



City of Auburn, Maine

Financial Services

Jill Eastman, Director

www.auburnmaine.gov | 207.333.6601

60 Court Street, Auburn, Maine 04210

February 27, 2023

Dear Bidder,

The City of Auburn is accepting written Bids for the Auburn Public Works Department for **2023 Festival Plaza Shade Sail Replacement**. The City reserves the right to accept or reject any or all Bids in whole or in part and to waive any informality the City may determine necessary. The City also reserves to itself the exclusive right to accept or reject any Bids when it is deemed by the City to be in its best interest. The City of Auburn is governed by Title 1 M.R.S.A. § 401-410, otherwise known as the Freedom of Information Act, which considers bid specifications as public documents. In awarding any Bid, the City may consider, but not be limited to, any of the following factors: Bidder qualifications, price, experience, financial standing with the City, warranties, references, bonding, delivery date, and service of Bidder. Successful Vendors/Contractors shall be current on all amounts due to the City of Auburn prior to the City entering into any contract agreement. All bids must include FOB to Auburn, Maine unless otherwise specified.

Bids will not receive consideration unless submitted in accordance with the following instructions. Please mark sealed envelopes plainly: **"2023 Festival Plaza Shade Sail Replacement - Bid 2023-018"**.

Questions regarding this Request for Bids should be directed to Derek Boulanger, Facilities Manager/Purchasing Agent, at dboulanger@auburnmaine.gov

Please submit your Bid to the City of Auburn by 2:00 p.m. on Thursday, March 16, 2023. **Bids must be delivered to Derek Boulanger, Facilities Manager/ Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No Bids will be accepted after the time and date listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "DBL", is written over a light blue horizontal line.

Derek Boulanger

Facilities Manager/Purchasing Agent

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CONDITIONS AND INSTRUCTIONS TO BIDDERS

1. Bidders shall use the enclosed bid form for quotations. Whenever, in bid forms, an article is defined by using a trade name or catalog number, the term "or approved equal", if not inserted, shall be implied.
2. Bid proposals must be completed in full, in ink and must be signed by firm official. Bid proposal **must be notarized** prior to bid being sealed and will be disqualified if not notarized. Bids may be withdrawn prior to the time set for the official opening.
3. Bids will be opened publicly. Bidders or representatives may be present at bid opening.
4. Awards will be made to a responsible bidder, considering the quality of the materials, date of delivery, cost which meets specification and is in the best interest to the City of Auburn.
5. All transportation charges, including expense for freight, transfer express, mail, etc. shall be prepaid and be at the expense of the vendor unless otherwise specified in the bid.
6. The terms and cash discounts shall be specified. Time, in connection with discount offered, will be computed from date of delivery at destination after final inspection and acceptance or from date of correct invoice, whichever is later.
7. The City is exempt from payment of Federal Excise Taxes on the articles not for resale, Federal Transportation Tax on all shipments and Maine Sales Tax and Use Taxes. Please quote less these taxes. Upon application, exemption certificate will be furnished with the Purchase Order when required.
8. Time of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.
9. No contract may be assigned without the written consent of the Finance Director or her designate. The contract shall not be considered valid until a purchase order has been issued to the successful bidder.
10. Please state: "**2023 Festival Plaza Shade Sail Replacement - Bid 2023-018**" on submitted sealed envelope.
11. The City of Auburn reserves the right to waive any formality and technicality in bids whichever is deemed best for the interest of the City of Auburn.
12. After award, the contractor shall provide full design plans including dimensions, materials and specifications in digital format to the City of Auburn for approval prior to manufacturing of the Shade Sails.

GENERAL CONDITIONS

1. Equal Employment Opportunity

The City of Auburn is an Equal Opportunity Employer and shall not discriminate against an applicant for employment, and employee or a citizen because of race, color, sex, marital status, physical and/or mental handicap, religion, age, ancestry or natural origin, unless based upon a bona-fide occupation qualification. Vendors and contractor or their agents doing business with the City shall not violate the above clause or the Civil Rights Acts of 1964. Violations by vendors shall be reviewed on a case-by-case basis and may mean an automatic breach of contract or service to the City of Auburn.

2. Save Harmless

The Bidder agrees to protect and save harmless the owner from all costs, expenses or damages that may arise out of alleged infringement of patents of materials used.

3. Subcontracting

The Bidder shall not subcontract any part of the work or materials or assign any monies due it without first obtaining the written consent of the municipality. The Bidder is responsible for all approved sub-contracted work. The Bidder is responsible for managing all aspects of sub-contracting work. Neither party shall assign or transfer its interest in the contract without the written consent of the other party.

4. Warranty

The Bidder warrants that all work will be of good quality and free from faults and defects, and in conformance with the specifications. All work not so conforming to these standards may be considered defective. The Bidder agrees to be responsible for the acts and omissions of all of its employees and all subcontractors, their agents and employees, and all other persons performing any of the work under a contract with the Bidder. If these specifications, either in whole or in part, do not meet all Federal and State of Maine DOT and ICC mandates it shall be the responsibility of the successful bidder to bring specifications into compliance prior to awarding bid.

PROPOSAL FORM:

Due Thursday, March 16, 2023

To: City of Auburn
Derek Boulanger,
Facilities Manager/Purchasing Agent
60 Court Street
Auburn, ME 04210

The undersigned individual/firm/business guarantees this price for thirty days (30) from the proposal due date. The undersigned submits this proposal without collusion with any other person, individual, or firm or agency. The undersigned ensures the authority to act on behalf of the corporation, partnership or individual they represent; and has read and agreed to all of the terms, requests, or conditions written herein by the City of Auburn, Maine.

By signing this form, the firm listed below hereby affirms that its bid meets the minimum specifications and standards as listed above.

Signature _____ Company _____

Name (print) _____ Telephone # _____

Title _____ Fax # _____

Address _____

Email Address _____

Web Site _____

STATE OF MAINE

_____, SS.

Date: _____

Personally appeared _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her capacity and the free act and deed of said company.

Notary Public

Print Name

Commission Expires _____

SPECIFICATIONS FOR: 2023 -018 Festival Plaza Shade Sail Replacement

Provide Specifications for each line below, Make, Type, Strength, Weight, UV Protection, Stitching, etc.

<u>Fabric Type:</u>
<u>Edge Webbing:</u>
<u>Thread:</u>
<u>Seam Type:</u>
<u>Grommet:</u>
<u>Shape & Design:</u>
<u>Colors Available:</u>
<u>Mounting Hardware:</u>
<u>Warranty:</u>



$\frac{1}{4}'' = 1'-0''$



