CITY OF CONWAY

1201 Oak Street
Conway, Arkansas 72032

Invitation and Bid 2009-046

Equipment for Conway Street Department

INVITATION

TO THE VENDOR ADDRESSED:

Bidders are invited to furnish the items listed herein in accordance with the terms and conditions attached. Sealed bids must be in the hands of the Mayor not later than 10 am, November 3th, 2009 at which time all bids will be opened and read. Unsigned bids will be rejected. Successful bidders will receive purchase order within 30 days after the opening date shown above.

Item No. 1

Dump Truck with New 10 to 13 cubic yard bed -Truck may be used with 650,000 max miles, GVW min. 46,000 lbs, Twin Screw, 2002 or newer Model, 350 Hp Min., conforming to the attached Specifications and subject to approval of vehicle condition and appearance by Conway Street Department.

Amount Bid For Item No. 1 $_____

Item No. 2

Asphalt Roller with tow package equal to LeeBoy 400 Vibratory Roller conforming to the attached Specifications.

Amount Bid For Item No. 2 $_____

Bidder may bid on either Item No. 1 or Item No. 2 or both. The award of the bid will be based on bid submitted for Item No. 1 or Item No. 2 or both as deemed in the best interest of the City of Conway.

NOTE: Bid amount shall include all applicable taxes, fees, freight and delivery cost.

SEE ATTACHED SPECIFICATIONS

For further information regarding the specifics of this equipment contact Ronnie Hall, Conway Street Department, 501-450-6165.
This Bid Shall be submitted no later than the above referenced date to:

Mayor's Office
Attention: Felicia Rogers
Conway City Hall
1201 Oak Street
Conway, AR 72032.
Phone 501-450-6110

The bid shall be enclosed in a sealed envelop with the name of the bidder, bid number, equipment or material being bid and date and hour of opening shown thereon.

BID

TO THE MAYOR:

We hereby agree to furnish the items or item quoted at price set opposite each item. We further certify that we have read the terms and conditions stated on the reverse side of this page and that our quotation is submitted in accordance therewith.

FIRM NAME:_____ BY:_____

ADDRESS:_____ TITLE_____

_____ DATE_____

Unsigned bids will not be considered

CONDITIONS

1. **ACCEPTANCE AND REJECTION:** The City of Conway (reserves the right to reject any or all bids, to accept bids in whole or in part (unless otherwise indicated by bidder), to waive any informalities in bids received, to accept bids on materials or equipment with variations from specifications where efficiency of operation will not be impaired, and to award bids to best serve the interest of the City of Conway.

2. **PRICES:** Unless otherwise stated in the Bid Invitation, the following will apply: (1) unit prices shall be bid, (2) prices should be stated in units of quantity specified (feet, each, lbs., etc.), (3) prices must be F.O.B. destination specified in bid, (4) prices must be firm and not subject to escalation, (5) bid must be firm for acceptance for 30 days from bid opening date. In case of errors in extension, unit prices shall govern. Discounts from bid price will not be considered in making awards.

3. **BID BONDS AND PERFORMANCE BONDS**: If required, a **Bid Bond** in the form of a cashier's check, certified check, or surety bond issued by a surety company, in an amount stated in the Bid Invitation, must accompany bid. **Personal and company checks are not acceptable as Bid Bonds**. Failure to submit a Bid Bond as required will cause a bid to be rejected. The Bid Bond will be forfeited as liquidated damages if the successful bidder fails to provide a required Performance Bond within the period stipulated by CITY OF CONWAY or fails to honor their bid. Cashier's checks and certified checks submitted as Bid Bonds will be returned to unsuccessful bidders; surety bonds will be retained. The successful bidder will be required to furnish a **Performance Bond** in an amount stated in the Bid Invitation and in the form of a cashier's check, certified check, or surety bond issued by a surety company, unless otherwise stated in the Bid Invitation, as a guarantee of delivery of goods/services in accordance with the specifications and within the time established in the bid. **Personal and company checks are not acceptable as Performance Bonds**. In some cases, a cashier's check or certified check submitted as a Bid Bond will be held as the Performance Bond of the successful bidder. Cashier's checks or certified checks submitted as Performance Bonds will be refunded shortly after payment has been made to the successful bidder for completion of all terms of the bid; surety bonds will be retained. Surety bonds must be issued by a surety company authorized to do business in Arkansas, and must be signed by a Resident Local Agent licensed by the Arkansas State Insurance Commissioner to represent that surety company. Resident Agent's Power-of-Attorney must accompany the surety bond. Certain bids involving labor will require Performance Bonds in the form of surety bonds only (no checks of any kind allowed). In such cases, the company issuing the surety bond must comply with all stipulations herein and must be named in the U. S. Treasury listing of companies holding Certificates of Authority as acceptable sureties on Federal Bonds and as acceptable reinsuring companies. Any excess between the face amount of the bond and the underwriting limitation of the bonding company shall be protected by reinsurance provided by an acceptable reinsuring company.
4. **TAXES:** The CITY OF CONWAY is not exempt from Arkansas State Sales and Use Taxes, or local option city/City of Conway sales taxes, when applicable, and bidders are responsible to the State Revenue Department for such taxes. These taxes should not be included in bid prices, but where required by law, will be paid by the CITY OF CONWAY as an addition thereto, and should be added to the billing to the CITY OF CONWAY. The CITY OF CONWAY is exempt from Federal Excise Taxes on all commodities except motor fuels; and excise taxes should not be included in bid prices except for motor fuels. Where applicable, tax exemption certificates will be furnished by the CITY OF CONWAY.

