

City Council Members

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City Council Members

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TOM PRATHER, MAYOR

**INVITATION TO BID
125 West Clinton Street Building HVAC Project
BID OPENING:
Monday, May 22, 2017 at 2:00 PM EDT**

SCOPE

The City of Georgetown is seeking bids for installation of the heating, ventilation and air conditioning ("HVAC") in the building located at 125 West Clinton Street, Georgetown, KY 40324.

GENERAL COMPLIANCE

NOTE TO BIDDERS: Bid submission does not constitute an agreement or a contract with the City of Georgetown.

NO RESPONSE: Bidders unable or unwilling to submit a bid should immediately return the "Bidder Response Form" only with "No Response" marked clearly on the outside of the envelope. Any vendor not submitting a bid is encouraged to indicate the reason(s) for not participating.

ALTERNATE BIDS: It is not the intention of the specifications contained herewith to eliminate any bidder; however, quoted items must equal or exceed stated specifications.

INDICATION OF COMPLIANCE: The bidder shall indicate compliance with either a "Yes" or a "No" for each item specification. Blank spaces shall be considered non-compliance. Any deviation from the specification or where submitted literature does not fully support meeting the specification(s) must be clearly cited on the attached page labeled "EXCEPTIONS TO SPECIFICATIONS AND/OR COMMENTS." No deviation below "minimum" specifications will be accepted.

Additional Information: While not necessary, the proposer may include any product brochures, software documentation, sample reports, or other documentation that may assist the City of Georgetown in better understanding and evaluating the proposer's response. Additional documentation shall not serve as a substitute for other documentation which is required by the Invitation to Bid (ITB) to be submitted with the proposal.



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At the time of submission, each bidder will be presumed to have inspected the site(s), if necessary, and to have read the scope and to be thoroughly familiar with the project plans and contract documents (including any and all addenda). The failure or omission of any bidder to examine any form, instrument, or document shall in no way relieve any bidder from any obligation with respect to this bid.

All bids and any additional submitted information becomes the property of the City of Georgetown and will not be returned to the bidder.

BID SUBMISSION: All pages of the original signed hardcopy shall be initialed in ink on the lower right-hand corner. Typed quotation sheets are preferred; however, if hand written, the sheets must be legible and in ink. Any pricing information that is illegible may result in the rejection of the bid.

The bidder must submit one original signed hardcopy, and three (3) duplicates. These must be sealed in a container with the project name, the bidder's name and the opening date clearly marked on the outside of the envelope. The cover of the original bid should be marked "Original" and the cover of the duplicates should be marked "Copy." The bid shall be addressed and delivered to City Clerk, 100 North Court Street, Georgetown, KY 40324 prior to bid opening.

ANY BIDS NOT RECEIVED PRIOR TO THE SCHEDULED OPENING DATE AND TIME WILL BE REJECTED AND RETURNED UNOPENED.

FAILURE TO SUBMIT REQUIRED DOCUMENTATION: Failure to submit ALL forms and information required in this ITB may be grounds for disqualification.

LIABILITY: City of Georgetown is not liable for any expenses incurred in connection with the preparation of bids.

METHOD OF PROCUREMENT: Shall be in conformance with Purchasing Policies as adopted by the City Council for the City of Georgetown, Kentucky. A copy of the City's Purchasing Policy is available on the City's website at www.georgetownky.gov (Finance Department).

KENTUCKY OPEN RECORDS LAW: At the time a bid is submitted to the City, bidder shall identify any information that is submitted as part of the bid that is proprietary or confidential in nature and not subject to release for public inspection. The City of Georgetown will protect any proprietary or confidential information to the extent allowable under the Kentucky Open Records Act.

NEW GOODS, FRESH STOCK: Unless otherwise specifically stated, all Contractors shall provide new commodities, fresh stock, latest model, design or package.

COMPLIANCE WITH LAWS AND REGULATIONS: Each bidder shall comply with all Federal, State & Local regulations concerning this type of service.

METHOD OF AWARD: The award will be based upon the lowest responsive and responsible bidder complying with specifications on each item. The City of

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Georgetown reserves the right to consider as a part of the bid evaluation the stated warranty, stated delivery schedule, service, features, upgrades and payment terms.

The City of Georgetown reserves the right to reject any and all bids, to award any bid in whole or in part, and/or to waive any irregularities or minor immaterial defects in any and all bids. The right is also reserved to award bids based on the best interest and/or most advantageous to the City. The City of Georgetown may also consider any alternative bid that meets its basic needs.

PRICING: All prices shall be quoted exclusive of any taxes. The City of Georgetown is exempt from Federal excise, transportation and/or Kentucky sales tax. Any items supplied directly to the City from a supplier/manufacturer are exempt from sales tax. Any items purchased by a contractor that will be used in the fulfillment of a contract are not exempt from sales tax.

In case of a discrepancy in the extension of a unit price, the unit price shall govern the total price.

Bidders must provide manufacturer's product literature if available and appropriate with the bid submission.

Bids shall remain firm and open to acceptance by the City of Georgetown for a minimum period of sixty (60) days after the proposal opening. If the time period has expired the City of Georgetown could request a letter from bidders asking to extend the time period.

STANDARD AGREEMENT: The selected Proposer will be required to sign a Standard Agreement for Goods and Services with the City within 14 days of the Notice of Award. The agreement will contain terms and conditions that include duration of the agreement, sworn statement regarding campaign finance laws, a provision indicating that the proposer and its employees or agents are not employees of the City, a termination clause, an additional termination clause of those agreements covering multiple fiscal years in the event that sufficient funds are not appropriated as part of the budget process, provision that Kentucky law applies to interpretation of the agreement and any disputes and that venue shall be Scott County, KY, and a provision that the services cannot be assigned without the prior approval of the City.

A Notice to Proceed will be issued once the agreement has been signed by both parties and all required paperwork herein described is received by the City.

DELIVERY SCHEDULE: Delivery date shall be specified on each item quoted. The vendor will be expected to fulfill the delivery as specified.

PAYMENT: The bid must clearly state the payment terms, including prompt payment discounts and payment due dates. Discounts should be figured into the unit price of the quoted item. The City of Georgetown reserves the right to select the most beneficial terms.

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BONDING: A certified check or Bid Bond in the amount of five percent (5%) of the bid price must be included on the bid response. If a certified check is supplied it must be made payable to the City of Georgetown, and will be returned upon receipt of the Performance Bond and entering into a contract in accordance with specifications. In the event of failure to enter into a contract within the time period set forth in this bid, it is agreed the certified check may be cashed and the funds retained by the City of Georgetown as liquidated damages. Checks of unsuccessful bidders will be returned when the bid has been awarded.

The successful vendor shall provide a Performance Bond, with sufficient surety satisfactory to the City, in an amount equal to the contract price.

DEFAULT; TERMINATION OF CONTRACT: In the event that any of the provisions of this Contract are violated by the bidder such breach shall constitute a default. In the event of a default, the Owner may serve written notice upon the bidder of its intention to terminate the Contract, such notice to contain the reasons for such intention to terminate the Contract, and unless within ten (10) days after the serving of such notice upon the bidder, such violation or delay shall cease and satisfactory arrangement of correction be made, the Contract shall, upon the expiration of said ten (10) days, cease and terminate.

The City shall be authorized to terminate for its own convenience all contracts for the procurement of supplies and services when the Department Head determines in writing that such termination will be in the best interest of the City.

SAFETY: The successful bidder must perform work in a safe and timely fashion, maintain a clean and safe work environment, follow safety requirements established by OSHA and the City of Georgetown, and may be required to provide safety equipment. If, in the opinion of the City, safety precautions are not in existence, work will cease immediately until corrective action is taken. Work will begin again only when vendor demonstrates to the satisfaction of the City that conditions are without risk.

INSURANCE REQUIREMENTS: The successful bidder covenants and agrees to maintain and keep in force during the term of the contract insurance policies in the following minimum amounts:

<u>Type of Insurance</u>	<u>Limits</u>
Worker's Compensation	Statutory
Commercial General Liability	\$1,000,000/\$1,000,000 CSL
Commercial Automobile Liability	\$1,000,000

On all liability policies of insurance bidder shall have the City named as an additional insured and shall further require that their liability carrier(s) notify the City at least thirty (30) days prior to the effective date of any change(s) in or cancellations of said insurance policies. A current copy of bidder's insurance certificate providing proof of insurance as stated above must be on file in the Purchasing Department prior to bid award. Submission of an Evidence of Insurability from your provider or an Insurance Certificate copy may be included with the bid package.

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HOLD HARMLESS AGREEMENT: The bidder covenants to save, defend, keep harmless, and indemnify the City of Georgetown and all of its officers, departments, agencies, agents, and employees from and against all claims, loss, damage, injury, fine, penalties, and costs including court costs and attorney's fees, charges, liability, and exposure however caused resulting from, arising out of, or in any way connected with the bidder's negligent performance or non-performance of the terms of the contract.

CONTRACTOR STATUS: Bidder understands and agrees that its employees, agents, and/or sub-bidders are not employees of City of Georgetown for any purpose whatsoever.

BIDDER'S QUALIFICATIONS: Vendor must demonstrate to the satisfaction of the City of Georgetown that he/she has adequate equipment, personnel, experience and understanding of the specifications to perform service under the contract.

No contract will be awarded to any bidder who, in the opinion of the City, is not qualified to perform satisfactorily due to a previously unfavorable performance, reputation or lack of experience, capital, organization, equipment, and/or personnel to conduct and complete the services in accordance with the terms and conditions of the contract.

Successful bidder must comply with the City of Georgetown ordinances relating to Occupational License Fees, Business Licenses, payroll and net profits and any other ordinances which may apply to any particular bid package.

BIDDER PREFERENCE: Pursuant to KRS 45A.494, which is incorporated herein by reference: "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. "

EQUAL OPPORTUNITY STATUTES: The City of Georgetown is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, marital status, physical or mental disability, or any other characteristic protected by law. The City is also committed to employing only United States citizens and aliens who are authorized to work in the United States. The City complies with the Immigration Reform and Control Act of 1986. Therefore, the successful bidder must demonstrate to the satisfaction of the City that he also conforms to all Federal, State, and Local Equal Opportunity statutes. Further, the contractor will reimburse the City of Georgetown for any damages incurred due to any violation of the above mentioned statutes by the contractor while under contract to the City.

"OR EQUAL" CLAUSE: Whenever a material, article or piece of equipment is identified on the plans or in the specifications by reference to manufacturer's or vendors' names, trade names, catalog numbers, etc., it is intended merely to establish a standard; and, any materials, article or equipment of other manufacturers

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and vendors which will perform adequately the duties imposed by the general design will be considered equally acceptable provided the material, article or equipment so proposed, is, in the opinion of the Owner of equal substance and function.

AMBIGUITY, CONFLICT OR OTHER ERRORS IN ITB: If a bidder discovers any ambiguity, conflict, discrepancy, omission or other such error in the ITB, he/she shall immediately notify the City of Georgetown of such error in writing and request modification or clarification of the document if allowable by the City of Georgetown.

ADDENDA AND INTERPRETATIONS: No interpretation of the meaning of the plans, specifications or other pre-bid documents will be made to any bidder orally.

Every request for such interpretation should be in writing addressed to the City Clerk, 100 North Court Street, Georgetown, KY 40324, or by Fax to 502-863-9962, or by email to tracie.hoffman@georgetownky.gov. **Any and all such interpretations and any supplemental instructions will be in the form of written addendum to the specifications which, if issued, will be emailed to prospective bidders and posted to the City's website: www.georgetownky.gov.** Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under his/her bid as submitted. All addendums so issued shall become part of the contract documents.

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GENERAL REQUIREMENTS

The City of Georgetown is seeking a vendor to provide installation of the heating, ventilation, and air conditioning ("HVAC") in the building located at 125 West Clinton Street, Georgetown, KY 40324.

PRE-BID MEETING

A non-mandatory pre-bid opening meeting will be held on Thursday, May 18, 2017 at 10:00 AM EDT at 125 W. Clinton Street, Georgetown, Kentucky 40324. Contractor questions regarding the project will be due no later than Thursday, May 18, 2017 at 4:00 PM EDT. Answers to questions will be returned to all bidders by Friday, May 19, 2017 at 4:00 PM EDT.

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SPECIFICATIONS

REQUIREMENTS:

General Notes:

The existing building standing at the corner of Water Street and West Clinton Street was formerly the home of Georgetown Municipal Water & Sewer Service. The building was built in 1990 and is a two story structure on a basement. The building has a sprinkler system and is IIB construction type. The use group is B. The square footage of the building, excluding the basement, is approximately 4850 square feet.

The building will soon be undergoing renovations. The interior of the building will be modified to provide office space for three inter-local government departments. The Building Inspection Department and the Electrical Inspection Department will occupy the first floor area. The Code Enforcement Department will occupy the second floor area. The basement area will be left unfinished due to the serious potential for partial flooding.

The HVAC Contractor shall coordinate with the General Contractor handling the building's renovation and the City Building Agent in charge to ensure a compatible working environment.

The HVAC Contractor's HVAC license shall be current and presented at bid submission.

1st Floor:

1. Unless otherwise noted herein, the HVAC Contractor shall remove and properly dispose of all existing equipment. This includes, but is not limited to, all duct work.
2. The HVAC Contractor shall leave and reuse all existing ceiling diffusers.
3. Electrical connections associated with in-line duct heaters shall be disconnected and terminated in junction boxes by a licensed electrician.
4. The HVAC Contractor shall install a 7.5 ton Trane or American Standard heat pump, or the equivalent, with new duct work in compliance with the 2012 Mechanical Code.
5. At completion, the HVAC Contractor shall remove all excess materials and debris from the job site.

2nd Floor:

1. The HVAC Contractor shall remove all in-line duct heaters and repair all supply lines.
2. Electrical connections to in-line units shall be disconnected and terminated in junction boxes by a licensed electrician.

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3. The HVAC Contractor shall remove all thermostats associated with in-line heaters.
4. The HVAC Contractor shall install the following units or their equivalent:
 - a. Trane Air Handler Unit model number 4TEC3F60B1000AA
 - b. Trane Outside Unit model number 4TWA3060A3000BA
5. Upon installation, both units shall be checked to ensure proper functioning.
6. At completion, the HVAC Contractor shall remove all excess materials and debris from the job site.

WARRANTY:

Bidder warrants said goods and services for a period of one (1) year after installation and warrants that such goods and services shall meet all City and State specifications.

RESERVATIONS:

The City of Georgetown reserves the right to reject any and all bids.

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BIDDER RESPONSE FORM

BID AMOUNT: \$ _____

NAME OF FIRM: _____

ADDRESS: _____

NAME (Type or Print): _____

TELEPHONE: _____

EMAIL: _____

* Authorized Signature: _____

Date: _____

* Signature certifies the proposed solution and services meet all requirements outlined in this bid proposal and the vendor will comply with all specified requirements unless exceptions are noted below.

Bidder Acknowledges receipt of Addendum as noted: (mark N/A if none)

_____ Dated _____

_____ Dated _____

_____ Dated _____

Sub-Contractor / Supplier	Contract Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Check here _____ and attach additional sheet for additional Sub-Contractors / Suppliers.

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AFFIDAVIT

Comes the Affiant, _____, and after being first duly sworn under penalty of perjury as follows:

1. His/her name is _____ and he/she is the individual or the authorized representative of _____ (hereinafter referred to as "Bidder"), and is authorized to submit the Bidder Response Form, equal opportunity agreement and Vendor's Statement Pursuant to KRS 45A.343 attached hereto and incorporated herein by reference.
2. Bidder will pay all taxes and fees, which are owed to the City of Georgetown at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Bidder will obtain a City of Georgetown business license, if applicable, prior to award of the contract.
4. Bidder has authorized the City of Georgetown to verify the above-mentioned information with the Division of Revenue and to disclose that taxes and/or fees are delinquent or that a business license has not been obtained.
5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
6. Bidder has not knowingly violated any provision of Chapter 2 of the City of Georgetown Code of Ordinances, known as "Ethics Act."
7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught.

Affiant

STATE OF _____

COUNTY OF _____

The foregoing instrument was subscribed, sworn to and acknowledged before me by _____ on this the _____ day of _____, 2017.

My Commission expires: _____

NOTARY PUBLIC, STATE AT LARGE

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EQUAL OPPORTUNITY AGREEMENT

The Law

- Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by vendor and sub-vendor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- Section 503 of the Rehabilitation Act of 1973 states:
 The Vendor will not discriminate against any employee or applicant for employment because of physical or mental handicap.
- Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by vendors having Federal contracts.
- Section 206(A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:
 The Secretary of Labor may investigate the employment practices of any Government vendor or sub-vendor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

The City of Georgetown practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the vendors may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

Bidders

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, Vietnam veterans, handicapped and aged persons.

Signature

Name of Firm

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VENDOR'S STATEMENT PURSUANT TO KRS 45A.343

45A.343 Local Public Agency may adopt provisions of KRS 45A.345 to 45A.460 – Effect of Adoption – Contracts are required to mandate revealing of violations of and compliance with specified KRS chapters – Effect of nondisclosure or noncompliance. (KRS 136 – Corporate taxes; KRS 139 – Sales & use taxes; KRS 141 – Income taxes; KRS 337 – Wage and hour; KRS 338 – Occupational safety; KRS 341 – Unemployment; KRS 342 – Workers Comp.)

The undersigned, as a duly authorized officer of _____
pursuant to KRS 45A.343 states;

1. To the best of my knowledge, information and belief, _____
has not been finally determined to have violated any of the provisions of KRS Chapters 136,
139, 141, 337, 338, 341, or 342 that apply to it within the five year period preceding this
statement.

2. _____ acknowledges that it will be
required to be in compliance with those provisions of KRS Chapters 136, 139, 141, 337, 338,
341, and 342 that apply to it for the duration of the Contract to be entered into with the City
of Georgetown, Kentucky.

3. _____ acknowledges that if it fails to
reveal any final determination of violation of KRS Chapters 136, 139, 141, 337, 338, 341, or
342, or to comply with the applicable provisions of those statutes for the duration of the
aforesaid Contract, such shall be grounds for The City of Georgetown, Kentucky to:

a) Cancel its contract with _____, and

b) Disqualify _____ from eligibility for
future contracts awarded by The City of Georgetown for a period of two years.

This the _____ day of _____, 2017.

Firm: _____

By: _____

Title: _____

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CHECKLIST FOR REQUIREMENTS

Initial "____" for all below as indicated or bid may be rejected.

- ____ Bidder received and understands the Invitation to Bid Package and Specifications.
- ____ A Bid Bond or certified check in the amount of five percent (5%) of this bid made payable to the City of Georgetown is attached hereto.
- ____ Proof of Required Insurance Coverages attached.
- ____ BIDDER RESPONSE FORM completed and attached.
- ____ AFFIDAVIT signed and attached.
- ____ EQUAL EMPLOYMENT AGREEMENT signed and attached.
- ____ VENDOR'S STATEMENT PURSUANT TO KRS 45A.343 signed and attached.
- ____ EXCEPTIONS TO SPECIFICATIONS AND/OR COMMENTS completed and attached (IF APPLICABLE).
- ____ Warranty information attached (IF APPLICABLE).
- ____ Verification of service and manufacturing qualifications attached (IF APPLICABLE).