



FINANCE DEPARTMENT
PURCHASING SECTION
1717 4TH STREET, SUITE 250
SANTA MONICA, CA 90401
WWW.SMG.OV.NET
(310) 393-6142 FAX

REQUEST FOR QUOTATION

PAGE 1 OF 11

(THIS IS NOT AN ORDER)

FOR MORE INFORMATION ABOUT THIS REQUEST,
CONTACT MONICA DIAZ AT (310) 458-8215 OR
MONICA.DIAZ@SMGOV.NET.

POSTING DATE	QUOTATION NUMBER	CLOSING DATE
02-24-11	35242-OG	03-14-11

PLEASE RESPOND NO LATER THAN 3:00 PM, PACIFIC TIME ON MARCH 14, 2011.

EMAIL: MONICA.DIAZ@SMGOV.NET OR FAX: (310) 393-6142

BIDDER INFORMATION (TO BE COMPLETED BY BIDDING COMPANY)	INSTRUCTIONS TO BIDDERS
COMPANY NAME: _____ REPRESENTATIVE: _____ ADDRESS: _____ CITY, ST, ZIP: _____ PHONE: _____ FAX: _____ EMAIL: _____ SIGNATURE: _____	1. THE CITY OF SANTA MONICA RESERVES THE RIGHT TO ACCEPT ANY PART OR ALL OF THIS BID AT THE PRICES QUOTED. THE RIGHT TO REJECT ANY AND/OR ALL BIDS IS RESERVED BY THE CITY. 2. REFERENCES MADE TO MANUFACTURERS NAME, BRAND NAME, PART NUMBERS AND/OR STYLE ARE FOR INFORMATION REGARDING THE LEVEL OF QUALITY AND/OR FUNCTIONAL USE TO WHICH THE ITEMS WILL BE PUT. BIDDERS ARE REQUESTED TO SUBMIT BIDS ON PRODUCTS OF EQUAL QUALITY. 3. ALL ITEMS SHALL BE QUOTED F.O.B. SANTA MONICA, CALIFORNIA, UNLESS OTHERWISE SPECIFIED. 4. COMPLETE ALL FIELDS IN ALL REQUESTED PAGES IN THIS REQUEST AND EMAIL OR FAX TO (310) 393-6142. – OFFICE OF THE PURCHASING AGENT

QUOTATION SUBMISSION GUIDELINE:

WHEN SUBMITTING DOCUMENTS TO THE CITY OF SANTA MONICA, VENDORS ARE REQUIRED TO COMPLY WITH THE FOLLOWING:

ALL SUBMITTALS SHALL BE EMAILED IN DIGITAL FORMAT OR FAXED.

THIS WAS DEVELOPED AS PART OF SANTA MONICA'S SUSTAINABLE CITY PROGRAM TO PROMOTE WASTE REDUCTION AND RESOURCE CONSERVATION WITHIN THE COMMUNITY. THANK YOU FOR YOUR COOPERATION IN THIS IMPORTANT EFFORT.

PROVIDE VIDEO EDITING AND PRODUCTION SERVICES AS REQUIRED BY POLICE DEPARTMENT THROUGH 6/30/11 WITH THREE ONE-YEAR RENEWAL OPTIONS.

VENDORS HAVE UNTIL 3:00 PM PT ON THURSDAY, MARCH 3, 2011 TO E-MAIL ANY QUESTIONS REGARDING THIS BID TO MONICA.DIAZ@SMGOV.NET.

RESPONSES TO VENDOR QUESTIONS WILL BE POSTED ON PLANET BIDS BY 5:00 PM PT ON WEDNESDAY, MARCH 9, 2011.

BID IS DUE NO LATER THAN 3:00 PM PT ON MONDAY, MARCH 14, 2011. PLEASE E-MAIL BID RESPONSE TO MONICA.DIAZ@SMGOV.NET OR FAX TO 310-393-6142.

~ ~ ~ TO BE COMPLETED BY BIDDING COMPANY ~ ~ ~

F.O.B. POINT	PAYMENT TERMS (LESS THAN 20 DAYS WILL NOT BE CONSIDERED)	DELIVERY WITHIN



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PLEASE PROVIDE PRICING FOR THE FOLLOWING SERVICES

Please note there are approximately 14 productions per year.

<u>Description of Service</u>	<u>Hourly Rate</u>
Camera with Operator	\$
Editorial Services including video editor (includes DVD authoring and output to DVD master)	\$
Producer/Director with camera	\$
Script Writing – Post scripting	\$
Recording of voice over	\$
Pre-production/script writing	\$
Sound Engineer	\$
Music/sound design	\$
Lighting Director	\$
	<u>Cost Per DVD</u>
DVD Duplications each with Custom Printing	\$

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NAME OF BIDDING COMPANY	PHONE	INITIALS OF REPRESENTATIVE



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RENEWAL OPTIONS

(COMPLETE IF BIDDING)

THE CITY DESIRES THE RIGHT AND OPTION TO EXTEND ANY CONTRACT HEREUNDER FOR A PERIOD OF ONE OR TWO ADDITIONAL ONE-YEAR PERIODS FROM THE DATE OF EXPIRATION AT THE SAME PRICE, TERMS AND CONDITIONS.

1. SAME PRICE, TERMS AND CONDITIONS (SELECT ONE, NO SELECTION WILL BE ASSUMED NO OPTIONS OFFERED)

YEAR 2 (07/01/11-06/30/12): ☐ YES ☐ NO

YEAR 3 (07/01/12-06/30/13): ☐ YES ☐ NO

YEAR 4 (07/01/13-06/30/14): ☐ YES ☐ NO

2. OR, ALTERNATE PRICE, TERMS AND CONDITIONS (PLEASE SPECIFY, NO SELECTION WILL BE ASSUMED AN INCREASE)

YEAR 2: ____% ☐ INCREASE / ☐ DECREASE (SELECT ONE) OF PREVIOUS YEAR'S PRICES.

