



**MILWAUKEE COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
PROCUREMENT DIVISION**

FIRE EQUIPMENT SERVICE

**BID NUMBER
692008**

OPENING DATE: 10/13/2009

BID REQUEST

Buyer No. 04

SUNG YE JACOBS

414-223-8128

**MILWAUKEE COUNTY
DEPARTMENT OF ADMINISTRATIVE SERVICES
DIVISION OF PROCUREMENT**

City Campus
2711 W. Wells Street
5th Floor
Milwaukee, Wisconsin 53208

Bid Number 692008

Posting Date: September 4,
2009

Submission Date: 10/13/2009

Note: ALL BIDS/QUOTES/RFPs are to be downloaded from the Milwaukee County website <http://www.milwaukee.gov>

COMMODITY:

FIRE EQUIPMENT SERVICE

TIME AND PLACE:

Sealed bids for furnishing the following will be received at the office of the Milwaukee County Procurement Office, 2711 W. Wells Street, 5th Fl. Milwaukee, Wisconsin 53208 until 1:30 P.M. on 10/13/2009. Bids will be opened and read the same day at 2:30 P.M. at the Procurement Division Office.

We agree to furnish the above according to your specifications, at prices hereon and according to conditions on this form.
ONLY CASH DISCOUNTS OF 30 DAYS OR MORE SHALL BE DEDUCTED IN DETERMINING THE LOW BIDDER
Cash discount for payment following acceptance of goods and receipt of invoice _____% _____ days.
Delivery shall be made not later than _____ work days after receipt of order. (FOB Destination) (Freight Included)
BIDS NOT MANUALLY SIGNED SHALL NOT BE ACCEPTED

Please print the following:

Firm Name _____
Address _____
City & State _____ Zip _____
Phone No. _____
Fax No. _____
Name/Title _____
Signature _____ Date _____
Email _____

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SPECIAL INSTRUCTIONS:

FIRE EQUIPMENT SERVICE

"PREVIOUS BID #662015"

FURNISH THE FOLLOWING TO VARIOUS MILWAUKEE COUNTY DEPARTMENTS.

VENDOR MUST BE ABLE TO COMPLETE ATTACHMENT "A" OF THE BID AND SUBMIT TWO (2)
COMPLETE BID PACKETS OR

BID MAY BE REJECTED.

ESTIMATED ANNUAL DOLLAR AMOUNT \$87,000.00.

BID NOTES:

Award will be made to the lowest qualified, responsive, responsible bidder as defined in chapter 32.20 of the Milwaukee County ordinances.

Cooperative Purchase

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?

Yes _____ No _____

Please be advised that the award of this bid by Milwaukee County 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.

Insurance Requirements

Indemnity

Except for acts done or taken at the direction of or pursuant to county policy or procedures, the contractor agrees to the fullest extent permitted by law to indemnify, defend and hold harmless, the county, and its agents officers and employees, from all loss or expense including costs and attorney's fees by reason of statutory benefits under workers compensation laws, and/or liability for damages including suits at law or in equity, caused by any wrongful, intentional, or negligent act or omission of the contractor, or it's (their) agents which may arise out of or are connected with the activities covered by this agreement.

Insurance

Contractor agrees to provide evidence and maintain proof of financial responsibility to cover costs as may arise from claims of tort and/or vicarious liability arising from employees. Such evidence shall include insurance coverage for

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workers compensation claims as required by the state of Wisconsin, including employers liability, and business insurance covering general liability and automobile coverage in the following minimum amounts:

Workers Compensation (WI) or statutory proof of all states coverage

Employers liability \$100,000/\$500,000/\$100,000

Comprehensive General Liability

Bodily injury and property damage \$1,000,000 per occurrence

(incl. personal injury, fire, legal & contractual & products/\$1,000,000 general aggregate completed operations)

Automobile Liability

All autos and/or non-owned

Bodily injury & property damage \$1,000,000 per accident

County shall be named as additional insured, as its interests may appear, and be afforded a thirty (30) day written notice of cancellation or non-renewal. A certificate indicating the above coverages shall be submitted for review and approval by county for the duration of this agreement. Coverages shall be placed with an insurance company approved by the state of Wisconsin and rated "A" per Best's key rating guide. Additional information as to policy form, retroactive date, discovery provisions and applicable retentions, shall be submitted to county, if requested, to obtain approval of insurance requirements. Any deviations, including use of purchasing groups, risk retention groups, etc., or requests for waiver from the above requirements shall be submitted in writing to the county for approval prior to the commencement of activities under this agreement.

