

Boone County, Kentucky

INVITATION FOR BID # 092817CCE

**ONE NEW 2017 OR 2018 COMPACT CLASS EXCAVATOR
FOR THE
BOONE COUNTY PUBLIC WORKS DEPARTMENT**

ACCEPTANCE DATE: Prior to 2:00 p.m., September 28, 2017 “Local time”

ACCEPTANCE
PLACE

Boone County Fiscal Court
2950 Washington Street
PO Box 960
Human Resources Department
2nd Floor Administration Building
Burlington, Kentucky 41005

Requests for information related to this Invitation should be directed to:

Billy Angel
(859)334-3600
E-mail address: bangel@boonecountyky.org

Issue Date: September 21, 2017

IF YOU NEED ANY REASONABLE ACCOMMODATION FOR ANY TYPE OF DISABILITY IN ORDER TO PARTICIPATE IN THIS PROCUREMENT, PLEASE CONTACT OUR OFFICE AS SOON AS POSSIBLE.

The Boone County Fiscal Court will receive sealed bids in the Human Resources Office, Second Floor, Administration Building, 2950 Washington Street, PO Box 900, Burlington, Kentucky 41005, **until 2:00 p.m., September 28, 2017 for a Compact Excavator for the Boone County Fiscal Court.** Bids will be opened and publicly read aloud at that time in the Fiscal Courtroom, First Floor, Administration Building. Late, electronically submitted or facsimile bids will not be accepted.

BID ENVELOPE MUST BE LABELED: "SEALED BID: Compact Excavator."
Envelopes must also be labeled with the name and address of the vendor submitting the bid

Specifications may be obtained in the Human Resources Office, 2950 Washington St, Second Floor, Administration Building, 2950 Washington Street, Burlington, KY 41005 or by visiting our website at www.boonecountyky.org, transparency, bids.

Boone County reserves the right to reject any and all bids, to waive any informalities and to negotiate for the modifications of any bid or to accept that bid which is deemed the most desirable and advantageous from the standpoint of customer value and service and concept of operations, even though such bid may not, on its face, appear to be the lowest and best price. No bid may be withdrawn for a period of sixty (60) days after scheduled time of receipt of bids.

INTENT

Whenever a specific "Brand Name" is used in these specifications, it is used for descriptive purposes only. Whenever or wherever the Bidder takes exceptions to the Specifications, such exceptions shall be listed on the "Exception Sheet" of these specifications, and signed by the Bidder. The Bidder must use the attached "Bid Form" as NO OTHER FORM will be accepted. The Bidder shall also attach to the "Bid Form", any descriptive information and literature showing the items on which the bid was based. Boone-Kenton-Campbell County Fiscal Courts shall be the sole judges of whether a bid meets the intent of these specifications.

KENTUCKY PREFERENCE LAW

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. *Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.

GENERAL INSTRUCTIONS

It is necessary for vendors to read instructions contained herein, to understand exactly how to submit a bid, what must accompany the bid, and what the vendor obligates themselves for by submitting the bid. Failure to carefully read and understand the instructions and bid specifications may either cause the bid not to be considered or accepted by the Boone County Fiscal Court hereinafter referred to as BCFC, or cause the vendor to obligate themselves to more than they realize.

HOLD HARMLESS

Any vendor submitting a bid agrees that the decisions of the BCFC are final and shall hold harmless BCFC, its directors, employees, consultants, and others involved in the design, and selection of the system, and the successful vendor(s) of this bid. The submission of a bid indicates acceptance of these conditions.

PREPARATION OF BIDS

All information requested of the vendor shall be entered in the appropriate space on the attached forms. Failure to do so may disqualify the bid.

All information shall be entered in ink or typewritten. Mistakes may be crossed out and correction(s) inserted before submission of your bid. Correction(s) shall be initialed in ink by the person signing the bid.

The Bid Sheet shall be signed by an authorized officer or employee of the bidder.

Bids must be submitted by the date and at or prior to the time specified to be considered. No late bids, telegraphic, facsimile, telephone bids or electronically submitted bids will be accepted.

Correction(s) and/or modifications(s) received after the closing time specified will not be accepted.

Completed bids shall be submitted no later than 2:00 p.m. (local time), September 28, 2017. Bids received after this time will be rejected. Bids will be opened and publicly read aloud at that time in the Fiscal Courtroom, First Floor, Administration Building located at 2950 Washington Street, Burlington, Kentucky.

