City of Franklin Instructions to Specifications

Purchasing Office Solicitation No.: 2015-001

1. Solicitation identified: These specifications instructions apply to the following procurement:

   a minimum of two (2) new and unused fire pumper ladder trucks

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2. Notice to Bidders publication date: **June 19, 2014**

3. Solicitation release date: **June 23, 2014**

4. Deadline for optional submittal in writing of questions seeking to revise or clarify any aspect of this procurement solicitation: **July 10, 2014, 2:00 p.m. Central Time**

5. Bids submittal deadline and scheduled opening: **July 22, 2014, 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 8, 2014**

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 26, 2014**

8. Objective: To secure, by means of a competitive procurement process, the selection of the lowest and best responsive and responsible bid from a vendor to furnish all materials and means necessary to manufacture, supply and deliver to the City of Franklin Fire Department a minimum of two (2) new and unused fire pumper ladder trucks as specified by the City. See the accompanying Instructions for Bidders and the accompanying Specifications for additional information and instructions.

9. Exceptions:

   a. In order to avoid the need to take an exception to a specification, potential bidders may request revisions to the specifications prior to 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 identified by the bidder as an exception.

   c. In a separate document to be prepared by the bidder, bidders are required to list and describe any and all City specifications to which their bid takes exceptions, and to

indicate in that document exactly how such exceptions do not meet specifications, and why such exceptions should be judged by the City to meet or exceed the performance expectations expressed and implied by the City specifications. Any and all exceptions to the City's specifications which the City, in its sole discretion, deems not to meet or exceed the City's intention as expressed and implied by the City's specifications shall be considered by the City as a factor in the award selection criteria.

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 of Franklin expects vendor to ship any and all deliverables FOB destination, freight prepaid and added. The City's preferred delivery terms, as described in the preceding sentence, are offered to the bidder or proposer as a condition of award. If the City's preferred delivery terms are unacceptable to the bidder or proposer, then the bidder or proposer shall indicate on the 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. Financing and payment terms: In the case of this particular procurement, the City of Franklin is soliciting bids that anticipate the City paying for 100% of the quoted bid price for the manufacture, supply and delivery of each fire apparatus only after receipt and acceptance by the City of the fire apparatus, and only after the City's receipt of an accurate, proper, complete and itemized invoice for the fire apparatus, net 7 calendar days from date of acceptance or date of invoice, whichever is later. The City's financing and payment terms, as described in the preceding sentence, are offered to the bidder as a condition of award. Bidders are invited, but not required, to offer alternative financing and payment terms in addition to (not instead of) the financing and payment terms described above whereby up to 25% of the quoted bid price for the manufacture, supply and delivery of each fire apparatus would be due and payable upon placing the order with the balance due and payable upon acceptance by the City of the respective fire apparatus, but only after the City's receipt of an accurate, proper, complete and itemized invoice for the fire apparatus, net 7 calendar days from date of acceptance or date of invoice, whichever is later.

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. Standard Procurement Terms and Conditions: By submitting its bid, the vendor 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 of Franklin Standard Procurement Terms and Conditions attached hereto and hereby incorporated by reference.

f. Refusal to honor submittal: If and after an award is made by the City, if the vendor 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.

g. 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 vendor 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 vendor's representation that materials supplied by the vendor do not contain trade secrets or proprietary information which is not subject to public disclosure.

11. Detailed specifications: Please see separate document entitled "City of Franklin Specifications" for the referenced solicitation.