

CITY COUNCIL MINUTES

November 11, 2024

**Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications –
Rotadairon Brush Cutter and Soil Renovator**

Resolution #2024-11-157-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase one (1) Rotadairon Brush Cutter and one (1) Rotadairon Soil Renovator from *MacAllister Machinery Co., Inc. dba Michigan CAT of Shelby Twp., MI*, for an estimated total cost of \$24,398.00, at prices contained in the bid tabulation dated November 7, 2024, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; not to exceed budgetary limitations.

PURCHASE ORDER

No. 2025-00000833
DATE: 12/23/2024
PAGE: 1 of 1
FOB DESTINATION


Ship To
CITY OF TROY
Building Operations
4695 ROCHESTER ROAD
TROY, MI 48085

Bill To
CITY OF TROY
Building Operations
4693 ROCHESTER ROAD
TROY, MI 48085

COUNCIL RESOLUTION
2024-11-157-J-4a

VENDOR NO. 177044

Vendor
MICHIGAN CAT
6300 SOUTHEASTERN AVE
INDIANAPOLIS, IN 46203

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	Each	Grounds - Rotadairon Brush Cutter Model Number BRD50	13,943.0000	\$13,943.00
1	Each	Grounds - Rotadairon Soil Renovator Model STH36	10,455.0000	\$10,455.00
				

Entered By: Nellie Bert

\$24,398.00

Special Instructions:


CITY COUNCIL AWARD DATE: 11/25/2024. Contract for Rotadairon Brush Cutter & Soil Renovator in accordance with the specifications and completion date of ITB-COT 24-27.

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: 11/07/2024
Reviewed Date: 11/07/2024

BID TABULATION
CITY OF TROY
BRUSH CUTTER & SOIL RENOVATOR

ITB-COT 24-27
Pg. 1 of 1

Vendor Name:	MacAllister Machinery Co., Inc. dba Michigan CAT
City:	Shelby Twp., MI
Check Amount:	\$1,250.00
Check Number:	9206966702

BID PROPOSAL: TO FURNISH ONE (1) ROTADAIRON BRUSH CUTTER AND ONE (1) ROTADAIRON SOIL RENOVATOR

PROPOSAL A: ROTADAIRON BRUSH CUTTER (Model Number BRD50)

Price for one:	\$13,943.00
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PROPOSAL B: ROTADAIRON SOIL RENOVATOR (Model Number STH36)

Price for one:	\$10,455.00
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Total Cost:	\$24,398.00
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Authorized Dealer:	Y or N	N
State Warranty:		https://www.rotadairon.fr/en/terms-and-conditions-of-sale/ (See Article 8 - Guarantees)
Hours of Operation:		7am - 5pm
Contact Phone No.:		586-855-2854
References:	Y or N	Y
Payment Terms:		Net 30
Warranty:		See : https://www.rotadairon.fr/en/terms-and-conditions-of-sale/ (See Article 8 - Guarantees)
Delivery:		Currently in stock at manufacturer
Exceptions:	Y or N	Section 6 - added comment only if the fault of Michigan CAT
Acknowledgement:	Y or N	Y
Forms:	Y or N	Y

Wear Parts & Equipment Co., Inc. - No Bid

ATTEST:
(*Bid Opening conducted via a Zoom Meeting)
Dennis Trantham
Andrew Chambliss
Nellie Bert
Dina Gates

Emily Frontera
Purchasing Manager



**CITY OF TROY
BID PROPOSAL**

ITB-COT 24-26

Page 1 of 4

The undersigned proposes to furnish **ONE (1) ROTADAIRON BRUSH CUTTER AND ONE (1) ROTADAIRON SOIL RENOVATOR**, in accordance with the specifications attached hereto and to be considered an integral part of the proposal at the following price:

COMPANY NAME: MacAllister Machinery Co., Inc. dba Michigan CAT

PROPOSAL A: ROTADAIRON BRUSH CUTTER (Model Number BRD50)

Price for one \$ \$13,943.00 each

PROPOSAL B: ROTADAIRON SOIL RENOVATOR (Model Number STH36)

Price for one \$ 10,455.00 each if both purchased

Total Cost: \$ 24,398.00

No installation will be required. Items should arrive prepared to operate on a Vermeer CTX 160 Mini Skid Steer.

