CITY OF LOS BANOS
PUBLIC WORKS DEPARTMENT

INVITATION FOR SEALED BIDS

PROPOSAL FOR THE LEASE OF THREE (3) NEW 2015 MODEL LIGHT DUTY TRUCKS AND ONE (1) NEW 2015 MODEL LIGHT DUTY VAN

City of Los Banos
Public Works Department
411 Madison Avenue
Los Banos, CA 93635
(209) 827-7056

Mark Fachin P.E.
Public Works Director/ City Engineer

The sealed Bid Proposals must be received no later than 2 p.m.
Friday, January 16, 2015
at
Los Banos City Hall
Office of the City Clerk
520 J Street
Los Banos, CA 93635

INVITATION FOR SEALED BIDS

CITY OF LOS BANOS
PUBLIC WORKS DEPARTMENT
411 Madison Avenue
Los Banos, CA 93635
(209) 827-7056

NOTICE IS HEREBY GIVEN that the LOS BANOS PUBLIC WORKS DEPARTMENT invites and will receive sealed bids up to the hour of 2:00 P.M. Pacific Standard Time (PST) on ***Friday, January 16, 2015*** for the five year lease of three (3) New 2015 Model Light Duty Trucks and one (1) New 2015 Model Light Duty Van with a $1 buyout each at the end of the lease period. At said time, said sealed Bid Proposals will be publicly opened and read aloud in the City of Los Banos Council Chambers by the office of the City Clerk at:

Los Banos City Hall
520 "J" Street
Los Banos, California 93635

Questions regarding the Bid Documents are to be directed to Dan Bronson, Public Works Fleet Coordinator, by writing or email at dan.bronson@losbanos.org.

Bid Proposals shall be submitted only on forms provided in the Bid Documents. Bid Proposals shall be in the hands of the City Clerk of the City of Los Banos, 520 J Street, Los Banos, California, 93635 on or before the hour of 2:00 P.M. PST on ***Friday, January 16, 2015***. No late Bid Proposals will be accepted and will be returned unopened. No oral, telegraphic, electronic, facsimile, or telephone Bid Proposal submittals or modifications will be considered. Bid Proposals received after the Bid Proposal submittal deadline will be rejected and returned to the bidder unopened.

The Bid Documents can be obtained from the City of Los Banos website at www.losbanos.org.

The City of Los Banos reserves the right to reject any and/or all Bid Proposals received.

Information for Bidders

Bid Proposals will be received by the City of Los Banos Office of the City Clerk for the Los Banos Public Works Department (herein called the "Owner"), at the City Council Chambers of the City of Los Banos, 520 J Street, Los Banos, CA, 93635, until 2:00 P.M. Pacific Standard Time (PST), on ***Friday, January 16, 2015***, then publicly opened and read aloud.

A complete Bid Proposal shall contain one original set of the following documents: Specifications Compliance Sheets, Bid Form, Signature Sheet, Addendum (if needed), and a copy of the manufacturer's warranty. All Bid Proposal forms and attachments, where noted, shall require the bidder's signature. The completed Bid Proposal must be submitted in a sealed envelope and addressed to the Owner at 520 J Street, Los Banos, CA 93635. Each sealed envelope containing a Bid Proposal must be plainly marked on the outside as "**Light Duty Vehicles Bid; Attention City Clerk**", and the envelope shall also bear on the outside, the name of the bidder, and their address. **If forwarded by mail**, the sealed envelope containing the Bid Proposal must be enclosed in another envelope addressed to the City of Los Banos at 520 J Street, Los Banos, CA, 93635, and also clearly state "**Light Duty Vehicles Bid; Attention City Clerk**".

All Bid Proposals must be made on the required Bid Proposal forms included within these Bid Documents. A complete set of Bid Proposal forms, including signed Addendum, if issued, must be submitted. Bid prices must be filled in, in ink or typewritten, and the Bid Form must be fully completed and executed when submitted unless otherwise indicated. Only one set of original Bid Proposal forms are required to be submitted. Mistakes must be corrected and the correction inserted; correction must be initialed in ink by person signing the Bid Proposal.

The Bid Form shall be signed by a person or persons legally authorized to bind bidder to the Contract. The individuals signing each document shall warrant that they are authorized to bind the bidder.

