CITY OF BIRMINGHAM

FINANCE DEPARTMENT

PURCHASING DIVISION

P-100 CITY HALL
710 NORTH 20TH STREET
BIRMINGHAM, ALABAMA 35203-2227

TELEPHONE (205) 254-2265
FAX (205) 254-2484

WILLIAM A. BELL, SR.
MAYOR

J. THOMAS BARNETT. JR.
FINANCE DIRECTOR

RON NICKEL
PURCHASING AGENT

WILLIAM E. CAFFEE
ASSISTANT PURCHASING AGENT

July 19, 2016

INVITATION TO BID #16-42

Sealed bids for new zero turn mowers for the City of Birmingham, will be received by the Purchasing Agent, Room P-100 First Floor City Hall, Birmingham, Alabama, until 2:00 p.m., August 19, 2016 at which time and place they will be publicly opened and read.

Bidders wishing to bid can download the complete solicitation including the specifications and bid forms via the internet at **www.birminghamal.gov** (go to link titled **Bidding Opportunities)**, or by visiting the Purchasing Office at the address shown above, or by calling (205) 254-2265, fax (205) 254-2484 and requesting a copy be mailed to you. Any addenda will be available on the internet. Bidder is responsible for checking the website for addenda until bid opening date. Addenda will be mailed to only those vendors who were provided a copy in person or by mail.

Bids are to be submitted on the bid form provided and all quotations are to be f.o.b. Birmingham, Alabama delivered.

It is required for any contract exceeding $10,000.00 that the bidder submits with his bid a certified check, a cashier's check, or a bid bond payable to the City of Birmingham in the amount of $500.00. In order for any bid award to be considered that exceeds $10,000.00, your bid must be accompanied by an acceptable bid bond or check. Bid bond checks will be returned to all unsuccessful bidders after the formal award is made and to the successful bidder after acceptance of award. Should the successful bidder fail to accept the award, the bid bond or check shall be forfeited.

The City follows a policy of nondiscrimination. No contractor with the City should discriminate on the basis of race, sex, religion, or national origin. Failure by the Vendor to carry out these requirements is a material breach of its obligations, which may result in its termination or such other remedy as the City deems appropriate.

No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.

The City reserves the right to reject any or all bids submitted in whole or part, and to waive any informalities.

Bids must be submitted in a sealed envelope marked, "**SEALED BID NEW ZERO TURN MOWERS – 2:00 P.M., 08/19/16".** Bids may be hand delivered to Room P-100 First Floor City Hall, Birmingham, Alabama, or mailed to City of Birmingham, P. O. Box 11295, Birmingham, Alabama 35202-1295. **(DO NOT MAIL TO ROOM P-100 FIRST FLOOR CITY HALL)**. However, bids sent by any express carrier (Federal Express, UPS, DHL, etc.) must be mailed to 710 North 20th Street, and specify delivery to P-100 First Floor City Hall.

It is the bidder's responsibility to make sure that his bid is in the possession of the Purchasing Agent on or before 2:00 p.m., August 19, 2016. Bids received after this time will not be considered.

W E Caffee, Assistant Purchasing Agent

a.m.
B.N. 07/29/16

SPECIFICATIONS FOR BID NEW ZERO TURN MOWERS

GENERAL:

The City of Birmingham plans to purchase new zero turn mowers specified in this document in the quantity indicated. Award will be based on the lowest price, responsive, responsible bid submitted.

The City reserves the right to make additional purchases of the items at the bid price at a later date if mutually agreeable to both the City and the successful bidder.

Items will be awarded on an individual line item basis. The award of any item specified with options will be made based on the base bid or alternate bid or any combination of the two. Pricing of optional features, if selected at the time of award, will be a factor in determining the successful low bidder. **BID PRICE MUST INCLUDE ALABAMA TITLE FOR ALL TITLE VEHICLES.**

All items are to be new and unused.

Municipalities are not liable for sales tax: reference Code of Alabama Section 40-23-4. Costs normally considered pass through costs (property tax, use tax, delivery charge, etc.) to the customer by the provider must be included in any fee proposed (Code of Alabama Section 40-12-222). For the purchase of personal property, the City's policy is to apply a local preference option, as allowed by State of Alabama Code, Section 41-16-50, in determining the low bidder.

Bidders are required to provide an additional two (2) copies of their original bid with their package.

The City will issue purchase order(s) to the successful bidder for the goods and/or services (bid items) that are the subject of the bid. Unless otherwise agreed in a writing that is signed by both parties, the entire agreement between the City and the successful bidder concerning the bid items is comprised of the terms, conditions, specifications and requirements stated in (a) the contemplated purchase order(s), (b) this Invitation to Bid and Specifications and (c) your bid (collectively, the "Contract Requirements"). These writings supersede all former proposals, offers, negotiations, representations or agreements, either written or oral, concerning the provision of vendor's goods and/or services. By acceptance of the City's purchase order(s), the successful vendor agrees to abide by and perform its responsibilities related to the bid items in compliance with the Contract Requirements.

Each bidder is to extend prices and provide a total for the bid being submitted. In order for any bid award to be considered that exceeds $10,000.00 your bid must have been accompanied by an acceptable bid bond, certified check or cashier's check in the amount of $500.00. Bid bond checks will be returned to all unsuccessful bidders after the formal award is made and to the successful bidder after acceptance of award. Should the successful bidder fail to accept the award, the bid bond check shall be forfeited.

Contract award to purchase the materials covered in this bid document shall be construed under and governed by the laws of the State of Alabama and each party hereto irrevocably agrees to be subject to the jurisdictions of the courts of the State of Alabama.

The City's standard payment term is Net-30 Days from acceptance. Exception may be allowed for discounted early payment, such as 2%-10, Net 30 Days. The reference date for all such discounted early payment terms will be the date the invoice is received or the date the goods are received, whichever is later. In the event of a dispute the City's record shall prevail. **The City will not consider any bids requiring C.O.D. payments.**

Vendor (and its employees, agents and any subcontractors) shall not discriminate on the basis of race, color, national origin, or sex in the performance of the services contemplated hereunder. Failure by the Vendor to carry out these requirements is a material breach of its obligations, which may result in its termination or such other remedy as the City deems appropriate.

Vendor acknowledges and agrees that, consistent with federal law and City's public policy, it will encourage disadvantaged business enterprise (DBE) participation to the extent permitted by law. A "disadvantaged business enterprise" is a for-profit small business concern (i) at least 51% owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51% of the stock is owned by one or more such individuals; and (ii) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it. In accordance with federal law, a "socially and economically disadvantaged individual" includes African-Americans, Hispanic Americans, Native Americans, Asian-Americans, women, and any additional groups designated as socially and economically disadvantaged by the Federal Small Business Administration.

Successful bidder acknowledges and agrees that the City has the right to deduct from total amount of consideration to be paid, if any, to the successful bidder under this agreement all unpaid, delinquent, or overdue license fees, taxes, fines, penalties and other amounts due the City from the successful bidder.

The City of Birmingham must have a copy of the successful bidder's current City of Birmingham business license prior to formal award of contract. Each bidder may submit a copy of his/her license along with his/her bid. However, bidder must provide a copy of his/her current business license no later than seven (7) working days of receipt of notice of intent to award. Failure to submit the requested information will result in the notice of intent to award being revoked.

Any successful bidder who is not currently set up as a vendor in the City of Birmingham vendor file will be required to submit a completed W-9 tax form prior to any award. The W-9 tax form may be submitted with your bid or no later than seven (7) working days of receipt of notice of intent to award.

Successful Vendor (located in the State of Alabama or located outside of the State of Alabama, but employs one or more employees within the State of Alabama) represents and warrants that it does not knowingly employ, hire for employment, or continue to employ an "unauthorized alien", as defined by the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, Act No. 2011-535 (H.B.56) of the Alabama Legislature, as amended from time to time (the "Act") and that, during the performance of this contract, Vendor shall participate in the E-Verify program as required under the term of the Act. Vendor agrees to comply with all applicable provisions of the Act. As a condition for the award of any contract, Vendor shall provide documentation establishing that the Vendor is enrolled in the E-Verify program, or a signed, written statement that the Vendor does not have a presence (one or more employees) in the State of Alabama. Vendor may submit applicable documentation with his/her bid or no later than seven (7) working days of receipt of notice of intent to award.

Any questions concerning these specifications should be addressed to the Purchasing Division, Attn: Artelia Macon, Principal Buyer at (205) 254-2265 or Fax: (205) 254-2484, between the hours of 9:00 a.m. & 4:00 p.m. Monday thru Friday.

SPECIFICATIONS

APPROXIMATELY TWENTY-FOUR (24)

NEW ZERO TURN MOWERS

UNITED STATES ASSEMBLY

FOR

CITY OF BIRMINGHAM, ALABAMA

Vendor to supply one copy each maintenance, operating, wiring manuals, and one copy each parts CD/DVD for mower. The warranty period will begin with the effective equipment in-service date, which may or may not be equal to the equipment delivery date, but will in no case be later than six months after equipment has been delivered. All standard equipment to be included. Do not delete/remove any standard equipment because the specification did not ask for it. Mowers will not be accepted with any dealer emblems affixed to vehicle.

