City of Milwaukee
Department of Administration – Purchasing Division

INVITATION TO BID #17768
FOR
VENDOR CONTRACT FOR BOLT DOWN ALUMINUM POLES

PLEASE COMPLETE

Vendor Company Name:	Purchasing Agent:	Juwania A. Keys
	Phone:	414-286-3506
Address:	E-Mail:	jukeys@milwaukee.gov
	Bid Closing Date:	10/27/2020
	Bid Closing Time:	2:00 P.M. CST

Ship to Address: **Traffic & Electrical Services** **1540 W. Canal Street** **Milwaukee, WI 53233**	**Bill to Address:** **Traffic & Electrical Services** **1540 W. Canal Street** **Milwaukee, WI 53233**

IMPORTANT: Bids must be submitted in accordance with the "Bid Submittal" section of this solicitation. The email address for submitting bids is **procurement.services@milwaukee.gov**. Bids submitted via email directly to the Purchasing Agent *will be rejected*.

Documents incorporated into this Invitation to Bid:

1. Plans and/or specifications associated with this Invitation to Bid located on the City of Milwaukee, Department of Administration – Purchasing Division's "Current Bid Opportunities" webpage, http://city.milwaukee.gov > Directory > Purchasing Division > Current Bid Opportunities, specifically: City of Milwaukee Specifications # 12c-C-1 dated January 28, 2020 and City of Milwaukee Drawing #B-14-13 dated November 14, 2014.

2. The "City of Milwaukee Purchasing Contract Including Terms and Conditions" revised February 04, 2020, which can be found on the City of Milwaukee, Department of Administration – Purchasing Division's "Policies & Procedures" webpage, city.milwaukee.gov/Purchasing > Policies & Procedures.

Bid Information

- Vendor Contract for the purchase of bolt down aluminum poles for a three (3) year term from date of award. To be in accordance with City of Milwaukee Drawing #B-14-13, dated 11/14/2014 and Specification No. 12c-C-1 dated 1/28/2020.

The vendor shall enter the following information for bid evaluation purposes on the lines provided below:

Item # 1	Description of Item or Service	Estimated Annual Quantity
	Pole, Aluminum, Bolt Down, Type 25D6, Upsweep Single or Double Per City of Milwaukee Specification 12c-C-1	75 per year

Unit Price Bid: $ _____ each

We Bid Mfg. & Part # _____

Bid Submittal

******** In an effort to safeguard the public and due to ongoing internal shifts to our method of service delivery in response to COVID-19, please note the following changes:**

Effective immediately, all bids should be submitted electronically to: *procurement.services@milwaukee.gov*.

Hard copies of bids or proposals should not be submitted in person. *****

1. **When and Where to Submit Your Bid.** All bids must be received by the Department of Administration, Purchasing Division via the email address below no later than the closing date and time listed on the first page of this Invitation to bid. All bids received after the specified closing date and time will be rejected. You may submit your bid in hard copy by mail or courier service.

   a. If you submit a hard copy: Your bid must be sealed, addressed, and mailed to the Department of Administration, Purchasing Division Room 601, City Hall, 200 East Wells Street, Milwaukee, WI 53202. If you submit a hard copy of your bid, your bid must be physically sealed. Your bid envelope must be plainly marked with the following information:

   - Bid Number
   - Bid Closing Date
   - Bid Closing Time
   - Commodity/Service being bid

   Any bid received in an envelope not properly and clearly marked as specified above may result in the bid being rejected.

   b. If you email your bid: Bids must be emailed to *procurement.services@milwaukee.gov*. Bids emailed to the purchasing agent ***will be rejected***. Bidders who choose to use email to transmit bids do so at their own risk. The City cannot and does not guarantee that emailed bids are received. Emailed bids must be received in their entirety before the bid closing time. Emailed bids must include a binding signature page that is complete and fully signed (electronic signatures are acceptable). If requested by the City, an original signed copy of the electronically submitted bid must be received by the Purchasing Division within four (4) business days. Failure to respond in four (4) business days may result in bid rejection.

2. **What to Include in Your Bid.** Failure to submit the bid in the manner described herein can result in bid rejection.

