City of Franklin, Tennessee Specifications

Purchasing Office Solicitation No.: 2020-014

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

access security components for traffic signals and intelligent transportation system

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2. Notice to Bidders publication date: **October 3, 2019**

3. Solicitation release date: **October 3, 2019**

4. Deadline for optional submittal in writing of questions of a non-procedural nature seeking to clarify or revise any aspect of this procurement solicitation: **October 15, 2019, 2:00 p.m. Central Time**

5. Bids submittal deadline and scheduled opening: **October 22, 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: **November 8, 2019**

7. Tentative date of award: Meeting of Board of Mayor and Aldermen at which the procurement is tentatively scheduled to be awarded to the responsible bidder that submits the lowest priced responsive bid: **November 26, 2019**

8. Objective: To award, by means of a competitive procurement process, to the responsible bidder that submits the lowest priced responsive bid to furnish all labor, materials and means necessary to supply and deliver the products as specified below. See the accompanying Instructions for Bidders for additional information and instructions, including the definitions of the terms "responsible bidder" and "responsive bid."

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 of a non-procedural nature seeking to clarify or revise any aspect of this procurement solicitation. 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 its completed 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 by the City of such goods and/or services as ordered, and only after receipt of an accurate, proper, complete and itemized invoice for 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 its completed 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. **Products.**

11.1.1. _____ City intends for the end-user department to use the specified products as access security components for traffic signals and the City's intelligent transportation system (ITS). Products as bid shall be designed and manufactured according to industry standards for this intended use.

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

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

11.1.4. _____ No product substitutions are permitted.

11.1.5. _____ The products to be bid, and the respective quantities, are exactly as listed in the Bid Submittal Form.

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. _____ 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.

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

11.2. **Delivery, Documentation and Training.**

11.2.1. Delivery schedule:

11.2.1.1. _____ Material may not ship until after receipt of order from the City. Order is not to be placed by the City until after notice of award is issued by the City. Notice of award is not to be issued until after, but typically within two (2) weeks of, date of award.

11.2.1.2. _____ Bidder shall indicate on its completed Bid Submittal Form the estimated time of delivery, measured in number of calendar days after receipt of order.

11.2.1.3. _____ Unless a later delivery has been authorized in writing by the City, the specified products shall be delivered to the satisfaction of the City by not more than twice the estimated time of delivery, measured in number of calendar days after receipt of order, as indicated by the bidder on its completed Bid Submittal Form.

11.2.1.4. _____ Failure by the bidder to meet the delivery schedule shall constitute grounds for the City to cancel order and/or consider the bidder to be in breach of contract.

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 and unloading or offloading and deposit of the deliverable at the following location:

City of Franklin Engineering TOC
City Hall, Suite 133
109 3rd Ave. South
Franklin, TN 37064

11.2.4. _____ Bidder awarded the purchase shall provide any labor and equipment necessary to unload or offload the deliverable in a manner (a) consistent with best practices for shipping and receiving, (b) that does not involve undue risk to the safety of anyone at the delivery site or the condition of the deliverable, (c) that does not involve City personnel, and (d) without the need for a loading dock.

11.2.5. _____ Delivery shall be made between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday except holidays observed by the City.

11.2.6. _____ Documentation, including both operator and service manuals, warranties, detailed troubleshooting information, and any available product-specific training videos, shall be provided upon delivery of the products.