

INVITATION FOR BID (IFB)

IFB No. 112-21

**SAND, AGGREGATE, AND ROAD MATERIALS
(MAPO COOPERATIVE BID)**

Buyer of Record: Andrew Miskell, CPPB

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SECTION A: SCHEDULE, BUYER OF RECORD, AND GENERAL SUMMARY OF NEEDS

A.1 SCHEDULE OF EVENTS:

The following is a list of important items, dates, and times that pertain to this solicitation. All times listed below are in reference to the local Thornton, Colorado time.

<u>Solicitation Item</u>	<u>Date</u>	<u>Time</u>
Proposal Issued	09/28/2021	
Pre-Proposal Conference	10/12/2021	9:00 A.M.
Deadline to Submit Additional Questions	10/18/2021	3:00 P.M.
Response to Written Questions	10/21/2021	
Proposal Due Date	10/28/2021	3:00 P.M.

A.2 BUYER OF RECORD:

The Buyer of Record for this solicitation will be the central point of contact throughout the solicitation process. All questions and inquiries must be submitted in writing via a direct email to the Buyer. No communication is to be directed to any other Thornton personnel.

The Buyer of Record's contact information is as follows:

Buyer Name: **Andrew Miskell, CPPB**
Buyer Title: **Senior Purchasing Analyst**
Buyer Email: Andrew.Miskell@ThorntonCO.gov

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase of sand, aggregate, and road materials, on behalf of the various members of the Multiple Assembly of Procurement Officials ("MAPO").

SECTION B: CURRENT STATE, SCOPE OF WORK, AND SPECIAL CONSIDERATIONS**B.1 CURRENT STATE:**

The Multiple Assembly of Procurement Officials (“MAPO”) is a collective of procurement officials for local, county, and state government officials and also includes various school districts that participate as members of MAPO for the use of cooperative purchasing opportunities. This collective of procurement officials and agencies combine together their needs and estimated usages to attempt to conduct solicitations and award Vendors from those solicitations that will benefit the majority of the requesting Agencies.

The Agency that conducts the solicitation, monitors all awards, and the performance of awarded Vendors is known as the Host Agency. Thornton has been the Host Agency for this solicitation since 2001, and is again conducting this solicitation as the Host Agency on behalf of MAPO. Any mention of Thornton by name in this solicitation shall be in reference to Thornton as the “Host Agency”. All other types of organizations that participate in providing information for this solicitation or place orders from an awarded Vendor will be referred to as a “Requesting Agency”.

While MAPO does have members within its organization that range in location from Fort Collins, CO to Pueblo, CO, this solicitation for sand, aggregate, and road materials shall be for the Denver Metro area. This solicitation has split the Denver Metro area into three (3) separate regions.

B.2 SERVICE REGIONS AND VENDOR SUPPORT:

The pricing structure for this solicitation will be based upon three (3) separate service regions within the Denver Metro region. Vendors are encouraged to participate and propose on each region. A proposing Vendor will be allowed to propose on providing materials to and supporting one, two, or all three regions when submitting their proposal.

After an award is made from this solicitation, should a Vendor’s ability to support the regions that they proposed on change, the awarded Vendor shall notify Thornton immediately via email.

The estimated service regions for this solicitation and their boundaries are as follows:

- 1) North Region: Cities/Agencies that have a main office/delivery location north of 120th Avenue.
 - a. An estimated northern boundary cutoff for service will be Colorado Highway 66 (Longmont area).
- 2) South Region: Cities/Agencies that have a main office/delivery location near/south of 6th Avenue, which will include Jefferson County Government and public school offices.

- a. An estimated southern boundary cutoff for service will be E-470; however, the entirety of towns such as Highlands Ranch, Parker, and Lone Tree shall still be included within this South region.

- 3) Central Region: Cities/Agencies that have a main office/delivery location that are in between 120th Avenue and 6th Avenue.

An awarded Vendor shall be expected to provide service to all agencies that are named within this solicitation throughout their city limits.

The following table lists examples of where each Municipality/Agency would fall within the regional set-up. A requesting Agency's designation within the service region shall be based upon its central delivery location or its main office location (e.g. City Hall). Any Municipality/Agency that is not listed but is a current member of MAPO, will have their pricing and service designated by their main office location within their particular region and within the reasonable service areas named within this solicitation.

