

**MORGAN COUNTY COMMISSION  
INVITATION TO BID  
BID INVITATION NUMBER: 24-23  
Concession Beverage Purchases**

Morgan County Commission is soliciting sealed bids for a 3 year contract for providing soft drinks, sports drinks and bottled water for the County's use and for resale, for providing all equipment necessary to store and sell soft drinks, sports drinks and bottled water, for providing and servicing scoreboards in County owned parks and for providing other support items outlined in the minimum bid specifications portion of this document. Bids will be received by the Morgan County Commission at the Morgan County Courthouse, Commission Office, 5<sup>TH</sup> Floor, 302 Lee Street, Decatur, Alabama 35602, until

**Thursday, May 23, 2024 at 9:00 a.m. C.D.T.**

Bids will be opened in the County Commission Chambers at the above stated time and date. Time is of the essence in submitting bids and only sealed bids received in the Commission office by the time listed above shall be opened and considered. Bidders and other interested individuals are invited to attend the bid opening.

Prospective bidders are instructed to read the General Terms and Conditions and Bid Specifications very carefully. Bid addendums will be provided to all bidders, if necessary. Bids must be made in compliance with the guidelines in the sections referred to herein and ***each page initialed by the bidder representative to denote understanding of such compliance and returned with the submitted bid.***

Bid envelopes should be sealed and marked as follows:

**Bid Invitation Number 24-23  
Concession Beverage Purchases  
May 23, 2024**

Bids may be mailed to Morgan County Commission, P.O. Box 668, Decatur, AL 35602 or delivered to 302 Lee St NE, Decatur, AL 35601.

If there are any questions about bid procedures, please contact Jessica Smith at 256.351.4732 or [jsmith@morgancounty-al.gov](mailto:jsmith@morgancounty-al.gov)

Bidder Initials: \_\_\_\_\_

## **Morgan County Commission**

### **General Terms and Conditions**

- All bids must be typed or hand-written in ink on the attached Bid Proposal Form. Bids submitted in pencil and bids not submitted on the Bid Proposal Form will not be considered. All corrections shall be initialed and dated by the bidder representative. Bids that are submitted without being signed will automatically be rejected.
- Bid envelopes must be sealed and must indicate clearly the appropriate bid number, bid item, and bid opening date, as indicated on the cover sheet of the bid packet. Bids by Facsimiles and emails will not be accepted. The County is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system of the County, or any other means of delivery employed by the bidder. Similarly, the County is not responsible for, and will not open, any bid responses which are received later than the date and time indicated above. Late bid responses will be retained in the bid file, unopened.
- The Commission provides equal opportunities for all businesses and does not discriminate against any vendor regardless of race, sex, creed, age, disability, national origin or religion in consideration for an award. Bidders must abide by the provision of the American with Disabilities Act of 1990 and assure that in connection with the performance of work under this agreement that they are an equal opportunity employer and do not discriminate on the basis of race, sex, creed, age, disability, national origin or religion.
- All bidders must comply with applicable sections of the Alabama Competitive Bid Law, Code of Alabama, 1975.
- **All bid amounts shall be submitted on the attached Bid Proposal Form.** Prices quoted shall be delivered prices, exclusive of all federal or state excise, sales, and manufacturer's taxes. The Commission will assume no transportation or handling charges other than specified in the bid.
- A completed W-9 should be included with your bid package.
- A completed affidavit of compliance with E-Verify must be included with your bid package.
- The Morgan County Commission reserves the right to cancel the contract with a 30-day written notice to the contractor if the performance of the service is unsatisfactory.
- These specifications and acceptance hereof shall constitute exclusively and entirely the agreement for the service as described within.
- The attached specifications are being provided to potential bidders as guidelines, which describe the type and quality of equipment, supply, and/or service the Commission is seeking to purchase.
- By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

