



CITY OF ROCK HILL, SOUTH CAROLINA

REQUEST FOR PROPOSAL

Emergency Standby Generator

December 15, 2009 @ 10:00 AM

The City of Rock Hill, South Carolina is seeking competitive bids from qualified firms to provide the City with a good used generator.

The process of responding to this Request for Proposal (RFP) should involve interested companies reviewing and analyzing the information provided herein and responding in writing to any and all items where a response is requested.

BACKGROUND

The Rock Hill Traffic Division & Utilities Director is responsible for this item.

BID REQUEST

Sealed bids will be received by the Purchasing Division of the City of Rock Hill, South Carolina until 10:00 AM local time on December 15, 2009 at which time they will be publicly opened and read aloud. All companies submitting bids are welcome to attend, but attendance is not mandatory. Details of the award can be obtained by looking at our web-site: cityofrockhill.com or calling the Purchasing Office @ 803-329-7072, after December 20, 2009.

The bid opening will begin promptly at the appointed time in the Conference Room, located at the City Operation Center, 349 Columbia Avenue, Rock Hill, South Carolina. No bid may be submitted after the bid opening begins. The bidder is solely responsible for the timely submission of his/her bid.

No bid may be withdrawn for a period of forty-five (45) calendar days after the bid opening.

Bids may be mailed to City of Rock Hill, Attn: Marty Burr, P.O. Box 11706, Rock Hill, South Carolina 29731 or hand delivered to Marty Burr, Purchasing Office, 349 Columbia Avenue, prior to the appointed time of the bid opening.

All bids must be in a sealed envelope and marked “**SEALED BID; GENERATOR, OPEN DECEMBER 15, 2009 @10:00 AM.**”

All bids must be approved by the Traffic Supervisor, Utilities Director and the City Manager.

Should the bids be higher than the amount allocated by the City for this project, the City reserves the right to negotiate in good faith with the low bidder. Failing an agreement, the City may reject all bids and resubmit for new bids or make any other decisions it deems to be in its own best interest.

Questions regarding Insurance requirements should be directed to: Dot Archie, Risk Manager @ 803-329-7025. Inquires, re: terms and conditions, etc. should be directed to Marty Burr @ 803-329-5551.

City Contact

If you have any questions regarding this RFP contact Marty Burr with the Purchasing Office @ 803-329-5551.

If you have questions regarding product or product specifications contact Laddie Parrish, our traffic light administrator @ 803-329-5530.

Qualified Vendor

A qualified vendor is defined for this purpose as one who meets, or by the date of bid acceptance can meet all requirements for licensing, insurance and service contained within this RFP.

WMBE STATEMENT

It is the policy of the City of Rock Hill to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to employment, construction projects, and lease agreements consistent with the laws of the State of South Carolina.

It is further the policy of the City of Rock Hill to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap, or veteran status.

It is further the policy of the City of Rock Hill to conduct its contracting and procurement programs so as to prevent such discrimination and to resolve any and all claims of such discrimination.

S.C. CODE OF LAWS

The state of S.C. Code of Laws Section 12-9-310 (A) requires that any entity within the state having a contract with a nonresident taxpayer conducting business or performing services of a temporary nature within this State, with such contract amounts exceeding the payment of ten thousand dollars during any one calendar year, must withhold two percent of each payment to these nonresidents.

This does not apply to a nonresident which has registered with the Secretary of State or the Department of Revenue and by that registration has agreed to be subject to the jurisdiction of the department and the courts of the State to determine its SC tax liability, if any. Such registration is not an admission of tax liability nor must it be construed to require the filing of an income tax return.

If the entity having a contract with a nonresident obtains an affidavit from the nonresident stating that the nonresident is registered with the department or with the Secretary of State, then the entity is not responsible for withholding.

Business tax application is included herein. The successful bidder if a nonresident must fill in front side and section "C" on reverse side. Nonresident successful bidder must also submit form I-312 (enclosed). Failure to complete these two forms by nonresident will require the City to withhold 2% of all requested payments.

INSTRUCTIONS TO BIDDERS

Purpose: The purpose of this document is to provide to potential bidders general and specific information in submitting a bid to supply the City's needs as listed within.

1.1 Definitions:

- A) Bidder: This term is used to encompass the party seeking to have an agreement with the City of Rock Hill.
- B) City: This term is defined as the City of Rock Hill, South Carolina. All communications relating to the bid process or the resulting purchase should be directed to the City's Purchasing Office or to his designated contact.
- C) Purchase: This term means the agreement to be executed by the City and the successful bidder.

1.2 Bid Preparation: All bid responses shall be

- A) Prepared and submitted on the forms enclosed herein, unless otherwise prescribed.
- B) Typewritten or completed in ink, signed by the bidding firm's authorized representative with all erasures or corrections initialed and dated by said signer.
- C) Each bid constitutes an offer and may not be withdrawn except as provided herein. Bid prices are to remain firm for the period stated in the Bid Request.
- D) Each bid shall include the name, address, telephone number, fax number and e-mail address of at least three (3) current customers for whom they have provided similar products. These references may be contacted, and if so, their responses will constitute a significant part in the bid evaluation process.

1.3 Bid Submission: Two (2) copies of the Bid Response shall be:

- A) Submitted in a sealed opaque envelope with the following information written on the outside of the envelope:
 - * The name of the bidding company;
 - * Identification of items being bid; date and time of bid opening.
- B) Mailed or delivered to the address shown in the Bid Request for receipt by the City by the stated deadline.
- C) Bids not received by the time and date specified will not be opened or considered, unless the delay is a result of the City, its agents, or assigns.

1.4 Failure to bid: Any company which does not desire to offer a bid should submit to the City a letter stating a reason for not bidding and whether the bidder desires their company's name be retained or removed from the City's bid list for future solicitations.

1.5 Errors in Bid: Bidders or their authorized representatives are expected to fully inform themselves as to the conditions, requirements and specifications before submitting bids.

Failure to do so will be at the bidder's own risk. In case of error in extension of prices in the bid, the unit price shall govern.

- 1.6 Award Criteria:** The award shall be made to a single bidder who submits the lowest responsible and responsive bid taking into consideration product quality, past performance, and compliance with the stated terms, conditions, and specifications. The City reserves the right to make such decision as it deems to be in its own best interest. The City alone shall make such determination.
- 1.7 Compliance with laws:** The successful bidder shall obtain and maintain all licenses, permits, liability insurance, worker's compensation insurance and comply with all other standards or regulations required by federal, state, county, or City statute, ordinances and rules during the performance of any purchase between the bidder and the City. Any such requirement specifically set forth in any purchase document between the bidder and the City shall be supplementary to this section and not in substitution thereof.
- 1.8 Brand Name:** The use of a brand name is for the sole purpose of describing the standard of quality, performance, and a characteristic desired and is not intended to limit or restrict competition.