SPECIFY ALTERNATE TERMS AND CONDITIONS IF APPLICABLE: _____

YEAR 3: ____% ☐ INCREASE / ☐ DECREASE (SELECT ONE) OF PREVIOUS YEAR'S PRICES.

SPECIFY ALTERNATE TERMS AND CONDITIONS IF APPLICABLE: _____

YEAR 4: ____% ☐ INCREASE / ☐ DECREASE (SELECT ONE) OF PREVIOUS YEAR'S PRICES.

SPECIFY ALTERNATE TERMS AND CONDITIONS IF APPLICABLE: _____

IT IS AGREED THAT IF ANY OPTION GRANTED HEREIN IS EXERCISED, THE CITY SHALL NOTIFY THE CONTRACTOR DURING THE LIFE OF THE CONTRACT AND AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE CONTRACT.

FOB: _____ DELIVERY WITHIN _____ DAYS PAYMENT TERMS: _____ (LESS THAN 20 DAYS WILL NOT BE CONSIDERED)

NAME OF PERSON QUOTING (PLEASE PRINT): _____

SIGNATURE: _____ DATE: _____

COMPANY NAME: _____

ADDRESS, CITY, ST, ZIP: _____

REMIT TO (IF DIFFERENT): _____

PHONE NUMBER: _____ FAX NUMBER: _____

EMAIL: _____

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BUSINESS LICENSE REQUIREMENTS

(COMPLETE IF BIDDING)

PLEASE CHECK WHERE APPLICABLE:

1. DO YOU COME ONTO CITY OF SANTA MONICA PROPERTY TO PERFORM YOUR SERVICE?

☐ YES ☐ NO

2. DO YOU DELIVER PARTS AND/OR PRODUCTS IN YOUR OWN COMPANY VEHICLE?

☐ YES ☐ NO

IF YOU CHECKED "YES" TO EITHER/BOTH QUESTIONS, PLEASE REFER BELOW FOR BUSINESS LICENSE REQUIREMENTS.

- IF YOU COME WITHIN THE CITY OF SANTA MONICA CITY LIMITS TO PERFORM YOUR SERVICE, YOU WILL BE REQUIRED TO HAVE A CITY OF SANTA MONICA BUSINESS LICENSE **AND** INSURANCE (SEE BELOW FOR DESCRIPTIONS).
- IF YOU DELIVER PARTS AND/OR PRODUCTS IN YOUR OWN COMPANY VEHICLE AND DO NOT PERFORM ANY SERVICE EXCEPT DELIVERY, YOU WILL BE REQUIRED TO HAVE A CITY OF SANTA MONICA DELIVERY LICENSE **ONLY** (SEE BELOW FOR DESCRIPTIONS).

BUSINESS/DELIVERY LICENSE

A CITY OF SANTA MONICA BUSINESS LICENSE IS REQUIRED. PLEASE CALL (310) 458-8745 FOR FURTHER INFORMATION OR VISIT: www.businesslicense.smgov.net

PLEASE INDICATE IF YOU CAN/CANNOT COMPLY (NO SELECTION WILL BE ASSUMED CANNOT COMPLY):

☐ CAN COMPLY ☐ CANNOT COMPLY ☐ N/A (SELECT ONLY IF "NO" SELECTED FOR BOTH 1 AND 2 ABOVE)

I ALREADY HAVE AN ACTIVE OR CURRENT CITY OF SANTA MONICA BUSINESS LICENSE. # _____

IMPORTANT NOTE – THE INSURANCE AND BUSINESS LICENSE DOCUMENTATION IS NOT REQUIRED TO PARTICIPATE IN BID PROCESS.

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INSURANCE REQUIREMENTS

(COMPLETE IF BIDDING)

IF AWARDED THE BID, VENDOR MUST COMPLY WITH PROPER AND COMPLETE INSURANCE REQUIREMENTS AND MUST OBTAIN A CITY OF SANTA MONICA BUSINESS LICENSE **PRIOR** TO COMMENCEMENT OF JOB.

INSURANCE

AWARDEE WILL BE REQUIRED TO PROVIDE AND MAINTAIN PROOF OF INSURANCE IN THE FOLLOWING MINIMUM LIMITS:

1. **COMMERCIAL GENERAL LIABILITY INSURANCE**

VENDOR SHALL MAINTAIN THE COMMERCIAL GENERAL LIABILITY POLICY WITH A LIMIT OF NOT LESS THAN \$1,000,000 EACH OCCURRENCE/\$2,000,000 IN THE ANNUAL AGGREGATE.

2. **BUSINESS AUTO INSURANCE**

VENDOR SHALL MAINTAIN BUSINESS AUTO LIABILITY WITH A LIMIT OF NOT LESS THAN \$1,000,000 EACH ACCIDENT.

3. **WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE**

VENDOR SHALL MAINTAIN WORKERS' COMPENSATION INSURANCE AS REQUIRED BY THE STATE OF CALIFORNIA AND EMPLOYER'S LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000 PER ACCIDENT FOR BODILY INJURY OR DISEASE.

***** IMPORTANT NOTES *****

- GENERAL LIABILITY – THE CITY OF SANTA MONICA **MUST** BE ENDORSED AS “**ADDITIONAL INSURED**” ON THE POLICY.
- WORKERS' COMPENSATION – THE WAIVER OF SUBROGATION AGAINST THE CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, AND VOLUNTEERS **MUST** BE ENDORSED ON THE POLICY.
- COST OF INSURANCE – CONTACT YOUR INSURANCE CARRIER PRIOR TO SUBMITTING PRICING AS THERE MAY BE ADDITIONAL CHARGES RELATED TO THE CITY'S INSURANCE REQUIREMENTS.
- ACCEPTABILITY OF INSURERS – INSURANCE IS TO BE PLACED WITH INSURERS WITH A CURRENT A.M. BEST'S RATING OF NO LESS THAN A:6 UNLESS OTHERWISE APPROVED BY THE CITY'S RISK MANAGER.

