



WILLIAM A. BELL, SR.
MAYOR

HENRY YOUNG, III
ACTING FINANCE DIRECTOR

CITY OF BIRMINGHAM

FINANCE DEPARTMENT

PURCHASING DIVISION

P-100 CITY HALL
710 NORTH 20TH STREET
BIRMINGHAM, ALABAMA 35203-2227

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RON NICKEL
PURCHASING AGENT

WILLIAM E. CAFFEE
ASSISTANT PURCHASING AGENT

March 2, 2010

INVITATION TO BID #10-17

Sealed bids for fencing and related items for the City of Birmingham for a period of one (1) year with month to month extensions thereafter upon mutual consent of both parties, will be received by the Purchasing Agent, Room P-100 First Floor City Hall, Birmingham, AL, until 2:00 p.m., April 13, 2010, at which time they will be publicly opened and read.

Bidders wishing to bid can download the complete solicitation including the specifications and bid forms via the internet at www.birminghamal.gov (go to the link titled Bidding Opportunities), or by visiting the Purchasing Office at the address shown above, or by calling (205) 254-2265, fax (205) 254-2484 and requesting a copy be mailed to you. Any addenda will be available on the internet, and mailed to only those vendor who were provided a copy in person or by mail.

It is required for any contract exceeding \$10,000.00 that the Bidder submit with his bid either a certified check, a cashier's check or a bid bond payable to the City of Birmingham. In order for any bid award to be considered that exceeds \$10,000.00, your bid must have been accompanied by an acceptable bid bond or check in the amount of \$500.00.

The City follows a policy of nondiscrimination. No contractor with the City should discriminate on the basis of race, sex, religion or national origin. The City considers affirmative action to eliminate the vestiges of discrimination to be an integral part of this policy of nondiscrimination.

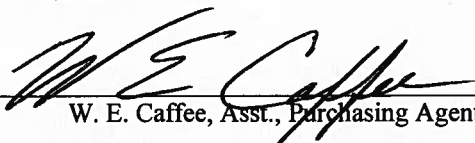
No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening.

All bids submitted are to be F.O.B. Birmingham, AL, delivered.

The City reserves the right to reject any or all bids submitted, and to waive any informalities.

Bids must be submitted in a sealed envelope marked, "**SEALED BID - FENCING, 2:00 P.M. 04/13/10**". Bids may be hand delivered to Room P-100 First Floor City Hall, 710 North 20th Street, Birmingham, Alabama, 35203 or mailed to City of Birmingham, P.O. Box 11295, Birmingham, Alabama. 35202-1295. (DO NOT MAIL BIDS TO ROOM P-100 FIRST FLOOR CITY HALL). However, bids sent by any express carrier (i.e. Federal Express, UPS, Airborne, etc.) must be shipped to 710 North 20th Street and specify delivery to Room P-100 First Floor City Hall.

It is the bidder's responsibility to make sure that his bid is in the possession of the Purchasing Agent at or before 2:00 p.m., April 13, 2010. Bids received after this time will not be considered.


W. E. Caffee, Asst., Purchasing Agent

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Attachment
BN 03/09/10

SPECIFICATIONS FOR FENCING AND RELATED ITEMS

GENERAL: The City of Birmingham is seeking bids for an annual contract for any and all fencing and related items. This contract will consist of any and all fencing the City may require. The City intends to award to the lowest priced responsible, responsive bidder on a total lot basis.

The proposed contract shall extend for a minimum time frame of one (1) year with a month to month extension thereafter, at the prices originally bid, upon mutual agreement of both parties. This extension phase is not to exceed twenty-four (24) months. Prior to the end of the first year or during any extension phase of this contract, the successful bidder shall give the City an advanced thirty (30) days written notice of his intent not to extend the contract on a month to month basis. The life of this contract shall exist with the provision that no price increase in the original bid price shall be allowed.

The contract shall become effective from the date noted in the Notification of Award Letter, which will be mailed to the successful bidder.

Any bid that imposes a service fee or any other type of fee on any order not exceeding a minimum order quantity or minimum purchase order dollar amount, will be determined a non-responsive bid and will not be considered for award.

Any bid that stipulates a reversal of freight charges if a minimum quantity or purchase order amount is not ordered, will be determined a non-responsive bid and will not be considered for award.

The quantities on the bid form are estimated annual quantities only. Merchandise will be ordered as requirements dictate. The City reserves the right to purchase more or less than this quantity as conditions require, and no bidder shall attempt to hold the quantities shown as a firm quantity under this contract.

Only established firms, located within the combined areas of the corporate city limits of Birmingham or Jefferson County stocking an adequate quantity of the high volume fencing and related items will be considered eligible for award.

The City reserves the right to inspect any potential vendor's equipment, inventories, personnel, location(s), etc. before an award is made, to verify that the potential vendor has the ability to properly service the City's requirements.

The selected vendor must provide, at least 90% of the time, all items within five (5) working days (except for factory back order) if receiving either a written or verbal purchase order. All verbal purchase orders will be followed up by a written purchase order. Failure to consistently meet the required delivery time may constitute grounds for termination of this contract and the declaration of the bidder as a "Non-responsive bidder" which may result in the rejection of future bids submitted by the bidder.

All bids submitted are to be F.O.B. Birmingham, AL, delivered.

The City's standard payment terms are net 30 days from acceptance. Exception may be allowed for discounted early payment, such as 2% 10 net 30 days. The City will not consider any bids requiring C.O.D payments.

Successful bidder acknowledges and agrees that the City has the right to deduct from total amount of consideration to be paid, if any, to the successful bidder under this agreement all unpaid, delinquent or overdue license fees, taxes, fines, penalties and other amounts due the City from the successful bidder.

City of Birmingham must have a copy of the successful bidder's current City of Birmingham business license prior to formal award of contract. Each bidder may submit a copy of his/her license along with his/her bid. However, successful bidder must provide a copy of his/her current business license no later than 7 working days of receipt of notice of intent to award. Failure to submit the requested information will result in the notice of intent to award being revoked.

Bids may be solicited for products included in this contract, such as where immediate/emergency need exists, including large quantities. The decision of the Purchasing Agent as to what constitute a biddable situation shall be final and shall not be construed as a breach of contract.

The City reserves the right to terminate the contract for cause at any time the City determines that the product or service being supplied is unacceptable after giving thirty (30) days notice.

Each bidder is to extend unit prices and provide an extended total for each line item being bid. If the total value for a proposed award exceeds \$10,000.00, a bid bond, a cashier's check in the amount of \$500.00 is required to accompany the bid in order for the bid to be considered. **In order for any bid award to be made that exceeds \$10,000.00, bid must have been accompanied by an acceptable bid bond or check (REFERENCED ON THE COVER LETTER "INVITATION TO BID").**

Successful bidder shall not assign this contract to any other party without prior approval of the City of Birmingham. Contract shall not be assigned under any conditions to an unsuccessful bidder who was rejected because they were not a responsive/responsible bidder.

The City of Birmingham does not anticipate utilization of a long, formal, written contract document to bind the City and successful bidder to an agreement. The City will issue purchase orders to the successful bidder as material is required. The successful bidder acknowledges by acceptance of City purchase orders for awarded items that the bidder is bound to the terms, conditions and requirements as stated in this document.

Contract award to purchase the material covered in this bid document shall be construed under and governed by the laws of the State of Alabama and each party hereto irrevocably agrees to be subject to the jurisdictions of the courts of the State of Alabama.

Each bidder, when quoting, shall furnish complete price sheets and a catalog from manufacturer for fencing. This price list must show the current price and the effective dates. The price list submitted with the vendor's bid shall be the price list used through the life of this contract. No updated or more current price list may be substituted at any time during the life of this contract.

Any questions concerning these specifications should be addressed to Charles Lindsey; Purchasing Division, Phone: (205) 254-2265 - Fax (205) 254-2484 between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

The bid is structured in the following manner. A number of the most frequently used parts are listed on the bid form with an estimated annual usage for each. The bidder is to bid a firm price for each item and the price is to be firm for the life of the contract. Bidder is to extend and total the amount for each item.

For any and all other fencing and related items listed in the price sheet provided by the bidder, the bidder is to state a percentage rate of discount that will apply to the purchase of those items. In lieu of listing numerous randomly used parts and have the bidder price each at the stated rate of discount, the City estimates the purchase of approximately \$20,000.00 worth of randomly used fencing and related items. Bidder is to apply his stated rate of discount to that amount (\$20,000.00) and list the calculated amount as the extended amount for randomly used parts as shown on the bid form. (Example: 40% discount from price list for the \$20,000.00 amount equals \$12,000.00 for randomly used parts line item). All extended total amounts will be added together to determine the grand total of the bid.

The fencing shall conform to the best practice known to the trade in design, quality of material and workmanship.

BID FORM

William E. Caffee
 Assistant Purchasing Agent
 Birmingham, Alabama

Submitted below is my firm bid for fencing and related items for the City of Birmingham, in accordance with your invitation to bid and specifications dated April 13, 2010. Prices quoted are f.o.b. Birmingham, AL delivered and I am bidding in exact accordance with the specifications except as listed below.

APPROX QTY	UOM	Description	Make/Model	Unit Price	Extended Total
200	ft	fence, 48" 11 ga 2" mesh galvanized chain link fabric			
2000	ft	fence, 48" 9 ga 2" mesh galvanized chain link fabric			
200	ft	fence, 72" 11 ga 2" mesh galvanized chain link fabric			
500	ft	fence, 72" 9 ga 2" mesh galvanized chain link fabric			
300	ea	rail, Schedule 40, 1 5/8" x 21'			
50	ea	post, Schedule 40, 2 1/2" x 8' terminal			
100	ea	post, Schedule 40, 2" x 8' line			
50	ea	band, 2 1/2" brace			
50	ea	band, 2 1/2" tension			
50	ea	bar, 70" x 3/16" x 5/8" tension			
50	ea	cap, pressed steel 1 5/8" rail end			
100	ea	cap, pressed steel 2" x 1 5/8" loop rail			
50	ea	cap, pressed steel 2 1/2" terminal post			
50	ea	sleeve, 1 5/8" rail connector			
4000	ea	wire, 6 1/2" 9 ga aluminum tie			
				Total	
		Percent Discount to apply to remaining items in the provided price list		%	
1	lot	Randomly purchased fencing and related items valued at \$20,000.00 before discount			
				Grand Total	

Bid Form Fencing and related items

I hereby certify that we do not discriminate in employment of our personnel against any persons on account of race, creed, color, sex, or national origins, and acknowledge and agree that the City encourages minority – and women – owned business participation to the maximum extent possible. This policy includes Historically Underutilized Business Enterprises such as architectural firms, engineering firms, investment banking firms, other professional service providers, and construction contractors as part of the City's business, economic and community revitalization programs.

EXCEPTIONS TO SPECIFICATIONS:

_____	_____
	Date of Bid
_____	_____
	Company
_____	_____
	Street Address
_____	_____
	City State Zip
_____	_____
	Post Office Box
_____	_____
Tax ID Number	City State Zip
_____	_____
Name (Print or Type)	Terms of Payment
_____	_____
Signature	Delivery Date
_____	_____
Title	Telephone Number
_____	_____
E-Mail Address	Fax Number