

PERSONS RECEIVING THIS ITB FROM THE INTERNET OR BY FAX MUST CALL (505-384-2369) or E-MAIL [kay@emwgas.org](mailto:kay@emwgas.org) AND REGISTER THEMSELVES AS A BIDDER.

**INVITATION TO BID  
ITB # 2019-2  
Polyethylene Pipe  
(Commodity Code #65860)**

**Bid Posting Date**

March 26, 2019

**Bid Submittal Due Date**

April 1, 2019  
10:00 A.M. MST



**TO:**

**Kay Brown, Chief Procurement Officer  
416 5<sup>th</sup> Street  
Estancia, NM 87016  
505-384-2369  
[kay@emwgas.org](mailto:kay@emwgas.org)**

**Polyethylene Pipe**  
**ITB 2019-2**  
**Commodity Code: 65860**

EMW Gas Association desires to solicit qualified bids to supply materials for its inventory. Email Bids will be accepted by email until **Monday, April 1, 2019 at 10 am.**

Email submissions should be marked **“Invitation to Bid 2019-2, Polyethylene Pipe”** and should be submitted to Kay Brown, CPO, at [kay@emwgas.org](mailto:kay@emwgas.org).

**Background and General Information**

Founded in 1964 by Joint Powers Agreement between the Town of Estancia, City of Moriarty and the Village of Willard, EMW Gas Association (“EMW”) is a local governmental public body and an inter-community supplier of natural gas to approximately 5000 metered consumers in the Estancia Valley in Torrance, Santa Fe and Bernalillo Counties.

**Scope of Work**

The successful Bidder will have the capability to provide products as specified in this Invitation to Bid.

**If not previously registered as a qualified bidder, a W-9 form must be submitted upon award along with a New Mexico Taxation and Revenue Registration Number, if available.**

(See Attachment B. IRS Form W-9: Request for Taxpayer  
Identification Number and Certification)

**GENERAL PROVISIONS**

**Proposals**

Cash discount must be shown on bid; otherwise prices will be considered net. Unless prices and all information requested are complete, bid may be disregarded and given no consideration. EMW Gas Association’s preferred payment term is 2% Net 10th. This Invitation for Bid shall result in a firm, fixed price contract. **All bids must be signed with the firm's name and by a responsible officer or employee. Obligations assumed by such signature must be fulfilled.**

**Submission of Bids**

Each bid must be submitted via email on a copy of the prescribed form. Each bid must be signed as indicated above. Information must be furnished complete in compliance with the terms, conditions, provisions and specifications of the Invitation to Bid. The information requested and the manner of submission is essential to permit prompt evaluation of all bids on a fair and uniform basis. Accordingly, EMW reserves the right to declare as non-responsive, and reject any bid in which material information requested is not furnished or where indirect or incomplete answers

or information is provided. Any bid modifications or corrections thereof received after the closing time specified will not be considered. No telephone bids will be accepted.

### **Term of Agreement**

The term of this Agreement shall begin April 1, 2019 and end April 22.

### **Modification**

The Agreement shall not be modified, except by written amendment, executed by all parties. Oral change orders are not permitted. No change in the Agreement shall be made unless EMW gives prior written approval. Any specification changes not properly ordered by written modification to the Agreement executed by EMW shall be void at the sole option of EMW and VENDOR shall be liable for all costs or expenses arising there from and/or for satisfactorily correcting or replacing same.

### **Single Bid Response**

If only one bid is received in response to the Invitation to Bid, a detailed bid review may be requested of the single bidder. A cost/price analysis and evaluation and/or audit may be performed of the bid price in order to determine if the price is fair and reasonable.

### **Bid Withdrawal**

After the bids are opened, bids may not be withdrawn for thirty (30) calendar days. Prior to the date/time set for the bid opening, however, bids may be modified or withdrawn by the bidder's authorized representative in person, or by written notice. If bids are modified or withdrawn in person, the authorized representative shall make his identity known and shall sign a receipt for the ITB. Written notices shall be received in the office indicated in this Invitation to Bid no later than the exact date/time for the bid opening. A written modification or withdrawal received in the designated office by mail or facsimile from the receiving office no later than the date/time set for the bid opening shall be considered if such message is confirmed by receipt of the CPO.

### **Award**

EMW reserves the right to accept bids, award bids and/or not award bids, to reject any and all bids, to waive any informality in the bid, and to accept the bid that appears from all consideration to be for the best interest of EMW. In determining and evaluating the best bid, The Chief Procurement Officer shall be the sole judge in the determination of these matters. Notice of bid award, if bid is awarded, will be made within two (2) days of bid opening. Receipt of the official Purchase Order of EMW covering the services described in the ITB will indicate the award of the bid and a contract to purchase.

### **State and Local Tax**

Prices quoted shall not include State and/or Local Gross Receipts tax. Upon receipt of the awarded bidder's New Mexico State ID number (if applicable) or Federal Employee ID (as

identified on Federal Form W-9) EMW will submit a Non-Taxable Transaction Certificate to the awarded bidder to authorize the omission of state and/or Local Gross Receipts tax from any invoices generated by this award. Invoice billing will be paid in accordance with the contract payment schedule.

### **Payment Process**

Payment to Vendor will be made on a calendar-month basis in arrears. The VENDOR shall submit invoice to EMW, Accounts Payable, P. O. Box 118, Estancia, NM 87016.203. **W-9 to be submitted upon award.**

### **Legality**

If any provisions of this Bid shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

### **Bid Contents**

Responsible bidders shall submit the signed Bid Form. Additional information is optional but may also be provided.

**PLEASE NOTE THAT AN ELECTRONIC COPY OF ALL SOLICITATION DOCUMENTS IS AVAILABLE FOR DOWNLOAD FROM WMW WEBSITE AT: <http://www.emwgas.com>, Announcements/Procurement and then selected from Current Open Solicitations.**

### **Bid Pricing**

Contract price will remain firm thru May 1, 2019.

### **Bid Evaluation**

EMW's General Manager and Chief Procurement Officer (CPO) will review all bids submitted and recommend award based on best price from a responsive, responsible bidder. The results of the bid opening will be submitted to the Board of Directors for final approval. The EMW Gas Association Board of Directors reserves the right to reject any or all bids and to accept the bid deemed to serve the best interest of EMW Gas Association. The Board of Directors meets the third Tuesday of every month. Evaluation of bids is expected to be complete within two (2) days after their receipt.

**Estimated Schedule**

March 26, 2019	Bid Post Date
April 1, 2019	<b>All Bids Due: Bid Opening 10:00 a.m., 416 5<sup>th</sup> St., Estancia, NM</b>
April 2, 2019	Board of Directors' Approval of Award
April 3, 2019	Award, Purchase Order Issued
April 5, 2019	Order Confirmation Received by EMW
April 22, 2019	Expected Delivery

**Bidder Inquiries**

For information concerning ITB process and additional information, contact:

Kay Brown  
Chief Procurement Officer  
416 5<sup>th</sup> Street  
Estancia, NM 87016  
(505) 384-2369 Voice  
(505) 384-2234 Fax  
[kay@emwgas.org](mailto:kay@emwgas.org)

**ATTACHMENT A: SPECIFICATIONS AND PRICING DOCUMENT**

Project Name: Polyethylene Pipe

Project No. 2019-2

To the EMW Gas Association (hereinafter called "**Owner**"):

**1.** The undersigned (hereinafter called "**Bidder**") in compliance with your invitation for bids to supply the materials as listed below, having carefully examined the Contract Documents below. These unit prices are to cover all expenses incurred in supplying materials required.

All TOTAL amounts of the Bid shall be shown in both words and figures. In case of discrepancies, the amount shown in words will govern.

**2. Bid - Unit Prices**

Bid Item #	Commodity Code		Item Description	Qty	Unit	Unit Price	Amount
1	65860	2 inch	Polyethylene Pipe, 2" Nominal Diameter, SDR 11, IPS Medium Density (MDPE) 2406 Unimodal Gas Yellow 500' Coils	17,500	Foot		
2	65680	1 inch	Polyethylene Pipe, 1" Nominal Diameter, SDR 11, IPS Medium Density (MDPE) 2406 Unimodal Gas Yellow 500' Coils	17,500	Foot		
3	n/a	n/a	Freight: FOB Destination Freight Prepaid to: EMW Gas Assn. Moriarty Shop, 409 Roosevelt Ave., Moriarty, NM 87035	n/a	n/a		

**Base Bid** – Subtotal of Bid Items No. 1 through 3      \$\_\_\_\_\_

\_\_\_\_\_ Dollars (Base Bid Total amount written in words)

- 3. The **Bidder** agrees that this Bid Proposal may not be withdrawn for a period of thirty (30) calendar days after the scheduled closing time for receipt of bids.
- 4. The **Bidder** accepts all the terms and conditions contained in the Contract Documents.
- 6. If the Contract is to be awarded, the **Owner** will give the apparent successful **Bidder** a Notice of Award within two (2) days after the scheduled closing time for receipt of bids.
- 7. Within (2) days of **Bidder's** receipt of Notice of Award and accompanying Purchase Order, **Bidder** will execute and deliver order confirmation indicating delivery date on or before **April 22, 2019**.
- 8. If requested, by the **Owner**, the **Bidder** agrees to furnish to the **Owner** all information and data necessary for the **Owner** to determine the ability of the **Bidder** to supply materials according to listed specifications.

We, the undersigned, have read all the requirements set forth in this bid proposal regarding the articles being bid on, and we agree to furnish these articles at the prices stated.

This Bid Proposal is hereby respectfully submitted by:

\_\_\_\_\_ Company Name of Bidder

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Email Address

NM Tax ID: \_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone Number

FEIN: \_\_\_\_\_