PLEASE INDICATE IF YOU CAN/CANNOT COMPLY (NO SELECTION WILL BE ASSUMED CANNOT COMPLY):

☐

CAN COMPLY

☐

CANNOT COMPLY

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ARIZONA-BASED BUSINESSES NOTICE

DO NOT RETURN, RETAIN FOR YOUR RECORDS

CITY OF SANTA MONICA

NOTICE TO APPLICANTS, BIDDERS, PROPOSERS AND OTHERS SEEKING TO DO BUSINESS
WITH THE CITY OF SANTA MONICA

The City Council of the City of Santa Monica adopted Resolution No. 10479 (CCS) on May 25, 2010, which requires a review of all current and likely future agreements and contracts with Arizona-based businesses to examine the feasibility of acquiring such products and services elsewhere while the Arizona law remains in effect.

Additionally, vendors offering goods or services to the City of Santa Monica must complete and sign the attached disclosure form; this applies to all solicitations, including but not limited to, bids and proposals. Please review, sign and submit the form with your bid packet prior to the closing date of bid.

Contractors that do not have headquarters in the State of Arizona and those that will not be working with Arizona-headquartered subcontractors to provide goods and/or services as specified in this solicitation will take priority in the bidding process.

NOTE: Headquarter location or residency may not be considered as a factor if prohibited by applicable law.

Failure to return this form or inability to certify as to its provisions will render your bid or proposal non-responsive.

State of Arizona Disclosure Form - see next page.

[Pursuant to Resolution No. 10479 (CCS) adopted May 25, 2010]

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CITY OF SANTA MONICA STATE OF ARIZONA DISCLOSURE FORM

TO BE COMPLETED BY ALL VENDORS PROVIDING GOODS AND SERVICES TO THE CITY OF SANTA MONICA

Headquarter location or residency may not be considered as a factor if prohibited by applicable law.

Please check the appropriate boxes below.

Our company's headquarters are located in the State of Arizona.

☐ Yes ☐ No

Goods or services pertaining to this solicitation will be provided by a subcontractor whose business is headquartered in the State of Arizona.

☐ Yes ☐ No

If the response to the statement above was "yes", please list any and all subcontractors headquartered in the State of Arizona that may be providing goods or services (pertaining to this solicitation) to the City of Santa Monica.

If more than one, attach a list of additional subcontractors, including the physical address of each location.

Name of Subcontractor: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

*** PORTION BELOW TO BE COMPLETED BY ALL VENDORS ***

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed: _____ Date: _____

Printed name: _____ Title: _____

Name of Company: _____

Street Address of Headquarters: _____

City: _____ State: _____ Zip Code: _____

Telephone # (including area code): _____ Email: _____

FOR CITY USE ONLY

NOTES: _____

[PURSUANT TO RESOLUTION NO. 10479 (CCS) ADOPTED MAY 25, 2010]

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TERMS AND CONDITIONS FOR PURCHASE ORDERS

