

**MORGAN COUNTY COMMISSION
INVITATION TO BID
BID INVITATION NUMBER: 23-08
Concession Food Purchases**

Morgan County Commission is soliciting sealed bids for the items listed above. Bids will be received by the Morgan County Commission at the Morgan County Courthouse, Commission Office, 5TH Floor, 302 Lee Street, Decatur, Alabama 35602, until

Monday, June 12, 2023 at 11:00 a.m. C.D.T.

Bids will be opened in the County Commission Chambers at the above stated time and date. Time is of the essence in submitting bids and only sealed bids received in the Commission office by the time listed above shall be opened and considered. Bidders and other interested individuals are invited to attend the bid opening.

Prospective bidders are instructed to read the General Terms and Conditions and Bid Specifications very carefully. Bid addendums will be provided to all bidders, if necessary. Bids must be made in compliance with the guidelines in the sections referred to herein and ***each page initialed by the bidder representative to denote understanding of such compliance and returned with the submitted bid.***

Bid envelopes should be sealed and marked as follows:

**Bid Invitation Number 23-08
Concession Food Purchases
June 12, 2023**

Bids may be mailed to Morgan County Commission, P.O. Box 668, Decatur, AL 35602.

If there are any questions about bid procedures, please contact Jessica Smith at 256.351.4732 or jsmith@morgancounty-al.gov

Bidder Initials: _____

Morgan County Commission **General Terms and Conditions**

- All bids must be typed or hand-written in ink on the attached Bid Proposal Form. Bids submitted in pencil and bids not submitted on the Bid Proposal Form will not be considered. All corrections shall be initialed and dated by the bidder representative. Bids that are submitted without being signed will automatically be rejected.
- Bid envelopes must be sealed and must indicate clearly the appropriate bid number, bid item, and bid opening date, as indicated on the cover sheet of the bid packet. Bids by Facsimiles and emails will not be accepted. The County is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system of the County, or any other means of delivery employed by the bidder. Similarly, the County is not responsible for, and will not open, any bid responses which are received later than the date and time indicated above. Late bid responses will be retained in the bid file, unopened.
- The Commission provides equal opportunities for all businesses and does not discriminate against any vendor regardless of race, sex, creed, age, disability, national origin or religion in consideration for an award. Bidders must abide by the provision of the American with Disabilities Act of 1990 and assure that in connection with the performance of work under this agreement that they are an equal opportunity employer and do not discriminate on the basis of race, sex, creed, age, disability, national origin or religion.
- All bidders must comply with applicable sections of the Alabama Competitive Bid Law, Code of Alabama, 1975.
- **All bid amounts shall be submitted on the attached Bid Proposal Form.** Prices quoted shall be delivered prices, exclusive of all federal or state excise, sales, and manufacturer's taxes. The Commission will assume no transportation or handling charges other than specified in the bid.
- A completed W-9 should be included with your bid package.
- A completed affidavit of compliance with E-Verify must be included with your bid package.
- The Morgan County Commission reserves the right to cancel the contract with a 30-day written notice to the contractor if the performance of the service is unsatisfactory.
- These specifications and acceptance hereof shall constitute exclusively and entirely the agreement for the service as described within.
- The attached specifications are being provided to potential bidders as guidelines, which describe the type and quality of equipment, supply, and/or service the Commission is seeking to purchase.
- By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

Bidder Initials: _____

- By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that such contractor is not currently engaged in, and an agreement that the contractor will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which Alabama can enjoy open trade.
- All bids will be awarded to the lowest responsive and responsible bidder. This determination may involve all or some of the following factors: price, conformity to specifications, previous performance, facilities and equipment, availability of repair parts, experience, delivery promise, terms of payments, compatibility as required, other costs and other objective and accountable factors which are reasonable. When responsive and responsible bids are equal, a local vendor shall be favored. The Commission reserves the right to accept or reject any or all items covered in the request, or any portion(s) thereof, waive formalities, re-advertise and/or take such other steps deemed necessary and in the best interest of the Commission. Bidders may be disqualified and bid proposals may be rejected for any of (but not limited to) the following causes:
 - Failure to use the bid forms furnished by the Commission
 - Lack of signature by an authorized representative on the Bid Proposal Form.
 - Failure to properly complete the bid form.

Term: The bid shall be valid for a period of June 28, 2023 through June 27, 2024, with the option to renew for two (2) additional one (1) year periods at the same pricing.

Bidder Initials: _____

**MORGAN COUNTY COMMISSION
INVITATION TO BID: 23-08
CONCESSION FOOD PURCHASES**

Minimum Bid Specifications

Morgan County Commission is soliciting bids for Concession Food purchases for Morgan County Parks and Recreation. The winning bidder must be able to provide sales support and customer service.

The items listed for pricing in Attachment A of this bid are the most frequently ordered products. This list is not all inclusive of the items that will be purchased and may change as the needs of the County change. No guarantee is made to purchase any amount of product(s) from any bidder as a result of any contract awarded on the basis of this bid.

All items listed on Attachment A must be priced in order for the bid to be considered. All prices submitted on the bid form will be in effect for the period the bid award is in effect.

Bidder must note any products or quantities that differ from the listing in Attachment A. Please provide additional documentation on these items.

FEES

If the performance of a product is not satisfactory, the vendor representative shall be notified and shall exchange the product at no cost within ten (10) working days. Failure to respond in good faith may result in termination of the contract. There shall be no restocking fees.

ORDERS

No minimum order required. All orders should be filled and delivered in a timely manner when customer places order. Customer should only be invoiced for delivered items.

DELIVERY

All items ordered for North Park will be delivered directly to North Park in Priceville, Alabama. All items ordered for South Park will be delivered directly to South Park in Falkville, Alabama. All items ordered for West Park will be delivered directly to West Park in Danville, Alabama. All frozen and refrigerated food shall be placed in proper storage upon delivery. All items ordered for any park other than North Park, South Park or West Park will be delivered to the Morgan County Parks and Recreation Office in Hartselle, Alabama. Deliveries will be regularly scheduled on Tuesdays before 1:00pm. Prices quoted

Bidder Initials: _____

shall be delivered prices, exclusive of all federal or state excise, sales, and manufacturer's taxes. The Commission will assume no transportation or handling charges other than specified in the bid.

TAXES

Morgan County is a tax-exempt entity which exempts all state and local sales taxes.

CONTRACT PERIOD AND RENEWAL

The term of the contract will be for one year for the period beginning June 28, 2023 through June 27, 2024. Morgan County may, at its option, renew the term of this contract up to a maximum of two additional years, one year at a time. The awarded vendor shall be notified in writing by Morgan County of its intention to extend the contract term.

TERMINATION OF CONTRACT

Morgan County, may, by a 30-day written notice, terminate this contract, in whole or in part if the vendor fails to perform adequately the services, terms or conditions as proposed in their response to this bid.

QUESTIONS

Please direct any questions or concerns about the specifications to Jessica Smith by email.

jsmith@morgancounty-al.gov

Bidder Initials: _____

ATTACHMENT A

CONCESSION FOOD PURCHASES

Any exceptions or deviations from product, brand or package size should be noted in the bid.

PRODUCT	PACKAGE SIZE	Price
FROZEN FRENCH FRIES, 1/2" CRINKLE CUT	6lb bag	_____
CLEAR FRYER OIL	35lb jug	_____
BEEF HAMBURGERS, PRECOOKED 3oz PATTIES	54 count box	_____
HOTDOGS, PRECOOKED 2oz LINKS	10lbs	_____
BREADED CHICKEN TENDERS, PRECOOKED	10lbs	_____
HAMBURGER BUNS, 3 1/2"	12 packs of 8 count buns	_____
HOTDOG BUNS, 6" HINGED	12 packs of 8 count buns	_____
CHILI BAG FOR GEHLS DISPENSER	4 - 140oz bags	_____
NACHO CHEESE FOR GEHLS DISPENSER	4 - 140oz bags	_____
NACHO CHIPS PORTION PACK	28 - 3oz bags	_____
PORCORN KITS FOR 12oz KETTLE POPPER	24 - 16oz packs	_____
FUNNEL CAKE FRIES	600 count box	_____
SUPER PRETZEL SOFT PRETZELS, 5.5oz	50 count box	_____
CHEESE SLICE BLOCK	120 slice block	_____
LAYS POTATO CHIPS	50 - 1oz bags	_____
DORITOS	50 - 1oz bags	_____
WHOLE PICKLES	1 gallon	_____
SNICKERS - FULL SIZE	48 count box	_____
REESE CUPS - FULL SIZE	36 count box	_____
M & M'S PLAIN - FULL SIZE	36 count box	_____
SKITTLES - FULL SIZE	36 count box	_____
DAVID SUNFLOWER SEEDS, 1 5/8 oz BAGS	60 count bucket	_____
SINGLE SERVE RED GOLD KETCHUP, 9 gram	1000 count case	_____
SINGLE SERVE HEINZ MAYONNAISE, .42oz	200 count case	_____
SINGLE SERVE HEINZ MUSTARD, .20oz	200 count case	_____
SHAVED ICE SYRUP, VARIETY OF FLAVORS	1 gallon	_____
TOTAL OF ALL PRODUCTS		_____

This total should be the total of all products and should be on the bid proposal form.

Any exceptions or deviations from product, brand or package size should be noted in the bid.

Bidder's Initials: _____

**Morgan County Commission
BID PROPOSAL FORM
Bid Invitation Number 23-08
Concession Food Purchases**

Name of Your Company: _____

Street Address: _____

Billing Address: _____

City, State & Zip: _____

Contact Person & Phone: _____

Email address: _____

Total Cost: _____

Exceptions/Deviations/Substitutions: (attach additional sheets if necessary)

Bidder Representative Signature

Date

Bidder Initials: _____

Notice: As a condition of a bid, contracts or grant with Morgan County, compliance with the requirements of the Beason-Hammon Alabama Taxpayer and Citizen Protection Act must be provided. Please enter the name of your company and your name and complete the affidavit below. Your signature must be notarized.

BUSINESS ENTITY: _____

APPLICANT NAME: _____

E-VERIFY AFFIDAVIT

I _____ (name), on behalf of _____ (business entity), and with lawful authority to act in its behalf, hereby execute this affidavit on behalf of the business listed above and, by executing this affidavit, I verify that business' compliance with Section 31-13-9 of the Code of Alabama, 1975, stating affirmatively that it does not knowingly employ, hire for employment or continue to employ an unauthorized alien. Further, the business has registered with and is participating and will participate during the performance of this contract with Morgan County in the federal work authorization program known as "E-verify" web address <https://e-verify.uscis.gov/enroll>, operated by the United States Citizenship and Immigration Service Bureau of the United States Department of Homeland Security to verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603, in accordance with the applicable provisions of Alabama's Immigration Law. The undersigned further represents that, should the business employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the County, it will secure from such subcontractor(s) verification of compliance with Section 31-13-9 of the Code of Alabama, 1975, in a form substantially similar to this affidavit. The Business further agrees to maintain records of such compliance and provide a copy of each said verification to the County.

E-Verify Employment Eligibility Verification User ID Number

Applicant Signature

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

Notary

My Commission expires: _____

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
2 Business name/disregarded entity name, if different from above
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ▶ _____
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions.
6 City, state, and ZIP code
7 List account number(s) here (optional)
Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number																				
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Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

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- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.