NOTE: Include all delivery costs, handling, packaging and service charges, if any.

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

AUTHORIZED DEALER: () Our Company is an authorized distributor of this equipment
(x) Our Company is not an authorized distributor of this equipment

STATE WARRANTY: https://www.rotadairon.fr/en/terms-and-conditions-of-sale/

Please see Article 8 - Guarantees in the website link above

QUANTITIES:

Quantities stated are estimated in good faith but not guaranteed. They will be used for award purposes and are based on past usage. The City of Troy will not be penalized for buying more or less than the stated quantities

DELIVERY:

All equipment will be F.O.B. delivered freight paid to DPW yard, 4693 Rochester Rd. in accordance with specifications.

DOWNPAYMENTS AND PREPAYMENTS:

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

AWARD:

The City of Troy reserves the right to award this bid to the lowest total responsible bidder meeting specifications; to reject low bids which have major deviations from the specifications; to accept a higher bid which has only minor deviations.

ADDITIONAL INFORMATION:

For additional information or questions concerning this contract, please contact DENNIS TRANTHAM, at (248) 524-3501.

CONTACT INFORMATION:

Hours of operation: 7:00 am - 5:00 pm general office hours Contact Phone No. 586-855-2854

LOCAL PREFERENCE:

If the bid of a local vendor, one who pays taxes to Troy, 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, all other provisions being equal.

CONTRACT FORMS:

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

COMPANY NAME: MacAllister Machinery Co., Inc. dba Michigan CAT

BID DEPOSIT AND FORFEITURE:

A pdf version of the Cashier's Check or Money Order must be included with the bid submission to insure the bid. Failure to do so may result in rejection of the submitted proposal as non-responsive or incomplete. The bid deposit of the lowest bidder shall be forfeit if, after bid opening, a change in the bid price or other provision of the bid is required by the bidder that is prejudicial to the interest of the City of Troy or fair competition.

REFERENCES:

The City of Troy requires that your company list at least three (3) clients who have recently had similar work performed by your company.

COMPANY:	<u>Local Life Landscaping</u>		
ADDRESS:	<u>8065 JACKSON RD</u>	CITY: <u>ANN ARBOR</u>	ZIP: <u>48103</u>
TELEPHONE:	<u>(734) 255-4898</u>	CONTACT: <u>Tim Ewen</u>	
EMAIL:			
COMPANY:	<u>Matice Landscaping</u>		
ADDRESS:	<u>5649 PEBBLES HIRE</u>	CITY: <u>BLOOMFIELD HILLS</u>	ZIP: <u>48301</u>
TELEPHONE:	<u>(248) 860-6624</u>	CONTACT: <u>Randy Matice</u>	
EMAIL:			
COMPANY:	<u>Dalco Services LLC</u>		
ADDRESS:	<u>59187 NORTH AVE</u>	CITY: <u>RAY</u>	ZIP: <u>48096</u>
TELEPHONE:	<u>(586) 337-7242</u>	CONTACT: <u>Zack Williams</u>	
EMAIL:			

COMPANY NAME: MacAllister Machinery Co., Inc. dba Michigan CAT

SIGNATURE PAGE

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

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: _____

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:

35-0791060

COMPANY: MacAllister Machinery Co., Inc. dba Michigan CAT

ADDRESS: 12550 23 Mile Road CITY: Shelby Twp STATE: MI ZIP: 48315

TELEPHONE #: 586-855-2854 FAX #: _____

REPRESENTATIVE'S NAME: Matthew Swain

(Print)