(FOR GOODS AND SERVICES) – DO NOT RETURN, RETAIN FOR YOUR RECORDS

- PURCHASE OF GOODS & SERVICES.** CITY AGREES TO PURCHASE, AND VENDOR AGREES TO SELL, THE GOODS ("GOODS") AND TO PROVIDE THE SERVICES RELATED TO THE INSTALLATION OR DELIVERY OF SUCH GOODS ("SERVICES") SET FORTH IN (I) THE CITY'S NOTICE INVITING BIDS OR OTHER WRITTEN SOLICITATION OF BIDS BY THE PURCHASING AGENT ("CITY'S BID DOCUMENTS") AND (II) VENDOR'S BID IN RESPONSE THERETO ("VENDOR'S BID"). THE CITY'S BID DOCUMENTS AND THE VENDOR'S BID SHALL BE REFERRED TO COLLECTIVELY AS THE "BID DOCUMENTS." THE GOODS SHALL BE IN COMPLIANCE WITH ALL OF THE STANDARDS AND SPECIFICATIONS SET FORTH IN THE BID DOCUMENTS, AND THE SERVICES SHALL BE PROVIDED IN A MANNER CONSISTENT WITH THAT LEVEL OF CARE AND SKILL ORDINARILY EXERCISED BY MEMBERS IN THE SAME PROFESSION, PRACTICING IN THE SAME LOCALITY UNDER SIMILAR CONDITIONS. IN THE EVENT OF ANY CONFLICT, THE ORDER OF PRECEDENT SHALL BE AS FOLLOWS: (I) SPECIFICATIONS SET FORTH IN THIS PURCHASE ORDER; (II) CITY'S BID DOCUMENTS; AND (III) VENDOR'S BID. THERE SHALL BE NO SUBSTITUTION OF GOODS OR SERVICES, WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE PURCHASING AGENT.
- DELIVERY DATE.** THE GOODS MUST BE SHIPPED AND MUST ARRIVE AT THE DESTINATION SPECIFIED ON THE PURCHASE ORDER AS "SHIP/BILL TO" AND SERVICES MUST BE PROVIDED BY THE VENDOR BY OR BEFORE THE REQUEST DATE SPECIFIED THEREIN ("REQUIRED DELIVERY DATE"). ANY FAILURE BY THE VENDOR TO MEET THE REQUIRED DELIVERY DATE WILL CONSTITUTE A MATERIAL DEFAULT OF THIS PURCHASE ORDER AND THE CITY MAY CANCEL ANY GOODS NOT DELIVERED IN A TIMELY MANNER. THE VENDOR MUST NOTIFY THE CITY IMMEDIATELY IF THE VENDOR REASONABLY BELIEVES THE VENDOR WILL NOT BE ABLE TO MEET THE REQUIRED DELIVERY DATE FOR ANY REASON AND PROVIDE THE CITY WITH A SCHEDULE THAT THE VENDOR REASONABLY BELIEVES IT WILL BE ABLE TO MEET.
- PURCHASE PRICE.** THE PURCHASE PRICE FOR THE GOODS AND SERVICES SHALL BE THE AMOUNT SET FORTH IN THIS PURCHASE ORDER. VENDOR REPRESENTS THAT THE PRICES QUOTED TO OR PAID BY THE CITY WILL NOT EXCEED CURRENT PRICES CHARGED TO ANY OTHER CUSTOMER BY THE VENDOR ON THE EXECUTION DATE FOR ITEMS THAT ARE THE SAME OR SUBSTANTIALLY SIMILAR TO THE GOODS, TAKING INTO CONSIDERATION THE QUANTITY UNDER CONSIDERATION, AND THE VENDOR WILL FORTHWITH REFUND ANY AMOUNTS PAID BY THE CITY IN EXCESS OF THE PRICE.
- CANCELLATION.** THE CITY RESERVES THE RIGHT TO CANCEL ANY PORTION OF THIS PURCHASE ORDER AT ANY TIME PRIOR TO THE DELIVERY OF GOODS AND SERVICES.
- DELIVERY RISK OF LOSS.** ALL ORDERS WILL BE F.O.B. DESTINATION IF NOT OTHERWISE SPECIFIED. RISK OF LOSS OR DAMAGE TO THE GOODS SHALL REMAIN WITH THE VENDOR UNTIL THE GOODS HAVE BEEN DELIVERED TO AND ACCEPTED BY THE CITY. ALL GOODS AND SERVICES WILL BE RECEIVED BY THE CITY SUBJECT TO ITS RIGHT OF INSPECTION, REJECTION, AND REVOCATION OF ACCEPTANCE UNDER THE UNIFORM COMMERCIAL CODE. THE CITY WILL BE ALLOWED A REASONABLE PERIOD OF TIME TO INSPECT THE GOODS AND SERVICES AND TO NOTIFY VENDOR OF ANY NONCONFORMANCE WITH THE TERMS AND CONDITIONS OF THE SPECIFICATIONS. THE CITY MAY REJECT ANY GOODS AND SERVICES THAT DO NOT CONFORM TO THE TERMS AND CONDITIONS OF THE BID DOCUMENTS. ANY GOODS AND SERVICES REJECTED MAY BE RETURNED TO THE VENDOR AT THE VENDOR'S RISK AND EXPENSE.
- INVOICES.** AN INVOICE MUST BE MAILED TO THE CITY AT THE ADDRESS SPECIFIED IN THE PURCHASE ORDER AS "SHIP/BILL TO" NO LATER THAN THE 5TH DAY AFTER SHIPMENT IS MADE. INDIVIDUAL INVOICES MUST BE ISSUED FOR EACH SHIPMENT AGAINST EACH PURCHASE ORDER. INVOICES MUST CONTAIN THE PURCHASE ORDER NUMBER, DESCRIPTION OF GOODS AND SERVICES, UNIT PRICE, QUANTITIES BILLED, EXTENDED TOTALS, AND APPLICABLE TAXES AS SET FORTH IN SECTION 8 OF THIS PURCHASE ORDER.
- PACKING AND SHIPPING.** DELIVERIES MUST BE MADE AS SPECIFIED, WITHOUT CHARGE, FOR BOXING, CRATING OR STORAGE UNLESS OTHERWISE SPECIFIED. GOODS MUST BE SUITABLY PACKED TO SECURE LOWEST TRANSPORTATION COSTS AND, IN ACCORDANCE WITH THE REQUIREMENTS OF COMMON CARRIERS, IN A MANNER TO ASSURE AGAINST DAMAGE FROM WEATHER OR TRANSPORTATION. THE CITY'S ORDER NUMBERS AND SYMBOLS MUST BE PLAINLY MARKED ON ALL INVOICES, PACKAGES AND SHIPPING ORDERS. PACKING LISTS SPECIFYING THE QUANTITY, DESCRIPTION, AND PURCHASE ORDER NUMBER MUST ACCOMPANY EACH BOX OR PACKING SHIPMENT. THE CITY'S COUNT OR WEIGHT WILL BE FINAL AND CONCLUSIVE ON SHIPMENTS NOT ACCOMPANIED BY PACKING LISTS. SHIPMENTS FOR TWO OR MORE DESTINATIONS WHEN SO DIRECTED BY THE CITY WILL BE SHIPPED IN SEPARATE BOXES OR CONTAINERS FOR EACH DESTINATION, AT NO CHARGE.
- TAXES.** THE VENDOR MUST SEPARATELY STATE ON ALL INVOICES ANY TAXES IMPOSED BY THE LOCAL, STATE OR FEDERAL STATE GOVERNMENT APPLICABLE TO FURNISHING OF GOODS AND SERVICES; PROVIDED, HOWEVER, WHERE A TAX EXEMPTION IS AVAILABLE, THE TAX MUST BE SUBTRACTED FROM THE TOTAL PRICE AND IDENTIFIED. UNLESS OTHERWISE SET FORTH IN THE PURCHASE ORDER, THE PURCHASE PRICE WILL BE CONSIDERED TO INCLUDE STATE AND CITY SALES OR USE TAX.
- WARRANTY.** THE VENDOR WARRANTS THAT ALL GOODS WILL CONFORM TO APPLICABLE SPECIFICATIONS, DRAWINGS, DESCRIPTION, AND SAMPLES, AND WILL BE MERCHANTABLE, OF GOOD WORKMANSHIP IN MATERIAL, AND FREE FROM DEFECT. UNLESS MANUFACTURED PURSUANT TO DETAILED DESIGN FURNISHED BY THE CITY, THE VENDOR ASSUMES DESIGN RESPONSIBILITY AND WARRANTS THE GOODS TO BE FREE FROM DESIGN DEFECT AND SUITABLE FOR THE PURPOSES INTENDED BY THE CITY, AND THAT SUCH GOODS IF INSTALLED BY THE VENDOR SHALL CONFORM TO APPLICABLE SPECIFICATIONS. THE VENDOR'S WARRANTIES, TOGETHER WITH ITS SERVICE GUARANTEES, MUST RUN TO THE CITY AND ITS CUSTOMERS OR USERS OF THE GOODS AND SERVICES AND MUST **NOT** BE DEEMED EXCLUSIVE. THE CITY'S INSPECTION, APPROVAL, ACCEPTANCE, USE OF, AND PAYMENT FOR ALL OR ANY PART OF THE GOODS AND SERVICES MUST IN NO WAY AFFECT ITS WARRANTY RIGHTS WHETHER OR NOT A BREACH OF WARRANTY HAD BECOME EVIDENT IN TIME.
- CHANGES.** THE CITY HAS THE RIGHT, BY WRITTEN NOTICE, TO CHANGE THE QUANTITY OR SPECIFICATIONS OF THE GOODS AND SERVICES ORDERED AND THE TERMS OF, SHIPMENT OR PACKAGING OF GOODS. UPON RECEIPT OF ANY NOTICE, THE VENDOR WILL PROCEED PROMPTLY TO MAKE THE CHANGES IN ACCORDANCE WITH THE TERMS OF THE NOTICE. IF ANY CHANGE CAUSES AN INCREASE OR DECREASE IN THE COST OR PERFORMANCE OR IN THE TIME REQUIRED FOR PERFORMANCE, AN EQUITABLE ADJUSTMENT MUST BE NEGOTIATED PROMPTLY AND THE CONTRACT MODIFIED IN WRITING ACCORDINGLY. THE VENDOR MUST DELIVER TO THE CITY AS PROMPTLY AS POSSIBLE, AND IN ANY EVENT WITHIN 30 DAYS AFTER RECEIPT OF CHANGE NOTICE, A STATEMENT SHOWING THE EFFECT OF ANY CHANGE IN THE DELIVERY DATES AND PRICES; THE STATEMENT MUST BE SUPPLEMENTED WITHIN 30 DAYS BY DETAILED SPECIFICATION OF THE AMOUNT OF THE PRICE ADJUSTMENT AND SUPPORTING COST FIGURES. THE VENDOR'S FAILURE TO SUBMIT THE STATEMENTS WITHIN THE TIME LIMITS STATED WILL CONSTITUTE ITS CONSENT TO PERFORM THE CHANGE WITHOUT INCREASE IN PRICE, WITHOUT CLAIM FOR MATERIAL RENDERED OBSOLETE AND WITHOUT CHANGE IN DELIVERY SCHEDULES.
- BUSINESS LICENSE.** THE VENDOR MUST OBTAIN A CITY BUSINESS LICENSE, UNLESS THE VENDOR QUALIFIES FOR AN EXEMPTION.

