

Contract Terms and Conditions

The City of Alexander City will publicly open and read aloud all bids on the date and time listed above. Bids are to be opened by the City Clerk at the Alexander City Municipal Complex, James D. Nabors Dr. Alexander City, Alabama. Bidders and authorized representatives are invited to be present at any bid opening.

Bids shall not be modified after the opening. Prices and notations should be in ink or typewritten on the form provided by the owner. All bid prices must be fully extended. Bids must conform to any attached detailed specifications to be eligible for consideration. Please state brand and delivery date of each item quoted.

Each bid of \$50,000.00 or more must be accompanied by a cashier's check drawn on an Alabama Bank, or a bid bond executed by a surety company duly authorized and qualified to make such bonds in the State of Alabama, made payable to the City of Alexander City, Alabama, for an amount equal to five percent (5%) of the total bid amount but no more than \$10,000.00, as a bid guarantee. Such checks, or bid bonds will be returned to all except the accepted bidder within three (3) days after awarding of contracts.

The start date of the contract shall begin on the date of the bid approval by the awarding authority. The anticipated award date for this contract is June 17th, 2024.

After awarding of the bid, but prior to the beginning of work; the successful contractor must furnish and file with the City Clerk's office and acceptable surety bond (Performance Bond) in the amount equal to 100 percent of the contract bid price. In addition, another surety bond (Payment Bond) shall be executed in the amount of fifty percent of the contract price for the obligation that the contractor(s) shall promptly make payment to all person supplying labor, materials, or supplies for or in the prosecution of the work provide in the contract, and for the payment of attorney's fee incurred by successful claimants or plaintiffs in civil actions on the bond.

The contractor must warrant and guarantee workmanship and materials for which the contractor is responsible to be free from defects for a period of one year following final approval of the project. The City of Alexander City shall retain the right to cancel the contract upon written notice at any time.

All proposed contract services shall be firm for a minimum of 90 days after the opening date.

No taxes of any kind are to be included in the bid prices. The City of Alexander City will furnish tax exemption certificates when necessary.

All prices must be firm for the full term of the contract.

In accordance with the State of Alabama Law, a 3% variance consideration may be given to those vendors located within the City of Alexander City, City Limits and Police Jurisdiction.

All Federal, State, and Local License and Fee requirements will be applicable.

Bidders must be enrolled and in full compliance with the E-Verify Program and all requirements of Alabama Immigration law, Act 2011-535 (also referred to as the "Beason-Hammon Alabama Taxpayer and Citizen Protection Act", or H.B. 658), as amended by Act No. 2012-491, including in part and effective January 1, 2012.

If the vendor employs any persons in the State of Alabama, in accordance with Section 31-13-9, Code of Alabama 1975, Proposers shall demonstrate proof of enrollment in the E-verify program by completing

the enclosed E-verify affidavit or Providing some other proof of enrollment. If the proposer employs persons (anywhere), the award of the bid is condition on the bidder not knowingly employing, hiring for employment or continuing to employ an unauthorized alien within the State of Alabama. Upon awarding of the contract where a written contract is to be signed, the contract will contain a provision whereby the bidder promises not to violate Federal Immigration Law.

Questions and Communications Regarding this Bid

All communications must be in writing, sent by email to Drew Meacham P.E., Public Works Director at [drew.meacham@alexandercityal.gov] and Sasha Stewart, Alexander City Purchasing Agent at [sasha.stewart@alexandercityal.gov]. The subject line of the email must include Bid 24-15. All questions must be received no later than May 27th, 2024, 3:30pm CST. A running response to all vendors' questions will be provided as an addendum. The addendum can be found on the City's website at [<https://alexandercityal.gov/rfps>].

Evaluation

The award will be made to the Bidder whose proposal conforms to all conditions and requirements within the specifications of this bid. In addition, the City of Alexander City reserves the right to consider the following during the evaluation period:

- (a) Award bids by Lump Sum or individual items unless otherwise noted by bidder. NOTE: No purchase will be made on Lump Sum awards until individual unit prices are furnished.
- (b) Award the bid to the lowest or best bidder, as determined by the Owner to be in the best interest of The City of Alexander City. Life cycle/maintenance costs will be taken into consideration.
- (c) Reject any or all bids and to waive technicalities when in the opinion of the City of Alexander City the best interest of The City of Alexander City will be served.
- (d) Make null and void the purchase order with the successful bidder if delivery cannot be made at the specified time.
- (e) In accordance with the State of Alabama Law, a 3% variance consideration may be given to those vendors located within the City of Alexander City, City Limits and Police Jurisdiction.
- (f) Ability to deliver goods and services in a timely manner.
- (g) Warranty
- (h) Suitability for use by the owner.

BID 24-15
CITY OF ALEXANDER CITY PUBLIC WORKS
ACRIP FY 2024

Proposer (Vendor or Contractor) Name: _____

Representative: _____

Address: _____

City: _____

State, Zip Code: _____

Phone: _____

Email: _____

Total Proposal Amount: _____

Bid Bond or Cashier's Check Included Y or N _____

(5% of total bid amount or \$10,000.00; whichever is the lesser amount)

E-verify Affidavit Complete Y or N _____ / Proof of E-verify Enrollment Included Y or N _____

Proof of General Liability Insurance Included Y or N _____ (\$1,000,000.00 Minimum)

Non-Collusion Statement: By signing this bid form the bidder certifies that this bid is made without reference to any other bid and without any agreement, understanding, collusion or combination with any other person(s) in reference to the bid.

Signature of Bidder Representative: _____

Date Signed: _____

STATE OF:

COUNTY OF:

AFFIDAVIT

Before me, the undersigned authority, personally appeared _____ (affiant) who, being by me first duly sworn, doth depose and say as follows:

I _____ (name), on behalf of _____ (business entity), and with lawful authority to act in its behalf, attest to the following from personal knowledge:

1. _____ (business entity) does not knowingly, hire for employment, or continue to employ any unauthorized aliens in the State of Alabama; and
2. _____ (business entity) is enrolled in the E-Verify Program as shown by the attached documentation; and
3. _____ (business entity) does and will utilize E-Verify Program to verify the employment status of employees and potential employees according to federal rules and regulations; and
4. _____ (business entity) shall acquire from its subcontractors notarized affidavits that they will not knowingly employ, hire for employment or continue to employ unauthorized aliens, that they will enroll in the E-Verify Program before performing any contract work or providing any product, and that they shall attach to the affidavits, documentation establishing their enrollment in E-Verify as required by Act No. 2011-535.

Signature of Affiant

I, the undersigned Notary Public, in and for said County and State, hereby certify that whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this date that, being informed of the contents of the above and foregoing affidavit, he/she as an officer of _____ (business entity) and with full authority, executed the same voluntarily for and as the act of said company on the day the same bears date.

Given under my hand and official seal of office this _____ day of _____, _____.

Notary Public