



THIS IS NOT AN ORDER
All prices quoted shall be F.O.B.
Destination, Freight Prepaid and Allowed

All responses & inquiries must be plainly marked with this

**REQUEST FOR QUOTATION
600040138**

Return Bids By 11:00 AM, 05/22/2015 to:

Jessica Tonka
 J Tonka
 TPU Administration Building North
 3628 S. 35th St.
 Tacoma WA 98409
 Ph. 253-502-8332
 Fax.253-502-8372

Material will ship to:

Tacoma Power
 Power Warehouse
 3628 S 35th Street
 Tacoma WA 98409

RFQ Information	
Collective Bid #	TP15-0312N
Bid Issue Date	05/12/2015
Vendor Number	109226 WEB VENDOR FOR RFQ
Vendor Information (vendor to complete)	
Firm Name:	
Address:	
City/State/Zip	/ /
Phone/Fax	/
E-Mail	
Contact Name	
Payment Terms	%, days (e.g. 2% 10,N30)
Tacoma Bus. Lic. #	
Taxpayer ID #	
SIGNATURE OF PERSON AUTHORIZED TO SIGN THIS BID	
x _____	DATE: ___ / ___ / _____
NAME : _____	
TITLE : _____	

Item #	Material# Description	Delivery Date	QTY	UM	Net Price	Total
	<p>The City of Tacoma is soliciting bids for tools.</p> <p>Submittals are accepted by one of the following delivery methods: e-mail, facsimile, or mail. The City accepts no responsibility for transmission errors.</p> <p>***The City of Tacoma will accept e-mailed bid submittals sent to sendbid@cityoftacoma.org for this solicitation. Please include the Collective Bid Number, TP15-0312N, in the subject line of your e-mail. Bids are subject to the submittal deadline noted in the bid solicitation document. The time of e-mail receipt will be considered as the time of submittal.</p> <p>SUBMITTALS MAY BE MAILED TO ADDRESS ON RFQ OR FAXED TO 253-502-8372.</p> <p>WE ARE UNABLE TO VERIFY RECEIPT OF SUBMITTALS DUE TO THE LARGE VOLUME OF SUBMITTALS RECEIVED.</p> <p>RESPONSES MUST BE SUBMITTED ON THE PROVIDED CITY OF TACOMA BID SOLICITATION FORM. VENDOR SIGNATURE IS</p>					



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	<p>MANDATORY.</p> <p>PLEASE EXTEND NET PRICE AND PROVIDE NET TOTAL VALUE.</p> <p>PLEASE CIRCLE OR UNDERLINE THE PART NUMBER AND MANUFACTURER QUOTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE.</p> <p>FREIGHT CHARGES MUST BE INCLUDED IN COST OF GOODS.</p> <p>MATERIALS MUST BE NEW AND UNUSED.</p> <p>IF YOUR COMPANY IS NOT AN AUTHORIZED DISTRIBUTOR IN TACOMA PUBLIC UTILITIES REGION FOR A PARTICULAR APPROVED MANUFACTURER, ANY BIDS PROVIDED IN SUCH A SITUATION WILL BE CONSIDERED NONCOMPLIANT.</p> <p>NOTE: On the attached general terms and conditions, item # 9 does not apply to these stock items on this bid. Any equivalents submitted on this bid will be evaluated at a later date for future purchases.</p> <p>UNLESS SPECIFICALLY REQUESTED BY THE CITY, ACCOMPANING VENDOR QUOTES WILL NOT BE REVIEWED.</p> <p>BID RESULTS WILL BE POSTED AT: www.tacomapurchasing.org Note: You must register at this website as a bid holder for each solicitation of interest in order to receive notification regarding amendments or other updates to the original bid solicitation documents.</p> <p>TECHNICAL CONTACT: JENNI RENKEN, 253-502-8760</p> <p>PURCHASING RELATED QUESTIONS: JESSICA TONKA, 253-502-8332</p>					



