

INVITATION TO BID

Sealed bids will be received by the City of Foley at Foley City Hall, 407 East Laurel Avenue, Foley, Alabama 36535 **or** P.O. Box 1750, Foley, Alabama 36536 until 11:00 a.m. CST, Thursday, April 20, 2023 for:

Twelve (12) Police Vehicles and Related Equipment Requisition No. PD-042023

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 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 bid forms found in the Invitation to Bid package. **The specifications 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.

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.

Logan Eberly
Purchasing Agent
City of Foley, Alabama



Bid Name: Twelve (12) Police Vehicles & Related Equipment
Requisition #PD-042023

BID FORM

BIDS TO BE OPENED AT: **11:00 A.M.**
DATE: **Thursday, April 20, 2023**

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.

Logan Eberly
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 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.

We are in a position to complete delivery as required per the attached quote within _____ days after receipt of notice of award. 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
_____, 2023.

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 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:

Company Name:		
Submitted By:		
Mailing Address:		
Telephone 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:

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

The City intends to purchase and outfit up to twelve (12) 2023 Chevrolet Tahoe Police Pursuit Vehicles. Items and quantities purchased will be determined by available budget.

Where a specific brand is noted, all bidders should be aware that the brand name is used to indicate the desired quality and performance of the product. If equivalents are bid, please provide manufacturer, item number and specifications of the item.

The City is aware that all products listed may not be available from one specific vendor; therefore, the City reserves the right to make award to multiple vendors. Vendors will not be required to quote all items but are asked to quote all items they can provide.

These specifications shall be construed as minimum. Should manufacturer’s current published data or specifications exceed these, such standards shall be considered minimum and furnished. All integral parts not specifically mentioned in the scope of these specifications that are necessary to provide a complete working unit shall be furnished.

VEHICLE SPECIFICATIONS	
CHASSIS	2023 Chevy Tahoe
BODY STYLE	SUV
COLOR	White
MODEL	2WD
G.V.W. RATING	7,400 lbs.
POWERTRAIN	<ul style="list-style-type: none"> • Engine: 5.3L, EcoTec3 V-8 • 10-Speed automatic • Rear Axle: 3.23 Ratio • Alternator, 250 AMP
EXTERIOR	<ul style="list-style-type: none"> • Wheels - 20” min. Steel • 275/55R20 SL 113V BW “All terrain” tires • Rear Vision Camera, HD • Mirrors – Power
INTERIOR	<ul style="list-style-type: none"> • Seats – Cloth, Front 40/20/40 Split Bench, manual, 2nd row 60/40 Bench, manual. • Floor covering – Rubberized Vinyl, Black • AM/FM radio • Electronic Climate Control – Multi-Zone • Keyless entry and keyless start • Cruise control • Airbags – Frontal, Front Seat Side Impact and Roof and Rail • 120V Electrical Receptacle, In Cab • Infotainment System: 7” Color Screen • USB Data Ports: 2



**EQUIPMENT SPECIFICATIONS – MUST BE COMPATIBLE WITH INSTALLATION ON 2023
 TAHOE – PAGE 1**

	ITEM NUMBER	ITEM DESCRIPTION	QUANTITY EXPECTED TO PURCHASE
1	n/a	New 5lb Fire Extinguisher	10
2	NS-G-501-750	Ruger 8515 AR-556 5.56NATO Semi-Automatic Rifle, MagPul MOE Stock, M-LOK handguard, A2 Post Sight, Flip Rear Sight and (1) 30-Round MagPul PMAG Magazine	10
3	S3702K	12' Stop Stick Kit w/Storage Bag - Red	10
4	200-0998-40	Stalker Radar – Dual Enhanced Counting Unit, 1.5 PCB, FCC Filtered	10
5	200-0996-40	Stalker Radar – SL Modular Display	10
6	200-1468-00	Stalker Radar – Dual DSR Ka Antenna	20
7	200-0920-00	Stalker Radar –Dual SL Remote Control w/Screw Latch	10
8	200-0769-00	Stalker Radar – 25 MPH/40 KPH KA Tuning Fork	10
9	200-0770-00	Stalker Radar – 40 MPH/64 KPH KA Tuning Fork	10
10	200-0243-00	Stalker Radar – Counting/Display Tall Mount	10
11	200-0244-00	Stalker Radar – Antenna Dash Mount	10
12	200-0245-00	Stalker Radar – Antenna Tall Deck Mount	10
13	200-0648-00	Stalker Radar – Display Sun Shield	10
14	155-2591-08	Stalker Radar – 8 foot Antenna Cable, IP67	10
15	155-2591-20	Stalker Radar – 20 foot Antenna Cable, IP67	10
16	200-0622-00	Stalker Radar - VSS Cable Kit	10
17	200-0820-00	Stalker Radar – Dual Manual Kit	10
18	035-0361-00	Stalker Radar – Shipping Container, Dash Mounted Radar	10