Bidder Initials: \_\_\_\_\_

- By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that such contractor is not currently engaged in, and an agreement that the contractor will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which Alabama can enjoy open trade.
- All bids will be awarded to the lowest responsive and responsible bidder. This determination may involve all or some of the following factors: price, conformity to specifications, previous performance, facilities and equipment, availability of repair parts, experience, delivery promise, terms of payments, compatibility as required, other costs and other objective and accountable factors which are reasonable. When responsive and responsible bids are equal, a local vendor shall be favored. The Commission reserves the right to accept or reject any or all items covered in the request, or any portion(s) thereof, waive formalities, re-advertise and/or take such other steps deemed necessary and in the best interest of the Commission. Bidders may be disqualified and bid proposals may be rejected for any of (but not limited to) the following causes:
  - Failure to use the bid forms furnished by the Commission
  - Lack of signature by an authorized representative on the Bid Proposal Form.
  - Failure to properly complete the bid form.

Please send questions about bid specifications by email to Jessica Smith at [jsmith@morgancounty-al.gov](mailto:jsmith@morgancounty-al.gov)

Bidder Initials: \_\_\_\_\_

**MORGAN COUNTY COMMISSION  
INVITATION TO BID: 24-23  
CONCESSION BEVERAGE PURCHASES**

Minimum Bid Specifications

The Morgan County Commission is soliciting bids for Concession Beverage purchases for Morgan County Parks and Recreation. This contract will provide the selected vendor with a 3-year contract for exclusive distribution rights for the following drinks at all County owned Parks & Recreation facilities:

**All carbonated drinks  
All Isotonic drinks  
All bottled water**

Awarded vendor agrees to provide LED scoreboards for the sports locations listed below. This includes the installation, servicing and maintaining of each scoreboard. These scoreboards must have wireless controls. Vendor will maintain ownership of each scoreboard and is not responsible for damage caused by vandalism, but agrees to replace aged or inoperable scoreboards if requested by Morgan County Parks and Recreation.

North Park – 6 Baseball/Softball scoreboards  
West Park – 4 Baseball/Softball scoreboards, 1 Football scoreboard, 2 gym scoreboards  
South Park – 6 Baseball/Softball scoreboards, 1 Football scoreboard  
Huskey Park – 5 Baseball/Softball scoreboards  
Brindlee Mtn. Park – 2 Baseball/Softball scoreboards  
Morgan County Event Center – 4 Gym scoreboards

Vendor must provide and maintain all equipment needed for drink product sales at each County owned and operated concession facility at no charge to the County. This includes coolers, ice machines and vending machines. Vendor will be responsible for all repairs and maintenance to concession and vending equipment provided excluding repairs necessary due to vandalism. Number and location of vending machines will be determined at a later date. The location of each concession facility is listed below:

North Park – 3 Concession facilities  
West Park – 2 Concession facilities  
South Park – 2 Concession facility  
Huskey Park – 2 Concession facilities  
Brindlee Mtn Park – 1 Concession facility  
Morgan County Event Center – 1 Concession facility

Vendor must deliver drink products to each concession facility on a timely basis to keep each product in stock and to bill separately for each location under a master account. Prices quoted shall be delivered prices, exclusive of all federal or state excise, sales, and manufacturer's taxes. The Commission will assume no transportation or handling charges other than specified in the bid.

Bidder Initials: \_\_\_\_\_

Vendor is responsible for keeping each vending machine stocked and will submit commission checks on a monthly basis.

Vendor will provide product allowance for County use at their discretion for County sponsored or sanctioned events not to exceed 450 cases per year. If the County does not use all of the allowed product, the balance will not carry forward each year. If the cumulative total the County requires is more than the annual limit, the County will be billed the same as the vending rate for all product above the limit. The County will also require that organizers of events held on or in County owned facilities that will use or sell drink products will use the contracted vendor's products. No products from any competitors will be allowed to be sold or provided to participants without prior consent from contracted vendor.

Vendor will provide ice machines in each County owned and operated concession facility. Vendor will be responsible for the maintenance and annual inspection of each machine. Vendor will not be responsible for any damage caused by vandalism.

