

## INVITATION TO BID

Sealed bids subject to the conditions contained herein, will be received by the City of Foley until 2:00 p.m. CT on Thursday, July 1, 2021 and then publicly opened and read at the City of Foley Conference Room, 407 East Laurel Avenue, Foley, Alabama 36535 for furnishing all labor and materials and performing all work for:

### **RECREATION BLEACHERS**

Requisition No. REC-070121

Bid documents may be obtained at Foley City Hall, 407 East Laurel Avenue, Foley, Alabama, 36535, by calling (251) 943-1545, or, the bid may be downloaded from the City's website at <http://www.cityoffoley.org>.

To be eligible for consideration, bids must be submitted on complete original proposal forms found in the bid package. **The complete bid packet and all executed bid forms must be submitted in a sealed envelope, clearly marked, identifying the bid and the date of the bid opening. The Bidder's Alabama State Contractor's License Number shall be on the outside of the envelope or bid will not be opened.** It shall be the sole responsibility of the bidder to assure receipt of the bid at the Foley City Hall prior to the published time for the bid opening.

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

Rachel Keith  
Project Manager  
City of Foley, Alabama



**BID FORM**

BIDS TO BE OPENED AT: **2:00 P.M.**  
DATE: **Thursday, July 1, 2021**

Sealed bids 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

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SPECIFICATIONS: SEE ATTACHED

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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 bids are opened. Substitutions will be treated as "approved equivalent or equal" which is discussed in paragraph 1.05 of the bid 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 bids or any portion thereof.

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We are in a position to complete delivery & installation per the attached quote 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 Bidder.

I hereby affirm I have not been in any agreement or collusion among bidders or prospective bidders 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.

\_\_\_\_\_  
NOTARY PUBLIC

BIDS MADE OUT IN PENCIL WILL NOT  
BE ACCEPTED.

FIRM: \_\_\_\_\_

BY: \_\_\_\_\_

Signature accepted in ink only

STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_

TERMS: \_\_\_\_\_  
FOR CASH PAYMENT WITHOUT REGARD TO  
DATE OF REMITTANCE

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



**BIDDER’S INFORMATION:**

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

**ADDENDUM ACKNOWLEDGEMENT:**

Bidder acknowledges receipt of the following addendums and has incorporated the requirements of such addendums into the bid.

(List all addendums issued for this bid.)

No.	Date

No.	Date

No.	Date

No.	Date

No.	Date

No.	Date



## MINIMUM BID SPECIFICATIONS

It is the City of Foley Recreation Department's intent to purchase (4) sets of varying sizes, duralite, welded, elevated, 5 row bleachers to be installed at two separate locations.

Upon receipt of bids, it will be the decision of the City of Foley to award or not award the bid. 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.

### **General Requirements**

To be eligible for consideration, bids must be submitted on forms found in the bid packet. The complete bid packet, with all executed bid forms and documents, must be submitted in a sealed envelope and the outside of the envelope shall be clearly marked with the following information: Bid Name, Bid Requisition Number, Contractor's License No., Contractor's name & address. If hand delivering the bid, the envelope must be "Date and Time" stamped at the receptionist's desk when the bid package is turned in. It shall be the sole responsibility of the bidder to assure receipt of the bid at Foley City Hall prior to the published time for the bid opening.

If total project bid is \$50,000 or greater, a General Contractor's License shall be required. All bidders bidding in amounts exceeding that established by the State Licensing Board for General Contractors must be licensed under the provisions of Title 34, Chapter 8, Code of Alabama, 1975, and must have the required major classification per Section 230-X-1-.27 of the State of Alabama Licensing Board for General Contractors Administrative Code. Contractor shall provide evidence of such by including a copy of his or her current license in the sealed envelope in which the proposal is delivered. The bidder shall also show such evidence by clearly displaying his or her **current license number** on the outside of the sealed envelope in which the proposal is delivered or bid packet will not be opened.