**EQUIPMENT SPECIFICATIONS – MUST BE COMPATIBLE WITH INSTALLATION ON 2023
 TAHOE – PAGE 2**

	ITEM NUMBER	ITEM DESCRIPTION	QUANTITY EXPECTED TO PURCHASE
19	NX-3820HGK-TR	Communications International – UHF (450 – 520MHz), 45 Watts, 512 CH, 128 Zones with NXDN tr	12
20	KRK18HM	Communications International – Interface kit for control head	12
21	KRK19BM	Communications International – Interface kit for RF deck	12
22	FINB-5F	Communications International – Mount base FME jack	12
23	CA-PLP-FP	Communications International – PL259(m)-FME(m) Adaptor	12
24	AFM-S4	Communications International – Antenna Moulded Flexi-450-470MHz	12
25	LB3692	Brothers - LB3692 Car Adapter	12
26	PJ822	Brothers - PocketJet PJ-822 – Printer – Monochrome – Direct Thermal	12
27	EMPLB00TDH-1VP	Sound Off - MPower 55' 6 inch LED LB BW/BA	12
28	EMPS2QMS4E	Sound Off - MPower Fascia 4"12-LED Quick MNT Blue/White	72
29	FEN-Q-2222	Feniex - Quad Cannon Hideaway	24
30	EMPS2STS4E	Sound Off - MPower Fascia 4"12-LED STUD MNT Blue/White	24
31	PMP2BKDG AJ	Sound Off - 4" MPower 90 Degree Mounting Bracket, Black	24
32	ENGSA5100RSR	Sound Off - Blueprint 500 Series Knob Siren	12
33	ENGLMK001	Sound Off – Blueprint Link Light Sync Program	12
34	ETSS100J	Sound Off – 100J Series Composite Speaker	12
35	ETSSVBK07	Sound Off – Speaker Bracket Assembly for 2 100J Speaker	12
36	ETSKLF100	Sound Off – Low Frequency Aftershock Siren w/ 1 Speaker	12



**EQUIPMENT SPECIFICATIONS – MUST BE COMPATIBLE WITH INSTALLATION ON 2023
 TAHOE – PAGE 3**

	ITEM NUMBER	ITEM DESCRIPTION	QUANTITY EXPECTED TO PURCHASE
37	ETSSLFVBK14	Sound Off – Aftershock Pass Side Speaker Bracket	12
38	C-VSW-1005-TAH-PM	Havis – 15” Vehicle Specific Console with Printer Module with Equipment Brackets (C-EB30-TK8-1P & C-EB40-S03-IP-500 Series Remote Head) and Fillers to Fill out Balance of the Console	12
39	UT-1001	Havis – Universal Rugged Cradle for Approximately 11” – 14” Laptop	12
40	C-MD-112	Havis – 11’ Slide, Tilt, & Swivel Locking Swing Arm	12
41	C-HDM-204	Havis – Telescoping Side Mounted Heavy Duty Pole Assembly	12
42	C-ARM-102	Havis – Arm Rest – Mounts to the Side of the Console Box	12
43	C-CUP2-1	Havis – In-Console Dual Cup Holder	12
44	MMSU-1	Magnetic Mic – Single Unit Conversion Kit	24
45	C-MCB	Havis – Console Microphone Clip Bracket	24
46	PRPSP5704T21A	ProGard – Cneter Sliding Poly Window	12
47	GVPMD-H	ProGard – Tri Lock Gun Rack	12
48	S5702T21OSB	ProGard – Charcoal Gray ABS, Standard Transport Seat w/ ¼” Poly Window Cargo Barrier and OSB’s	12
49	WBP57T21	ProGard – Window Bars Pair ¼” Poly	12
50	PB57T21HD	ProGard – HD Push Bumper 2023+ Tahoe	12
51	ASBD57T21	ProGard – Single Drawer Aluminum Locking Storage Box	13
52	3PB1318-4	ProGard – 4 Head Ion Cut Out	12
53	PDP-13	Brooking – Distribution Panel w/ Timers	12
54	TINT-438141	Tint – 70% Ceramic on Front Windshield and 35% on Driver and Passenger Front Door Windows	12