Northern Region	Central Region	Southern Region
<ul style="list-style-type: none"> • Adams County government • City of Brighton • City and County of Broomfield • City of Lafayette • City of Longmont 	<ul style="list-style-type: none"> • City of Arvada • City and County of Denver • City of Commerce City • City of Northglenn • City of Thornton • City of Westminster • City of Wheat Ridge 	<ul style="list-style-type: none"> • Arapahoe County government • Jefferson County government • City of Aurora • City of Centennial • City of Lakewood • Jefferson County Public Schools

If an Agency's request for a specific delivery crosses a region's boundary, the pricing for the requested items that is charged by the Vendor will remain based upon the requesting Agency's designation within this solicitation.

Should a requesting Agency fall outside of these named regions, they may still request service from an awarded Vendor, but the requesting Agency may be subject to additional delivery and transportation fees assessed by the Vendor that are not already included within the awarded Vendor's unit pricing.

B.3 SCOPE OF WORK – GENERAL CONSIDERATIONS:

Thornton has collected the following list of items with a general list of specifications for each of the proposal items for Vendors to propose pricing on:

1) Fifteen percent (15%) Salt/Sand Aggregate Mixture:

- Fifteen percent (15%) salt/sand aggregate: One hundred percent (100%) passing 3/8" sieve and two percent (2%) or less passing #100 sieve. Delivery shall be made in single, tandem axle dump trucks or end dump trailers. Shipments in belly dump trailers will not be accepted.
- Fifteen percent (15%) salt/sand aggregate shall be delivered within four (4) hours of notification, including weekends and holidays.
- Salt/sand aggregate shall meet Colorado Department of Health's Regulation 16 regarding Aggregate Specifications.
- Testing and Material certification reports shall be provided in accordance with Colorado Department of Health's Regulation 16.
- Material shall be free flowing and void of any lumps or clods of solidified Material.

2) Class 5 and 6 Road Base: Material will be in accordance with all requirements of the Colorado Department of Transportation (CDOT) "Standard Specifications for Road and Bridge Construction", Latest Edition, Section 309.

3) Recycled Asphalt Road Base: Material to be crushed asphalt graded at ¾".

<u>Sieve Size</u>	<u>Percent passing</u>
¾"	100%
#4	30% - 65%
#8	25% - 55%
#200	3% - 12%

4) Bituminous Asphalt: Material will be in accordance with all requirements of the CDOT "Standard Specifications for Road and Bridge Construction", Latest Edition, Section 702 and 703. There shall be the following types of Hot Mix available for proposal:

- a) Class SX Hot Mix;
- b) Class S Hot Mix;
- c) Class SG Hot Mix; and
- d) 3/8" "Fines" Hot Mix.

5) High Performance Cold Mix: Asphalt binder made from polymer-modified asphalt, UPM, EZ Street or approved equal. Lightweight aggregate mixes shall conform to ASTM C-330.

- Asphalt content will be five percent (5%) – six percent (6%) based on mix weight.
- Aggregate will consist of a crushed limestone or approved equal, complying with the requirements of ASTM C-136 for stone size #9 or #89 in the following manner:

<u>#9</u>	<u>Sieve Size</u>	<u>#89</u>
<u>Percent passing</u>		<u>Percent passing</u>
100%	3/8"	90% - 100%
85% - 100%	#4	20% - 55%
10% - 40%	#8	5% - 30%
0% - 10%	#16	0% - 10%
0% - 5%	#50	0% - 5%

6) CSS1H Tack Coat;

7) CRS-2 Patching Emulsion;

8) Pea Gravel: Approximately 1/4".

9) Topsoil: Unclassified.

- Reference "USDA Triangle of Physical Characteristics of Soil" – loam sand forty percent (40%), silt forty-five percent (45%), clay fifteen percent (15%).

10) Squeegee:

<u>Sieve Size</u>	<u>Percent passing</u>
3/8"	100%
#200	0% - 5%

11) Washed Concrete Sand: CDOT Standard Section 700.

12) Washed Rock (1 1/2"): CDOT Standard Section 700.

<u>Sieve Size</u>	<u>Percent passing</u>
2"	100%
1 1/2"	90% - 100%
1"	20% - 55%
3/4"	0% - 15%
3/8"	0% - 5%

13) Crushed Rock (¾"): CDOT Standard Section 700.

<u>Sieve Size</u>	<u>Percent passing</u>
1"	100%
¾"	90% - 100%
½"	20% - 55%
⅜"	0% - 15%
#4	0% - 5%

14) Rip Rap Rock: Type L – 9" diameter, Type M – 12" diameter, Type H – 18" diameter.

