

CITY COUNCIL MINUTES

January 9, 2023

Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Axle Scale Replacement – Department of Public Works; Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Contract – Electrical Contractor Services

Resolution #2023-01-006-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** a contract for the Axle Scale Replacement at the Department of Public Works to the sole bidder meeting specifications; *NuWeigh Scales of Davisburg, MI*, for an estimated cost of \$64,976 and a 10% total project contingency amount of \$7,700, for an estimated total cost of \$72,676.

BE IT FURTHER RESOLVED, That Troy City Council hereby **WAIVES** the bid process and **APPROVES** a contract for electrical contractor services of the Axle Scale Replacement at the Department of Public Works to *Shaw Systems and Integration Inc. of Southfield, MI*, as per the attached proposal and as per the Oakland County Cooperative Purchasing Contract #005446/008405 for an estimated total cost of \$12,745, for an estimated project grand total of \$85,421, not to exceed budgetary limitations.

BE IT FINALLY RESOLVED, That the awards are **CONTINGENT** upon submission of proper contract and bid documents, including insurance certificates and all other specified requirements.

PURCHASE ORDER

No. 2023-00000776
DATE: 01/13/2023
PAGE: 1 of 1
FOB DESTINATION

Ship To
CITY OF TROY
Motor Pool
4693 ROCHESTER ROAD
TROY, MI 48085

Bill To
CITY OF TROY
Motor Pool
4693 ROCHESTER ROAD
TROY, MI 48085

EXPIRATION DATE
06/30/2023
COUNCIL RESOLUTION
2023-01-006-J-4a
INSTRUCTIONS
Return to Department

VENDOR NO. 123554

Vendor
NUWEIGH INC
10421 ENTERPRISE DR
DAVISBURG, MI 48350

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	Each	AXLE SCALE Vendor Part#: AXLE SCALE	64,976.0000	\$64,976.00

Entered By: Emily Frontera

\$64,976.00

Special Instructions:

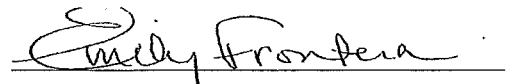
CITY COUNCIL AWARD DATE: 1/9/2023. Contract to furnish all LABOR, MATERIALS AND EQUIPMENT TO REPLACE THE DPW SCALE in accordance with the specifications and completion date of ITB-COT 22-20. CERTIFICATE OF INSURANCE and ENDORSEMENTS shall be on file through contract completion.

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.



PURCHASE ORDER

No. 2023-00000777
 DATE: 01/13/2023
 PAGE: 1 of 1
 FOB DESTINATION

Ship To
 CITY OF TROY
 Motor Pool
 4693 ROCHESTER ROAD
 TROY, MI 48085

Bill To
 CITY OF TROY
 Motor Pool
 4693 ROCHESTER ROAD
 TROY, MI 48085

EXPIRATION DATE
 06/30/2023
COUNCIL RESOLUTION
 2023-01-006-J-4a
INSTRUCTIONS
 Return to Department

VENDOR NO. 175784

Vendor
 SHAW SYSTEMS
 22100 TELEGRAPH RD
 SOUTHFIELD, MI 48033

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	Each	Single Year Construction - DPW AXLE SCALE - ELECTRICAL SERVICES Vendor Part#: ELECTRICAL SERVICES	12,745.0000	\$12,745.00

Entered By: Emily Frontera

\$12,745.00

Special Instructions:

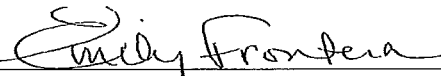
CITY COUNCIL AWARD DATE: 1/9/2023. Contract for ELECTRICAL SERVICES in accordance with the PROPOSAL SCOT220713002-1 and as per Oakland County Cooperative Contract 05446/08405 CERTIFICATE OF INSURANCE and ENDORSEMENTS shall be on file through contract completion.

TERMS & CONDITIONS

- Purchases of Municipalities are exempt from State Sales and Federal Excise Taxes.
- 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.
- 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.
- 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.