   A. This completed Invitation to Bid document.

   B. Any descriptive literature required by the Invitation to Bid.

   C. An additional detailed breakdown of what the bidder is proposing to provide. This detailed breakdown shall provide sufficient information so that confirmation of specification compliance can be easily determined.

   D. Bid Deposit or Bid Bond, if required: None

   E. Performance Bond, if required: None

F. Signed bid addenda, if any.

G. Slavery Disclosure Affidavit, if applicable, found at: city.milwaukee.gov/Purchasing> Forms & Affidavits.

H. Form W-9. The City of Milwaukee uses the information from the contractor's Form W-9 for set-up and continued maintenance of tax information. The Form W-9 is a required form to ensure payment can be made and any appropriate reporting performed in the event of a bid award. Blank copies of the W-9 form are available from the Internal Revenue Service (http://www.irs.gov).

I. Affidavits supporting any requested bid preferences, found at: city.milwaukee.gov/Purchasing> Forms & Affidavits.

J. Ethical Purchasing Affidavit of Compliance, found at: city.milwaukee.gov/Purchasing> Forms & Affidavits.

K. If the Contract resulting from this Invitation to Bid will be paid for with federal funding, you must submit the Certification Regarding Debarment, Suspension and Other Responsibility Matters, and the Byrd Anti-Lobbying Certification located at the end of the "City of Milwaukee Purchasing Contract Including Terms and Conditions" revised February 04, 2020.

Bid Addenda

1. Any changes made as a result of a written request will be issued via a bid addendum, and, if necessary, an extension will be made to the bid closing date. Any addenda will be posted to the City of Milwaukee Purchasing Division's website city.milwaukee.gov/Purchasing > Contract Opportunities > Current Bid Opportunities. Bidders are responsible for checking this website for any future addenda, etc., prior to the bid closing date. All addenda must be signed and returned by the bid closing date and time. Bidders who do not return the addenda may have their bid rejected. Electronic signatures are acceptable.

Award Statement

Award will be made in total to the lowest responsive and responsible bidder complying with the bid specifications and delivery requirements, whichever is in the best interests of the City.

The low bidder shall be determined by multiplying the quoted unit price by the quantity to obtain the grand total.

1. **Bid Preferences.** All requests for bid preferences **must be supported by the appropriate affidavit** found at city.milwaukee.gov/Purchasing > Forms & Affidavits.

a. Local Business Enterprise (LBE). If a LBE is a responsive and responsible bidder, the LBE shall be awarded the contract provided its bid does not exceed the lowest bid by more than 5% and the difference does not exceed $25,000. If the LBE is certified as a Small Business Enterprise (SBE) with the City of Milwaukee's Office of Small Business Development, the LBE shall be awarded the contract provided its bid not exceed the lowest bid by more than 10% and the difference does not exceed $30,000. See City Milwaukee Ordinance 365-7. Additional information regarding the LBE incentive and revised criteria can be found on the Purchasing Division's website at: city.milwaukee.gov/Purchasing > Programs > Local Business Enterprise (LBE) Program. It is your responsibility as a bidder to familiarize yourself with this ordinance and the supporting affidavit prior to submitting your bid.

b. Milwaukee-Made, Milwaukee County-Made, and American-Made Goods. Contracts shall be awarded to the lowest responsible bidder who qualifies for the City of Milwaukee-Made, Milwaukee County-Made or American-Made program in conformance with City of Milwaukee Ordinance 310-18.9 if: the bidder submits an affidavit with their bid indicating they meet the

requirements of the Ordinance, and the bid does not exceed the lowest bid by more than 12% or $25,000.

If a Milwaukee-made good is not available, the city shall then purchase a Milwaukee county-made good, provided the purchase does not increase the cost by more than 12% or $25,000. If a Milwaukee-made or Milwaukee county-made good is not available, the city shall then purchase an American-made good, provided the purchase does not increase the cost by more than 12% or $25,000.

