



**Informal Bid for Sale of Capital Outlay Note
Solicitation # 999-0719-27
July 16, 2019**

Sealed proposals to provide financing through capital outlay notes subject to the terms and conditions contained herein and attached hereto, will be received in the Finance Department, City Hall, until July 29, 2019 at 1:00 PM. If you are an individual with a disability and require a reasonable accommodation or have additional questions regarding this invitation, please notify Purchasing Agent Kim Dale at (931) 560-1580.

No proposals may be withdrawn after the scheduled closing time for receipt of bids for sixty (60) calendar days.

Proposal Instructions:

To be considered, you must submit:

1. A written proposal clearly addressing all areas covered and listed herein or amended by addendum.
2. The proposal form must be signed by an individual with the authority to bind the proposer.

All proposal documents shall be returned to:

Purchasing Agent, Finance Department, City Hall, 700 North Garden St., Columbia, TN 38401.
Mark outside of envelope "**RFP Financing**" and opening date of bid 7/29/2019.

Any amendments to this request for proposal shall be in writing in the form of an addendum and distributed to all known parties expressing an interest to propose.

Time is of the essence and any proposal received after the announced time and date for submittal, whether by mail or otherwise, will be rejected. The time of receipt shall be determined by the Finance Department and City Manager's Office. Proposers are responsible for ensuring that their proposals are stamped by City Manager's Office personnel before the deadline indicated. Late proposals received will be so noted and the proposal shall be retained as part of the proposal process.

Nothing herein is intended to exclude any responsible vendor, his product or service or in any way restrain or restrict competition. On the contrary, all responsible vendors are encouraged to offer a proposal. The City of Columbia is compliant with Title VI of the 1964 Civil Rights Act and as a result does not discriminate on the grounds of race, color or national origin nor does it excluded from participation in, or denies the benefit of any program or activity receiving federal financial assistance.

All costs of preparing a bid and all costs of delivery of said bid shall be the responsibility of the proposer.

1. SCOPE

The City of Columbia invites qualified institutions to submit proposals to provide bank qualified financing up to three hundred and fifty thousand dollars (\$350,000.00). Proceeds of the note will be used to reimburse the City of Columbia Sanitation Fund Reserves for the purchase of a new front loading commercial garbage truck and a portion of the cost of a new recycling truck. The bid offering the most favorable terms and lowest overall financing costs over an amortization period of five years shall be considered. The financing will be secured by the full faith and credit of the City of Columbia, Tennessee.

2. GENERAL CONDITIONS

General conditions as listed below shall apply to this Request for Proposal unless those general conditions conflict with other terms and conditions as further defined within this request. In the event of such a conflict, the other terms and conditions shall be controlling.

- a. **Acceptance of Bids:** The City of Columbia reserves the right to reject any and all bids, to waive any informal technicalities or defects, the scope and nature of which it shall be the sole judge, in any bid, insofar as such technicality or defects do not legally, materially or substantially change such bid. The said City, unless otherwise specified by the bidder, reserves the right to accept any item on bid.

If the bidder fails to state the time within which a bid must be accepted, it is understood and agreed that said City shall have ninety (90) days from bid opening date in which to accept bid.

- b. **Error in Bid:** In case of error in the extension prices in the bid, the unit price governs. No bid shall be altered, amended or withdraw, unless the acceptance date has expired, after the opening date of bids. Negligence on the part of the bidder in preparing the bid confers no right for withdrawal of the bid after it has been opened.
- c. **Signatures on Bids:** Each bid must contain the full name and business address of the bidder. Any person signing a proposal sheet for himself or as agent, employee or officer of another must show his title and, if requested by the City shall furnish proof of his authority to make such proposal.
- d. **Compliance:** Contractor shall abide by all federal, state and local laws and statues and obtain all permits as may be required
- e. **Bid Opening:** Bids may be mailed or delivered to the Purchasing Agent in the Finance Department of the City of Columbia, Tennessee. All proposals must be delivered and accepted by the time and date as specified herein. Proposals received after the specified time for opening will not be accepted.
- f. **Complaints – Vendors**

Vendors shall have the right to present a complaint, dispute or grievance concerning unfair treatment, contracts, deliveries, payments, restrictions, and other incidents. The following steps are intended to provide uniform procedures for a vendor to express a problem and obtain remedy.

- a. **Step One** - Vendor must file a grievance with the Purchasing Agent for the City of Columbia no later than seven (7) calendar days after the occurrence of the dispute or incident. The complaint must be in writing and include all supporting data and desired solution or remedy. The Purchasing Agent will review the complaint with the user department and provide a written reply within forty-five (45) days to the vendor.

- b. Step Two– If the vendor is not satisfied with the Purchasing Agent’s response, the vendor may appeal in writing to the City Manager, who shall with the advice of the Purchasing Agent and/or City Attorney, make a written determination to all parties involved. The City Manager’s decision shall be final.

3. INSURANCE - No Requirements

4. REQUIREMENT OF THE PROPOSED FINANCING

- 4.1 The interest rate shall be fixed for the entire term of the agreement.
- 4.2 The amortization period shall be five years.
- 4.3 There shall be no prepayment penalty.
- 4.4 The City will not offer any asset of the City as collateral on the agreement but will offer the full faith and credit of the City of Columbia.
- 4.5 The City may draw funds against the loan incrementally or in lump sum.
- 4.6 The City will consider an amortization schedule with annual payments.
- 4.7 Any resulting loan agreement or note shall be retained by the original proposer for the life of the obligation.
- 4.8 Any resulting loan agreement or note shall be non-taxable with regard to State, municipal or county taxes.

5. PROPOSAL FORMAT - Your response must include the following:

- 5.1 Fixed Interest rate for five (5) year maturity and annual payment of principal and interest.
- 5.2 A five (5) year amortization schedule for the term of the agreement to include principal, interest and balances shall be included.
- 5.3 Other fees as may be imposed as a result of executing the financing agreement.
- 5.4 Other terms and conditions as may be proposed as part of the financing agreement.
- 5.5 Copy of the proposed financing agreement.
- 5.6 Proposals shall be as an original and one copy.

6. BOND RATING

The City of Columbia continues to maintain a “AA+” rating with Standard and Poor’s since 2017 for its general obligation and revenue and tax bonds.

7. ANNUAL AUDITED FINANCIAL STATEMENT

The financial statements of the City of Columbia for the fiscal year ending June 30, 2018 are being audited by Henderson, Hutcherson and McCullough. Copies of the most recently audited fiscal year 2018 financials are available online at www.ColumbiaTN.com/Government/Finance or upon request.

8. CONFIDENTIALITY OF PROPOSALS

The Tennessee Public Records Act (T.C.A. 10-7-705(d)) is legislation giving the fullest possible public access to public records. The act requires that all state, county and municipal records be open for public inspection during normal business hours unless the records are confidential. Confidentiality of records is strictly defined in the Tennessee Code and submissions under this request proposal may not be protected those confidentiality rules. Anyone proposing would need to consult with their attorney regarding confidential submissions and independently seek injunctions to prohibit public disclosure as may be necessary.

9. TIMELINE (c-d are tentative dates)

- a. Issuance of the Request for Proposal – July 16, 2019
- b. Receipt of Proposals – July 29, 2019
- c. Recommendation to City Council – August 8, 2019
- d. Execution of Financing Agreement – on or before September 30, 2019, subject to the State of Tennessee Office of the Comptroller approval.