~ ~ ~ TO BE COMPLETED BY BIDDING COMPANY ~ ~ ~

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TERMS AND CONDITIONS FOR PURCHASE ORDERS

(FOR GOODS, COMMODITIES, AND SERVICES)
(CONTINUED) – DO NOT RETURN, RETAIN FOR YOUR RECORDS

12. **INDEMNITY.** THE VENDOR ASSUMES ALL RESPONSIBILITY FOR, AND AGREES TO UNDERTAKE, TO PROTECT, INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY, THE CITY COUNCIL, EACH OF ITS MEMBERS, PRESENT AND FUTURE, AND ITS OFFICERS, EMPLOYEES, AGENTS (COLLECTIVELY, THE "CITY"), FROM ANY AND ALL LIABILITIES, LOSSES, CLAIMS, SUITS, JUDGMENTS AND CAUSES OF ACTION FOR DAMAGE TO PROPERTY AND INJURIES TO PERSONS, INCLUDING DEATH, AND FROM ANY COST AND EXPENSE, INCLUDING RECALL EXPENSES AND ATTORNEYS FEES, ARISING OUT OF OR RELATED TO (I) GOODS AND SERVICES PROVIDED PURSUANT TO THIS PURCHASE ORDER, (II) VENDOR'S NEGLIGENCE; (IV) ALLEGATIONS THAT THE GOODS ARE DEFECTIVE IN MANUFACTURE OR DESIGN; AND (V) ANY PATENT RELATED TO THE GOODS.
13. **INTERPRETATION.** THE TERMS OF THIS PURCHASE ORDER SHOULD BE CONSTRUED IN ACCORDANCE WITH THE MEANING OF THE LANGUAGE USED AND SHOULD NOT BE CONSTRUED FOR OR AGAINST EITHER PARTY BY REASON OF THE AUTHORSHIP OF THIS PURCHASE ORDER OR ANY OTHER RULE OF CONSTRUCTION THAT MIGHT OTHERWISE APPLY.
14. **GOVERNING LAW: JURISDICTION.** THIS PURCHASE ORDER SHALL BE CONSTRUED IN ACCORDANCE WITH AND GOVERNED BY THE LAWS OF THE STATE OF CALIFORNIA. THE PURCHASE OF GOODS SHALL TAKE PLACE IN SANTA MONICA, CALIFORNIA. FOR ANY DISPUTE ARISING FROM THIS PURCHASE ORDER, THE PARTIES CONSENT TO JURISDICTION AND VENUE IN EITHER LOS ANGELES SUPERIOR COURT, WEST DISTRICT, OR THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.
15. **NONTRANSFERABILITY.** THE VENDOR MAY NOT TRANSFER OR ASSIGN THIS PURCHASE ORDER, WITHOUT THE PRIOR WRITTEN APPROVAL OF THE PURCHASING AGENT, WHICH MAY BE WITHHELD IN HIS/HER SOLE DISCRETION.
16. **DISCOUNTS.** THE DATE USED AS THE BASIS FOR DISCOUNT CALCULATION SHALL BE COMPUTED FROM THE DATE OF RECEIPT OF INVOICE, GOODS AND SERVICES, WHICHEVER IS LATER.
17. **COMPLIANCE WITH APPLICABLE LAW.** VENDOR AGREES TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAW IN CONNECTION WITH THE PERFORMANCE OF THIS PURCHASE ORDER.
18. **INTEGRATION: AMENDMENT.** THIS PURCHASE ORDER REPRESENTS THE ENTIRE UNDERSTANDING OF THE CITY AND THE VENDOR AS TO THOSE MATTERS CONTAINED HEREIN. NO PRIOR ORAL OR WRITTEN UNDERSTANDING WILL BE OF ANY FORCE OR EFFECT WITH RESPECT TO THE TERMS OF THIS PURCHASE ORDER. THE PURCHASE ORDER MAY NOT BE MODIFIED EXCEPT IN WRITING THROUGH AN AMENDED PURCHASE ORDER.
19. **INSURANCE.** UNLESS APPROVED BY THE CITY IN WRITING, THE VENDOR SHALL PROVIDE, PRIOR TO THE PERFORMANCE OF SERVICES REQUIRED BY THIS PURCHASE ORDER, THE FOLLOWING MINIMUM LEVELS OF INSURANCE SET FORTH IN EXHIBIT 1, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.
20. **SANTA MONICA LIVING WAGE ORDINANCE.** THIS PURCHASE ORDER (☐ IS ☐ IS NOT) SUBJECT TO THE CITY OF SANTA MONICA'S LIVING WAGE ORDINANCE, SANTA MONICA MUNICIPAL CODE CHAPTER 4.65 ("LIVING WAGE ORDINANCE"), WHICH REQUIRES THE PAYMENT OF MINIMUM WAGE FOR WORK DONE ON ANY CONTRACT TO ANY WORKER WHO DOES NOT ACTUALLY WORK AS A MANAGER, SUPERVISOR OR CONFIDENTIAL EMPLOYEE, AND WHO IS NOT REQUIRED TO POSSESS AN OCCUPATIONAL LICENSE. THE LIVING WAGE ORDINANCE SETS THE MINIMUM WAGE AT \$13.27 PER HOUR (EFFECTIVE JULY 1, 2010, THROUGH JUNE 30, 2011) AND PROVIDES FOR AN ANNUAL ADJUSTMENT EACH JULY 1ST BY AN AMOUNT CORRESPONDING TO THE PREVIOUS CALENDAR YEAR'S CHANGE IN THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS IN LOS ANGELES, RIVERSIDE AND ORANGE COUNTIES. IF THIS PURCHASE ORDER IS TO PROVIDE SERVICES THAT ARE \$54,200 OR ABOVE, THEN THE VENDOR SHALL COMPLY WITH ALL OF THE LIVING WAGE ORDINANCE'S PROVISIONS. FAILURE TO COMPLY WITH THE PROVISIONS OF THE LIVING WAGE ORDINANCE SHALL BE GROUNDS FOR TERMINATION OF THIS PURCHASE ORDER. QUESTIONS CONCERNING THE LIVING WAGE ORDINANCE MAY BE DIRECTED TO THE CITY FINANCE DEPARTMENT AT (310) 458-8281.

EXHIBIT 1 TO TERMS AND CONDITIONS OF PURCHASE ORDERS FOR GOODS AND SERVICES

PRIOR TO COMMENCING WORK, THE VENDOR SHALL PROCURE AND MAINTAIN AT VENDOR'S OWN COST AND EXPENSE FOR THE DURATION OF THE CONTRACT INSURANCE AGAINST CLAIMS FOR INJURIES TO PERSONS OR DAMAGES TO PROPERTY WHICH MAY ARISE FROM OR IN CONNECTION WITH THE PERFORMANCE OF THE WORK OR SERVICES HEREUNDER BY THE VENDOR, HIS AGENTS, REPRESENTATIVES, EMPLOYEES, OR SUBCONTRACTORS. THE COST OF SUCH INSURANCE SHALL BE INCLUDED IN VENDOR'S BID.

WITHOUT IN ANY WAY AFFECTING THE INDEMNITY PROVIDED, THE VENDOR SHALL SECURE BEFORE COMMENCEMENT OF THE WORK AND THROUGHOUT THE CONTRACT THE FOLLOWING TYPES AND AMOUNTS OF INSURANCE:

A. MINIMUM LIMITS OF INSURANCE.

VENDOR SHALL OBTAIN INSURANCE OF THE TYPES AND IN THE AMOUNTS DESCRIBED BELOW:

- COMMERCIAL GENERAL LIABILITY INSURANCE**
VENDOR SHALL MAINTAIN COMMERCIAL GENERAL LIABILITY (CGL) WITH A LIMIT OF NOT LESS THAN \$1,000,000 EACH OCCURRENCE/\$2,000,000 IN THE ANNUAL AGGREGATE.
- BUSINESS AUTO LIABILITY INSURANCE**
VENDOR SHALL MAINTAIN BUSINESS AUTO LIABILITY WITH A LIMIT OF NOT LESS THAN \$1,000,000 EACH ACCIDENT.
- WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE**
VENDOR SHALL MAINTAIN WORKERS' COMPENSATION INSURANCE AS REQUIRED BY THE STATE OF CALIFORNIA AND EMPLOYER'S LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000 PER ACCIDENT FOR BODILY INJURY OR DISEASE.

~ ~ ~ TO BE COMPLETED BY BIDDING COMPANY ~ ~ ~

NAME OF BIDDING COMPANY	PHONE	INITIALS OF REPRESENTATIVE



FINANCE DEPARTMENT
PURCHASING SECTION
1717 4TH STREET, SUITE 250
SANTA MONICA, CA 90401
WWW.SMGOV.NET
(310) 393-6142 FAX

REQUEST FOR QUOTATION

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(THIS IS NOT AN

FOR MORE INFORMATION ABOUT THIS REQUEST,
CONTACT MONICA DIAZ AT (310) 458-8215 OR
MONICA.DIAZ@SMGOV.NET.

POSTING DATE	QUOTATION NUMBER	CLOSING DATE
02-24-11	35242-OG	03-14-11

PLEASE RESPOND NO LATER THAN 3:00 PM, PACIFIC TIME ON MARCH 14, 2011.

EMAIL: MONICA.DIAZ@SMGOV.NET OR FAX: (310) 393-6142

TERMS AND CONDITIONS FOR PURCHASE ORDERS

(FOR GOODS, COMMODITIES, AND SERVICES)
(CONTINUED) – DO NOT RETURN, RETAIN FOR YOUR RECORDS

B. MINIMUM SCOPE OF INSURANCE.

- 1) CGL INSURANCE SHALL BE WRITTEN ON INSURANCE SERVICES OFFICE FORM CG 00 01 (OR A SUBSTITUTE FORM PROVIDING EQUIVALENT COVERAGE) AND SHALL COVER LIABILITY ARISING FROM PREMISES, OPERATIONS, INDEPENDENT CONTRACTORS, PRODUCTS-COMPLETED OPERATIONS, PERSONAL INJURY AND ADVERTISING INJURY LIABILITY ASSUMED UNDER AN INSURED CONTRACT (INCLUDING THE TORT LIABILITY OF ANOTHER ASSUMED IN A BUSINESS CONTRACT), AND EXPLOSION, COLLAPSE AND UNDERGROUND HAZARDS.
- 2) BUSINESS AUTO INSURANCE SHALL COVER LIABILITY ARISING OUT OF ANY AUTO (INCLUDING OWNED, HIRED, AND NON-OWNED AUTOS). COVERAGE SHALL BE WRITTEN ON INSURANCE SERVICES OFFICE FORM CA 00 01, CA 00 05, CA 00 12, CA 00 20, OR A SUBSTITUTE FORM PROVIDING EQUIVALENT LIABILITY COVERAGE. IF NECESSARY, THE POLICY SHALL BE ENDORSED TO PROVIDE CONTRACTUAL LIABILITY COVERAGE EQUIVALENT TO THAT PROVIDED IN THE 1990 AND LATER EDITIONS OF CA 00 01.

C. DEDUCTIBLES AND SELF-INSURED RETENTIONS.

ANY DEDUCTIBLES OR SELF-INSURED RETENTIONS MUST BE DECLARED TO AND APPROVED BY THE CITY OF SANTA MONICA. AT THE OPTION OF THE CITY OF SANTA MONICA, EITHER: THE INSURER SHALL REDUCE OR ELIMINATE SUCH DEDUCTIBLES OR SELF-INSURED RETENTIONS AS RESPECTS THE CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, OR VOLUNTEERS; OR THE VENDOR SHALL PROVIDE A FINANCIAL GUARANTEE SATISFACTORY TO THE CITY OF SANTA MONICA GUARANTEEING PAYMENT OF LOSSES AND RELATED INVESTIGATION, CLAIM ADMINISTRATION AND DEFENSE EXPENSES.

D. OTHER INSURANCE PROVISIONS.

- 1) GENERAL LIABILITY AND VEHICLE LIABILITY COVERAGES ONLY:

(a) CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, AND VOLUNTEERS ARE TO BE COVERED AS ADDITIONAL INSURED WITH RESPECT TO LIABILITY ARISING OUT OF AUTOMOBILES OWNED, LEASED, HIRED, OR BORROWED BY OR ON BEHALF OF THE VENDOR; AND WITH RESPECT TO LIABILITY ARISING OUT OF WORK OR OPERATIONS PERFORMED BY OR ON BEHALF OF THE VENDOR INCLUDING MATERIALS, PARTS OR EQUIPMENT FURNISHED IN CONNECTION WITH SUCH WORK OR OPERATIONS. UNDER THE CGL POLICY, USING THE INSURANCE SERVICES OFFICE ADDITIONAL INSURED ENDORSEMENT FORM CG 20 10 OR A SUBSTITUTE PROVIDING EQUIVALENT COVERAGE, AND UNDER THE COMMERCIAL UMBRELLA, IF ANY. CITY AND OTHER ADDITIONAL INSURED MENTIONED IN THIS PARAGRAPH SHALL NOT, BY REASON OF THEIR INCLUSION AS ADDITIONAL INSURED, BECOME LIABLE FOR ANY PAYMENT OF PREMIUMS TO CARRIERS FOR SUCH COVERAGE.

(b) FOR ANY CLAIMS RELATED TO THIS PROJECT, THE VENDOR'S INSURANCE COVERAGE SHALL BE PRIMARY AS RESPECTS THE CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, AND VOLUNTEERS. ANY INSURANCE OR SELF-INSURANCE MAINTAINED BY THE CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, OR VOLUNTEERS SHALL BE EXCESS OF THE VENDOR'S INSURANCE AND SHALL NOT CONTRIBUTE WITH IT.

- 2) WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY COVERAGES.

THE INSURER SHALL AGREE TO WAIVE ALL RIGHTS OF SUBROGATION AGAINST THE CITY OF SANTA MONICA, ITS OFFICERS, OFFICIALS, EMPLOYEES, AND VOLUNTEERS FOR LOSSES ARISING FROM ACTIVITIES AND OPERATIONS OF VENDOR IN THE PERFORMANCE OF SERVICES UNDER THE CONTRACT.

- 3) ALL COVERAGES.

(a) EACH INSURANCE REQUIRED BY THIS CLAUSE SHALL BE ENDORSED TO STATE THAT COVERAGE SHALL NOT BE CANCELED EXCEPT AFTER THIRTY (30) DAYS PRIOR WRITTEN NOTICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, HAS BEEN GIVEN TO THE CITY AS SET FORTH IN THE NOTICE REQUIREMENT OF THIS AGREEMENT.

(b) IF VENDOR, FOR ANY REASON, FAILS TO MAINTAIN INSURANCE COVERAGE WHICH IS REQUIRED PURSUANT TO THIS CONTRACT, THE SAME SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT. CITY, AT ITS SOLE OPTION, MAY TERMINATE THIS CONTRACT AND OBTAIN DAMAGES FROM THE VENDOR RESULTING FROM SAID BREACH. ALTERNATIVELY, CITY MAY PURCHASE SUCH COVERAGE (BUT HAS NO SPECIAL OBLIGATION TO DO SO), AND WITHOUT FURTHER NOTICE TO THE VENDOR, CITY MAY DEDUCT FROM SUMS DUE TO THE VENDOR ANY PREMIUM COSTS ADVANCED BY THE CITY FOR SUCH INSURANCE.

E. ACCEPTABILITY OF INSURERS.

INSURANCE IS TO BE PLACED WITH INSURERS WITH A CURRENT A.M. BEST'S RATING OF NO LESS THAN A:6 UNLESS OTHERWISE APPROVED BY THE CITY'S RISK MANAGER.

F. VERIFICATION OF COVERAGE.

VENDOR SHALL FURNISH THE CITY OF SANTA MONICA WITH ORIGINAL CERTIFICATES AND AMENDATORY ENDORSEMENTS EFFECTING COVERAGE REQUIRED BY THIS SECTION. THE CERTIFICATES AND ENDORSEMENTS FOR EACH POLICY ARE TO BE SIGNED BY A PERSON AUTHORIZED BY THE INSURER TO BIND COVERAGE ON ITS BEHALF. THE CERTIFICATES AND ENDORSEMENTS SHOULD BE ON FORMS PROVIDED BY THE CITY OF SANTA MONICA OR ON OTHER THAN THE CITY OF SANTA MONICA'S FORMS, PROVIDED THOSE FORMS AND ENDORSEMENTS CONFORM TO THE REQUIREMENTS. ALL CERTIFICATES AND ENDORSEMENTS ARE TO BE RECEIVED AND APPROVED BY THE CITY OF SANTA MONICA BEFORE WORK COMMENCES. THE CITY OF SANTA MONICA RESERVES THE RIGHT TO REQUIRE COMPLETE, CERTIFIED COPIES OF ALL REQUIRED INSURANCE POLICIES, INCLUDING ENDORSEMENTS EFFECTING THE COVERAGE REQUIRED BY THESE SPECIFICATIONS AT ANY TIME.

G. SUBCONTRACTORS.

VENDOR SHALL INCLUDE ALL SUBCONTRACTORS AS INSURED UNDER ITS POLICIES OR SHALL FURNISH SEPARATE CERTIFICATES AND ENDORSEMENTS FOR EACH SUBCONTRACTOR. ALL COVERAGES FOR SUBCONTRACTORS SHALL BE SUBJECT TO ALL OF THE REQUIREMENTS STATED HEREIN.

~ ~ ~ TO BE COMPLETED BY BIDDING COMPANY ~ ~ ~

NAME OF BIDDING COMPANY	PHONE	INITIALS OF REPRESENTATIVE



FINANCE DEPARTMENT
PURCHASING SECTION
1717 4TH STREET, SUITE 250
SANTA MONICA, CA 90401
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EMAIL: MONICA.DIAZ@SMGOV.NET OR FAX: (310) 393-6142

NO BID FORM

(IF **NOT** BIDDING, COMPLETE AND RETURN THIS PAGE **ONLY**, DO NOT INCLUDE WITH FULL BID SUBMISSION)

TO: ALL BIDDERS

PLEASE RESPOND TO THE ATTACHED BID REQUEST. IF YOU NEED ANY ASSISTANCE OR THE SPECIFICATIONS ARE NOT CLEAR, PLEASE CONTACT THE PURCHASING OFFICE IMMEDIATELY AT (310) 458-8215.

NOTE: IF YOU ARE NOT GOING TO RESPOND TO THIS BID REQUEST, PLEASE COMPLETE YOUR COMPANY INFORMATION AT BOTTOM OF PAGE, CHECK THE APPROPRIATE BOX BELOW, INDICATING REASON, AND RETURN ONLY THIS LETTER BY FAX (310-393-6142) OR EMAIL (MONICA.DIAZ@SMGOV.NET).

☐ CANNOT FURNISH GOODS OR SERVICES AS SPECIFIED (INDICATE WHY):

☐ NOT INTERESTED. PLEASE REMOVE OUR COMPANY FROM THE BID LIST.

☐ OTHER - STATE REASON THAT NO BID IS BEING SUBMITTED.

THANK YOU,

MONICA DIAZ
BUYER

NAME OF COMPANY

PHONE

SIGNATURE OF REPRESENTATIVE

DATE

EMAIL OF REPRESENTATIVE

~ ~ ~ TO BE COMPLETED BY BIDDING COMPANY ~ ~ ~

NAME OF BIDDING COMPANY	PHONE	INITIALS OF REPRESENTATIVE