If the multiple groups are being bid, all items in each group must be City of Milwaukee-made *or* Milwaukee County-made *or* American-made to qualify. It is your responsibility as a bidder to familiarize yourself with this ordinance and the supporting affidavit prior to submitting your bid.

c. Socially Responsible Contractor (SRC). If a bidder is seeking to qualify for the SRC bid incentive and is a responsive and responsible bidder, the "SRC bidder" shall be awarded the contract provided its bid does not exceed the lowest bid by more than 5% and the difference does not exceed $25,000. See City of Milwaukee Ordinance 310-10. Each proposer seeking to qualify as a socially-responsible contractor shall submit, as part of its proposal, a sworn affidavit describing actions taken and programs implemented to eliminate, or substantially reduce, the barriers to employment for current and prospective employees of the contractor, and the outcomes of these actions and programs. It is your responsibility as a bidder to familiarize yourself with this ordinance and the supporting affidavit prior to submitting your bid.

d. Any bidder proposing to supply goods and/or services under Ordinance 310-10, and who demonstrates entitlement to the preference provided by that ordinance, shall not also receive the benefit of the bid award provided under the Local Business Enterprise (LBE) program in Section 365-7-1. A bidder may apply for both preferences, but will first be considered for entitlement to the preference provided under Ordinance 365-7-1. Should a bidder seek to qualify for all three bid preferences (LBE, Buy American and SRC) and in a situation where multiple bidders are seeking to qualify for various different bid preferences, precedence shall be given to the bidder seeking to qualify for a bid incentive in the following descending order:

1. LBE bid incentive
2. Buy American bid incentive
3. SRC bid incentive

2. **Tie Bids.** The Purchasing Division may determine the award of a tie bid using a method of chance. Tie bids are defined as all things being equal, such as price, quality, services, etc.

Delivery Requirements

Delivery is required as follows. These delivery requirements are in addition to, not in place of, delivery requirements in the "City of Milwaukee Purchasing Contract Including Terms and Conditions" revised February 04, 2020":

- No later than 5 working days after receipt of order and must comply with City of Milwaukee Specification 12c-C-1.
- All goods must be delivered FOB destination between the hours of 7:30am and 2:30pm to:
  Traffic & Electrical Services
  1540 W. Canal Street
  Milwaukee, WI 53233

Will you comply with these requirements? ☐ Yes ☐ No

If you cannot meet the above delivery requirement, your bid will be considered non-responsive.

Questions

Any questions, clarifications, etc. must be directed ***in writing*** to the purchasing agent listed on the first page of this bid at least five working days prior to the bid closing date. Requests received after that time will not be considered.

No Contact with Other City Staff

Bidders are specifically directed not to contact any City of Milwaukee staff other than the Purchasing Agent for meetings, conferences, or technical discussions related to this bid. Unauthorized contact of any City Department employee is a cause for rejection of the bid. Any additional information or clarifications provided to one bidder will be provided to all bidders in the form of an addendum posted to the City's web site (bids pending page).

Bidder's Contact Person(s)

Contact person for order placement:
Name: _____ Phone: _____
E-Mail: _____ Fax: _____

Contact person for signature of contract:
Name: _____ Phone: _____
E-Mail: _____ Fax: _____

Insurance Requirements

Please refer to the Insurance Requirements (Section 14) of the City's Terms & Conditions dated February 4, 2020.

SBE Requirements

Has your business been certified as a Small Business Enterprise (SBE) by the City of Milwaukee's Office of Small Business Development?

☐ Yes ☐ No

This bid does not require a specific percent of mandatory Small Business Enterprise (SBE) participation. However, the City strongly encourages the use of certified City of Milwaukee SBE firms for any supplementary services attendant to the goods or services provided hereunder. Use of SBE firms whenever possible throughout the course of this engagement for such supplementary services is strongly encouraged by the City, but is not a requirement for submitting a bid, unless otherwise specified. Information regarding the Office of Small Business Development (OSBD) program can be obtained from:

Office of Small Business Development
City of Milwaukee
200 E. Wells Street, Room 606
Milwaukee, WI 53202
414-286-5553

Ethical Purchasing Requirement

1. City of Milwaukee Code of Ordinances 310-17 provides that all commodities and services purchased by the City of Milwaukee are purchased from contractors who are "responsible contractors," as that term is defined in Milwaukee City Ordinance 310-17.

