

REQUEST FOR PROPOSALS

Sealed proposals will be received by the City of Foley at 407 East Laurel Avenue, Foley, Alabama 36535 **or** P.O. Box 1750, Foley, Alabama 36536 until 2:00 p.m. CST on Thursday, January 14, 2021 for:

LEASE MANAGEMENT ACCOUNTING SOFTWARE GG-011421

at which time and place they will be publicly opened and read. Specifications may be obtained at Foley City Hall, 407 East Laurel Avenue, Foley, Alabama, 36535, by calling (251) 943-1545, or, the request for proposal may be downloaded from the City's website at <http://www.cityoffoley.org>.

To be eligible for consideration, proposals must be submitted on complete original proposal forms found in the Request for Proposal package. **The specifications and all executed proposal forms must be submitted in a sealed envelope, clearly marked, the Company name and address, the proposal name, and the date of the proposal opening.** It shall be the sole responsibility of the company to assure receipt of the proposal at Foley City Hall prior to the published time for the proposal opening.

The City of Foley reserves the right to accept or reject any or all proposals and to waive technical errors if, in the City's judgment, the best interests of the City will thereby be promoted.

Rachel Keith
Purchasing Agent
City of Foley, Alabama



REQUEST FOR PROPOSAL FORM

PROPOSALS TO BE OPENED AT: **2:00 P.M. CST**
DATE: **Thursday, January 14, 2021**

Sealed proposals will be received by the City of Foley, Alabama, at its office in Foley until the above date and time, and then opened as soon thereafter as practicable.

Rachel Keith
Purchasing Agent

SPECIFICATIONS: SEE ATTACHED

If you are unable to furnish an item as specified and desire to offer a substitute, give full description of the item. No errors will be corrected after proposals are opened. Substitutions will be treated as "approved equivalent or equal" which is discussed in paragraph 1.05 of the proposal documents *GENERAL CONDITIONS*. Please refer to Paragraph 1.05 prior to offering any substitutions. No prices shall include State or Federal Excise Tax. Tax exemption certificates furnished upon request. City reserves the right to accept or reject all proposals or any portion thereof.

We are in a position to complete this project per the attached proposals within _____ days after receipt of notice to proceed. Any attachment hereto is made and becomes a part of this inquiry and must be signed by the company.

I hereby affirm I have not been in any agreement or collusion among companies or prospective companies in restraint of freedom of competition, by agreement to bid at fixed price or to refrain from bidding, or otherwise. I am not currently engaged in, nor will engage in, any boycott of a person or entity based in or doing business with a jurisdiction with which the State of Alabama can enjoy open trade.

THIS BID MUST BE NOTARIZED

Sworn to and subscribed before me
this the _____ day of
_____, 2021.

FIRM: _____

BY: _____
Signature accepted in ink only

STREET ADDRESS: _____

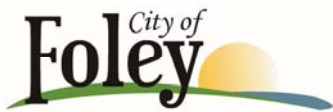
NOTARY PUBLIC

CITY: _____ STATE: _____

BIDS MADE OUT IN PENCIL WILL NOT
BE ACCEPTED.

TERMS: _____
FOR CASH PAYMENT WITHOUT REGARD TO
DATE OF REMITTANCE

ALL COMPANIES MUST USE OUR PROPOSAL FORM(S). NAME AND ADDRESS, BID NAME, OPENING DATE AND TIME MUST BE PRINTED ON THE OUTSIDE OF THE SEALED ENVELOPE. EACH PROPOSAL MUST BE IN SEPARATE ENVELOPES.



COMPANY INFORMATION:

Company Name:		
Submitted By:		
Mailing Address:		
Telephone Number:		
Fax Number:		
E-Mail Address:		
Ethics Disclosure:	Are you a City of Foley Appointed Official? Are you a City of Foley Employee? Are you the spouse of a City of Foley Appointed Official or Employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

ADDENDUM ACKNOWLEDGEMENT:

Company acknowledges receipt of the following addendums and has incorporated the requirements of such addendums into this Request for Proposal.

(List all addendums issued for this proposal.)

No.	Date

No.	Date

No.	Date

No.	Date

No.	Date

No.	Date



Proposal Specifications

The City of Foley Finance Department is seeking to purchase a subscription for lease accounting software to be fully compliant with the FASB's, GASB's, and IASB's new lease accounting standards and will assist in providing all the required journal entries and disclosure reports.