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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
10	34996	SOCKET,1-1/4IN X 1/2IN,12 POINT,DEEP SOCKET, WRENCH, 1-1/4 IN, 12 POINT, EXTRA DEEP, 3-1/4IN OVERALL LENGTH, 1/2IN SQUARE DRIVE. MACHINED SLOTTED GROOVE ACCEPTABLE. ++++++ NOT ACCEPTABLE: CHALLENGER ++++++ Material # Manf Part# Manufacturer Name 10002879 4640 WRIGHT TOOL 10002880 J5340 PROTO 10002881 12-340 ARMSTRONG		2	EA		
20	55811	SAW KIT,18V,RECIPROCATING,CORDLESS RECIPROCATING SAW KIT, CORDLESS, 18 VOLT, 0-3000 SPM, KEYLESS BLADE CLAMP, 1IN STROKE LENGTH, ELECTRIC BRAKE, ACCESSORIES INCLUDE: 1-18V LONG LIFE BATTERY, 1 HOUR CHARGER, AND HEAVY-DUTY KIT BOX. *** NO SUBSTITUTE *** Material # Manf Part# Manufacturer Name 55811 DC385K DEWALT		2	EA		
30	35039	MEASURING TAPE,3/4IN X 16FT,STEEL TAPE, STEEL, 16FT, 3/4IN WIDTH, WITH THUMB LOCK, MARKED IN 16THS. Material # Manf Part# Manufacturer Name 10003011 56809BCC BALLARD/COLEMAN 10003012 30-496 STANLEY 10003013 1316 LUFKIN		1	EA		
40	34507	BIT,11/16IN X 18IN,AUGER,IMPACT WRENCH BIT, AUGER, IMPACT WRENCH, 11/16 INCH DIAMETER X 18 INCH LONG, HIGH SPEED STEEL, 7/16 INCH HEX DRIVE. Material # Manf Part# Manufacturer Name 10006784 08808 WOODOWL 10009471 LPHTBIT111618D BURNDY		2	EA		



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50	34958	SOCKET,13/16IN,IMPACT,DBL SQ SOCKET, IMPACT, 13/16 IN, DEEP DOUBLE SQUARE, QUICK INTERCHANGE RELEASE, 3-1/4IN LONG FOR 1/2IN BOLT. 8 PT. Material # Manf Part# Manufacturer Name 10002757 SIPR426 SNAP-ON 10002758 7326S PROTO		1	EA		
60	35092	WRENCH,11/16IN,COMB,BOX/OPEN END WRENCH, COMBINATION, BOX/OPEN END, 12 POINT, 11/16IN. MADE TO ANSI STANDARD B107.6 Material # Manf Part# Manufacturer Name 10003145 1222 PROTO 10009596 44698 Craftsman		2	EA		
70	18992	BIT,11/16IN X 24IN,AUGER,IMPACT WRENCH BIT, AUGER, IMPACT WRENCH, 11/16 INCH X 24 INCH OVERALL LENGTH, WITH 21 INCH TWIST, SINGLE SPUR, CUTTER AND SIDE LIP, HOLLOW CENTER TWIST DESIGN WITH 7/16 INCH QUICK CHANGE HEX. Material # Manf Part# Manufacturer Name 10006786 01008 WOODOWL 10009473 LPHTBIT111624D BURNDY		1	EA		
80	10033	BIT,DRILL,5/32IN,HSS DRILL, HIGH SPEED STEEL, STRAIGHT SHANK, 5/32 IN - .1562 IN, JOBBERS LENGTH, FURNISH PER ANSI B94.11M STANDARD - TABLE NO.1.		12	EA		
90	20059	KNIFE,SKINNING,NON-FOLDING,LINEMAN'S KNIFE, SKINNING, NON-FOLDING PLASTIC HANDLE Material # Manf Part# Manufacturer Name 20059 1570-3 KLEIN		10	EA		