2. These guidelines apply regardless of whether the commodity is manufactured within or outside of the United States of America.

3. The City Clerk calculates the hourly non-poverty wage amount annually each March 1st. The non-poverty wage table is posted on the Purchasing Division's webpage at city.milwaukee.gov/Purchasing > Forms & Affidavits > Ethical Purchasing Wage Table.

4. It is your responsibility as a bidder to familiarize yourself with this ordinance prior to submitting your bid, and to submit the supporting Ethical Purchasing Affidavit of Compliance as part of your bid. Bidders are also urged to make all subcontractors aware of this ordinance and encourage any and all subcontractors to comply with it as well. If you are supply the City with apparel, as that term is defined in Milwaukee City Ordinance 310-17, your subcontractors are required to comply.

Will you comply with these requirements? ☐ Yes ☐ No

Failure to comply with this requirement will result in bid rejection.

City of Milwaukee-Made, Milwaukee County-Made, or American-Made Goods

This section applies to all commodity bids valued over $50,000 *except* commodities that are considered:

- A raw material (such as salt or gravel)
- Petroleum or a product derived from petroleum
- Chemicals (such as liquid oxygen, fluoride, anhydrous ammonia)

If the American-Made Vehicle requirement applies, this section does *not* apply.

City Ordinance 101572 enacted Section 310-18.9 of the code to create a preference for the city purchase of Milwaukee-made, Milwaukee County-made, and American-made goods for purchases of goods over $50,000.

Effective June 20, 2014, Contracts shall be awarded to the lowest responsible bidder who submits an affidavit with their bid indicating they meet the requirements of the Ordinance provided the bid does not exceed the lowest bid by more than 12% or $25,000. Any bidder proposing to supply goods under this Ordinance shall not also receive the benefit of the bid award provided under the Local Business Enterprise program.

- *City of Milwaukee-made Good* - means an article that is manufactured, mined or produced in the City of Milwaukee, and the cost of components made in Milwaukee used in the production of the good exceeds 50% of the total cost of all the components.
- *Milwaukee County-made Good* - means an article that is manufactured, mined or produced in Milwaukee County, and the cost of the components made in Milwaukee County used in the production of the good exceeds 50% of the total cost of all the components.
- *American-made Good* - means an article that is manufactured, mined or produced in the United States, and the cost of domestic components used in the production of the good exceeds 50% of the total cost of all the components.
- *Component* - means an article, material or supply incorporated directly into an end product

If a Milwaukee-made good is not available, the city shall then purchase a Milwaukee county-made good, provided the purchase does not increase the cost by more than 12% or $25,000. If a Milwaukee-made or Milwaukee county-made good is not available, the city shall then purchase an American-made good, provided the purchase does not increase the cost by more than 12% or $25,000.

If the multiple groups are being bid, all items in each group must be City of Milwaukee-made *or* Milwaukee County-made *or* American-made to qualify.

Bidders awarded contracts will be required to participate in periodic reporting of data on-the "Jobs Created and Retained Report" which will include, but may not be limited to:

- Estimates of the number of jobs created
- Estimates of the number of jobs retained
- Number of employees employed

The notarized "Affidavit of Compliance for City of Milwaukee, Milwaukee County, or American-Made Goods" form must be submitted with your bid. Electronic signatures are acceptable.

The "City of Milwaukee, Milwaukee County, or American-Made Goods" form and the "Jobs Created and Retained Report" can be accessed on the Purchasing Division's website at: city.milwaukee.gov/Purchasing > Forms & Affidavits.

NOTE: Any bidder proposing to supply goods under Ordinance 310-18.9 shall not also receive the benefit of the bid award provided under the Local Business Enterprise program in Section 365-7-1.

Appeal Process

1. Bidders should submit a written request to the purchasing agent for interpretation or correction of any ambiguity or inconsistency discovered in the bid, specifications or attachments. Any requests for changes, clarifications, etc., to the bid-related specifications or attachments must be submitted to the Purchasing Agent in writing at least five (5) working days prior to the bid closing date. Requests received after that time will not be considered.