All public works bidders must file with their bids either a cashier's check drawn on an Alabama bank or a bid bond executed by a surety company duly authorized and qualified to make bonds in the State of Alabama and made payable to the City of Foley in the amount of five (5%) percent of the Contractor's bid but in no event more than \$10,000.

If awarded the bid and prior to beginning work, the Contractor is required to have a current City of Foley Business License, furnish a Certificate of General Liability Insurance and Workers Compensation Insurance, Product Liability insurance and, proof of Automobile General Liability Insurance. Insurance Certificate provided to the City shall list the City of Foley as an additional insured. A performance bond and Payment Bond must be executed within 7 days of bid award with a penalty equal to one hundred (100%) percent of the amount of the contract price. If the successful bidder's award amount is \$50,000.00 or greater, a background check will be performed per City of Foley Ordinance No. 1029-08, General Conditions, Section 1.14.

Prior to beginning work, Contractor shall obtain the appropriate City of Foley permits.

Proof of E-Verify documentation in the form of a copy of the signed Memorandum Of Understanding (MOU) generated upon completion of the E-Verify program should be submitted with this bid.



### **Scope of Work**

Provide units as listed below with the following. Design of the bleacher shall conform in all respects to the requirements as set forth in these specifications. The description of the bleacher is as follows:

Bleacher #1  
Number of rows: 5  
Overall length: 50'-0"

Bleacher #2  
Number of rows: 5  
Overall length: 50'-0"

Bleacher #3  
Number of rows: 5  
Overall length: 33'-0"

Bleacher #4  
Number of rows: 5  
Overall length: 21'-0"

### **Understructure**

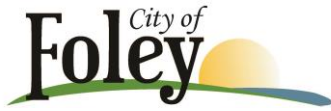
The understructure of the bleacher shall consist of a series of welded aluminum angle frames spaced at intervals of no more than 6'-0" and joined by means of aluminum sway braces, alloy 6061-T6, mill finish. Each frame shall consist of vertical members, adequate diagonal braces, and horizontal members welded to form an 8" rise and a 24" back to back spacing between seat rows. The front walkway will be elevated 32" above grade, 54" clear width. Design of the bleacher shall conform in all respect to the IBC 2006 Edition for bleachers and grandstands. All welded connections shall be by certified aluminum welders and all mating parts shall be welded on all sides to assure adequate strength.

### **Design**

The bleacher shall be designed to support, in addition to its own weight, a uniformly distributed live load of not less than 100 pounds per square foot of gross horizontal projection of the bleacher. All seat and foot plank members shall be designed to support not less than 120 pounds per lineal foot. The bleacher shall be designed to resist, with or without live load, a horizontal wind load appropriate for local conditions. It shall also be designed to resist, in addition to the live load, sway forces applied to the seats in a direction parallel to the length of the seat planks 24 pounds per lineal foot; and, in a direction perpendicular, stresses in aluminum members and connections shall not exceed those specified for Building Type Structures by the Aluminum Association.

### **Seats and Decking**

Seats shall be 2"x 10" nominal extruded (1.75"x9.5" actual) aluminum, alloy 6063-T6, and wall thickness of .078" (+/- .006" industry tolerance) with a raised fluted surface to provide a non-skid surface. Seats shall be anodized clear (204R1), conforming to the Aluminum Association Architectural Standard AA-C22A31. Seat planks shall have one internal support leg, and shall be designed to rest on a seat support with a minimum bearing surface of 8-1/2" to provide adequate resistance to torsion stress. Footboards shall consist of two 2"x10" nominal extruded (1.75"x9.5" actual) aluminum, alloy 6063-T6, wall thickness .078" (+/- .006" industry tolerance) with a raised fluted surface to provide a non-skid surface. Footboards shall have a mill finish.



End caps provided for footboards shall match in both color and finish, shall be full-length single piece, and shall attach by means of aluminum rivets on the underside of the plank.