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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
100	20325	NUT DRIVER,7-PIECE SET,STANDARD NUT DRIVER SET, 7-PIECE, CUSHION GRIP, 3IN SHANK, WITH HEX SIZES 3/16IN, 1/4IN, 5/16IN, 11/32IN, 3/8IN, 7/16IN AND 1/2IN. *** NO SUBSTITUTE *** Material # Manf Part# Manufacturer Name 10009664 4196 Craftsman 10009665 631 KLEIN		5	EA		
110	35076	WRENCH,12IN,ADJ,CHROME FINISH WRENCH, ADJUSTABLE, 12IN, JAW CAPACITY 1-1/2IN, CHROME FINISH Material # Manf Part# Manufacturer Name 10008151 AC112 CRESCENT 10008360 507-12 KLEIN 10009598 44605 Craftsman		8	EA		
120	34889	PLIERS,10IN,ADJUSTABLE,WATER PUMP PLIER, 10INCH, WATER PUMP, ADJUSTABLE, TONGUE AND GROOVE STYLE *** NO SUBSTITUTE *** ++++++ NOT ACCEPTABLE: ALLEN ++++++ Material # Manf Part# Manufacturer Name 10002582 430 CHANNELLOCK 10002583 35-430 IDEAL INDUSTRIES INC.		5	EA		
130	33896	HAMMER,22OZ,CLAW,FIBERGLASS HANDLE HAMMER, CLAW, LINEMANS, WITH FIBERGLASS HANDLE, 22 OZ HEAD Material # Manf Part# Manufacturer Name 10000159 11-416 FA571RL PLUMB		2	EA		
140	42325	CRIMPER,#22-#10,RATCHET,FOR INS TERMINAL CRIMPER. RATCHET, SIZE NO. 22 TO NO. 10 INSULATED TERMINALS, INTERCHANGABLE DIES.		4	EA		



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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
	Material #	Manf Part#	Manufacturer Name				
	10005832	30-500	IDEAL INDUSTRIES INC.				
	10005834	TRF-3051	Quest Technology International Inc.				
150	20416	PLIERS,8IN,DUCK BILL PLIERS, DUCK BILL, 8 INCH, WITH PLASTISOL-DIPPED HANDLES ** NO SUBSTITUTE**		3	EA		
	Material #	Manf Part#	Manufacturer Name				
	20416	227G	PROTO				
160	20769	SCREWDRIVER,3IN,SLOTTED,SPLIT BLADE SCREWDRIVER, SPLIT BLADE SCREW-HOLDING FOR SLOTTED SCREWS, SHANKS MADE FROM SPRING STEEL WITH SLIDING TUBE TO ACTUATE THE WEDGING ACTION. SHANK TIP IS 1/8IN WIDE AND SHANK LENGTH IN 3IN LONG.		3	EA		
	Material #	Manf Part#	Manufacturer Name				
	20769	VACO K23	KLEIN				
170	20770	SCREWDRIVER,6IN,SLOTTED,SPLIT BLADE SCREWDRIVER, SPLIT BLADE SCREW-HOLDING FOR SLOTTED SCREWS, SHANKS MADE FROM SPRING STEEL WITH SLIDING TUBE TO ACTUATE THE WEDGING ACTION. SHANK TIP IS 3/16IN WIDE AND SHANK LENGTH IS 6IN LONG.		4	EA		
	Material #	Manf Part#	Manufacturer Name				
	20770	VACO K36	KLEIN				
180	20768	SCREWDRIVER,SET,7-PIECE SCREWDRIVER, SET, 7-PIECE, CUSHION GRIP *** NO SUBSTITUTE ***		4	EA		
	Material #	Manf Part#	Manufacturer Name				
	20768	85076	KLEIN				



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190	34967	SOCKET,1/2IN X 1/2IN,12 POINT SOCKET, WRENCH, 1/2 INCH, 12 POINT, STANDARD 1-3/8IN OVERALL LENGTH, 1/2IN SQUARE DRIVE, MACHINE SLOTTED GROOVE. ***** NOT ACCEPTABLE: CHALLENGER ***** Material # Manf Part# Manufacturer Name 10002779 4116 WRIGHT TOOL 10002781 12-116 ARMSTRONG 10002782 5416 PROTO 10009626 47502 Craftsman		3	EA		
200	34973	SOCKET,5/8IN X 1/2IN,12 POINT SOCKET, WRENCH, 5/8IN, 12 POINT, STANDARD, 1/2IN SQUARE DRIVE, MACHINE SLOTTED GROOVE. ++++++ NOT ACCEPTABLE: CHALLENGER ++++++ Material # Manf Part# Manufacturer Name 10002801 5420 PROTO 10002802 4120 WRIGHT TOOL 10002803 12-120 ARMSTRONG 10009531 47505 Craftsman		3	EA		
210	34979	SOCKET,3/4IN X 1/2IN,12 POINT SOCKET, WRENCH, 3/4 IN, 12 POINT, STANDARD, 1-3/8IN OVERALL LENGTH, 1/2IN SQUARE DRIVE, MACHINE SLOTTED GROOVE. * * * * * NOT ACCEPTABLE: BLACKHAWK, BONNEY CHALLENGER Material # Manf Part# Manufacturer Name 10002823 12-124 ARMSTRONG 10002824 5424 PROTO 10009527 47508 Craftsman		3	EA		



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220	20867	<p>SOCKET SET,3/8IN DRIVE,FRACTIONAL SOCKET SET, 3/8IN DRIVE, 6 OR 12 POINT FRACTIONAL, PACKAGED IN A METAL CARRYING CASE. SET MUST CONTAIN, AT A MINIMUM: ONE - 3/8IN DRIVE RATCHET; ONE - 3/8IN X 6IN EXTENSION BAR; AND ONE EACH OF THE FOLLOWING SOCKETS: 3/8IN, 7/16IN, 1/2IN, 9/16IN, 5/8IN, 11/16IN, 3/4IN, AND 13/16IN. ***** NOT ACCEPTABLE: CHALLENGER *****</p> <table border="0"> <tr> <td>Material #</td> <td>Manf Part#</td> <td>Manufacturer Name</td> </tr> <tr> <td>10007851</td> <td>65504</td> <td>KLEIN</td> </tr> <tr> <td>10007852</td> <td>15-350</td> <td>ARMSTRONG</td> </tr> <tr> <td>10007853</td> <td>A-31</td> <td>WRIGHT TOOL</td> </tr> <tr> <td>10007854</td> <td>52128</td> <td>URREA PROFESSIONAL TOOLS</td> </tr> </table>	Material #	Manf Part#	Manufacturer Name	10007851	65504	KLEIN	10007852	15-350	ARMSTRONG	10007853	A-31	WRIGHT TOOL	10007854	52128	URREA PROFESSIONAL TOOLS		2	EA		
Material #	Manf Part#	Manufacturer Name																				
10007851	65504	KLEIN																				
10007852	15-350	ARMSTRONG																				
10007853	A-31	WRIGHT TOOL																				
10007854	52128	URREA PROFESSIONAL TOOLS																				
230	34970	<p>SOCKET,9/16IN X 1/2IN,12 POINT SOCKET, WRENCH, 9/16 INCH, 12 POINT,STANDARD, 1-3/8IN OVERALL LENGTH, 1/2IN SQUARE DRIVE, MACHINE SLOTTED GROOVE. * * * * * NOT ACCEPTABLE: BLACKHAWK, BONNEY, AND CHALLENGER</p> <table border="0"> <tr> <td>Material #</td> <td>Manf Part#</td> <td>Manufacturer Name</td> </tr> <tr> <td>10002789</td> <td>5418</td> <td>PROTO</td> </tr> <tr> <td>10002790</td> <td>4218</td> <td>WRIGHT TOOL</td> </tr> <tr> <td>10002791</td> <td>12-118</td> <td>ARMSTRONG</td> </tr> <tr> <td>10009540</td> <td>47503</td> <td>Craftsman</td> </tr> </table>	Material #	Manf Part#	Manufacturer Name	10002789	5418	PROTO	10002790	4218	WRIGHT TOOL	10002791	12-118	ARMSTRONG	10009540	47503	Craftsman		3	EA		
Material #	Manf Part#	Manufacturer Name																				
10002789	5418	PROTO																				
10002790	4218	WRIGHT TOOL																				
10002791	12-118	ARMSTRONG																				
10009540	47503	Craftsman																				
240	20929	<p>STRIPPERS,WIRE STRIPPERS, WIRE, FOR A WIDE RANGE OF WIRE SIZES WITH ONE STEP STRIPPING ACTION.</p> <table border="0"> <tr> <td>Material #</td> <td>Manf Part#</td> <td>Manufacturer Name</td> </tr> <tr> <td>20929</td> <td>45-092</td> <td>IDEAL INDUSTRIES INC.</td> </tr> </table>	Material #	Manf Part#	Manufacturer Name	20929	45-092	IDEAL INDUSTRIES INC.		3	EA											
Material #	Manf Part#	Manufacturer Name																				
20929	45-092	IDEAL INDUSTRIES INC.																				