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: _____

PAYMENT TERMS net 30 WARRANTY: see article 8 at:

<https://www.rotadairon.fr/en/terms-and-conditions-of-sale/>

E-MAIL: Matthew.swain@michigancat.com DELIVERY: currently in stock at manufacturer,
subject to change

BID CHECK#: 9206966702

EXCEPTIONS:

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

section 6 - added comment only if the fault of Michigan CAT

ACKNOWLEDGEMENT:

I, Matthew Swain, 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.mitn.info and is an official copy of the Authorized Version.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE: _____

IMPORTANT: All City of Troy purchases require a MATERIAL SAFETY DATA SHEETS, where applicable, in compliance with the MIOSHA "Right to Know" Law.

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.

U.S. FUNDS: All prices quoted are to 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 Indiana for
of whom Matthew Swain, bearing the office title of Account Representative, 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:

_____	_____
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CITY OF TROY
OAKLAND COUNTY, MICHIGAN
NON-COLLUSION AFFIDAVIT

TO WHOM IT MAY CONCERN:

Matthew Swain
(Print Full Name), being duly sworn deposed, says that he/she

is Account Representative. 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.

A handwritten signature in black ink, appearing to read 'Matt Swain', written over a horizontal line.

SIGNATURE OF PERSON SUBMITTING BID

A handwritten signature in black ink, appearing to read 'Jordyn Burke', written over a horizontal line.

NOTARY'S SIGNATURE

Subscribed and sworn to before me this 0 day of November, 2024
in and for Macomb County.

My commission expires:

01-02-2030

Jordyn Burke
Notary Public, State of Michigan
County of Macomb
My Commission Expires January 2, 2030
Acting in County of Oakland



**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.

[x] I am able to certify to the above statements.

MacAllister Machinery Co., Inc. dba Michigan CAT

Name of Agency/Company/Firm *(Please Print)*

Matthew Swain, Account Representative

Name and title of authorized representative *(Please Print)*

Signature of authorized representative

11/6/2024

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	MacAllister Machinery Co., Inc. dba Michigan CAT
Street Address	12550 23 Mile Road
City	Shelby Twp
State, Zip	MI 48315
Corporate I.D. Number/State	35-0791060 Indiana
Taxpayer I.D. #	35-0791060

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:

A handwritten signature in black ink, appearing to read 'Matthew Swain', written over a horizontal line.

Printed Name of Vendor's Authorized Agent: Matthew Swain

Witness Signature:

A handwritten signature in black ink, appearing to read 'Ashley Wyzukowski', written over a horizontal line.

Printed Name of Witness: Ashley Wyzukowski

G:\ BidLanguage_IranLinkedBusiness



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

The undersigned, the owner or authorized officer of MacAllister Machinery Co., Inc. dba Michigan CAT (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 Michigan CAT and any member of the City of Troy City Council or City of Troy management.

List any Familial Relationships:

BIDDER:

By: Matthew J. Swain

Its: Account Representative

STATE OF MICHIGAN)

)ss.

COUNTY OF Oakland

This instrument was acknowledged before me on the 6 day of November 2024, by

Matthew J. Swain

Jordyn Burke

Jordyn Burke
Notary Public, State of Michigan
County of Macomb
My Commission Expires January 2, 2030
Acting in County of Oakland



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: November 19, 2024

To: Frank Nastasi, City Manager

From: Robert J. Bruner, Deputy City Manager
Rob Maleszyk, Chief Financial Officer
Kyle Vieth, Controller
Kurt Bovensiepe, Public Works Director
Dennis Trantham, Deputy Public Works Director
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications
Rotadairon Brush Cutter and Soil Renovator

History

The Grounds Division is responsible for the maintenance of all municipal grounds, including the urban forest within Rights-of-Way and on municipal properties, as well as athletic field maintenance. Using versatile equipment and accessories enhances the division's efficiency in managing approximately 1,000 acres of developed and undeveloped parkland in the City of Troy.

The Rotadairon Brush Cutter and Soil Renovator will enhance the Grounds Division's efficiency by streamlining vegetation management. The brush cutter clears dense, overgrown areas quickly, improving accessibility and reducing manual labor. The soil renovator aids in turf restoration by preparing the soil and seed bed.

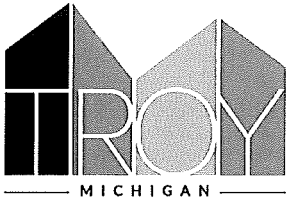
Purchasing

On November 7, 2024, a bid opening was conducted as required by the City Charter/Code for the purchase of a Rotadairon Brush Cutter and a Soil Renovator for the Department of Public Works Grounds Division. The bid was posted on the MITN Purchasing Group website; www.bidnetdirect.com//city-of-troy-mi. Four hundred forty-five (445) vendors were notified via the MITN website. One (1) bid proposal was received as well as one (1) statement of no bid. Below is a detailed summary of potential vendors for this bid opportunity.

Companies notified via MITN	445
Troy Companies notified via MITN	9
Troy Companies - Active email Notification	9
Troy Companies - Free	0
Companies that viewed the bid	26
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.

After review of the bid proposal, *MacAllister Machinery Co., Inc. dba Michigan CAT of Shelby Twp., MI* is the sole bidder meeting specifications and is being recommended for award.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Financial

Funds are budgeted and available in the Public Works Administration Capital Fund under Project Number 2025C0037 for the 2025 fiscal year. Expenditures will be charged to account number 401.464.978.010.

Recommendation

City Management recommends awarding a contract for the purchase of one (1) Rotadairon Brush Cutter and one (1) Rotadairon Soil Renovator to *MacAllister Machinery Co., Inc. dba Michigan CAT* of *Shelby Twp., MI* for an estimated total cost of \$24,398.00 at unit prices contained in the bid tabulation opened November 7, 2024; not to exceed budgetary limitations.

Opening Date: 11/07/2024
Reviewed Date: 11/07/2024

BID TABULATION
CITY OF TROY
BRUSH CUTTER & SOIL RENOVATOR

ITB-COT 24-27
Pg. 1 of 1

Vendor Name:	MacAllister Machinery Co., Inc. dba Michigan CAT
City:	Shelby Twp., MI
Check Amount:	\$1,250.00
Check Number:	9206966702

BID PROPOSAL: TO FURNISH ONE (1) ROTADAIRON BRUSH CUTTER AND ONE (1) ROTADAIRON SOIL RENOVATOR

PROPOSAL A: ROTADAIRON BRUSH CUTTER (Model Number BRD50)

Price for one:	\$13,943.00
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PROPOSAL B: ROTADAIRON SOIL RENOVATOR (Model Number STH36)

Price for one:	\$10,455.00
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Total Cost:	\$24,398.00
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Authorized Dealer:	Y or N	N
State Warranty:		https://www.rotadairon.fr/en/terms-and-conditions-of-sale/ (See Article 8 - Guarantees)
Hours of Operation:		7am - 5pm
Contact Phone No.:		586-855-2854
References:	Y or N	Y
Payment Terms:		Net 30
Warranty:		See: https://www.rotadairon.fr/en/terms-and-conditions-of-sale/ (See Article 8 - Guarantees)
Delivery:		Currently in stock at manufacturer
Exceptions:	Y or N	Section 6 - added comment only if the fault of Michigan CAT
Acknowledgement:	Y or N	Y
Forms:	Y or N	Y

No Bid: Wear Parts & Equipment Co., Inc.

ATTEST:

(*Bid Opening conducted via a Zoom Meeting)

Dennis Trantham

Andrew Chambliss

Nellie Bert

Dina Gates

Emily Frontera
Purchasing Manager