Opening Date: 12/15/2022
 Date Reviewed: 12/15/2022

CITY OF TROY
 BID TABULATION
 DPW AXLE SCALE

ITB-COT 22-20
 Page 1 of 1

VENDOR NAME:	NuWeigh Scales
CITY:	Davisburg, MI
CHECK #:	64218
CHECK AMOUNT:	\$3,750.00

PROPOSAL: FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO REPLACE THE DPW AXLE SCALE FOR THE CITY OF TROY

DESCRIPTION	TOTAL
PROPOSAL A:	
REMOVE AND REPLACE DPW AXLE SCALE: Furnish all labor, materials and equipment to replace the City's current axle scale. This includes the removal and disposal of old equipment.	\$64,976.00
TOTALS:	
Site Inspection Date:	Yes; 12/09/2022
Can Meet Completion Date: Y or N	Y
Ability to provide training: Y or N	Y
Authorized Dealer: Y or N	Y
Warranty:	5 Years
Work will not be subcontracted: Y or N	Y
Contact Information: Contact Person:	David Ferko; Amber Kler
Hours of Operation:	8:00 - 4:30
24 Hour Phone No.:	947-201-9394
References: Y or N	1 municipality reference provided
Can Meet Insurance: Y or N	Y
Payment Terms: Y or N	60 Days
Delivery Date: Y or N	April 2023
Exceptions:	None
Acknowledgement: Y or N	Y
Addendums 1 & 2: Y or N	Y
Forms: Y or N	Y

ATTEST:

(*Bid Opening conducted via a Zoom Meeting)

Brian Varney
Dennis Trantham
Andrew Chambliss
Beth Zaccardelli

 Emily Frontera
 Purchasing Manager



CITY OF TROY
BID PROPOSAL PAGE

ITB-COT 22-20
Page 1 of 6

The undersigned proposes to **FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO REPLACE THE DPW AXLE SCALE FOR THE CITY OF TROY**, in accordance with the specifications, which are to be considered an integral part of this proposal, at the following prices:

PROPOSAL: REMOVE AND REPLACE DPW AXLE SCALE

Furnish all labor, materials and equipment to replace the City's current axle scale.
This includes the removal and disposal of old equipment.

COMPLETE FOR THE SUM OF: \$ 169,976.⁰⁰

NOTE: The contractor will be required to provide and install the underground conduit from the kiosk to the DPW building. *The City of Troy will supply the required high and low voltage electrical conductors from kiosk to DPW building.*

NOTE: All items of work noted in the specifications that are not specifically noted in the proposal shall be considered as included in the contract and shall be constructed at no extra cost to the City of Troy.

SITE INSPECTION

Bidders **MUST** examine the site to determine the amount of work to be done in accordance with the specifications. Contact **Brian Varney, Fleet Operations Manager, Department of Public Works, 4693 Rochester Road, Troy, MI 48085** at (248) 524-3390 Monday through Friday, 8:00 a.m. to 4:30 p.m. to arrange a site visit.

- Our company visited the site on 12/9/22.
- Our company did not visit the site.

COMPLETION DATE:

It is anticipated that all work begin by April 15, 2023 and will be completed and invoiced by June 30, 2023.

- Our Company can meet this installation schedule
- Our Company cannot meet this installation schedule but offers: _____

TRAINING:

- Our company is able to provide training for this equipment
- Our company is unable to provide training for this equipment

AUTHORIZED DEALER: Vendor must be authorized to install and service Rice Lake products

- Our company is an authorized distributor of this equipment
- Our company is not an authorized distributor of this equipment.

STATE WARRANTY: 5 YEARS

COMPANY NAME: NAWSIGHT SCALES

CONTRACT FORMS:

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

CERTIFIED/CASHIER'S CHECK OR MONEY ORDER:

Each bid must be accompanied by a Certified or Cashier's Check, or Money Order in the amount of \$3750 as security for acceptance of the Contract. **BID BONDS ARE NOT ACCEPTABLE. A pdf version of this Certified/Cashier's Check or Money Order must be included with your Electronic Bid Submission Response.**

The bid check will be returned to the successful bidder upon submission of the specified, acceptable Performance, Labor and Materials Payment Bonds, and an executed two-year Maintenance Bonds in accordance with specifications.