5. **"ALL OR NONE" BIDS:** Bidders who wish to bid "All or None' on two or more items shall so stipulate on the face of bid sheet; otherwise, bid may be awarded on an individual item basis.

6. **SPECIFICATIONS:** Complete specifications should be attached for any substitution or alternate offered, or where amplification is necessary. Bidder's name must be placed on all attachments to the bid.

7. **EXCEPTIONS TO SPECIFICATIONS:** Any exceptions to the bid specifications must be stated in the bid. Any exceptions to manufacturer's published literature must be stated in the bid, or it will be assumed that bidder is bidding exactly as stated in the literature.

8. **BRAND NAME REFERENCES:** All brand name references in bid specifications refer to that commodity or its equivalent, unless otherwise stated in Bid Invitation. Bidder should state brand or trade name of item being bid, if such name exists.

9. **FREIGHT:** All freight charges should be included in bid price. Any change in common carrier rates authorized by the Interstate Commerce Commission will be adjusted if such change occurs after the bid opening date. Receipted common carrier bills that reflect ICC authorized rate changes must be furnished.

10. **SAMPLES AND LITERATURE:** Samples or technical literature must be provided within 14 days of CITY OF CONWAY request unless CITY OF CONWAY extends time. Failure to provide samples or literature within this period may cause bid to be rejected. When required, samples of items must be furnished free of charge, prior to or after the opening of bids, and, if not destroyed, will be returned upon request at the bidder's expense. Each individual sample must be labeled with bidder's name and item number. Request for return of samples must be made within 10 days following submission of sample. Samples from successful bidders will be retained for comparison with items actually furnished.

11. **GUARANTY:** Unless otherwise indicated in Bid Invitation, it is understood and agreed that any item offered or shipped on this bid shall be newly manufactured, latest model and design, and in first class condition; and that all containers shall be new, suitable for storage or shipment and in compliance with all applicable laws relating to construction, packaging, labeling and registration.

12. **BACKORDERS OR DELAY IN DELIVERY:** Backorders or failure to deliver within the time required may constitute default. Vendor must give written notice to the CITY OF CONWAY, as soon as possible, of the reason for any delay and the expected delivery date. The CITY OF CONWAY has the right to extend delivery if reasons appear valid. If reason or delivery date is not acceptable, vendor is in default.

13. **DEFAULT:** All commodities furnished will be subject to inspection and acceptance by CITY OF CONWAY after delivery. Default in promised delivery or failure to meet specifications authorizes the CITY OF CONWAY to cancel award or any portion of same, to reasonably purchase commodities or services elsewhere and to charge full increase, if any, in cost and handling to defaulting vendor. Applicable bonds may be forfeited.

14. **ETHICS:** *"It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a State contract upon an agreement of understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the contractor for the purpose of securing business."* (Arkansas Code, Annotated, Section 19-11-708).

ACCEPTANCE (City of Conway Use Only)

Bid No. #_____Accepted as to items numbered_____

Date_____ By _____

City of Conway Mayor's Officer

CITY OF CONWAY, ARKANSAS
STREET DEPARTMENT
DUMP TRUCK SPECIFICATIONS:
Bid No 2009-46
November 3, 2009

Truck:

- 2002 Year Model or Later
- Engine - 350 min. Horsepower Diesel Engine
- Twin Screw Rear End
- Maximum mileage 650,000 miles
- 10 to 13 Speed Manual Shift Transmission
- West Coast Mirrors
- Power Steering
- Air Conditioner
- Maximum Posted Gross Vehicle Weight 46,000 pounds

Dump Bed (New):

- 10 Yard Min. Capacity – 13 Cubic Yard Maximum Capacity
- Maximum bed length 12’
- 24" roof protector for full width of the bed
- Air Shift PTO
- Air control Tail Gate operation
- Bed shall be 8 gage minimum metal thickness
- Sides shall be 10 gage minimum metal thickness
- Bed shall have cross member supports at 12” Maximum Spacing.

The truck must be brought to the Conway Street Department at 100 East Robins in Conway, Arkansas for inspection and approval of the condition of the unit prior to consideration of award of the bid.

CITY OF CONWAY, ARKANSAS
STREET DEPARTMENT
ASPHALT ROLLER SPECIFICATIONS:
Bid No 2009-46
November 3, 2009

Asphalt Roller with tow package equal to a Lee Boy 400 Vibratory Roller

- Engine - 40 min. Horsepower Diesel Engine
- Servo- Controlled Hydrostatic Transmission (0-6 MPH)
- 44” Rolling Width Rear Drum
- 40” Split Front Drum to minimize potential for pushing or tearing asphalt pavement
- Towing Package with hydraulic lift
- 6,700 lbs. min. static weight
- 8,100 lbs min. loaded weight
- Vibration Frequency -2600 VPM (internally mounted)
- Pressurized water system (80 gal. min. tank capacity)

The equipment shall conform to the construction and operation characteristics of a LeeBoy 400 Vibratory Asphalt Roller as manufactured by LeeBoy, 688 North Highway 16, Denver, North Carolina.