Certificate of Insurance is to be sent to the Milwaukee County Procurement Division, 2711 W. Wells Street, Milwaukee, WI 53208

Code of Ethics

No person(s) with a personal financial interest in the approval or denial of a contract being considered by a county department or with an agency funded and regulated by a county department, may make a campaign contribution to any county official who has approval authority over that contract during its consideration. Contract consideration shall begin when a contract is submitted directly to a county department or to an agency until the contract has reached final disposition, including adoption, county executive action, proceedings on veto (if necessary) or departmental approval. This provision does not apply to those items covered by section 9.15 unless an acceptance by an elected official would conflict with this section.

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INSURANCE REQUIREMENTS

INDEMNITY

EXCEPT FOR ACTS DONE OR TAKEN AT THE DIRECTION OF OR PURSUANT TO COUNTY POLICY OR PROCEDURES, THE CONTRACTOR AGREES TO THE FULLEST EXTENT PERMITTED BY LAW TO INDEMNIFY, DEFEND AND HOLD HARMLESS, THE COUNTY, AND ITS AGENTS OFFICERS AND EMPLOYEES, FROM ALL LOSS OR EXPENSE INCLUDING COSTS AND ATTORNEY'S FEES BY REASON OF STATUTORY BENEFITS UNDER WORKERS COMPENSATION LAWS, AND/OR LIABILITY FOR DAMAGES INCLUDING SUITS AT LAW OR IN EQUITY, CAUSED BY ANY WRONGFUL, INTENTIONAL, OR NEGLIGENT ACT OR OMISSION OF THE CONTRACTOR, OR IT'S (THEIR) AGENTS WHICH MAY ARISE OUT OF OR ARE CONNECTED WITH THE ACTIVITIES COVERED BY THIS AGREEMENT.

INSURANCE

CONTRACTOR AGREES TO PROVIDE EVIDENCE AND MAINTAIN PROOF OF FINANCIAL RESPONSIBILITY TO COVER COSTS AS MAY ARISE FROM CLAIMS OF TORT AND/OR VICARIOUS LIABILITY ARISING FROM EMPLOYEES. SUCH EVIDENCE SHALL INCLUDE INSURANCE COVERAGE FOR WORKERS COMPENSATION CLAIMS AS REQUIRED BY THE STATE OF WISCONSIN, INCLUDING EMPLOYERS LIABILITY, AND BUSINESS INSURANCE COVERING GENERAL LIABILITY AND AUTOMOBILE COVERAGE IN THE FOLLOWING MINIMUM AMOUNTS:

**WORKERS COMPENSATION (WI) OR STATUTORY
PROOF OF ALL STATES COVERAGE
EMPLOYERS LIABILITY \$100,000/\$500,000/\$100,000**

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COMPREHENSIVE GENERAL LIABILITY

BODILY INJURY & PROPERTY DAMAGE \$1,000,000 PER OCCURENCE

(INCL. PERSONAL INJURY, FIRE

LEGAL & CONTRACTUAL & PRODUCTS/ \$1,000,000 GENERAL AGGREGATE

COMPLETED OPERATIONS)