The Owner may waive any informalities or minor defects or reject any and all Bid Proposals. Any Bid Proposal may be withdrawn prior to the above scheduled time for the opening of Bid Proposals or authorized postponement thereof. Any Bid Proposals received after the time and date specified shall not be considered. No bidder may withdraw a Bid Proposal within 90 calendar days after the actual date and time of the opening thereof. Should there be reasons why the bid cannot be awarded within the specified period; the time may be extended by mutual agreement between the Owner and the bidder.

Each bidder is responsible for the review of the Bid Documents. The failure and omission of any bidder to do any of the foregoing shall not relieve any bidder from any obligation with respect to the Bid Proposal. Any addendums will be released as necessary at www.losbanos.org. Addendums shall be signed, dated and submitted with bidder's proposal.

All Bid Proposals shall remain firm for at least ninety (90) calendar days after the date and time of the Bid Opening unless otherwise specified. Award of Bid Proposal will be to the lowest responsible bidder as determined by the Owner. A conditional or qualified Bid Proposal will not be accepted. The Owner will not be responsible for, nor be bound by, any oral instructions, interpretations, or explanations issued by the Owner or its representatives. Any request for clarifications or questions of the Bid Documents shall be made in writing or email and deliverable to:

City of Los Banos Public Works Department
Attn: Dan Bronson
dan.bronson@losbanos.org
411 Madison Avenue
Los Banos, CA 93635

Requests for clarification or questions shall be delivered to the Owner by 5:00 P.M. PST on ***Wednesday, January 7, 2015***. Any Owner response to a request for clarification, questions and answers will be posted to the City's website at www.losbanos.org not later than 5:00 P.M. PST, ***Friday, January 9, 2015*** and, if necessary, become a part of the Bid Proposal as an Addendum.

Proposed timeline of events associated with the awarding of Bid Proposal:

Release of Advertisement for Bid Proposals		Friday, December 19, 2014
Deadline to submit questions/clarifications	5:00 P.M.	Wednesday, January 7, 2015
Addendums/Questions/Clarifications Posted	5:00 P.M.	Friday, January 9, 2015
Bid Opening	2:00 P.M.	Tuesday, January 16, 2015
City Council awards Bid Proposal		Wednesday, February 4, 2015
Issuance of a Purchase Order	By	Friday, February 13, 2015

Prior to receiving, the vehicles will be inspected to insure that they meet the specifications. The new vehicles must be completely assembled, ready to operate, have a **full tank of fuel**, and been serviced by bidder before delivery.

Specifications Compliance

The bidder shall note their compliance/non-compliance on each Yes or No box provided with an X or check mark. **DO NOT MODIFY BID PROPOSAL FORMS. USE TYPEWRITER OR PRINT NEATLY WITH BLUE INK. Any space left blank shall be considered a non-responsive bid and will be rejected.** Any deviations from the specification, or where submitted literature does not fully support the meeting of the specification, must be clearly cited and explained by the bidder in the comment section following each specification category. The Owner will be responsible for determining specification compliance.

Specifications

GENERAL

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	The lease period shall be for five (5) years and shall include a provision for the Owner to purchase the vehicles at the end of the lease period for $1 for each vehicle.
☐	☐	Vehicles supplied shall be the manufacturer's current production model and shall be bid with all of the standard equipment as specified in the manufacturer's printed literature. In addition, the vehicles shall include the specifications listed herein, but may not be limited to said specifications.
☐	☐	Bidder shall quote lease price of each vehicle to include a five (5) year bumper-to-bumper 100,000 mile and/or 6,000-hour warranty. The warranty shall start upon acceptance of the completed unit by the Owner.
☐	☐	Lease package to include complete service and maintenance/repairs, to include one complete set of brakes and one full set of tires for each vehicle, as may be needed during the lease period.
☐	☐	Bidder shall quote the lease payment by month and the five year total lease price extended for each of the vehicles including eight percent (8%) sales tax, but excluding Federal excise tax. Bidder quote shall include delivery charges to the Owner.
☐	☐	Vehicles must meet all current air quality standards, California Emission Control Regulations, all Federal Safety Standards, and Department of Motor Vehicle Regulations.
☐	☐	Bid Proposals shall include estimated delivery date of the vehicles. The estimated delivery date shall be one hundred twenty (120) days or less from the date of bid award.
☐	☐	In the event that the new vehicles have not arrived at the Owner's facilities on or before the estimated delivery date liquidated damages can be charged at the rate of one percent per calendar day of the unit price of the vehicles not delivered in accordance with the time specified on the Bid Proposal.