The envelope containing the bid must be plainly marked "Compact Excavator" with the following information to wit:

- (1) Name of Project and Sealed Bid: i.e. Compact Excavator
- (2) Name of Bidder
- (3) Bidder's Address

BCFC may, in response to formal or informal questions from vendors amend this document by means of an addendum. Each addendum shall be numbered and the addendum shall be held as an integral part of the original document.

The vendor shall acknowledge receipt of all documents and addendum in their response, and bids shall be honored for ninety (90) days after bid opening.

The BCFC contracts with other public service entities providing services throughout Boone County and the Commonwealth of Kentucky. The bidder shall agree to extend pricing contained in this ITB to the other Boone County and Commonwealth of Kentucky public service entities. The BCFC

assumes no liability or obligation for any action or inaction on the part of any parties that the bidder agrees to extend the bid contract to thereof.

Time of delivery shall be stated as the number of calendar days following receipt of the purchase order by the vendor to receipt of the goods or services by BCFC.

Time of delivery will be a consideration in the award.

DEVIATIONS AND EXCEPTIONS

If the bidder takes any exceptions to the specifications or deviates from the requirement, then bidder shall fully state such deviations or exceptions and the reasons for doing so. In addition, a complete explanation of the results of such changes shall be included as a part of the quotation on a special page entitled "Exception Sheet" and attached to the Bid Sheet. Failure to submit an "Exceptions to Specifications Sheet" page may result in bid rejection.

ANTI-DISCRIMINATION

By submitting their bid or bids, Bidders or Offerors certify to BCFC that they will conform to the provisions of the Federal Civil Rights Act of 1964, the Americans with Disabilities Act, of 1990 as amended where applicable.

SPECIFICATIONS-INSTRUCTIONS

These specifications are not intentionally written around any one manufacturer and are for the purpose of indicating general size, type, and description of the equipment needed.

Any responsible bidder who considers these specifications to be of a non- competitive nature should immediately contact the Boone County Purchasing Agent.

BCFC reserves the right to approve as an equal, or to reject as not being equal, any item the bidder proposes to furnish which contains minor variations from specification requirements but may comply substantially therewith. Items exceeding specifications will be considered as meeting specifications.

The bidder shall abide by, comply with the true intent of the specifications, and not take advantage of any unintentional error or omission, but shall fully complete every part as the true intent and meaning of the specification.

Changes to the bid specifications are not valid unless authorized in writing by the Boone County Fiscal Court.

Should the vendor observe any discrepancy, ambiguity, omission, or be in doubt as to the intention and meaning of any portion of the specifications, they should report such to BCFC.

PRICING INSTRUCTIONS

Prices will be considered as Net if no cash discount is shown.

The BCFC is a tax-exempt organization. Certificates will be furnished upon request. The BCFC requests that all required forms by the bidder to be included with the bid packet.

A price breakdown by item shall be supplied. Unit prices by each shall also be submitted on the supplied pricing form. Quantities shown in the specifications are estimates and are made in good faith on the part of the BCFC.

All item pricings shall be final and must include all shipping and handling charges and other fees to be delivered to BCFC.

SPECIFICATIONS

CAB

YES __ NO__	ENCLOSED CAB
YES __ NO__	HEAT/AIR CONDITIONING
YES __ NO__	BACK UP CAMERA
YES __ NO__	AM/FM RADIO WITH BLUE TOOTH
YES __ NO__	SUSPENSION SEAT CLOTH
YES __ NO__	ORANGE SEAT BELT
YES __ NO__	HORN
YES __ NO__	12-VOLT ACCESSORY OUTLET
YES __ NO__	INSTRUMENTATION LIGHTS
YES __ NO__	REAR SECONDARY EXIT
YES __ NO__	HOUR METER
YES __ NO__	MONITORING SYSTEM FOR FUNCTION

ENGINE

YES __ NO__	MEETS EPA FINAL TIER 4/EU STAGE IV EMISSIONS
YES __ NO__	ENGINE DISPLACEMENT 2.0 L (+)
YES __ NO__	NET POWER 35 HP
YES __ NO__	FUEL WATER SEPARATOR

POWERTRAIN

EACH TRACK INDEPENDENTLY DRIVEN BY HYDROSTATIC MOTOR CONNECTED TO A 2-STAGE PLANETARY GEAR-REDUCTION BOX.

