843FillPrintFields.pdf](http://www.documents.dgs.ca.gov/pd/poliproc/STD-843FillPrintFields.pdf). The completed form should be included with the bid response.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information as specified may be grounds for bid rejection.

**SMALL BUSINESS REGULATIONS:**

The Small Business regulations, located in the California Code of Regulations (Title 2, Division 2, Chapter 3, Subchapter 8, Section 1896 et seq.), concerning the application and calculation of the small business preference, small business certification, responsibilities of small business, department certification, and appeals are revised, effective 9/09/04. The new regulations can be viewed at: <http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>. Access the regulations by clicking on the "How Do I?" on the blue tab, then clicking on "Find the DVBE or SB code and regulations? (PDF)". For those without internet access, a copy of the regulations can be obtained by calling the Office of Small Business and DVBE Services (OSDS) at (916) 375-4940.

**SMALL BUSINESS CERTIFICATION:**

Bidders claiming the small business preference must be certified by California as a small business or must commit to subcontract at least twenty-five percent (25%) of the net bid price with one or more California certified small businesses.

Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Services (OSDS) no later than 5:00 p.m. on the bid due date, and the OSDS must be able to approve the application as submitted.

Small business nonprofit veteran services agencies (SB/NVSA) claiming the small business preference must possess certification by California prior to the day and time bids are due. Questions regarding certification should be directed to the OSDS at (916) 375-4940.

**NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE:**

A five percent (5%) bid preference is available to a non-small business claiming twenty-five percent (25%) California Certified small business subcontractor participation. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

**SMALL BUSINESS NONPROFIT VETERAN SERVICES AGENCIES (SB/NVSA):**

SB/NVSA prime bidders meeting requirements specified in the Military and Veterans Code Section 999.50 et seq. and obtaining a California certification as a small business are eligible for the five percent (5%) small business preference. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

**ATTACHMENT WITH BID REQUIRED IF CLAIMING SMALL BUSINESS PREFERENCE:**

All bidders must complete and include the Bidder Declaration form GSPD-05-105. If claiming the non-small business subcontractor preference, the form must list all of the California certified small businesses with which you commit to subcontract in an amount of at least twenty-five percent (25%) of the net bid price. All certified small businesses must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837(d)(4).

**DISTRIBUTION PLAN:**

Bidders are requested to submit a Distribution Plan with their bid response. The Distribution Plan should be the bidder's written plan for distribution of the products. The plan must clearly show distribution from the manufacturer(s) to the end user(s), including all points in between specific to this resulting contract only, and the role that you as the contractor of record will play in the distribution. This plan should clearly identify all parties, including any subcontractor, Disabled

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Veteran Business Enterprises (DVBE) and/or Small Business (SB) participants, involved in the execution of this contract and their responsibilities.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested documentation may result in your bid being considered non-responsive.

**PAYEE DATA RECORD:**

Bidder(s) to be awarded this contract will be required to complete and sign a Payee Data Record (STD 204) before contract award. The Payee Data Record (STD 204) is available at: <http://www.documents.dgs.ca.gov/osp/pdf/std204.pdf>.

**TACPA/EZA/LAMBRA PREFERENCES:**

This solicitation provides for the following optional preferences:

- Target Area Contract Preference Act (TACPA)
- Enterprise Zone Act (EZA)
- Local Agency Military Base Recovery Area Act (LAMBRA)

**Note:** Bidders are not required to apply for these preferences. Denial of TACPA/EZA/LAMBRA preference requests is not a basis for rejection of the bid.

Bidders desiring to claim a TACPA, EZA, or LAMBRA preference are encouraged to carefully review the forms, requirements, and submittal instructions located at <http://www.dgs.ca.gov/pd/Programs/DisputeResolution.aspx>. Bidders must complete and submit all applicable preference program forms to be considered for a preference.

The State as part of its evaluation process reserves the right to verify, validate, and clarify all information contained in the bid. This may include, but is not limited to, information from bidders, manufacturers, subcontractors and any other sources available at the time of bid evaluation. Bidder refusal to agree to and/or comply with these terms, or failure to provide additional supporting information at the State's request may result in the denial of the preferences requested.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance with statutory, regulatory, and contractual requirements. The State will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

Any questions regarding TACPA/EZA/LAMBRA preferences should be directed to the Department of General Services, Procurement Division at (916) 375-4609.

**DARFUR CONTRACTING ACT:**

Public Contract Code Sections 10475 -10481 applies to any company that currently or within the previous three (3) years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Bidders are required to submit a completed Attachment 26– Darfur Contracting Act Certification Form if their company currently or within the previous three (3) years has had business activities or other operations outside of the United States. Bidders must submit the completed form with the bid response or within five (5) working days from receipt of notice from the State.

**Note:** Attachment 26 is not required for companies who have not, within the previous three years, had any business activities or other operations outside of the United States.

**ALTERNATIVE PROTEST PROCESS:**

This solicitation/acquisition is being conducted under the provisions of the Alternative Protest Process (Public Contract Code Section 12125, et seq.) By submitting a bid or proposal to this solicitation, the bidder consents to participation in the Alternative Protest Process, and agrees that all protests of the proposed award shall be resolved by binding arbitration pursuant to the California Code of Regulations, Title 1, Division 2, Chapter 5 (Attachment 27). The link to the regulations is: <http://www.dgs.ca.gov/oah/GeneralJurisdiction/BidProtestRegs.aspx>

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A Notice of Intent to Award for this solicitation will be publicly posted in the Procurement Division reception area and sent via facsimile to any bidder who submits a written request for notice and provided a facsimile number.

During the protest period, any participating bidder may protest the proposed award on the following grounds:

1. For major information technology acquisitions – that there was a violation of the solicitation procedure(s) and that the protesting bidder's bid should have been selected; or
2. For any other acquisition – that the protesting bidder's bid or proposal should have been selected in accordance with the selection criteria in the solicitation document.

A written Notice of Intent to Protest the proposed award of this solicitation must be received (facsimile acceptable) by the Coordinator before the close of business 5 p.m. PST/PDT on the 2<sup>nd</sup> working day after issuing the notice of intent, as specified in the solicitation. Failure to submit a timely, written Notice of Intent to Protest waives bidder's right to protest.

Bidder is to send the notice of protest to:

Alternative Protest Process Coordinator/Dispute Resolution  
 Department of General Services  
 Procurement Division  
 Purchasing Authority Management Section  
 707 Third Street, 2nd Floor South  
 West Sacramento, CA 95605  
 Fax: (916) 375-4611

Within seven (7) working days after the last day to submit a Notice of Intent to Protest, the Coordinator must receive from the protesting bidder the complete protest filing including the signed, written detailed statement of protest including exhibits, filing fee and deposit or small business certification as applicable. Untimely submission of the complete protest filing waives the bidder's right to protest.

Protest bond requirement: bond amount for this Alternative Protest Process shall be ten (10%) percent of the contract amount as specified in the solicitation. See California Code of Regulations, Title 1, Section 1418.

**RESPONSE CHECKLIST:**

A. Mandatory Documents:

The following checklist identifies the applicable items that must be completed and returned in order to be evaluated for award:

- Completed Bid Response Form GSOP S5-PIN (pages 1-15) including:
  - Signed front page \*
  - Descriptive Literature (refer to page 5 of this solicitation)
  - Factory Authorized Distributor (refer to page 5 of this solicitation)
  - Contractor Ordering Information (refer to page 7 of this solicitation)
  - Contractor Manager Information (refer to pages 9-10 of this solicitation)
  - Seller Permit Information (refer to page 11 of this solicitation)
  - Distribution Plan (refer to page 12-13 of this solicitation)
  - Payee Data Record Form STD 204 (refer to page 13 of this solicitation)
- Attachment 1 - Pricing Worksheet \* (both hard copy and electronic copy) (refer to page 5 of this solicitation)
- Attachment 17 - Post Consumer Recycled Content Certification (PCRC) Certification (refer to page 1 of the EPP Specifications (Attachments 5 & 10)
  - PC RC Percentages Worksheet
  - Letter of Certification
- Attachment 18 – Toxics in Packaging Law – Certificate of Compliance (refer to page 2 of the EPP Specifications (Attachments 5 & 10)
- Attachment 21 - Customer Reference Form \* (refer to page 11 of this solicitation)
- Attachment 24 - Bidder Declaration Form GSPD-05-105 \* (refer to pages 11-12 of this solicitation)

## State of California – DGS Procurement Division – IFB 1211-020

- Attachment 25 - Disabled Veteran Business Enterprise Declaration Form STD. 843 (refer to page 11 of this solicitation)
- Attachment 26 - Darfur Contracting Act Certification Form (refer to pages 13 of this solicitation)

\* Failure to return item with your bid response will result in your bid being considered non-responsive.

**B. Optional Documents:**

The following items must be returned with the bid response only if your intention is to claim the applicable bidder preference(s), if you are not claiming a preference under any of these "Acts", you are not obligated to fill out and/or return any of the following forms. Forms and instructions are located at:

<http://www.dgs.ca.gov/pd/Programs/DisputeResolution.aspx>.

Refer to pages 11 and 12 of this solicitation for more details.

- Target Area Contract Preference Act (TACPA), request form (Std. 830).
- Enterprise Zone Act (EZA), request form (Std. 831).
- Local Agency Military Recovery Area Act (LAMBRA), request form (Std. 832).
- Manufacturer's Summary, form (DGS/PD 525) for goods only.
- Bidder's Summary, form (DGS/PD 526) for goods and services.

**Important Note:** The State makes no warranty that the response checklist is a full and comprehensive listing of every requirement specified in the IFB. Checking off the items on the checklist does not establish your firm's intent nor does it constitute responsiveness to the requirement(s). The checklist is only a tool to assist participating bidders in compiling their final bid response. Bidders are encouraged to carefully read the entire IFB. The need to verify all documentation and responses prior to the submission of final bids cannot be over emphasized.

**STATE'S OWN BID FORM:**

Only bids quoted on the State's own bid form will be considered. Bids submitted referencing supplier attachments which include legal terms and conditions that conflict with the State's General Provisions shall be considered non-responsive and such bids shall be rejected.

**BID SUBMITTAL:**

All bids should be sent via U.S. Mail or carrier and addressed as follows:

DGS – Procurement Division  
Attn: Bid Room (**IFB 1211-020**)  
707 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, MS 201  
West Sacramento, CA 95605

**Note:** Faxed bids will be considered for this solicitation only if they are sent to (916) 375-4613. Bids sent to any other Procurement Division fax number will not be considered. Only pages of the faxed bid received prior to the bid opening time specified in the solicitation will be considered the "complete bid". Please be advised that there is a heavy demand placed on the fax machine receiving bids, and the State assumes no responsibility if a supplier cannot transmit their bid via fax, or if the entire bid is not received prior to the bid opening time.



**PRICING WORKSHEET TEMPLATE - Attachment 1**  
**Thermoplastic Striping, Northern California Districts**  
**Group 1**

DGS IFB 1211-020

**PRICING WORKSHEET**

Bidder: **Ennis Paint, Inc.**

Instructions: Refer to IFB Pricing language for completion instructions. Supplier must complete the Yellow Cells only.

Contract Line Item # (CLIN)	Reference Description	Reference Packaging	Projected Obsolescence (Two Years)	Item Description	Supplier Part Number (SKU #)	United States (UOM)	Quantity in UOM	UNSPSC Code	Manufacturer's Name (OEM)	Manufacturer's Part or Product Number (OEM#)	Brand or Product Name	Catalog List Price (MSRP)	Contract Shop Price (Per Unit)	State Extended Price
	<b>Thermoplastic Striping Material</b>	TN	60	<b>Yellow/White/Black Striping</b>	8970306-40087	TN	1	13101723	<b>Sherrill/Williams</b>	8147234	Ennis	3350.00	5423.00	72500.00
<b>Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, (Specification PTH-02ALLKYD)</b>														
TP-N1	White Extruded Alkyd Resin Binder	TN	696	White Extruded Alkyd Resin Binder	895450	TN	1	13101723	Ennis Paint, Inc.	885450	Ennis Paint	\$1,841.55	\$ 1,520.57	\$ 1,058,316.72
TP-N2	White Low Viscosity Lead-Free Yellow Extruded Alkyd Resin Binder	TN	1520	White Low Visc Alkyd Resin Binder	895440	TN	1	13101723	Ennis Paint, Inc.	885440	Ennis Paint	\$1,782.01	\$ 1,456.57	\$ 2,204,866.40
TP-N3	Lead-Free Yellow Extruded Alkyd Resin Binder	TN	550	Lead Free Yellow Extruded Alkyd Resin Bind	895452	TN	1	13101723	Ennis Paint, Inc.	885452	Ennis Paint	\$1,856.14	\$ 1,359.17	\$ 747,543.50
TP-N4	Lead-Free Yellow Low Viscosity Alkyd Resin Binder	TN	1032	Lead Free Yellow Low Visc Alkyd Resin Bind	895451	TN	1	13101723	Ennis Paint, Inc.	885451	Ennis Paint	\$1,887.01	\$ 1,384.57	\$ 1,428,876.24
<b>Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, (Specification PTH-02SPFRAY)</b>														
TP-N5	Sprayable White Alkyd Resin	TN	66	Sprayable White Alkyd Resin	884059	TN	1	13101723	Ennis Paint, Inc.	884059	Ennis Paint	\$2,007.69	\$ 1,666.77	\$ 110,006.82
TP-N6	Sprayable Lead-Free Yellow Alkyd Resin	TN	40	Sprayable Lead Free Yellow Alkyd Resin	884062	TN	1	13101723	Ennis Paint, Inc.	884062	Ennis Paint	\$1,812.01	\$ 1,494.57	\$ 58,782.80
													<b>Grand Total \$</b>	<b>5,609,392.48</b>

**PRICING WORKSHEET TEMPLATE - Attachment 1**  
**Thermoplastic Striping, Southern California Districts**  
**Group 4**

DGS IFB 1211-020

**PRICING WORKSHEET**

Bidder: Ennis Paint, Inc.

Instructions: Refer to IFB Pricing language for completion instructions. Supplier must complete the Yellow Cells only.

Contract Line Item # (CLIN)	Reference Description	Reference Packaging	Projected Quantities (Two Years)	Item Description	Supplier Part Number (SKU #)	Unit of Measure (UOM)	Quantity in UOM	UNSPSC Code	Manufacturer's Name (DEM)	Manufacturer's Part or Product Number (OEM#)	Brand or Product Name	Catalog List Price (MSRP)	Contract State Price (Per Unit)	State Extended Price
TP-S1	White Extruded Alkyd Resin Binder	TN	448	White Extruded Alkyd Resin Binder	885450	TN	1	13101723	Ennis Paint, Inc.	885450	Ennis Paint	\$1,821.84	\$ 1,503.22	\$ 770,436.12
TP-S2	White Low Viscosity Alkyd Resin Binder	TN	242	White Low Visc Alkyd Resin Binder	885440	TN	1	13101723	Ennis Paint, Inc.	885440	Ennis Paint	\$1,742.59	\$ 1,433.22	\$ 346,839.24
TP-S3	Lead-Free Yellow Extruded Alkyd Resin Binder	TN	54	Lead Free Yellow Extruded Alkyd Resin Bind	885452	TN	1	13101723	Ennis Paint, Inc.	885452	Ennis Paint	\$1,638.43	\$ 1,341.82	\$ 72,458.28
TP-S4	Lead-Free Yellow Low Viscosity Alkyd Resin Binder	TN	88	Lead Free Yellow Low Visc Alkyd Resin Bind	885451	TN	1	13101723	Ennis Paint, Inc.	885451	Ennis Paint	\$1,687.29	\$ 1,367.22	\$ 120,315.36
TP-S5	Sprayable White Alkyd Resin	TN	300	Sprayable White Alkyd Resin	894059	TN	1	13101723	Ennis Paint, Inc.	894059	Ennis Paint	\$1,897.97	\$ 1,649.42	\$ 494,828.00
TP-S6	Sprayable Lead-Free Yellow Alkyd Resin	TN	160	Sprayable Lead Free Yellow Alkyd Resin	894062	TN	1	13101723	Ennis Paint, Inc.	894062	Ennis Paint	\$1,792.29	\$ 1,477.22	\$ 238,355.20
<b>Thermoplastic Traffic Striping Material, Alkyd Resin Binder, White and Lead-Free Yellow, (Specification PTH-02PALKYD)</b>													<b>Grand Total \$</b>	
													<b>1,941,230.20</b>	

**PRICING WORKSHEET TEMPLATE - Attachment 1**  
**Traffic Paint, Northern California Districts**  
**Group 2**  
**DGS IFB 1211-020**

**PRICING WORKSHEET**

Bidder: Ennis Paint, Inc.

Instructions: Refer to PB Pricing language for completion instructions. Supplier must complete the Yellow Cells only.

Contract Line Item # (CALN)	Reference Description	Reference Packaging	Projected Quantities (Qty./Mntr)	Item Description	Supplier Part Number (SKU#)	Units of Measure (UOM)	Gallons in UOM	UNSPSC Code	Manufacturer's Name (OBM)	Manufacturer's Part or Product Number (OBM#)	Brand of Product Name (MSRP)	Contract Price per Gallon (MSRP)	Unit of Measure Price	State Extended Price
<b>Specification PTWB-01R2</b>														
WB-N7	Paint, Rapid Dry Waterborne Traffic Line - White	55 Gallon Drum	6	Rapid Dry Waterborne White	PTWB-01 White	Drum	55	31211902	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$12.85	\$10.31	\$ 567.06
WB-N8	Paint, Rapid Dry Waterborne Traffic Line - White	1 Gallon*	1	Rapid Dry Waterborne White	PTWB-01 White	Pail	1	31211902	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$14.77	\$12.00	
WB-N9	Paint, Rapid Dry Waterborne Traffic Line - White	345 Gallon Bulk Tote	345	Rapid Dry Waterborne White	PTWB-01 White	Bulk Tote	345	31211902	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$11.10	\$ 3,026.85	\$ 1,071,080.10
WB-N10	Paint, Rapid Dry Waterborne Traffic Line - Yellow	55 Gallon Drum	24	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Drum	55	31211902	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$12.15	\$ 670.20	\$ 12,804.00
WB-N11	Paint, Rapid Dry Waterborne Traffic Line - Yellow	1 Gallon*	1	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Pail	1	31211902	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$14.77	\$12.00	
WB-N12	Paint, Rapid Dry Waterborne Traffic Line - Yellow	345 Gallon Bulk Tote	345	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Bulk Tote	345	31211902	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$10.52	\$ 3,628.70	\$ 886,308.90
WB-N13	Paint, Rapid Dry Waterborne Traffic Line - Black	55 Gallon Drum	70	Rapid Dry Waterborne Black	PTWB-01 Black	Drum	55	31211902	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$11.20	\$ 607.00	\$ 34,111.00
WB-N14	Paint, Rapid Dry Waterborne Traffic Line - Black	1 Gallon*	1	Rapid Dry Waterborne Black	PTWB-01 Black	Pail	1	31211902	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$14.77	\$12.00	
WB-N15	Paint, Rapid Dry Waterborne Traffic Line - Black	345 Gallon Bulk Tote	30	Rapid Dry Waterborne Black	PTWB-01 Black	Bulk Tote	345	31211902	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$10.48	\$ 3,643.20	\$ 85,180.50
<b>Federal Specification: HP-31592E (Type III)</b>														
WB-N16	Paint, High Build Waterborne Traffic Line - White	55 Gallon Drum	4	High Build Waterborne White	985221	Drum	55	31211902	Ennis Paint, Inc.	985221	Ennis Paint	\$13.87	\$11.21	\$ 616.85
WB-N17	Paint, High Build Waterborne Traffic Line - White	1 Gallon*	1	High Build Waterborne White	985221	Pail	1	31211902	Ennis Paint, Inc.	985221	Ennis Paint	\$15.79	\$12.80	
WB-N18	Paint, High Build Waterborne Traffic Line - White	345 Gallon Bulk Tote	120	High Build Waterborne White	985221	Bulk Tote	345	31211902	Ennis Paint, Inc.	985221	Ennis Paint	\$15.12	\$ 5,236.15	\$ 405,358.00
WB-N19	Paint, High Build Waterborne Traffic Line - Yellow	55 Gallon Drum	6	High Build Waterborne Yellow	985222	Drum	55	31211902	Ennis Paint, Inc.	985222	Ennis Paint	\$13.18	\$10.80	\$ 583.00
WB-N20	Paint, High Build Waterborne Traffic Line - Yellow	1 Gallon*	1	High Build Waterborne Yellow	985222	Pail	1	31211902	Ennis Paint, Inc.	985222	Ennis Paint	\$15.79	\$12.80	
WB-N21	Paint, High Build Waterborne Traffic Line - Yellow	345 Gallon Bulk Tote	108	High Build Waterborne Yellow	985222	Bulk Tote	345	31211902	Ennis Paint, Inc.	985222	Ennis Paint	\$11.54	\$ 3,961.20	\$ 354,951.20
WB-N22	Paint, High Build Waterborne Traffic Line - Black	55 Gallon Drum	18	High Build Waterborne Black	985223	Drum	55	31211902	Ennis Paint, Inc.	985223	Ennis Paint	\$12.22	\$ 9.78	\$ 536.80
WB-N23	Paint, High Build Waterborne Traffic Line - Black	1 Gallon*	1	High Build Waterborne Black	985223	Pail	1	31211902	Ennis Paint, Inc.	985223	Ennis Paint	\$15.79	\$12.80	
WB-N24	Paint, High Build Waterborne Traffic Line - Black	345 Gallon Bulk Tote	10	High Build Waterborne Black	985223	Bulk Tote	345	31211902	Ennis Paint, Inc.	985223	Ennis Paint	\$11.51	\$ 3,913	\$ 3,148.85
<b>Containers</b>														
WB-N25	Five (5) Gallon Container	EA**	1	Five Gallon Container		EA	1		Ennis Paint, Inc.		Ennis Paint	\$4.87	\$3.29	
WB-N26	Fifty (50) Gallon Container	EA**	1	Fifty Five Gallon Container		EA	1		Ennis Paint, Inc.		Ennis Paint	\$39.78	\$33.99	
													<b>Grand Total</b>	<b>\$ 2,855,331.00</b>

\*\*Container Unit Prices for less than minimum orders (non-award factor)

**DEMURRAGE:** Ninety (90) days after delivery in bulk container. If the container is not returned, a demurrage of \$1,200 per container per day may be charged.

No demurrage for a specific tote shall apply after the date the supplier has been notified by telefax that the tote is available for pickup.

Ten (10) days before the thirty (30) day start of the demurrage charge the contractor must notify the Department of Transportation locations where the tote was delivered to before the demurrage charge can be applied.

THERE SHALL BE NO DEPOSIT FOR BULK CONTAINERS OR DRUMS.

Damage sustained by the contractor while in State possession will be compensated for by the State. Supplier to state the container replacement value per \$2,000.

If the supplier has not picked up the empty container within thirty days of notice to do so, the State may ship the container to the supplier, freight collect. No demurrage shall apply after the supplier has been notified to pick up the empty.

AN INVENTORY, LISTING EACH TOTE BY TOTE ID NUMBER, STATING DELIVERY DATE AND RETURN DATE WILL BE MAINTAINED BY THE SUPPLIER FOR EACH D.O.T. DELIVERY LOCATION.

**PRICING WORKSHEET TEMPLATE - Attachment 1**  
**Traffic Paint, Southern California Districts**  
**Group 5**  
 DGS IFB 1211-020

**PRICING WORKSHEET**

Bidder: Ennis Paint, Inc.

Instructions: Refer to IFB Pricing language for completion instructions. Supplier must complete the Yellow Cells only.

Contract Line Item # (CLM)	Reference Description	Reference Packaging	Projected Qty (Est. Qty)	Item Description	Supplier Part Number (SKU #)	Unit of Measure (UOM)	Gallons in UOM	UNSPSC Code	Manufacturer's Name (OEM)	Manufacturer's Part or Product Number (OEM #)	Brand or Product Name	Catalog List Price per gallon (MSRP)	Contract State Price (Per Gallon)	Unit of Measure Price	State Extended Price
WB-S7	Paint, Rapid Dry Waterborne Traffic Line - White	55 Gallon Drum	46	Rapid Dry Waterborne White	PTWB-01 White	Drum	55	31211502	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$11.36	\$9.00	\$	22,770.00
WB-S8	Paint, Rapid Dry Waterborne Traffic Line - White	1 Gallon*	1	Rapid Dry Waterborne White	PTWB-01 White	Pail	1	31211502	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$14.77	\$12.00	\$	
WB-S9	Paint, Rapid Dry Waterborne Traffic Line - White	345 Gallon Bulk Toke	468	Rapid Dry Waterborne White	PTWB-01 White	Bulk Toke	345	31211502	Ennis Paint, Inc.	PTWB-01 White	Ennis Paint	\$10.42	\$8.17	\$	1,257,117.90
WB-S10	Paint, Rapid Dry Waterborne Traffic Line - White	55 Gallon Drum	128	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Drum	55	31211502	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$10.81	\$8.52	\$	59,860.80
WB-S11	Paint, Rapid Dry Waterborne Traffic Line - Yellow	1 Gallon*	1	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Pail	1	31211502	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$14.77	\$12.00	\$	
WB-S12	Paint, Rapid Dry Waterborne Traffic Line - Yellow	345 Gallon Bulk Toke	333	Rapid Dry Waterborne Yellow	PTWB-01 Yellow	Bulk Toke	345	31211502	Ennis Paint, Inc.	PTWB-01 Yellow	Ennis Paint	\$10.05	\$7.85	\$	801,847.25
WB-S13	Paint, Rapid Dry Waterborne Traffic Line - Black	55 Gallon Drum	4	Rapid Dry Waterborne Black	PTWB-01 Black	Drum	55	31211502	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$10.00	\$7.80	\$	1,710.00
WB-S14	Paint, Rapid Dry Waterborne Traffic Line - Black	1 Gallon*	1	Rapid Dry Waterborne Black	PTWB-01 Black	Pail	1	31211502	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$14.77	\$12.00	\$	
WB-S15	Paint, Rapid Dry Waterborne Traffic Line - Black	345 Gallon Bulk Toke	54	Rapid Dry Waterborne Black	PTWB-01 Black	Bulk Toke	345	31211502	Ennis Paint, Inc.	PTWB-01 Black	Ennis Paint	\$10.18	\$7.86	\$	148,294.80
<b>Federal Specification TT-P-982E (Type III)</b>															
WB-S16	Paint, High Build Waterborne Traffic Line - White	55 Gallon Drum	112	High Build Waterborne White	985221	Drum	55	31211502	Ennis Paint, Inc.	985221	Ennis Paint	\$12.38	\$9.80	\$	60,864.00
WB-S17	Paint, High Build Waterborne Traffic Line - White	1 Gallon*	1	High Build Waterborne White	985221	Pail	1	31211502	Ennis Paint, Inc.	985221	Ennis Paint	\$15.79	\$12.80	\$	
WB-S18	Paint, High Build Waterborne Traffic Line - White	345 Gallon Bulk Toke	148	High Build Waterborne White	985221	Bulk Toke	345	31211502	Ennis Paint, Inc.	985221	Ennis Paint	\$11.44	\$9.07	\$	463,114.20
WB-S19	Paint, High Build Waterborne Traffic Line - Yellow	55 Gallon Drum	32	High Build Waterborne Yellow	985222	Drum	55	31211502	Ennis Paint, Inc.	985222	Ennis Paint	\$11.88	\$9.42	\$	16,579.20
WB-S20	Paint, High Build Waterborne Traffic Line - Yellow	1 Gallon*	1	High Build Waterborne Yellow	985222	Pail	1	31211502	Ennis Paint, Inc.	985222	Ennis Paint	\$15.79	\$12.80	\$	
WB-S21	Paint, High Build Waterborne Traffic Line - Yellow	345 Gallon Bulk Toke	111	High Build Waterborne Yellow	985222	Bulk Toke	345	31211502	Ennis Paint, Inc.	985222	Ennis Paint	\$11.07	\$8.75	\$	335,081.25
WB-S22	Paint, High Build Waterborne Traffic Line - Black	55 Gallon Drum	4	High Build Waterborne Black	985223	Drum	55	31211502	Ennis Paint, Inc.	985223	Ennis Paint	\$11.02	\$8.70	\$	1,914.00
WB-S23	Paint, High Build Waterborne Traffic Line - Black	1 Gallon*	1	High Build Waterborne Black	985223	Pail	1	31211502	Ennis Paint, Inc.	985223	Ennis Paint	\$15.79	\$12.80	\$	
WB-S24	Paint, High Build Waterborne Traffic Line - Black	345 Gallon Bulk Toke	18	High Build Waterborne Black	985223	Bulk Toke	345	31211502	Ennis Paint, Inc.	985223	Ennis Paint	\$11.20	\$8.86	\$	55,000.80
<b>Containers</b>															
WB-S25	55 Gallon Container	EA**	1	55 gallon container		EA	1		Ennis Paint, Inc.		Ennis Paint	\$4.87	\$3.29	\$	
WB-S26	55 Gallon Container	EA**	1	55 gallon container		EA	1		Ennis Paint, Inc.		Ennis Paint	\$38.76	\$33.89	\$	
														<b>Grand Total \$ 3,324,420.00</b>	

\*\*Container Unit Prices for less than minimum orders (not-forward factor)

**DEMURRAGE:**  
 Ninety (90) days after delivery in bulk container, if the container is not returned, a demurrage of \$1,200 per container per day may be charged.  
 No demurrage for a specific use shall apply after the date the supplier has been notified by bidfax that the tote is available for pickup.  
 Ten (10) days before the ninety (90) day start of the demurrage charge the contractor must notify the Department of Transportation location where the tote was delivered to before the demurrage charge can be applied.  
**THERE SHALL BE NO DEPOSIT FOR BULK CONTAINERS OR DRUMS.**  
 Damage sustained to the container while in State possession will be compensated for by the State. Supplier to state the container replacement value here \$2,000.  
 If the supplier has not picked up the empty container within ninety days of notice to do so, the State may ship the container to the supplier. If not taken up by the supplier, the State shall apply after the supplier has been notified to pick up the empty.  
 AN INVENTORY LISTING EACH TOTE BY TOTE ID NUMBER, STARTING DELIVERY DATE AND RETURN DATE WILL BE MAINTAINED BY THE SUPPLIER FOR EACH D.O.T. DELIVERY LOCATION.

**PRICING WORKSHEET TEMPLATE - Attachment 1**  
**Glass Beads, Northern California Districts**  
**Group 3**  
 DGS IFB 1211-020

**PRICING WORKSHEET**

Bidder: Ennis Paint, Inc.

Instructions: Refer to IFB Pricing language for completion instructions. Supplier must complete the Yellow Cells only.

Contract Line Item # (CLIN)	Reference Description	Reference Packaging	Projected Quantities (Two Years)	Item Description	Supplier Part Number (SKU #)	Unit of Measure (UOM)	Quantity in UOM	UNSPSC Code	Manufacturer's Name (OEM)	Manufacturer's Part or Product Number (OEM#)	Brand or Product Name	Catalog List Price (MSRP)	Contract State Price (Per Unit)	State Extended Price
<b>Glass Beads, State Specification 8010-004</b>														
GB-N27	Glass Beads, State Specification 8010-004	2200LB/NOTE	1150	Glass Beads, State Specification 8010-0	602136	TN	1	13101723	Potters Industries, Inc.	602136	Potters	\$ 976.13	\$ 858.00	\$ 986,700.00
GB-N28	Glass Beads, State Specification 8010-004	50LB/BAG	1*	Glass Beads, State Specification 8010-0	602133	BAG	50 LB	13101723	Potters Industries, Inc.	602133	Potters	\$ 23.59	\$ 19.50	
GB-N29	Glass Beads, State Specification 8010-004	550LB/DRUM	1*	Glass Beads, State Specification 8010-0	602135	DRUM	550 LB	13101723	Potters Industries, Inc.	602135	Potters	\$ 268.39	\$ 236.50	
<b>Glass Beads, AASHTO Designation: M 247-11 (Type 2)</b>														
GB-N30	Glass Beads, AASHTO Designation: M 247-11 (Type 2)	2200LB/NOTE	375	Glass Beads, AASHTO - M 247-11 (Type 2)	615087	TN	1	13101723	Potters Industries, Inc.	615087	Potters	\$1,076.13	\$ 846.00	\$ 354,750.00
GB-N31	Glass Beads, AASHTO Designation: M 247-11 (Type 2)	50LB/BAG	1*	Glass Beads, AASHTO - M 247-11 (Type 2)	615086	BAG	50 LB	13101723	Potters Industries, Inc.	615086	Potters	\$ 25.56	\$ 21.50	
GB-N32	Glass Beads, AASHTO Designation: M 247-11 (Type 2)	550LB/DRUM	1*	Glass Beads, AASHTO - M 247-11 (Type 2)	615088	DRUM	550 LB	13101723	Potters Industries, Inc.	615088	Potters	\$ 284.86	\$ 256.50	
													<b>Grand Total \$</b>	<b>1,343,450.00</b>

\*Price per unit for less than minimum orders (non-award factor)







PCRC Certification Workbook  
**Letter of Certification**

**Instructions:**

All Contractors shall print and sign this "Letter of Certification", certifying the minimum percentage, if not exact percentage, listed in the spreadsheet entitled "PC RC Percentages Worksheet" is the post consumer recycled content (PC RC) material in each product listed and offered in this contract. The certification shall be furnished under penalty of perjury.

Pursuant to Public Contract Code 12205(a)(1), I certify under penalty of perjury under the laws of the State of California that the information provided in the PC RC Table worksheet in the Post Consumer Recycled Content (PC RC) Percentages Workbook is true and correct.

Solicitation No.: 1211-020

Company Name: Ennis Paint, Inc.

Address: 1509 S. Kaufman - Ennis, TX 75119

Name (printed): Dane Alsabrook Title: Assistant Vice President

Signature:  Date: 12-12-12

PCRC Certification Workbook  
**REPORTABLE PRODUCT CATEGORIES TABLE**

SABRC Product Categories	CIWMB* Code No.	Product Examples	Minimum Postconsumer Content Requirement
Antifreeze	8	Recycled antifreeze, and antifreeze containing a bittering agent or made from polypropylene or other similar non-toxic substance.	70 percent postconsumer material.
Compost, Co-compost and Mulch Products	3	Soil amendments, erosion controls, soil toppings, ground covers, weed suppressants, and organic materials used for water conservation; yard trimmings and wood byproducts that are separated from the municipal solid waste stream or other source of organic materials such as biosolids or other comparable substitutes such as livestock, horse, or other animal manure, food residues or fish processing byproducts; mechanical breakdown of materials.	80 percent recovered material that would otherwise be normally disposed of in a landfill.
Glass Products	4	Windows, test tubes, beakers, laboratory or hospital supplies, fiberglass (insulation), reflective beads, tiles, construction blocks, desktop accessories, flat glass sheets, loose-grain abrasives, deburring media, liquid filter media, and containers.	10 percent postconsumer, by weight.
Lubricating Oils	5	Intended for use in a crankcase, transmission, engine, power steering, gearbox, differential chainsaw, transformer dielectric, fluid, cutting, hydraulic, industrial, or automobile, bus, truck, vessel, plane, train, heavy equipment, or machinery powered by an internal combustion engine.	70 percent re-refined base oil.
Metal	11	Staplers, paper clips, steel furniture, desks, pedestals, scissors, jacks, rebar, pipe, plumbing fixtures, chairs, ladders, file cabinets, shelving, containers, lockers, sheet metal, girders, building and construction products, bridges, braces, nails, and screws.	10 percent postconsumer material, by weight.
Paint	7	Water-based paint, graffiti abatement, interior and exterior, and maintenance.	50 percent postconsumer paint (exceptions when 50 percent postconsumer content is not available or is restricted by a local air quality management district, then 10 percent postconsumer content may be substituted).
Paper Products	1	Paper janitorial supplies, cartons, wrapping, packaging, file folders, and hanging files, building insulation and panels, corrugated boxes, tissue, and toweling.	30 percent by fiber weight postconsumer fiber.
Plastic Products	6a	Printer or duplication cartridges, diskette, carpet, office products, plastic lumber, buckets, wastebaskets, containers, benches, tables, fencing, clothing, mats, packaging, signs, posts, binders, sheet, buckets, building products, garden hose, and trays.	10 percent postconsumer, by weight.
Printer or Duplication Cartridges	6b		A. Have 10 percent postconsumer material, or B. Are purchased as remanufactured, or C. Are backed by a vendor-offered program that will take back the printer cartridge after their useful life and ensure that the cartridge is recycled and comply with the definition of recycled as set forth in section Public Contract Code 12156.
Printing and Writing Papers	2	Copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications.	30 percent by fiber weight postconsumer fiber.
Tires	9	Truck and bus tires, and those used on fleet vehicles and passenger cars.	Retreaded: Must use an existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).  50 percent recycled used tires.
Tire-Derived Products	10	Flooring, mats, wheelchair ramps, playground cover, parking bumpers, bullet traps, hoses, bumpers, truck bedliners, pads, walkways, tree ties, road surfacing, wheel chocks, rollers, traffic control products, mudflaps, and posts.	

\* CIWMB - California Integrated Waste Management Board

Solicitation 1106-037  
 Attachment #14

Rev 10/05/09  
 PCRC Workbook

IFB 1211-020

**ATTACHMENT #18**  
Certificate of Compliance

**Reduction of Toxics in Packaging Law**  
**CERTIFICATE OF COMPLIANCE**

Suppliers are required to check Option 1 or Option 2 below in order to be considered compliant to this requirement.

**OPTION 1 – Compliance**

We hereby certify that all packaging and packaging components sold to the State of California are in compliance with toxics in packaging law(s).

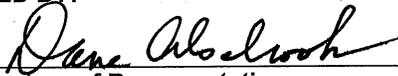
**OPTION 2 – Exemption**

Certain packages or packaging components produced by \_\_\_\_\_ [Company Name] are exempt from this law for the following reason(s): [Check all that apply]

- Package and/or packaging components were made or delivered before the effective date of the statute prohibition.
- Package and/or packaging component contains regulated metals in order to comply with federal health and safety requirements (requires state approval).
- Package and/or packaging component is made from post-consumer recycled material.
- Package and/or packaging component contains regulated metals because there is no feasible alternative (requires state approval).
- Package and/or packaging component are reused, regulated under federal and/or state health or safety requirements, transportation of the packaged product is regulated under federal and/or state transportation requirements, and the disposal of the package is in accordance with federal and/or state radioactive or hazardous waste disposal requirements.
- Package and/or packaging component have controlled distribution and are reused (requires state approval).
- Package and/or packaging component is glass or ceramic with a vitrified label and does not exceed 1.0 ppm for cadmium, 5.0 ppm for hexavalent chromium, and 5.0 ppm for lead when sample is prepared and tested as specified by law. Mercury is not exempted by this provision.

*[Provide packaging information. If more than one exemption applies, please specify which exemption applies to which package(s) or packaging component(s). Provide additional sheets as necessary.]*

**CERTIFIED BY:**

  
\_\_\_\_\_  
**Signature of Representative**

12-12-12  
\_\_\_\_\_  
**Date**

Dane Alsbrook - Assistant Vice President  
\_\_\_\_\_  
**Typed Name & Title of Representative**

Ennis Paint, Inc.  
\_\_\_\_\_  
**Typed Name of Company**

By signing this certification, the supplier hereby agrees to maintain adequate documentation of this certification for inspection upon request.

**CUSTOMER REFERENCE FORM**

Bidders must submit 3 completed Customer Reference Forms with the IFB 1211-020 submittal as described in IFB 1211-020. Refer to requirement for detailed instructions.

<b>Contractor's (Bidder) Name:</b>	Ernis Paint, Inc.
<b>Agency Name (Bidder's Customer):</b>	State of Washington Dept. of Enterprise Services
<b>Contract Number:</b>	07609-Waterborne Traffic Marking Paint
<b>Contract Duration:</b>	1/27/10 - 1/26/17
<b>Dollar Amount of Contract:</b>	\$3 million
<b>Products/Services Provided:</b>	Waterborne Traffic Marking Paint
<b>Customer (Bidder's Customer) Contact Name and Title:</b>	Melanie Williams, Contracts Specialist
<b>Customer Phone Number:</b>	360. 407. 9399
<b>Customer Fax Number:</b>	360. 586. 2426
<b>Customer E Mail Address:</b>	melanie.williams@des.wa.gov

**Ratings:** Please summarize contractor performance and circle in the column on the right the number which best corresponds to the performance rating for each question. If the score is either 1 or 5, please kindly provide an explanation.

Please follow the rating guidelines below for description of rating scale:

<b>Rating Guidelines and Description of Rating Scale:</b>	
<b>Exceptional (5)</b>	Best-in-class performance. Performance met all contract requirements and exceeded several to the customer's benefit. No issues were encountered.
<b>Very Good (4)</b>	Performance met all contract requirements and exceeded some to the customer's benefit. There were a few minor issues, which were negligible.
<b>Satisfactory (3)</b>	Performance met contract requirements. There were some minor issues, and corrective actions taken by the contractor were acceptable.
<b>Marginal (2)</b>	Performance did not meet the contractual requirements. There were issues, some of a serious nature, for which corrective action was only somewhat effective.
<b>Unsatisfactory (1)</b>	Performance did not meet contractual requirements. There were serious issues and the contractor's corrective actions were ineffective.

**CUSTOMER REFERENCE FORM**

Factors Rated:	Questions	Comments <i>(continue on additional sheets if desired)</i> Mandatory if score is either 1 or 5	Rating
Timeliness	1. How would you rate the contractor's geographic coverage and ability to deliver on time throughout all your locations?	Ennis fulfills needs for the entire state.	① ② ③ ④ <input checked="" type="checkbox"/>
	2. How would you rate the contractor's product availability and fill rate?	No negative feedback on this vendor.	① ② ③ ④ <input checked="" type="checkbox"/>
	3. How would you rate the contractor's turnaround time when contacted to provide on-site assistance?		① ② ③ ④ <input checked="" type="checkbox"/>
Contract Management	4. How would you rate the experience of the contractor in managing large accounts?	Ennis services the entire state.	① ② ③ ④ <input checked="" type="checkbox"/>
	5. How would you rate the service provided by the contractor's assigned Contract Administrator and/or Project Manager?	No negative feedback.	① ② ③ ④ <input checked="" type="checkbox"/>
Quality	6. How would you rate the quality of the contractor's value-added services (i.e. installation, assembly, design and CAD input services)?	No additional services.	① ② ③ ④ <input checked="" type="checkbox"/>
	7. How would you rate the performance of contractor's products compared to that of its competitors?	Meets all quality requirements.	① ② ③ ④ <input checked="" type="checkbox"/>
Ordering	8. How would you rate the contractor's ordering system?	No negative feedback.	① ② ③ ④ <input checked="" type="checkbox"/>
Reporting	9. How would you rate the contractor's ability to provide reports in an accurate and timely manner?	Current on all required reporting	① ② ③ ④ <input checked="" type="checkbox"/>
Customer Satisfaction	10. How would you rate your level of overall satisfaction with the contractor?	Vendor is meeting all obligations w/ full customer satisfaction	① ② ③ ④ <input checked="" type="checkbox"/>

Rater's Signature: Melanie Williams

Date: 12/10/12

**CUSTOMER REFERENCE FORM**

Bidders must submit 3 completed Customer Reference Forms with the IFB 1211-020 submittal as described in IFB 1211-020. Refer to requirement for detailed instructions.

<b>Contractor's (Bidder) Name:</b>	<i>Ennrs Paint, Inc.</i>
<b>Agency Name (Bidder's Customer):</b>	<i>Arkansas Highway &amp; Transportation Department</i>
<b>Contract Number:</b>	<i>H-12-070P (Waterborne Traffic Marking Paint)</i>
<b>Contract Duration:</b>	<i>4/1/2012 thru 9/30/2012</i>
<b>Dollar Amount of Contract:</b>	<i>Variable</i>
<b>Products/Services Provided:</b>	<i>Supply contract for traffic paint</i>
<b>Customer (Bidder's Customer) Contact Name and Title:</b>	<i>Tony Sullivan, State Maintenance Engineer</i>
<b>Customer Phone Number:</b>	<i>501-569-2231</i>
<b>Customer Fax Number:</b>	<i>501-569-2014</i>
<b>Customer E Mail Address:</b>	<i>tony.sullivan@ahtd.ar.gov</i>

**Ratings:** Please summarize contractor performance and circle in the column on the right the number which best corresponds to the performance rating for each question. If the score is either 1 or 5, please kindly provide an explanation.

Please follow the rating guidelines below for description of rating scale:

<b>Rating Guidelines and Description of Rating Scale:</b>	
<b>Exceptional (5)</b>	Best-in-class performance. Performance met all contract requirements and exceeded several to the customer's benefit. No issues were encountered.
<b>Very Good (4)</b>	Performance met all contract requirements and exceeded some to the customer's benefit. There were a few minor issues, which were negligible.
<b>Satisfactory (3)</b>	Performance met contract requirements. There were some minor issues, and corrective actions taken by the contractor were acceptable.
<b>Marginal (2)</b>	Performance did not meet the contractual requirements. There were issues, some of a serious nature, for which corrective action was only somewhat effective.
<b>Unsatisfactory (1)</b>	Performance did not meet contractual requirements. There were serious issues and the contractor's corrective actions were ineffective.

**CUSTOMER REFERENCE FORM**

Factors Rated	Questions	Comments <i>(continue on additional sheets if desired)</i> Mandatory if score is either 1 or 5	Rating
Timeliness	1. How would you rate the contractor's geographic coverage and ability to deliver on time throughout all your locations?		① ② ③ ④ <del>⑤</del>
	2. How would you rate the contractor's product availability and fill rate?		① ② ③ ④ <del>⑤</del>
	3. How would you rate the contractor's turnaround time when contacted to provide on-site assistance?		① ② ③ ④ <del>⑤</del>
Contract Management	4. How would you rate the experience of the contractor in managing large accounts?		① ② ③ ④ <del>⑤</del>
	5. How would you rate the service provided by the contractor's assigned Contract Administrator and/or Project Manager?		① ② ③ ④ <del>⑤</del>
Quality	6. How would you rate the quality of the contractor's value-added services (i.e. installation, assembly, design and CAD input services)?		① ② ③ ④ <del>⑤</del>
	7. How would you rate the performance of contractor's products compared to that of its competitors?		① ② ③ <del>④</del> ⑤
Ordering	8. How would you rate the contractor's ordering system?		① ② ③ ④ <del>⑤</del>
Reporting	9. How would you rate the contractor's ability to provide reports in an accurate and timely manner?		① ② ③ ④ <del>⑤</del>
Customer Satisfaction	10. How would you rate your level of overall satisfaction with the contractor?		① ② ③ ④ <del>⑤</del>

Rater's Signature: *Jerry Sullivan*

Date: 12/10/12

### CUSTOMER REFERENCE FORM

Bidders must submit 3 completed Customer Reference Forms with the IFB 1211-020 submittal as described in IFB 1211-020. Refer to requirement for detailed instructions.

Contractor's (Bidder) Name:	NEVADA Dept of TRANS.
Agency Name (Bidder's Customer):	N. D. O. T.
Contract Number:	8069
Contract Duration:	11-01-12 - 10-31-13
Dollar Amount of Contract:	
Products/Services Provided:	yellow-white traffic paint supplied and delivered for Northeastern Nevada
Customer (Bidder's Customer) Contact Name and Title:	D. S. BROWN Highway Maint. Sup. II
Customer Phone Number:	(775) 777-2717
Customer Fax Number:	(775) 777-2705
Customer E Mail Address:	dbrown@dot.state.nv.us

**Ratings:** Please summarize contractor performance and circle in the column on the right the number which best corresponds to the performance rating for each question. If the score is either 1 or 5, please kindly provide an explanation.

Please follow the rating guidelines below for description of rating scale:

Rating Guidelines and Description of Rating Scale:	
<b>Exceptional</b> (5)	Best-in-class performance. Performance met all contract requirements and exceeded several to the customer's benefit. No issues were encountered.
<b>Very Good</b> (4)	Performance met all contract requirements and exceeded some to the customer's benefit. There were a few minor issues, which were negligible.
<b>Satisfactory</b> (3)	Performance met contract requirements. There were some minor issues, and corrective actions taken by the contractor were acceptable.
<b>Marginal</b> (2)	Performance did not meet the contractual requirements. There were issues, some of a serious nature, for which corrective action was only somewhat effective.
<b>Unsatisfactory</b> (1)	Performance did not meet contractual requirements. There were serious issues and the contractor's corrective actions were ineffective.

**CUSTOMER REFERENCE FORM**

Factors Rated	Questions	Comments <i>(continue on additional sheets if desired) Mandatory if score is either 1 or 5</i>	Rating
Timeliness	1. How would you rate the contractor's geographic coverage and ability to deliver on time throughout all your locations?		① ② ③ ④ ●
	2. How would you rate the contractor's product availability and fill rate?		① ② ③ ④ ●
	3. How would you rate the contractor's turnaround time when contacted to provide on-site assistance?	<i>Need to pick up empty totes more timely.</i>	① ② ● ④ ⑤
Contract Management	4. How would you rate the experience of the contractor in managing large accounts?		① ② ③ ④ ●
	5. How would you rate the service provided by the contractor's assigned Contract Administrator and/or Project Manager?		① ② ③ ④ ●
Quality	6. How would you rate the quality of the contractor's value-added services (i.e. installation, assembly, design and CAD input services)?		① ② ③ ④ ●
	7. How would you rate the performance of contractor's products compared to that of its competitors?	<i>CAN NOT FAIRLY RATE HAVE ONLY USED PERVO + ENDS FOR 20 YEARS</i>	① ② ③ ④ ⑤
Ordering	8. How would you rate the contractor's ordering system?		① ② ③ ④ ●
Reporting	9. How would you rate the contractor's ability to provide reports in an accurate and timely manner?	<i>I do not deal with reports</i>	① ② ③ ④ ⑤
Customer Satisfaction	10. How would you rate your level of overall satisfaction with the contractor?		① ② ③ ● ⑤

Rater's Signature: *D. S. Brown* *HMS 11*

Date: *12-10-12*

**BIDDER DECLARATION**

1. Prime bidder information (Review attached Bidder Declaration Instructions prior to completion of this form):

- a. Identify current California certification(s) (MB, SB, NVSA, DVBE): \_\_\_\_\_ or None  (If "None," go to Item #2)
- b. Will subcontractors be used for this contract? Yes  No  (If yes, indicate the distinct element of work your firm will perform in this contract e.g., list the proposed products produced by your firm, state if your firm owns the transportation vehicles that will deliver the products to the State, identify which solicited services your firm will perform, etc.). Use additional sheets, as necessary.

- c. If you are a California certified DVBE: (1) Are you a broker or agent? Yes  No   
 (2) If the contract includes equipment rental, does your company own at least 51% of the equipment provided in this contract (quantity and value)? Yes  No  N/A

2. If no subcontractors will be used, skip to certification below. Otherwise, list all subcontractors for this contract. (Attach additional pages if necessary):

Subcontractor Name, Contact Person, Phone Number & Fax Number	Subcontractor Address & Email Address	CA Certification (MB, SB, NVSA, DVBE or None)	Work performed or goods provided for this contract	Corresponding % of bid price	Good Standing?	51% Rental?

**CERTIFICATION: By signing the bid response, I certify under penalty of perjury that the information provided is true and correct.**

## BIDDER DECLARATION Instructions

### All prime bidders (the firm submitting the bid) must complete the Bidder Declaration.

**1.a.** Identify all current certifications issued by the State of California. If the prime bidder has no California certification(s), check the line labeled "None" and proceed to Item #2. If the prime bidder possesses one or more of the following certifications, enter the applicable certification(s) on the line:

- Microbusiness (MB)
- Small Business (SB)
- Nonprofit Veteran Service Agency (NVSA)
- Disabled Veteran Business Enterprise (DVBE)

**1.b.** Mark either "Yes" or "No" to identify whether subcontractors will be used for the contract. If the response is "No," proceed to Item #1.c. If "Yes," enter on the line the distinct element of work contained in the contract to be performed or the goods to be provided by the prime bidder. Do not include goods or services to be provided by subcontractors.

Bidders certified as MB, SB, NVSA, and/or DVBE must provide a commercially useful function as defined in Military and Veterans Code Section 999 for DVBEs and Government Code Section 14837(d)(4)(A) for small/microbusinesses.

Bids must propose that certified bidders provide a commercially useful function for the resulting contract or the bid will be deemed non-responsive and rejected by the State. For questions regarding the solicitation, contact the procurement official identified in the solicitation.

**Note: A subcontractor is any person, firm, corporation, or organization contracting to perform part of the prime's contract.**

**1.c.** This item is only to be completed by businesses certified by California as a DVBE.

(1) Declare whether the prime bidder is a broker or agent by marking either "Yes" or "No." The Military and Veterans Code Section 999.2 (b) defines "broker" or "agent" as a certified DVBE contractor or subcontractor that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided to an awarding department, unless one or more of the disabled veteran owners has at least 51-percent ownership of the quantity and value of the materials, supplies, services, and of each piece of equipment provided under the contract.

(2) If bidding rental equipment, mark either "Yes" or "No" to identify if the prime bidder owns at least 51% of the equipment provided (quantity and value). If **not** bidding rental equipment, mark "N/A" for "not applicable."

**2.** If no subcontractors are proposed, do not complete the table. Read the certification at the bottom of the form and complete "Page \_\_\_ of \_\_\_" on the form.

If subcontractors will be used, complete the table listing all subcontractors. If necessary, attach additional pages and complete the "Page \_\_\_ of \_\_\_" accordingly.

### 2. (continued) Column Labels

**Subcontractor Name, Contact Person, Phone Number & Fax Number**—List each element for all subcontractors.

**Subcontractor Address & Email Address**—Enter the address and if available, an Email address.

**CA Certification (MB, SB, NVSA, DVBE or None)**—If the subcontractor possesses a current State of California certification(s), verify on this website ([www.eprocure.pd.dgs.ca.gov](http://www.eprocure.pd.dgs.ca.gov)).

**Work performed or goods provided for this contract**—Identify the distinct element of work contained in the contract to be performed or the goods to be provided by each subcontractor. Certified subcontractors must provide a commercially useful function for the contract. (See paragraph 1.b above for code citations regarding the definition of commercially useful function.) If a certified subcontractor is further subcontracting a greater portion of the work or goods provided for the resulting contract than would be expected by normal industry practices, attach a separate sheet of paper explaining the situation.

**Corresponding % of bid price**—Enter the corresponding percentage of the total bid price for the goods and/or services to be provided by each subcontractor. Do not enter a dollar amount.

**Good Standing?**—Provide a response for each subcontractor listed. Enter either "Yes" or "No" to indicate that the prime bidder has verified that the subcontractor(s) is in good standing for all of the following:

- Possesses valid license(s) for any license(s) or permits required by the solicitation or by law
- If a corporation, the company is qualified to do business in California and designated by the State of California Secretary of State to be in good standing
- Possesses valid State of California certification(s) if claiming MB, SB, NVSA, and/or DVBE status

**51% Rental?**—This pertains to the applicability of rental equipment. Based on the following parameters, enter either "N/A" (not applicable), "Yes" or "No" for each subcontractor listed.

Enter "N/A" if the:

- Subcontractor is NOT a DVBE (regardless of whether or not rental equipment is provided by the subcontractor) or
- Subcontractor is NOT providing rental equipment (regardless of whether or not subcontractor is a DVBE)

Enter "**Yes**" if the subcontractor is a California certified DVBE providing rental equipment and the subcontractor owns at least 51% of the rental equipment (quantity and value) it will be providing for the contract.

Enter "**No**" if the subcontractor is a California certified DVBE providing rental equipment but the subcontractor does NOT own at least 51% of the rental equipment (quantity and value) it will be providing.

**Read the certification at the bottom of the page and complete the "Page \_\_\_ of \_\_\_" accordingly.**

**DISABLED VETERAN BUSINESS ENTERPRISE DECLARATIONS**

STD. 843 (Rev. 5/2006)

**Instructions:** The disabled veteran (DV) owner(s) and DV manager(s) of the Disabled Veteran Business Enterprise (DVBE) must complete this declaration when a DVBE contractor or subcontractor will provide materials, supplies, services or equipment [Military and Veterans Code Section 999.2]. Violations are misdemeanors and punishable by imprisonment or fine and violators are liable for civil penalties. All signatures are made under penalty of perjury.

**SECTION 1**

Name of certified DVBE: \_\_\_\_\_ DVBE Ref. Number: \_\_\_\_\_

Description (materials/supplies/services/equipment proposed): \_\_\_\_\_

Solicitation/Contract Number: \_\_\_\_\_ SCPRS Ref. Number: \_\_\_\_\_  
(FOR STATE USE ONLY)

**SECTION 2**

**APPLIES TO ALL DVBEs. Check only one box in Section 2 and provide original signatures.**

- I (we) declare that the DVBE is not a broker or agent, as defined in Military and Veterans Code Section 999.2 (b), of materials, supplies, services or equipment listed above. Also, complete Section 3 below if renting equipment.
- Pursuant to Military and Veterans Code Section 999.2 (f), I (we) declare that the DVBE is a broker or agent for the principal(s) listed below or on an attached sheet(s). (Pursuant to Military and Veterans Code 999.2 (e), State funds expended for equipment rented from equipment brokers pursuant to contracts awarded under this section shall not be credited toward the 3-percent DVBE participation goal.)

All DV owners and managers of the DVBE (attach additional pages with sufficient signature blocks for each person to sign):

\_\_\_\_\_  
(Printed Name of DV Owner/Manager) (Signature of DV Owner/ Manager) (Date Signed)

\_\_\_\_\_  
(Printed Name of DV Owner/Manager) (Signature of DV Owner/Manager) (Date Signed)

Firm/Principal for whom the DVBE is acting as a broker or agent: \_\_\_\_\_  
(If more than one firm, list on extra sheets.) (Print or Type Name)

Firm/Principal Phone: \_\_\_\_\_ Address: \_\_\_\_\_

**SECTION 3**

**APPLIES TO ALL DVBEs THAT RENT EQUIPMENT AND DECLARE THE DVBE IS NOT A BROKER.**

- Pursuant to Military and Veterans Code Section 999.2 (c), (d) and (g), I am (we are) the DV(s) with at least 51% ownership of the DVBE, or a DV manager(s) of the DVBE. The DVBE maintains certification requirements in accordance with Military and Veterans Code Section 999 et. seq.
- The undersigned owner(s) own(s) at least 51% of the quantity and value of each piece of equipment that will be rented for use in the contract identified above. I (we), the DV owners of the equipment, have submitted to the administering agency my (our) personal federal tax return(s) at time of certification and annually thereafter as defined in *Military and Veterans Code 999.2*, subsections (c) and (g). *Failure by the disabled veteran equipment owner(s) to submit their personal federal tax return(s) to the administering agency as defined in Military and Veterans Code 999.2, subsections (c) and (g), will result in the DVBE being deemed an equipment broker.*

Disabled Veteran Owner(s) of the DVBE (attach additional pages with signature blocks for each person to sign):

\_\_\_\_\_  
(Printed Name) (Signature) (Date Signed)

\_\_\_\_\_  
(Address of Owner) (Telephone) (Tax Identification Number of Owner)

Disabled Veteran Manager(s) of the DVBE (attach additional pages with sufficient signature blocks for each person to sign):

\_\_\_\_\_  
(Printed Name of DV Manager) (Signature of DV Manager) (Date Signed)



### DARFUR CONTRACTING ACT CERTIFICATION

Public Contract Code Sections 10475 -10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal.

If your company has not, within the previous three years, had any business activities or other operations outside of the United States, you do **not** need to complete this form.

**OPTION #1 - CERTIFICATION**

If your company, within the previous three years, has had business activities or other operations outside of the United States, in order to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete the certification below.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below is **not** a scrutinized company per Public Contract Code 10476; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

<i>Company/Vendor Name (Printed)</i> Ennis Paint, Inc.		<i>Federal ID Number</i> 75-2657523
<i>By (Authorized Signature)</i> 		
<i>Printed Name and Title of Person Signing</i> Dane Alsbrook - Assistant Vice President		
<i>Date Executed</i> 12-12-12	<i>Executed in the County and State of</i> Ellis County, Texas	

**OPTION #2 – WRITTEN PERMISSION FROM DGS**

Pursuant to Public Contract Code Section 10477(b), the Director of the Department of General Services may permit a scrutinized company, on a case-by-case basis, to bid on or submit a proposal for a contract with a state agency for goods or services, if it is in the best interests of the state. If you are a scrutinized company that has obtained written permission from the DGS to submit a bid or proposal, complete the information below.

We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>Initials of Submitter</i>	
<i>Printed Name and Title of Person Initialing</i>	

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES – PROCUREMENT DIVISION**Invitation For Bid**

<b>DUE DATE</b> <b>12/21/2012</b>		<b>Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date</b>					
<b>SUPPLIER NAME AND ADDRESS</b>  Ennis Paint, Inc. 1509 S. Kaufman Ennis, TX 75119  <b>SUPPLIER CONTACT:</b> Dane Alsbrook <b>PHONE:</b> 800-331-8118		<b>SOLICITATION NO. REV.</b> <b>IFB 1211-020</b>		<b>DATE</b> <b>11/30/12</b>	<b>DELIVERY DATE</b> As Specified	<b>PAGE</b> 1 of 1	
		<b>PURCHASE EST. NO. REV.</b> <b>N/A</b>		<b>AGENCY BILLING CODE</b> <b>N/A</b>	<b>AGENCY PURCHASE EST NO.</b> <b>N/A</b>		
		<b>F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE</b>  <u>0</u> % CASH DISCOUNT FOR PAYMENT WITHIN <u>30</u> DAYS			<b>SHIP TO:</b>  <b>As Specified</b>		<b>ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> <b>IF YES, MANUFACTURER?</b> YES <input type="checkbox"/> NO <input type="checkbox"/> <b>ARE YOU A NON-SMALL BUSINESS CLAIMING AT LEAST 25% SMALL BUSINESS SUBCONTRACTOR PREFERENCE?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
		<b>SEE REQUIRED PAYMENT DATE OF THE GENERAL PROVISIONS PARAGRAPH 30.</b>					
<b>NAME (PRINT)</b> Dane Alsbrook		<b>FOR FURTHER INFORMATION, CONTACT:</b> <b>BUYER: Mike Murphy</b> <b>PHONE: (916) 375-5918</b> <b>EMAIL: mike.murphy@dgs.ca.gov</b>					
<b>TITLE</b> Assistant Vice President				<b>12-12-12</b>		<b>SECTION 14835 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE REQUIRES THAT A 5% PREFERENCE BE GIVEN TO BIDDERS WHO QUALIFY AS A SMALL BUSINESS OR BIDDERS WHO QUALIFY AS A NON-SMALL BUSINESS CLAIMING AT LEAST 25% CALIFORNIA CERTIFIED SMALL BUSINESS PARTICIPATION. FOR REQUIREMENTS SEE TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 1896, ET SEQ. THE REQUIREMENTS FOR NONPROFIT VETERAN SERVICE AGENCIES QUALIFYING AS A SMALL BUSINESS ARE CONTAINED IN SECTION 999.50 ET SEQ. OF THE MILITARY AND VETERANS CODE.</b>	
<b>SIGNATURE</b> 				<b>DATE</b>			
<b>TELEPHONE NUMBER</b> 800-331-8118		<b>FAX NUMBER</b> 800-555-0217					
<b>FEDERAL EMPLOYER IDENTIFICATION NUMBER</b> 75-265-7523							
		<b>RETURN TO:</b> <b>DGS/PROCUREMENT DIVISION</b> <b>Attn: Bid Room (IFB 1211-020)</b> <b>707 3rd Street, 2nd Floor</b> <b>West Sacramento, CA 95605</b>					
Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions. <b>DECLARATIONS UNDER PENALTY OF PERJURY:</b> By signing above, with inclusion of the date of signature, the above signed bidder <b>DECLARES UNDER PENALTY OF PERJURY</b> under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) the National Labor Relations Board declaration set forth in Paragraph 48 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.							

**ADDENDUM #1**  
December 6, 2012**Subject solicitation for THERMOPLASTIC TRAFFIC STRIPING MATERIAL, PAINT, RAPID DRY/HIGH BUILD WATERBORNE and GLASS SPHERES (BEADS) is hereby modified to reflect the following changes:**

- A. Attachment 7, Section 2, lists requirements for the 350-gallon bulk container for Waterborne Traffic Paint. Attachment 11 provides drawings and dimensions for the bulk container. An alternative 350-gallon bulk container may be provided. Please see Attachment 28 for specifications.

If bidders choose to provide the alternative 350-gallon bulk container, drawings and specification documentation of the container must be included with the bid response to ensure compliance. Bidders will provide one type of bulk container for the term of the contract.

All other technical, administrative and regulatory requirements regarding waterborne paint packaging listed in Attachment 7, Section 2 shall remain the same.

All other terms and conditions of this solicitation remain the same.

\*\*\*\*

**Alternative Bulk Container Specifications:**

- o Container will be standard 350 gallon stainless steel
- o Heavy Duty Series, 10 gauge construction on bottom and top 10 gauge body
- o UN/DOT 31 A Complaint
- o 42" x 48" base, 51" overall height
- o 475 lbs tare weight (empty)
- o 22" top manway lid with 3" fusible vent/fill cap installed in center
- o 2" reverse handle ballvalve, 316 alloy stainless steel with handle lock
- o 5 – 1/2" floor protective legs with leg caps
- o 4 heavy duty lifting lugs, one side tear drop, one side hole, offset, 1/4" thick material, lift tested
- o Bottom discharge with sloped bottom
- o Full length "C" channel valve guard
- o 2" bung fitting in tank top
- o Decals: "Do Not Pressurize This Tank"  
"No Forks This Side"  
"Valve Operation Decal"
- o Vendor shall provide a "Fork Here" sticker on the tote over each fork channel on the cradle.
- o Material Weight Ratings 1.6 – 2.0 specific gravity

\*If bidders choose to provide the alternative 350-gallon bulk container for waterborne paint, drawings and specification documentation of the container must be included with the bid response to ensure compliance.

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES – PROCUREMENT DIVISION



**Invitation For Bid**

<b>DUE DATE</b> 12/21/2012		Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date					
<b>SUPPLIER NAME AND ADDRESS</b> Ennis Paint, Inc. 1509 S. Kaufman Ennis, TX 75119  <b>SUPPLIER CONTACT: Dane Alsbrook</b> <b>PHONE: 800-555-0217</b>		<b>SOLICITATION NO. REV.</b> IFB 1211-020		<b>DATE</b> 11/30/12	<b>DELIVERY DATE</b> As Specified	<b>PAGE</b> 1 of 1	
		<b>PURCHASE EST. NO. REV.</b> N/A		<b>AGENCY BILLING CODE</b> N/A	<b>AGENCY PURCHASE EST NO.</b> N/A		
		F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE		<b>SHIP TO:</b>  <b>As Specified</b>		ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES, MANUFACTURER? YES <input type="checkbox"/> NO <input type="checkbox"/> ARE YOU A NON-SMALL BUSINESS CLAIMING AT LEAST 25% SMALL BUSINESS SUBCONTRACTOR PREFERENCE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		0 % CASH DISCOUNT FOR PAYMENT WITHIN 30 DAYS  SEE REQUIRED PAYMENT DATE OF THE GENERAL PROVISIONS PARAGRAPH 30.					
<b>NAME (PRINT)</b> Dane Alsbrook		<b>FOR FURTHER INFORMATION, CONTACT:</b> <b>BUYER: Mike Murphy</b> <b>PHONE: (916) 375-5918</b> <b>EMAIL: mike.murphy@dgs.ca.gov</b>					
<b>TITLE</b> Assistant Vice President		12-12-12		SECTION 14835 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE REQUIRES THAT A 5% PREFERENCE BE GIVEN TO BIDDERS WHO QUALIFY AS A SMALL BUSINESS OR BIDDERS WHO QUALIFY AS A NON-SMALL BUSINESS CLAIMING AT LEAST 25% CALIFORNIA CERTIFIED SMALL BUSINESS PARTICIPATION. FOR REQUIREMENTS SEE TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 1896, ET SEQ. THE REQUIREMENTS FOR NONPROFIT VETERAN SERVICE AGENCIES QUALIFYING AS A SMALL BUSINESS ARE CONTAINED IN SECTION 999.50 ET SEQ. OF THE MILITARY AND VETERANS CODE.			
<b>SIGNATURE</b> <i>Dane Alsbrook</i>		<b>DATE</b>					
<b>TELEPHONE NUMBER</b> 800-331-8118		<b>FAX NUMBER</b> 800-555-0217					
<b>FEDERAL EMPLOYER IDENTIFICATION NUMBER</b> 75-2657523							
		<b>RETURN TO:</b> <b>DGS/PROCUREMENT DIVISION</b> <b>Attn: Bid Room (IFB 1211-020)</b> <b>707 3rd Street, 2nd Floor</b> <b>West Sacramento, CA 95605</b>					
Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions.							
DECLARATIONS UNDER PENALTY OF PERJURY: By signing above, with inclusion of the date of signature, the above signed bidder DECLARES UNDER PENALTY OF PERJURY under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) the National Labor Relations Board declaration set forth in Paragraph 48 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.							

**ADDENDUM #2**

December 11, 2012

**Subject solicitation for THERMOPLASTIC TRAFFIC STRIPING MATERIAL, PAINT, RAPID DRY/HIGH BUILD WATERBORNE and GLASS SPHERES (BEADS) is hereby modified to reflect the following changes:**

- A. Attachment 1 – Pricing Workbook has been revised. In worksheets titled, "Northern Calif. Glass Beads" and "Southern Calif. Glass Beads," the yellow cells in Row 20 were mistakenly locked. These cells have been unlocked.

Additionally, formatting corrections were made to worksheets titled, "Northern Calif. Waterborne" and "Southern Calif. Waterborne."

All other terms and conditions of this solicitation remain the same.

\*\*\*\*

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES – PROCUREMENT DIVISION



**Invitation For Bid**

<b>DUE DATE</b> 12/21/2012		Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date					
<b>SUPPLIER NAME AND ADDRESS</b> Ennis Paint, Inc. 1509 S. Kaufman Ennis, TX 75119  <b>SUPPLIER CONTACT: Dan Lang</b> PHONE: 800-331-8118		<b>SOLICITATION NO. REV.</b> IFB 1211-020		<b>DATE</b> 11/30/12	<b>DELIVERY DATE</b> As Specified	<b>PAGE</b> 1 of 1	
		<b>PURCHASE EST. NO. REV.</b> N/A		<b>AGENCY BILLING CODE</b> N/A	<b>AGENCY PURCHASE EST NO.</b> N/A		
		<b>F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE</b>  0 % CASH DISCOUNT FOR PAYMENT WITHIN 30 DAYS  SEE REQUIRED PAYMENT DATE OF THE GENERAL PROVISIONS PARAGRAPH 30.		<b>SHIP TO:</b>  As Specified		<b>ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> <b>IF YES, MANUFACTURER?</b> YES <input type="checkbox"/> NO <input type="checkbox"/> <b>ARE YOU A NON-SMALL BUSINESS CLAIMING AT LEAST 25% SMALL BUSINESS SUBCONTRACTOR PREFERENCE?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		<b>SUPPLIER CONTACT: Dan Lang</b> PHONE: 800-331-8118  <b>NAME (PRINT)</b> Dan Lang		<b>FOR FURTHER INFORMATION, CONTACT:</b> <b>BUYER: Mike Murphy</b> <b>PHONE: (916) 375-5918</b> <b>EMAIL: mike.murphy@dgs.ca.gov</b>		SECTION 14835 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE REQUIRES THAT A 5% PREFERENCE BE GIVEN TO BIDDERS WHO QUALIFY AS A SMALL BUSINESS OR BIDDERS WHO QUALIFY AS A NON-SMALL BUSINESS CLAIMING AT LEAST 25% CALIFORNIA CERTIFIED SMALL BUSINESS PARTICIPATION. FOR REQUIREMENTS SEE TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 1896, ET SEQ. THE REQUIREMENTS FOR NONPROFIT VETERAN SERVICE AGENCIES QUALIFYING AS A SMALL BUSINESS ARE CONTAINED IN SECTION 999.50 ET SEQ. OF THE MILITARY AND VETERANS CODE.	
<b>TITLE</b> Vice President DATE 12-18-12		<b>RETURN TO:</b> <b>DGS/PROCUREMENT DIVISION</b> <b>Attn: Bid Room (IFB 1211-020)</b> <b>707 3rd Street, 2nd Floor</b> <b>West Sacramento, CA 95605</b>					
<b>SIGNATURE</b> 							
<b>TELEPHONE NUMBER</b> 800-331-8118		<b>FAX NUMBER</b> 800-555-0217					
<b>FEDERAL EMPLOYER IDENTIFICATION NUMBER</b> 75-265-7523							

Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions. DECLARATIONS UNDER PENALTY OF PERJURY: By signing above, with inclusion of the date of signature, the above signed bidder DECLARES UNDER PENALTY OF PERJURY under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) the National Labor Relations Board declaration set forth in Paragraph 48 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.

**ADDENDUM #3**  
December 17, 2012

**Subject solicitation for THERMOPLASTIC TRAFFIC STRIPING MATERIAL, PAINT, RAPID DRY/HIGH BUILD WATERBORNE and GLASS SPHERES (BEADS) is hereby modified to reflect the following changes:**

A. Page 8 of 15 of IFB 1211-020 lists the Minimum Order requirements.

The current requirement for Glass Beads reads:

“Glass Beads: The minimum order for shall be one (1) pallet of 48 fifty pounds (50 lbs.) bags, or one (1) pallet of four drums, or one (1) palletized tote.”

This requirement shall be changed to:

“Glass Beads: The minimum order shall be twenty-two (22) tons.”

All other terms and conditions of this solicitation remain the same.

\*\*\*\*



January 28, 2013

Department of General Services  
State of California  
707 Third Street, Second Floor  
West Sacramento, CA 95605-2811

Attn: Mike Murphy

RE: Bid # 1211-020

Thank you for conferencing with us last week regarding the recent bid Ennis Paint, Inc. has submitted for traffic paint, thermo and beads.

As identified in the conference call, we are happy to clarify a few items:

- Ennis is more than capable of handling the increased volumes in both paint and thermo if awarded all items for both the Northern and Southern Regions.
  - Paint will be manufactured in Bakersfield, CA with the backup plant being Salem, OR
  - Thermo will be manufactured in Bakersfield, CA with the backup plant being Atlanta, GA
- Ennis had enough of the specified totes to fulfill this contract for both the Northern and Southern Regions in their entirety
- As the demurrage cost requested in the bid was for holding totes longer than 90 days, that cost of demurrage for this bid should have been \$35.00 per day per tote in CalTrans possession over 90 days.
- We inadvertently entered the cost of demurrage for a truck that has to sit overnight due to CalTrans not being able to unload during the hours stated within the bid; this standard cost is \$1200.00 per day.
- The price of a lost or damaged tote while in CalTrans possession shall be \$2000.00 per tote; this cost is not the full replacement cost but rather the average value of the inventory.
- In the past five years of servicing this contract Ennis Paint has only charged for one damaged tote and to our recollection we have never charged any form of demurrage to the state; we would rather work with the individual delivery locations to insure that their needs are being met.

No questions were asked during the conference call regarding glass beads but we would be happy to discuss that we well if we are under consideration for that commodity as well.

Finally, we would like to extend an invitation to anyone from DGS or DOT to visit our plant in Bakersfield at any time; we would love to show off our California production facility.

Sincerely,

Donald W. Vermeer  
Director of Government Sales

1509 S. Kaufman  
Ennis, TX 75119

**ATTACHMENT - A**  
**Contract Pricing for 1-13-80-03A**

**Contractor:** [Ennis Paint, Inc.](#)

Paint, Rapid Dry Waterborne Traffic Line and High Build Waterborne Traffic Line For **Northern California** Caltrans districts **1, 2, 3, 4, and 10.**

**Minimum Orders** are explained on page 6 of the User Instructions, \*Paint unit price per gallon for less than minimum orders, \*\*Container unit price for less than minimum orders

<b>Contract Line Item (CLIN)#</b>	<b>Container Sizes (Unit of Measure)</b>	<b>Item Description</b>	<b>Manufacturer's Product Number (OEM#)</b>	<b>Manufacturer's Name (EOM)</b>	<b>UNSPC Code</b>	<b>Contract Price (Per Gallon)</b>
<b>Paint, Waterborne Traffic, Rapid Dry, Specification PTWB-01R2</b>						
RD-N1	55 Gallon Drum	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 10.31
RD-N2	1 Gallon Pail*	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 12.00
RD-N3	345 Gallon Bulk Tote	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 8.77
RD-N4	55 Gallon Drum	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 9.70
RD-N5	1 Gallon Pail*	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 12.00
RD-N6	345 Gallon Bulk Tote	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 8.26
RD-N7	55 Gallon Drum	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 8.86
RD-N8	1 Gallon Pail*	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 12.00
RD-N9	345 Gallon Bulk Tote	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 8.23
<b>Paint, Waterborne Traffic, High Build, Federal Specification TT-P-1952E (Type III)</b>						
HB-N1	55 Gallon Drum	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 11.21
HB-N2	1 Gallon Pail*	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 12.90
HB-N3	345 Gallon Bulk Tote	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 9.67
HB-N4	55 Gallon Drum	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 10.60
HB-N5	1 Gallon Pail*	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 12.90
HB-N6	345 Gallon Bulk Tote	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 9.16
HB-N7	55 Gallon Drum	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 9.76
HB-N8	1 Gallon Pail*	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 12.90
HB-N9	345 Gallon Bulk Tote	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 9.13
<b>Waterborne Paint Containers</b>						
WBC-1	55 Gallon Drum**	Fifty Five Gallon Container	XML055R	Ennis Paint, Inc.		\$ 33.99
WBC-2	5 Gallon Container**	Five Gallon Container	XPP005C	Ennis Paint, Inc.		\$ 3.29

**ATTACHMENT - A**  
**Contract Pricing for 1-13-80-03A**

**Contractor: Ennis Paint, Inc.**

Paint, Rapid Dry Waterborne Traffic Line and High Build Waterborne Traffic Line For **Southern California** Caltrans districts **5, 6, 7, 8, 9, 11, and 12.**

**Minimum Orders** are explained on page 6 of the User Instructions, \*Paint unit price per gallon for less than minimum orders, \*\*Container unit price for less than minimum orders

<b>Contract Line Item (CLIN)#</b>	<b>Container Sizes (Unit of Measure)</b>	<b>Item Description</b>	<b>Manufacturer's Product Number (OEM#)</b>	<b>Manufacturer's Name (EOM)</b>	<b>UNSPC Code</b>	<b>Contract Price (Per Gallon)</b>
<b>Paint, Waterborne Traffic, Rapid Dry, Specification PTWB-01R2</b>						
RD-S1	55 Gallon Drum	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 9.00
RD-S2	1 Gallon Pail*	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 12.00
RD-S3	345 Gallon Bulk Tote	Rapid Dry Waterborne - White	PTWB-01 - White	Ennis Paint, Inc.	31211513	\$ 8.17
RD-S4	55 Gallon Drum	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 8.52
RD-S5	1 Gallon Pail*	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 12.00
RD-S6	345 Gallon Bulk Tote	Rapid Dry Waterborne - Yellow	PTWB-01 - Yellow	Ennis Paint, Inc.	31211513	\$ 7.85
RD-S7	55 Gallon Drum	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 7.80
RD-S8	1 Gallon Pail*	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 12.00
RD-S9	345 Gallon Bulk Tote	Rapid Dry Waterborne - Black	PTWB-01 - Black	Ennis Paint, Inc.	31211513	\$ 7.96
<b>Paint, Waterborne Traffic, High Build, Federal Specification TT-P-1952E (Type III)</b>						
HB-S1	55 Gallon Drum	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 9.90
HB-S2	1 Gallon Pail*	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 12.90
HB-S3	345 Gallon Bulk Tote	High Build Waterborne - White	985221	Ennis Paint, Inc.	31211513	\$ 9.07
HB-S4	55 Gallon Drum	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 9.42
HB-S5	1 Gallon Pail*	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 12.90
HB-S6	345 Gallon Bulk Tote	High Build Waterborne - Yellow	985222	Ennis Paint, Inc.	31211513	\$ 8.75
HB-S7	55 Gallon Drum	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 8.70
HB-S8	1 Gallon Pail*	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 12.90
HB-S9	345 Gallon Bulk Tote	High Build Waterborne - Black	985223	Ennis Paint, Inc.	31211513	\$ 8.86
<b>Waterborne Paint Containers</b>						
WBC-1	55 Gallon Drum**	Fifty Five Gallon Container	XML055R	Ennis Paint, Inc.		\$ 33.99
WBC-2	5 Gallon Container**	Five Gallon Container	XPP005C	Ennis Paint, Inc.		\$ 3.29

[Back to Report Table of Contents](#)**STATE OF CALIFORNIA****Department of Transportation****<sup>1</sup>Specification PTWB-01R2****For****Paint, Rapid Dry Waterborne Traffic Line,  
White, Yellow and Black**

**1.0 SCOPE** This Specification covers a ready-mixed, one-component, waterborne acrylic traffic line paint which can be applied to either asphalt concrete or portland cement concrete pavements.

**2.0 SPECIFICATIONS AND STANDARDS** The following Specifications, Test Methods, and Standards in effect on the opening date of the Invitation for Bid form a part of this Specification where referenced.

- American Society for Testing and Materials (ASTM) Designations: D65, D93, D476, D522, D562, D711, D869, D1210, D1475, D1640, D2369, D2486, D3168, D3335, D3718, D3723, D3960, D4563, D5380, D6628, E70, E313, E1710, G151 and G154.
- Federal Specification 595b, Color #33538 and #37038.
- U.S. Environmental Protection Agency (EPA) Method 24
- Code of Federal Regulations, Title 49.
- California Code of Regulations, Title 22, Division 4.5.
- California Department of Transportation, Test Method No. 660.
- California Department of Transportation, Standard Specifications, latest revision.

**3.0 REQUIREMENTS**

**3.1 General:** This Specification is intended to specify traffic paint that will meet pavement delineation requirements for highway construction and maintenance. This traffic paint is to be used in conjunction with glass spheres to produce pavement delineation that is visible during both day and night conditions.

**3.2 Composition:****3.2.1 Acrylic Polymer Emulsion**

The paint binder shall consist of one of the commercial acrylic polymer emulsions described below;

---

<sup>1</sup> Note: This Specification cancels and supersedes; #PTWB-01R1 (October, 2009), #PTWB-01 (February, 2006), #PTWB-01(Dec., 2003), #PTWB-01 (September, 2002), #PTWB-01 (September, 2001), #8010-20B (January, 2000), #8010-20A (February, 1997), #8010-20 (March, 1996) and #8010-03QPL (October, 1994)

- Dow Chemical Fastrack HD-21A Emulsion
- Dow Chemical Fastrack 3427 Emulsion
- Arkema Emulsion Systems/UCAR Latex DT-400
- Arkema Emulsion Systems/UCAR Latex DT-250

### 3.2.2 Prime Pigments

#### White paint:

The white paint shall contain a minimum of 1 lb per gallon of titanium dioxide pigment meeting ASTM Designation: D476 Type II (Rutile). The titanium dioxide content will be determined using ASTM Designations: D 4563 and D 5380.

#### Yellow paint:

The yellow paint shall be pigmented with Pigment Yellow C.I. #65 and/or Pigment Yellow C.I. #75. Other pigments may be added to meet the yellow color and opacity requirements in sections; 3.3.19 and 3.3.16, respectively. However, the paint shall not contain lead or chromium at levels above the limits set in sections; 3.3.23 and 3.3.24.

**3.2.3** The remainder of the paint composition shall be determined by the manufacturer - within the constraints of the requirements below. It shall be the manufacturer's responsibility to produce a pigmented waterborne traffic paint containing the necessary; co-solvents, dispersants, preservatives, wetting agents and all other additives - so that the paint will retain its viscosity, stability and all other properties as specified herein. No glass beads or sand shall be permitted in the paint formulations. In addition to being essentially lead and chromium free, the paint shall not contain any hazardous materials at levels that would cause the paint (when dry) to be classified as a hazardous waste under Title 22, Division 4.5 of the California Code of Regulations.

### 3.3 Characteristics of the Finished Paint:

#### 3.3.1 Condition in the Container

The paint, as received, shall show no evidence of; biological growth, corrosion of the container, livering or hard settling. The paint shall be returned to a smooth and homogeneous consistency, which is free from; gel structures, persistent foam or air bubbles - using only hand mixing.

**3.3.2** Degree of Settling, minimum,  
ASTM Designation: D869

<u>White</u>	<u>Yellow</u>	<u>Black</u>
7	7	7

A 1 pint paint can is filled with a well mixed sample. The can is capped and allowed to set undisturbed at <sup>2</sup>standard conditions for 14 days. The settling is then determined as specified in ASTM Designation: D869. The 1-quart laboratory samples of each batch, as received, shall also pass this test.

<sup>2</sup> Standard conditions are defined here as: 23±2°C and 50±5% relative humidity.

**Attachment B**

Specification PTWB-01R2  
March 2010

<b>3.3.3</b> Nonvolatile Content, weight %, ASTM Designation: D2369	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	77 ±2.0	76 ±2.0	76 ±2.0
<b>3.3.4</b> Pigment Content, weight %, ASTM Designation: D3723	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	60 ±2.0	58 ±2.0	58 ±2.0
<b>3.3.5</b> % Nonvolatile in Vehicle (%NVV), weight %, minimum Calculated as;	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	42	42	42
$\% \text{ NVV} = \frac{\% \text{ Nonvolatile Content} - \% \text{ Pigment}}{100 - \% \text{ Pigment}} \times 100$			
<b>3.3.6</b> Density, g/ml at 25°C, ASTM Designation: D1475	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	1.68 ±0.04	1.63 ±0.04	1.62 ±0.04
<b>3.3.7</b> Consistency, K.U. at 25 ±1°C ASTM Designation: D562	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	78-92	78-92	78-90
<b>3.3.8</b> Fineness of Dispersion, Hegman, minimum, ASTM Designation: D1210	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	3.0	3.0	3.0
<b>3.3.9</b> Dry to No Pick-Up Time, without beads, minutes, maximum, ASTM Designation: D711	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	10	10	10
<b>3.3.10</b> Dry Through, minutes, maximum	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	20	20	20

This test may be performed on the same draw down sample as in section 3.3.9. The test is the same as outlined in ASTM Designation: D1640 except that the lightest thumb pressure possible should be used. The thumb is rotated through an angle of 90 degrees while lightly in contact with the film. The drying time at which this rotation does not break the film is recorded.

<b>3.3.11</b> Dry Through, at 90% relative humidity, minutes, maximum	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	180	180	-

Draw down the paint on a glass panel to a wet film thickness of 13 mil. Immediately place the panel in a humidity chamber maintained at 23±2°C and 90±5% relative humidity. Test in accordance with ASTM Designation: D1640 except that the pressure exerted shall be the minimum needed to maintain contact between the thumb and the paint film. Check the film for a dry through condition at 15 minute intervals. The thumb is rotated through an angle of 90 degrees while lightly in contact with the film. The drying time at which this rotation does not break the film is recorded. Quickly return the glass panel to the humidity chamber after each check.

<b>3.3.12</b> Volatile Organic Compounds (VOC), grams per liter of paint, excluding water, maximum.	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	100	100	100

Use U.S. EPA Method 24 or other approved method in effect at the time of paint manufacture to determine the VOC level and water content of the paint.

<b>3.3.13</b> Flashpoint, °C , minimum, ASTM Designation: D93 Method A	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	38	38	38

<b>3.3.14</b> Flexibility, ASTM Designation: D522 Method B	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	Pass	Pass	Pass

Use 4 x6 inch tin-plated steel panels 10 mils thick. Prepare the panel by lightly buffing one side with Grade 0 (medium-fine) steel wool, followed by cleaning with toluene and drying. Draw down the paint on the buffed side of the panel to a wet film thickness of 5 mils. Air dry the panel for 24 hours at standard conditions, then bake for 5 hours at 105±2°C and finally condition the panel for 30 minutes at standard conditions. Bend the panel 180° over a ½ inch mandrel in 1 second, then examine under a magnification of 10 times. The paint film shall not; crack, chip or flake when the panel is bent around the mandrel.

<b>3.3.15</b> Appearance	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	Pass	Pass	Pass

Draw down a 13 mil thick wet film of the paint on a glass plate and allow to dry for 24 hours at standard conditions. The paint shall produce a film which is smooth, uniform, and free from; grit, undispersed particles, craters, pinholes and cracking.

<b>3.3.16</b> Dry Opacity, minimum	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	0.93	0.89	1.0

On a black-white Leneta chart, Form 2C-Opacity, draw down a uniform 5 mil thick wet film of paint covering both the black and white portions of the chart. Measure the wet film thickness with an appropriate gauge. Dry for 24 hours at standard conditions. Use a BYK-Gardner “Color-Guide” Spectrophotometer to measure the opacity according to the manufacturer’s instructions. Calibrate the spectrophotometer according to the manufacturer’s instructions using; 2° Observer/Illuminant “C” measurement conditions, and the (Y, x, y) color system.

<b>3.3.17</b> Yellowness Index, maximum	<u>White</u>	<u>Yellow</u>	<u>Black</u>
	8	-	-

Draw down a 13 mil thick wet film of the white paint on two 3x6 inch chromate treated aluminum panels (i.e.: Q Panel Co., type AL). Dry for 24 hours at standard conditions. Save one panel for the Accelerated Weathering test (section 3.3.21). Using a BYK-Gardner “Color-Guide”

Spectrophotometer, follow the manufacturer's instructions (see section 3.3.16), and measure the Yellowness Index of the white paint film using the ASTM Designation: E313 mode.

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.18</b> Daytime Luminance Factor	≥87	47-60	≤4

Using the draw down panels prepared in sections 3.3.17 or 3.3.19, measure the reflectance of the white and yellow paint films using the BYK-Gardner "Color-Guide" Spectrophotometer. Follow the manufacturer's instructions to obtain the Reflectance or "Y" value (see section 3.3.19).

### 3.3.19 Yellow Color

Draw down the yellow paint on two chromate treated aluminum panels as described in section 3.3.17. One panel should be used for the Accelerated Weathering test (section 3.3.21). Retain the other yellow panel as a control and for the Reflectance test (section 3.3.18). The yellow color shall match Federal Standard 595b, color #33538 and shall lie within the "box" formed by the chromaticity coordinate limits as defined below, when tested according to California Test 660 and plotted on a C.I.E. (1931) Chromaticity Diagram. A BYK-Gardner "Color-Guide" spectrophotometer, that has been set up as described below, can also be used to measure the chromaticity coordinates. The measured yellow color shall lie within the "box" formed by the chromaticity coordinate limits - both before and after the Accelerated Weathering test (see section 3.3.21). A graph for plotting the chromaticity coordinates is available from the Transportation Laboratory.

Color System: C.I.E. (1931) Chromaticity Diagram, (Y, x, y)  
 Measurement conditions: 2° Observer / Illuminant "C"  
 Hue: 580 to 583.5 nm  
 Minimum color saturation:  $x=0.7000-0.5000y$   
 Brightness:  $Y=47$  to  $60$

The yellow color coordinates shall lie within a "box" defined by plotting the following four (x,y) pairs on the C.I.E. Chromaticity Diagram (1931).

(x1,y1) = (0.5125, 0.4866 )  
 (x2,y2) = (0.4733, 0.4533 )  
 (x3,y3) = (0.4848, 0.4305 )  
 (x4,y4) = (0.5348, 0.4646 )

### 3.3.20 Black Color

Draw down the black paint on a chromate treated aluminum panel as described in section 3.3.17. After drying for 24 hours at standard conditions the color shall closely match Federal Standard 595b, color #37038. The black paint must also meet the Daytime Luminance Factor requirement in section 3.3.18.

### 3.3.21 Accelerated Weathering Test

Ultraviolet Light and Condensate Exposure, 300 hours total, ASTM Designations: G154 and G151.

Prepare samples of the white and yellow paints as described in sections 3.3.17 and 3.3.19. Alternately expose the samples to; eight hours of UV exposure at 60°C, followed by four hours condensate exposure at 50°C - in a QUV Accelerated Weathering Tester. Type UVA-340 bulbs are used at an irradiance level of 0.77 watts per square meter per nm. at 340 nm., as measured at the sample surface during the UV cycle. After 300 hours total exposure the paint samples shall meet the requirements below.

White - Yellowness Index after weathering, maximum, 12 (see section 3.3.17)

Yellow - Must pass Yellow Color test after weathering (see section 3.3.19)

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.22</b> Scrub Resistance, cycles, minimum	800	800	-

Follow the procedure in ASTM Designation: D2486. Prepare a panel using an appropriate bird doctor blade that will produce a uniform dry film thickness of paint between 3 and 4 mils. Dry the panel for 7 days at standard conditions. The panel shall require more than 800 cycles to remove the paint film in one continuous line across the width of the shimmed area.

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.23</b> Lead, mg/kg in dried paint, maximum, ASTM Designation: D3335	20	20	20

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.24</b> Chromium, mg/kg in dried paint, maximum, ASTM Designation: D3718	5	5	5

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.25</b> Thick Application Cracking Resistance	Pass	Pass	Pass

On a black-white Leneta chart, Form 2C-Opacity, draw down a stripe of the paint 3 inches wide and at least 6 inches long and having a 60±5 mil wet film thickness. Allow the paint to dry for 48 hrs. at standard conditions on a horizontal surface. After 48 hrs. the paint film shall not exhibit any cracks.

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
<b>3.3.26</b> Accelerated Package Stability	Pass	Pass	Pass

Fill a clean 1 pint resin-lined, friction-top paint can with a well-stirred sample. Measure the initial Consistency as in section 3.3.7. Close the can tightly. Store this can in an oven at a temperature of 52°C for 14 days. After 14 days remove the can from the oven and allow the can to cool overnight. Determine the Consistency of the paint as in section 3.3.7, except allow hand stirring of the sample for 5 minutes to ensure uniform redistribution of any settlement before testing. The Consistency of the paint shall not change more than 7 K.U. after this heated storage period – when compared to the initial Consistency. Draw down a 13 mil thick wet film of this sample on a glass plate and examine for Appearance as in 3.3.15.

	<u>White</u>	<u>Yellow</u>	<u>Black</u>
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<b>3.3.27</b> Infrared Spectra of Nonvolatile Vehicle, allowable variation from laboratory reference spectra, ASTM Designation: D3168	None	None	None
<b>3.3.28</b> pH, ASTM Designation: E70	<u>White</u> 10 ±1.0	<u>Yellow</u> 10 ±1.0	<u>Black</u> 10 ±1.0
<b>3.3.29</b> Initial Retroreflectivity of Applied Paint (with beads), mcd•m <sup>-2</sup> •lx <sup>-1</sup> , minimum	<u>White</u> 250	<u>Yellow</u> 175	<u>Black</u> -

The paint shall produce delineation that has the minimum required level of retroreflectivity when applied to pavement (with drop-on beads) according to the manufacturer’s recommendations. Drop-on glass beads shall be uniformly applied at a minimum rate of 5-lb per gallon of paint. The retroreflectivity shall be measured using a retroreflectometer meeting ASTM Designation: E1710.

**3.3.30** Color after Application

The color of the applied white and yellow stripes and markings (with beads) shall conform to the daytime and nighttime color requirements in ASTM Designation: D 6628.

**3.4** Workmanship, Settling and Shelf-Life:

**3.4.1** The paint shall be free from dried paint skins and foreign materials such as; dirt, sand, fibers, or other materials capable of clogging; screens, valves, pumps, or other equipment used in paint striping apparatus.

**3.4.2** The paint pigment shall be well ground and properly dispersed in the vehicle. The pigment shall not cake or thicken in the container and shall not become granular or curdled. Any settlement of the pigment in the paint shall result in a thoroughly wetted soft mass that permits the complete and easy vertical penetration of a paddle. Settled pigment shall be easily redispersed, with a minimum of resistance to the sidewise manual motion of the paddle across the bottom of the container. This stirring shall return the paint to a smooth uniform product of the proper consistency. If the paint cannot be easily redispersed, due to excessive pigment settlement or any other cause, then the paint shall be considered unfit for use.

**3.4.3** The paint shall retain all specified properties under normal storage conditions for 8 months after acceptance and delivery. Ordered paint shall be no more than 90 days old (based on date of manufacture) upon delivery to a Department of Transportation Maintenance facility. The date of manufacture shall be clearly marked on each container. The vendor shall be responsible for all costs and transportation charges incurred in replacing paint that is unfit for use. The characteristics of any replacement paint, as specified in section 3.3, shall remain satisfactory for 8 months from the date of acceptance and delivery.

File: SpecPTWB-01R2(March2010) – Material Requirements.doc  
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INCH-POUND  
TT-P-1952E  
06 August 2007  
SUPERSEDING  
TT-P-1952D  
January 7, 1994

## FEDERAL SPECIFICATION

### PAINT, TRAFFIC AND AIRFIELD MARKING, WATERBORNE

The General Services Administration has authorized the use of this federal specification by all federal agencies.

#### 1. SCOPE AND CLASSIFICATION.

1.1 Scope. This specification covers three types of low VOC (volatile organic compounds), ready-mixed, one-component, 100% acrylic waterborne airfield and traffic marking paint. The paint is suitable for application on such traffic-bearing surfaces as Portland cement concrete, bituminous cement concrete, asphalt, tar, and previously painted areas of these surfaces. The paint may be used either alone or to bind reflective beads.

#### 1.2 Classification.

1.2.1 Types. The paint shall be furnished in the following types, as specified (see 6.2):

- Type I - For use under normal conditions
- Type II - For use under adverse conditions (see 6.1)
- Type III - For increased durability

1.2.2 Color. Traffic paint shall be furnished in white and any Federal Standard 595 color, as specified (see 3.2.7 and 6.3).

2. APPLICABLE DOCUMENTS. The following documents, of the issues in effect on date of invitation for bids or request for proposal, form a part of this description to the extent specified herein.

2.1 Government Publications. The issues of the following documents, in effect on date of invitation for bids or request for proposal, form a part of this specification to the extent specified herein.

Beneficial comments, recommendations, additions, deletions, clarifications, etc. and any data which may improve this document should be sent to: HQ AFCESA/CESC, 139 Barnes Drive, Suite 1, Tyndall AFB FL 32403-5319.

TT-B-1325 - Beads (Glass Sphere), Retro-reflective

FED-STD-595 - Colors Used in Government Procurement

(Single copies of this specification, and other federal specifications and commercial item descriptions required by activities outside the Federal Government for bidding purposes are available without charge from the General Services Administration, Federal Supply Service, Specification Section, Suite 8100, 470 L'Enfant Plaza, SW, Washington, DC, 20407)

2.2 Federal Regulations.

40 CFR Part 60, Appendix A

29 CFR Part 1910.1200

(The Code of Federal Regulations (CFR) is available online at <http://www.gpoaccess.gov/cfr/index.html> or for sale on a subscription basis by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.)

2.3 Other publications. The following documents form a part of this description to the extent specified herein. Unless a specific issue is identified, the issue in effect on the date of invitation for bids or request for proposal shall apply.

2.3.1 American Society for Testing and Materials (ASTM) Standards.

- D 522 - Standard Test Methods for Mandrel Bend Test of Attached Organic Coatings
- D 562 - Standard Test Method for Consistency of Paints Measuring Krebs Unit (KU) Viscosity Using a Stormer-Type Viscometer
- D 711 - Standard Test Method for No-Pick-Up-Time of Traffic Paint
- D 968 - Standard Test Methods for Abrasion Resistance of Organic Coatings by Falling Abrasives
- D 969 - Standard Test Method for Laboratory Determination of Degree of Bleeding of Traffic Paint
- D 1210 - Standard Test Method for Fineness of Dispersion of Pigment-Vehicle Systems by Hegman-Type Gage
- D 1394 - Standard Test Methods for Chemical Analysis of White Titanium Pigments
- D 1640 - Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature
- D 1729 - Standard Practice for Visual Appraisal of Colors and Color Differences of Diffusely Illuminated Opaque Materials
- D 1849 - Standard Test Method for Package Stability of Paint

- D 2243 - Standard Test Methods for Freeze-Thaw Resistance of Water-Borne Coatings
- D 2244 - Standard Practice for Calculation of Color Tolerances and Color Differences from Instrumentally Measured Color Coordinates
- D 2369 - Standard Test Method for Volatile Content of Coatings
- D 2486 - Standard Test Methods for Scrub Resistance of Wall Paints
- D 2697 - Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings
- D 2805 - Hiding Power of Paints by Reflectometry
- D 3335 - Standard Test Method for Low Concentrations of Lead, Cadmium and Cobalt in Paint by Atomic Absorption Spectroscopy
- D 3718 - Standard Test Method for Low Concentrations of Chromium in Paint by Atomic Absorption Spectroscopy
- D 3723 - Standard Test Method for Pigment Content of Water-Emulsion Paints by Low-Temperature Ashing
- E-1347 - Standard Test Method for Color and Color-Difference Measurement by Tristimulus (Filter) Colorimetry.
- G 154 - Standard Practice for Operating Fluorescent Light Apparatus for UV Exposure of Nonmetallic Materials

(Application for copies should be addressed to the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, (610) 832-9500, [www.astm.org](http://www.astm.org).)

### 3. REQUIREMENTS.

#### 3.1 Composition.

3.1.1 Materials. The non-volatile portion of the vehicle for all types shall be composed of a 100% acrylic polymer as determined by infrared spectral analysis. The acrylic resin used for Type III shall be a 100% cross-linking acrylic as evidenced by infrared peaks at wavelengths 1568, 1624, and 1672 cm<sup>-1</sup> with intensities equal to those produced by an acrylic resin known to be 100% cross-linking.

3.1.2 Prohibited material. The manufacturer shall certify that the product does not contain mercury, lead, hexavalent chromium, toluene, chlorinated solvents, hydrolysable chlorine derivatives, ethylene-based glycol ethers and their acetates, nor any carcinogen, as defined in 29 CFR 1910.1200. When tested as specified in 4.3.1, the lead content shall not exceed 0.06 percent by weight of the dry film and the test for chromium content shall be negative.

#### 3.2 Qualitative requirements.

3.2.1 Condition in the container. When tested, as specified in 4.3.2, the paint, as received, shall show no evidence of biological growth, corrosion of the container, livering, or hard settling. The paint shall be dispersible by hand stirring for 5 minutes to a

smooth and homogenous consistency, exempt of gel structures, persistent foam or air bubbles.

3.2.2 Appearance. When tested as specified in 4.3.3, the paint shall produce a film which is smooth, uniform, and free from grit, undispersed particles, craters, and pinholes.

3.2.3 Accelerated package stability. After storage as specified in 4.3.4, the sample shall conform to the requirements of 3.2.1 and 3.2.2. The sample shall show no change in consistency greater than 5 KU (Krebs Unit) from the value in Table 1.

3.2.4 Flexibility. When tested as specified in 4.3.6, the paint film shall not crack, chip or flake after the test panel is bent 180 degrees over a 13 mm (1/2 in) mandrel.

3.2.5 Water resistance. When tested as specified in 4.3.5, the paint film shall not soften, blister, wrinkle, lose adhesion, change color, or show other evidence of deterioration.

3.2.6 Freeze-thaw stability. When tested as specified in 4.3.8, the paint shall show no coagulation or flocculation, change in consistency greater than 10 KU from the value in Table 1, or a decrease in scrub resistance by more than 10 percent of the requirement in 3.2.13.

### 3.2.7 Color requirements.

3.2.7.1 Color match. For all colors except white and yellow, when tested as specified in 4.3.9.3, the paint shall match the specified Federal Standard 595 color number within a  $\Delta E$  or 6.0 CIELAB units.

3.2.7.2 Daylight directional reflectance. When tested as specified in 4.3.9.2, the white paint shall have the daylight directional reflectance specified in Table 1.

3.2.7.3 Yellow color match. The yellow traffic paint shall be an appropriate color match to Federal Standard 595 color number 33538 when tested in accordance with 4.3.9.4.

3.2.8 Heat-shear stability. When tested as specified in 4.3.13, the sample shall not show signs of gelling or other instability. The consistency shall be in compliance with Table 1.

3.2.9 Skinning. The paint shall not skin when tested as specified in 4.3.14.

3.2.10 Dry-through (early washout). For Type II only, the paint when tested as specified in 4.3.15 shall have a dry-through time less than 120 minutes.

3.2.11 Abrasion resistance. When tested as specified in 4.3.7, both baked and weathered paint films shall require not less than 150 liters of sand to abrade the paint film through to the substrate.

3.2.12 Accelerated weathering. When tested as specified in 4.3.10, the colored samples after weathering shall be in conformance with 3.2.7. The directional reflectance of white paint shall meet the requirement in Table 1. After performing the scrub resistance test in accordance with 4.3.12, the paint shall be in conformance with 3.2.13.

3.2.13 Scrub resistance. When tested as specified in 4.3.12, it shall not take less than 500 cycles to remove the paint film.

3.2.14 Titanium dioxide content. When tested in accordance with 4.3.16, the yellow, green, and blue colored paint shall contain a maximum of 23.7 g/L (0.2 lb/gal) rutile titanium dioxide. The white paint shall contain a minimum of 120 g/L (1 lb/gal) rutile titanium dioxide.

3.3 Quantitative requirements. The paint shall meet the quantitative requirements specified in Table 1.

Table I. Quantitative Requirements.

Characteristics	Min	Max
Consistency	80	90
Volatile organic content (VOC), grams/liter	---	150
Solids by volume <sup>1</sup>		
Yellow or white	60	---
Other colors	58	---
Pigment, percent by weight	60	62
Dry opacity - White and colors	0.92	---
Black	1.00	
Directional reflectance of white paint, percent	85	---
Drying time for no pick up, min.	---	10
Fineness of dispersion, Hegman	3.0	---
Heat-shear stability, consistency, KU	68	105
Bleeding ratio	0.95	---

<sup>1</sup> Manufacturers may calculate this requirement from batch card data, but in case of dispute the method specified in Table 2 must be used.

3.4 Material Safety Data Sheet. A Material Safety Data Sheet (MSDS) shall be submitted in accordance with FED-STD-313 (see 6.2).

#### 4. QUALITY ASSURANCE PROVISIONS.

4.1 Responsibility for inspection. Unless otherwise specified in the contract, the contractor is responsible for the performance of all inspection requirements as specified

herein. Except as otherwise specified in the contract, the contractor may use his own or any other facilities suitable for the performance of the inspection requirements specified herein, unless disapproved by the government. The government reserves the right to perform any of the inspections set forth in the specification where such inspections are deemed necessary to assure that supplies and services conform to prescribed requirements.

4.2 Classification of inspections. Inspections shall be classified as follows: (a) inspection of preparation for delivery (see 4.2.1); (b) acceptance testing (see 4.2.2).

4.2.1 Inspection in preparation for delivery. Prior to shipment, containers shall be examined for compliance with Section 5.

4.2.2 Acceptance testing. Testing for acceptance of individual lots shall be done in accordance with section 1000 of FED-STD-141 and shall consist of test and inspections as indicated in Table 2.

4.3 Test methods. Samples shall be tested as specified in Table 2. Unless otherwise specified, tests shall be performed at standard conditions, which are  $25^{\circ} \pm 1^{\circ}\text{C}$  and  $50\% \pm 5\%$  relative humidity. All test reports shall contain the individual values used in expressing the final result. Test results shall be evaluated for conformance to requirements. The sample shall be unacceptable if any test result is not in conformance with the corresponding requirement in section 3.

Table II. Index

Characteristic	Acceptance Testing	Requirement Paragraph	ASTM Method	Test Paragraph
Lead content		3.1.2	D 3335	4.3.1.1
Chromium content		3.1.2	D 3718	4.3.1.2
Condition in container	Yes	3.2.1	---	4.3.2
Appearance	Yes	3.2.2	---	4.3.3
Accelerated package stability		3.2.3	D 1849	4.3.4
Flexibility	Yes	3.2.4	D 522	4.3.5
Water resistance	Yes	3.2.5	---	4.3.6
Freeze-thaw stability	Yes	3.2.6	D 2243	4.3.8
Color	Yes	3.2.7	D 2244	4.3.9
Directional reflectance	Yes	3.2.7.2	E 1347	4.3.9.2
Yellow color match	Yes	3.2.7.3	D 1729	4.3.9.4
Heat-shear stability	Yes	3.2.8	---	4.3.13
Skinning	Yes	3.2.9	---	4.3.14
Dry-through (early washout)	Yes	3.2.10	D 1640	4.3.15
Abrasion resistance	Yes	3.2.11	D 968	4.3.7

Accelerated weathering		3.2.12	G 154	4.3.10
Scrub resistance	Yes	3.2.13	D 2486	4.3.12
Volatile organic content		Table 1	D 2369	---
Consistency	Yes	Table 1	D 562	---
Solids by volume	Yes	Table 1	D 2697	---
Dry opacity	Yes	Table 1	D 2805	4.3.11
Dry time (no pick up)	Yes	Table 1	D 711	---
Fineness of dispersion	Yes	Table 1	D 1210	---
Bleeding ratio		Table 1	D 969	---
Pigment (percent by weight)		Table 1	D 3723	---
Titanium dioxide		3.2.14	D 1394	4.3.16

#### 4.3.1 Prohibited materials.

4.3.1.1 Lead content. Determine lead in accordance with ASTM D 3335 or by the use of an X-ray fluorescence spectrometer in accordance with the manufacturer's manual. The X-ray method shall be used in case of dispute. Evaluate for compliance with 3.1.2.

4.3.1.2 Chromium (hexavalent) content. Add 5 ml of 25 percent aqueous KOH (potassium hydroxide) to 0.5 g of the extracted pigment contained in a centrifuge tube. Agitate by shaking and centrifuge. A yellow color in the supernatant liquid indicates the presence of hexavalent chromium. If the results of the above test are inconclusive, then use the procedure in ASTM D 3718 to test for chromium content. Evaluate results for compliance with 3.1.2.

4.3.2 Condition in the container. Before stirring the contents of the container in which the material was originally packaged, check for evidence of biological growth and corrosion. Then lower a spatula into the container and determine whether the paint has livered or developed hard settling. Disperse the paint with the spatula for 5 minutes and examine for compliance with 3.2.1.

4.3.3 Appearance. Draw down the paint on a clear glass panel to a wet film thickness of 0.33 mm (0.013 in), and allow to dry for 24 hours at standard conditions. Evaluate for conformance with 3.2.2.

4.3.4 Accelerated package stability. Fill a 550 mL (1 pint) resin-lined friction-top can with the sample. Ensure that the bulk sample from which the cans are filled is well stirred and uniform, that the containers used are clean, and that the lids are applied promptly to the cans to prevent evaporation losses. Store at a temperature of 52°C for 2 weeks. Evaluate following the procedure in ASTM D 1849, except allow hand stirring for

5 minutes to ensure uniform distribution. Evaluate the consistency for conformance with Table 1. Draw down the paint as described in 4.3.3. Evaluate for conformance with 3.2.3.

4.3.5 Flexibility. Determine flexibility in accordance with Method B of ASTM D 522. Draw down the paint to a wet film thickness of 0.13 mm (0.005 in) on a clean, bare, cold-rolled steel panel. Air-dry the panel for 24 hours at standard conditions, then bake for 5 hours at  $105^{\circ}\text{C} \pm 2^{\circ}\text{C}$ , and finally condition the panel for 30 minutes at standard conditions. Bend over a 13 mm (0.5 in) diameter cylindrical mandrel and examine under a magnification of 7 diameters for compliance with 3.2.4.

4.3.6 Water resistance. Prepare a 10 by 15 cm concrete panel as specified in Method 2051 Procedure B of FED-STD-141. Draw down to a wet film thickness of 0.33 mm (0.013 in) and allow it to dry in a horizontal position at standard conditions for 72 hours. Immerse one-half of the painted panel in distilled water at  $25^{\circ}\text{C} \pm 1^{\circ}\text{C}$ . After 18 hours, remove the panel from the water and allow it to dry for 2 hours at standard conditions. Evaluate for conformance with 3.2.5.

#### 4.3.7 Abrasion resistance.

4.3.7.1 Sample preparation. Draw down the paint on four glass panels measuring approximately 100 by 200 mm to a dry film thickness of 0.102 mm to 0.107 mm.

4.3.7.2 Baked films. Air-dry two of the panels for 24 hours at standard conditions and then bake for 5 hours at  $105^{\circ}\text{C} \pm 2^{\circ}\text{C}$ . After baking, condition the panels for 30 minutes at standard conditions and then run the abrasion test as specified in 4.3.7.4.

4.3.7.3 Weathered films. Air-dry the other two panels for 48 hours at standard conditions then subject the panels to accelerated weathering in accordance with 4.3.10. Remove the panels and condition for 24 hours at standard conditions, then run the abrasion test as specified in 4.3.7.4.

4.3.7.4 Test. Subject the panels to the abrasion test in accordance with ASTM D 968, Method A, except that the inside diameter of the metal guide tube shall be from 18.97 to 19.05 mm. Five liters of unused sand shall be used for each test panel. The test shall be run on two test panels. (Note: Five liters of sand weigh 7.94 kg.) Evaluate for compliance with 3.2.11.

4.3.8 Freeze-thaw stability. Test in accordance with ASTM D 2243 for three freeze-thaw cycles. Perform the consistency test in accordance with ASTM D 562 and the scrub resistance test as described in 4.3.12. Check for conformance with 3.2.6.

#### 4.3.9 Color.

4.3.9.1 Sample preparation. Use the test panels prepared for the accelerated weathering test (4.3.10.1).

4.3.9.2 Daylight directional reflectance. For the white paint, determine the directional reflectance before and after weathering in accordance with ASTM E 1347 using the 45/0 illumination. Evaluate for conformance with Table 1.

4.3.9.3 Color match. For colors other than white and yellow, determine the color difference of the paint before and after weathering in accordance with ASTM D 2244 using CIE Illuminant D65 with the 10 degree standard observer. Evaluate for conformance with 3.2.7.

4.3.9.4 Yellow color match. Determine the color match for yellow paint before and after weathering in accordance with ASTM D 1729 with the daylight illumination represented by CIE Illuminant D75 or D65. Evaluate for conformance with 3.2.7.3.

#### 4.3.10 Accelerated weathering.

4.3.10.1 Sample preparation. Apply the paint at a wet film thickness of 0.33 mm (0.013 in) to four 8 by 15 cm solvent-cleaned aluminum panels. Air-dry the sample for 48 hours under standard conditions.

4.3.10.2 Testing conditions. Test in accordance with ASTM G 154 using both ultraviolet light (UV-B PS-40) and condensate exposure, 300 hours total, alternating 4 hours of UV exposure at 60°C and 4 hours of condensate exposure at 40°C.

4.3.10.3 Evaluation. Remove the samples and condition for 24 hours under standard conditions. Determine the directional reflectance and color match using the procedures in 4.3.9.2 and 4.3.9.3. Evaluate for conformance with the color requirements in 3.2.7. Using the procedure described in 4.3.12, run the scrub resistance test. Evaluate for conformance with 3.2.13.

4.3.11 Dry opacity. Use the procedure of ASTM 2805, calculate the contrast ratio of the paint applied at a wet film thickness of 0.13 mm (0.005 in). Evaluate for conformance with Table 1.

4.3.12 Scrub resistance. Using the procedure of ASTM D 2486 modified to use the 8 by 15 cm test panels from the accelerated weathering test (4.3.10), evaluate for conformance with 3.2.13.

4.3.13 Heat-shear stability. One pint of the paint is sheared in a kitchen blender at high speed to 65°C. The blender should have a tight-fitting lid and taped to minimize volatile loss. When the paint reaches 65°C, stop the blender, immediately can and apply

a cover. Let cool a minimum of 12 hours and examine for gelling or other signs of instability. Evaluate for compliance with 3.2.8.

4.3.14 Skimming. Place 188 mL of the paint in a 250 mL container and seal. Invert the container momentarily and then place upright in a dark environment at 22.2–26.7°C (70–80°F) for 48 hours. Examine for compliance with 3.2.9.

4.3.15 Dry-through (early washout) (For Type II only). Draw down the paint on a glass panel to a wet film thickness of 0.33 mm (0.013 in). Immediately place in a humidity chamber maintained at 23°C ± 2°C and 90% ± 3% relative humidity. Test in accordance with ASTM D 1640, except that the pressure exerted will be the minimum needed to maintain contact with the thumb and film. Check for compliance with 3.2.10.

4.3.16 Titanium dioxide content. Determine the titanium dioxide content using the aluminum reduction method of ASTM D 1394. Evaluate for conformance with 3.2.14.

## 5. PACKAGING.

5.1 Packaging, packing and marking. The paint shall be packaged in containers as required by the procurement documents. Unless otherwise specified, each container shall be labeled with the following information:

Name: PAINT, TRAFFIC AND AIRFIELD MARKING, WATERBORNE

Specification: TT-P-1952E, Type:

Color:

Batch Number:

Date of Manufacture:

Quantity of Paint in Container:

Information and Warnings as may be required by Federal and State Laws:

Manufacturer's Name and Address:

### 5.2 Special marking.

5.2.1 Shipping container markings. Each shipping container shall be marked:

“PROTECT FROM FREEZING - STORE ABOVE 2°C (35°F)”

5.2.2 Unit container markings. Each unit container shall be marked as follows:

“PROTECT FROM FREEZING - STORE ABOVE 2°C (35°F)”

“After opening, maintain a thin layer of water on surface of paint during storage to prevent skinning.”

“Use only in equipment designed for water-based paints.”

“This paint may be reflectorized by dropping glass beads conforming to TT-B-1325 onto the wet paint. The surface to be coated shall be free from dirt, oil, grease, curing compounds, or other contaminants, and loose, peeling, or poorly bonded paint. The paint shall be applied to the surface at a wet film thickness of 0.33 mm (0.013 in), while air and surface temperatures are above 10°C (50°F) and rising.”

## 6. NOTES.

INFORMATION FOR GUIDANCE ONLY. (This section contains information of a general or explanatory nature that is helpful, but is not mandatory.)

6.1 Intended use. (This paragraph is non-mandatory and shall not supersede specific use requirements in contract documents.) These paints are intended for use on concrete, bituminous, brick, or stone surfaces of airfields, highways, bridges, tunnels, streets, or parking lots when applied at a wet film thickness of 0.33 mm (0.013 in) by traffic-stripping equipment designed for water-based paints. The white and yellow paint stripes should preferably be reflectorized for night visibility by adding glass beads conforming to TT-B-1325. A wet film thickness of 0.457–0.635 mm (0.018–0.025 in) is commonly specified when Type IV A beads are used and 0.381–0.457 mm (0.015–0.018 in) is commonly specified when Type IV B beads are used. The black paint is intended for use as a border around markings on light-colored pavements and as an obliterating paint for painting out existing markings to permit remarking in a different manner.

Type I - For use under normal weather conditions, i.e., 50% relative humidity, moderate temperatures and slight breezes. Not for use at the greater thickness required for the larger diameter Type IV beads.

Type II - For use under adverse conditions, i.e., night striping, higher humidity (around 80%), low air movement and lower surface temperatures, down to 10°C (50°F). Not for use at the greater thickness required for the larger diameter Type IV beads.

Type III - For use under normal weather conditions where higher durability and greater adhesion to glass beads is desired. Minimum application temperature should be 12.8°C (55°F) and rising. Low temperature will result in greater dry time, especially when specifying increased thickness as required when using Type IV beads.

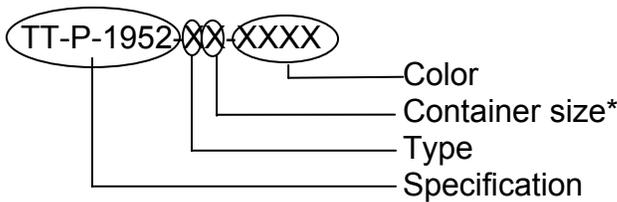
6.2 Ordering data. Purchasers should select the preferred options permitted herein, and include the following information in procurement documents:

- a. Title and date of this specification.
- b. Type required (see 1.2).
- c. Color required (see 1.2.2 and 6.3).
- d. Size and requirements for containers (see 5.1).
- e. Packaging and packing level.
- f. Marking required (see 5.1 and 5.2).
- g. Requirements for Material Safety Data Sheets.

6.3 Colors. The most common colors and their FED-STD-595 color chip numbers are:

- a. Yellow – 33538
- b. Green – 34108
- c. Black – 37038
- d. Blue -- 35180
- e. Red – 31136
- f. White -- 37925

6.4 Part Identification number (PIN). Part numbers for cataloging purposes under this specification may be coded as follows:



\*Container size codes:

- 1 - 3.78 liters (1 gallon)
- 2 - 18.9 liters (5 gallons)
- 3 - 113.4 liters (30 gallons)
- 4 - 207.9 liters (55 gallons)

6.5 Key Word Listing.

- a. Paint
- b. Reflective beads
- c. Traffic
- d. Airfield

MILITARY INTERESTS

Custodian  
Air Force -- 99  
Navy – YD  
  
Reviewing Activity  
Air Force – 50

CIVIL AGENCY  
COORDINATING ACTIVITIES:

FAA – AAS – 100

Preparing Activity  
Air Force-84

Agent activity  
Air Force-99

Project 8010-2007-011

NOTE: The activities listed above were interested in this document as of the date of this document. Since organizations and responsibilities can change, you should verify the currency of the information above using the ASSIST Online database at <http://assist.daps.dla.mil>.



STATE OF CALIFORNIA  
ENVIRONMENTAL BID SPECIFICATION  
PAINT, RAPID DRY WATERBORNE TRAFFIC LINE

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**1. SCOPE**

This document establishes the requirements and specifications for implementation of Environmentally Preferable Purchasing (EPP) as mandated by the California Public Contract Code (PCC), Chapter 6, Sections 12400-12404.

The law requires, "the procurement or acquisition of goods and services that have a lesser or reduced effect on human health and the environment when compared with competing goods and services that serve the same purpose." Comparison requires evaluating for associated impacts from the product's raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal, energy efficiency, product performance, durability, safety, the needs of the purchaser, and cost. As part of this solicitation bidders must be compliant with mandatory requirements and are encouraged to participate in environmental stewardship efforts by offering packaging materials that conserve natural resources and reduce environmental impacts.

**2. APPLICABLE SPECIFICATIONS / STANDARDS**

2.1 Specifications and standards referenced in this document are in effect on the opening of the bid proposal and form a part of this specification.

2.2 Bidder shall comply with requirements of following standards and codes as they apply:

- 2.2.1 California Public Contract Code, Sections 12200-12217
- 2.2.2 California Health and Safety Code, Sections 25214.11- 25214.26
- 2.2.3 California Code of Regulations, Title 8, Section 5194
- 2.2.4 ASTM Standard Specifications D 6400-04 and ASTM 6400-00

**3. REQUIREMENTS**

3.1 Post Consumer Recycle Content Certification

3.1.1 PCRC Percentages Worksheet

Contractor(s) shall complete the PCRC Percentages Worksheet listing the percentage of post consumer recycled content material for each product offered as identified and described in the pricing worksheet.

3.1.2 Letter of Certification

Contractor(s) shall sign the Letter of Certification certifying that the minimum percentage, if not exact percentage, listed in the PCRC Percentages Worksheet is accurate. The Letter of Certification shall be provided regardless of content, even if the product(s) contain no post consumer recycled material and be furnished under penalty of perjury.

3.1.3 Reportable Product Categories Table

The product categories table is provided and is for informational purposes only and identifies the 11 reportable SABRC product categories.

Within 30 calendar days from contract award, the Contractor will be required to provide a signed Letter of Certification and completed PCRC Percentages Worksheet to the State Contract

Administrator. The PCRC Percentages Worksheet shall be provided in hard copy and electronic copy (on a CD-ROM in Microsoft Excel format).

During the life of the contract, the Contractor(s) will be required to submit revised PCRC Certification Workbook information if percentages are adjusted or if substitute line items are approved by the State Contract Administrator.

### 3.2 Packaging, Packing and Marking

- 3.2.1 No Polyvinylchloride (PVC) plastic bags or films are permitted for packaging. Containers and corrugated boxes are to be readily recyclable, without coating or other treated substances such as wax prohibiting or limiting repulpability. Markings to be made of ink manufactured in USA or bidder to declare in writing inks are free of heavy metals.
- 3.2.2 Rigid Plastic Containers when used shall comply with the California Rigid Plastic Packaging Container Law, PRC §42300-42345. Certificate verification required  
<http://www.calrecycle.ca.gov/Plastics/RPPC/Certification/>.

### 3.3 Packaging Materials

- 3.3.1 Bidders offering bio-degradable or compostable packaging materials must ensure materials meet ASTM Standard Specifications for Compostable Plastics D 6400-04 and ASTM 6400-00 Standard for packing materials marked Biodegradable.
- 3.3.2 Paper and wood products (i.e. labeling, packaging, catalogs or wood pallets) shall be Process Chlorine Free (PCF). Bidders are encouraged to use paper and wood products produced from a company participating in a forest stewardship program where the forest is managed to conserve biological diversity, natural resources and maintain a thriving ecosystem.

### 3.4 Toxics in Packaging

All packages, packaging components, and packaged retail-ready products offered during the life of the contract must be in full compliance with all requirements of the Toxics in Packaging Prevention Act (Health and Safety Code (HSC) sections 25214.11-25214.26.) "Package" and "packaging components" are defined in HSC section 25214.12. Provisions for exemption from this Act are contained in HSC section 25214.14.

Upon request by the State, the awarded supplier shall provide a Certificate of Compliance which covers each type of package, packaging component, or packaged retail-ready product supplied, distributed, or sold under this specification. The certification shall be based either on direct written correspondence from the packaging product manufacturer or from any written advertisement issued by the product manufacturer including, but not limited to, the products label, the manufacturers catalog, or the manufacturers or vendors Internet Web site.

More information can be found at: <http://www.dtsc.ca.gov/ToxicsInPackaging/index.cfm>

**3.5 Hazardous Substance Declaration**

Products, that contain hazardous substances, as defined by California Code of Regulations, 8CCR §5194, Hazard Communication, shall comply with the requirements of the regulations including section 5194(g), Material Safety Data Sheets (MSDS).

The Contractor must provide a Material Safety Data Sheet (MSDS), via facsimile or email, to the ordering agency upon written request.

**3.6 End-of-Life Management**

Bidders shall take-back unused paint within eight (8) months of purchase date and submit a written plan detailing a take-back program for the paint, paint totes and containers. The take-back program shall be offered at no cost to the state and includes all transportation costs, labor, recycling and waste management. A written plan shall include, but not be limited to: Paint and Container Collection.

Paint and/or container collection shall be within 30 days of an agency's notification.

**3.6.1 Packaging and Shipping instruction**

Packaging and Shipping instructions to include type of packaging used for shipping, weight and size limits, shipping papers, shipping labels and procedures to notify vendor of pickup.

**3.6.2 Authorized Person(s) and/or Company**

The person(s) and/or company authorized to pickup, transport and accept paint, paint totes and containers. The person or company authorized to pickup, transport or accept paint, paint totes and containers for take-back shall be named, contact information phone number and address provided.

**3.6.3 Waste Management**

A waste management plan shall identify end-of-life disposal method(s). Disposal shall be in accordance with the laws of California and may include recycling options. When recycling options are chosen, the plan is to include the name, address and phone number of the recycling facility and the name of a company representative to contact.

### Miscellaneous Requirements State Specification #PTWB-01R2 Paint, Rapid Dry, Waterborne Traffic Line

#### 1.0 QUALITY ASSURANCE PROVISIONS

**1.1 Sampling and Testing:** A one-quart representative sample of each batch of traffic paint intended for use by the Department of Transportation (Department) must be sent to the Transportation Laboratory for testing and approval before the batch is shipped. The address of the Transportation Laboratory is listed in section 3.4. A batch shall be the amount of paint that was manufactured and packaged in a single operation. The Department reserves the right to take random samples of batches of paint destined for use by the Department, at the manufacturer's facility. If requested, batch tickets must also be provided for batches of paint produced for the Department. A manufacturer's test report shall be included with the one-quart sample of each batch sent to the Transportation Laboratory. The following information shall be included in the manufacturer's test report:

- State Specification number, PTWB-01R2 (March 2010).
- Batch number, batch volume, color, date of manufacture.
- Dry to No Pick-Up time (PTWB-01R2, section 3.3.9).
- Dry Opacity (PTWB-01R2, section 3.3.16).
- Yellowness Index (of white only, see PTWB-01R2, section 3.3.17).
- Reflectance (PTWB-01R2, section 3.3.18).
- Yellow Color (of yellow only, see PTWB-01R2, section 3.3.19).
- Consistency (PTWB-01R2, section 3.3.7).
- Nonvolatile Content, weight percent (PTWB-01R2, section 3.3.3).
- Pigment, weight percent (PTWB-01R2, section 3.3.4).
- Density (PTWB-01R2, section 3.3.6).

Once the Transportation Laboratory approves a batch of paint, the manufacturer will be notified that the batch is approved for shipment. Upon shipment of the approved batch of paint to a Department Maintenance facility, the manufacturer shall fax the following information to the Transportation Laboratory within 48 hours.

- A list of each delivery location.
- Name and phone number of contact person(s) at the delivery location(s).
- State Specification number, PTWB-01R2.
- Colors, batch numbers and quantity of each batch of paint delivered.

This information shall be faxed to: Transportation Laboratory, Chemical Testing Branch, 5900 Folsom Blvd., Sacramento, CA 95819-4612, attn.: Lisa Dobeck, Fax (916) 227-7168.

The Department reserves the right to retest any batch of traffic paint after delivery. Data from such retesting shall prevail over all other tests and will be the basis of

## Attachment C

rejection. Material not meeting the specification shall be removed and replaced by the supplier at their expense, including all costs for handling, retesting and shipping.

**1.2** Critical Situation: In the event that the delivered paint affects the operating ability of the equipment, such as causing plugged paint lines, pumps, paint guns, etc., causing a down condition of the striping or spray equipment, the State will contact the supplier and the supplier shall respond within two hours of notification and remedy the situation within thirty six hours of notification by the State.

**1.3** Problem Situation: In the event that the performance or quality of the delivered paint is questioned, such as slow dry time, poor bead retention, poor adhesion, etc., the State will contact the supplier and the supplier shall respond within two hours of notification and remedy the situation within seventy two hours of notification by the State.

If the State requires a Service Representative to participate in a problem solving situation (either on site or by telephone) outlined in either of the above described situations, the supplier's representative shall be fully qualified, both mechanically and technically, to solve the problem. A "Salesman" or "Regional Manager" or other unqualified representative does not fulfill the intention of this section.

## **2.0 PREPARATION FOR DELIVERY**

**2.1** Packaging: All manufactured paint shall be prepared at the factory ready for application. The finished paint shall be furnished in the container size specified in the purchase order or contract.

- When 5-gallon containers are specified, they shall be round and have standard full open head and bail.
- If 55-gallon steel drums are specified, they must have removable lids and airtight band fasteners.
- When 350-gallon bulk containers are required by the purchase order or contract, the paint shall be delivered in a container (tote) meeting the following requirements.
  1. Tank volumes are estimated and so specified in each of three (3) Bulk Container drawings dated 09-04-91. Vendor shall allow a 5-gal. headspace for expansion of the paint.
  2. Maximum size in regards to width, depth and height shall be in accordance with one of the three drawings dated 09-04-91.
  3. Top openings; 18 inch diameter manhole and 6 inch diameter viewport/fill cap.
  4. Bottom outlet; 2 inch I.D. full flow non-restrictive valve with outlet guard.
  5. Outlet to have 'Ever-Tite' or compatible quick coupler.
  6. Fabricated from 304 stainless steel.
  7. Capable of being stacked two (2) high when full.
  8. Capable of being lifted by crane (lifting eye) and forklift when full.
  9. Top of tank shall be equipped with one (1) vacuum relief valve and one (1) pressure relief valve.
  10. Top opening and outlet shall provide for easy installation of liner.
  11. Proper certification by the California Highway Patrol that the container complies with all applicable laws, rules, and regulations.

## Attachment C

All shipping containers must comply with Code of Federal Regulations, Title 49 and all other applicable Federal and State Regulations governing their use. The containers and lids must be lined with a suitable coating so as to prevent attack by the paint or by agents in the airspace above the paint. The lining must not come off the container or lid as skins. Lids with bungholes shall not be used except on 55-gallon drums, which shall be equipped with a 2 1/4" diameter bunghole in the removable head to facilitate pumping the contents without removing the head.

Containers with lids shall be colored white, including lids, and have an identifying band of the appropriate color around and within the top one-third of the container. Stainless steel containers (totes) do not need to be painted white.

All containers shall be properly sealed with suitable gaskets and shall show no evidence of leakage and shall remain in satisfactory condition for a period of 12 months after delivery. The vendor shall be held responsible for replacing containers unfit for use and will be responsible for all costs and transportation charges incurred in replacing paint and containers. All containers shall be palletized and banded for shipment.

### 2.2 For Totes With Liners:

If the before filling weight of the empty tote with a liner exceeds the stamped tare weight (tare weight to include liner weight) of the tote by more than 150 pounds, the tote shall be immediately removed from use for purposes of this contract until said tote liner has been cleaned or until a new tote liner has been installed.

Compensation for any tote liners used during the course of this contract shall be considered to be included in the price per gallon bid for paint.

### 2.3 For Totes Used Without Liners:

If before filling weight of the empty tote exceeds the stamped tare weight by more than 100 pounds, the tote shall be immediately removed from use for purpose of this contract until said tote had been cleaned to bare metal. Cost of cleaning totes and disposing of any residues resulting from such cleaning shall be included in the price per gallon bid for paint and no additional compensation will be paid to the supplier for cleaning the totes.

In case of conflict between specification text and tote drawing, the drawing shall be the governing specifications.

2.4 Marking: All containers of paint shall be labeled showing the State Specification number (PTWB-01R2), manufacturer's name, date of manufacture, color and manufacturer's batch number. Containers shall be clearly labeled "Rapid Dry, Waterborne Traffic Paint". All containers of the paint shall be labeled to indicate that the contents fully comply with all rules and regulations concerning air pollution control in the State of California. The manufacturer of the paint shall be responsible for proper shipping labels with reference to whether the contents are; toxic, corrosive, flammable, etc., as outlined in the Code of Federal Regulations, Title 49. The Contractor shall list on the Demountable Weight Tags the kilograms per liter and pounds per gallon each for the white, yellow and black paints.

### 2.5 Demountable Weight Tags:

Weight tags, decals, or otherwise removable labels shall be affixed to each tote prior to shipping. Each tag, decal, or labels shall include tote number, date of

## Attachment C

weighing, weight before filling, weight after filling, conversion of new weight to gallons, manufacturer's lot number, State Purchase Order number, and the name of the person authorized to perform weighing of the totes. Weight tags, decals, or labels shall be weather resistant or enclosed in a weather resistant envelope type cover. Data written directly on the tote and which is not easily removable from the tote is not acceptable.

### 2.6 Tote Records:

Each tote shall have a separate and distinct tote number. The supplier shall maintain and present on demand a separate and complete record of the activity of each tote (including information described in DEMOUNTABLE WEIGHT TAGS above, and including use, if any by non- Department of Transportation agencies or private contractors). Failure to maintain and surrender such records on demand may result in suspension of the contract and disqualification from bidding on future contracts.

### 3.0 **NOTES**

3.1 Certification of Compliance: The manufacturer shall furnish a Certificate of Compliance with each batch of paint, in accordance with the provisions of Section 6-1.07 of the Department of Transportations' Standard Specifications, latest version. This Certificate must state that the particular batch of paint complies with State Specification PTWB-01R2.

3.2 Material Safety Data Sheets: The manufacturer shall furnish MSDS product information sheets whenever paint is delivered to a Department of Transportation facility.

3.3 Air Pollution Compliance: The paint shall comply with all air pollution control rules and regulations within the State of California in effect at the time the paint is manufactured.

3.4 Contact Information: Please send the representative samples of each lot to:

California Department of Transportation  
Transportation Laboratory – Chemistry Section  
5900 Folsom Blvd.  
Sacramento, CA 95819  
Attention: Lisa Dobeck

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## STATE OF CALIFORNIA SPECIFICATION PALLETS, WOODEN

### 1 SCOPE

This specification covers pallets intended for use with low lift pallet trucks or forklift trucks.

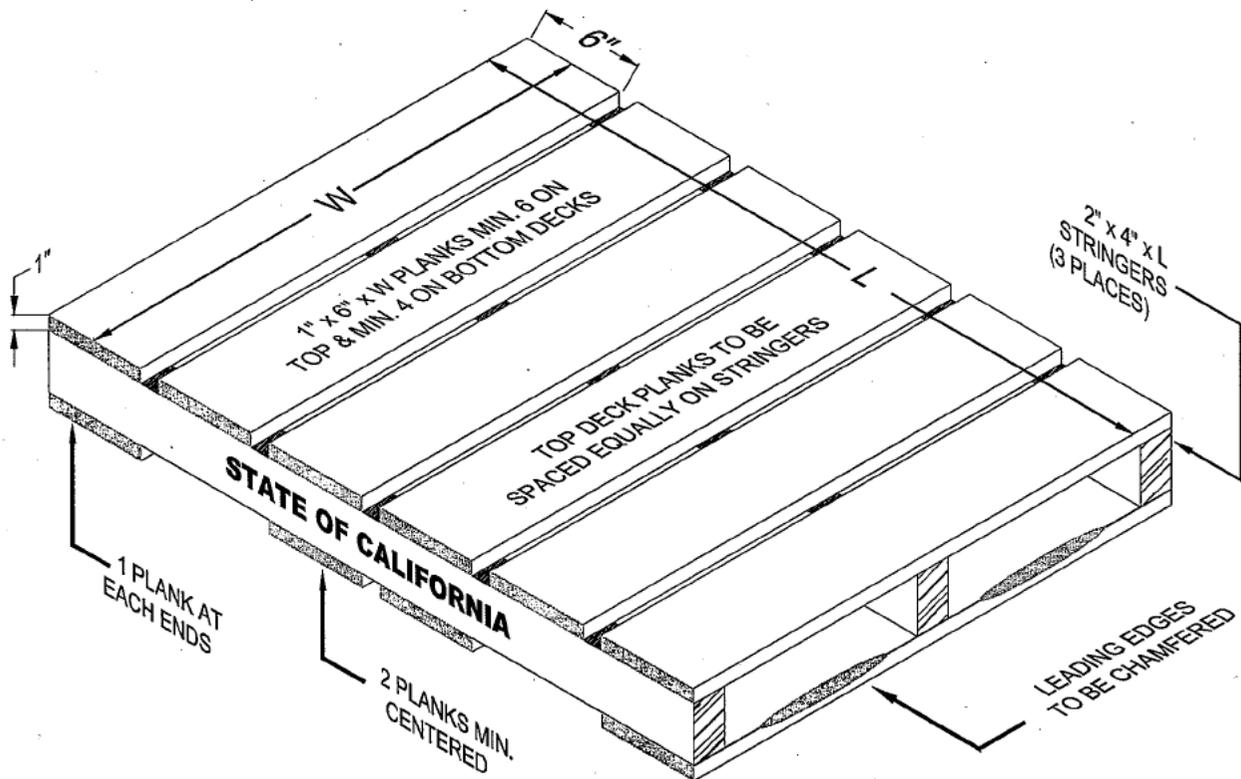
### 2 SPECIFICATION AND STANDARDS

Specifications and standards referenced in this document in effect on the opening of the Invitation for Bid form a part of this specification where referenced.

### 3 REQUIREMENTS

#### 3.1 Material

The pallets shall be constructed from nominal size standard or better (West Coast Lumber Inspection Bureau, Standard Grading Rules for West Coast Lumber) grade Douglas Fir, Hemlock, Larch or Hem-Fir. The stringers shall be S4S and the decking S4S or S1S2E (re-



**FIG. 1 - TYPE 2  
WOODEN PALLET**

sawed) with no edge knots. Sawed side is to be assembled to the inside of the pallets. Fastening shall be accomplished with 2¼ inch (+1/16 inch) 7 penny flat head drive screws (helical threaded nail) or 2¼ (+1/16 inch) #10 wire gauge annular ring nails as recommended in Specifications and Grades for Warehouse. Permanent or Returnable Pallets of West Coast Woods as published by the National Wooden Pallet and Container Association (Specifications and Grades, NWPCA).

**3.2 Non-Standard Duty-Cycle Pallets**

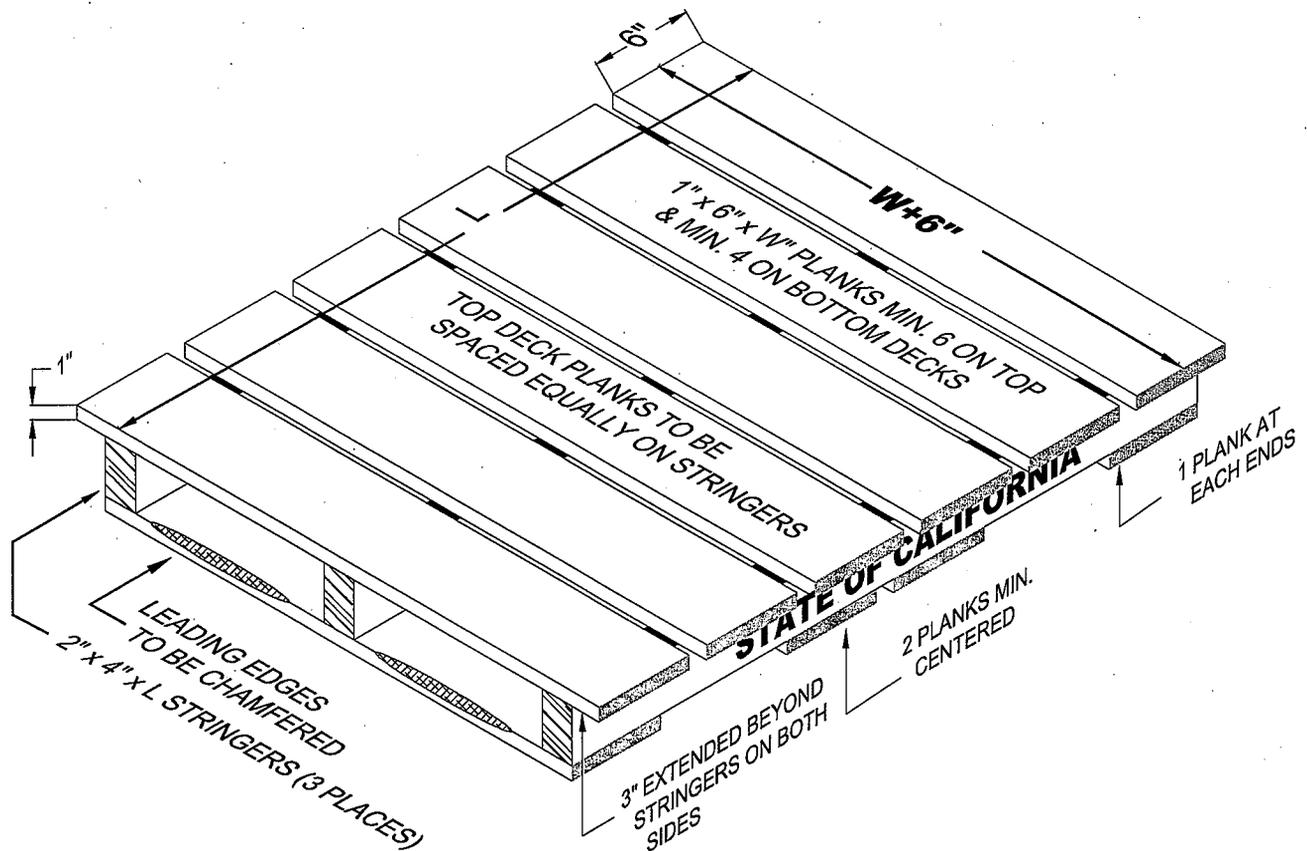
When specifically requested by the user, pallets may be manufactured using pine, oak or ash woods.

**3.3 Construction**

Pallet type and construction shall comply with Specifications and Grades, NWPCA. The pallets shall be Grade "Quality" (QAL).

The decking shall be secured with 3 nails or screws at each surface of contact with the stringer. Nails shall not be within ½ inch of deck-board edges or another nails.

All leading and outside edges of the bottom deck shall be chamfered. The chamfers shall be at least 12 inches long and shall be cut on an approximate 35 degree angle to the face so as to leave an edge adjacent to the chamfer not less than ¼ inch nor more than ½ inch from the outer



**FIG. 2 - TYPE 4  
SINGLE WING WOODEN PALLET**

edge of the deck-board. The chamfer shall extend to within 3 inches of the stringers. Pallet configuration shall comply with illustration A.

COMMONLY USED PALLET TYPES & SIZE			
SIZE	TYPE	TOP DECK	BOTTOM DECK
1	2 (Fig. 1)	42"L x 36"W Six 1" x 6" x 36" deck-boards, spaced evenly along the pallet width	42"L x 36"W Min. Four 1" x 6" x 36" boards. One placed each end of the stringers Two at center of the stringers
2	2 (Fig. 1)	42"L x 42"W Six 1" x 6" x 42" deck-boards, spaced evenly along the pallet width	42"L x 42"W Min. Four 1" x 6" x 42" boards. One placed each end of the stringers Two at center of the stringers
3	2 (Fig. 1)	44"L x 44"W Six 1" x 6" x 44" deck-boards, spaced evenly along the pallet width	44"L x 44"W Min. Four 1" x 6" x 44" boards. One placed each end of the stringers Two at center of the stringers(Fig. 1)
4	2 (Fig. 1)	45"L x 36"W Six 1" x 6" x 36" deck-boards, spaced evenly along the pallet width	45"L x 36"W Min. Four 1" x 6" x 36" boards. One placed each end of the stringers Two at center of the stringers
5	2 (Fig. 1)	46"L x 44"W Six 1" x 6" x 44" deck-boards, spaced evenly along the pallet width	46"L x 44"W Min. Four 1" x 6" x 44" boards. One placed each end of the stringers Two at center of the stringers
6	2 (Fig. 1)	48"L x 48"W Six 1" x 6" x 48" deck-boards, spaced evenly along the pallet width	48"L x 48"W Min. Four 1" x 6" x 48" boards. One placed each end of the stringers Two at center of the stringers
<b>Note:</b> SIZE 1, TYPE 4 - has a single wing applied to top deck.			
1	4 (Fig. 2)	42"L x 36"W Six 1" x 6" x 36" deck-boards, spaced evenly along the pallet width with 3" wings extending beyond the stringers outboard faces	42"L x 30"W Min. Four 1" x 6" x 36" boards. One placed each end of the stringers, Two at center of the stringers

**4 SAMPLING AND INSPECTION**

This commodity will be sampled and inspected for compliance to this specification as deemed necessary. Sampling and inspection by attributes will be in accordance with ANSI/ASQ Z1.4 1993, Sampling Procedures and Tables for Inspection by Attributes. An inspection lot is defined as one delivery to one agency at one time.

**4.1 Workmanship**

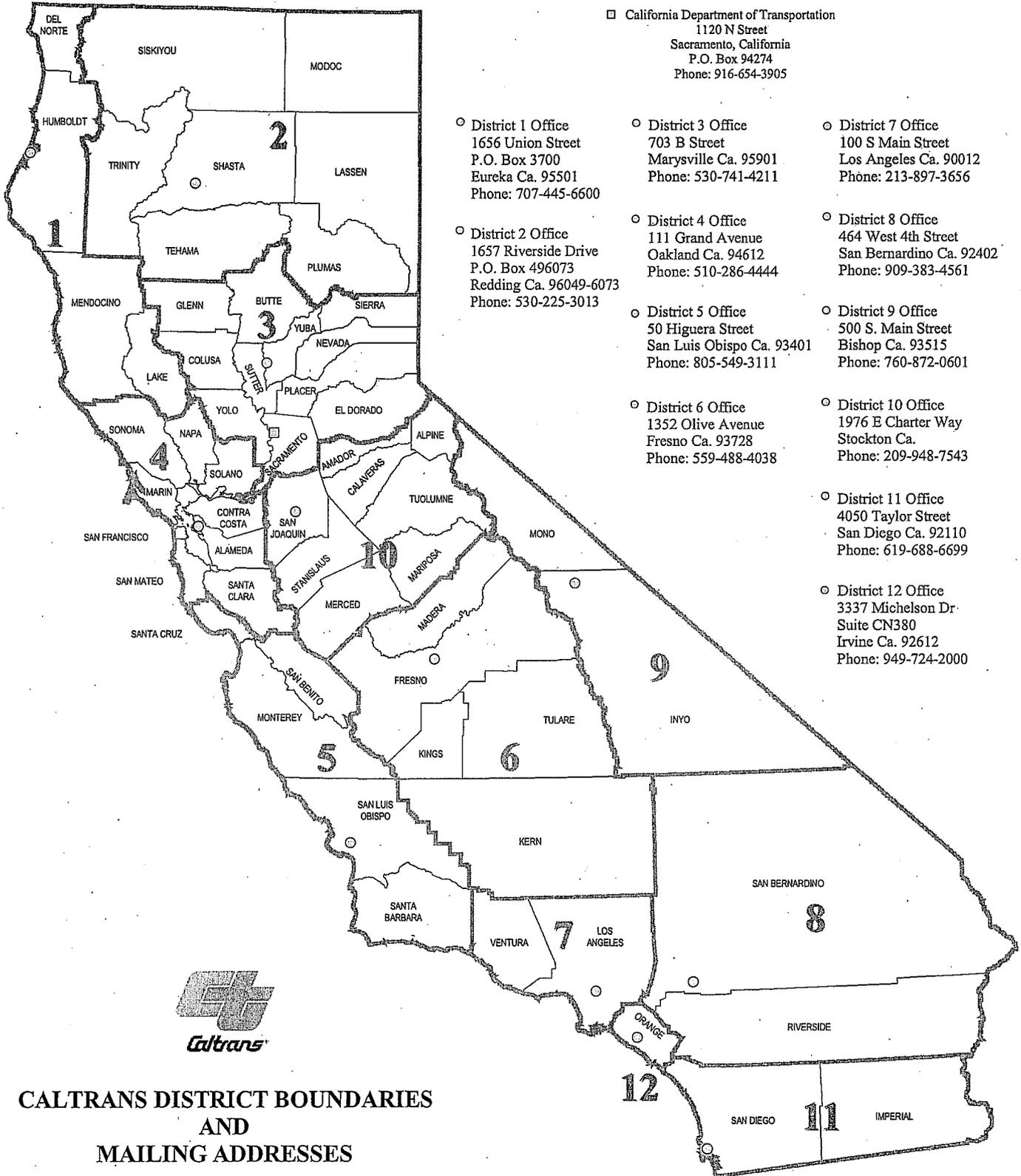
The pallets shall be free from defects as outlined under Grade "Quality" (QAL) in the "Specifications and Grades", NWPCA.

**5 MARKING**

Each pallet shall be marked (two places), "STATE OF CALIFORNIA". Marking shall be easily readable, in black letters and on outboard faces of stringers.

[Back to Report Table of Contents](#)

**STATE OF CALIFORNIA**  
**Business, Transportation and Housing Agency**  
**Department of Transportation**



□ California Department of Transportation  
 1120 N Street  
 Sacramento, California  
 P.O. Box 94274  
 Phone: 916-654-3905

○ District 1 Office  
 1656 Union Street  
 P.O. Box 3700  
 Eureka Ca. 95501  
 Phone: 707-445-6600

○ District 3 Office  
 703 B Street  
 Marysville Ca. 95901  
 Phone: 530-741-4211

○ District 7 Office  
 100 S Main Street  
 Los Angeles Ca. 90012  
 Phone: 213-897-3656

○ District 2 Office  
 1657 Riverside Drive  
 P.O. Box 496073  
 Redding Ca. 96049-6073  
 Phone: 530-225-3013

○ District 4 Office  
 111 Grand Avenue  
 Oakland Ca. 94612  
 Phone: 510-286-4444

○ District 8 Office  
 464 West 4th Street  
 San Bernardino Ca. 92402  
 Phone: 909-383-4561

○ District 5 Office  
 50 Higuera Street  
 San Luis Obispo Ca. 93401  
 Phone: 805-549-3111

○ District 9 Office  
 500 S. Main Street  
 Bishop Ca. 93515  
 Phone: 760-872-0601

○ District 6 Office  
 1352 Olive Avenue  
 Fresno Ca. 93728  
 Phone: 559-488-4038

○ District 10 Office  
 1976 E Charter Way  
 Stockton Ca.  
 Phone: 209-948-7543

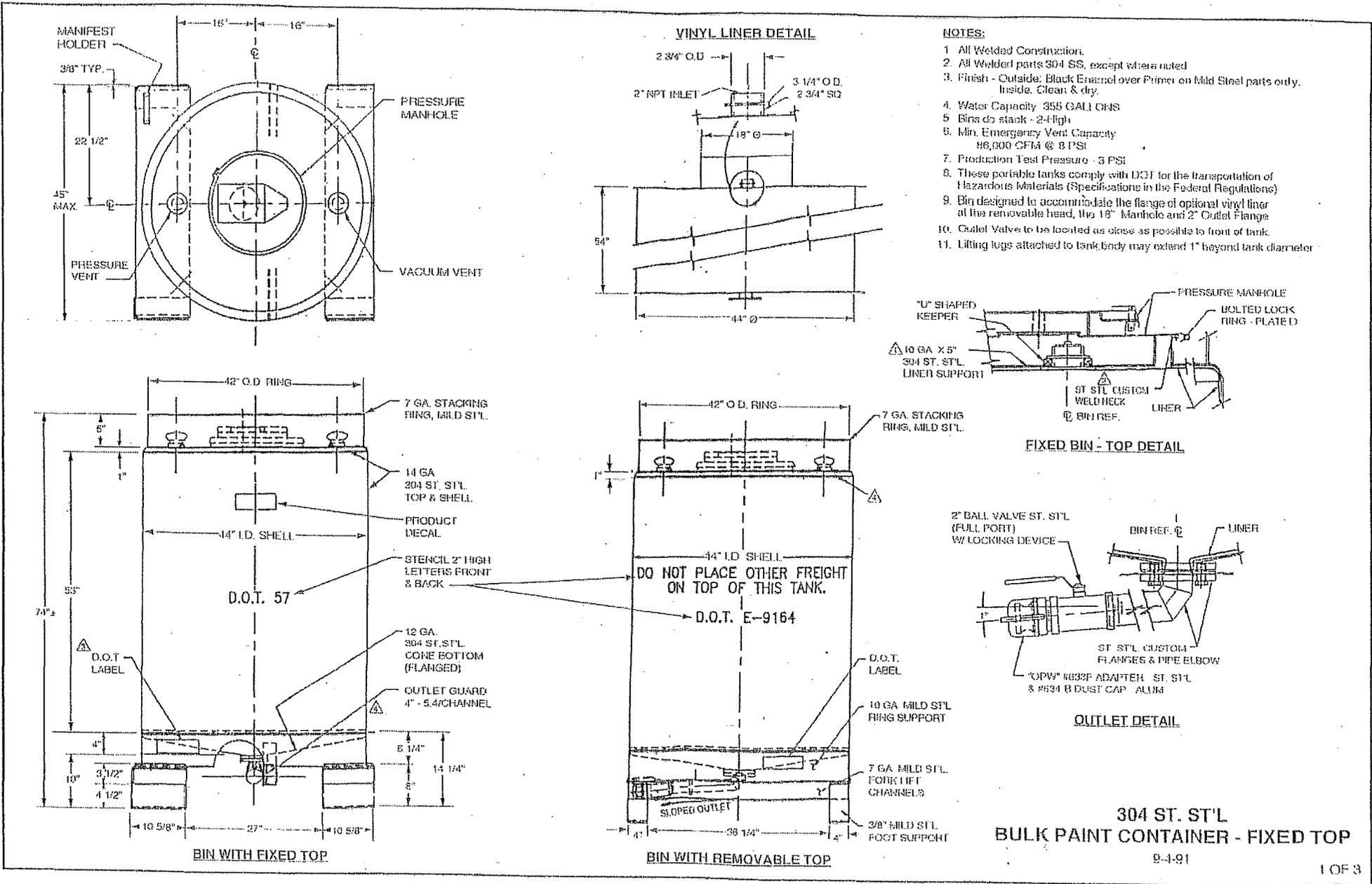
○ District 11 Office  
 4050 Taylor Street  
 San Diego Ca. 92110  
 Phone: 619-688-6699

○ District 12 Office  
 3337 Michelson Dr.  
 Suite CN380  
 Irvine Ca. 92612  
 Phone: 949-724-2000

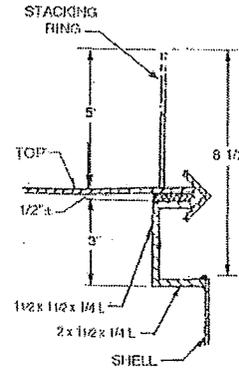
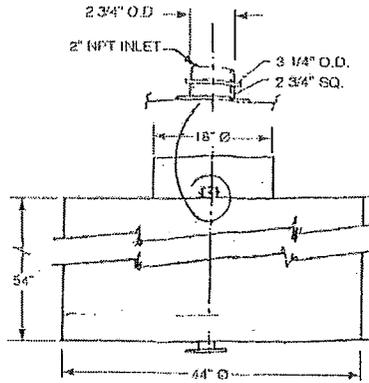
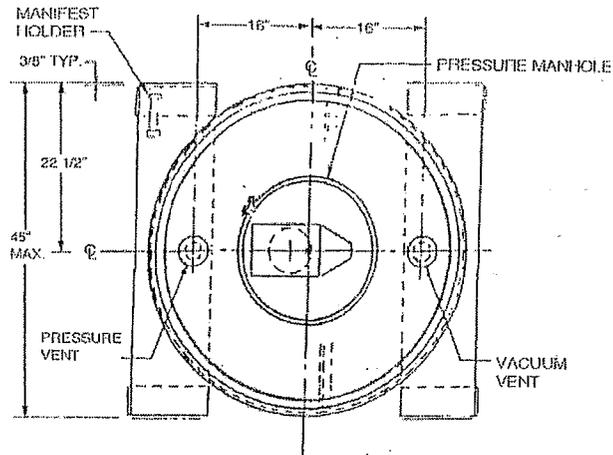


**CALTRANS DISTRICT BOUNDARIES  
 AND  
 MAILING ADDRESSES**

Prepared by  
 Division of Maintenance GIS  
 December, 2010



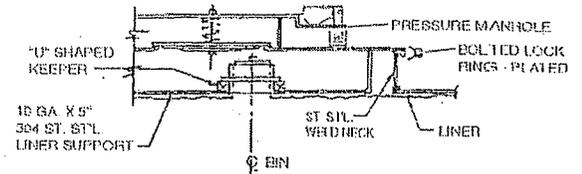
# Attachment F



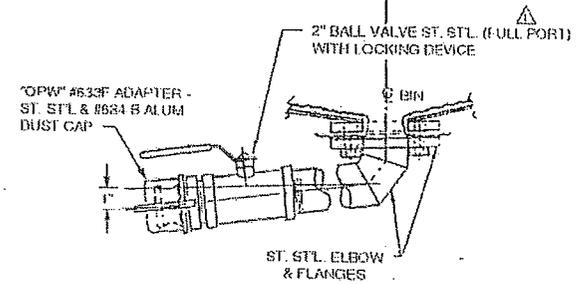
### NOTES:

1. All Welded Construction
2. All Welded parts 304 SS, except where noted
3. Finish - Outside, Black Enamel over Primer (Mild Steel parts only) Inside, Clean & dry
4. Water Capacity 375 GALLONS
5. Bins do stack - 2-1 high
6. Min. Emergency Vent Capacity 86,000 CFM @ 8 PSI
7. Production Test Pressure - 3 PSI
8. These portable tanks comply with DOT for the transportation of Hazardous Materials (Specifications in the Federal Regulations)
9. Bin designed to accommodate the flange of optional vinyl liner at the removable head, the 18" Manhole and 2" Outlet Flange
10. Outlet Valve to be located as close as possible to front of tank
11. Lifting lugs attached to tank body may extend 1" beyond tank diameter.

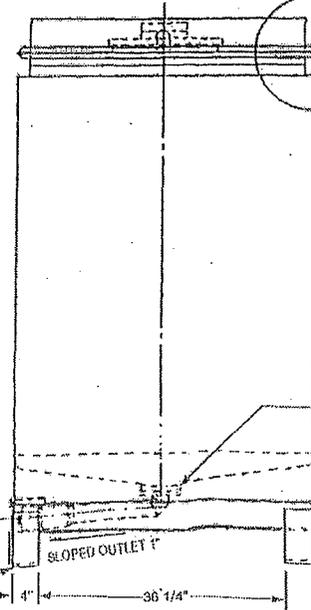
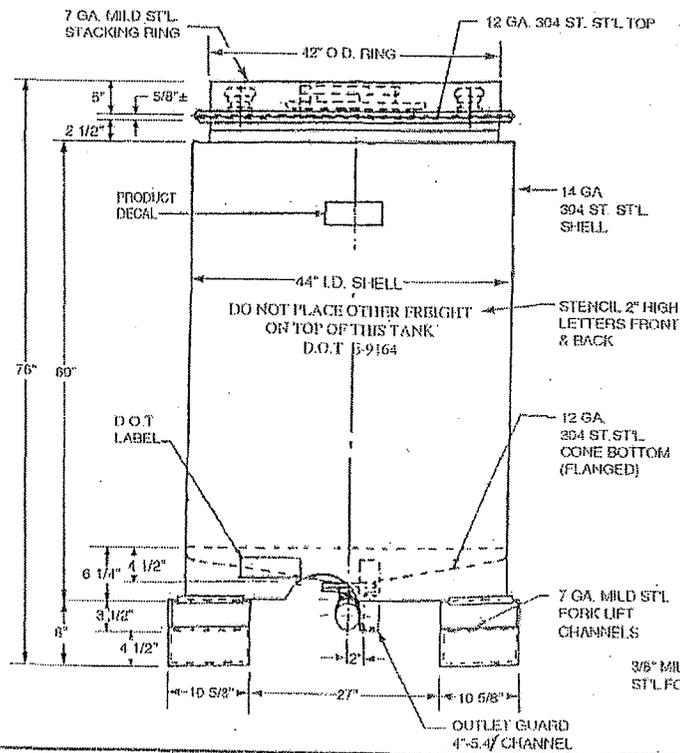
### VINYL LINER DETAIL



### DETAIL THRU MANHOLE



### OUTLET DETAIL

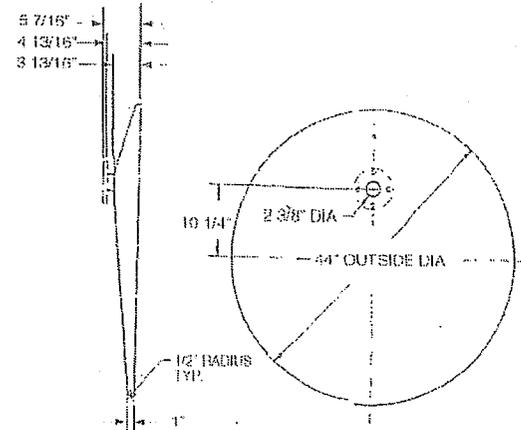
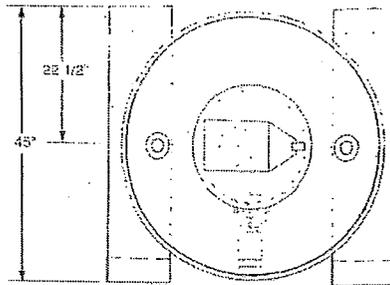


304 ST. ST'L.  
BULK PAINT CONTAINER - REMOVABLE TOP

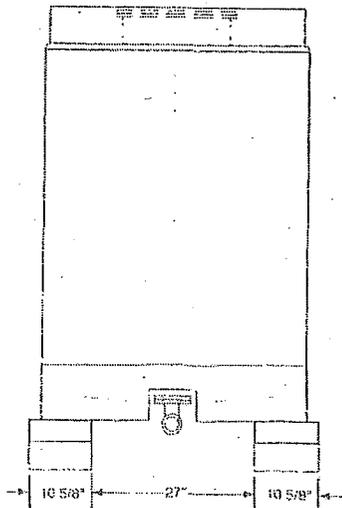
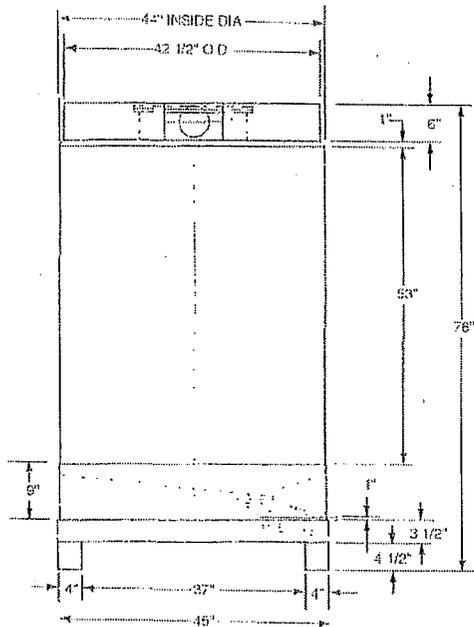
9-4-91

2 OF 3

# Attachment F



**TANK BOTTOM DETAIL**



- A - COMPLIES WITH DEPARTMENT OF TRANS. REG 57
- B - TANK VOLUME 358 GALLONS
- C - TANKS SHOP PAINTED WHITE
- D - TANK DESIGN 9 PSI
- E - TANK PRESSURE RELIEF VALVE 86,000 CFH @ 8 PSI
- F - LEAKAGE TEST PRESSURE 3 PSI
- G - SHELL MATERIAL 12 GA. STAINLESS STEEL WELDED CONST.
- H - TOP OPENING 18" HINGED F.M. PRESSURE MANHOLE
- I - BOTTOM OUTLET 2" DIA. WITH FULLPORT BALL VALVE AND ADAPTER CHAINED DUST COVER
- J - TWO LIFTING EYES IN REINFORCED STACKING RING
- K - 6" X 3/16" STACKING RING WELDED TO TANK TOP
- L - TANK SHALL BE EQUIPPED WITH AN OUTLET GUARD



Department of General Services  
Procurement Division  
707 Third Street, 2<sup>nd</sup> Floor  
West Sacramento, CA 95605-2811

State of California  
**CONTRACT USER INSTRUCTIONS**  
\*\*\*\*MANDATORY\*\*\*\*

CONTRACT NUMBER:	1-13-80-03A
DESCRIPTION:	Paint, Rapid Dry & High Build Waterborne Traffic Line
CONTRACTOR:	Ennis Paint, Inc.
CONTRACT TERM:	03/04/2013 through 03/03/2015
STATE CONTRACT ADMINISTRATOR:	Mike Murphy (916) 375-5918 <a href="mailto:mike.murphy@dgs.ca.gov">mike.murphy@dgs.ca.gov</a>

The contract user instructions, products, and pricing are included herein. All purchase documents issued under this contract incorporate the contract terms and applicable California General Provisions.

\_\_\_\_\_  
Mike Murphy, Contract Administrator

Date: \_\_\_\_\_

## Contract (Mandatory) 1-13-80-03A Contract User Instructions

### 1. SCOPE

The State's contract with Ennis Paint, Inc. provides Paint, Rapid Dry and High Build Waterborne Traffic Line at contracted pricing to the State of California's Department of Transportation and local governmental agencies in accordance with the requirements of Contract # 1-13-80-03A. The Contractor shall supply the entire portfolio of products as identified in the contract and will be the primary point of contact for data collection, reporting, and distribution of Paint, Rapid Dry and High Build Waterborne Traffic Line.

The contract term is for two (2) years with an option to extend the contract for two (2) additional, one (1) year periods or portions thereof. The terms, conditions, and prices for the contract extension option shall be by mutual agreement between the Contractor and the State. If a mutual agreement cannot be met the contract may be terminated at the end of the current contract term.

### 2. CONTRACT USAGE/RULES

#### A. State Departments

- The use of this contract is mandatory for the Department of Transportation.
- Ordering departments must adhere to all applicable State laws, regulations, policies, best practices, and purchasing authority requirements, e.g. California Codes, Code of Regulations, State Administrative Manual, Management Memos, and State Contracting Manual Volume 2 and 3, as applicable.
- Prior to placing orders against this contract, departments must have been granted non-IT purchasing authority by the Department of General Services, Procurement Division (DGS/PD) for the use of this statewide contract. The department's current purchasing authority number must be entered in the appropriate location on each purchase document. Departments that have not been granted purchasing authority by DGS/PD for the use of the State's statewide contracts may access the Purchasing Authority Application at <http://www.dgs.ca.gov/pd/Resources/publications/SCM2.aspx> or may contact DGS/PD's Purchasing Authority Management Section by e-mail at [pams@dgs.ca.gov](mailto:pams@dgs.ca.gov).
- Departments must have a Department of General Services (DGS) agency billing code prior to placing orders against this contract. Ordering departments may contact their Purchasing Authority contact or their department's fiscal office to obtain this information.

#### B. Local Governmental Agencies

- Local governmental agency use of this contract is optional.
- Local government agencies are defined as "any city, county, city and county, district or other governmental body or corporation, including the California State Universities (CSU) and University of California (UC) systems, K-12 schools and community colleges", empowered to expend public funds for the acquisition of products, per Public Contract Code Chapter 2, Paragraph 10298 (a) (b). While the State makes this contract available to local governmental agencies, each local governmental agency should determine whether this contract is consistent with its procurement policies and regulations.
- Local governmental agencies shall have the same rights and privileges as the State under the terms of this contract. Any agencies desiring to participate shall be required to adhere to the same responsibilities as do State agencies and have no authority to amend, modify or change any condition of the contract.

**Contract (Mandatory) 1-13-80-03A**  
**Contract User Instructions**

- Local governmental agencies must have a DGS agency billing code prior to placing orders against this contract. DGS agency billing codes may be obtained by emailing the DGS billing code contact with the following information:
  - Local governmental agency
  - Contact name
  - Telephone number
  - Mailing address
  - Facsimile number and e-mail address

DGS Billing Code Contacts: [Marilyn.ebert@dgs.ca.gov](mailto:Marilyn.ebert@dgs.ca.gov) or [Wilson.lee@dgs.ca.gov](mailto:Wilson.lee@dgs.ca.gov)

- C. Unless otherwise specified within this document, the term “ordering agencies” will refer to all State departments and/or local governmental agencies eligible to utilize this contract. Ordering and/or usage instructions exclusive to State departments or local governmental agencies shall be identified within each article.

**3. DGS ADMINISTRATIVE FEES**

A. State Departments

The DGS will bill each State department an administrative fee for use of this statewide contract. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS.

Current fees are available online in the Procurement Division Price Book located at: <http://www.dgs.ca.gov/ofs/Resources/Pricebook.aspx>. (Click on “Purchasing” under Procurement Division.)

B. Local Governmental Agencies

For all local government agency transactions issued against the contract the Contractor is required to remit the DGS/PD an Incentive Fee of an amount equal to 1% of the total purchase order amount excluding taxes and freight. This Incentive Fee shall not be included in the agency’s purchase price, nor invoiced or charged to the purchasing entity. All prices quoted to local governmental agency customers shall reflect State contract pricing, including any and all applicable discounts, and shall include no other add-on fees.

**4. CONTRACT ADMINISTRATION**

Both the State and the Contractor have assigned contract administrators as the single points of contact for problem resolution and related contract issues.

<b>Administrator Information</b>	<b>DGS/PD (State Contract Administrator)</b>	<b>Ennis Paint, Inc. (Contractor)</b>
<b>Contact Name:</b>	Mike Murphy	Kelley Liska
<b>Telephone:</b>	(916) 375-5918	(214) 874-7232
<b>Facsimile:</b>	(916) 375-4613	(800) 555-0217
<b>Email:</b>	<a href="mailto:mike.murphy@dgs.ca.gov">mike.murphy@dgs.ca.gov</a>	<a href="mailto:kliska@ennistraffic.com">kliska@ennistraffic.com</a>
<b>Address:</b>	DGS/Procurement Division Attn: Mike Murphy 707 Third Street, 2 <sup>nd</sup> Floor, MS 201 West Sacramento, CA 95605	Ennis Paint Attn: Kelley Liska 1509 S. Kaufman Ennis, TX 75119

**Contract (Mandatory) 1-13-80-03A**  
Contract User Instructions

**5. PROBLEM RESOLUTION/SUPPLIER PERFORMANCE**

Ordering agencies and/or Contractors shall inform the State Contract Administrator of any technical or contractual difficulties encountered during contract performance in a timely manner. This includes and is not limited to informal disputes, supplier performance, outstanding deliveries, etc.

For Contractor performance issues, ordering agencies must submit a completed [Supplier Performance Report](#) via email or facsimile to the State Contract Administrator identified in Article 4 (Contract Administration). The ordering agency should include all relevant information and/or documentation (i.e. Purchase documents).

**6. CONTRACT ITEMS**

All available line items and associated pricing is listed on Attachment A, Contract Pricing.

**7. SPECIFICATIONS**

All products listed on Attachment A, Contract Pricing, must conform to the State of California Department of Transportation Bid Specification Numbers:

- PTWB-01R2 for Paint, Rapid Dry Waterborne Traffic Line, White, Yellow and Black, dated March 2010
- Federal Specification TT-P-1952E (Type III), Paint, High-Build Waterborne Traffic Line, August 2007

**8. PURCHASE EXECUTION**

A. State Departments

1) Purchase Documents

State departments must use the Purchasing Authority Purchase Order (STD. 65) for purchase execution. An electronic version of the STD. 65 is available at the Office of State Publishing web site: <http://www.dgs.ca.gov/pd/Forms.aspx> (select Standard Forms).

All Purchasing Authority Purchase Orders (STD. 65) must contain the following:

- Agency Order Number (Purchase Order Number)
- Ordering Agency Name
- Agency Billing Code
- Purchasing Authority Number
- Leveraged Procurement Number (Contract Number)
- Supplier Information (Contact Name, Address, Phone Number, Fax Number, E-mail)
- Line Item number
- Quantity
- Unit of Measure
- Commodity Code Number
- Product Description
- Unit Price
- Extension Price

**Contract (Mandatory) 1-13-80-03A**  
**Contract User Instructions**

2) Blanket Orders

The use of blanket orders against this statewide contract will be allowed only by the Department of Transportation. Blanket orders must adhere to the following rules:

- The Purchasing Authority Purchase Order (STD. 65) term dates do not cross into different Fiscal Years
- The purchase order term dates do not exceed the contract period
- The purchase order issued only lists contract line items
- When funds are exhausted, a new purchase order is issued
- A copy of all blanket orders must be sent to the Contract Administrator at [mike.murphy@dgs.ca.gov](mailto:mike.murphy@dgs.ca.gov) or faxed to (916) 375-4613. (Please provide a fax cover sheet addressed to the Contract Administrator)

3) American Recovery and Reinvestment Act (ARRA) - Supplemental Terms and Conditions

Ordering departments executing purchases using ARRA funding must attach the ARRA Supplemental Terms and Conditions document to their individual purchase documents. Departments are reminded that these terms and conditions supplement, but do not replace, standard State terms and conditions associated with this leveraged procurement agreement.

- [ARRA Supplemental Terms and Conditions](#)

Note: Additional information regarding ARRA is available by clicking here to access the email broadcast dated 08/10/09, titled [Supplemental Terms and Conditions for Contracts Funded by the American Recovery and Reinvestment Act](#).

B. Local Governmental Agencies

Local governmental agencies may use their own purchase document for purchase execution. The purchase documents must include the same data elements as listed above (Exception: Purchasing Authority Number is used by State departments only).

C. Documentation

All ordering agencies will submit a copy of executed purchase documents to:

DGS - Procurement Division (IMS# Z-1)  
Attn: Data Entry Unit  
707 Third Street, 2<sup>nd</sup> Floor, MS 2-212  
West Sacramento, CA 95605-2811

**Contract (Mandatory) 1-13-80-03A**  
**Contract User Instructions**

**9. ORDERING PROCEDURE**

A. Ordering Methods:

Ordering agencies are to submit appropriate purchase documents directly to the Contractor via one of the following ordering methods:

- U.S. Mail
- Facsimile
- Email

The Contractor's Order Placement Information is as follows:

ORDER PLACEMENT INFORMATION		
U.S. Mail	Facsimile	Email
Ennis Paint Inc. 1509 S. Kaufman Ennis, TX 75119	(800) 555-0217	<a href="mailto:kliska@ennistraffic.com">kliska@ennistraffic.com</a>

Note: When using any of the ordering methods specified above, all State departments must conform to proper State procedures.

**10. MINIMUM ORDER**

The minimum order for Paint shall be one pallet of four (4) fifty-five (55) gallon drums or five (5) bulk containers.

Note: See Attachment A, Contract Pricing, for minimum order prices on paint and containers.

**11. ORDER RECEIPT CONFIRMATION**

The Contractor will provide ordering agencies with an order receipt confirmation, via e-mail or facsimile, within 48 hours of receipt of purchase document. The Order Receipt Confirmation shall include the following information:

- Ordering Agency Name
- Agency Order Number (Purchase Order Number)
- Purchase Order Total Cost
- Anticipated Delivery Date

**12. DELIVERY SCHEDULES**

Delivery for orders placed against this contract shall be in accordance with the following:

A. Locations

Deliveries are to be made (statewide) to the location specified on the individual purchase order, which may include, but not limited to inside buildings, high-rise office buildings, and receiving docks.

B. Schedule

## Contract (Mandatory) 1-13-80-03A Contract User Instructions

Delivery of ordered product shall be completed in full within three weeks (21 days) after receipt of an order (ARO) or within 30 days of a "request for delievery" on blanket orders. Since receiving hours for each ordering agency will vary by facility, it will be the Contractor's responsibility to check with each facility for their specific delivery hours before delivery occurs. The Contractor must notify the ordering agency within 12 hours of scheduled delivery time, if delivery cannot be made within the time frame specified on the Order Receipt Confirmation.

Contractor is requested to make deliveries in Los Angeles County, Orange County, San Bernardino Metropolitan Area, and San Diego Metropolitan Area during off-peak hours. Off-peak hours are Monday through Friday, 10:00 AM to 4:00 PM.

### C. Security Requirements

Deliveries may be made to locations inside secure institutional grounds (such as the California State Prisons) that require prior clearances to be made for delivery drivers. Since security clearance procedures for each facility may vary, it will be the Contractor's responsibility for contacting the secure location for security clearance procedures, hours of operation for deliveries and service, dress code, and other rules of delivery.

Note: In accordance with paragraph 15 of the General Provisions entitled "Delivery", the contractor shall strictly adhere to the delivery terms and completion schedule as specified in this solicitation. Failure to comply with the delivery requirements, as stated, may be considered a breach of contract and subject the contractor to General Provisions 26, entitled "Rights and Remedies of the State for Default".

### 13. LATE DELIVERY CHARGES

Late charges will be assessed if:

- Complete orders are not delivered within three (3) weeks (21 days) from notice of approval from the Department of Transportation's Testing Laboratory.
- Short or partial delivered within time schedule shown on the predetermined delivery schedule.
- Random partial shipments are not delivered within thirty (30) days after the receipt of a "REQUEST FOR DELIVERY" from the Contractor.

The Contractor will pay late delivery charges of \$250.00 per calendar day per "request for delivery" to the Ordering Agency until such time that the product is delivered or until the date after which the delivery will not be accepted, as specified in writing by the State, whichever occurs first.

In no case, shall the total delivery charged assessed against the Contractor exceed fifty (50) percent of the total value of the order in question. In the event the late delivery charges are not paid from any amount due or that may become due to the Contractor, the State reserves the right to deduct the total late delivery charges from any amount due or that may become due to the Contractor.

### 14. FREE ON BOARD (F.O.B.) DESTINATION/ORGIN

All prices are F.O.B. destination; freight prepaid by the Contractor, to the ordering organization's receiving point. Responsibility and liability for loss or damage for all orders will remain with the Contractor until final inspection and acceptance, when all responsibility will pass to the ordering organization, except the responsibility for latent defects, fraud, and the warranty obligations.

Delivery of orders of less than the required minimum (See Article 10) shall be F.O.B. Origin (Contractor's location), with the shipping cost "Prepaid and Add" to the invoices.

F.O.B. Origin Location: 200 2<sup>nd</sup> Street, Bakersfield, CA 93304

**Contract (Mandatory) 1-13-80-03A**  
**Contract User Instructions**

**15. SHIPPED ORDERS**

All shipments must comply with General Provisions (rev 06/08/2010), Paragraph 12 entitled "Packing and Shipment". The General Provisions are available at:

<http://www.documents.dgs.ca.gov/pd/modellang/GPnonIT060810.pdf>.

**16. PACKAGING, PACKING and MARKING**

No Polyvinylchloride (PVC) plastic bags or films are permitted for packaging. Containers and corrugated boxes are to be readily recyclable, without coating or other treated substances such as wax prohibiting or limiting repulpability. Markings to be made of ink manufactured in the USA or bidder is to declare in writing inks are free of heavy metals.

Rigid Plastic Containers when used shall comply with the California Rigid Plastic Packaging Container Law, PRC §42300-42345. Certificate verification required.

<http://www.calrecycle.ca.gov/Plastics/RPPC/Certification/>

**17. PACKAGING MATERIALS**

Contractors offering bio-degradable or compostable packaging materials must ensure materials meet ASTM Standard Specifications for Compostable Plastics D 6400-04 and ASTM 6400-00 Standard for packing materials marked Biodegradable.

Paper and wood products (i.e. labeling, packaging, catalogs or wood pallets) shall be Process Chlorine Free (PCF). Contractors are encouraged to use paper and wood products produced from a company participating in a forest stewardship program where the forest is managed to conserve biological diversity, natural resources and maintain a thriving ecosystem.

**18. PALLETIZATION**

All pallets employed in the delivery of goods must comply with the State of California Wooden Pallet Specification 3990-01A-01, dated January 2001 – Attachment C. All pallets shall be of sturdy construction and adequate condition to assure delivery of the goods without damage to the goods or safety hazards. Exchange pallets may be available; however, the State assumes no responsibility for the availability to exchange pallets. Delivery drivers shall not remove more pallets from the facility than delivering at time of delivery.

**19. TOXICS IN PACKAGING**

All packages, packaging components, and packaged retail-ready products offered during the life of the contract must be in full compliance with all requirements of the Toxics in Packaging Prevention Act (Health and Safety Code (HSC) sections 25214.11-25214.26.) "Package" and "packaging components" are defined in HSC section 25214.12. Provisions for exemption from this Act are contained in HSC section 25214.14. Upon request by the State, the awarded supplier shall provide a Certificate of Compliance which covers each type of package, packaging component, or packaged retail-ready product supplied, distributed, or sold under this specification. The certification shall be based either on direct written correspondence from the packaging product manufacturer or from any written advertisement issued by the product manufacturer including, but not limited to, the products label, the manufacturer's catalog, or the manufacturer's or vendor's Internet Web site.

More information can be found at: <http://www.dtsc.ca.gov/ToxicsInPackaging/index.cfm>

**Contract (Mandatory) 1-13-80-03A**  
**Contract User Instructions**

**20. INVOICING**

Ordering agencies may require separate invoicing, as specified by each ordering organization. Invoices will contain the following information:

- Contractor's name, address and telephone number
- Leveraged Procurement Number (Contract Number)
- Agency Order Number (Purchase Order Number)
- Item and commodity code number
- Quantity purchased
- Contract price and extension
- State sales and/or use tax
- Prompt payment discounts/cash discounts, if applicable
- Totals for each order

**21. PAYMENT**

A. Terms

Payment terms for this contract are net forty-five (45) days. Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927, et seq. Unless expressly exempted by statute, the Act requires State departments to pay properly submitted, undisputed invoices not more than forty- five (45) days after the date of acceptance of goods, performance of services, or receipt of an undisputed invoice, whichever is later.

B. Payee Data Record

Each State accounting office must have a copy of the Payee Data Record (STD. 204) in order to process payments. State departments should forward a copy of the STD. 204 to their accounting office(s). Without the STD. 204, payment may be unnecessarily delayed. State departments should contact the Contractor for copies of the Payee Data Record.

**22. CALIFORNIA SELLER'S PERMIT**

The California seller permit number for the Contractor is listed below. State departments can verify that permits are currently valid at the following website: [www.boe.ca.gov](http://www.boe.ca.gov). State departments must adhere to the file documentation required identified in the State Contracting Manual Volume 2 and Volume 3, as applicable.

<b>Contractor Name</b>	<b>Seller Permit #</b>
Ennis Paint, Inc.	97-534784

**23. RECYCLED CONTENT**

There is no recycled content on this contract.

**24. SMALL BUSINESS/DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION**

There is no small business (SB) or disabled veteran business enterprise (DVBE) participation for this contract.

**Contract (Mandatory) 1-13-80-03A**  
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**25. SAMPLING AND TESTING**

A one-quart sample of each batch of traffic paint and intended for use by the Department of Transportation (Department) must be sent to the Transportation Laboratory for testing and approval before the batch is shipped. The batch must be shipped to:

California Department of Transportation  
Transportation Laboratory - Chemistry Section  
5900 Folsom Blvd.  
Sacramento, CA 95819  
Attn: Lisa Dobeck

A batch shall be the amount of paint that was manufactured and packaged in a single operation. The Department reserves the right to take random samples of batches of paint destined for use by the Department, at the manufacturer's facility. If requested, batch tickets must also be provided for batches of paint produced for the Department. A manufacturer's test report shall be included with the one-quart sample of each batch sent to the Transportation Laboratory.

The following information for Paint shall be included in the manufacturer's test report:

- State Specification number, PTWB-01R2 (March 2010) or Federal Bid Specification number, TT-P-1952E (August 2007)
- Batch number, batch volume, color, date of manufacture.
- Dry to No Pick-Up time
- Dry Opacity
- Yellowness Index
- Reflectance
- Yellow Color
- Consistency
- Nonvolatile Content, weight percent
- Pigment, weight percent
- Density

The Department reserves the right to retest any batch of traffic paint after delivery. Data from such retesting shall prevail over all other tests and will be the basis of rejection. Material not meeting the specification shall be removed and replaced by the supplier at their expense, including all costs for handling, retesting and shipping.

Note: State and local agencies outside of the Department of Transportation shall make arrangements with the supplier to sample paint, if necessary. Failure to adhere to the following situational terms and conditions of the contract may be cause to terminate the contract.

**26. CRITICAL SITUATION**

In the event that the delivered paint affects the operating ability of the equipment, such as causing plugged paint lines, pumps, paint guns, etc., causing a down condition of the striping or spray equipment, the State will contact the supplier and the supplier shall respond within two hours of notification and remedy the situation within thirty six (36) hours of notification by the State.

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**27. PROBLEM SITUATION**

In the event that the performance or quality of the delivered paint is questioned, such as slow dry time, poor bead retention, poor adhesion, etc., the State will contact the supplier and the supplier shall respond within two hours of notification and remedy the situation within seventy two (72) hours of notification by the State.

If the State requires a Service Representative to participate in a problem solving situation (either on site or by telephone) outlined in either of the above described situations, the supplier's representative shall be fully qualified, both mechanically and technically, to solve the problem. A "Salesman" or "Regional Manager" or other unqualified representative does not fulfill the intention of this section.

**28. DEMMURAGE**

If the container is not returned within ninety (90) days after receipt of delivery of a bulk container for traffic paint, a demurrage of \$ 35.00 per container per day may be charged.

No demurrage for a specific tote shall apply after the date the supplier has been notified by telefax that the tote is available for pickup. Ten (10) days before the ninety (90) day start of the demurrage charge the Contractor must notify the Department of Transportation locations where the tote was delivered to before the demurrage charge can be applied.

There shall be NO DEPOSIT for bulk containers or drums.

Damage sustained to the container while in State possession will be compensated for by the State.

The container replacement value of the container shall be fixed at \$35.00. If the supplier has not picked up the empty container within thirty (30) days of notice to do so, the State may ship the container to the supplier, freight collect. No demurrage shall apply after the supplier had been notified to pick up the empties.

An inventory, listing each tote by tote ID number, delivery date and return date will be maintained by the supplier for each Department of Transportation delivery location.

**29. FOR TOTES WITH LINERS**

If the before filling weight of the empty tote with a liner exceeds the stamped tare weight (tare weight to include liner weight) of the tote by more than 150 pounds, the tote shall be immediately removed from use for purposes of this contract until said tote liner has been cleaned or until a new tote liner has been installed. Compensation for any tote liners used during the course of this contract shall be considered to be included in the price per gallon bid for paint.

**30. FOR TOTES USED WITHOUT LINERS**

If before filling weight of the empty tote exceeds the stamped tare weight by more than 100 pounds, the tote shall be immediately removed from use for purpose of this contract until said tote had been cleaned to bare metal. Cost of cleaning totes and disposing of any residues resulting from such cleaning shall be included in the price per gallon bid for paint and no additional compensation will be paid to the supplier for cleaning the totes.

In case of conflict between specification text and tote drawing, the drawing shall be the governing specifications.

**31. TOTE USAGE**

In addition to the use of the totes for transfer and storage of paint supplied by the supplier, the supplier is hereby notified that the Department of Transportation will be using up to fifteen (15) totes as on-board paint containers on Department of Transportation stripers. Said totes shall not remain on a striper in excess of two weeks. Compensation for the use of up to fifteen (15) totes as on-board paint containers shall be considered

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to be included in the bid price per for paint and no other compensation will be provided. All other contract conditions shall apply, including any demurrage charges and responsibility for tote damage caused by the Department of Transportation.

#### **32. DEMOUNTABLE WEIGHT TAGS**

Weight tags, decals, or otherwise removable labels shall be affixed to each tote prior to shipping. Each tag, decal, or labels shall include tote number, date of weighing, and weight before filling, weight after filling, conversion of new weight to gallons, manufacturer's lot number, State Purchase Order number, and the name of the person authorized to perform weighing of the totes. Weight tags, decals, or labels shall be weather resistant or enclosed in a weather resistant envelope type cover. Data written directly on the tote and which is not easily removable from the tote is not acceptable.

#### **33. TOTE RECORDS**

Each tote shall have a separate and distinct tote number. The supplier shall maintain and present on demand a separate and complete record of the activity of each tote (including information described in DEMOUNTABLE WEIGHT TAGS above, and including use, if any by non Department of Transportation agencies or private contractors). Failure to maintain and surrender such records on demand may result in suspension of the contract and disqualification from bidding on future contracts.

#### **34. BASIS OF PAYMENT**

Totes shall be weighed immediately before and after each filing. For billing purposes, the Contractor shall use the difference between, before and after weight for each tote to convert net weight gallons. Conversion shall be made to the nearest whole gallon of the paint delivered. That portion of a gallon over the nearest whole gallon of delivered paint will not be considered a pay quantity.

#### **35. HAZARDOUS SUBSTANCE DECLARATION**

Products, that contain hazardous substances, as defined by California Code of Regulations, 8CCR §5194, Hazard Communication, shall comply with the requirements of the regulations including section 5194(g), Material Safety Data Sheets (MSDS).

The Contractor must provide a Material Safety Sheet (MSDS), via facsimile or email, to the ordering agency upon request.

#### **36. END OF LIFE MANAGEMENT**

Contractor shall take-back unused paint within eight (8) months of purchase date and submit a written plan detailing a take-back program for the paint, paint totes and containers. The take-back program shall be offered at no cost to the State and includes all transportation costs, labor, recycling and waste management. A written plan shall include, but not be limited to, Paint and Container Collection. Paint and/or container collection shall be within 30 days of an agency's notification.

##### **Packaging and Shipping Instructions**

- Packaging and shipping instructions to include type of packaging used for shipping, weight and size limits, shipping papers, shipping labels and procedures to notify vendor of pickup.

##### **Authorized Person(s) and/or Company**

- The person(s) and/or company authorized to pickup, transport and accept paint, paint totes and containers for take-back shall be named, and include contact information, phone number and address.

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Waste Management

- A waste management plan shall identify end-of-life disposal method(s). Disposal shall be in accordance with the laws of California and may include recycling options. When recycling options are chosen, the plan is to include the name, address and phone number of the recycling facility and the name of a company representative to contact.

**37. ATTACHMENTS**

**Attachment A** – Contract Pricing

**Attachment B** – State of California, Department of Transportation Bid Specifications

**Attachment C** – State of California, Department of Transportation Misc. Specifications

**Attachment D** – State of California Wooden Pallet Specification 3990-01A-01, dated 01/2001

**Attachment E** – Caltrans District Boundaries and Mailing Addresses Map, dated 12/2000

**Attachment F** – Bulk Paint Container (Fixed and Removable Top) Specifications, dated 9-4-91