ADDITIONAL INFORMATION:

Please submit all questions about the specifications or site, to **Brian Varney**, Fleet Operations Manager, at Brian.Varney@troymi.gov between the hours of 8:00 AM and 4:30 PM, Monday through Friday by the end of business on Monday, November 21, 2022.

DELIVERY:

All items are to be F.O.B. delivered freight paid, to the City of Troy Department of Public Works, 4693 Rochester Road, Troy, MI 48085. Materials are not to be delivered to the work site until work is to commence.

DOWN-PAYMENTS OR PREPAYMENTS:

Any bid proposal submitted which requires a down-payment or prepayment prior to delivery and full acceptance of the item(s) as being in conformance with specifications will not be considered for award.

AWARD:

The evaluation and award of this bid shall be a combination of factors, including but not limited to: cost, professional competence, equipment as specified, warranties, and the correlation of the proposal submitted to the needs of the City of Troy.

The City of Troy reserves the right to award this bid to the lowest responsible bidder(s) meeting specifications for the DPW **AXLE SCALE** project to combine the items in whatever manner is deemed to be in the City of Troy's best interest; to reject low bids which have major deviations from the specifications; to accept a higher bid which has only minor deviations. **Awarded vendor must be authorized to install and service Rice Lake products. Awarded vendor must be able to provide local support, service repairs and calibration after the installation.**

SUBCONTRACTORS:

Service and warranty work cannot be subcontracted. The successful bidders(s) must be able to service and repair the equipment bid with in-house personnel.

Our Company complies with this requirement: (Circle one) YES or NO

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.

COMPANY NAME: NUWEIGH SCALES

PURCHASE ORDER:

After approval of the successful bidder(s) by the Troy City Council, the purchase order issued from the City of Troy will create a bilateral contract between the parties and commit the successful bidder(s) to perform the contract in accordance with specifications. The Purchase orders will be released upon the City's acceptance of the specified insurance. A contract document/ agreement will not be issued.

CONTACT INFORMATION:

Name(s): DAVID FERKO 24 Hr. Phone No. (947) 201-9394
AMBER KIRK
Hours of operation: 8:00-4:30

REFERENCES:

Please list at least three (3) municipalities with that you have performed similar work completed by your company.

COMPANY: CITY OF STERLING HEIGHTS DPW
ADDRESS: 7200 18 MILE ROAD ST. HTS. MI 48314
CONTACT: ERIK SKURDA PHONE: (581) 446-2440
EMAIL: ESKURDA@STERLING-HEIGHTS.MI.GOV

COMPANY: _____
ADDRESS: _____
CONTACT: _____ PHONE: _____
EMAIL: _____

COMPANY: _____
ADDRESS: _____
CONTACT: _____ PHONE: _____
EMAIL: _____

PERMITS:

Building permits will be required and will be the responsibility of the successful bidder to obtain on behalf of the City of Troy. Any fees associated with the permits will be the responsibility of the City of Troy.

MICHIGAN CONSTRUCTION LIEN ACT:

The bidder agrees that, if awarded the Contract(s) he/she will abide by all requirements of the Michigan Construction Lien Act (P.A. 1980, No. 497) as amended and effective March 1, 1982, and to provide full and complete Sworn Statements on Owner-approved forms.

PUBLIC ACT 57:

The contractor shall abide by all requirements provided in Public Act 57 (copy attached).