The software should be able to produce with the following items:

- Should be tailored for governmental entities.
- Produce lessor and lessee journal entries by total entity level and individual asset level.
- Calculate the effect of the new lease accounting rules on the City's account balances and provide a standard journal entry export that can be easily adapted to load into the GL system.
- Provide suggested financial disclosures and report.
- Calculate amortization tables for individual leases for both the lessor and lessee.
- Perform capital vs. operating lease tests and provide documentation supporting those results.
- Software subscription will provide access for an unlimited number of users.
- Software will include updates as necessary to maintain compliance with GASB 87, FASB ASC Topic 842, and IFRS 16.
- Staff training shall be provided.
- Subscription should include up to 100 records.

The Company is encouraged to include any additional information that will substantiate its product quality, service capabilities, and commitment that will otherwise assist The City of Foley in evaluating the proposals. The sealed proposals should be submitted with the Company's most favorable price, quality and service capabilities, taking into account the City's expectations. Include brochures and other relevant information about your company that you wish the City of Foley to consider in its selection.

Upon receipt of proposals, it will be the decision of the City of Foley to award or not award the project. The City reserves the right to reject any or all proposals and to waive technical errors, if, in the City's judgment, the best interest of the City will thereby be promoted.

The City of Foley also reserves the right to (i) determine selection process (The City of Foley will select a company which offers the proposal that is deemed to be in the City's best overall interest; provided however, The City of Foley also reserves the right to make award or no award if this is in the best interest of The City of Foley, in the City's sole discretion); and (ii) give consideration to special or unique features which may be offered by a company. Price alone may not be the sole determining factor in the selection process. All decisions will be made solely at the discretion of The City of Foley.

Bid Pricing

The City of Foley is exempt from payment of all Federal, State, and Local Taxes. Vendor can be provided with a tax exempt form if it is required.



Timeframe

The project shall commence after the issuance of the Notice to Proceed. City of Foley would like for the project to begin no later than February 15th and be complete within 60 calendar days.

Additional Information

If the Bidder employs persons in the State of Alabama, the bidder must comply with Section 31-13-9, Code of Alabama 1975, and shall provide proof of enrollment in the E-Verify program with their bid. A copy of the signed Memorandum of Understanding (MOU) generated upon completion of enrollment in the E-Verify program is acceptable. *(See General Conditions, Item 1.17 for more information.)*

All questions related to this proposal must be documented through email and should be sent to Rachel Keith at rkeith@cityoffoley.org no later than 72 hours prior to the scheduled proposal opening. No questions will be addressed by any means other than email. Answers will be emailed to all companies in the event that clarification is required. If further clarification is needed about a change within the proposal, an Addendum will be emailed stating the change. All addendums must be acknowledged in the "Addendum Acknowledgment" section located on page 3 of this request for proposal.

Instructions to Companies

To be eligible for consideration, proposals must include forms found in the Request for Proposal package. **The entire proposal and all executed forms must be submitted in a sealed envelope, clearly marked, identifying the project name, date and time of the bid opening, the company name and address.** It shall be the sole responsibility of the company to assure receipt of the proposal at the Foley City Hall prior to the published time for the proposal opening. If hand delivering, the proposal envelope must be "Date and Time" stamped at the receptionist's desk when the proposal package is turned in.

Proposals should be sent to one of the following addresses:

U.S. Postal Service
City of Foley
Attn: Purchasing Agent
P.O. Box 1750
Foley, AL 36535

Physical Address
City of Foley
Attn: Purchasing Agent
407 E. Laurel Avenue
Foley, AL 36536



Proposal Checklist

Items that should be included in Proposal:

- Request for proposal form (PDF page 2)
- Company information page (PDF page 3)
- Software proposal description
- Pricing should be broken down by item should include:
 - Annual software subscription charge
 - 3 year contract preferred
 - Organizational database structure setup and training charge
- Describe how training will be conducted.
- A listing of the company projects/customers similar in size and scope to the services described in the RFP. This list must include the name, address, telephone, and email address of the client contract administrator. If applicable, please list examples of services rendered in the state of Alabama.
- Proposal checklist (PDF page 6)
- Proof of E-Verify Documentation in the form of signed Memorandum of Understanding (MOU)

This list is not intended to be all inclusive, but a guide to creating your proposal.