AUTOMOBILE LIABILITY

ALL AUTOS AND/OR NON-OWNED

BODILY INJURY & PROPERTY DAMAGE \$500,000 PER ACCIDENT

COUNTY SHALL BE NAMED AS ADDITIONAL INSURED, AS ITS INTERESTS MAY APPEAR, AND BE AFFORDED A THIRTY (30) DAY WRITTEN NOTICE OF CANCELLATION OR NON-RENEWAL. A CERTIFICATE INDICATING THE ABOVE COVERAGES SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY COUNTY FOR THE DURATION OF THIS AGREEMENT. COVERAGES SHALL BE PLACED WITH AN INSURANCE COMPANY APPROVED BY THE STATE OF WISCONSIN AND RATED "A" PER BEST'S KEY RATING GUIDE. ADDITIONAL INFORMATION AS TO POLICY FORM, RETROACTIVE DATE, DISCOVERY PROVISIONS AND APPLICABLE RETENTIONS, SHALL BE SUBMITTED TO COUNTY, IF REQUESTED, TO OBTAIN APPROVAL OF INSURANCE REQUIREMENTS. ANY DEVIATIONS, INCLUDING USE OF PURCHASING GROUPS, RISK RETENTION GROUPS, ETC., OR REQUESTS FOR WAIVER FROM THE ABOVE REQUIREMENTS SHALL BE SUBMITTED IN WRITING TO THE COUNTY FOR APPROVAL PRIOR TO THE COMMENCEMENT OF ACTIVITIES UNDER THIS AGREEMENT.

CERTIFICATE OF INSURANCE IS TO BE SENT TO THE MILWAUKEE COUNTY PROCUREMENT DIVISION, 2711 W. WELLS STREET MILWAUKEE, WI 53208

RENEWAL CLAUSE- "SAID CONTRACT WILL BE FOR A TERM OF ONE

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YEAR. THE CONTRACT MAY BE EXTENDED FOR AN ADDITIONAL TERM OF ONE YEAR UNDER THE SAME TERMS AND CONDITIONS UPON THE MUTUAL CONSENT OF THE COUNTY AND VENDOR, AND AT THE END OF SAID RENEWAL TERM AND UNDER THE SAME CIRCUMSTANCES, THE OPTION TO RENEW FOR ANOTHER YEAR TERM THEREAFTER MAY BE EXERCISED."

HOWEVER, 90 DAYS PRIOR TO THE EXPIRATION OF THE YEARLY TERM, THE VENDOR IS TO SEND A LETTER TO THE PROCUREMENT DIVISION STATING A WILLINGNESS TO RENEW.

Non-Collusion Statement

By signing on this document, vendor/contractor certifies that bid has been made without any connection with any other vendor/contractor and is in all respects fair and without collusion or fraud, and it is made with the understanding that no elected officer or any employee of Milwaukee County is interested therein, directly or indirectly unless otherwise stated.

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48 BID LINES

000 COUNTY WIDE CITY CAMPUS .

M704022

001 M7040221130 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

EXTINGUISHERS PORTABLE-ANNUAL INSPECTION & TAGGING

PER EXTINGUISHER PER ATTACHMENT "A"

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

002 M7040225130 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

EXTINGUISHERS RECHARGING RATES: 2-1/2 LB CARBON DIOXIDE

ITEMS 2 - 17

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

003 M7040221300 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

CARBON DIOXIDE 5 LB

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

004 M7040221302 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

CARBON DIOXIDE 10 LB

\$ _____ EACH

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000 COUNTY WIDE CITY CAMPUS .

M704022

005 M7040221301 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
CARBON DIOXIDE 15 LB**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

006 M7040221303 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
CARBON DIOXIDE 20 LB**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

007 M7040222405 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
PRESSURIZED WATER 2-1/2 GAL**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

008 M7040222257 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL (BC) 2-1/2 LB**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

009 M7040222258 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL (BC) 5 LB**

\$ _____ EACH

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000 COUNTY WIDE CITY CAMPUS .

M704022

010 M7040222259 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL (BC) 10 LB**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

011 M7040222260 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL (BC) 20 LB**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

012 M7040222261 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL 2-1/2 LB (ABC OR PURPLE K)**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

013 M7040222262 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL 5 LB (ABC OR PURPLE K)**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

014 M7040222263 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL 6 LB (ABC OR PURPLE K)**

\$ _____ EACH

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000 COUNTY WIDE CITY CAMPUS .

M704022

015 M7040222264 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

DRY CHEMICAL 10 LB (ABC OR PURPLE K)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

016 M7040222265 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

DRY CHEMICAL 20 LB (ABC OR PURPLE K)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

017 M7040222266 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

DRY CHEMICAL 25 LB (ABC OR PURPLE K)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

018 M7040222267 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

DRY CHEMICAL 30 LB (ABC OR PURPLE K)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

019 M7040222330 U/M LB REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

HALON 1211-(ALL SIZES-PRICE PER LB)

\$ _____ LB

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000 COUNTY WIDE CITY CAMPUS .

M704022

020 M7040222040 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

CYLINDERS, NITROGEN FOR HYDROTEST & RECHARGE

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

021 M7040222041 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

CYLINDERS, AIR OR SCBA CYLINDERS FOR HYDROTEST

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

022 M7040222042 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

CYLINDERS, FOR RECHARGE, TEST GAS TRAINING UNIT

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

023 M7040222043 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

30LB CLASS D METAL X FIRE EXTINGUISHER FOR RECHARGE

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

024 M7040222435 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

HYDROSTATIC TEST: ITEMS 24-27 P/ATTACHMENT PRESSURIZED WATER

\$ _____ EACH

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000 COUNTY WIDE CITY CAMPUS .

M704022

025 M7040221304 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE
CARBON DIOXIDE-(5, 10, 15, & 20 LB)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

026 M7040222268 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE
DRY CHEMICAL-(ALL TYPES & SIZES)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

027 M7040222334 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE
HALON 1211- (ALL SIZES)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

028 M7040222280 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE
FUNCTIONAL TEST AND INTERNAL INSPECTION
ITEMS 28 & 29 STORED PRESSURE DRY CHEMICAL TYPES

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

029 M7040222285 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE
STORED PRESSURE HALON TYPES-

\$ _____ EACH

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M704022

030 M7040223440 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

FIRE HOSES-ANNUAL SERVICE INSPECTION & TAGGING P/HOSE

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

031 M7040223441 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

HOSE HYDROSTATIC TESTING, WASHING, DRYING & STENCILING

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

032 M7040223442 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

HOSE RECOUPLING-(LABOR ONLY) 1-1/2" (PER END)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

033 M7040223443 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

2-1/2" (PER END)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

034 M7040223444 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

COUPLINGS: ITEMS 35-39 1/12" RACK & REEL

\$ _____ EACH

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M704022

035 M7040223445 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

1-1/2" SINGLE JACKET-(PER SET)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

036 M7040223446 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

1-1/2" DOUBLE JACKET-(PER SET)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

037 M7040223447 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

2-1/2" SINGLE JACKET-(PER SET)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

038 M7040223448 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

2-1/2" DOUBLE JACKET-(PER SET)

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M183028

039 M1830281210 U/M EACH REQUISITION #: RX10500000033596

QTY: EXTINGUISHERS FIRE

PURCHASES-ITEMS 40-45, 5# ABC

\$ _____ EACH

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M183028

040 M1830281211 U/M EACH REQUISITION #: RX10500000033596

QTY: EXTINGUISHERS FIRE

10# ABC

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M183028

041 M1830281212 U/M EACH REQUISITION #: RX10500000033596

QTY: EXTINGUISHERS FIRE

20# ABC

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M183028

042 M1830281228 U/M EACH REQUISITION #: RX10500000033596

QTY: EXTINGUISHERS FIRE

5# BC (KITCHENS)-

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M183028

043 M1830281229 U/M EACH REQUISITION #: RX10500000033596

QTY: EXTINGUISHERS FIRE

10# BC (KITCHENS)-

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

044 M7040224180 U/M EACH REQUISITION #: RX10500000033596

QTY: FIRE EQUIPMENT SERVICE

INSTALLATION OF FIRE EXTINGUISHERS

\$ _____ EACH

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Posting Date: September 4,
2009

Submission Date: 10/13/2009

Note: ALL BIDS/QUOTES/RFPs are to be downloaded from the Milwaukee County website <http://www.milwaukee.gov>

000 COUNTY WIDE CITY CAMPUS .

M704022

045 M7040224182 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
MINIMUM CHARGE FOR SERVICE CALL-**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

046 M7040224183 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
MISCELLANEOUS-MUST BE ITEMIZED**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M704022

047 M7040224184 U/M EACH REQUISITION #: RX10500000033596

**QTY: FIRE EQUIPMENT SERVICE
2-1/2 GAL PRESSURIZED WATER**

\$ _____ EACH

000 COUNTY WIDE CITY CAMPUS .

M114325

048 M1143259960 U/M EACH REQUISITION #: RX10500000033596

**QTY: GASOLINE
FUEL SURCHARGE**

\$ _____ EACH

GENERAL DIRECTIONS FOR BIDDING

1. **How to Bid**
All Bids shall be submitted on the official form furnished by the *Procurement Division* and identified with the firm name and manually signed. Unsigned bids shall not be considered. If this form does not provide sufficient space, bidders shall attach a sheet supplying the additional information. This sheet shall also be signed as required above to properly identify attachments.
2. **How to Amend a Bid Before Due Date and Time**
After a bid has been filed at the *Office of the Procurement Division* and the bidder desires to amend this bid, he may do so before the due date and time by filing an amendment fully identified with the original bid submitted by number, commodity and opening date. All of the conditions and provisions of the Invitation to Bid shall be in effect. *This must be submitted before the date and time for receipt of bid as set forth in the Invitation to Bid. No bids or amendments shall be accepted after the bid opening date and time specified.*

TERMS AND CONDITIONS OF BID

1. **Award**
The *Purchasing Administrator* reserves the right to award a separate contract for each item unless otherwise specified in the bid; any group of items, or all items; or to reject any or all bids or any portion of any or all bids when, in the opinion of the *Purchasing Administrator*, the best interest of the County will be served thereby.
2. **Tie bids**
If there are tie bids, award shall be made in accordance with tie bid provisions as outlined in Chapter 32 of the Milwaukee County General Ordinances.
3. **Changes in specifications not permitted**
Do not change any of the terms of the specifications. Such changes shall constitute a counter offer. Any bids received with such changes shall be rejected.
4. **Execution of contract**
Successful bidder agrees to enter into contract with Milwaukee County and, when required, to furnish a performance bond of surety company authorized to do business within the State of Wisconsin in the amount specified on the Invitation to Bid, and to complete the affixing thereon of the necessary signatures of contractor and surety and return to the *Procurement Division* within fifteen working days of written request to do so.
5. **Delays in delivery**
Delays in delivery caused by bona fide strikes, government priority or requisition, riots fires, sabotage acts of God or any other delay deemed by the *Purchasing Administrator* to clearly and unequivocally beyond the contractor's control, shall be recognized by the County. The vendor may be relieved of meeting delivery time specified, if vendor files with *Purchasing Administrator* a request for extension of time, signed by a responsible official, giving in detail all the essential circumstances which, upon verification by the *Purchasing administrator*, Justifies such extension.
6. **Patents**
This order is given upon the condition that Milwaukee County is protected by the vendor against all liability, loss or expenses by reasons of any patent or trademark litigation now existing or hereafter instituted, arising out of any alleged infringement of patent or trademark on merchandise hereby ordered, or any part thereof.
7. **Non-Discrimination**
The contractor, lessee, purchaser, etc., agrees not to discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, sex, or handicap, which shall include, but not limited to: recruitment or recruitment advertising; employment; upgrading; demotion or transfer; lay-off or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship. A violation of this provision shall be sufficient cause for the County to terminate the contract, lease, order, etc. pursuant to County Ordinance 56.17 – Non Discriminatory Contracts.
8. **Delivery terms**
Bids shall include delivery costs to the specified delivery point, all transportation charges prepaid and borne by you.
9. **Taxes**
Milwaukee County is exempt from Federal Excise **Tax** and Wisconsin State Sales **Tax**. Bids should be submitted without such **taxes**.
10. **Code of Ethics**
Milwaukee County Code of Ethics states in part, “No person may offer to give to any County Officer or employee or his/her immediate family, and no County Officer, or employee or his/her immediate family may solicit or receive anything of value pursuant to an understanding that such officer's or employees' vote, official action or judgment would be influenced thereby.”
11. **New and Unused**
Bids not meeting the minimum requirements specified shall be rejected. All merchandise shall be new and unused unless specified in the specifications.
12. **Funding**
If funds are not appropriated for payment of this contract, Milwaukee County may terminate contract at the end of any fiscal year upon 30 days written notice without any early termination penalties, charges, fees or costs of any kind to Milwaukee County.
13. **Retention of Records**
Contractor agrees to retain all records related to this contract for a period of at least three years from final date of payment under this contract
14. **Audit of Records**
Contractor shall permit the authorized representatives of the County Auditor, after reasonable notice, the right to inspect and audit all data and records of contractor related to carrying out the contract for a period of up to three years after completion of the contract. If subcontractors and/or associates are utilized, prime contractor shall have a written contractual agreement with County approved subcontractors and/or associates which bind the subcontractor to the same audit contract terms and conditions as the prime contractor.