BOND SUBMITTAL:

A Notice of Award letter will be sent by the Purchasing Department to the successful bidder upon approval by the Troy City Council. Once notified the Contractor shall qualify for, sign, and deliver to the City of Troy an executed Performance Bond, an executed Labor and Materials Payment Bond and One-year Maintenance Bond secured by a surety company, acceptable to the City of Troy by being licensed to do business in Michigan, and be included on the U. S. Treasury Department Surety List and/or have a rating of A (-) or better by A. M. Best, and/or Standard and Poors, on standard AIA forms, each in the amount of one hundred percent (100%) of the contract sum. Attorneys-in-fact, who sign Performance and Payment Bonds must file a certified copy of their power of attorney to sign such bonds. **The Contractor shall pay the cost of all bond premiums.**

COMPANY NAME: NUWEIGH SCALES

Insurance requirements shall be in accordance with the attached **SAMPLE INSURANCE CERTIFICATE and ENDORSEMENT**. The required Insurance Certificate and Endorsement must be submitted to the city within 5 days of the verbal/electronic request after the bid award. The Insurance Certificate and Endorsement may be faxed to the Purchasing Office at (248) 619-7608, and is the only bid document accepted in this format.

The contractor, or any of their subcontractors, shall not commence work under this contract until they have obtained the insurance required, and shall keep such insurance in force during the entire life of this contract. All coverage shall be with insurance companies licensed and admitted to business in the State of Michigan and acceptable to the City of Troy. The requirements below should not be interpreted to limit the liability of the Contractor. All deductibles and self-insured retentions (SIR's) are the responsibility of the Contractor.

- We can meet the specified insurance requirements.
- We cannot meet the specified insurance requirements.
- We do not carry the specified limits but can obtain the additional insurance coverage of \$ _____, at the cost of \$ _____.
NOTE: Please note the amendments on a sample insurance certificate and attach it to your bid proposal.
- Our proposal is reduced by \$ _____ if we lower the requirement to \$ _____.
NOTE: Please note the amendments on a sample insurance certificate and attach it to your bid proposal.

IMPORTANT: A Certificate of Insurance on an ACORD Form showing present coverage as well as the required endorsements SHALL be attached to the proposal document at the time of submission of the proposal to the Office of the City Clerk.

NOTE: Failure on the part of any bidder to contact his/her insurance carrier to verify that the insurance carried by the bidder meets City of Troy specifications may result in this proposal being completed incorrectly.

OTHER: Sole proprietors must execute a certificate of exemption from Worker's Compensation requirements or provide proof of Worker's Compensation Insurance. All coverage shall be with insurance carriers licensed and admitted to do business in Michigan in accordance with all applicable statutes of the State of Michigan and acceptable to the City of Troy.

INSURANCE VERIFICATION:

A bidder shall complete the above portion, which details additional costs that may be incurred for specified coverage without purchasing the additional coverage prior to bid submission.

WORKERS' COMPENSATION INSURANCE, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

COMMERCIAL GENERAL LIABILITY INSURANCE on an "Occurrence Basis" with limits of liability not less than \$1,000,000.00 per occurrence and aggregate. Coverage shall include the following extensions: (A) Contractual liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent, if not already included; (E) Deletion of all Explosion, Collapse, and Underground (XCU) Exclusions, if applicable.

AUTOMOBILE LIABILITY, including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000.00 per occurrence combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

COMPANY NAME: HAWKINS SCALAS

ADDITIONAL INSURED:

Commercial General Liability and Automobile Liability, as described in the attached SAMPLE shall include an Additional Insured Endorsement stating the following shall be **Additional Insureds**: The City of Troy including all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and council members, including employees and volunteers thereof. It is understood and agreed by naming the City of Troy as additional insured, coverage afforded is considered to be primary and any other insurance the City of Troy may have in effect shall be considered secondary and/or excess.

CANCELLATION NOTICE:

All policies, as described above, shall include an endorsement stating that it is understood and agreed that Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be mailed to:

City of Troy
Purchasing Manager
500 West Big Beaver
Troy, MI 48084

PROOF OF INSURANCE COVERAGE:

The Contractor shall provide the City of Troy, at the time that the contracts are returned by him/her for execution, a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, if applicable, a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be acceptable. Copies or certified copies of all policies mentioned above all shall be furnished, if so requested.

If any of the applicable coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and endorsements to the City of Troy at least ten (10) days prior to the expiration date.