**EQUIPMENT SPECIFICATIONS – MUST BE COMPATIBLE WITH INSTALLATION ON 2023
 TAHOE – PAGE 4**

	ITEM NUMBER	ITEM DESCRIPTION	QUANTITY EXPECTED TO PURCHASE
55	PNFLBF38	Sound Off – Lightbar Hook Kit Mount Tahoe 2023	12
56	DP57T21	ProGard – Rear Door Panels with Anti Braking Shatter	12
57	EMPS2STS5RBW	Sound Off – Mpower Fascia 4”18-LED Stud MNT Red/Blue/White	24
58	PMP2BRK2LPV	Sound Off – License Plate Bracket, Vertical Mount for 4” MPower	12
59	ESLRL6105E	Sound Off – 61” SI Running Light Blue/White	24
60	PSLVBK03	Sound Off – Nline Running Lights Mount 2023 Tahoe	24
61	ARGES1	Whelen – ARGES1 Super LED Spotlight with 360* Control	12
62	ARGCH1	Whelen – ARGCH1 Remote	12
63	ARG54D	Whelen – ARG54D Mount & Bracket	12
64	EZPF-TAH-2021-C	American Aluminum – K9 Cage / Platform	2
65	n/a	American Aluminum – Rubber Mat (Large)	2
66	n/a	American Aluminum – New Hinged Universal Water Dish	2
67	n/a	American Aluminum – Cool Guard Plus M910 Heat Alarm System	2
68	n/a	American Aluminum – Cool Guard M910 Rescue Add On (Bail Out Door)	2
69	n/a	American Aluminum – Cool Guard Pager System	2
70	DCF-A120-ENW/EXTRAS	AED Lifeline Auto by Defibtech	10
71	DDP-200P	Electrodes Infant/Child	10
72	DDP-100	Electrodes Adult	10



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.

BRAND NAME OR EQUAL:

The use of a “**brand name or equal**“ specification is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition. An item shall be considered to be substantially equivalent, or “equal” to the specified brand in the opinion of the City purchasing agent or Police Department. The City can reasonably anticipate sufficiently similar quality, capacity, durability, performance, utility and productivity as provided by the specified brand.

E-VERIFY:

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.

DELIVERY:

Vehicles shall be delivered to 200 E Section Ave, Foley, AL 36535. If there is a delivery fee, this cost shall be noted on the price sheet.

BID AWARD:

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

ADDITIONAL INFORMATION:

All questions related to this bid must be documented through email and should be sent to Logan Eberly at leberly@cityoffoley.org no later than 72 hours prior to the scheduled bid opening. No questions will be addressed by any means other than email. Answers will be emailed to all bidders in the event that clarification is required. If further clarification is needed about a particular product bid or change within the bid, an Addendum will be emailed stating the change. All addendums must be acknowledged in the “Addendum Acknowledgment” section located on page 3 of this bid packet.



INSTRUCTIONS TO BIDDERS:

To be eligible for consideration, bids 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 36536

Physical Address

City of Foley
Attn: Purchasing Agent
407 E. Laurel Avenue
Foley, AL 36535



VEHICLE PRICE SHEET
 Requisition No. PD-042023

ITEM DESCRIPTION	PRICE EACH	NUMBER OF VEHICLES ABLE TO PROVIDE (UP TO 12)	PRICE EXTENDED
One (1) New Police Vehicle	\$ _____	_____	\$ _____
Delivery Fee	\$ _____	_____	\$ _____
Total Vehicle Plus Delivery	\$ _____		\$ _____

ADDITIONAL INFORMATION	
Vehicle Year	
Vehicle Make	
Vehicle Model	
Expected Delivery Timeframe	
Warranty:	