2. Bidders may not change any of the terms or conditions in the bid and/or specifications without the written approval of the Purchasing Division. Any unauthorized changes will constitute a counteroffer and will subject the bid to rejection.

Cooperative Purchasing

1. Would you be willing to extend the pricing from any contract that may result from this bid to other V.A.L.U.E. members of local government entities in the Southeastern Wisconsin area, including but not limited to, the Milwaukee Metropolitan Sewerage District (MMSD) and/or Milwaukee Public Schools (MPS)?

☐ Yes ☐ No

3. Please be advised that the award of this bid by the City of Milwaukee is not contingent upon your agreement to the above request. If, however, you agree to extend to any other agencies, each agency will be responsible for issuing and administering its own contract and resulting purchase order.

Tips for Bidders

Below is a list of common items that may result in the City of Milwaukee deeming your bid to be non-responsive / non-compliant:

- Not fully completing and/or signing the binding signature page.
- Not providing the required addendums with your bid.
- Not completing or submitting the required attachments (SBE requirements, Affidavits of Compliance, Living Wage Affidavit, etc.) and returning them with the bid.
- Bid response not received prior to the bid closing date / time.

- Not submitting a quote for all line items or an entire group in the bid. Read the award statement carefully.
- Taking exception to the bid requirements or specification(s) without approval from the Purchasing Division.
- Not submitting the specification with your bid, when the City requires bidders to indicate whether they comply with specific items in the specification.
- Providing a price list that is different than the pricing information requested.
- Not providing a warranty statement when required, or providing one that conflicts with the City's specifications.
- Not providing descriptive literature when required.
- Submitting pricing information for a brand or part number different than requested when there is "no substitute" indicated.
- Not providing pricing in the correct units of measurement indicated on the bid.
- Not having a service facility within the physical distance indicated in the bid.

Binding Signatures for Formal Bid and Contract

1. Upon award and acceptance of this bid by the City of Milwaukee, the undersigned bidder, by its authorized persons signing below, agrees that all provisions set forth herein will become binding as a formal contract upon the fulfillment of all conditions precedent set forth herein.

2. This agreement constitutes the entire agreement between the parties relating to the subject matter of this agreement. All prior understandings, agreements, correspondence and discussions of the parties are merged into and made a part of this agreement.

3. **This binding signature page must be completed in its entirety, and it must be fully-signed, or your bid may be rejected.** Electronic signatures are acceptable. Your signature will signify your agreement to all pricing, terms and conditions stated herein. Bidders are required to complete and return all bid pages with their bid submittal.

4. If you are a sole proprietorship, please include one signature and indicate "sole proprietorship" for the second signature.

5. **Your signature on this document stands in the place of your signature on the "City of Milwaukee Purchasing Contract Including Terms and Conditions" revised February 04, 2020, and is just as binding as if you had signed that document. Your signature on this document legally binds you to the terms and conditions set forth in the "City of Milwaukee Purchasing Contract Including Terms and Conditions" revised February 04, 2020, which can be found on the City of Milwaukee, Department of Administration – Purchasing Division's "Policies & Procedures" webpage,** city.milwaukee.gov/Purchasing**> Policies & Procedures..**

6. Bidders are cautioned not to change any of the terms or conditions in the bid and/or specifications without the written approval of the Purchasing Division. Any unauthorized changes will constitute a counteroffer and will subject the bid to rejection.

	CONTRACTOR	
REQUIRED	Bidder's Firm:	
	Address:	
	City, State, Zip:	
	Telephone:	
	Fax:	
	E-Mail:	
	Federal ID #	
	Date:	
	Signature:	
	Printed Name:	
	Title:	
	Signature:	
	Printed Name:	
	Title:	
	Witness Signature:	
	Printed Name:	
	Title:	

FOR OFFICIAL CITY USE ONLY
CITY OF MILWAUKEE, a municipal corporation By:
City of Milwaukee Purchasing Director Date:
Countersigned: By:
City Comptroller Date: