



**CITY OF PHOENIX
Purchasing Division**

**INVITATION FOR BID
IFB 11-031 (MT)**

SALE AND REMOVAL OF ONE LOT MISCELLANEOUS SCRAP WIRE

**CONTACT PERSON
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Supplies Supervisor
602-495-2458
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Purchasing Division
251 W. Washington Street
8th Floor
Phoenix, AZ 85003
Phone: (602) 262-7181

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Please read this before continuing on to the bid document.

SOLICITATION RESPONSE CHECK LIST

In order for your response to be considered, your firm must be in compliance with the Phoenix City Code, Chapter 18, Article V pertaining to Affirmative Action Programs, prior to the solicitation opening due date. **Failure to comply with the reporting requirements of this ordinance will result in your response being rejected.**

Check off each of the following as the necessary action is completed.

- ☐ 1. The requirements of City of Phoenix Affirmation Action Program Ordinance G-3472 have been met. Compliance forms are available <http://phoenix.gov/CITZASST/affactio.html>. If currently in compliance, do not resubmit forms.
- ☐ 2. All forms have been signed. All of Section V, Submittals, is included.
- ☐ 3. The prices offered have been reviewed.
- ☐ 4. The price extensions and totals have been checked.
- ☐ 5. Any required drawings or descriptive literature have been included.
- ☐ 6. The delivery information block has been completed.
- ☐ 7. If required, the amount of the bid surety has been checked and the surety has been included.
- ☐ 8. Review the insurance requirements, if any, to assure you are in compliance.
- ☐ 9. The specified number of copies of your offer has been included.
- ☐ 10. Any addenda have been signed and are included.
- ☐ 11. The mailing envelope has been addressed to:
City of Phoenix, Purchasing, 8th Floor, 251 W. Washington Street, Phoenix, AZ 85003.

The mailing envelope clearly shows:
Your company name and address, the solicitation number, and the bid opening date.
- ☐ 12. The response will be mailed in time to be received no later than 2:00 p.m. local Arizona time.



SECTION I - INSTRUCTIONS TO BIDDERS

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1. INTRODUCTION

The City of Phoenix invites sealed bids for the sale and removal of one lot miscellaneous scrap wire located at 2820 S. 22nd Ave. Phoenix, AZ 85009 in accordance with the specifications and provisions contained herein.

This solicitation is available in large print, Braille, audio tape, or computer diskette. Please call (602) 262-7181/Fax (602) 534-1933 or TTY (602) 534-5500 for assistance.

2. SCHEDULE OF EVENTS

Bid Due Date: October 1, 2010 at 2:00 p.m.
Local Arizona Time

Bid Submittal Location: Calvin Goode Building
City of Phoenix Finance Department
Purchasing Division
251 W. Washington Street, 8th Floor
Phoenix, AZ 85003

Inspection Opportunity: Call Leland Merrill, Inventory Management Coordinator at (602) 534-0829 for inspection appointment or e-mail leland.merrill@phoenix.gov

City reserves the right to change dates and/or locations as necessary.

3. OBTAINING A COPY OF THE SOLICITATION AND ADDENDA

Interested bidders may download the complete solicitation and addenda from <http://phoenix.gov/business/contract/opportunities/goods/finnumb/index.html>. Internet access is available at all public libraries. Any interested bidders without Internet access may obtain this solicitation by calling (602) 262-7181 or picking up a copy during regular business hours at the City of Phoenix Finance Department, Purchasing Division, 251 W. Washington Street, 8th Floor, Phoenix, AZ.

4. PREPARATION OF BID

4.1 All forms provided in Section V, Submittal, must be completed and submitted you're your bid. It is permissible to copy Section V forms if necessary. Erasures, interlineations, or other modifications of your bid shall be initialed in original ink by the authorized person signing the bid. No bid shall be altered, amended or withdrawn after the specified bid due time and date. The City is not responsible for bidder's errors or omissions. All time periods stated as a number of days shall be calendar days.

Any submission of an alternate term or condition to Sections I, II or III with your offer may result in rejection of your bid. This solicitation is deemed to be thorough and complete as to the city's needs.

4.2 It is the responsibility of all bidders to examine the entire solicitation and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting a bid. Negligence in preparing a bid confers no right of withdrawal after due date and time. Offerors are strongly encouraged to:

A. Consider applicable laws and/or economic conditions that may affect cost, progress, performance, or furnishing of the products or services.