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250	35075	WRENCH,10IN,ADJ,CHROME FINISH WRENCH, ADJUSTABLE, 10 INCH, JAW CAPACITY 1-1/8IN, CHROME FINISH Material # Manf Part# Manufacturer Name 10003106 AC110 CRESCENT 10008350 507-10 KLEIN 10009594 44604 Craftsman		2	EA		
260	35093	WRENCH,3/4IN,COMB,BOX/OPEN END WRENCH, COMBINATION, BOX/OPEN END, 12 POINT, 3/4IN. MADE TO ANSI STANDARD B107.6 Material # Manf Part# Manufacturer Name 10003147 1224 PROTO 10009610 44701 Craftsman		2	EA		
270	35074	WRENCH,8IN,ADJ,CHROME FINISH WRENCH, ADJUSTABLE, 8 INCH, CAPACITY 15/16IN, CHROME FINISH. Material # Manf Part# Manufacturer Name 10003102 AC18 CRESCENT 10008351 507-8 KLEIN 10009587 44603 Craftsman		3	EA		
280	35090	WRENCH,9/16IN,COMB,BOX/OPEN END WRENCH, COMBINATION, BOX/OPEN END, 12 POINT, 9/16IN, MADE TO ANSI STANDARD B107.6 Material # Manf Part# Manufacturer Name 10003141 1218 PROTO 10009588 44696 Craftsman		2	EA		
290	21066	TAPE MEASURE,25FT,STEEL,ENGINEERS TYPE TAPE, STEEL, 25 FT, ENGINEER'S - MARKED IN 1/10TH FEET 1 INCH WIDE, HI-VIZ ORANGE CASE Material # Manf Part# Manufacturer Name 21066 PHV1425D LUFKIN		6	EA		



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300	43927	<p>CASK,3 GAL,WATER CASK, WATER, THREE GALLON, LENGTH 13.5IN X WIDTH 14IN, ONE HAND SPIGOT, DURABLE HDPE EXTERIOR WITH UV STABILIZERS, SANITARY WHITE FDA FOOD-GRADE INTERIOR, ULTRATHERMREG INSULATION, REINFORCED HANDLES AND CUP DISPENSER BRACKET, KEEPER CORD PREVENTS LID LOSS, WIDE MOUTH PRESSURE FIT LID, "DRINKING WATER" IMPRINT MEETS OSHA REQUIREMENTS.</p> <p>*** NO SUBSTITUTE ***</p> <table border="0"> <tr> <td>Material #</td> <td>Manf Part#</td> <td>Manufacturer Name</td> </tr> <tr> <td>43927</td> <td>431</td> <td>IGLOO</td> </tr> </table>	Material #	Manf Part#	Manufacturer Name	43927	431	IGLOO		6	EA		
Material #	Manf Part#	Manufacturer Name											
43927	431	IGLOO											

Net Value	\$
Plus Tax at	
_____ %	\$
Total Amount	\$

CITY OF TACOMA
REQUEST FOR QUOTATION
GENERAL TERMS AND CONDITIONS

1. Preparation/Submittal of Bids

A. All information requested of the Bidder/Proposer must be entered in the appropriate space on the form. Failure to do so may disqualify your bid/proposal.