Vendor will be committed to representing and supporting the County in the best light possible. Vendor will be committed to keeping all equipment and scoreboards in the best condition possible and to replace each as needed. Vendor will be committed to supplying and servicing this account using the best employees, equipment and practices available.

Vendor must maintain a current business license and appropriate State of Alabama Health Department permits. Vendor must provide a copy of insurance certificates showing proper liability, property and Workers Compensation coverage with at least \$1,000,000 coverage.

If awarded the contract, failure to comply with the above requirements may result in termination of the contract. Either party may terminate the contract at any time with a 90-day written notice.

\*\*\*All bidders are required to meet with Parks & Recreation Director, Sean Dailey or his designee, prior to bidding. A signed Certificate of Attendance will be provided after meeting and must be included with each submitted bid. Bids offered without this signed certificate shall be rejected. Please contact Sean Dailey at (256)560-6072 or (256)227-5230 to schedule a pre-bid meeting.

Please direct any questions or concerns about the specifications to Jessica Smith by email.

[jsmith@morgancounty-al.gov](mailto:jsmith@morgancounty-al.gov)

Bidder Initials: \_\_\_\_\_

**Morgan County Commission  
BID PROPOSAL FORM  
Bid Invitation Number 24-23  
Concession Beverage Purchases**

Name of Your Company: \_\_\_\_\_

Street Address: \_\_\_\_\_

Billing Address: \_\_\_\_\_

City, State & Zip: \_\_\_\_\_

Contact Person & Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

	Price per case	Quantity per case
Carbonated Drinks - 20oz bottles	\$ _____	_____
Isotonic Drinks – 20oz bottles	\$ _____	_____
Bottled Water – 16.9oz bottles	\$ _____	_____

**\*\*\*\*\* Any and all Exceptions/Deviations/Substitutions must be noted on the Bid Proposal Form (attach additional sheets if necessary)\*\*\***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Bidder Representative Signature**

\_\_\_\_\_  
**Date**

Bidder Initials: \_\_\_\_\_

**Notice:** As a condition of a bid, contracts or grant with Morgan County, compliance with the requirements of the Beason-Hammon Alabama Taxpayer and Citizen Protection Act must be provided. Please enter the name of your company and your name and complete the affidavit below. Your signature must be notarized.

BUSINESS ENTITY: \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

### **E-VERIFY AFFIDAVIT**

I \_\_\_\_\_ (name), on behalf of \_\_\_\_\_ (business entity), and with lawful authority to act in its behalf, hereby execute this affidavit on behalf of the business listed above and, by executing this affidavit, I verify that business' compliance with Section 31-13-9 of the Code of Alabama, 1975, stating affirmatively that it does not knowingly employ, hire for employment or continue to employ an unauthorized alien. Further, the business has registered with and is participating and will participate during the performance of this contract with Morgan County in the federal work authorization program known as "E-verify" web address <https://e-verify.uscis.gov/enroll>, operated by the United States Citizenship and Immigration Service Bureau of the United States Department of Homeland Security to verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603, in accordance with the applicable provisions of Alabama's Immigration Law. The undersigned further represents that, should the business employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the County, it will secure from such subcontractor(s) verification of compliance with Section 31-13-9 of the Code of Alabama, 1975, in a form substantially similar to this affidavit. The Business further agrees to maintain records of such compliance and provide a copy of each said verification to the County.

\_\_\_\_\_  
E-Verify Employment Eligibility Verification User ID Number

\_\_\_\_\_  
Applicant Signature

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary

My Commission expires: \_\_\_\_\_

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
2 Business name/disregarded entity name, if different from above
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  <input type="checkbox"/> Other (see instructions) ▶ _____
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  (Applies to accounts maintained outside the U.S.)
5 Address (number, street, and apt. or suite no.) See instructions.
6 City, state, and ZIP code
7 List account number(s) here (optional)
Requester's name and address (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>												
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## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

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- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*