15) Hot-Poured Joint/Crack Seal Material: This Material shall conform to ASTM D 6690 Type II for hot-poured joint sealant. The following requirements shall also apply:

- Each container shall not exceed fifty (50) pounds, including material. Material shall be provided in box-less packaging, and the packaging shall be labeled with product name, part number, lot number, specification conformance, application temperatures and safety instructions.
- Container shall not deform when exposed to ambient air temperature for a period of up to and including twelve (12) months.
- Percentage of crumb rubber shall be specified in your Bid.
- Material shall cure immediately upon cooling to ambient air temperature and shall not track or require the use of sand to prevent tracking.
- The Agencies may require a sample of the Material in sufficient quantity for evaluation purposes prior to purchase.
- Material may be ordered in one (1) or two (2) bulk purchases.
- Price Bid shall include delivery to designated locations.
- Material shall readily pour and penetrate cracks when heated to three hundred seventy-five degrees (375°) F – four hundred degrees (400°) F.

16) Concrete: CDOT Standards Specifications for Road and Bridge Construction, Latest Edition, Class A, and Class D with 4,500 PSI with fiber mesh, Section 601 and related.

17) Recycled Concrete Material (¾"):

<u>Sieve Size</u>	<u>Percent passing</u>
1"	100%
3/8"	70%
#4	50%
#10	40%
#40	20%
#200	6%

18) Crusher Fines: Small particles of crushed rock ground to a range of particle sizes from a fine dust up to a specified 3/8" maximum particle size.

Vendors who are wanting to propose on these items should be able to meet or exceed these specifications.

B.4 ESTIMATED QUANTITIES:

Prior to the publication of this solicitation, Thornton has attempted to collect previous annual usages from participating Agencies. Not all participating Agencies that use the award(s) from past solicitations have been able to provide an estimation of annual quantities used.

However, those Agencies that have been able to provide such estimated quantities have been listed and are each Agency's best estimate and do not obligate any Agency to order or accept more than their actual requirements during the period of the resulting award, as determined by actual needs and availability of appropriated funds.

It is expressly understood and agreed that the resulting award and Vendor Commitment Statement is to supply a requesting Agency with its complete actual requirement of the materials specified in this proposal for the award period.

A complete list of estimated quantities can be found within the Microsoft Excel document titled "112-21 IFB Pricing Form 09-28-21" as a worksheet entitled "Est. (Q) for All Known Users". The Pricing Form is included with this solicitation under separate cover.

B.5 F.O.B. POINT – VENDOR DELIVERED TO AGENCY LOCATION:

Delivery prices quoted shall be F.O.B. Destination, delivered and unloaded, as required, to the delivery location as stated by the requesting Agency.

All Vendor delivered product shall include a bill of lading (BOL)/shipping copy for each delivered load that includes:

- A weight ticket from a certified weigher/weigh station;
- Date of delivery;
- Location of delivery;
- Description of what is being delivered;
- Quantity; and
- Invoice number.

Upon delivery, the requesting Agency must be present to sign the BOL and for a delivery to be considered complete. Failure by the Vendor to have the requesting Agency sign the BOL may result in a delay in payment. The Vendor shall provide a copy of the BOL to the requesting Agency for their own files.

B.6 F.O.B. POINT – AGENCY PICK UP AT VENDOR LOCATION:

If an awarded Vendor is able to supply product for a requesting Agency that can be picked up by the Agency at the Vendor's location, then prices shall be quoted separately as F.O.B. Origin, loaded by the Vendor into the Agency's transportation or hired trucking company on behalf of the requesting Agency.

B.7 DELIVERY CONSIDERATIONS:

Deliveries are to be made as soon as possible after orders are placed and are anticipated within a forty-eight (48) hour period, unless otherwise specified by the requesting Agency. The successful Vendor will be required to maintain adequate local inventories to cover normal usage by the requesting MAPO Agency. Vendors proposing products not carried in stock as a policy for immediate or timely delivery should not submit proposal pricing on such items.

B.8 SAMPLES:

Upon request, Vendors may be required to furnish a sample of the goods and/or services to be supplied at no cost to a requesting Agency. Any sample submitted shall create an express warranty that the whole of the goods and/or services shall conform to the sample submitted. All samples become the property of the requesting Agency. An Agency will reserve the right to request sufficient enough samples for testing from any Vendor to determine quality.

B.9 INVOICING REQUIREMENTS – FOR ALL REQUESTING AGENCIES:

The Vendor must be capable of providing invoices that include the following details:

- Invoice number;
- Invoice date;
- Itemized charges, including unit of measurement;
- Total charge;
- Service date(s) or service period;
- Blanket PO number (If a requesting Agency elects to do a yearly blanket PO); and
- Delivery location (Building name and address).

