

CITY COUNCIL MINUTES

May 11, 2015

- c) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Type K Copper Tubing**

Resolution #2015-05-070-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase Type 'K' Copper Tubing to the low bidder meeting specifications, *HD Supply Waterworks of Canton, MI* for an estimated total cost of \$41,976.60, at unit prices contained in the bid tabulation opened on April 23, 2015;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed bid and contract documents and all other specified requirements.

PURCHASE ORDER

No. 2015-00002109
 DATE: 05/12/2015
 PAGE: 1 of 1
 FOB DESTINATION

Ship To
 CITY OF TROY
 Water
 4693 ROCHESTER ROAD
 TROY, MI 48085

Bill To
 CITY OF TROY
 Water
 4693 ROCHESTER ROAD
 TROY, MI 48085

COUNCIL RESOLUTION
 2015-05-070-J-4c

VENDOR NO. 126537

Vendor
 HD SUPPLY WATERWORKS
 6575 23 MILE RD
 SHELBY TWP, MI 48316

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1,620	Feet	3/4" Type K Copper Tubing	2.4300	\$3,936.60
12,000	Feet	1" Type K Copper Tubing	3.1700	\$38,040.00

Entered By: MaryBeth Murz

Special Instructions:

\$41,976.60

CITY COUNCIL APPROVAL DATE: 5/11/2015. To be delivered as per all bid specifications to the Attention of Ms. Emily Frontera; 248 524 3373.

TERMS & CONDITIONS

1. Purchases of Municipalities are exempt from State Sales and Federal Excise Taxes.
2. Prior to acceptance, vendor agrees to provide City with information under the Right-to-Know Law, P.A. 1986, No. 80, and fully comply with all terms and conditions of the Michigan Occupational Safety and Health Act, MCL 408.1001, et seq. including vendor shall provide City with an "MSDS". Vendor also agrees to be responsible for all required labeling.
3. In cases of emergency/disaster, the City can purchase up to six(6) times the order amount for a period of six(6) months at the price contained in the contract.
4. Purchase Orders are signed electronically based upon computer generated "on-line" authorized approvals. Authentic signatures are on file in the City of Troy Purchasing Department.

NOTICE: The City could put the vendor on notice that vendors will be held financially responsible for any claims or awards made against the City as a result of the vendor's action. If the City has to defend the initial lawsuit, the City will bring in the vendor as a co-defendant or sue the vendor, either as the result of settling a claim or the conclusion of the lawsuit.

I HEREBY CERTIFY THAT THIS ORDER IS PROPERLY AUTHORIZED AND APPROVED.

MaryBeth Murz

PROPOSAL: Tubing must be in compliance with Federal Specifications: ASTM Specifications B-88, Type "K" Water Services. 3/4" and 1" coils to be packed in 60 foot rolls per carton.

VENDOR NAME: HD Supply Waterworks
 City: Canton, MI
 SLC Meter, LLC
 Pontiac, MI

ITEM #	Estimated quantity (feet)	Description	Canton, MI			Pontiac, MI		
			Manufacturer	Unit Price/Feet	Total Price	Manufacturer	Unit Price/Feet	Total Price
1	1,320	3/4" Type "K" Copper Tubing - 60-foot rolls. (27 rolls)	Great Lakes	\$ 2.43	\$ 3,936.60	Great Lakes	\$ 2.45	\$ 3,969.00
2	12,000	1" Type "K" Copper Tubing - 60-foot rolls. (200 rolls)	Great Lakes	\$ 3.17	\$38,040.00	Great Lakes	\$ 3.20	\$38,400.00

GRAND TOTAL: \$ 41,976.60 \$ 42,369.00

TERMS: Net 30 Net 30

WARRANTY: Standard manufacturer warranty One year

DELIVERY DATE: 7-10 days Stock to one week

ACKNOWLEDGMENT: Y or N Y Y

EXCEPTIONS: Blank None

FORMS: Y or N Y Y

LOW BIDDER MEETING SPECIFICATIONS

PROPOSAL: Tubing must be in compliance with Federal Specifications: ASTM Specifications B-88, Type "K" Water Services. 3/4" and 1" coils to be packed in 60 foot rolls per carton.

