

# City of Auburn, Maine

*"Maine's City of Opportunity"*

## Financial Services



February 10, 2016

Dear Bidder:

The City of Auburn is accepting written proposals for playground equipment. The City reserves the right to accept or reject any or all proposals 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 any proposals 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 proposal, 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. Vendors/Contractors shall be current on all amounts due to the City of Auburn prior to the City entering into any contract agreement. All proposals must include FOB to Auburn, Maine unless otherwise specified.

Proposals will not receive consideration unless submitted in accordance with the following instructions bidders. Please mark sealed envelopes plainly: **"Playground Equipment – Bid 2016-025"**.

Questions regarding this Request for Bids should be directed to Reine Mynahan, Community Development Director, at (207) 333-6601, ext. 1330.

Please submit your proposal to the City of Auburn by 2:00 p.m., **Tuesday, March 1, 2016**. Proposals will be opened at 2:00 p.m. Proposals 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 proposals will be accepted after the time and date listed above.

Sincerely,

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. Submit a separate unit price for each item unless otherwise specified in the bid request. Award will be made on a basis of each item, or as a group, whichever is in the best interest of the City. Prices stated are to be "delivered to destination".
3. 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.
4. Bids will be opened publicly. Bidders or representatives may be present at bid opening.
5. Awards will be made to the lowest 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.
6. 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.
7. 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.
8. 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.
9. Date of delivery shall be stated. If time is of the essence, the earliest date may be a factor in the bid award.
10. 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.
11. Please state **Playground Equipment – Bid 2016-025** on submitted, sealed envelope.
12. 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.

**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. 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.

- A. 15 year warranty against structural failure due to corrosion or defects in materials and workmanship on aluminum deck posts, steel deck posts, the fastening system and associated fastening hardware.
- B. 1 year warranty against structural failure due to defects in materials and workmanship for all other products and components including all moving parts.

**BID PROPOSAL FORM**  
**Due March 1, 2016**

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

Signature \_\_\_\_\_ Name (print) \_\_\_\_\_

Title \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Email Address: \_\_\_\_\_

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 \_\_\_\_\_

**BID PROPOSAL**

The undersigned proposes to furnish playground equipment in accordance with the Conditions and Instruction to Bidders and Specifications, both of which are incorporated herein by reference.

Net FOB Auburn Highway Garage, 296 Gracelawn Avenue, Auburn, ME

Playground Equipment: Products must be Miracle or an approved equal.

<u>Quantity</u>	<u>Item Number</u>	<u>Description</u>	<u>Bid</u>
1	4482	Camel back climber, double	\$
2	7145513	5" OD X 106" Post (2'6" decks or less)	\$
15	7145523	5" OD X 136" post (3' to 5' decks)	\$
8	7145553	5' OD X 76" posts for fencing and panels	\$
1	7147095	8' horizontal try-ring (only)	\$
1	71475312	12' overhead glider w/3 posts	\$
1	7147765	Sky wheels (3) 10' 7" long (only)	\$
1	714789125	12' stationary hover beam (only)	\$
8	71481553	End ladder 3" top rung for OH climber	\$
2	7148433	Chinning bar w/post	\$
4	7148435	Chinning bar (only)	\$
1	714919ls	Parallel bars 8', "L" shaped and straight	\$
1	714919ls	Parallel bars 8', "L" shaped and straight	\$
1	714919su	Parallel bars 8', straight and "U" shaped	\$
1	7149445	Orbit climber (only)	\$
1	282200	Fun tunnel	\$
1	461r	DNA climber w/rope	\$
1	47523	Loopz 3 ring climber	\$
1	477733	Flux capacitor	\$
1	7148526s	5" OD arch Swg frame w/6 s/p seats MC	\$
1	608-1	Twin rider	\$
1	901	Rodeo Rocky	\$

Total Price\$ \_\_\_\_\_

Delivery Date: \_\_\_\_\_

Name of Company \_\_\_\_\_

Signed by: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Bidder shall fully describe every variance, exception, and/or deviation. If additional space is needed, please include additional sheets.

**EXCEPTIONS AND DEVIATIONS:**

Bidder shall fully describe every variance, exception, and/or deviation. If additional space is needed, please include additional sheets.

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