Company: _____

Submitted By: _____

Address: _____

Phone: _____



GENERAL CONDITIONS

To insure acceptance, all contractors submitting proposals to the City of Foley shall be governed by the following conditions, attached specifications, and proposal form(s) unless otherwise specified. Proposals **not** submitted on the proposal form(s) provided may be rejected, and proposals **not** complying with these conditions will be subject to rejection.

1.0 Intent of Specifications:

It is the intent of the specifications attached hereto to set forth and describe certain item(s) or service(s) to be purchased by the City of Foley including all materials, equipment, machinery, tools, apparatus, and means of transportation (meaning freight costs) necessary to provide these items or services.

1.01 Legal Requirements:

All applicable provisions of Federal, State, County and local laws including all ordinances, rules and regulations shall govern the development, submittal and evaluation of all bids received in response to these specifications, and shall govern any and all claims between person(s) submitting a bid response hereto and the City of Foley, by and through its officers, employees and authorized representatives. A lack of knowledge by the contractor concerning any of the aforementioned shall not constitute a cognizable defense against the legal effect thereof.

1.02 Sealed Bids:

The specifications and all executed forms must be submitted in a sealed envelope. All proposals must be signed by an authorized representative of the contractor. In the event more than one proposal opening is scheduled for the same date and time, do not include proposals concerning different sets of specifications within the same envelope. **The face of the envelope shall be plainly marked identifying the Contractor's license number and opening date and time.** It shall be the sole responsibility of the contractor to assure receipt of bid at the Purchasing Office prior to the published time for the proposal opening. No proposal will be opened that is received after closing time for receipt of proposals, nor will any offers by telephone, fax, or any electronic means be accepted.

1.03 Exceptions to Specifications:

During the drafting of written specifications, a sincere effort is made to describe products and services best suited to the needs of the City; however, in order that fair consideration is given in evaluating proposals, all exceptions to or deviations from the specifications as written must be noted and fully explained. The Mayor and City Council are the final authority in determining the acceptability of any exceptions to specifications.

1.04 Discounts:

Terms offering a discount for prompt payment will be considered in determining the low cost proposal. The discount period shall begin whenever (1) the conditions of the specifications have been fully met and the product or service judged acceptable to the City of Foley or (2) a correct invoice and other required documents have been received, whichever is later. Discounts offered for a period of less than thirty (30) days will not be considered in determining the low cost proposal.

1.05 Approved Equivalent or Equals:

Any manufacturer's names, trade names, brand names, model numbers, etc. listed in the specifications are for information only and not intended to limit competition. The contractor may offer any brand for which he is an authorized representative that meets or exceeds the specifications as written. If the proposal is based on an "approved equivalent or equal" item, supportive information in the form of manufacturer's printed literature or brochures, sketches, diagrams and/or complete specifications must accompany the proposal. The contractor must explain in detail the reasons why the proposed equivalent or equal will meet specifications and not be considered an exception thereto. The City of Foley reserves the right to determine acceptance of proposed equivalent or equal item.



