

Administrative Rules Review

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We were asked to respond to three questions regarding salt procurement:

1. Motivations behind the state's **use of multiple award contracts** to meet the department's needs, including policies surrounding the department's eventual purchases following an awarded contract.
2. The factors involved in guiding the department's **purchasing decisions of particular road salt products**, including the varied needs of different regions throughout the state.
3. **How UDOT compares to** transportation departments in **similar states** with regards to salt needs and purchasing.

Use of Multiple Award Contracts



Multiple Award Contracts - State Statute

Section [63G-6a-1204.5](#) allows state agencies to enter into multiple award contracts

- "Multiple award contracts" means the award of a contract for an indefinite quantity of a procurement item to more than one person. (see Section [63G-6a-103](#))
- Grants rulemaking authority
- Requires agencies to:
 1. Protect and promote competition among bidders
 2. Name all eligible users of the multiple award contracts in the RFP
 3. State in the RFP that a multiple award contract may be used
 4. Procure all normal, recurring, contracted items until the contract terminates
 5. Reserve the right to procure items separately from the contract if (i) the quantity needed exceeds the contract or (ii) the items available under the contract will not effectively or efficiently meet a nonrecurring special need

Multiple Award Contracts - UDOT Rule

UDOT Rule [R907-33](#) addresses multiple award contracts

- Requires employees to maximize competition for contracts
- Limits use of multiple award contracts to six criteria
- Procurement director determines whether a multiple award contract can be used
- Safety and best value are the primary criteria that apply to the multiple award contract entered into for salt
 - Vendor material locations and delivery capabilities
 - Types of equipment available at various sheds/communities
 - Vendor product availability on short notice (covered storage limitations)
- UDOT is transparent about contracts and purchases (Deicing Dashboard)
- 2021 UDOT Internal Audit showed that moving to a multiple award contract is in the best interest of the traveling public and vendors

Road Salt Purchasing Decisions



Multiple Contract Award - Competitive Bidding Utah 2021-2023



- UDOT Deicing Products Purchasing Policy
 - Deicing products are purchased from vendor providing lowest price per category. Bids updated annually.
 - Any Purchase of non low bid will have justification. If UDOT directed, it requires Region Director approval.
 - All purchases are documented on public facing dashboard.
 - Vendor visits to local facilities limited.
- A total of 8 vendors have deicing contracts with UDOT
- There are from 1 to 6 contracts (vendors) per category
- No single supplier is the low bidder for the entire state in any of the categories.
- Multi Award contract and the dashboard greatly reduced the number of GRAMA Requests:
 - 9 prior to (2021) with the old deicing contracts
 - 1 during bidding (2021)
 - 1 since new contracts awarded in 2021

Deicing Dashboard

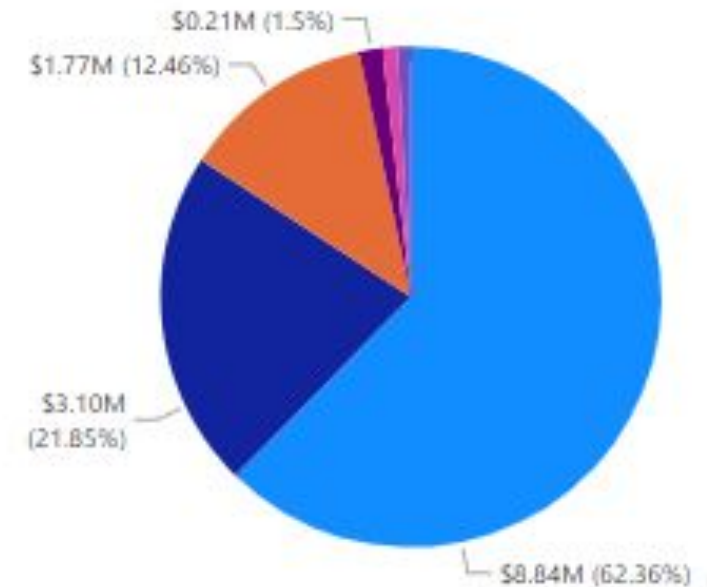
- [Public Deicing Dashboard Link](#)
 - Quantities purchased by category and vendor
 - Usage amounts
 - Non low bid purchase amounts
 - Vendor Low bid locations
 - UDOT region data

Statewide Totals **\$14,180,561.23**

PO Amount by Vendor Name

Vendor Name

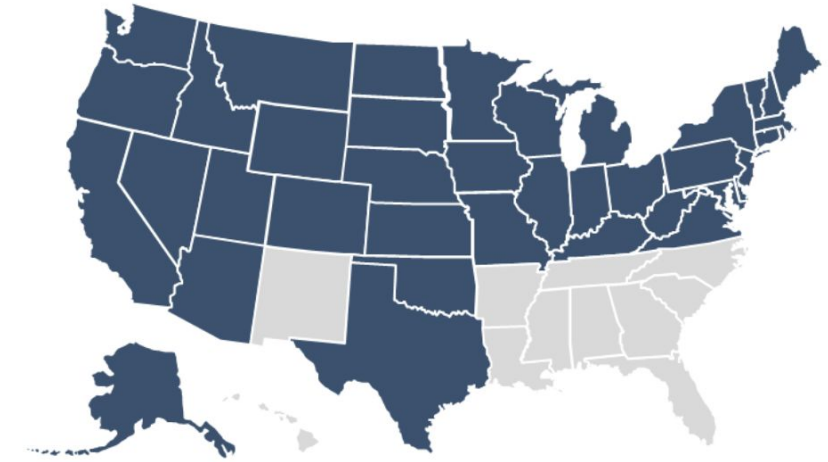
- REDMOND MINERALS INC
- BROKEN ARROW INC
- Compass Minerals Americ...
- SaltWorx Inc
- DUSTBUSTERS, INC
- EnviroTech Services, Inc



Other States

National Standards For Deicing Categories

- **Clear Roads** sets specifications, standards, and performance categories for deicing products
- 39 member states use Clear Roads throughout the country.
- UDOT reached out to 5 surrounding states about salt purchases (Idaho, Nevada, Colorado, Washington and Montana)
 - **All 5 states use Clear Roads specifications**
 - Most purchase a variety of deicers based on available equipment, terrain/climate and snow plow cycle lengths
 - All use multiple award bidding and the majority have no minimum purchase guarantee from the low bid vendor
 - All use Clear Road categories, although some do allow purchases by exception
 - Not all 5 surrounding states use a statewide contract for purchasing and some allow purchasing at a local level



Clear Roads is a national research consortium focused on rigorous testing of winter maintenance materials, equipment and methods for use by highway maintenance crews. It include 39 member agencies, each contributing \$25,000 annually to fund research and technology transfer efforts.

<https://clearroads.org/>