THIS PAGE MUST BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Truck #1

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	2015 One (1) Ton Regular Cab DRW CC with Versa rack cargo body with removable 16 gauge steel 18 inch tall solid panels with rear barn doors, electric over hydraulic dump hoist.
☐	☐	High idle switch
☐	☐	Factory air conditioning, heating and defroster
☐	☐	Cruise control
☐	☐	Chrome front bumper
☐	☐	6.0 L (minimum) V-8 gas engine
☐	☐	5 Speed automatic transmission with overdrive
☐	☐	Four wheel anti-lock disc brakes
☐	☐	3 to 4 Upfitter switches
☐	☐	40/20/40 Seat with fold down armrest/console
☐	☐	Vinyl floor covering and rubber floor mats with manufacturers logo
☐	☐	Paint – White
☐	☐	Power outside mirrors for towing
☐	☐	Halogen headlamps
☐	☐	Cargo/Work lamp
☐	☐	Intermittent windshield wipers
☐	☐	Tow Package: Pintel/2”ball trailer hitch w/7 wire RV wiring harness w/electric brake controller
☐	☐	Fire extinguisher – 5 lb ABC, mounted
☐	☐	AM/FM/CD stereo Bluetooth capable
☐	☐	Power windows and door locks
☐	☐	200 amp alternator
☐	☐	Cab steps, both sides
☐	☐	110 – volt AC power inverter 1200 watts minimum
☐	☐	Full size spare tire and wheel
☐	☐	Pull tarp semi automatic roller mechanism to retract the tarp
☐	☐	Under body tool boxes right side and left side

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	Mud flaps
☐	☐	6 Tie down hooks per side and rear of bed
☐	☐	First aid kit, mounted (must meet DOT requirements for vehicle application)

Comments on Truck #1:

Bidder shall fully describe every variance, exception, and /or deviation. (Additional sheets may be attached, if necessary) If none, please enter "NONE"

_____

_____

_____

_____

_____

_____

Truck #2

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	Low profile 2015 One (1) Ton Regular Cab DRW CC with flat bed 9 foot by 96 inch wood floor with removable 6 inch tall stake pocket panels and electric over hydraulic dump hoist.
☐	☐	High idle switch
☐	☐	Factory air conditioning, heating and defroster
☐	☐	Cruise control
☐	☐	Chrome front bumper
☐	☐	6.0 L (minimum) V-8 gas engine
☐	☐	5 Speed automatic transmission with overdrive
☐	☐	Four wheel anti-lock disc brakes
☐	☐	3 to 4 Upfitter switches
☐	☐	40/20/40 seat with fold down armrest/console
☐	☐	Vinyl floor covering and rubber floor mats with manufacturers logo
☐	☐	Paint – White
☐	☐	Power outside mirrors for towing
☐	☐	Halogen headlamps

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	Cargo/Work Lamp
☐	☐	Intermittent windshield wipers
☐	☐	Tow Package: Pintel/2”ball trailer hitch w/7 wire RV wiring harness w/electric brake controller
☐	☐	Fire extinguisher – 5 lb ABC, mounted
☐	☐	AM/FM/CD stereo Bluetooth capable
☐	☐	Power windows and door locks
☐	☐	200 amp alternator
☐	☐	Cab steps, both sides
☐	☐	110 – volt AC power inverter 1200 watts minimum
☐	☐	Full size spare tire and wheel
☐	☐	Pull tarp semi automatic roller mechanism to retract the tarp
☐	☐	Underbody tool boxes right and left side
☐	☐	Mud flaps
☐	☐	6 Tie down hooks per side and rear of bed
☐	☐	First aid kit, mounted (must meet DOT requirements for vehicle application)

Comments on Truck #2:

Bidder shall fully describe every variance, exception, and /or deviation. (Additional sheets may be attached, if necessary) If none, please enter “NONE”

_____

_____

_____

_____

_____

_____

Truck #3

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	2015 3/4 Ton Regular Cab SRW Pickup w/8’ bed
☐	☐	Factory air conditioning, heating and defroster
☐	☐	Cruise control
☐	☐	Chrome front bumper