YES __ NO__	LOW 1.6 MPH
YES __ NO__	HIGH 2.6MPH

HYDRAULICS

CLOSED-CENTER LOAD SENSING, WITH VARIABLE-DISPLACEMENT PUMP.

YES __ NO__	PUMP 31 GPM (+)
YES __ NO__	AUXILLARY FLOW 23 GPM (+)
YES __ NO__	HYDRAULIC CONTROLS PILOT OPERATED CONTROLS FOR BOOM, ARM, BUCKET, SWING, BOOM SWING, BLADE, TRAVEL, AUXILLARY FUNCTIONS.

ELECTRICAL

YES __ NO__	ALERNATOR RATING 55 AMP (+)
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YES __ NO__
YES __ NO__

2 HALOGEN LIGHTS MOUNTED ON OPERATORS STATION AND BOOM
STOBE LIGHT CAB MOUNTED

UNDERCARRIAGE

YES __ NO__

RUBBER TRACKS

OPERATING WEIGHT

YES __ NO__

11,300 LBS. (+)

OPERATING DIMENSIONS

YES __ NO__

MAXIMUM DUMPING HEIGHT 14' (+)

YES __ NO__

MAXIMUM DIGGING DEPTH 12' 6" (+)

YES __ NO__

MAXIMUM DIGGING REACH 20' 4" (+)

LIFTING CAPACITIES

YES __ NO__

OVER FRONT 5,400 LBS

YES __ NO__

OVER SIDE 2,700 LBS

ATTACHMENTS

YES __ NO__

BACK FILL BLADE

YES __ NO__

24' HEAVY DUTY BUCKET WITH TEETH AND QUICK DISCONNECT
MANUAL

YES __ NO__

12' HEAVY DUTY BUCKET WITH TEETH AND QUICK DISCONNECT
MANUAL

YES __ NO__

HYDRAULIC THUMB WITH QUICK DISCONNECT

MISCELLANEOUS

THE BOONE COUNTY FISCAL COURT WILL ACCEPT DELIVERY FROM DEALER STOCK
PROVIDING THAT THE COMPACT EXCAVATOR BID MEETS THESE SPECIFICATIONS.

WARRANTY

BASE WARRANTY SHALL BE 1 (ONE) YEAR PARTS AND LABOR; 36 MONTH/2000 HOUR
EXTENDED WARRANTY ON POWERTRAIN/HYDRAULIC.

OPERATORS MANUAL

VENDOR SHALL SUPPLY THE BOONE COUNTY FISCAL COURT WITH AN
OPERATORS MANUAL.

EXCEPTIONS TO SPECIFICATIONS

Signature required, if exceptions are noted.

KENTUCKY PREFERENCE LAWS

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. *Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.

Reciprocal preference for Kentucky resident bidders

KRS 45A.490 Definitions for KRS 45A.490 to 45A.494.

As used in KRS 45A.490 to 45A.494:

- (1) "Contract" means any agreement of a public agency, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item; and
- (2) "Public agency" has the same meaning as in KRS 61.805.

KRS 45A.492 Legislative declarations.

The General Assembly declares:

- (1) A public purpose of the Commonwealth is served by providing preference to Kentucky residents in contracts by public agencies; and
- (2) Providing preference to Kentucky residents equalizes the competition with other states that provide preference to their residents.

KRS 45A.494 Reciprocal preference to be given by public agencies to resident bidders -- List of states -- Administrative regulations.

- (1) Prior to a contract being awarded to the lowest responsible and responsive bidder on a contract by a public agency, a resident bidder of the Commonwealth shall be given a preference against a nonresident bidder registered in any state that gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the nonresident bidder.
- (2) A resident bidder is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:
 - (a) Is authorized to transact business in the Commonwealth; and
 - (b) Has for one (1) year prior to and through the date of the advertisement, filed Kentucky corporate income taxes, made payments to the Kentucky unemployment insurance fund established in KRS 341.490, and maintained a Kentucky workers' compensation policy in effect.
- (3) A nonresident bidder is an individual, partnership, association, corporation, or other business entity that does not meet the requirements of subsection (2) of this section.
- (4) If a procurement determination results in a tie between a resident bidder and a nonresident bidder, preference shall be given to the resident bidder.
- (5) This section shall apply to all contracts funded or controlled in whole or in part by a public agency.
- (6) The Finance and Administration Cabinet shall maintain a list of states that give to or require a preference for their own resident bidders, including details of the preference given to such bidders, to be used by public agencies in determining resident bidder preferences. The cabinet shall also promulgate administrative regulations in accordance with KRS Chapter 13A establishing the procedure by which the preferences required by this section shall be given.

