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Invitation to Bid

Equipment for Pumper/Ambulance Per Specifications Formal Bid Request #15-16-38

Bid Due Date: Thursday, May 12, 2016 @ 2:00 P.M.

Location: City of Greenville
Purchasing Office
Attention: Denisha Harris
201 West 5th Street
Greenville, NC 27858

Contact Persons:

Questions regarding the bid package:

Denisha Harris
MWBE Coordinator
Telephone: 252-329-4862
Email: dharris@greenvillenc.gov

Questions regarding the Specifications:

Steve Nichols
Greenville Fire/Rescue
Telephone: (252)329-4609
Email: snichols@greenvillenc.gov

CITY OF GREENVILLE

ADVERTISEMENT FOR INVITATION FOR FORMAL BIDS

Pursuant to General Statutes of North Carolina, Section 143-129 as amended, sealed proposals are invited and will be received by The City of Greenville, N. C. until 2:00 p.m., on Thursday the 12th day of May, 2016 at which time in a meeting in the Purchasing Office, located at 201 West 5th Street, Greenville, N. C., the sealed proposals will be publicly opened for the provision of the following:

Items: Equipment for Pumper/Ambulance per Specifications

Formal Bid#15-16-38

From the date of this advertisement until the date of opening the proposals, the plans and specifications of the proposed work and/or a complete description of the apparatus, supplies, materials or equipment are and will continue to be on file in the City of Greenville Purchasing Office, 201 West 5th Street, P. O. Box 7207, Greenville, N. C. 27835-7207, during regular business hours, and will be posted on the City's website at: www.greenvillenc.gov and available to prospective bidders. Inquires should be directed to the Purchasing Division at the above address --- Telephone (252) 329-4862. Minority/Women owned businesses are encouraged to submit proposals.

The City Council of the City of Greenville reserves the right to accept or reject any or all proposals, waive informalities, and to make the award/purchase which is in the best interest of the City.

The bidder to whom contract may be awarded must comply with requirements of G. S. Section 143-129, as amended.

This 28 day of April, 2016.

THE CITY OF GREENVILLE, N. C.

Denisha Harris, MPA, CPSD

MWBE Coordinator

Publication Date: Thursday, April 28, 2016 on City of Greenville website-Current Bid Opportunities

**INVITATION FOR FORMAL BID ON
Equipment for Pumper Ambulance**

Per Specifications

Formal Bid # 15-16-38

Bid Due Date: Thursday, May 12, 2016 at 2:00 P.M.

INSTRUCTIONS TO BIDDERS

1. The person, firm or corporation submitting a bid shall submit it to the Purchasing Manager or her duly designated representative at one of the following:

Hand Delivered/or Carrier:

Purchasing Office
201 West 5th Street
Greenville, N.C. 27858

By Postal Mail:

City of Greenville-Purchasing
201 West 5th Street
Greenville, N.C. 27858

2. This is a Formal Bid and therefore bids will be received and opened publicly at stated time. Bids will be reviewed and evaluated by staff at a later time and an award will be made at the earliest possible date. No late bids will be accepted.
3. **Award of Bid:** Bids shall be awarded to the lowest responsive responsible bidder taking into consideration quality, performance, and the time specified in the proposal for the performance of the contract.
4. **Each bid must be submitted in a sealed envelope by date/time stated above. Envelope should be marked on the outside as "Equipment Bid Pumper/Ambulance Bid #15-16-38 along with Bidder's name and address.**

Bids may be submitted via mail, hand delivery. NO BIDS WILL BE ACCEPTED BY EMAIL or FAX. PLEASE NOTE: All submittals should be on the attached BID FORMS, regardless to the method of delivery. Any bids/quotes not submitted on the attached bid form will be considered non-responsive.

5. All bids must be signed by an authorized official of the firm. Bids may be rejected if they show any omissions, alterations of form, additions not called for, conditional bid or any irregularities of any kind.

6. The bidder shall insert the required responses and supply all the information as indicated on the Bid Form. The prices inserted shall be net and shall be the full cost including all factors whatsoever. **Any bids not submitted on such forms provided will be considered unresponsive.**
7. No bid may be changed or withdrawn after the time of the bid opening. Any modifications or withdrawals requested before this time shall be acceptable only when such request is made in writing to the Purchasing Manager.
8. The City of Greenville reserves the right to reject any and all bids, to waive any informalities, and to accept the bid or any portion thereof that is deemed most advantageous to the City. Any bid submitted will be binding for 60 days after the date of the bid opening.
9. The specifications attached represent the minimum general size, capacity and performance characteristics desired in the equipment to be purchased. These requirements are not intended to prevent obtaining fair responses or to eliminate competition, but they are intended for the protection of each and every bidder and to insure, if possible, that all bids submitted shall be upon a fair and comparable basis.

Where a particular brand is specified, equal items may be bid but the burden of proof (that other than listed items bid are in fact equal) is on the bidder. Proof must be furnished in writing at time bid is submitted. Equipment must be accepted by the City of Greenville as an approved equal prior to bid award.

10. It is expressly understood by the bidders that written notice of award by the City will constitute an agreement by the City to consummate the transaction and will serve together with the proposal, advertisement, these instructions, and the detailed specifications, as the entire form of contract between the parties except in cases where formal contracts are warranted.
11. Each proposal shall specify a delivery time. Time of delivery to Greenville, N. C. will be a factor along with quality, cost, etc. in awarding the bids.
12. Bid shall be FOB, Greenville, N. C. with delivery to be to the Greenville Fire/Rescue Station located at 500 S. Greene St. Greenville, NC 27834.
13. Technical questions regarding the specifications of this bid shall be directed to Steve Nichols Horne, telephone (252) 329-4609; email: snichols@greenvillenc.gov. All other questions regarding the bid shall be directed to Denisha Harris, MWBE Coordinator, telephone (252)329-4862; email: dharris@greenvillenc.gov.

GENERAL TERMS AND CONDITIONS

1. **NON-DISCRIMINATION**: The City of Greenville does not discriminate on the basis of race, color, sex, national origin, religion, age or disability. Any contractors or vendors who provide services, programs or goods to the City are expected to fully comply with the City's non-discrimination policy.
2. **NON-COLLUSION**: Respondents, by submitting a signed proposal, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under North Carolina or United States law.
3. **PAYMENT TERMS**: The City agrees to pay all approved invoices Net Thirty (30) days from the date received and approved. The City does not agree to the payment of late charges or finance charges assessed by the seller or vendor for any reason. Invoices are payable in U.S. funds.
4. **GOVERNING LAW**: Any agreement, contract or purchase order resulting from this invitation to bid, request for proposals or request for qualifications or quotes, shall be governed by the laws of the State of North Carolina.
5. **ACCEPTANCE/REJECTION OF PROPOSALS**: The City of Greenville reserves the right to award to the Firm who will best serve the interests of the City. The City also reserves the right to waive minor variations in the specifications and in the bidding process, as well as to accept in whole or in part such proposal(s) where it deems it advisable in protection of the best interests of the City. The City further reserves the right to accept or reject any or all bids/proposals, and to award or not award a contract based on this proposal.
6. **E-VERIFY COMPLIANCE**: The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. By submitting a proposal, The Proposer represents that their firm and its Subcontractors are in compliance with the requirements of Article 2 Chapter 64 of the North Carolina General Statutes.
7. **CONFLICT OF INTEREST**: Each proposer shall affirm that no official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.
8. **EQUAL EMPLOYMENT OPPORTUNITY CLAUSE**: The City of Greenville has adopted an Equal Employment Opportunity Clause, which is incorporated into all specifications, purchase orders and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry. A

copy of this clause may be obtained at the City Clerk's Office, located in City Hall-200 W. Fifth Street Greenville, NC. By submitting a proposal, the firm is attesting that they are an Equal Opportunity Employer.

9. **MWBE PROGRAM: Minority and/or Women Business Enterprise (MWBE) Program**

It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with this policy, the City has adopted a Minority and Women Business Enterprise (M/WBE) Plan and subsequent program, outlining verifiable goals.

The City has established a 2% Minority Business Enterprise (MBE) and 2% Women Business Enterprise (WBE) goal for the participation of M/WBE firms in supplying goods and services for the completion of this project. All firms submitting bids agree to utilize minority and women-owned suppliers and service providers whenever possible.

Questions regarding the City's M/WBE Program should be directed to the M/WBE Office at (252) 329-4862.

10. **FEDERAL LAW** : Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.
11. **TAXES**: Sales taxes may be listed on the proposal, but as a separate item. No charge will be allowed for Federal Excise and Transportation tax from which the City is exempt.
12. **WITHDRAWAL OF PROPOSALS**: No bid/proposal may be changed or withdrawn after the stated time and date for submittal. Bids/proposals submitted shall be binding for ninety (90) days after the date of submittal.
13. **SERVICES PERFORMED**: All services rendered under this agreement will be performed at the Seller's own risk and the Seller expressly agrees to indemnify and hold harmless The City of Greenville, its officers, agents, and employees from any and all liability, loss or damage that they may suffer as a result of claims, demands, actions, damages or injuries of any kind or nature whatsoever by or to any and all persons or property.
14. **INDEPENDENT CONTRACTOR**: It is mutually understood and agreed the Seller is an independent contractor and not an agent of the City of Greenville, and as such, Seller, his or her agents and employees shall not be entitled to any City employment benefits, such as but not limited to vacation, sick leave, insurance, workers's compensation, pension or retirement benefits.

15. **VERBAL AGREEMENT**: The City will not be bound by any verbal agreements.
16. **INSURANCE REQUIREMENTS**: Contractor shall maintain at its own expense
- (a) **Commercial General Liability** Insurance in an amount not less than \$1,000,000 per occurrence for bodily injury or property damage; City of Greenville, 200 W. Fifth St. Greenville, NC 27834 shall be named as additional insured.
 - (b) **Professional Liability** insurance in an amount not less than \$1,000,000 per occurrence-if providing professional services;
 - (c) **Workers Compensation Insurance** as required by the general statutes of the State of North Carolina and Employer's Liability Insurance not less than \$500,000 each accident for bodily injury by accident, \$500,000 each employee for bodily injury by disease, and \$500,000 policy limit;
 - (d) **Commercial Automobile Insurance** applicable to bodily injury and property damage, covering all owned, non-owned, and hired vehicles, in an amount not less than \$1,000,000 per occurrence as applicable. Certificates of Insurance shall be furnished prior to the commencement of Services.

ATTACHMENT A: EQUIPMENT LIST FOR PUMPER/AMBULANCE

The attached itemized list should be attached to your signed affidavit and bid form (pgs 9-11). Failure to submit both forms may cause your bid to be considered non-responsive.

Doc#1026103

**IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S.
143C-6A-5(a)**

Name of Contractor, Vendor or Bidder: _____

As of the date listed below, the contractor, vendor or bidder listed above, and all subcontractors utilized by the contractor, vendor or bidder listed above, is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 143-6A-4.

The undersigned hereby certifies that he or she is authorized by the contractor, vendor or bidder listed above to make the foregoing statement.

Signature Date

Printed Name Title

Notes to persons signing this form:

N.C.G.S. 143C-6A-5(a) requires this certification for bids or contracts with the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina. The certification is required at the following times:

- When a bid is submitted
- When a contract is entered into (if the certification was not already made when the vendor made its bid)
- When a contract is renewed or assigned

N.C.G.S. 143C-6A-5(b) requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer’s Final Divestment List. The State Treasurer’s Final Divestment List can be found on the State Treasurer’s website at the address www.nctreasurer.com/Iran and will be updated every 180 days.

BID FORM

****MUST BE ATTACHED TO BID****

City of Greenville

Financial Services/Purchasing Division

Telephone: 252-329-4862

Formal Bid #15-16-38 Equipment for Pumper/Ambulance

Due Date: Thursday, May 12, 2016 at 2:00 P.M.

***Note: No bids will be accepted that are not submitted on this form. Items that are not being bid should be left blank. Unit price only will be considered. No substitutions will be allowed without prior approval.**

BID FORM

A. Please attach Equipment List with Prices to this bid form. Sales Taxes may be listed, but list as a separate line item. All items bid are bid FOB Greenville NC, with shipping location as Greenville Fire/Rescue, 500 South Greene Street Greenville, NC 27834

B. Delivery/Turnaround Time for Items Bid:
_____ Days After Receipt of Order

C. List any exceptions taken to specifications:

Non-Collusion Compliance:

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a bid for the same materials, supplies, or equipment and is in all respects fair without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. The bidder hereby makes an offer to the City of Greenville in accordance with the bid documents, including this Bid Proposal Form and all enclosures. The undersigned individual certifies that he or she is authorized to sign this bid for the bidder.

E-Verify Compliance:

BIDDER also acknowledges that compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes is required by the Contractor and its Subcontractors by North Carolina law and the provisions of the Contract Documents. The BIDDER represents that the BIDDER and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Article 2 of Chapter 64 of the North Carolina General Statutes requires employers, that transact business in the State of North Carolina and employ 25 or more employees in the State of North Carolina, to electronically verify the legal employment status of an employee through the federal E-Verify program after hiring the employee to work in the State of North Carolina.

Iran Divestment Act Certification:

BIDDER also acknowledges that compliance with the requirements of N.C.G.S. 143C-6A-5(a) (The Iran Divestment Act) is required by the Contractor and its Subcontractors by North Carolina Law. BIDDER certifies that, as of the date listed below, BIDDER and all Subcontractors utilized by the BIDDER is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 143-6A-4

Date _____

The following are enclosed: (check all applicable)

___ Brochures

___ Samples

___ Other

OFFICIAL LEGAL NAME OF COMPANY

ADDRESS

CITY STATE ZIP CODE

AUTHORIZED SIGNATURE

PRINT NAME TITLE

(____)_____(____)_____
TELEPHONE NO FAX NO.

FEDERAL I.D. NUMBER

EMAIL/WEB SITE ADDRESS