



WILLIAM A. BELL, SR.
MAYOR

CITY OF BIRMINGHAM

FINANCE DEPARTMENT

PURCHASING DIVISION

P-100 CITY HALL
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RON NICKEL
PURCHASING AGENT

WILLIAM E. CAFFEE
ASSISTANT PURCHASING AGENT

March 16, 2015

INVITATION TO BID# 15-24

Sealed bids for undercarriage parts for Komatsu dozer and remanufactured Cummins M11 Engine for Komatsu PC 400 landfill compactor for the City of Birmingham, will be received by the Purchasing Agent, P-100 City Hall, Birmingham, Alabama until 2:00 p.m., April 8, 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.

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.

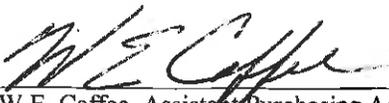
The City follows a policy of nondiscrimination. No contractor with the City should discriminate on the basis of race, sex, religion or national origin. Failure by the Vendor to carry out these requirements is a material breach of its obligations, which may result in its termination or such other remedy 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No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.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 – UNDERCARRIAGE PARTS AND CUMMINS ENGINE – 2:00 P.M., 04/08815**". 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., April 8, 2015. Bids received after this time will not be considered.


W.E. Caffee, Assistant Purchasing Agent

SPECIFICATIONS FOR THE SUPPLY OF UNDERCARRIAGE PARTS AND CUMMINS ENGINE

The City of Birmingham is seeking bids for the supply of undercarriage parts for one (1) 2003 Komatsu dozer, model # D41P and serial # B40085 and one (1) remanufactured Cummins Engine OEM P/N R13086591T91 for Komatsu PC400 landfill compactor. Bidders may quote either original equipment parts (OEM) or aftermarket parts for undercarriage. The City intends to award to the lowest price responsive, responsible bidder on a line item basis. Bidder does not have to bid both items.

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.

The City reserves the right to make additional purchases of the undercarriage parts and engine at a later date at the unit prices quoted, if mutually agreed upon by the City and the successful vendor.

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.

Any bid that imposes a service fee or any other type of fee on any order not exceeding a minimum order quantity or minimum purchase order dollar amount, will be determined a non-responsive bid and will not be considered for award.

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.

DETAILED SPECIFICATIONS FOR UNDERCARRIAGE:

This bid is for severe service undercarriage parts to replace same on a 2003 Komatsu D41P dozer (serial number B40085) used daily in landfill service. Do not bid less than severe service grade components.

After-market or original equipment (OEM) undercarriage parts are acceptable to the City for this bid. Bidders must state on the Bid Form the brand of undercarriage parts being bid and include a copy of the manufacturer's warranty with the bid.

Bidders are to quote only severe service rated, sealed and lubricated track assemblies (wet links). Do not quote dry track assemblies.

Tracks are to be completely assembled and ready for installation when delivered to the City. Track assemblies are to have "landfill use" design pads installed. Do not quote assemblies that do not have this pad design.

All rollers and idlers are to be completely assembled and ready for installation when delivered.

All parts shall be quoted F.O.B. delivered, City of Birmingham, Department of Equipment Management, 515 6th Avenue South, 35205. No freight charges or delivery fees of any nature will be allowed.

Prices quoted are final F.O.B. delivered prices and no additional charges of any nature will be allowed.

Time is of the essence, therefore no bid will be considered that requires greater than twenty (20) working days after receipt of order to deliver the undercarriage parts, ready for installation, to the City.

To arrange viewing of this machine, contact Jason Smith at 205-254-6394, Monday through Friday between the hours of 7:00 a.m. and 3:00 p.m.

DETAILED SPECIFICATIONS FOR CUMMINS ENGINE:

This bid is for a remanufactured Cummins M11 Engine for a Komatsu PC 400 Compactor used daily in landfill service. Do not bid less than (OEM) Parts. Remanufactured engine must be equal to Cummins M11, (OEM) P/N #R13086591T91, S/N# 60415002 MTA320-2000.

Engine parts to be use in the remanufacture process are to be (OEM) parts. Bidders must warranty engine for twelve (12) months and include a copy of the manufacturer's warranty with the bid. Engine must be complete and ready to install minus accessories and brackets. If engine oil pan, front cover, or bell housing needs to be changed to properly fit the Komatsu PC 400 Compactor serial # A80672, winning vendor will be responsible for changing the listed items.

NOTE: City request vendor to offer an exchange credit for the engine core being replaced by the new remanufactured engine being bid. Successful bidder will be responsible for pick-up and removal of the engine core. Vendor must coordinate the removal with the Department of Equipment Management.

All engines shall be quoted F.O.B. delivered, City of Birmingham, Department of Equipment Management, 515 6th Avenue South, 35205. No freight charges or delivery fees of any nature will be allowed.

Prices quoted are final F.O.B. delivered prices and no additional charges of any nature will be allowed.

Time is of the essence, therefore no bid will be considered that requires greater than twenty (20) workings days after receipt of order to deliver the complete engine and ready for installation, to the City.

To arrange viewing of this machine, contact Jason Smith at 205-254-6394, Monday through Friday between the hours of 7:00 a.m. and 3:00 p.m.

BID FORM

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

Submitted below is my firm bid for the supply of one (1) Komatsu D41P dozer undercarriage assembly parts and/or one (1) Cummins engine in accordance with your invitation to bid and specifications dated March 16, 2015. Prices quoted are f.o.b. delivered, Birmingham, AL and I am bidding in exact accordance with specifications except as listed below.

Item 1#

SEVERE SERVICE UNDERCARRIAGE PARTS FOR ONE (1) KOMATSU DOZER

Approx. Qty.	DESCRIPTION	MANUFACTURER & PART #	UNIT PRICE	EXTENDED TOTAL
2	Sealed & lubricated track chain with split master links to include 27.5 severe service type track pads installed.		\$	\$
2	Complete set of sprocket segments (L&R)		\$	\$
26	Sprocket segment bolts.		\$	\$
26	Sprocket segment washers and nuts		\$	\$
6	Double flange rollers, lower		\$	\$
8	Single flange rollers, lower		\$	\$
2	Carrier rollers, upper		\$	\$
2	Front idler assemblies (L&R)		\$	\$
GRAND TOTAL				\$

EXCEPTIONS TO SPECIFICATIONS: _____

DELIVERY TIME ARO: _____ days

Item 2#

Engine for Komatsu PC 400 Compactor

Approx. Qty.	DESCRIPTION	MANUFACTURER PART #	PRICE EACH	EXTENDED TOTAL
1 ea.	Remanufactured Engine, Cummins M11 Complete and ready for installations, minus accessories and brackets.			\$
1 ea.	Engine Core Exchange Credit		Minus	\$
GRAND TOTAL				\$

EXCEPTIONS TO SPECIFICATIONS: _____

DELIVERY TIME ARO: _____ days

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

_____ Delivery Date

_____ 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)**