

October 15, 2008

**CITY OF WATERFORD
INVITATION TO SUBMIT PROPOSALS FOR-
One (1) Utility Tractor with Front end Loader and Ripper Attachment
2008-04**

The City of Waterford seeks sealed proposals for One (1) Utility Tractor with Front end Loader and Ripper Attachment. Proposal documents and specifications are available at City Hall, 312 E Street, Waterford, Ca 95386 or by contacting Matt Erickson at (209) 874-2328.

Sealed proposals will be received until 3:00pm on October 29, 2008 at the above address at which time they will be publicly opened and read aloud in the office of City Hall. Proposals received after that time will not be accepted and will be returned to the proposer unopened. Sealed proposals should be clearly marked "SEALED Proposal #2008-04: Utility Tractor with Front end Loader and Ripper Attachment.

Interested parties may contact Public Works Director, Matt Erickson, at (209) 874-2328 for additional information.

The City of Waterford reserves the right to waive technical defects in the proposals; to reject any proposals which do not conform to the terms and conditions described in the specifications; to reject any or all proposals and again invite proposals; to accept other than the lowest bid; and waive informalities or irregularities in the proposal process.

It is the intent of this specification to provide for the purchase of one (1) new and unused utility tractor that has an engine horsepower rating of at least 99 with a front end loader and (1) new and unused ripper attachment.

The award of a contract, if awarded, will be to the most responsive proposal, utilizing a total cost concept which includes but is not limited to the initial purchase price, guarantees and warranties, service availability, service/reliability reputation parts availability and projected future trade in or resale values. The City of Waterford reserves the right to negotiate further with any proposer to clarify items as listed here, in the specifications or on the proposals themselves.

**CITY OF WATERFORD
PROPOSAL #2008-04
INSTRUCTIONS**

GENERAL INSTRUCTIONS

The specification herein states the minimum requirements. All bids must be regular in every respect. Unauthorized conditions, limitations, or provisions shall be cause for rejection. This agency will consider as "irregular" or "non-responsive" any bid not prepared and submitted in accordance with the bid document and specification, or any bid lacking sufficient technical literature to enable this agency to make a reasonable determination of compliance to the specification.

It shall be the bidder's responsibility to carefully examine each item of the specification. Failure to offer a completed bid or failure to respond to each section of the technical specification (COMPLY: YES NO) will cause the proposal to be rejected without review as "non-responsive". All variances, exceptions and/or deviations shall be fully described in the appropriate section. Deceit in responding to the specification will be cause for rejection.

INTENT

It is the intent of this specification to provide for the purchase of one (1) new and unused utility tractor with an engine horsepower rating of at least 99 with a front end loader and one (1) new and unused ripper attachment.

The Public Works Department has evaluated different types of utility tractors and has determined that this product is best suited for the needs in safety, quality, performance, and equipment standardization. This specification is not to be interpreted as restrictive, but rather as a measure of the safety, quality and performance against which all utility tractors bid will be compared.

In comparing proposals, consideration will not be confined to price only. The successful bidder will be one whose product is judged shall best serve the interests of this agency when price, product, safety, quality and delivery are considered. The City of Waterford reserves the right to reject any or all bids or any part thereof, and to waive any minor technicalities. A contract if awarded will be awarded to the bidder submitting the lowest responsible bid meeting the requirements of this specification.

EQUIVALENT PRODUCT

Bids will be accepted for consideration on any make or model that is equal or superior to the utility tractor, front end loader, and ripper attachment specified. Decisions of equivalency will be at the sole interpretation of the Department of Public Works. A blanket statement that equipment proposed will meet all requirements will not be sufficient to establish equivalence. Original manufacturer's brochures of the proposed unit are to be submitted with the proposal. All modifications made to the standard production unit described in the manufacturer's brochures must be certified by the manufacturer and submitted with the bid, or the bid will be deemed "non-responsive" and rejected without further review. Bidder must be prepared to demonstrate a unit similar to the one proposed, if requested.

INTERPRETATIONS

In order to be fair to all bidders, no oral interpretations will be given to any bidder as to the meaning of the specification documents or any part thereof. Every request for such a consideration shall be made in writing. Based upon such inquiry, the City may choose to issue an Addendum.

BID INSTRUCTIONS

1. The Public Works Director will receive sealed proposals for One (1) Utility Tractor with Front end Loader and Ripper Attachment for the City of Waterford.
2. Proposals will be received until 3:00pm on October 29, 2008 at which time they will be publicly opened and read aloud in the City Hall offices at 312 E Street, Waterford, Ca 95386.
3. Proposals must be submitted in sealed envelopes addressed to the Public Works Director, City of Waterford, 312 E Street, Waterford, Ca 95386 and are to be endorsed in the lower left hand corner as follows:

**“SEALED PROPOSAL #2008-04
One (1) Utility Tractor with Front end Loader and Ripper Attachment”**

4. Proposals must be submitted on the forms attached. An original and (1) one copy shall be submitted. The submitting party shall retain a duplicate of proposal forms.
5. Subject to the rights reserved to the City of Waterford in paragraph 6 below, the contract shall be awarded to the lowest responsible, qualified party, provided that funds are available.
6. The City of Waterford reserves the right to waive technical defects in the proposal; to reject any proposals which do not conform to the terms and conditions described in the specifications; to reject all proposals and again invite proposals; and waive informalities or irregularities in the proposal process.
7. Proposals shall be submitted only on the prepared forms furnished for the specific project. Any proposal showing an omission, alteration in form, additions not called for, and any conditional items, alternatives or bids irregularities of any kind can be rejected. Any proposal received after the scheduled closing time for the receipt of proposals will be returned to the submitter unopened.
8. In submitting this proposal, the parties agree to hold their offer open for 60 days after the actual proposal opening date.
9. Any proposal once deposited with the City of Waterford may only be withdrawn by letter of request, signed by the depositing party, and presented to the Public Works Director prior to the time of opening of any proposal for the project in question.
10. Proposals shall include taxes, if applicable, DMV fees, permits, delivery and inspection fees, equipment specifications, warranties, guarantees, parts and service availability and any other information that the party making the proposal feels will assist the city in assessing the total cost of this equipment over its normal usual life cycle, and shall be priced F.O.B. City of Waterford. The Tractor and Ripper will be delivered to the Public Works Corporation Yard , 109 S. E Street, Waterford, Ca 95386. Service or pre-delivery inspection by the successful bidder is required. Delivery shall be within **120 days** from the bid award date, unless otherwise indicated on the bidder sheet. Delivery time may be a consideration for the proposal awarding.
11. Any deviations from the technical specifications shall be identified and described. Adequately described alternatives will be considered solely at the City’s discretion.
12. Proposals shall include equipment brochures, specification sheets, representative photos, a list of accessories, and standard warranty provisions. Additional information is to be provided using the additional information sheet.

13. The parties hereto agree that the relationship of CONTRACTOR to the City is that of an independent contractor and not an officer, employee, or agent of the CITY. It is further understood that the agents and employees of the CONTRACTOR, in the performance of this Agreement, are employees of the CONTRACTOR and not officers, employees or agents of the CITY.
14. The vendor upon providing all materials, equipment and services detailed herein will render invoice. No partial payments will be made, and the City will only schedule payment upon acceptance of the equipment and materials. Payment will be made within 30 days of invoice submittal.

Additional

The successful party shall deliver equipment fully assembled and operational with all fluids, oil, batteries, fuel, etc installed upon delivery. No crated or non-operational equipment requiring assembly or adjustments of any kind shall be accepted. The successful party must also provide all repair manuals for Engine, Chassis, Electrical, Body, Drive Train, Service Specs, Wiring Diagrams and Powertrain Control/Emissions Manuals. All repair manuals must be delivered with the Tractor and Ripper. No Exceptions. The provider will also be required to operate and demonstrate all features and operational modes to the City of Waterford personnel. Out of the area vendors shall supply the names and telephone numbers of the local qualified dealer that will perform warranty work.

PROPOSAL FORM
One (1) Utility Tractor with Front end Loader and Ripper Attachment
2008-04

To: City of Waterford
P.O. Box 199
Waterford, Ca 95386

The undersigned, as bidder, declares to have carefully examined the Notice Inviting Bids, Bid Instructions, and Specifications filed for furnishing and delivering this equipment, and agrees to be fully informed regarding all of the conditions affecting the equipment to be furnished for the completion of the order, and that the information was secured by personal investigation and research and not from any estimate of a City engineer; and that no claim will be made against the City by reason of estimates, test or representations of any officer or agent of the City; and proposes and agrees if the proposal be accepted, to furnish the City of Waterford the necessary equipment specified in the bid, in the manner and time therein set forth. It has been noted the City of Waterford reserves the right to accept all or part of this bid, to reject any or all bids, or to accept other than the lowest bid.

The item listed below is to be in accordance with the City of Waterford specifications attached hereto. The bidder will submit a detailed list of any and all exceptions taken to these specifications by either listing those exceptions in the space provided on the said specifications attached or, when such space is inadequate, by listing those exceptions on a separate paper by item in the same order of the City's specifications. In the absence of such a list, it will be understood that the bidder's proposal is based on strict conformance to the specifications in all respects. All exceptions taken will be evaluated and determination made on acceptability before the award is made.

PROPOSAL OF _____
(Company Name)

We, the undersigned, hereby agree to furnish One (1) Utility Tractor with Front end Loader and Ripper Attachment outlined in the City of Waterford Proposal # 2008-04 for the sum of:

\$ _____
(Price includes 7.375% State Sales Tax and all applicable fees as outlined in #10)

Make, Model, Year of Tractor Quoting: _____

Make, Model, Year of Ripper Quoting: _____

Make, Model, Year of Loader Quoting: _____

SUBMITTED BY:

Company Name

Address, City, State, Zip

Phone Number and Fax Number

Authorized Signature

Date

CITY OF WATERFORD
Request For Proposal# 2008-04

ADDITIONAL INFORMATION

1. What is the availability of the offered units as specified?

2. Identify the closest authorized dealer and repair shop for the offered unit and equipment.

3. Describe parts availability for the offered unit and equipment.

4. List any other information about the unit such as additional attachments, reliability, ease of use, dependability, etc....

**CITY OF WATERFORD
PROPOSAL # 2008-04
EXPLANATIONS OF DEVIATIONS**

CATEGORY	DESCRIPTION

NOTICE OF AWARD

Description of Work: Provide (1) One Utility Tractor with Front end Loader and Ripper Attachment as outlined in Bid # 2008-04.

To:

(Contractor)

(Address)

(City, State, Zip)

The **City of Waterford, (Owner)**, represented by the undersigned has considered the proposal submitted by you for the above described work in response to its Notice to Contractors dated October 15, 2008.

It appears that it is to the best interest of said **Owner** to accept your Proposal in the amount of:

(written description of contract amount)

(\$ _____) you are hereby notified that your Proposal has been accepted.

If you fail to execute said contract within **10 calendar days** from the date of delivery of this Notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your Proposal as abandoned and to award the work covered by your Proposal to another, or to re-advertise the work or otherwise dispose thereof as the Owner may see fit.

Dated this _____ day of _____, 2008.

OWNER: City of Waterford

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged

This ___ day of _____, 20__

By _____

By _____

Title: _____

Title: _____