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	6.0 L (minimum) V-8 gas engine
☐	☐	5 Speed automatic transmission with overdrive
☐	☐	Four wheel anti-lock disc brakes
☐	☐	3 to 4 Upfitter switches
☐	☐	40/20/40 seat with fold down armrest/console
☐	☐	Vinyl floor covering and rubber floor mats with manufacturers logo
☐	☐	Paint – White
☐	☐	Power outside mirrors for towing
☐	☐	Halogen headlamps
☐	☐	Cargo/Work Lamp
☐	☐	Intermittent windshield wipers
☐	☐	Tow Package: Pintel/2”ball trailer hitch w/7 wire RV wiring harness w/electric brake controller
☐	☐	Fire Extinguisher – 5 lb ABC, mounted
☐	☐	AM/FM/CD stereo Bluetooth capable
☐	☐	Power windows and door locks
☐	☐	One piece fold-out power lift gate (1,200 pound)
☐	☐	Bed area to be Rhino lined (or equivalent)
☐	☐	Cab steps, both sides
☐	☐	110 – volt AC power inverter 1200 watts minimum
☐	☐	Full size spare tire and wheel
☐	☐	First aid kit, mounted (must meet DOT requirements for vehicle application)

Comments on Truck #3:

Bidder shall fully describe every variance, exception, and /or deviation. (Additional sheets may be attached, if necessary) If none, please enter “NONE”

_____

_____

_____

_____

_____

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Van

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	2015 3/4 Ton Cargo Van SRW with 1,000 pound capacity Lift Gate mounted in rear of van
☐	☐	Factory air conditioning, heating and defroster
☐	☐	Cruise control
☐	☐	Chrome front bumper
☐	☐	6.0 L (minimum) V-8 gas engine
☐	☐	5 Speed automatic transmission with overdrive (and PTO provision)
☐	☐	Four wheel antilock disc brakes
☐	☐	3 to 4 Upfitter switches
☐	☐	40/20/40 seat with fold down armrest/console
☐	☐	Vinyl floor covering and rubber floor mats with manufacturers logo
☐	☐	Paint – White
☐	☐	Power outside mirrors for towing
☐	☐	Halogen headlamps
☐	☐	Intermittent windshield wipers
☐	☐	Heavy duty cooling system
☐	☐	Fire Extinguisher – 5 lb ABC, mounted
☐	☐	AM/FM/CD stereo Bluetooth capable
☐	☐	Power windows and door locks
☐	☐	110 – volt AC power inverter 1200 watts minimum
☐	☐	Inside cargo area floor and 12 inches up side walls to be Rhino lined (or equivalent)
☐	☐	High idle switch
☐	☐	Full shelving inside of cargo area on driver side wall
☐	☐	Full size spare tire and wheel
☐	☐	Rear vision camera
☐	☐	PTO powered generator 8-kw minimum, the breaker box to be mounted behind passenger seat with 110 V outlet
☐	☐	Inside lights in cargo area AC and DC

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Yes	No	Each line specification requires checking either the Yes or No box
☐	☐	Outside light mounted in rear, switch control
☐	☐	First aid kit, mounted (must meet DOT requirements for vehicle application)

Comments on Van:

Bidder shall fully describe every variance, exception, and /or deviation. (Additional sheets may be attached, if necessary) If none, please enter "NONE"

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Bid Form

TO: Owner
City of Los Banos
520 J Street
Los Banos, CA 93635

BID DATE: _____

In compliance with the Invitation for Sealed Bids for **Three (3) New 2015 Model Light Duty Trucks and One (1) New 2015 Model Light Duty Van,** the undersigned, as bidder, hereby OFFERS TO LEASE to the Owner, in accordance with the terms and conditions, requirements and specifications set forth in the Bid Documents for the Total Net Price quoted in this Bid Proposal,

Three (3) New 2015 Model Light Duty Trucks
and One (1) New 2015 Model Light Duty Van

	Manufacturer	Model	Monthly Lease Payment	Five Year Total Lease Price Extended
Truck #1			$	$
Truck #2			$	$
Truck #3			$	$
Van			$	$
		Total Monthly Lease Payment	**$**	
			Total Net Price	**$**

Total Net Price – Written Form

Total Net Price includes 8% California Sales Tax, Freight and Delivery Charges but excludes Federal Excise Tax, if any.

Estimated Delivery Date: _____

THIS PAGE MUST BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

The undersigned certifies under penalty of perjury that the above quotation constitutes a bona-fide offer to sell, that he/she is an authorized representative of the firm listed, that the quotation is in no way sham or collusive, and that issuance of a Purchase Order by Owner constitutes acceptance of Bidder's offer on the terms and conditions stated in the Bid Documents, and forms a Contract. Bidder will not withdraw its Bid Proposal for at least ninety (90) calendar days from the date and time of the Bid Opening.

_____
BIDDER

_____
AUTHORIZED SIGNATURE

_____
PRINT NAME – AUTHORIZED

_____
ADDRESS

_____
TELEPHONE NUMBER

ARE YOU CLAIMING A LOCAL BUSINESS PREFERENCE?
_____ YES _____ NO

If yes submit written proof of the address of your principle place of business and a copy or your current City business license.

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

General Provisions

1. Qualification of Bidder

The Owner may make such investigation as it deems necessary to determine the ability of the bidder to provide the services requested herein, and the bidder shall furnish to the Owner all information and data for this purpose as the Owner may request. The Owner reserves the right to reject any Bid Proposal should the evidence submitted by, or investigation of, the bidder fail to satisfy the Owner that such bidder is properly qualified to carry out the obligations of the Bid Proposal and to complete the requirements contemplated therein.

2. Default

In the event the successful bidder who is awarded a purchase order and/or contract resulting from this Bid Proposal shall be in breach or default, the Owner may procure the vehicles from other sources and may deduct from any monies due, or that may thereafter become due to the successful bidder, the difference between the price named in the purchase order and/or contract and actual cost thereof to the Owner. Prices paid by the Owner must be considered the prevailing market price at the time such lease is made. These rights and remedies shall not be exclusive but in addition to any other rights and remedies provided by contract law. Periods of performance may be extended if the facts as to the cause of delay justify such extension in the opinion of the Owner.

3. Cancellation of Purchase Order and/or Contract

The Owner may terminate any purchase order and/or contract derived from this Bid Proposal as follows:

A. WITHOUT CAUSE at any time by giving thirty (30) calendar days written notice to the successful bidder.

B. WITH CAUSE (Default) at any time by giving ten (10) calendar days written notice to the successful bidder. Cancellation for cause shall be at the discretion of the Owner and shall be, but is not limited to, failure to supply the items, materials, equipment or services specified within the time allowed or within the terms, conditions or provisions of this Bid Proposal.

The successful bidder may not cancel any purchase order and/or contract derived from this Bid Proposal, without prior written consent of the Owner.

4. Rejection of Bid

THE OWNER RESERVES THE RIGHT TO REJECT ANY OR ALL BID PROPOSALS OR ANY PART THEREOF, TO WAIVE ANY INFORMALITIES IN THE BID PROPOSAL, AND ALSO TO WITHHOLD AWARD FOR A PERIOD OF NINETY (90) CALENDAR DAYS FROM DATE OF BID OPENING.

5. Nondiscrimination

A. During the performance of this Bid Proposal, bidder and any sub-bidders

shall not unlawfully discriminate against any employee or applicant for employment because of race, color, ancestry, religion, sex, national origin, marital status, age, medical condition (cancer related), physical handicap (including AIDS), or sexual orientation. Equal employment extends, but is not limited to recruitment, compensation, benefits, layoff, termination, and all other conditions of employment. Bidder and sub-bidders shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Bidder and sub-bidders shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated there under (California Administrative Code, Title 2, Section 7285.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12900, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code and incorporated into this Contract by reference and made a part hereof as if set forth in full.

B. Bidder and any sub-bidders shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

C. Bidder shall include the nondiscrimination and compliance provisions of the clause in all subcontracts to perform work under the Contract.

D. Bidder shall grant access by representative of the Department of Fair Employment and Housing and the Owner upon reasonable notice at any time during normal business hours, but in no case less than twenty-four (24) hours notice, to such of its books, records, accounts, other sources of information and its facilities as said Department or Owner shall require to ascertain compliance with this clause.

6. Non-discrimination of the Disabled

The Owner will not aid or perpetuate discrimination against a qualified disabled individual by funding as an agency, organization, or person that discriminates on the basis of handicap in providing aid, benefit, or service to beneficiaries of the program or activity. The Owner is committed to provide access to all Owner services, programs, and meetings open to the public for people with disabilities.

In this regard the Owner and all of its vendors and bidder's will take all reasonable steps to ensure that disabled individuals have the maximum opportunity for the same level of aid, benefit, or service as any other individual.

7. Governing Law and Venue

This Bid Proposal, or any Contract that may result from the award of this Bid Proposal, shall be deemed to be made under, and shall be governed by and construed in accordance with, the laws of the state of California. Any action brought to enforce the terms, or provision of this Bid Proposal or any Contract that may result from the award of this Bid Proposal, shall have venue in the County of Merced, State of California.

8. Liabilities

The bidder shall hold the Owner, its officers, agents, servants, and employees, harmless from liability of any nature or kind because of use of any copyrighted, or un-copyrighted composition, secret process, patented or unpatented invention, articles or appliances furnished or used under this order, and agrees to defend, at its own expense, any and all actions brought against the Owner or bidder because of the unauthorized use of such items.

9. Warranty, Manufacturer

Manufacturer shall fully warrant all materials and equipment furnished under the terms of this Bid Proposal against poor and inferior quality. While under warranty, manufacturer shall repair or replace inoperable materials or equipment in a timely manner to minimize the disruption of Owner operations. A copy or description of the manufacturer's warranty shall accompany each Bid Proposal for the material and equipment proposed, detailing the scope and length of the warranty. Where the successful bidder is also the manufacturer of the materials or equipment provided under this Bid Proposal, the Manufacturer's Warranty requirement will supersede the successful bidder warranty requirement of this Bid Proposal.

10. F.O.B Point

All shipments shall be FOB Destination, unless otherwise indicated in the Bid Documents. Any charges for boxing, packing, crating, cartage, handling, insurance, unloading, inside delivery, and any other related charges shall be included in the Total Net Price provided on the Bid Form.

11. Delivery and Inspection

The four vehicles shall be delivered to the Owner's facility located at 1015 F Street, Los Banos California, on a regular workday between the hours of 8:00 am and 2:00 pm by arrangement with the Public Works Director or his designee by calling (209) 827-7044.

The bidder shall supply at the time of delivery and acceptance all vehicle certification and registration necessary for operation in the State of California. Vehicle weight certificates shall be supplied when the vehicle has been constructed from a cab and chassis configuration. Vehicles shall be registered with California exempt licensing using DMV Form 5050. Vehicle registration shall be as follows: City of Los Banos, 520 J Street, Los Banos, CA 93635.

12. Payment

The Owner will initiate the full regular monthly payment within 30-days of delivery and acceptance of and upon receipt of correct invoice(s). The invoice shall be delivered to the City of Los Banos, Accounts Payable Division, 520 J Street, Los Banos, CA 93635; invoices shall conspicuously display the Owner's Purchase Order number. Payment terms of less than 20 calendar days are not acceptable.

Award of Bid

An evaluation team shall validate and evaluate all Bid Proposals received. All requirements identified in this Bid Proposal must be satisfied in order to ensure that a Bid Proposal will qualify for consideration.

1. <u>Lowest Responsive Bidder</u>

Although competitive pricing is essential in the award of this Bid Proposal, consideration shall be given, but not limited to:

A. The ability of the bidder to comply with Terms and Conditions set forth herein.

B. The ability of the bidder to comply with the Specifications or Scope of Work set forth herein.

2. <u>Lowest Responsible Bidder</u>

A. The quality and performance of the supplies/equipment to be provided by the bidder;

B. The ability, capacity and skill of the bidder to perform the Contract or accomplish the transaction within the time specified, without delay;

C. The character, integrity, reputation, judgment, experience and efficiency of the bidder;

D. The quality of bidder's performance on previous purchases by, or contracts with, the Owner;

E. The ability of the bidder to provide future maintenance, repair parts and services for the vehicles provided;

F. In evaluating competitive bids, the Owner shall determine the lowest responsive and responsible bidder, and any local bidder shall be granted a preference in an amount equal to five (5%) percent of the lowest responsible bid, if that low bid has been submitted by a non-local bidder. If, after deduction of the five (5%) percent preference from a local bidder's bid, it is equal to or less than the lowest bid, the bid shall be awarded to the local bidder. To qualify as a local bidder, firms or individuals must submit written proof of the address of their principle place of business and a copy of their current City business license with each bid for which a preference is claimed. Proof of address is normally the address to which contract and payments will be sent. Local preference only applies to supplies, materials, and/or equipment. Local preference will not apply to bids conducted with other public agencies nor when prohibited by State or Federal statutes or regulations to be awarded to the lowest responsive and responsible bid, or otherwise exempt from local preferences. A total amount of such a preference granted in a single bid shall not exceed Five Thousand and No/100ths ($5,000.00) Dollars over a non-local bidder.