LETTER VERIFICATION:

The recommended bidder will be notified to submit a letter from the *insurance agent or carrier* that the insurance to be supplied will meet specifications. As an alternative, the recommended bidder may submit the certificate of insurance meeting specifications at this time at his/her option. ***The City must receive this letter or certificate within 5 business days after verbal/electronic notification has been delivered to the recommended bidder or the bidder will be considered non-responsive and the bid un-awardable.*** This process will occur before presentation of the award recommendation to the Troy City Council.

FINAL INSURANCE CERTIFICATE SUBMISSION:

After approval by Troy City Council, the City's Purchasing Manager will review the insurance certificates and endorsements to ensure all acceptable documents have been received and allow (5) business additional days after verbal / electronic notification to submit final insurance certificate(s) in accordance with specifications. The City of Troy reserves the right to WITHHOLD AND KEEP any bid surety for failure to comply. The company will be considered in default of contract and will be barred from doing business with the City of Troy for a minimum of three (3) years for failing to meet insurance requirements.

COMPANY NAME: NU WEIGH SCALES

SIGNATURE PAGE

PRICES:

Prices shall remain firm for 60 days or bid award, whichever comes first, except the successful bidder(s) whose prices shall remain firm through delivery, trade-in pick-up, and final acceptance as operational in accordance with specifications.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: DL Flo

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 addenda as issued.

TAX ID#: 38-2391460

COMPANY NAME: NEWWEIGHT SCALES

ADDRESS 10921 ENTERPRISE DR CITY DAVISBURG STATE MI ZIP 48350

PHONE NUMBER (248) 922-1435 FAX NUMBER (248) 922-1465

REPRESENTATIVE'S NAME DAVID FERKO
(Print)

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE DL Flo

PAYMENT TERMS: 60 DAYS WARRANTY: 5 YEARS

E-MAIL: DAVID@NEWWEIGHT.COM DELIVERY DATE: APRIL 2023

BID DEPOSIT CHECK# 64218

EXCEPTIONS:

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

N/A

ACKNOWLEDGEMENT:

I, DAVID FERKO, certify that I have read the *Instructions to Bidders* (3 Pages) and that the bid proposal documents contained herein were obtained directly from the City's Purchasing Department or MITN website, www.bidnetdirect.com/city-of-troy-mi and is an official copy of the Authorized Version.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: DL Flo

NOTE: 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.

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

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



November 15, 2022

Addendum 1
ITB-COT 22-20
DPW Axle Scale Replacement
Page 1 of 1

To All Bidders:

Please be advised, the following document has been submitted for clarification for **ITB-COT 22-20 DPW Axle Scale Replacement**. The clarification(s) and or change(s) will be considered an integral part of the original proposal document.

The following changes are as follows:

- Bid Opening date and time have changed. Bid Opening is now Thursday, December 8, 2022, at 10:00 AM Eastern Time.

Please be advised that the City of Troy Purchasing Department has authorized the following change regarding Bid Proposal **ITB-COT 22-20 DPW Axle Scale Replacement**. The CHANGES will be considered an integral part of the original proposal documents and to be included with the bid submission.

I, the undersigned bidder, have read this Addendum 1 and have integrated the clarification(s) and or change(s) into the *Bid Proposal and Specifications* for **ITB-COT 22-20 DPW Axle Scale Replacement**. All other items in the original bid proposal remain the same. This Addendum 1 should be attached to the electronic bid submission, on or before **Thursday, DECEMBER 8, 2022 at 10:00 AM EST** via MITN Purchasing Group Website.

COMPANY:

Nu WEIGH SCALES

NAME OF AUTHORIZED COMPANY REPRESENTATIVE:

DAVID FERKO

SIGNATURE:

DL Ferko

ADDRESS:

10421 ENTERPRISE DRIVE

DAVISBURGH, MI. 48350

DATE:

12/14/22



November 29, 2022

Addendum 2
ITB-COT 22-20
DPW Axle Scale Replacement
Page 1 of 1

To All Bidders:

Please be advised, the following document has been submitted for clarification for **ITB-COT 22-20 DPW Axle Scale Replacement**. The clarification(s) and or change(s) will be considered an integral part of the original proposal document.