(7) The preference for resident bidders shall not be given if the preference conflicts with federal law.

(8) Any public agency soliciting or advertising for bids for contracts shall make KRS 45A.490 to 45A.494 part of the solicitation or advertisement for bids.

The reciprocal preference as described in KRS 45A.490-494 above shall be applied in accordance with 200 KAR 5:400.

Determining the residency of a bidder for purposes of applying a reciprocal preference

Any individual, partnership, association, corporation, or other business entity claiming resident bidder status shall submit along with its response the attached Required Affidavit for Bidders, Offerors, and Contractors Claiming Resident Bidder Status. The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

A nonresident bidder shall submit, along with its response, its certificate of authority to transact business in the Commonwealth as filed with the Commonwealth of Kentucky, Secretary of State. The location of the principal office identified therein shall be deemed the state of residency for that bidder. If the bidder is not required by law to obtain said certificate, the state of residency for that bidder shall be deemed to be that which is identified in its mailing address as provided in its bid.

Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries.

Pursuant to 200 KAR 5:410, and KRS 45A.470, Kentucky Correctional Industries will receive a preference equal to twenty (20) percent of the maximum points awarded to a bidder in a solicitation. In addition, the following "qualified bidders" will receive a preference equal to fifteen (15) percent of the maximum points awarded to a bidder in a solicitation: Kentucky Industries for the Blind, any nonprofit corporation that furthers the purposes of KRS Chapter 163 and any qualified nonprofit agencies for individuals with severe disabilities as defined in KRS 45A.465(3). Other than Kentucky Industries for the Blind, a bidder claiming "qualified bidder" status shall submit along with its response to the solicitation a notarized affidavit which affirms that it meets the requirements to be considered a qualified bidder- affidavit form included. If requested, failure to provide documentation to a public agency proving qualified bidder status may result in disqualification of the bidder or contract termination.

Solicitation/Contract #: 092817CCE

REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING QUALIFIED BIDDER STATUS

FOR BIDS AND CONTRACTS IN GENERAL:

I. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding, and all subcontractors therein, meets the requirements to be considered a "qualified bidder" in accordance with [200 KAR 5:410\(3\)](#); and will continue to comply with such requirements for the duration of any contract awarded. Please identify below the particular "qualified bidder" status claimed by the bidding entity.

_____ A nonprofit corporation that furthers the purposes of KRS Chapter 163

_____ Per KRS 45A.465(3), a "Qualified nonprofit agency for individuals with severe disabilities" means an organization that:

- (a) Is organized and operated in the interest of individuals with severe disabilities; and
- (b) Complies with any applicable occupational health and safety law of the United States and the Commonwealth; and
- (c) In the manufacture or provision of products or services listed or purchased under KRS 45A.470, during the fiscal year employs individuals with severe disabilities for not less than seventy-five percent (75%) of the man hours of direct labor required for the manufacture or provision of the products or services; and
- (d) Is registered and in good standing as a nonprofit organization with the Secretary of State.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of qualified bidder status. Failure to provide such documentation upon request may result in disqualification of the bidder or contract termination.

_____	_____
Signature	Printed Name
_____	_____
Title	Date

Company Name _____

Address _____

Subscribed and sworn to before me by _____ (Affiant) _____ (Title)

of _____ this _____ day of _____, 20____.

(Company Name)

 Notary Public
 [seal of notary] My commission expires: _____

BID SHEET

NOTE TO THE BIDDER: THIS FORM MUST BE USED. IF NOT, THE BID MAY BE REJECTED!

FURNISH AND DELIVER, ONE COMPACT CLASS EXCAVATOR AS SPECIFIED IN THESE SPECIFICATIONS TO THE BOONE COUNTY DEPARTMENT OF PUBLIC WORKS, FOR THE SUM OF:

\$ _____

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DELIVERY MADE WITHIN _____ DAYS OF RECEIPT OF PURCHASE ORDER.

BID BASED ON A _____ MODEL YEAR.

NAME OF BIDDER: _____ DATE: _____

ADDRESS: _____

FEDERAL ID #: _____

SIGNATURE: _____

OFFICIAL TITLE: _____

PHONE (____) _____ FAX (____) _____

BID ACCEPTED BY THE BOONE COUNTY DEPARTMENT OF PUBLIC WORKS,

BY _____

TITLE _____

DATE _____