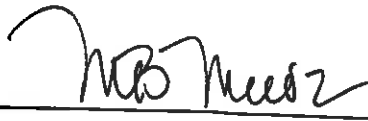
VENDOR NAME:			Progressive Plumbing Supply			Etna Supply Company		
City:			Warren, MI			Grand Rapids, MI		
ITEM #	Estimated quantity (feet)	Description	Manufacturer	Unit Price/Feet	Total Price	Manufacturer	Unit Price/Feet	Total Price
1	1,620	3/4" Type "K" Copper Tubing - 60-foot rolls. (27 rolls)	Cambridge Lee	\$ 2.55	\$ 4,132.62	Great Lakes	\$ 2.64	\$ 4,276.80
2	12,000	1" Type "K" Copper Tubing - 60-foot rolls. (200 rolls)	Cambridge Lee	\$ 3.33	\$39,900.00	Great Lakes	\$ 3.45	\$41,400.00
GRAND TOTAL:				\$	44,032.62		\$	45,676.80
TERMS:			Net 30 days			Net 30		
WARRANTY:			Manufacturer's warranty			1 year manufacturer		
DELIVERY DATE:			14 days (working)			5 days		
ACKNOWLEDGMENT: Y or N			Y			Y		
EXCEPTIONS:			Blank			Blank		
FORMS: Y or N			Y			Y		

*Addendum not attached

ATTEST:

- Enna Bachelor
- Kimberly Marks-Ball
- Sara Teets
- Emily Frontera

*Late bid received from Liberty Plumbing Supply on 4/23/15 at 12:16pm.



 MaryBeth Murz,
 Purchasing Manager

CHANGE TO:

PROPOSAL:

Tubing must be in compliance with Federal Specifications: ASTM Specifications B-88, Type "K" Water Services. 3/4" and 1" coils to be packed in 60 foot rolls per carton.

Item	Est. Feet	Description	Unit Price/Feet	Total Price
1	1,620 ft.	3/4" Type "K" Copper Tubing – 60 foot rolls. (27 rolls) Manufacturer: <u>Great Lakes</u>	\$ <u>2.43</u>	\$ <u>3,888.00</u>
2	12,000 ft.	1" Type "K" Copper Tubing – 60 foot rolls. (200 rolls) Manufacturer: <u>Great Lakes</u>	\$ <u>3.17</u>	\$ <u>38,040.00</u>
GRAND TOTAL				\$ <u>41,928.00</u>

3936.60

I, the undersigned Bidder, have read this addendum and have integrated the changes into the Bid Proposal documents for **ITB-COT 15-14, Copper Tubing**. All other items in the original proposal document remain the same. This addendum should be attached to the top of the proposal packet at the time of submission on or before **Thursday, April 23, 2015 at 10:00 A.M., EDT** in the Office of the City Clerk.

COMPANY:

HD Supply Waterworks

NAME OF REPRESENTATIVE:

Dan Nerbec

SIGNATURE OF AUTHORIZED REPRESENTATIVE:

Dan Nerbec (Print)

ADDRESS:

4901 Dewitt Rd
Canton, ME 04817

DATE:

4/22/15



April 10, 2015
Amendment / Addendum 1
ITB-COT 15-14
Copper Tubing
Page 1 of 2

To All Bidders:

Please be advised that the City of Troy Public Works and Purchasing Departments have authorized the following changes to the Bid Proposal for **ITB-COT 15-14, Copper Tubing**. The CHANGES will be considered an integral part of the original proposal documents.

A. CLARIFICATION:

Instructions to Bidders; page 2 of 2, #9

9. A cashier's check, certified check, or money order in the **amount of \$2,600.00 must accompany the bid to insure the bid**. The two lowest unsuccessful bidders will have their bid surety returned after the bid award. **BID BONDS ARE NOT ACCEPTABLE**. All other bidders will have their bid deposits returned after the bid has been opened for at least 72 hours. The bid deposit of the successful bidder will be retained as performance surety through contract completion. If the current provider has a bid surety on file for this contract, he/she may request to move the bid deposit forward to the new contract period. It shall be the responsibility of the vendor to make sure the deposit is still on file.

A cashier's check, certified check or money order is NOT REQUIRED for ITB-COT 15-14 Copper Tubing.

B. CHANGE FROM:

PROPOSAL:

Tubing must be in compliance with Federal Specifications: ASTM Specifications B-88, Type "K" Water Services. 3/4" and 1" coils to be packed in 60 foot rolls per carton.

