

YELLOWSTONE COUNTY, MONTANA
Invitation For Bid
2026 COUNTY ROAD CRACK SEAL PROJECT

1. Introduction

Notice is hereby given that Yellowstone County is seeking bids from qualified vendors for crack sealing approximately 21.75 miles of County roadway and other associated items. Bids should include the cost of all materials, permits, labor and equipment necessary to complete the project.

2. Bid Submission Requirements

Offerors shall submit a hard copy of the bid form in a sealed envelope. All bids must be labeled “**2026 Crack Seal**”. Bids may either be mailed or physically delivered to the following addresses.

Mail To:

Yellowstone County BOCC
PO Box 35000
Billings, MT 59107

Physically Deliver To:

Yellowstone County BOCC
John V. Ostlund Building, Room 419
2825 3rd Avenue North
Billings, MT 59101

All bids must be received no later than 3:00 PM on Monday, June 8, 2026. Bids received after this deadline will not be considered.

All bids must include a Bid Security made in favor of Yellowstone County in an amount equal to 10% of the total bid. The security may consist of a bid bond, cash, a cashier’s check, a certified check, a bank money order, a certificate of deposit, a money market certificate, or a bank draft. The security must be: a) drawn and issued by a federally chartered or state chartered bank or savings and loan association that is insured by or for which insurance is administered by the Federal Deposit Insurance Corporation; or b) drawn and issued by a credit union insured by the National Credit Union Share Insurance Fund; or c) a bid bond or bonds, original only, no photocopies, executed by a surety company authorized to do business in the State of Montana. Facsimiles, personal and/or business checks are not an acceptable form of security.

Timely bids will be opened and read aloud at 9:00 AM, on Tuesday, June 9, 2026, in Room 309 on the 3rd Floor of the John V. Ostlund Building, 2825 3rd Avenue North, Billings, MT 59101.

3. Timeline & Selection Process

Event	Date/Time
Publication Dates for IFB	Friday, May 22, 2026 Friday, May 29, 2026 Friday, June 5, 2026
Deadline for Bids	3:00 PM on Monday, June 8, 2026
Bid Opening	9:00 AM on Tuesday, June 9, 2026
Notice of Intent to Award Posting	Tuesday, June 16, 2026
Notice of Award	Tuesday, June 23, 2026

Yellowstone County reserves the right to modify the above timeline as needed.

Bids that do not meet minimum specifications provided will be considered non-responsive.

The Board of County Commissioners intend to award the contract to the lowest responsive and best responsible bid. The Board reserves the right to reject any or all bids received, to waive informalities to evaluate the bids submitted, and to accept the bid that best serves the interests of Yellowstone County.

4. Amendments to Solicitation

Any interpretation, correction, or addition of this request will either be published on the County website at <https://www.yellowstonecountymt.gov/purchasing/>, or provided via email to Contractors who have attended the .

5. Contact Information & Questions

Any questions regarding the project or bid submittal procedures should be submitted, in writing, to Matt Kessler, Purchasing Agent, at mkessler@yellowstonecountymt.gov.

6. Miscellaneous

Compliance With Laws

Each bidder must have a current Montana Public Contractor's Registration number when submitting their bid. The number must appear on the bid. All subcontractors, if any, must obtain a registration number prior to beginning any work on the project. Bid only

registrations are acceptable for the bidding process. No bid may be withdrawn for at least 45 days after the scheduled deadline time for receipt of the bids.

The successful bidder will be required to follow all the directives included in section 18-2-422 of the Montana Code Annotated concerning Montana Prevailing Wages for Heavy Construction 2026. Those directives are as follows:

- (1) The contractor and employers shall pay the standard prevailing wage rate, including fringe benefits, for each job classification as stated in the current prevailing wage rate schedules. The current schedules are available at the State of Montana website. It is the responsibility of the contractors to obtain and use the applicable Wage Rate Schedules.
- (2) each contractor and employer are required to maintain payroll records in a manner readily capable of being certified for submission under statute 18-2-423, for not less than 3 years after the contractor's or employer's completion of work on the project; and
- (3) Each contractor is required to post a statement of all wages and fringe benefits in compliance with 18-2-423.

Statute 18-2-423 is as follows: If a complaint is filed with the department alleging noncompliance with 18-2-422, the department may require the project to submit to it certified copies of the payroll records for workers employed on that project. A contractor or a subcontractor shall pay employees receiving an hourly wage on a weekly basis. If a wage violation complaint is filed with the department, the contractor or subcontractor shall provide the employee's payroll records to the department within 5 days of receiving the payroll request from the department.

The Contractor is required to comply with all other applicable provisions of Title 18, Chapter 2, and Part 4 of the Montana Code Annotated.

The successful bidder will be required to give preference to the employment of bona fide Montana residents in the performance of the work on this project.

The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, and regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975, and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects Subcontractors to the same provisions. In accordance with Section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

Insurance Requirements

The Contractor shall maintain at its sole cost and expense, commercial general liability insurance naming Yellowstone County, as additional insured for this project against liability for damages for bodily injury, including death and completed operations and property damages in a minimum amount of One Million Dollars (\$1,000,000.00) for each claim and Two Million Dollars , (\$2,000,000.00), in the aggregate arising from incidents which occur as the result of Contractors negligence during the project and for which Yellowstone County, sole basis of liability is vicarious liability for the acts or omissions of the Contractor or/and subcontractors. Contractor shall maintain for this project at its cost and expense, insurance against claims for injuries to persons or damages to property, including contractual liability which may arise from or in connection with the project by Contractor, agents, employees, representatives, assigns and sub-contractors. This insurance shall cover claims as may be caused by any negligent act or omission. The policy of insurance shall be an occurrence policy with a Best Rating of A- or better and must be in force throughout the project.

Contractor shall name on the Certificate of liability insurance Yellowstone County, as additional insured throughout the project. In addition, Contractor will furnish to Yellowstone County, a copy of the policy endorsement, CG 32 87 05 10, indicating that Yellowstone County, are named as an additional insured under the Contractors insurance policy for this project. Contractor agrees to furnish both the Certificate of insurance and policy endorsement at least ten (10) days prior to beginning work on the project.

Contractor agrees to defend, indemnify and hold harmless Yellowstone County, from and against any and all claims demands, obligations causes of action, lawsuits and all damages and liabilities fines, judgments, costs, (including settlement costs), and expenses associated there with (including reasonable attorney's fees and disbursements), arising from incidents that occur the result of Contractors negligence during this project. And for which Yellowstone County, sole basis of liability is vicarious liability for the acts or omissions of Contractor. The defense and indemnification obligations under this paragraph shall not be limited by any assertions or finding that Yellowstone County, is liable for any damages by reason of a non-delegable duty.

The Board of County Commissioners intend to award the contract to the lowest responsive and responsible bid. The Board reserves the right to reject any or all bids received, to waive informalities to evaluate the bids submitted, and to accept the bid that best serves the interests of Yellowstone County.

Done by order of the Board of County Commissioners, Yellowstone County, Montana this 19th day of May 2026.

Board of County Commissioners
Yellowstone County, Montana

Mark Morse

Chair

Attest:

Jeff Martin
Clerk and Recorder

Yellowstone County 2026 County Road Crack Seal Project
Price Sheet (1 of 2)

Please include this sheet (these sheets) with your other documents when submitting your proposal.

Please place bid price sheet(s) in the front of your proposal.

Bidder to perform all of the work described in the Specifications and shown on the Plans for the following amount.

Total Bid: \$ _____ LUMP SUM

BASIS OF AWARD: The Board of County Commissioners reserves the right to reject any or all bids received, to waive informalities to evaluate the bids submitted, and to accept the bid that best serves the interests of Yellowstone County. It is the intention of the County, to undertake and complete all portions of this project in 2026 but if that is not possible either because of weather, funding, or availability of materials; the lowest bid submitted for the overall project will be considered first. A preconstruction meeting will be held after bid opening and prior to the County giving Contractor the Notice to Proceed.

**PROJECT MUST BE COMPLETED AND
FINAL PROGRESS PAYMENT
MUST BE SUBMITTED BY OCTOBER 23, 2026**

Yellowstone County 2026 County Road Crack Seal Project
Price Sheet (2 of 2)

Please include this sheet (these sheets) with your other documents when submitting your proposal.

SIGNATURE OF BIDDER:

If an Individual: _____, doing business
as _____

If a Partnership: _____
by _____, partner

If a Corporation: _____
(a _____ Corporation)
by _____ (SEAL &)
Title _____ (ATTEST)

Business Address and Phone Number of Bidder

The Bidder acknowledges receipt of the following Addenda, which have been considered in preparation of this Bid:

No. _____ Dated _____

No. _____ Dated _____

Submitted this ____ day of _____, 20__.

CHECK LIST

Please be sure you have completed the following prior to submitting your bid.

1. Read and understand the specifications.
2. Enclosed a ten (10) percent bid bond.
3. Have made yourself familiar with any State or County laws that pertain to the bid.
4. Asked and received answers to any questions regarding the bid procedure, specifications or general information.
5. Addressed and mailed or delivered your bid to be received at the correct address by the time and date indicated in the Invitation to Bid.

Exhibit A - Scope of Work & Specifications

2026 County Road Crack Seal Project

Scope of Work

- 1) **DESCRIPTION:** This item shall consist of preparing the road surface for and performing crack sealing for the following roads:

Laurel Area

- Clapper Flat Road (from Buffalo Trail Rd to west) approx. 1.70 miles
- South Park City Road (Shay Rd to Trewin School Rd) approx. 2.50 miles
- Shay Road (S Park City Rd to W Railroad Rd) approx. 1.80 miles
- Shannon Road (E Railroad St to Main St) approx. 1.50 miles
- West Railroad Street (Shay Rd to S 8th Ave) approx. 1.00 miles
- East Railroad Street (Bernhardt Rd to Shannon Rd) approx. 1.20 miles

Shepherd Area

- Yeoman Road (12 Mile Rd to Frey Rd) approx. 3.00 miles
- Kirby Road (Shepherd Rd to Spear Dr) approx. 1.80 miles
- Scandia Road (12 Mile Rd to Cabin Creek Ranch Rd) approx. 6.10 miles

Heights Area

- Independent Lane (HWY 87 E to HWY 312) approx. 0.90 miles
- Greelck Lane (Main Street to Independent Ln) approx. 0.25 miles

Total – 21.75 miles

This project shall be bid – Lump Sum

- 2) **CRACK SEAL GENERAL:** This item shall consist of the cleaning and sealing of cracks before the application of other surfacing (chip seal, micro slurry seal, pavement overlay, etc.).

CRACK SEAL MATERIALS: The crack sealant used must meet or exceed the following specifications:

Crack Sealant

Use sealant meeting the following specifications when sampled and prepared in accordance with ASTM D 3405 specifications, or an approved equal that will produce the desired finished product and meets all of this specifications requirements:

Cone Penetration, 77°F (25°C), dmm (ASTM D3407)	90 max.
Flow, 140°F (60°C), (ASTM D3407)	3 mm max.

Resilience, (ASTM D3407)	60% min.
Bond, 0°(-18°), 100% ext. (ASTM 3407)	Pass 3 cycles
Bond, -20°F (-29°C), 50% ext. (ASTM D3407)	Pass 3 cycles
Recommended Pour Temperature	380°F
Safe Heating Temperature	400°F
Asphalt Compatibility (ASTM D3407)	Pass

Sampling

Testing of material will be at the discretion of the engineer or inspector on the job site. Testing may be completed by an independent certified testing firm. If there is a failure of the installed crack seal, or if the engineer or inspector has concerns of failure of the installed crack seal material, testing will be required and the cost of said testing will be the responsibility of the contractor.

2a) **CONSTRUCTION METHODS:** Traffic can use the road as soon as the crack is filled and covered with blotter sand (or other approved blotter material) and the crack fill material has “cured”.

i) **Surface Preparation:** The cleaning and preparation of the road surface required by the specifications shall include the removal of grass and other vegetative matter growing in any cracks in the road surface. Any vegetative material in the roadway area where cracks are to be sealed must be sprayed with appropriate materials with a color dye additive to allow visual observation of the Engineer or other authorized representative of the Owner that said vegetative material has been sprayed.

- (1) When blowing the cracks clean, material cannot be blown into the open traffic lanes.
- (2) Ensure that both the reservoir and crack are dry and free of dust, dirt and loose materials immediately before applying the sealant.
- (3) Use air equipment producing at least 100 CFM and a continuous line pressure of at least 125 PSI. The air must be oil and water free.
- (4) The subsequent crack sealing process shall not proceed until a reasonable period of time has passed so as to allow full kill of all said vegetative material. The Contractor shall clean the roads to be crack sealed prior to the crack seal. No measurement or payment shall be made for this item but it shall be included in the cost of the other bid items.

ii) **Sweeping After Crack Sealing:** After a reasonable crack sealing cure time, all roads shall be swept by the Contractor to remove excess blotter sand (or other blotter materials – if used), and any other materials from the surface of the road. No measurement or payment shall be made for this item but it shall be included in the cost of the other bid items.

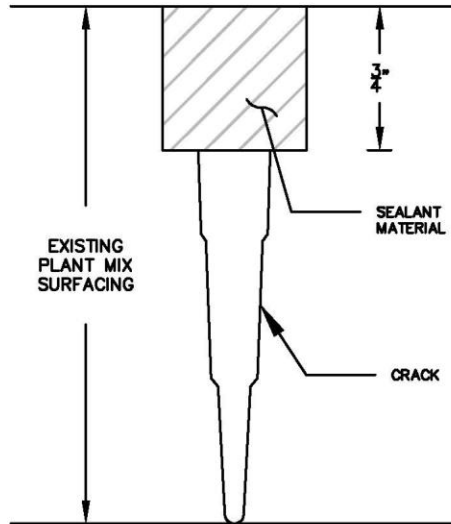
iii) **Routing:** Routing will be required for cracks of 1/8-inch wide up to 3/4-inch wide. Cracks of width greater than 3/4-inch in width up to 1-1/2-inches in width may be filled without routing (see the attached detail drawing of a typical section).

3) **METHOD OF MEASUREMENT AND BASIS OF PAYMENT:** This item shall be measured and paid for on a lump sum basis for the roads being crack sealed and used in the completed work, at the contract lump sum price bid. The price and payment shall constitute full compensation for all storage, handling, and other charges, materials (including sand, blotter materials, etc.), tools, equipment, labor, and the performance of all work necessary or incidental to complete this work.

CRACKS 1/8" TO 3/4" WIDE

ROUT 3/4" WIDE X 3/4" DEEP
PRIOR TO APPLYING SEALANT

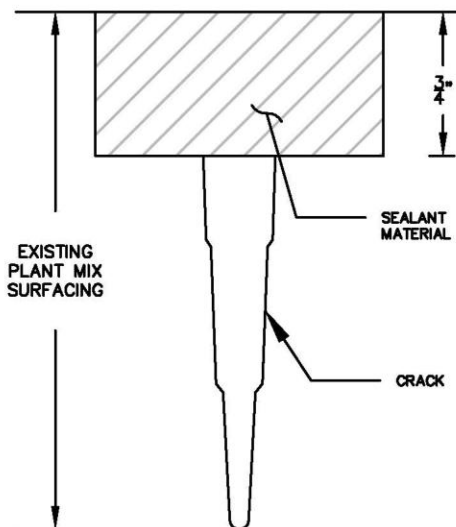
→ | 1/8" - 3/4" | ←




CRACKS WIDER THAN 3/4" TO 1 1/2" WIDE

NO ROUTING REQUIRED

← | 3/4" - 1 1/2" | →



SCALE NTS	DRAWN BY: <u>DS</u>		YELLOWSTONE COUNTY	SHEET
	DESIGNED BY: <u>MB</u>		TITLE	STANDARD DRAWING
	CHECKED BY: <u>MB</u>		TYPICAL SECTION FOR	
	FILE NAME: <u>PUBLICWORKS-FS/DARIN S/AUTOCAD DWG'S/CRACK SEAL.PDF</u>		HOT CRACK SEALING	
	JUNE - 2011			1 OF 1