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- B. Study and carefully correlate Offeror's knowledge and observations with the IFB document and other related data.
- C. Promptly notify the City of all conflicts, errors, ambiguities, or discrepancies which an Offeror has discovered in or between the IFB document and such other related documents.

4.3 The City does not reimburse the cost of developing, presenting or providing any response to this solicitation. Offers submitted for consideration should be prepared simply and economically, providing adequate information in a straightforward and concise manner. The Bidder is responsible for all costs incurred in responding to this solicitation. All materials and documents submitted in response to this solicitation become the property of the City and will not be returned.

4.4 Bidders are reminded that the specifications stated in the solicitation are the minimum level required and that bids submitted must be for products or services that meet or exceed the minimum level of all features specifically listed in this solicitation. Bids offering less than the minimums specified are not responsive and should not be submitted.

4.5 Bid responses submitted for products considered by the seller to be acceptable alternates to the brand names or manufacturer's catalog reference specified herein must be submitted with technical literature and/or detailed product brochures for the City's use to evaluate the products offered. Bids submitted without this product information may be considered as non-responsive and rejected. The City will be the sole judge as to the acceptability of alternate products offered.

4.6 If provisions of the detailed specifications preclude an otherwise qualified bidder from submitting a bid, a written request for modification must be received by the Deputy Finance Director at least seven (7) calendar days prior to the bid opening. The City may issue an addendum to this solicitation of any approved specification changes.

5. ADDENDA

The City of Phoenix shall not be responsible for any oral instructions made by any employees or officers of the City of Phoenix in regard to the bidding instructions, plans, drawings, specifications, or contract documents. Any changes to the plans, drawings and specifications will be in the form of an addendum, which will be available at <http://phoenix.gov/business/contract/opportunities/goods/finnumb/index.html> or by calling (602) 262-7181. The bidder shall acknowledge receipt of an addendum by signing and returning the document with the bid submittal.

6. LICENSES

If required by law for the operation of the business or work related to this Bid, Bidder must possess all valid certifications and/or license as required by federal, state or local laws at the time of submittal.

7. CERTIFICATION

By signature in the offer section of the Offer and Acceptance page, bidder certifies:

- The submission of the offer did not involve collusion or other anti-competitive practices.
- The bidder shall not discriminate against any employee, or applicant for employment in violation of Federal or State Law.



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- The bidder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer.

6. SUBMISSION OF BID

Bids must be in the actual possession of the Purchasing Division on or prior to the exact time and date indicated in the Schedule of Events. Late bids shall not be considered. The prevailing clock shall be the City Finance Department, Purchasing Division's clock.

Bids must be submitted in a sealed envelope and the following information should be noted on the outside of the envelope:

Bidder's Name

Bidder's Address (as shown on the Certification Page)

IFB Number

IFB Title

All bids must be completed in ink or typewritten. Include the number of copies indicated in the Submittal section.

7. WITHDRAWAL OF OFFER

At any time prior to the solicitation due date and time, a bidder (or designated representative) may withdraw the bid by submitting a request in writing and signed by a duly authorized representative. Facsimiles, telegraphic or mailgram withdrawals shall not be considered.

8. BID RESULTS

Bids will be opened on the bid due date, time and location indicated in the Schedule of Events at which time the name of each bidder and the prices shall be read. Bids and other information received in response to the Invitation for Bid shall be shown only to authorized City personnel having a legitimate interest in them or persons assisting the City in the evaluation. Bids are not available for public inspection until after award recommendation has been posted on the City's website.

A preliminary bid tabulation will be posted on the Purchasing Division's website, <http://phoenix.gov/business/contract/opportunities/goods/fintabsnumb/index.html> within five (5) calendar days of the bid opening. The information on the preliminary tabulation will be posted as it was read during the bid opening. The City makes no guarantee as to the accuracy of any information on the preliminary tabulation. Once the City has evaluated the bids an award recommendation will be posted on the website. No further notification will be provided to unsuccessful bidders.

Protest of an award recommendation must be filed within seven (7) calendar days after the award recommendation is posted on the website. Protests shall be in writing and filed with the Deputy Finance Director and must include all of the following:

- The name, address and telephone number of the protester;
- The signature of the protester or its representative;
- Identification of the IFB number;
- A detailed statement of the legal and factual grounds of protest including copies of relevant documents; and,
- The form of relief requested.