- 1.06 Proposal Withdrawals:
Proposals may be withdrawn by written request received from contractor prior to the time fixed for opening but no proposal may be withdrawn after closing time for receipt of proposals for a period of sixty (60) days. Negligence on the part of the contractor in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened.
- 1.07 Rejection of Proposal:
The City of Foley reserves the right to accept or reject any or all proposals, to award proposals on a split-order basis, to waive any minor bid irregularities, technicalities, or informalities, and to re-advertise for proposals when deemed in the best interest of the City of Foley.
If there is any reason for believing that collusion exists among the contractors, any or all proposals may be rejected, and those participating in such collusion may be barred from submitting bids or proposals on the same or other work with the City of Foley.
- 1.08 Delivery:
Proposal quotations shall include all freight cost to Foley, Alabama to point(s) specified herein or specified at the time the purchase order is placed. No title to the item(s) ordered nor any risk of loss shall be passed to the City of Foley until after receipt of delivery has been acknowledged by an authorized representative of the City of Foley.
- 1.09 Taxes:
The City of Foley, a Municipal Corporation, is a tax exempt entity per Section 40-23-4(11), Code of Alabama 1975. The City of Foley is exempt from all state and local sales taxes. This should **not** be construed to mean that Contractors or suppliers doing business with the City of Foley are exempt from paying tax (General Conditions, Section 1.11 Permits and Taxes).
- 1.10 Licenses, Registration and Certificates:
A City of Foley Business License must be obtained within ten days of project award. Each contractor must provide proof of State required competency certifications whenever applicable to engage in the business of contracting (or special contracting if the work to be performed necessitates a particular type of specialty Contractor) in the City of Foley.
- 1.11 Permits and Taxes:
The Contractor shall procure all permits, pay all charges, fees and taxes and give all notices necessary and incidental to the due and lawful prosecution of the work.
- 1.12 Compliance with Federally Funded Programs:
The successful contractor shall assure the City of compliance with any and all special provisions (if applicable) contained in the contract being proposed. These provisions may include but are not limited to maintaining a Drug-Free Workplace, compliance with Clean Air and Water Laws and Regulations, and compliance with Equal Opportunity and Non-Segregated Facilities guidelines.
- 1.13 Proof of Liability & Worker's Comp Insurance:
If applicable, Proof of Liability and/or Worker's Comp Insurance must be included in the bid packet. If a company is not covered by Worker's Comp Insurance, labor and material charges should be separated on the bid/proposal. This should be done in order for the City to determine the Worker's Comp rate (in accordance with the City's current Worker's Comp fee schedule) that will be deducted from payment to the company performing the work.
- 1.14 Background Check:
The bid award of "Public Works" projects over \$50,000 will be contingent upon the results of a background check of the successful low contractor as stated in Ordinance No. 1029-08. According to this ordinance, the City of Foley will take criminal histories into account when deciding whether a low contractor is qualified to do work for the City.



1.15 Disqualification:

The City can disqualify a company based upon the results of a background check or if the company has been prohibited from contracting with another government agency as stated in Ordinance No. 1029-08.

If, in the opinion of The City of Foley, a sealed bids or proposals contains false or misleading statements or references that do not support a function, attribute, capability, or condition as contended by Company, the sealed bid or proposal may be disqualified from further consideration.

1.16 Expenses:

Expenses for developing sealed bids or proposals and addressing information requests herein are solely and entirely the responsibility of Company and shall not be chargeable in any manner to the City of Foley.

1.17 Alabama Immigration Law (Beason-Hammon Alabama Taxpayer and Citizen Protection Act):

Contractor must be in compliance with Alabama's Immigration Law, otherwise known as the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, Act No. 2011-535, Section 31-13-9, Code of Alabama 1975. If the contractor employs persons in the State of Alabama, the contractor must provide documentation with this bid that they are enrolled in the E-Verify program. Additionally, the contractor should be advised that if they employ persons (anywhere), award of the contract is conditioned on the contractor not knowingly employing, hiring for employment or continuing to employ an unauthorized alien within the State of Alabama. Any awarded contract will contain a provision whereby the contractor promises not to violate federal immigration law.

Any subcontractor who works with the general contractor who has been awarded contracts by the City must be enrolled in E-Verify. It is the responsibility of the general contractor to have a system in place to ensure subcontractors' compliance.

Proof of E-Verify documentation will be in the form of a copy of the signed Memorandum of Understanding (MOU) generated upon completion of the E-Verify program.

1.18 Local Bid Preference:

The City of Foley has accepted the local bid / proposal preference guidelines established in Act 2015-293 and allows these guidelines to be utilized when appropriate, on a case by case basis. The local preference area has been established per Resolution 15-2369-RES and is defined as the area within the police jurisdiction of the City of Foley. Bid / proposal awards may be made to local vendors in this area if their submission is within 5% of a lower bid / proposal submitted by a vendor outside of this area and a 10% preference is extended if the lower contractor is located outside the state.

1.19 Contractor Tax Credits/Incentives/Rebates:

Should a Contractor seek tax credits, incentives or rebates for energy efficiency programs or any other such program through the Federal or State Government, the Contractor shall inform the City of its intent to apply and shall negotiate terms with the City.

“The City of Foley encourages all vendors to list job openings with Job Services of Alabama.”