B. All information must be written in ink or typewritten. Mistakes may be crossed out and corrections inserted before submission of your bid/proposal. Corrections shall be initialed in ink by the person signing the bid/proposal.

C. Time of delivery must be stated as the number of calendar days following receipt of the order by the Bidder/Proposer to receipt of the goods or services by the City and may be a determining factor in the award of the contract.

D. All bids/proposals must be signed by an authorized officer or employee of the Bidder/Proposer.

E. The City of Tacoma will not be responsible for any explanation interpretation of the RFB/RFQ/RFP documents, except if made by written addendum.

F. Bids/Proposals must be submitted by or prior to the RFB/RFQ/RFP date and time specified. The RFB/RFQ/RFP number, opening date and Buyer must be noted on the face of the envelope if submitted by mail or in person.

G. Submission of a facsimile bid/proposal in lieu of a mailed bid/proposal is at the option of the Bidder/Proposer unless otherwise stated in the RFB/RFQ/RFP. The City accepts no responsibility for transmission errors if transmitted by fax.

H. All bid/proposal prices must remain firm for acceptance by the City for a period of at least 60 calendar days from the RFB/RFQ/RFP opening date.

2. Bid/Proposal Withdrawal: No bid/proposal can be withdrawn after having been formally opened by a representative from the City Purchasing Office.

3. Shipping and Delivery: F.O.B. Point/Freight: All prices quoted shall be F.O.B. destination, freight prepaid and allowed. Failure to meet this requirement may result in your bid/proposal being rejected as non-responsive. Deliveries will be accepted between 9:00 a.m. and 3:30 p.m., at the delivery address shown on the front of the RFB/RFQ/RFP, Monday through Friday (except on legal holidays of the City of Tacoma).

4. Payment Terms: Prices will be considered as net 30 if no cash discount is shown. Payment discount periods of twenty (20) calendar days or more will be considered in determining the apparent lowest responsible bid/proposal. Invoices will not be processed for payment nor will the period of the cash discount commence until receipt of a properly completed invoice and until all invoiced items are received and satisfactory performance of the contractor has been attained. If an adjustment in payment is necessary due to damage or dispute, the cash discount period shall commence upon the final approval for payment.

5. Terms and Conditions: All terms and conditions of the City of Tacoma Purchase Order form shall apply to contracts resulting from this RFB/RFQ/RFP.

6. Taxes:

A. The City of Tacoma is exempt from Federal excise tax.

B. The City of Tacoma is subject to Washington State Sales Tax.

C. Section 6A.30.060 of the Tacoma Municipal Code (TMC) provides that all transactions with the City of Tacoma, wherever consummated, are subject to the City's Business and Occupation Tax. It is the responsibility of the Bidder/Proposer awarded the Contract to register with the City of Tacoma's Finance, Tax and License Division, 733 Market Street, Room 21, Tacoma, WA 98402-3768, 253-591- 5252. The City's Business and Occupation Tax amount shall not be shown separately but shall be included in the unit and/or lump sum prices bid.

D. Do not include Washington State Sales Tax or Federal Excise Tax in the prices quoted. Bidder/Proposer is responsible to determine the correct sales tax rate to be paid and include it in the appropriate blank on the RFB/RFQ/RFP page.

7. Increase or Decrease in Quantities/Extensions: The City reserves the right to increase or decrease the quantities of any item under this contract and pay according to the unit price in the RFB/RFQ/RFP. Unless otherwise specified in the solicitation, contracts resulting from this RFB/RFQ/RFP are subject to extension by mutual agreement at the same prices, terms and conditions.