9. AWARD OF CONTRACT

Unless otherwise indicated, award(s) will be made to the highest responsive, responsible bidder(s) who are regularly established in the service contained in the solicitation and who have demonstrated



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the ability to perform the required service in an acceptable manner. Factors that will be considered by the City include:

- Technical capability of the Bidder to accomplish the scope of work required in the Solicitation. This includes performance history on past and current government or industrial contracts.
- Demonstrated availability of the necessary manpower (both supervisory and operational personnel) and necessary equipment to accomplish the scope of work in the Solicitation.
- Safety record.

Notwithstanding any other provision of this solicitation, the City reserves the right to: (1) waive any immaterial defect or informality; or (2) reject any or all bids or portions thereof; or (3) reissue a solicitation.

A response to a solicitation is an offer to contract with the City based upon the terms, conditions, and specifications contained in the City's solicitation. Bids do not become contracts until they are executed by the Deputy Finance Director. A contract has its inception in the award, eliminating a formal signing of a separate contract. For that reason, all of the terms, conditions and specifications of the procurement contract are contained in the solicitation, unless any of the terms, conditions, or specifications are modified by an addendum or contract amendment.

10. CITY'S RIGHT TO DISQUALIFY FOR CONFLICT OF INTEREST

The City reserves the right to disqualify any bidder on the basis of any real or apparent conflict of interest that is disclosed by the bid submitted or any other data available to the City. This disqualification is at the sole discretion of the City. Any bidder submitting a bid herein waives any right to object now or at any future time, before any body or agency, including but not limited to, the City Council of the City of Phoenix or any court.

11. BIDDER'S COMPLIANCE WITH HEALTH, ENVIRONMENTAL, AND SAFETY REQUIREMENTS.

The Bidder's products, services and facilities shall be in full compliance with all applicable Federal, State and local health, environmental and safety laws, regulations, standards, codes and ordinances, regardless of whether or not they are referred to by the City.

At the request of the City representatives, the bidder shall provide the City:

- Environmental, safety and health regulatory compliance documents (written safety programs, training and records, permits, etc.) applicable to services requested.
- A list of all Federal, State and local citations or notice of violations (including but not limited to EPA, OSHA, Maricopa County) issued against the Bidder or their subcontractors including dates, disposition and resolutions.

The City further reserves the right to make unannounced inspections of the Bidder's facilities (during normal business hours).



SECTION II - STANDARD TERMS AND CONDITIONS

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1. DEFINITION OF KEY WORDS USED IN THE SOLICITATION

Shall, Will, Must: Indicates a mandatory requirement. Failure to meet these mandatory requirements may result in the rejection of proposal as non-responsive.

Should: Indicates something that is recommended but not mandatory. If the bidder fails to provide recommended information, the City may, at its sole option, ask the bidder to provide the information or evaluate the offer without the information.

May: Indicates something that is not mandatory but permissible.

For purposes of this solicitation, the following definitions shall apply:

"A.R.S."	Arizona Revised Statute
"Bidder"	Any person or firm submitting a competitive bid in response to a solicitation such as an Invitation for Bid (IFB) or Request for Quotation (RFQ).
"Buyer"	City of Phoenix, City Purchasing Division staff person responsible for the solicitation.
"CBP"	U.S. Customs and Border Control.
"City"	The City of Phoenix.
"Contractor"	The individual, partnership, or corporation who, as a result of the competitive process, is awarded a contract by the City of Phoenix.
"Contract/Agreement"	The legal agreement executed between the City of Phoenix, AZ and the Contractor.
"Contract Representative"	The City employee or employees who have specifically been designated to act as a contact person or persons to the Contractor, and responsible for monitoring and overseeing the Contractor's performance under this contract.
"Days"	Means calendar days unless otherwise specified.
"Deputy Finance Director"	The contracting authority for the City of Phoenix, AZ, authorized to sign contracts and amendments thereto on behalf of the City of Phoenix of Phoenix, AZ.
"Employer"	Any individual or type of organization that transacts business in this state, that has a license issued by an agency in this state and employs one or more employees in the state. Employer includes this state, any political subdivision of this state and self-employed persons. In the case of an independent contractor, employer means the independent contractor and does not mean the person or organization that uses contract labor. (A.R.S. 23-211)



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"EPA"	Environmental Protection Agency.
"FIFRA"	Federal Insecticide, Fungicide and Rodenticide Act.
"FIS"	Federal Inspection Services.
"Manufacturer"	A firm that operates or maintains a factory or establishment that produces on the premises, the materials, supplies, articles or equipment required under the contract.
"Offer"	Means bid or quotation.
"Regular Dealer"	A firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of general character described by the specifications are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. An established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question
"Seller"	City of Phoenix, Arizona Surplus Property Office
"Solicitation"	Means an Invitation for Bid (IFB) or Request for Quote (RFQ).
"Suppliers"	Firms, entities or individuals furnishing goods or services directly to the City.
"Vendor"	A seller of goods or services.