The following changes are as follows:

- Bid Opening date and time have changed. Bid Opening is now **Thursday, December 15, 2022, at 10:00 AM Eastern Time.**
- **The Mandatory Site Visit deadline has been extended.** Vendors will now have an additional opportunity to schedule a site visit with the Fleet Operations Manager, Brian Varney. The deadline for Mandatory Site Visits is now **Tuesday, December 13th**. Brian Varney can be reached at Brian.Varney@troymi.gov between the hours of 8:00 AM and 4:30 PM, Monday through Friday.

Please be advised that the City of Troy Purchasing Department has authorized the following change regarding Bid Proposal **ITB-COT 22-20 DPW Axle Scale Replacement**. The **CHANGES** will be considered an integral part of the original proposal documents and to be included with the bid submission.

I, the undersigned bidder, have read this Addendum 2 and have integrated the clarification(s) and or change(s) into the *Bid Proposal* and *Specifications* for **ITB-COT 22-20 DPW Axle Scale Replacement**. All other items in the original bid proposal remain the same. This Addendum 2 should be attached to the electronic bid submission, on or before **Thursday, DECEMBER 15, 2022 at 10:00 AM EST** via MITN Purchasing Group Website.

COMPANY:

NUWEIGH SCALES

NAME OF AUTHORIZED COMPANY REPRESENTATIVE:

DAVID FERKO

SIGNATURE:

DL Fo

ADDRESS:

10421 ENTERPRISE DRIVE

DAVISBURG, MI. 48350

DATE:

12/14/22



**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.

NUWEIGHT SCALES
Name of Agency/Company/Firm (Please Print)

DAVID FERKO Commercial Director
Name and title of authorized representative (Please Print)

DJF/lo 12/14/22
Signature of authorized representative
Date

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



Proposer's Sworn and Notarized Familial Disclosure
(to be provided by the Proposer)

The undersigned, the owner or authorized officer of NUWEIGH SCALES (the "Proposer"), pursuant to the familial disclosure requirement provided in the Request for Proposal, hereby represent and warrant, except as provided below, that no familial relationships exist between the owner(s) or any employees of NUWEIGH SCALES and any member of the City of Troy City Council or City of Troy management.

List any Familial Relationships:

None

BIDDER:

NUWEIGH SCALES

By: DAVID FERKO

Its: COMMERCIAL DIRECTOR

STATE OF MICHIGAN

)ss.

COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 2022, by



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 MICHIGAN for whom DAVID FERKO, bearing the office title of COMMERCIAL DIRECTOR whose signature is affixed to this proposal, is duly authorized to execute contracts.

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

AN **INDIVIDUAL**, WHOSE SIGNATURE IS AFFIXED TO THE PROPOSAL:

_____	_____
-------	-------



**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	NUWEIGH SCALES
Street Address	10421 ENTERPRISE DRIVE
City	DAVISBURG
State, Zip	MI. 48350
Corporate I.D. Number/State	
Taxpayer I.D. #	38-2391460

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:

David Fero

Printed Name of Vendor's Authorized Agent:

DAVID FERKO

Witness Signature:

Amber Kier

Printed Name of Witness:

AMBER KIER



CITY OF TROY
OAKLAND COUNTY, MICHIGAN
NON-COLLUSION AFFIDAVIT

TO WHOM IT MAY CONCERN:

DAVID FERKE, being duly sworn deposed, says that he/she
(Print Full Name)

is COMMERCIAL DIRECTOR. 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.

DL Ferke
SIGNATURE OF PERSON SUBMITTING BID

NOTARY'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, 2022__ in and for _____ County.

My commission expires:



**City of Troy
Oakland County, Michigan
Contractor's Declaration**

I hereby declare that I have not, during the period _____ to December 14, A.D. 2022 Performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created or otherwise done anything for which I shall ask, demand, sue for, or claim compensation from _____ executed between myself and the City, and in the Change Orders for work issued by the City in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extension of time, as set forth on the itemized statement attached hereto.

There _____ an itemized statement attached.
Is / is not

Date: 12/19/22

Contractor: MUWEIAT SCALES

By: DAVID FERKO

Title: COMMERCIAL DIRECTOR



10421 Enterprise Drive
 Davisburg, Michigan 48350
 248.922.1435
 Since 1982

To: Mr. Brian Varney
 City Of Troy
 4693 Rochester Road
 Troy, MI. 48085

Sales	JOB	SHIPPING METHOD	SHIPPING TERMS	Est. Delivery Date	PAYMENT TERMS	DUE DATE
David.		Truck	FOB Mfg.	16 Weeks	30 Days	

QTY	ITEM #	DESCRIPTION	UNIT PRICE	DISCOUNT	LINE TOTAL
1.00	2925729.2	Rice Lake Custom 12' 1280 Kiosk. Painted Mild Steel with ticket basket, single channel A/D card and wire to quick connect terminal blocks. Direct thermal kiosk printer. 200 Watt kiosk heater.	\$10,465.00		\$10,465.00
1.00	2925729.1	Custom 1280 iRite Program. 1280 Axle weighing program.	\$1,512.00		\$1,512.00
1.00	109163	Swing Arm-Pole/Base 12 ft. Assembly and Hardware.	\$1,585.00		\$1,585.00
1.00	167093	Display, Laser Light 2 S/G 4 inch LED with Stop and Go Laser Light, painted steel enclosure.	\$2,400.00		\$2,400.00
1.00	77775	Pole, Mount Kit.	\$250.00		\$250.00
1.00	3316020.1	truck in/out program per customer requirements (Please see attached PDF truck in/out and NuWeigh Axle Document for details).	\$7,525.00		\$7,525.00
1.00	169647	Rough Deck Kit AX-1 10FT x 10 FT, 50,000lb. Capacity scale with frame.	\$19,557.00		\$19,557.00
1.00	Option	Optional Man Hole Opening on Scale Deck.	\$932.00		\$932.00
	Concrete	For Both the scale area as well as the new 4 X 4 box for the electronics display area next to the island and sidewalk section replace/repour for conduit run to the building.	\$15,950.00		\$15,950.00
	Cal.	Delivery, Set-Up and Calibration.	\$3,500.00		\$3,500.00
		This quote does not include freight			
		Quote is valid for 30 days			
			\$63,676.00		

Quotation prepared by: David Ferko Cell (248) 459-9870

This is a quotation on the goods named, subject to our standard conditions:
 All special and unique products require a deposit.
 Payment terms are managed by our Financial Services Department.

To accept this quotation, sign here and return:

TOTAL DISCOUNT

SUBTOTAL	\$63,676.00
SALES TAX	
TOTAL	\$ 63,676.00



500 West Big Beaver
 Troy, MI 48084
 troymi.gov

CITY COUNCIL AGENDA ITEM

Date: January 3, 2023

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
 Rob Maleszyk, Chief Financial Officer
 Dee Ann Irby, Controller
 Kurt Bovensiep, Public Works Director
 Brian Varney, Fleet Operations Manager
 Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Axle Scale Replacement – Department of Public Works
 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Contract – Electrical Contractor Services

History

- The axle scale located at the Department of Public Works is a critical tool used daily by staff, vendors, and the public.
- The axle scale is used for inventory control of bulk materials and provides load weight information to drivers so that vehicles can stay in compliance with weight limitations and restrictions.
- The axle scale is used by the Police Traffic Division to enforce frost laws and weight limit restrictions.
- The axle scale was originally installed approximately in 1975 and then rebuilt in 2007.
- The axle scale has exceeded life expectancy and with repair parts becoming obsolete the scale needs to be replaced.
- The new axle scale will be integrated to the City network for better inventory control and record keeping.

Purchasing

- On December 15, 2022 a bid opening was conducted as required by the City Charter/Code for the Axle Scale Replacement at the Department of Public Works.
- The bid was posted on the MITN Purchasing Group website; www.bidnetdirect.com/city-of-troy-mi.
- Forty-one (41) vendors were notified via the MITN website. One (1) bid response was received. Below is a detail summary of the potential vendors:

Companies notified via MITN	41
Troy Companies notified via MITN	1
Troy Companies notified Active email Notification	1
Troy Companies - Active Free	0
Companies that viewed the bid	27
Troy Companies that viewed the bid	0

MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.

Active MITN members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.

Active MITN non-paying members are responsible to monitor and check the MITN website for opportunities to do business with the City. **Inactive MITN** member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.



500 West Big Beaver
 Troy, MI 48084
 troymi.gov

CITY COUNCIL AGENDA ITEM

Purchasing (continued)

- *NuWeigh Scales of Davisburg, MI* is the sole bidder meeting specifications and is being recommended for award.
- *NuWeigh Scales* is a leading commercial scale company in Michigan and has been providing scale calibration and repair services to the City on an as needed basis.
- Pricing for electrical contractor services including all labor, materials and equipment for the Axle Scale Replacement has been secured by *Shaw Systems and Integration Inc. of Southfield, Michigan* through the Oakland County Cooperative Purchasing Contract #005446/008405 as per proposal ID SCOT220713002-1.
- City Council authorized participation in the Cooperative Purchasing Program on November 14, 2022 (Resolution #2022-11-157)

Financial

- Funds are budgeted and available in the Public Works Capital Fund with associated project number 2023C0091 for the 2023 fiscal year.
- Total available budget in Project Number 2023C0091 is \$75,000. Estimated total cost for this project is \$85,421. Additional funds are available in the Fleet Capital Fund to cover the shortfall of \$10,421 in the unused portion of Project Number 2022C0093.
- Expenditures will be charged to account number 661.549.565.7975.900.

Axle Scale Replacement	Cost	Project Number	Budget
NuWeigh Scales	\$64,976	2023C0091	\$75,000
Shaw Systems	\$12,745	2022C0091	
Contingency 10%	\$ 7,700	2022C0091	
Total Cost	\$85,421		\$-10,421

Recommendation

City Management recommends awarding a contract for the Axle Scale Replacement at the Department of Public Works to the sole bidder meeting specifications; *NuWeigh Scales of Davisburg, MI* at prices contained in the attached bid tabulation, opened December 15, 2022 for an estimated cost of \$64,976.00 and a 10% total project contingency amount of \$7,700, for an estimated total cost of \$72,676.

City Management further recommends that the bid process be waived and a contract for electrical contractor services of the Axle Scale Replacement at the Department of Public Works be awarded to *Shaw Systems and Integration Inc. of Southfield, MI*, as detailed in the attached proposal as per the Oakland County Cooperative Purchasing Contract #005446/008405 for an estimated total cost of \$12,745, for an estimated project grand total of \$85,421.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/13/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Al Bourdeau Insurance Agency 3835 Davison Road Flint MI 48506	CONTACT NAME: Melissa Bernard	
	PHONE (A/C, No, Ext): (800) 537-3373 FAX (A/C, No): (810) 250-5992 E-MAIL ADDRESS: melissab@albourdeau.com	
INSURED NU-WEIGH SCALES, INC. 10421 ENTERPRISE DR DAVISBURG MI 48350-1345	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : EMCASCO Insurance Co	21407
	INSURER B : Employers Mutual Casualty Co	21415
	INSURER C :	
	INSURER D :	
	INSURER E :	

COVERAGES CERTIFICATE NUMBER: CL2232369056 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	Y	3D55041	03/14/2022	03/14/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	Y	Y	3E55041	03/14/2022	03/14/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			3J55041	03/14/2022	03/14/2023	COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	3H55041	03/14/2022	03/14/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Troy including all elected & appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and council members including employees and volunteers thereof is included as additional insured with Waiver of subrogation with primary and non contributory and 30 day notice of cancellation per endorsement issued by the company on General Liability and Automobile Liability.

CERTIFICATE HOLDER

City of Troy
Purchasing Manager
500 WEst Big Beaver
Troy MI 48084

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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