Equipment recall notices should be mailed directly to Cedric Roberts, Director, Equipment Management, 515 6th Avenue South, Birmingham, AL 35205.

Only new (unused) current standard production models built for the U.S. market will be considered acceptable. Printed literature and specifications describing equipment as offered must be included with proposal. Any recent changes/updates and or features offered as standard or required for the intended use of the specified equipment will be supplied. All accessories required by these specifications shall be identical in quality and design to those normally supplied and installed for sale through regular commercial channels.

All participating bidders shall mark conspicuously - compliance or non-compliance with an "X" in the appropriate column beside each specified item. Those items marked in the "NO" column must be explained in detail on the provided "Exceptions to Specifications" pages.

Questions should be addressed to Mr. Cedric Roberts, Director, Equipment Management, c/o Ron Nickel, Purchasing Agent, 710 North 20th Street, Birmingham, AL. 35203.

GENERAL: The intent of this specification is to describe a New Zero Turn Mower. **The successful bidder shall have an established part and service dealership in Jefferson County or any county contiguous to Jefferson County.** This facility must have been in business for one year providing service and parts for the make and model bid. The details of the specification are as follows:

	BIDDER COMPLIANCE YES	NO
Vendor to supply 3 sets of vehicle keys	___	___
Vendor to supply a total of 1 copy each maintenance, operating, wiring manuals and parts on CD/DVD.	___	___

APPROXIMATELY TWENTY-FOUR (24)
NEW ZERO TURN MOWERS
PAGE TWO OF THREE

		BIDDER COMPLIANCE YES	NO
ENGINE:	26 hp, Kohler, gasoline, air cooled, 4 cycle gas, cast iron sleeve, oil filter equipped with remote oil cooler. Electric start	___	___
ENGINE DECK:	Min 10 gallon fuel tank with a low center of gravity for hillside cutting	___	___
	Minimum 24" drive tires	___	___
	Hour meter, no maintenance minders	___	___
	Parking brake	___	___
	Max. unit length 90 inches	___	___
DRIVE SYSTEM:	Hydro drive with twin pumps & motors	___	___
	Independent pump control levers	___	___
	Two Hydro-Gear model BDP 10A pumps	___	___
	15" cu. Cast Iron wheel motors with 1 ¼ tapered shafts	___	___
	Spring loaded self adjusting belt tensioners	___	___
GROUND SPEED:	10 mph forward	___	___
	5 mph reverse	___	___
CUTTER DECK:	61" cutting width	___	___
	7 gauge skirt, 10 gauge top	___	___
	Deck thickness at spindle mounts must be 3/8 of an inch or greater	___	___
	Spindles must be cast iron with tapered roller bearings, 1 1/8 shaft, grease fittings, relief valves and cast iron pulleys	___	___
	Spring loaded self adjusting belt tensioners	___	___
	Electric clutch 175 lb torque rating & adjustable air gap	___	___
	Foot operated deck height adjuster	___	___
	Kevlar or equivalent belts	___	___
	Plastic discharge chute	___	___

BID FORM

W. E. Caffee
Assistant Purchasing Agent
Birmingham, Alabama

Submitted below is my firm bid for new zero turn mowers for the City of Birmingham, in accordance with your invitation to bid and specifications dated July 19, 2016. Prices quoted are F.O.B. Birmingham, Alabama delivered and I am bidding in accordance with specification except as listed below.

Approx. Qty.	Description	Make/Model/Year	Unit Price	Extended Total
24	New Zero Turn Mowers		$_____	$_____
	Optional Features:			
	System Monitor		$_____	
	Alternate Bid:			
	Same machine described above except this unit shall include a 52" cutting deck		$_____	
			Total	$_____

I hereby certify that we do not discriminate in employment of our personnel against any persons on account of race, creed, color, sex, or national origins, and acknowledge, and agree, that the City encourages minority – and women – owned business participation to the maximum extent possible. This policy includes Historically Underutilized Business Enterprises such as architectural firms, engineering firms, investment banking firms, other professional service providers, and construction contractors as part of the City's business, economic and community revitalization programs.

EXCEPTIONS TO SPECIFICATIONS:

_____

_____

_____

_____
Date of Bid

_____
Company

_____
Street Address

_____
Post Office Box (Zip if different the street address)

_____
Tax ID Number

_____
City State Zip

_____
Name (Print or Type)

_____
Terms of Payment

_____
Signature

_____
Delivery Date

_____
Title

_____
Telephone Number

_____ _____

E-mail address Fax Number

Bidder acknowledges receipt of _____ addenda to the bid.
(Number(s))