3. Award

The Owner reserves the right to:

A. Award Bid Proposals received on the basis of individual items/services, or groups of items/services, or on the entire list of items/services;

B. Reject any or all responses, or any part thereof;

C. Waive any informality in the Bid Proposals;

An evaluation of the bidder's ability, quality, and performance as set forth under "Most Responsive Bidder" and "Lowest Responsible Bidder", of this Bid Proposal, will be used in addition to total cost as a basis of award for any ensuing Contract.

4. Protest

The lack of prompt procedure to resolve disputes regarding the bidding process would impair the Owner's ability to carry out its purpose of contracting this project in a timely manner. Therefore, to the maximum extent authorized by law and notwithstanding any other procedures specified in these Bid Documents, all disputes and/or protests regarding the bidding process shall be subject to the following procedure. In submitting a Bid Proposal to the Owner for this project, the bidder agrees to comply with and to be bound by this procedure.

Any Bid Proposal protest must be submitted in writing to the Owner before 5:00 p.m. on the fifth (5th) working day following Bid Opening.

1. The initial protest document must contain a complete statement of the basis for the protest, and all supporting documentation. A non-refundable fee of One Thousand Dollars ($1,000.00) made payable to the "City of Los Banos" shall accompany the protest documents and will be used by the Owner to recover costs in evaluating the bid protest. A Bid Proposal protest submitted without the requisite fee shall not be considered by the Owner.

2. The party filing the protest must have actually submitted a Bid Proposal for the work. A subcontractor of a party submitting a Bid Proposal for the work may not submit a Bid Proposal protest.

3. A party may not rely on the Bid Proposal protest submitted by another bidder, but must timely pursue its own protest.

4. The protest must refer to the specific portion of the Bid Documents which forms the basis for the protest.

5. The protest must include the name, address and telephone number of the person representing the protesting party.

6. The party filing the protest must concurrently transmit a copy of the initial protest document and any attached documentation to all other parties with a direct financial interest which may be adversely affected by the outcome

of the protest. Such parties shall include all other bidder's who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.

7. The Owner will give the protested bidder five (5) working days after the receipt of the protest to submit a written response. The responding bidder shall transmit the response to the protesting bidder concurrent with the delivery to the Owner.

8. The procedure and time limits set forth in this paragraph are mandatory and are the bidder's sole and exclusive remedy in the event of Bid Proposal protest. The bidder's failure to comply with these procedures shall constitute a waiver of any right to further pursue the Bid Proposal protest, including filing a Government Code Claim or legal proceedings.

If the Owner determines that a protest is frivolous, the protesting bidder may be determined to be non-responsive and/or non-responsible and that bidder may be determined to be ineligible for future contract awards.

SIGNATURE SHEET

I/We the undersigned hereby certify that I/We am/are a duly authorized official of the company and have the authority to sign on behalf of the company and assure that all statements made in the Bid Proposal are true. **I/We have read the General Provisions and Award of Bid sections in this Invitation for Sealed Bids.** I/We agree to furnish and deliver the Three (3) New 2015 Model Light Duty Trucks and One (1) New 2015 Model Light Duty Van with a five (5) year lease and a $1 buyout for each of the vehicles at the end of the lease period, at the Total Net Price stated herein, and have read, understand, and agree to the terms and conditions contained herein:

Name of Individual/Company: _____

Business Address: _____

Telephone No.:_____ Fax No.:_____

Signature of Authorized Official: _____

Name/Title of Authorized Official: _____

E-Mail Address: _____

THIS PAGE <u>MUST</u> BE COMPLETED AND RETURNED WITH THE BID PROPOSAL

Addendum

Bidder acknowledges receipt of the following Addenda:

No. _____,dated _____, 2015, Signed,_____

No. _____,dated _____, 2015, Signed,_____

No. _____,dated _____, 2015, Signed,_____

THIS PAGE SHALL BE COMPLETED, IF NECESSARY
IF COMPLETED, THIS PAGE MUST BE RETURNED WITH BID PROPOSAL