



WILLIAM A. BELL, SR.
MAYOR

CITY OF BIRMINGHAM

FINANCE DEPARTMENT

PURCHASING DIVISION

P-100 CITY HALL
710 NORTH 20TH STREET
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RON NICKEL
PURCHASING AGENT

WILLIAM E. CAFFEE
ASSISTANT PURCHASING AGENT

May 13, 2015

INVITATION TO BID# 15-39

Sealed bids to rebuild/refurbish complete hydraulic system of a long reach Komatsu PC300LC-7L extractor, Serial #A85380 for the City of Birmingham, will be received by the Purchasing Agent, P-100 City Hall, Birmingham, Alabama until 2:00 p.m., June 12, 2015, 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 form 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 time. 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 either 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, it 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.

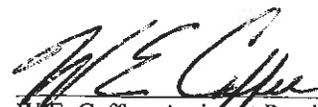
The City follows a policy of nondiscrimination. No contractor with the City should discriminate on the basis of race, sex, religion or national origin. Failure by the Vendor to carry out these requirements is a material breach of its obligations, which may result in its termination or such other remedy 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No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.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 – REBUILD HYDRAULIC SYSTEM FOR KOMATSA PC300LC-7L – 2:00 P.M., 06/12/15**". 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 BIDS 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, 35203 and specify delivery to Room P100, First Floor City Hall.

It is the bidder's responsibility to make sure that his/her bid is in the possession of the Purchasing Agent on or before 2:00 p.m., June 12, 2015. Bids received after this time will not be considered.


W.E. Caffee, Assistant Purchasing Agent

a.m.
B.N. 05/20/15

SPECIFICATIONS FOR THE REBUILD/REFURBISHING HYDRAULIC SYSTEM OF KOMATSU EXCAVATOR

The City of Birmingham is seeking bids for to rebuild/refurbish complete hydraulic system of a long reach Komatsu PC300LC-7L extractor. Bidders may quote either original equipment parts (OEM) or aftermarket. The City intends to award to the lowest price responsive, responsible bidder on a total price basis.

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 original and two (2) copies of the bid.

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

Failure to adhere to any or all terms, conditions and specifications as set forth in the contract may result in the immediate termination of the contract. Should termination occur, the holder of the contract may be declared a "non-responsible vendor". This declaration may result in the rejection of any future bids submitted by the vendor for a period of time to be determined by the City.

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. **Vendor shall not deliver any product to the City of Birmingham without first having a valid purchase order which has sufficient funds to cover the cost of the product to be delivered.**

Each bidder is to extend unit prices and provide an extended total for each line item being bid. If the extended totals of all items being bid exceeds \$10,000.00, a bid bond, a cashier's check, or certified check in the amount of \$500.00 is required to accompany your bid. **In order for any bid award to be made that exceeds \$10,000.00 your bid must have been accompanied by an acceptable bid bond or check (REFERENCE COVER LETTER OF "INVITATION TO BID").**

Successful bidder shall not assign this contract to any other party without prior written approval of the City of Birmingham. Contract shall not be assigned to an unsuccessful bidder who was rejected because he was not a responsive or responsible bidder.

The contract shall become effective from the date noted in the Notification of Award letter which will be mailed to the successful vendor.

Bidder (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 bidder 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.

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 records shall prevail.

The City will not consider any bids requiring C.O.D. payments.

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, the 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. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the contract/agreement and shall be responsible for all damages resulting therefrom.

Any questions concerning these specifications should be addressed to Phillip Hyche, at 431 6th Avenue South, Central Stores, 254-6510, between the hours of 7:00 a.m. and 3:00 p.m. Monday through Friday. Answers to any questions that substantial change or alter the intent of the bid document must be written and made available to all potential bidder via a written addendum. Verbal responses to such questions are not binding on the City.

DETAILED SPECIFICATIONS FOR REBUILD/REFURBISHING KOMATSU PC300LC-7L LONG REACH EXCAVATOR SERIAL #A85380

Machine is available for inspection prior to bid submission at New Georgia Landfill. Contact Jason Smith at 205-254-6394 or email: jason.smith@birminghamal.gov to make arrangement to view the excavator.

These specifications shall include the minimum manufacture's acceptable standards and include the following scope of work:

- City will provide the excavator to successful bidder's repair facility, and City will pick up the excavator from vendor's repair facility at completion of the repair.
- All hydraulic motors, pumps, and valves are to be completely cleaned/rebuilt so as to meet new performance specifications.
- All hydraulic cylinders are to be completely cleaned/rebuilt so as to meet new performance specifications.
- All hydraulic fluid carrying lines and hoses are to be removed and cleaned using projectile cleaning methods.
- Any hydraulic lines or hoses that do not meet a second life cycle standard shall be replaced with new.
- All fittings are to be removed and cleaned of foreign debris.
- Hydraulic tank is to be completely disassembled and cleaned of all foreign debris.
- All seals and gaskets for the use of sealing hydraulic fluid carrying devices shall be replaced with new.
- All hydraulic filters and fluids shall be changed and meet an ISO cleanliness standards after machine rebuild.
- Machine hydraulic functions must meet original manufacture's operational specifications after machine rebuild.
- Machine shall be covered by a 2 Year / 2000 Hour hydraulic system warranty.
- Winning bidder shall provide Oil Analysis Services on the hydraulic fluids for the duration of said warranty at no charge to the owner.

All integral parts not specifically mentioned in the scope of these specifications that are necessary to provide a complete working unit shall be furnished.

The bid price shall include all shop, environmental and non-foreseen fees and any other applicable charges.

Once bid has been awarded, the winning party will have 45 business days from receipt of the excavator to be delivered by the City to vendor's repair facility to complete the rebuild and inform the City of Birmingham of completed repairs.

BID FORM

Mr. William Caffee
Asst. Purchasing Agent
Birmingham, Al.

Submitted below is my firm bid for the rebuild/refurbish complete hydraulic system of a long reach Komatsu PC300LC-7L extractor , Serial #A85380 in accordance with your invitation to bid and specifications dated May 13, 2015. Prices quoted are f.o.b. delivered, Birmingham, AL and I am bidding in exact accordance with specifications except as listed below.

APPROX. QTY.	DESCRIPTION	TOTAL PRICE
1 ea.	Rebuild/refurbish complete hydraulic system of a long reach Komatsu PC300LC-7L extractor , Serial #A85380 as per specification	\$ _____

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

_____ Tax ID Number

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

_____ City State Zip

_____ Name (Print or Type)

_____ Terms of Payment

_____ Signature

_____ Completion Time

_____ Title

_____ Telephone Number

_____ E-mail address

_____ Fax Number

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

IF AVAILABLE PLEASE SUBMIT COPY OF CURRENT CITY OF BIRMINGHAM BUSINESS LICENSE WITH THIS BID.

INDICATE THE FOLLOWING ADDRESSES IF DIFFERENT FROM ABOVE:

- 1. BID AWARD NOTICE ADDRESS**
- 2. PURCHASE ORDER ADDRESS**
- 3. REMITTANCE ADDRESS (and NAME if different than above)**