Company: _____

Submitted By: _____

Address: _____

Phone: _____



EQUIPMENT PRICE SHEET PAGE 1

Requisition No. PD-042023

	ITEM DESCRIPTION (PLEASE BID AS ONE OF EACH ITEM)	EQUIPMENT COST FOR ONE (INCLUDES DELIVERY TO THE CITY OF FOLEY) (A)	COST TO INSTALL (IF OFFERED) (B)	TOTAL COST OF EQUIPMENT & INSTALLATION (A+B)
1	New 5lb Fire Extinguisher			
2	Ruger 8515 AR-556 5.56NATO Semi-Automatic Rifle, MagPul MOE Stock, M-LOK handguard, A2 Post Sight, Flip Rear Sight and (1) 30-Round MagPul PMAG Magazine			
3	12' Stop Stick Kit w/Storage Bag - Red			
4	Stalker Radar – Dual Enhanced Counting Unit, 1.5 PCB, FCC Filtered			
5	Stalker Radar – SL Modular Display			
6	Stalker Radar – Dual DSR Ka Antenna			
7	Stalker Radar –Dual SL Remote Control w/Screw Latch			
8	Stalker Radar – 25 MPH/40 KPH KA Tuning Fork			
9	Stalker Radar – 40 MPH/64 KPH KA Tuning Fork			
10	Stalker Radar – Counting/Display Tall Mount			
11	Stalker Radar – Antenna Dash Mount			
12	Stalker Radar – Antenna Tall Deck Mount			
13	Stalker Radar – Display Sun Shield			
14	Stalker Radar – 8 foot Antenna Cable, IP67			
15	Stalker Radar – 20 foot Antenna Cable, IP67			
16	Stalker Radar - VSS Cable Kit			
17	Stalker Radar – Dual Manual Kit			
18	Stalker Radar – Shipping Container, Dash Mounted Radar			



EQUIPMENT PRICE SHEET PAGE 2

Requisition No. PD-042023

	ITEM DESCRIPTION (PLEASE BID AS ONE OF EACH ITEM)	EQUIPMENT COST FOR ONE (INCLUDES DELIVERY TO THE CITY OF FOLEY) (A)	COST TO INSTALL (IF OFFERED) (B)	TOTAL COST OF EQUIPMENT & INSTALLATION (A+B)
19	Communications International – UHF (450 – 520MHz), 45 Watts, 512 CH, 128 Zones with NXDN tr			
20	Communications International – Interface kit for control head			
21	Communications International – Interface kit for RF deck			
22	Communications International – Mount base FME jack			
23	Communications International – PL259(m)-FME(m) Adaptor			
24	Communications International – Antenna Moulded Flexi-450-470MHz			
25	Brothers - LB3692 Car Adapter			
26	Brothers - PocketJet PJ-822 – Printer – Monochrome – Direct Thermal			
27	Sound Off - MPower 55' 6 inch LED LB BW/BA			
28	Sound Off - MPower Fascia 4"12-LED Quick MNT Blue/White			
29	Feniex - Quad Cannon Hideaway			
30	Sound Off - MPower Fascia 4"12-LED STUD MNT Blue/White			
31	Sound Off - 4" MPower 90 Degree Mounting Bracket, Black			
32	Sound Off - Blueprint 500 Series Knob Siren			
33	Sound Off – Blueprint Link Light Sync Program			
34	Sound Off – 100J Series Composite Speaker			
35	Sound Off – Speaker Bracket Assembly for 2 100J Speaker			
36	Sound Off – Low Frequency Aftershock Siren w/ 1 Speaker			



