City of Franklin, Tennessee Specifications

Purchasing Office Solicitation No.: 2020-005

1. Solicitation identified: These Specifications apply to the following procurement solicitation:

PVC pipe and ductile iron fittings

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2. Notice to Bidders publication date: **June 27, 2019**

3. Solicitation release date: **June 27, 2019**

4. Deadline for optional submittal in writing of questions seeking to revise or clarify any aspect of this procurement solicitation: **July 3, 2019, 2:00 p.m. Central Time**

5. Bids submittal deadline and scheduled opening: **July 11, 2019, 2:00 p.m. Central Time**

6. Tentative date of release of City's tabulation of bids received and notice of intent to award: **August 5, 2019**

7. Tentative date of award: Meeting of Board of Mayor and Aldermen at which is tentatively scheduled to be awarded the selection of the lowest and best responsive and responsible bid: **August 13, 2019**

8. Objective: To secure, by means of a competitive procurement process, the selection of the lowest and best responsive and responsible bid from a bidder to furnish all materials and means necessary to supply and deliver the products as specified below. See the accompanying Instructions for Bidders for additional information and instructions.

9. Exceptions:

   a. To avoid the need to take an exception to a specification, potential bidders may request revisions to the specifications before the deadline for optional submittal in writing of questions seeking to revise or clarify any aspect of the specifications. See the accompanying Instructions for Bidders for contact information.

   b. Any deviation or variance from the City's specifications shall be considered by the City to be an exception.

   c. Any exceptions to the City's specifications shall be identified by the bidder on the City's specifications document as well as listed and described in detail, along with any other exceptions to this procurement solicitation, in a separate written document to be prepared by the bidder and included in or with the bid, referencing any subsection number. Such listing shall include a description of exactly how such exceptions deviate from the City's expectations as expressed and

implied by the procurement solicitation, and shall indicate why such exceptions should be judged by the City to meet or exceed those expectations. Any and all exceptions to this procurement solicitation which the City, in its sole discretion, deems not to meet or exceed the City's intention as expressed and implied by the procurement solicitation may be considered by the City as a factor in evaluating the bid.

10. General terms and conditions:

a. Bid price: The bid price shall include all equipment, labor, materials, permit(s), freight and required insurance to supply and deliver the specified products.

b. Delivery terms: As a matter of practice, the City expects bidder awarded the purchase to ship any and all deliverables FOB destination, freight prepaid and allowed. The City's preferred delivery terms, as described in the preceding sentence, are offered to the bidder as a condition of award. If the City's preferred delivery terms are unacceptable to the bidder, then the bidder shall indicate on the Bid Submittal Form its preferred delivery terms. Delivery terms may be a factor in the City's selection criteria. Delivery terms are non-negotiable after award is made.

c. Payment terms: As a matter of practice, the City pays for goods and/or services only after receipt and acceptance by the City of all such goods and/or services as ordered, and only after receipt of an accurate, proper, complete and itemized invoice for all such goods and/or services as ordered, net thirty (30) calendar days from date of delivery or date of invoice, whichever is later. The City's preferred payment terms, as described in the preceding sentence, are offered to the bidder as a condition of award. If the bidder prefers alternate payment terms, then the bidder shall indicate on the Bid Submittal Form its preferred payment terms. Payment terms may be a factor in the City's selection criteria. Payment terms are non-negotiable after award is made.

d. Applicable laws and regulations: All applicable federal and state laws, city ordinances, orders, rules and regulations of all authorities having jurisdiction over the specified products shall apply to the quoted purchase price, and they will be deemed to be included in these specifications the same as though they are written out in full herein.

e. Other documents to be required of the bidder recommended to be awarded the purchase: See the accompanying "Instructions for Bidders" for a listing of other documents to be required of the bidder recommended to be awarded the purchase.

f. Standard Procurement Terms and Conditions: By submitting its bid, the bidder certifies that it has read and accepts all terms, conditions and requirements of this solicitation, including the terms and conditions identified and listed in the City's Standard Procurement Terms and Conditions attached hereto and hereby incorporated by reference.

g. Refusal to honor submittal: If and after an award is made by the City, if the bidder refuses to execute an agreement or contract or in any other way honor the terms and conditions of its submittal, the City shall be entitled to seek compensation for its damages, which may include the cost of conducting a new solicitation.

h. Confidential and/or proprietary information; trade secrets: All contents of all submittals are subject to public disclosure and shall not contain any confidential and/or proprietary information and/or trade secrets. Further, by submitting its bid, the bidder indemnifies and holds the City of Franklin harmless against any loss or damage, including reasonable attorney fees, it may incur as a result of the City's reliance upon the bidder's representation that materials supplied by the bidder do not contain trade secrets or proprietary information which is not subject to public disclosure.