End caps shall be of a heavy duty clamping, channel design, and shall match in both color and finish the plank to which they will attach. End caps shall be fastened to the underside by means of two aluminum rivets. Seats and footboards shall be connected to the supporting structure so as to transmit all live and sway loads to the understructure members, so placed to resist those loads specified in the design section. The connecting hardware (bolt clips) shall be of extruded aluminum, mill finish. Clips shall be so designed as to provide adjustability in four directions.

### **Riser**

1"x 6" nominal extruded aluminum, alloy 6063-T6, mill finish plank shall be attached under the seat boards on rows 1-5. One 2"x10" nominal extruded aluminum, alloy 6063-T6, mill finish plank shall be attached under the seat board on the last row only. This plank shall be the same design as the footboards that are described in the above paragraph.

### **Walkway and Handicap**

Front walkway shall consist of four pieces of nominal 2"x10" mill finish aluminum extrusions, alloy 6063-T6, mill finish, 54" wide. There are no provisions for wheelchairs for handicap accessibility.

### **Aisles**

There shall be one or two 4'0" wide vertical aisles with handrails and contrasting nosing on all aisle steps, located within the bleacher, leading to the front walkway depending on width of total bleacher. Aisle extension plank shall be provided to close the horizontal opening in the aisle.

### **Stairs**

Stair rise per tread shall not exceed 7" and tread shall be a minimum of 11". Stair treads shall be of extruded aluminum with nominal dimensions of 2"x12" and shall be as described for footboard material. Understructure shall be constructed of welded aluminum channel and angle. There should be two sets of stairs located along the front walkway for access.

### **Hardware**

All structural hardware shall be 7/16" diameter, grade 5 machine bolts, complete with hex nuts and "spring type" lockwashers. All hardware that connects plank to understructure shall be 5/16" diameter carriage bolts, complete with hex nuts and "spring type" lockwashers. The finish of all hardware shall be either hot-dipped galvanized or stainless steel to prohibit deterioration from electrolysis. No other hardware finish will be considered as an alternate.

### **Guardrail**

All railing shall consist of 1-1/4" schedule 40 aluminum pipe with an anodized clear finish. All plugs and fittings shall be of cast aluminum. Rail pipe shall be secured to the aluminum channel supports by means of galvanized tension bands. The top rail shall be 42" above seat or walkway on front sides, and rear. There shall be 3 rails provided for front and sides and 2 rails on the rear. Stair rails shall be 34" above the leading most edge of the stair tread. There shall be provided a chain link fence on front, sides and rear of the bleacher.



### **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 bids, all exceptions to or deviations from the specifications as written must be noted and fully explained. The Recreation Director is the final authority in determining the acceptability of any exceptions to specifications.

### **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 bidder may offer any brand for which he is an authorized representative that meets or exceeds the specifications as written. If the bid 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 bid. The bidder 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.

### **Delivery**

Bleacher sets #1 & #2 will be delivered to Cedar Street Baseball Park at 901 N. Cedar St., Foley, AL 36535. Bleacher sets #3 & #4 will be delivered to Foley Sports Complex at 1250 Cater Lee Way, Foley, AL 36535.

### **Warranty**

All aluminum bleachers shall carry, after proper erection, and under normal use for this type of structure, a one (1) year warranty against all defects in materials and workmanship. Acts of vandalism or abuse shall render the conditions of this warranty null and void.

### **Additional Information**

Questions regarding this project should be e-mailed to Rachel Keith at [rkeith@cityoffoley.org](mailto:rkeith@cityoffoley.org). All questions and answers will be provided to participating contractors.

Section 39-3-5, Code of Alabama, requires that preference be given to Alabama resident contractors when awarding certain public works contracts to the same extent as required by the laws of a non-resident bidder's home state: "In awarding the Contract, preference will be given to Alabama resident contractors and a nonresident bidder domiciled in a state having laws granting preference to local contractors shall be awarded the Contract only on the same basis as the nonresident bidder's state awards contracts to Alabama contractors bidding under similar circumstances."



**Instructions to Bidders**

To be eligible for consideration, bid must be submitted on complete original forms found in the Invitation to Bid package. **The entire bid packet and all executed bid forms must be submitted in a sealed envelope, clearly marked, identifying the bid and the date of the bid opening.** It shall be the sole responsibility of the bidder to assure receipt of the bid at the Foley City Hall prior to the published time for the bid opening.

Bids should be sent to one of the following addresses:

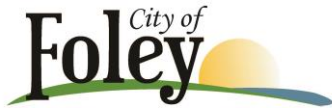
**U.S. Postal Service**

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





**RECREATION BLEACHERS**  
Requisition No. REC-062421

**PRICE SHEET**

ITEM DESCRIPTION	UNIT PRICE	DELIVERY & INSTALLATION (INCLUDING CONCRETE ANCHORS)	TOTAL PRICE
Bleacher #1 50 ft.	\$ _____	\$ _____	\$ _____
Bleacher #2 50 ft.	\$ _____	\$ _____	\$ _____
Bleacher #3 33 ft.	\$ _____	\$ _____	\$ _____
Bleacher #4 21 ft.	\$ _____	\$ _____	\$ _____
Describe Delivery & Installation Timeframe: _____			

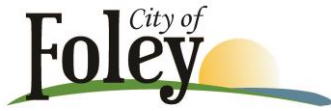
**Company:** \_\_\_\_\_

**State of Alabama Contractor's License Number:** \_\_\_\_\_

**Submitted By:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_



## GENERAL CONDITIONS

To insure acceptance, all bidders submitting bids to the City of Foley shall be governed by the following conditions, attached specifications, and bid form(s) unless otherwise specified. Bids **not** submitted on the bid form(s) provided may be rejected, and bids **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 bidder 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 bid forms must be submitted in a sealed envelope. All proposals must be signed by an authorized representative of the bidder. In the event more than one bid opening is scheduled for the same date and time, do not include bids concerning different sets of specifications within the same envelope. **The face of the envelope shall be plainly marked identifying the bid requisition number and opening date and time.** It shall be the sole responsibility of the bidder to assure receipt of bid at the Purchasing Office prior to the published time for the bid opening. No bid will be opened that is received after closing time for receipt of bids, 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 bids, 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 bid. 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 bid.

1.05 Approved Equivalents or Equals:

Unless otherwise specified, 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 bidder may offer any brand for which he is an authorized representative that meets or exceeds the specifications as written. If the bid 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 bid. The bidder 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 Bid Withdrawals:

Bids may be withdrawn by written request received from bidders prior to the time fixed for opening but no bid may be withdrawn after closing time for receipt of bids for a period of sixty (60) days. Negligence on the part of the bidder in preparing the bid confers no right for the withdrawal of the bid after it has been opened.



- 1.07 Rejection of Bids:  
The City of Foley reserves the right to accept or reject any or all bids, to award bids on a split-order basis, to waive any minor bid irregularities, technicalities, or informalities, and to re-advertise for bids when deemed in the best interest of the City of Foley.
- If there is any reason for believing that collusion exists among the bidders, any or all proposals may be rejected, and those participating in such collusion may be barred from submitting bids on the same or other work with the City of Foley.
- 1.08 Delivery:  
Bid 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 bid award. Each bidder 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 bidder shall assure the City of compliance with any and all special provisions (if applicable) contained in the contract being bid. 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 bidder 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 bidder 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 bid contains false or misleading statements or references that do not support a function, attribute, capability, or condition as contended by Company, the sealed bid may be disqualified from further consideration.



- 1.16 Expenses:  
Expenses for developing sealed bids 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 bidder employs persons in the State of Alabama, the bidder must provide documentation with this bid that they are enrolled in the E-Verify program. Additionally, the bidder should be advised that if they employ persons (anywhere), award of the contract is conditioned on the bidder 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 bidder 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 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 awards may be made to local vendors in this area if their submission is within 5% of a lower bid submitted by a vendor outside of this area and a 10% preference is extended if the lower bidder 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.”***