Item	EST QTY (Tons)	Description	Unit Price	Total Price
1	1,600 FT	3/4" Type "K" Copper Tubing 60-foot rolls Manufacturer: <u>Great Lakes</u>	\$ <u>2.43</u>	\$ <u>3,988.00</u>
2	12,000 FT	1" Type "K" Copper Tubing 60-foot rolls Manufacturer: <u>Great Lakes</u>	\$ <u>3.17</u>	\$ <u>38,040.00</u>
GRAND TOTAL				\$ <u>41,928.00</u>



**CITY OF TROY
BID PROPOSAL**

ITB-COT 15-14
Page 2 of 3

CONTRACT FORMS:

Bidders should complete the Legal Status of Bidder, Non-Collusion Affidavit, Certification regarding Debarment and the Certification regarding "Iran Linked Business" forms and return with your bid proposal.

ESTIMATED QUANTITIES:

Quantities stated are estimated and not guaranteed. The quantities stated will be used for award purposes only and based upon past usage.

INFORMATION:

For additional information or questions about the specifications, please contact Emily Frontera, Office Coordinator at (248) 524-3373, between the hours of 8:00 AM through 4:30 PM, Monday through Friday.

AWARD:

Each item on this proposal will be considered as a separate bid. The City reserves the right to award the bid to the lowest responsible bidder for each item; to combine items if deemed in the City of Troy's best interest to do so; to reject low bids which have major deviations from the specifications; to accept a higher bid which has only minor deviations from the specifications.

LOCAL PREFERENCE:

The City of Troy reserves the right to award a contract to a local business, one which pays City of Troy taxes (real and/or personal), if the bid of a local vendor is within 5% of the lowest responsive and responsible non-local bidder, then the local vendor is given one chance to match the low bid.

DOWNPAYMENTS OR PREPAYMENTS:

Any proposal submitted which requires a down payment or prepayment of any kind prior to delivery and full acceptance, as being in conformance with specifications will not be considered for award.

PRICES:

Prices quoted shall remain firm for 60 days or bid award, whichever comes first, except the successful bidder(s) whose prices are to remain firm for the entire contract.

PURCHASE ORDER:

After the Troy City Council has approved the award, the successful bidder(s) will receive a purchase order issued from the City of Troy, which will create a bilateral contract between the City of Troy and the successful bidder. The purchase order shall commit the bidder to perform the contract in accordance with the specifications. A contract document will not be issued.

DEFAULTED VENDORS:

If a vendor has defaulted on a past City of Troy contract, that vendor may be precluded from bidding on this contract.

IMPORTANT:

All City of Troy purchases require a MATERIAL SAFETY DATA SHEET, where applicable, in compliance with the MIOSHA "Right to Know" Law. Please include a copy of any relevant MSDS at the time of bid submission.

CURRENCY:

All prices quoted are to be in U.S. Currency.



CITY OF TROY
 BID PROPOSAL

ITB-COT 15-14
 Page 1 of 3

The undersigned proposes to furnish TYPE K COPPER TUBING, in accordance with the attached specifications that are to be considered an integral part of this bid proposal, at the following prices:

COMPANY NAME: _____

PROPOSAL:

Tubing must be in compliance with Federal Specifications: ASTM Specifications B-88, Type "K" Water Services. 3/4" and 1" coils to be packed in 60 foot rolls per carton.

Item	EST QTY (Tons)	Description	Unit Price	Total Price
1	1,600 FT	3/4" Type "K" Copper Tubing 60-foot rolls Manufacturer: _____	\$ _____	\$ _____
2	12,000 FT	1" Type "K" Copper Tubing 60-foot rolls Manufacturer: _____	\$ _____	\$ _____
GRAND TOTAL				\$ _____

UNIT PRICES:

Unit prices prevail. The City of Troy Purchasing Department will correct all extension errors.

DELIVERY:

Items shall be delivered F.O.B. delivered to the City of Troy DPW Garage, 4693 Rochester Road, Troy, MI 48065.

SIGNATURE PAGE

PRICES: Prices quoted shall remain firm for 60 days or bid award, whichever comes first, except the successful bidder(s) whose prices are to remain firm for the entire contract period.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: Dan Napier

NOTE:

The undersigned has checked carefully the bid figures and understands that he/she shall be responsible for any error or omission in this bid offer and is in receipt of all addendum as issued.

COMPANY HD Supply Waterworks

ADDRESS 4901 Dewitt CITY Canton STATE MI ZIP 48188

TELEPHONE NO. (313) 405-3033 FAX NO. (313) 348-5970

REPRESENTATIVE'S NAME Dan Napier

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: Dan Napier (Print)

TERMS Net 30 WARRANTY Standard Manf. Warranty

E-MAIL Dan.Napier@HDSupply.com DELIVERY DATE(S): 7-10 DAYS
(After verbal release)

EXCEPTIONS:

Any exceptions, substitutions, deviations, etc. from the City specifications and this proposal must be stated below. The reason for the exception(s), deviation(s), or substitution(s) is an integral part of this bid offer.