Vendor shall also provide monthly statement billing (upon Agency request).

B.10 INVOICING REQUIREMENTS – THORNTON SPECIFIC REQUIREMENTS:

Thornton's Accounts Payable Division is the only division within Thornton that issues payments to Vendors whom have submitted invoices. Thornton only issues payments from invoices and will not issue payments to Vendors off of quotes.

Thornton's standard payment terms are net thirty (30) Calendar Days after receipt of an invoice. All invoices submitted shall be emailed to AP.Invoices@ThorntonCO.gov. In lieu of email, physical copies may be submitted to City of Thornton – Accounts Payable, 9500 Civic Center Drive, Thornton, CO 80229-4326. Invoices sent to anyone other than Accounts Payable are not considered to be properly submitted and will not be paid until they are properly submitted.

B.11 PROCUREMENT CARDS PAYMENT CONDITIONS:

Awarded contractors may be asked to have the capability of accepting Thornton's authorized Procurement Card as a method of payment. No price changes or additional fee(s) may be assessed when accepting the Procurement Card as a form of payment. Vendors unable to comply with this requirement are asked to indicate such exception on Vendor letterhead. This exception will be taken into consideration during the evaluation of the received proposals.

B.12 PALLET CHARGE:

All pallets supplied shall be non-returnable, no deposit.

B.13 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part this proposal and resulting Vendor Commitment Statement. The purpose of this program is to create a method for documenting and advising Thornton of exceptional performance or any problems related to the purchased goods and services.

B.14 COOPERATIVE PURCHASING:

Thornton and MAPO encourage the proper use of cooperative purchasing and reserve the right to make results of this solicitation available to other governmental agencies seeking like equipment, goods, or services. Other agencies using this solicitation must do so according to regulations established by their individual organizations and accept sole responsibility for its use, including but not limited to, contracting, order placement, billing and payment, and tax exemption certification proof. The terms and conditions of any resulting transaction shall be exclusively between the buyer and the seller. Buyers and sellers using this solicitation in a cooperative or “piggy-back” fashion, agree to defend and hold harmless Thornton from any dispute or action arising from its use.

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SECTION C: PRICING AND PROPOSAL ITEMS

C.1 PRICING INFORMATION:

This section shall include a description of the proposed costs and prices. All pricing information shall be limited solely to this section of your proposal. This section should address all requirements set forth in Section B as well as any other items pertinent to your proposal pricing such as additional discounts for increased quantities, etc. The requirements have been developed to allow Thornton to uniformly evaluate prices submitted for the work. Accordingly, you should follow these instructions carefully and provide all data requested in the formats specified herein and in any referenced attachments.

Any omissions in this proposal shall be identified by each Vendor and incorporated into their proposal including any omissions for software, hardware, support etc. which is necessary to the success of the project and must be identified as a separate line item with pricing and included as part of this proposal. Thornton will not increase the contract or any purchase order (either dollar amount or time) for items not included in the submitted proposal documents. Thornton reserves the right to purchase part or the entire proposal.

C.2 PRICING:

All prices quoted shall be firm and fixed for the specified period in which they have been provided.

All initial proposal pricing that has been submitted by the Vendor shall be firm and fixed for the initial period or until a Vendor has submitted a request for updated pricing, whichever may come last. The initial period shall run from January 1, 2022, through September 30, 2022.

All proposed unit pricing for proposed products shall be an all-inclusive price, with unit pricing including, but not limited to, materials, transportation, labor, unloading, fuel, demurrage, etc.

C.3 PICK-UP AND DELIVERY PRICING

Normal business hours shall be defined as Monday thru Friday, 7:00 a.m. to 5:00 p.m., excluding holidays, unless the Vendor has a broader range of hours of operation.

After hours shall be defined as all weekend hours, holiday hours, and hours that fall outside of the "Normal business hours" that have been stated above.

Pick-Up Pricing

All pick-up pricing shall be uniform and the same across all regions, no matter who is the requesting Municipality/Agency. A proposing Vendor may elect to have a “normal business hours” pick-up price and an “after hours” pick-up price, however, those prices shall be stated within their proposal items.

Delivery Pricing

Proposing Vendors shall provide delivery pricing based upon each of the three (3) regions, North, South, and Central, in which they can provide service to. If there is a location within each region that a Vendor cannot deliver to, that shall be stated on separate Vendor letterhead and submitted with your proposal. The inability to not deliver to a particular location that is within the stated region, will be taken into consideration during the evaluation for any potential award.