EQUIPMENT PRICE SHEET PAGE 3

Requisition No. PD-042023

	ITEM DESCRIPTION (PLEASE BID AS ONE OF EACH ITEM)	EQUIPMENT COST FOR ONE (INCLUDES DELIVERY TO THE CITY OF FOLEY) (A)	COST TO INSTALL (IF OFFERED) (B)	TOTAL COST OF EQUIPMENT & INSTALLATION (A+B)
37	Sound Off – Aftershock Pass Side Speaker Bracket			
38	Havis – 15” Vehicle Specific Console with Printer Module with Equipment Brackets (C-EB30-TK8-1P & C-EB40-S03-IP-500 Series Remote Head) and Fillers to Fill out Balance of the Console			
39	Havis – Universal Rugged Cradle for Approximately 11” – 14” Laptop			
40	Havis – 11’ Slide, Tilt, & Swivel Locking Swing Arm			
41	Havis – Telescoping Side Mounted Heavy Duty Pole Assembly			
42	Havis – Arm Rest – Mounts to the Side of the Console Box			
43	Havis – In-Console Dual Cup Holder			
44	Magnetic Mic – Single Unit Conversion Kit			
45	Havis – Console Microphone Clip Bracket			
46	ProGard – Cneter Sliding Poly Window			
47	ProGard – Tri Lock Gun Rack			
48	ProGard – Charcoal Gray ABS, Standard Transport Seat w/ ¼” Poly Window Cargo Barrier and OSB’s			
49	ProGard – Window Bars Pair ¼” Poly			
50	ProGard – HD Push Bumper 2023+ Tahoe			
51	ProGard – Single Drawer Aluminum Locking Storage Box			
52	ProGard – 4 Head Ion Cut Out			
53	Brooking – Distribution Panel w/ Timers			



EQUIPMENT PRICE SHEET PAGE 4

Requisition No. PD-042023

	ITEM DESCRIPTION (PLEASE BID AS ONE OF EACH ITEM)	EQUIPMENT COST FOR ONE (INCLUDES DELIVERY TO THE CITY OF FOLEY) (A)	COST TO INSTALL (IF OFFERED) (B)	TOTAL COST OF EQUIPMENT & INSTALLATION (A+B)
54	Tint – 70% Ceramic on Front Windshield and 35% on Driver and Passenger Front Door Windows			
55	Sound Off – Lightbar Hook Kit Mount Tahoe 2023			
56	ProGard – Rear Door Panels with Anti Braking Shatter			
57	Sound Off – Mpower Fascia 4”18-LED Stud MNT Red/Blue/White			
58	Sound Off – License Plate Bracket, Vertical Mount for 4” MPower			
59	Sound Off – 61” SI Running Light Blue/White			
60	Sound Off – Nline Running Lights Mount 2023 Tahoe			
61	Whelen – ARGES1 Super LED Spotlight with 360* Control			
62	Whelen – ARGCH1 Remote			
63	Whelen – ARG54D Mount & Bracket			
64	American Aluminum – K9 Cage / Platform			
65	American Aluminum – Rubber Mat (Large)			
66	American Aluminum – New Hinged Universal Water Dish			
67	American Aluminum – Cool Guard Plus M910 Heat Alarm System			
68	American Aluminum – Cool Guard M910 Rescue Add On (Bail Out Door)			
69	American Aluminum – Cool Guard Pager System			



EQUIPMENT PRICE SHEET PAGE 5

Requisition No. PD-042023

	ITEM DESCRIPTION (PLEASE BID AS ONE OF EACH ITEM)	EQUIPMENT COST FOR ONE (INCLUDES DELIVERY TO THE CITY OF FOLEY) (A)	COST TO INSTALL (IF OFFERED) (B)	TOTAL COST OF EQUIPMENT & INSTALLATION (A+B)
70	AED Lifeline Auto by Defibtech			
71	Electrodes Infant/Child			
72	Electrodes Adult			

If Equivalentents are bid, please provide manufacturer, item number and specifications of the item.

DISCOUNT OFFERED FOR INSTALLATION OF ALL EQUIPMENT: _____%

OPTION:

Additional purchases may be required throughout the year for same unit cost as stated in bid contract. Quantities and frequency of purchases will be at the City’s discretion. Vehicles and equipment must be of comparable quality or better (based on market availability). If equipment requirements change to accommodate a different year model then vendor will supply equipment of same quality with a cost not to exceed cost bid.

Bid prices will be good for _____ months from the date of the bid opening.

Company: _____

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:

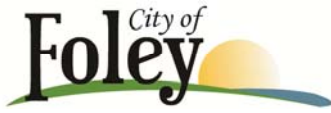
Terms offering a discount for prompt payment will be considered in determining the low bid. The discount period shall begin whenever (1) the conditions of the specifications have been fully met and the product or service judged acceptable to the City of Foley or (2) a correct invoice and other required 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 Equivalent 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.*”**