8. Evaluation of Bids/Awards:

A. The City reserves the right to: (1) award bids/proposals received based on individual items or groups of items, or on the entire list of items (2) to reject any or all bids/proposals or any part thereof, and if necessary, call for new bids/proposals (3) to waive any informality in the bids/proposals, and (4) to accept the bid/proposal that is the lowest and the best bid/proposal in the interest of the City of Tacoma.

B. The City reserves the right to correct ambiguities and obvious errors in the Bidder/Proposer's proposal. In this regard, if the unit price does not compute to the extended total price, the unit price shall govern.

C. In the evaluation of bids/proposals, the Bidder's/Proposer's experience, delivery time, and responsibility in performing other contracts will be considered. In addition, the bid/proposal evaluation factors set forth in TMC Section 1.06.253 may be considered by the City as well as the tax revenue the City would receive from purchasing item(s) from a supplier or suppliers located inside or outside the boundaries of the City of Tacoma.

9. Approved Equivalents:

A. Unless an item is indicated "No Substitute," special brands, when named, are intended to describe the standard of quality, performance or use desired. Equivalent items will be considered by the City, provided that the Bidder/Proposer specifies the brand and model, and provides all descriptive literature, independent test results, product samples, etc., to enable the City to evaluate the proposed "equivalent."

B. The decision of the City as to what items are equivalent shall be final and conclusive. If the City elects to purchase a brand represented by the Bidder/Proposer to be an "equivalent," the City's acceptance of the item will be conditioned on the City's inspection and testing after receipt. If, in the sole judgment of the City, the item is determined not to be an equivalent, the item shall be returned at the Bidder/Proposer's expense and the contract canceled without any liability whatsoever to the City.

C. When a brand name or level of quality is not stated by the Bidder/Proposer, it is understood the offer is exactly as specified. If more than one brand name is specified, Bidder/Proposer must clearly indicate the brand and model/part number being bid/proposed.

10. Warranties/Guarantee: Bidder/Proposer warrants that all materials, equipment and/or services provided as a result of the RFB/RFQ/RFP shall be fit for the purpose(s) for which intended, for merchantability, and shall conform to the requirements and specifications of the RFB/RFQ/RFP; all items comply with all applicable safety and health standards established for such products by the Washington Industrial Safety and Health Act (WISHA), RCW Chapter 49.17, the U.S. Occupational Safety and Health Act (OSHA) and/or Consumer Products Safety Act, and all other applicable federal laws or agency rules; all items are properly packaged; and all appropriate instructions or warnings are supplied including any applicable MSDS sheets.

11. Legal Disputes: The sole venue of any legal action arising out of the Contract or any bids submitted in response to this RFB/RFQ/RFP shall be in the Pierce County Superior Court for the State of Washington and the interpretation of the terms of the Contract shall be governed by the laws of the State of Washington.

12. Contract Compliance Forms: TMC requires Bidder/Proposer's to submit proof and/or documentation of compliance with the City's requirements for equal economic opportunity and solicitation of Historically Underutilized Business subcontractors. If compliance forms are included with this RFB/RFQ/RFP, they must be fully and accurately completed and submitted at time of RFB/RFQ/RFP opening. Failure to do so may result in the bid/proposal being declared non-responsive. For compliance questions contact the City's Contract Compliance Office 747 Market Street, Tacoma, WA 98402, 253-591-5825.

13. Code of Ethics: TMC, Chapter 1.46, provides standards for certain unethical conduct by others including bidders and contractors. Violation of the City's code of ethics shall constitute a breach of contract, and will be grounds for termination of this contract.

14. Prevailing Terms and Conditions: Bidder/Proposer acknowledges and agrees that the terms and conditions stated herein shall control and prevail over any other conflicting terms and conditions Bidder/Proposer may present in connection with this Contract.