If a Municipality or Agency’s borders cross over from region to region and the request for a specific delivery crosses that boundary, the pricing for the requested items that is charged by the Vendor will remain based upon the requesting Agency’s designation within this solicitation.

If an awarded Vendor receives a delivery request for a Municipality or Agency that exceeds the regional boundaries established within this solicitation, or is from a Municipality or Agency that has not already been listed within Section B.4, then the Vendor may be allowed to charge an additional delivery fee.

C.4 SEMI-ANNUAL PRICING UPDATES:

An awarded Vendor will have the opportunity to request pricing updates once per semi-annual period, as stated below. All update requests to a Vendor’s pricing shall occur only in the periods as listed below and multiple price requests that exceed the original request within the same period, shall be denied.

Upon each request by the Vendor, Thornton shall provide a price update request via the template for the Vendor to complete and return. The Vendor must provide a complete template that includes both items with price changes as well as items where changes are not requested. Items with price increases must be clearly identified and/or highlighted.

If the pricing update for items that have been identified has not been submitted by the dates listed within this solicitation and the eventual award, then the Vendor’s pricing will remain unchanged for the following period. Any requests made by an awarded Vendor after the dates listed below shall not be considered valid for the upcoming period and must be resubmitted by the Vendor for the next available period.



The following shall be the dates and periods in which an awarded Vendor may submit a pricing update request to Thornton.

Period	Vendor Request Submittal Date Range	Thornton Evaluation and Determination	Determined and Final Pricing Effective Period
1	March 1 st - March 15 th	March 16 th – March 31 st	April 1 st - September 30 th
2	September 1 st - September 15 th	September 16 th - September 30 th	October 1 st - March 31 st

This solicitation and all resulting awards made, shall base all Vendor semi-annual price update requests on the Denver-Aurora-Lakewood Consumer Price Index (local CPI). Thornton utilizes this local CPI for a barometer of inflationary pricing as it is equal for all Vendors involved. It shall be at Thornton’s sole discretion as to if another index will be used for future Vendor price update requests.

A link to the Denver-Aurora-Lakewood CPI that is current at the time of this solicitation has been provided below:

https://data.bls.gov/pdq/SurveyOutputServlet?data_tool=dropmap&series_id=CUURS48BSA0,CU USS48BSA0

Vendor pricing update requests shall be based upon documented price increases and must be independently verifiable by Thornton. Price increases based upon magazines, websites, or other publications that require a paid subscription to be paid by Thornton shall not be allowed.

If a commodity, transportation, labor, or any other cost that is incurred by the Vendor, results in a decline of cost to produce product sold to a requesting Municipality or Agency, then the Vendor shall pass that savings on in the form of a reduced unit price in their pricing update request during the following period in which the reduction was first realized by the Vendor.

C.5 PROPOSAL ITEMS:

The pricing form for this solicitation shall be in a Microsoft Excel format, with a free-type ability for the Vendor to complete the form if there are any additional costs associated with your proposal. The form is under separate cover and is entitled “112-21 IFB Pricing Form 09-28-21”

Any prices not stated by the Vendor within this pricing form shall be considered by Thornton to be inclusive of the pricing that has been provided by the Vendor, with the only exception being that of future services that have not been created or available for offer by the Vendor.

C.6 ADDING AND DROPPING ITEMS:

If a Vendor wishes to add an item to their award during the resulting award term, then that item will be posted publically for all Vendors to propose pricing on to ensure a fair and equitable process has been conducted.

If a Vendor can no longer provide an awarded item as part of their award, or no longer wishes to provide the item to the MAPO agencies, then that Vendor shall contact the Buyer of Record via direct email, and immediately notify them of the removal of the item. Items that are removed will not be allowed to be reinstated at later dates without prior authorization by the Thornton Purchasing Division.

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SECTION D: PROPOSAL INSTRUCTIONS, EVALUATION, AND AWARD**D.1 PROPOSAL POSTED LOCATIONS:**

This Invitation for Bid (IFB) has been posted publically to the following locations:

- BidNet® Direct: www.BidNetDirect.com; and
- Thornton's Purchasing website: <https://solicitations.thorntonco.gov/solicitations>.

Thornton currently uses BidNet Direct® as the official site of record for all copies of publically posted proposals for viewing. Both websites operate as a free to view and download option for prospective Vendors.

Upon request by a Proposing Vendor, the Purchasing Division will also make this solicitation available for viewing at the Contracts and Purchasing Division office. The address for the office is located on the cover page.

D.2 PRE-PROPOSAL CONFERENCE:

A pre-proposal conference will be conducted the date and time listed in the Schedule of Events on the cover page. The proposal scope or work will be reviewed and discussed at this time.

The pre-proposal conference will be held via a Zoom virtual meeting room. Vendors who wish to attend the pre-proposal must email their request to attend to the Buyer, no less than one (1) day prior to the pre-proposal meeting. The Buyer will then send the requestor an email with the meeting link included the day before the pre-proposal conference.

D.3 PROPOSAL QUESTIONS:

Thornton shall not be bound by and the Vendor shall not request or rely on any oral interpretation or clarification of this proposal. Therefore, any questions regarding this proposal are encouraged and must be submitted in writing by email to the Buyer of Record listed within this solicitation.

Questions received up to deadline to submit question in the Schedule of Events will be answered in writing per the Schedule of Events. Answers to questions from any Vendor will be provided to all Vendors.

D.4 ADDENDA:

In the event it becomes necessary to revise, change, modify or cancel this Proposal or to provide additional information, addenda will be issued and made available on BidNet Direct and on Thornton's website. It is the responsibility of the proposer/ contractor to confirm that they have acquired all addenda related to this proposal and they have reviewed/ complied with the requirements therein.

D.5 SUBMISSION OF PROPOSALS:

Submission of proposals for this proposal may be done electronically through a Vendor portal (currently done via BidNet Direct®). Proposals can be submitted at www.bidnetdirect.com, but shall not be completely submitted later than the date and time indicated in the Schedule of Events. If you experience problems with BidNet Direct, please call 1-800-835-4603 for assistance. There is no charge by BidNet Direct for this service

Proposing Vendors who feel they are unable to submit a proposal through BidNet®, may request to submit a physical copy of their proposal for consideration. A proposing Vendor shall email the Buyer of Record prior to the question due date listed in the Schedule of Events, for instructions on where and how to submit their physical proposal. All physical proposal submissions shall be submitted and recorded no later than the date and time indicated in the Schedule of Events.

D.6 DOCUMENTS FOR FINAL VENDOR SUBMISSION:

Proposing Vendors are to ensure that they're submission is complete and responsible prior to a final submission. As a reminder this proposal contains the following documents that will require completion by the proposing Vendor:

- 1) Section C.5 – Proposal Items.
- 2) All additional technical information in support of your proposal.
- 3) A current copy of your company's W-9.
- 4) Section E.1 – Acceptance of Conditions and Addenda Acknowledgement Form.
 - a. Include a current copy of your Thornton Business License if you are claiming the Local Vendor Consideration.
- 5) Section E.2 – References and Authorization and Release Form.

It is not necessary for a proposing Vendor to submit the entire proposal document that has been provided by Thornton in your response. Only the above mentioned items are currently required with your proposal submission. Thornton reserves the right to request any clarification questions or documents that may aid in the evaluation of your proposal.

Bid submissions from the Vendor community will be received up until the date and time as listed within the Schedule of Events of this solicitation, through a direct upload through the Vendor's portal in BidNet Direct® (www.BidNetDirect.com). Immediately after the closing of the Bid submission time, the results will be publically opened and read aloud via Zoom. Proposing Vendors must email the Buyer of Record at least one (1) day prior to the Bid closing to request the Zoom link be sent to them.

D.7 LATE PROPOSAL SUBMISSIONS:

Proposing Vendors are expected to allow adequate time to upload a complete submission for consideration through the Vendor portal (currently BidNet Direct®). The Vendor portal will not allow a Vendor to modify, save, nor upload their proposal after the submittal date and time have passed.

It is **highly recommended** that as a proposing Vendor you do not wait until the last minute to submit your proposal.

Late Proposals will not be accepted. Sole responsibility rests with the Proposing Vendor to ensure that its Proposal is completely uploaded through the Vendor portal or are received in the Purchasing Office prior to the submission deadline. Proposals that are left in a "Draft" status in the Vendor portal will not be accepted by Thornton for consideration.

All physical proposals received in the Purchasing Office after the submittal date and time will be immediately rejected without consideration.

D.8 AWARDS:

Award(s) will be made to one (1) or more Vendor(s) on an individual item basis.

D.9 ACCEPTANCE PERIOD:

Submissions in response to this proposal shall remain valid until an award has been made to a proposing Vendor.

D.10 AWARD TERM LENGTH:

The goal of this proposal is to establish a multi-year purchasing avenue with awarded Vendors for their various commodities for all MAPO Municipalities/Agencies.