SECTION 32.20

(14) Computation of time limits expressed in hours or days shall exclude Saturdays, Sundays, and legal holidays.

32.26 PROTEST AND APPEAL PROCEDURE.

Protests to any sealed bid procurement or award recommended by the Purchasing Administrator may be made by any bidder and/or using department head as follows:

(1) Prior to Bid Opening:

- (a) Protests to form and content of bid documents shall be received by the Purchasing Administrator not less than five days prior to the time scheduled for bid opening. A protest shall be in writing and state the reason for it.
- (b) The Purchasing Administrator shall review protests and if modification is necessary, the bid opening date shall be extended and addenda containing the changes shall be sent to each bidder. If modification is rejected, the protestor shall be notified. The decision of the Purchasing Administrator is final.

(2) After Bid Opening:

- (a) Protests concerning irregularities on sealed bid opening procedures or compliance by bidders with bid documents shall be received by the Purchasing Administrator within 72 hours after time of bid opening
- (b) When a sealed bid is to be awarded to other than low bidder, all bidders shall be notified in writing by certified mail, return receipt requested, of the proposed award. Protests to the award must be delivered to the Purchasing Administrator within 72 hours after receipt of notice.
- (c) A Protest under either (a) or (b) must be in writing and state the reason for it. The Purchasing Administrator shall review the protest and notify the protestor of a decision in writing by certified mail, return receipt requested within five days. No contract shall be awarded while protest is pending. A protest, which is untimely, fails to state the reason for it or should have been made prior to bid opening, is invalid. The decision of the Purchasing Administrator disqualifying the protest for these reasons is final and cannot be appealed.

(3) Appeals to Purchasing Standardization Committee

- (a) Protests from decision of the Purchasing Administrator shall be made to the Purchasing Standardization Committee by delivering a written request for appeal hearing both to the Procurement Division and the Purchasing Standardization Committee within 72 hours after receipt of the Purchasing administrator's decision.
- (b) The request shall state the grounds upon which the protest is based and shall request an appeal hearing. No contract shall be awarded until final disposition of the protest.
- (c) The Chairman of the Purchasing Standardization Committee shall notify all interested persons of the time and place of the hearing.
- (d) The Purchasing Standardization Committee shall affirm, reverse or modify the decision of the Purchasing Administrator and its decision shall be final.

**Written appeals to the
Purchasing Standardization Committee
Shall be addressed as follow:**

**Purchasing Standardization Committee
C/O Milwaukee County Procurement Division
2711 W. Wells St, 5th Floor
Milwaukee, WI 53208**