2. SHIPPING

Shipping/related handling is the responsibility of the buyer. Normally, surplus property is sold on an "as is - where is" basis.

3. REJECTION OF BIDS

The City of Phoenix reserves the right to reject any or all bids.

4. DELAY IN EXERCISING CONTRACT REMEDY

Failure or delay by the City to exercise any right, power, or privilege shall not be deemed a waiver thereof.

5. REMEDIES

Buyer shall have, in addition to the remedies provided herein, all remedies afforded by the uniform commercial code as adopted by the State of Arizona. Seller shall have subject to the limitation imposed by the terms of this agreement all remedies afforded by the uniform commercial code as adopted by the State of Arizona.



SECTION III – SPECIAL TERMS AND CONDITIONS

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1. AWARD

Award will be made per lot on an “as is – where is” basis. Notice of award will be given within approximately fifteen (15) business days after bid opening.

2. PAYMENT

Payment in full must be made before any items can be removed from city storage yard. Payment must be made in the form of cash, cashier’s check or electronic funds transfer made payable to the City of Phoenix. Personal or company checks will not be accepted.

3. WARRANTY

It is understood and agreed that there shall be no warranties, express or implied, as to the fitness for a particular use and/or warranty of merchantability of any of the items.

4. REMOVAL

Bidder is responsible for all costs incurred for removal of material. All materials must be removed by the Purchaser within ten (10) calendar days after bid award. The materials must be removed during the hours of 7:00 a.m. to 2:00 p.m., Monday through Friday, city holidays excepted. The area must be left clean, with no debris left on the ground. Trash must be removed. Containers are not included in this sale. Empty containers must be returned, undamaged, within three (3) days after materials have been picked up.

Should the Purchaser fail to remove the purchased property by the specified date, the City shall have the right to remove and store the property with the purchaser paying the full cost for such removal and storage.

5. INSPECTION

Contact Mr. Leland Merrill at (602) 534-0829 or e-mail at leland.merrill@phoenix.gov to schedule an inspection of the material offered for sale.



SECTION IV - SCOPE

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SCOPE

For the sale and removal of the one lot miscellaneous scrap wire located at 2820 S. 22nd Ave. Phoenix, Arizona 85009:

Lot #	Description
1.	Sale and removal of one lot miscellaneous scrap wire

Please note: The city of Phoenix does not provide estimated weights nor do we guarantee the quality or grade of this material offered for sale. The bidder is encouraged to inspect the lot prior to submitting a bid.



SECTION V - SUBMITTAL

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Please submit one original and one copy of the Submittal (Section V). **Please submit only Section V, do not submit a copy of the entire IFB document.** This offer will remain in effect for a period of 120 calendar days from the bid opening date and is irrevocable unless it is in the City's best interest to do so.

1. BID PRICE SCHEDULE

Lot #	Description	Bid Price
1.	Sale and removal of one lot miscellaneous scrap wire located at 2820 S. 22 nd Ave. Phoenix AZ 85009	\$ /Per Lot

Company Name_____

Bid Opening Date: Friday, October 1, 2010 @ 2:00 PM local Solicitation No. IFB 11-031 (MT)

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CERTIFICATIONS

In the event only one response is received, the City may require that the bidder submit a cost proposal in sufficient detail for the City to perform a cost/price analysis to determine if the bid price is fair and reasonable. Bidder certifies it is a: proprietorship ____; partnership ____; corporation ____; limited liability corporation ____.

Arizona Transaction Privilege Tax License No. _____

Use Tax No. for Out-of-State Suppliers _____

City of Phoenix Privilege Tax License No. _____

Taxpayer's Federal Identification Number _____

Bidder certifies that he has read, understands, and will fully and faithfully comply with this Invitation for Bid, its attachments and any referenced documents. Bidder also certifies that the prices offered were independently developed without consultation with any of the other bidders or potential bidders.

Authorized Signature

Date

Printed Name and Title

Company Name _____

Address _____

City, State and Zip Code _____

Telephone Number _____

Company's Fax Number _____

Company's Toll Free Number _____

E-mail Address _____

Company Name _____

Bid Opening Date: Friday, October 1, 2010 @ 2:00 PM

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