ACKNOWLEDGEMENT:

I, Dan, certify that I have read the *Instructions to Bidders* (2 Pages) and that the bid proposal documents contained herein were obtained directly from the City's Purchasing Department or MITN website, www.mitn.info and is an official copy of the Authorized Version.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: Dan Napier

IMPORTANT: The City of Troy, at their discretion, may require the bidder(s) to supply a Financial Report from an Impartial Financial Credit Reporting Service before award of contract.

U.S. FUNDS: PRICES QUOTED SHALL BE IN U.S. CURRENCY.



Legal Status of Bidder:

The Bidder shall fill out the appropriate form and strike out the other two:

A corporation duly organized and doing business under the laws of the State of MI for whom Dan Nopice, bearing the office title of Sales Rep, whose signature is affixed to this proposal, is duly authorized to execute contracts.

A partnership, all members of which, with addresses, is:

City of Southfield, city of St Clair shores, city of Canton, PO Box 2055 Southfield MI 48037, 27600 Jefferson Ave St. Clair shores 48031, 1150 S. Canton Center Rd Canton MI 48188

AN INDIVIDUAL, WHOSE SIGNATURE IS AFFIXED TO THE PROPOSAL:

Dan Nopice, HD Supply Waterworks 4901 Dewitt Rd 48188



**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

The prospective participant certifies, to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in transactions under any non-procurement programs by any federal, state or local agency.
2. Have not, within the three year period preceding, had one or more public transactions (federal, state, or local) terminated for cause or default; and
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) and have not, within the three year period preceding the proposal, been convicted of or had a civil judgment rendered against it:
 - a. For the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction (federal, state, or local), or a procurement contract under such a public transaction;
 - b. For the violation of federal, or state antitrust statutes, including those proscribing price fixing between competitors, the allocation of customers between competitors, or bid rigging; or
 - c. For the commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

I understand that a false statement on this certification may be grounds for the rejection of this proposal or the termination of the award. In addition, the general grant of this authority exists within the City's Charter, Chapter 12, Section 12.2- Contracts.

I am able to certify to the above statements.

HA Supply Waterworks
Name of Agency/Company/Firm (Please Print)

Danny Wojcik Sales Rep
Name and title of authorized representative (Please Print)

Wojcik 4/22/15
Signature of authorized representative Date

I am unable to certify to the above statements. Attached is my explanation.



**VENDOR CERTIFICATION
THAT IT IS NOT AN
"IRAN LINKED BUSINESS"**

Pursuant to Michigan law, (the Iran Economic Sanctions Act, 2012 PA 517, MCL 129.311 et seq.), before accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must first certify that it is not an "IRAN LINKED BUSINESS", as defined by law.

Vendor	
Legal Name	HD Supply Waterworks
Street Address	4901 DeWitt RD
City	Canton
State, Zip	MI 48188
Corporate I.D. Number/State	
Taxpayer I.D. #	03-0550887

The undersigned, with: 1.) full knowledge of all of Vendors business activities, 2.) full knowledge of the requirements and possible penalties under the law MCL 129.311 et seq. and 3.) the full and complete authority to make this certification on behalf of the Vendor, by his/her signature below, certifies that: the Vendor is NOT an "IRAN LINKED BUSINESS" as require by MCL 129.311 et seq., and as such that Vendor is legally eligible to submit a bid and be considered for a possible contract to supply goods and/or services to the City of Troy.

Signature of Vendor's Authorized Agent: _____

Printed Name of Vendor's Authorized Agent: _____

Dan Napier

Witness Signature: _____

Printed Name of Witness: _____

RICH GRIFFIN



CITY OF TROY
OAKLAND COUNTY, MICHIGAN
NON-COLLUSION AFFIDAVIT

TO WHOM IT MAY CONCERN:

Dan Ray Napiec being duly sworn deposed, says that he/she
(Print Full Name)

is _____ The party making the foregoing proposal or bid,
(State Official Capacity in Firm)

that such bid is genuine and not collusion or sham; that said bidder has not colluded, conspired, connived, or agree, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding and has not in any manner directly or indirectly sought by agreement or collusion, or communication or conference, with any person to fix the bid price or affiant or any other bidder, or to fix any overhead, profit, or cost element of said bid price, or that of any other bidder, or to secure the advantage against the City of Troy or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true.

[Signature]
SIGNATURE OF PERSON SUBMITTING BID

NOTARY'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, 20__ in and for _____
County.

My commission expires:
