



INVITATION FOR BID (IFB)

IFB No. 111-23

BULK SEED

Buyer of Record: Megan deGroot

megan.degroot@thorntonco.gov

City Hall - 2nd Floor
Contracts and Purchasing Division
9500 Civic Center Drive
Thornton, CO 80229-4326
Main Phone: (303) 538-7325

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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	12/29/2022	
Deadline to Submit Additional Questions	01/06/2023	
Response to Written Questions	01/11/2023	
Proposal Due Date	01/17/2023	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: **Megan deGroot**
 Buyer Title: **Purchasing Manager**
 Buyer Email: **megan.degroot@thorntonco.gov**

A.3 GENERAL SUMMARY OF PROCUREMENT NEEDS:

The City of Thornton, CO ("Thornton") is seeking Proposals from interested firms for the purchase and delivery of bulk seed.

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

Thornton is soliciting bids for custom seed mix. Seed mix is to be formulated and is to be packaged in bags (50-100 lbs.) and stacked on pallets. Seed bags are to be properly tagged. Vendor shall provide Thornton with a copy of all seed lab reports indicating purity, germination, and viability of seed lots used to make seed mix. Delivery vehicle must be able to unload pallets at location indicated below and physically place into shop (other arrangements can be made upon request). There are no mechanical unloaders available.

B.2 ESTIMATED QUANTITIES:

Quantities listed are Thornton's best estimate and do not obligate Thornton to order or accept more than Thornton's actual requirements during the period of this agreement, as determined by actual needs and availability of appropriated funds. It is expressly understood and agreed that the resulting contract is to supply Thornton with its complete actual requirement of the materials specified in this proposal for the contract period.

B.3 F.O.B. POINT:

Prices quoted shall be F.O.B. 16754 CR 84 Ault, CO 80610 and unloaded.

B.4 DELIVERY CONSIDERATIONS:

Deliveries are to be made as soon as possible after orders are placed. Vendor shall notify Thornton in advance, of the date and time of delivery to ensure appropriate staff onsite. Vendors proposing products not carried in stock as a policy for immediate delivery should not submit proposal on such items.

All deliveries shall be made between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

B.5 SAMPLES:

Upon request, Vendors are required to furnish a sample of the goods and/or services to be supplied at no cost to Thornton. 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 Thornton.

B.6 INVOICING 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.

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;
- Vendor contract number (provided upon acceptance of award);
- Blanket PO number (will be provided annually to awarded Vendor); and
- Delivery location (Building name and address).

Vendor shall also provide monthly statement billing (as required).

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.7 FELONY DISQUALIFICATION:

The Vendor shall not employ, retain, hire or use any individual that has been convicted of any felony charges as the same is defined under the laws of the State of Colorado in the performance of the services to be rendered and materials to be provided to Thornton pursuant to this proposal unless the Vendor receives prior written permission from the Director of Contracts and Purchasing. The Director may require that a fidelity bond, or such other assurance in such amount as deemed appropriate, be provided to Thornton as a condition precedent to the grant of such permission.

B.8 EMERGENCY PURCHASES:

Thornton reserves the right to purchase from other sources those items which are required on an emergency basis and cannot be supplied immediately from stock by the awarded Vendor.

B.9 PALLET CHARGE:

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

B.10 VENDOR PERFORMANCE MANAGEMENT:

Thornton may administer a Vendor performance management program as part this proposal. 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.11 COOPERATIVE PURCHASING:

Thornton encourages the proper use of cooperative purchasing and reserves 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. 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.

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 TARIFFS:

Thornton recognizes the ever-changing geopolitical climate and how this affects the Supplier's pricing. For the sake of convenience, all pricing submitted with this proposal shall contain all costs, including tariffs that are in place at the time of this proposal's posting.

If a during an awarded period with Thornton, the Supplier sees an increase in the steel and/or plastic prices due to tariffs, then the awarded Supplier is to document this change and submit it with their requested pricing updates. No requested pricing update shall be allowed more than once in any given renewal period.

If during an awarded period with Thornton, the Supplier sees a decrease or elimination of the tariffs that are in place at the time of this proposal's publication, then Thornton will expect the awarded Supplier to immediately reduce their agreed upon pricing to Thornton by no less than what the reduced/eliminated tariffs had been set at.

C.3 ANNUAL PRICE UPDATES:

The awarded Vendor must hold the Bid prices quoted firm until December 31, 2023, after which time the Vendor may request annual price adjustments for inflation based on the Denver-Aurora-Lakewood Price Index upon mutual agreement of the Parties.

Notwithstanding the above, Thornton may, at its sole discretion, consider other pricing modifications as deemed appropriate given market conditions. Note, Thornton is under no obligation to make such considerations and may require vendors to provide documentation substantiating any unusual market conditions beyond its control.

A link to index 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,CUUSS48BSA0

C.4 PROPOSAL ITEMS:

Bid Item #	Description	Quantity	UOM	Delivered Unit Price	Extended Delivered Price
1	Custom Seed Mix: 9 PLS/Acre Percentage Pure Live Seed by Weight Western Wheat Grass – 20% Sideoats Grama – 20% Green Needlegrass – 10% Switchgrass – 20% Blue Grama – 10% Sand Dropseed – 10% Yellow Indiangrass – 10%	1,600	Acre	\$	\$
Shipping Schedule (Number of Days ARO)				_____ Days	
Delivery Fees <i>The delivery fee must be inclusive of all fuel charges, delivery costs and service fees. Additional charges for delivery and placement of the product will not be allowed.</i>				\$ _____	

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

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

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

Thornton currently uses BidNet Direct® and its own website to distribute official records for all copies of publicly 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 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.3 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.4 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.5 DOCUMENTS FOR FINAL VENDOR SUBMISSION:

Proposing Vendors are to ensure that their 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.4 – 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 Release Forms.

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.

D.6 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.7 AWARDS:

Due to the nature of the items requested on this proposal, and the importance of the equipment or services that they impact, Thornton reserves the right to make a Dual Award, to ensure product availability and timeliness of deliveries. As always, Thornton reserves the right to source critical materials from outside Vendors.

D.8 ACCEPTANCE PERIOD:

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

D.9 AWARD TERM LENGTH:

The goal of this proposal is to establish a multi-year purchasing avenue with an awarded Vendor.

The Vendor who is awarded from this proposal will be awarded through a Purchase Order that will last from the time of issue through December 31, 2023. After the initial term expires, there will be the opportunity for a mutually agreed upon annual renewal for up to four (4) additional years.

All future renewal periods will be executed by a purchase order.

D.10 POST AWARD PURCHASE ORDER:

A Purchase Order (PO) may not be immediately generated by Thornton's Contracts and Purchasing Division as a result of the Award from this solicitation. This Award shall allow Thornton to place orders on an as-needed basis for future years' worth of needs that may arise, based on City Agency actual needs. All future year's 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.11 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. It is the sole responsibility of the proposing Vendor to have read all proposal considerations. A copy of these standard proposal considerations and terms and conditions have been uploaded with this proposal document as a separate cover.

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: _____, _____
(Proposing firm) A Corporation
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.

Megan deGrood, CPPB
Purchasing Manager