The Vendors who are awarded from this proposal will be awarded through a Vendor Commitment Statement letter that will last from **January 1, 2022** through **December 31, 2026**.

D.11 POST AWARD PURCHASE ORDERS:

Purchase Orders (POs) will be generated by each individual requesting Agency for their own specific needs. Thornton shall not be liable for any requesting Agency's expenditures, other than its own needs.

All of Thornton's POs shall be issued by Thornton's Contracts and Purchasing Division as a result of the Award from this solicitation. All future year POs shall be conditional upon annual appropriation approval by Thornton's City Council. Thornton shall not be liable for any future charges from the awarded Vendor should the funding not be appropriated and approved by City Council.

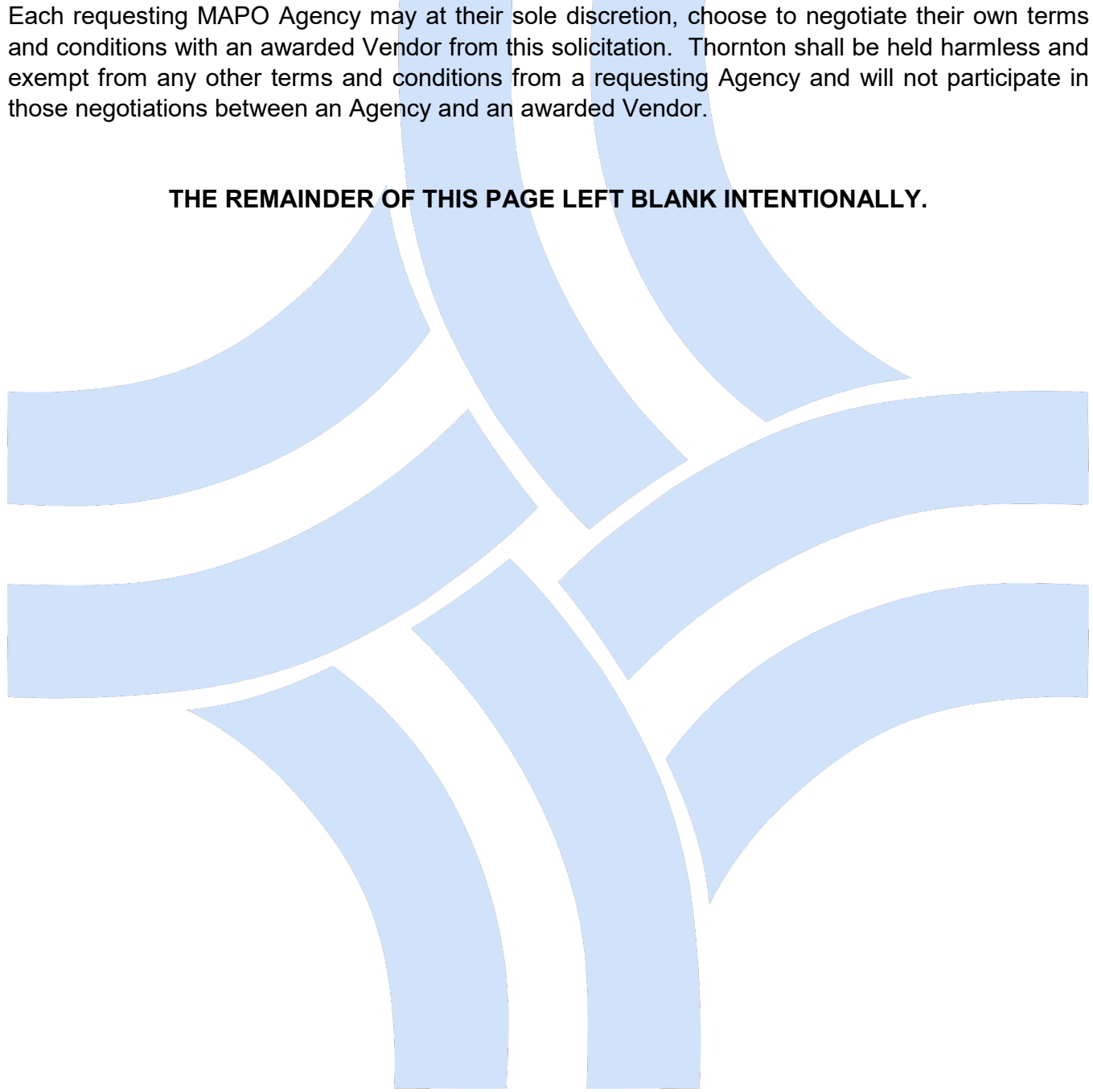
D.12 STANDARD PROPOSAL CONSIDERATIONS:

Thornton maintains a standard set of proposal considerations and terms and conditions for proposals that are non-federally funded and are not through a cooperative awarded process. These considerations are static between each proposal process. These standard proposal considerations also include Thornton's purchase order terms and conditions as well.

A copy of these standard proposal considerations and terms and conditions have been uploaded with this proposal document as a separate cover. It is the sole responsibility of the proposing Vendor to have read all proposal considerations.

Each requesting MAPO Agency may at their sole discretion, choose to negotiate their own terms and conditions with an awarded Vendor from this solicitation. Thornton shall be held harmless and exempt from any other terms and conditions from a requesting Agency and will not participate in those negotiations between an Agency and an awarded Vendor.

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SECTION E: REQUIRED VENDOR SIGNATURE FORMS

E.1 ACCEPTANCE OF CONDITIONS AND ADDENDA ACKNOWLEDGEMENT FORM:

Vendor indicates acceptance of the following conditions:

- 1. City of Thornton Charter Section 7.4 prohibits Thornton from issuing a Purchase Order to firms which employ certain family members of employees unless the Thornton Council determines it is in Thornton's best interest. For the purposes of this Charter Section, a domestic partner shall be considered equivalent to a family member. The Vendor attests to the following:

No City Council Member, member of a board or commission, Municipal Judge, City Manager, City Attorney, or employee of the City of Thornton, or any such person's family member, domestic partner, or person assuming a relationship being the substantial equivalent of the above, has an existing or pending, direct or indirect, financial, pecuniary or personal interest in the proposing firm or this Invitation for Bid, except as follows: (list, if any)

- 2. The undersigned Vendor, having examined the Bid Documents, and having full knowledge of the product requested and described herein, hereby proposes that it will fulfill the obligations contained herein in accordance with all terms, conditions, and specifications set forth; and that it will furnish all required products and pay all incidental costs all in strict conformity with these Bid Documents, for the stated prices as payment in full.

- 3. I acknowledge receipt of any and all published addenda: Yes No

- 4. My firm is claiming A Thornton Based Business Local Vendor Consideration: Yes No

Proposing Vendor's Name: _____

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

Date: _____

Telephone Number: _____

Email: _____

E.2 REFERENCES AND AUTHORIZATION AND RELEASE FORM:**REFERENCE AUTHORIZATION FORM**

By: _____, A Corporation
(Proposing firm) _____, A Partnership whose address is _____
_____ An Individual

Proposing firm has submitted a sealed Proposal to the City of Thornton (Thornton) for this solicitation.

Proposing firm hereby authorizes Thornton to perform such investigation of proposing firm as Thornton deems necessary to establish the qualifications, responsibility, trustworthiness, and financial ability of the proposing firm. By its signature hereon, the proposing firm authorizes Thornton to obtain reference information concerning the proposing firm and releases the party providing such information named above and Thornton from any and all liability to the proposing firm as a result of any reference information provided.

Proposing firm further authorizes Thornton to discuss and release any and all information regarding the Proposing firm's performance on its forthcoming services related to this project or other past projects upon receiving a request for such information. Proposing firm releases Thornton from any and all liability associated with such a release of information.

Proposing firm further waives any right to receive copies of reference information provided to Thornton. A copy or facsimile of this executed Reference Authorization and Release Form may be used with the same effectiveness as an original.

Submitted By (Printed): _____

Submitted By (Signature): _____

Title: _____

Date: _____



REFERENCE FORM

Vendors shall complete at least three (3) references in relation to the products/services proposed in this solicitation. Vendors may add more than three (3) references if desired, but are not required to do so.

- 1. Company Name: _____
Street Address: _____
City, State, Zip Code: _____
Contact Person: _____
Office Phone Number: _____
Email Address: _____

- 2. Company Name: _____
Street Address: _____
City, State, Zip Code: _____
Contact Person: _____
Office Phone Number: _____
Email Address: _____

- 3. Company Name: _____
Street Address: _____
City, State, Zip Code: _____
Contact Person: _____
Office Phone Number: _____
Email Address: _____

SECTION F: AUTHORIZATION FOR SOLICITATION POSTING**F.1 PURCHASING MANAGER FORM:**

All communications regarding this solicitation shall be directed to the Buyer of Record listed within this solicitation in Section A.2 – Buyer of Record.

This solicitation has been reviewed and approved for a public posting by the Thornton Purchasing Manager.

(On Behalf of)
Megan deGrood
Purchasing Manager