11. Detailed specifications: Please note:

- Bidders are required to mark with a "C" the blank line next to any specification below to which their bid COMPLIES. (Specifications without a blank line are for context and need not be marked.)
- Bidders are required to mark with an "E" the blank line next to any specification below to which their bid takes EXCEPTION. (Specifications without a blank line are for context and need not be marked.)
- Any exceptions to the City's specifications shall be identified by the bidder on the City's specifications document as well as listed and described in detail, along with any other exceptions to this procurement solicitation, in a separate written document to be prepared by the bidder and provided in or with the bid, referencing any subsection number. Such listing shall include a description of exactly how such exceptions deviate from the City's expectations as expressed and implied by the procurement solicitation, and shall indicate why such exceptions should be judged by the City to meet or exceed those expectations.
- Bidders are required to submit with their bid these Specifications for this procurement, marked by the bidder as to compliance herewith as per the instructions above.

11.1. **Product.**

11.1.1. _____ City intends for the end-user department to use the specified products (as listed on the Bid Submittal Form) for underground distribution of non-potable water. Products as bid shall be designed and manufactured according to industry standards for this intended use.

11.1.2. _____ Products to be purchased by the City are to be new and unused.

11.1.3. _____ Purchased products shall have been manufactured within twelve (12) months of the bids submittal deadline and scheduled opening.

11.1.4. _____ Bidder shall quote unit pricing for exactly all specified products. Bids for less than exactly all specified products shall be deemed non-responsive and shall be rejected.

11.1.5. _____ The product quantities listed on the Bid Submittal Form for the specified products are exact and represent the total quantities the City intends to order from the bidder awarded the purchase.

11.1.6. _____ The product descriptions listed on the Bid Submittal Form for the specified products are to be considered City specifications.

11.1.7. _____ No manufacturer descriptions and specifications or product warranty descriptions are required for bids for the products as specified by the City.

11.1.8. _____ Product substitutions are not allowed unless approved by the City. Requests to approve product substitutions shall be made by the deadline for questions and shall include detailed manufacturer descriptions and specifications, as well as product warranty descriptions, sufficient for the City to determine whether the products are substantially equivalent to the specified products.

11.2. **Delivery.**

11.2.1. Delivery schedule:

11.2.1.1. _____ Except for (a) the 9120 feet of 12" C900 DR18 Pipe Purple and (b) the 9500 feet of 12GA Solid UF Wire Purple, all specified products shall be delivered to the satisfaction of City within fourteen (14) calendar days after receipt of order unless a later delivery has been authorized in writing by City.

11.2.1.2. _____ At the bidder's discretion, bidder awarded the purchase may deliver less than (but at least approximately one-third (33%) of) the 9120 feet of 12" C900 DR18 Pipe Purple and the 9500 feet of 12GA Solid UF Wire Purple to the satisfaction of City within fourteen (14) calendar days after receipt of order, with any undelivered balance of the total specified quantities to be delivered subsequently, within fourteen (14) calendar days after receipt of subsequent order, in not more than two subsequent deliveries each for at least approximately one-third (33%) of the total specified quantities, unless a later delivery has been authorized in writing by City.

11.2.1.3. _____ Failure by the bidder awarded the purchase to meet this delivery schedule shall constitute grounds for the City, at its exclusive discretion, to cancel the order(s) and/or consider the bidder awarded the purchase to be in breach of contract.

11.2.1.4. _____ Bidder shall indicate on the Bid Submittal Form the estimated time of delivery, measured in number of calendar days after receipt of order, of the specified products.

11.2.2. _____ Bidder specifically acknowledges and accepts City's standard delivery terms as expressed under "General terms and conditions" above.

11.2.3. _____ Bidder shall include in the bid pricing delivery of the specified products to the following location (jobsite staging area) unless an alternative delivery location is requested in writing by City:

1364 Ascot Lane
Franklin, TN 37064

11.2.4. _____ City shall provide any labor and equipment necessary to unload or offload the deliverables at the designated delivery location.

11.2.5. _____ Delivery shall be made between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday except holidays observed by the City.