#### **CITY OF TACOMA**

Page 1 of 11



## 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

Return Bias By 11:00 AM, 06/12/2015 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 #	TP15-035	57N
Bid Issue Date	06/04/20 <sup>2</sup>	15
Vendor Number	109226 V	VEB VENDOR FOR RFQ
Vendor Information	n (vendor t	o complete)
Firm Name:		
Address:		
City/State/Zip		1 1
Phone/Fax		1
E-Mail		
Contact Name		
Payment Terms	%,	days (e.g. 2% 10,N30)
Tacoma Bus. Lic. #		
Taxpayer ID #		
SIGNATURE OF PERSON A	AUTHORIZED TO	SIGN THIS BID
x		DATE://
NAME :		
TITLE :		

Item #	Material#	Delivery	QTY	UM	Net Price	Total
	Description	Date				
	The City of Tacoma is soliciting bids for electrical supplies.					
	Submittals are accepted by one of the following delivery methods:					
	e-mail, facsimile, or mail. The City accepts no responsibility for transmission errors.					
	***The City of Tacoma will accept e-mailed bid submittals sent to					
	sendbid@cityoftacoma.org for this solicitation. Please include the					
	Collective Bid Number, TP15-0357N, 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.					
	SUBMITTALS MAY BE MAILED TO ADDRESS ON RFQ OR FAXED TO 253-502-8372.					
	WE ARE UNABLE TO VERIFY RECEIPT OF SUBMITTALS DUE TO					
	THE LARGE VOLUME OF SUBMITTALS RECEIVED.					
	RESPONSES MUST BE SUBMITTED ON THE PROVIDED CITY OF					
1	TACOMA BID SOLICITATION FORM. VENDOR SIGNATURE IS					

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Item #	Material#	Delivery	QTY	UM	Net Price	Total
	Description	Date				
	MANDATORY.					
	PLEASE EXTEND NET PRICE AND PROVIDE NET TOTAL VALUE.					
	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.					
	FREIGHT CHARGES MUST BE INCLUDED IN COST OF GOODS.					
	MATERIALS MUST BE NEW AND UNUSED.					
	IF YOUR COMPANY IS NOT AN AUTHORIZED DISTRIBUTOR IN					
	TACOMA PUBLIC UTILITIES REGION FOR A PARTICULAR					
	APPROVED MANUFACTURER, ANY BIDS PROIVDED IN SUCH A					
	SITUATION WILL BE CONSIDERED NONCOMPLIANT.					
	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.					
	UNLESS SPECIFICALLY REQUESTED BY THE CITY,					
	ACCOMPANING VENDOR QUOTES WILL NOT BE REVIEWED.					
	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.					
	TECHNICAL CONTACT: JENNI RENKEN, 253-502-8760					
	PURCHASING RELATED QUESTIONS: JESSICA TONKA,					
	253-502-8332					

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
10	20414			12	EA		
		PLIERS,9IN,SIDE CUTTER,LINEMANS					
		PLIER, LINEMAN, SIDE CUTTERS, 9 IN, HIGH LEVERAGE					
		WITH ULTRA-DURABLE CUTTING KNIVES FOR ACSR,					
		BOLTS, NAILS, ETC., AND CRIMPING DIE FOR SLEEVE					
		CONNECTORS. HANDLES DIPPED IN PLASTIC FOR					
		BETTER GRIP.					
	Material	# Manf Part# Manufacturer Name					
	20414	D20009NECR KLEIN					
20	22259			500	FT		
		WIRE,#12,YELLOW,STR,CU,THHN					
		WIRE, #12, YELLOW INSULATION, 1-C, STRANDED,					
		COPPER, THHN, THWN, 600 VOLT, 500 FT. PACKAGING.					
30	22266			1,500	FT		
		WIRE,#10,BLACK,STR,CU,THHN					
		WIRE, #10, BLACK INSULATION, 1-C, STRANDED,					
		COPPER, THHN, THWN, 600 VOLT, 500FT PACKAGING					
40	22274			150	LB		
		WIRE,#8 CU SOL,BARE,SD					
		WIRE, COPPER, NO 8, 1C, BARE, SOLID, SOFT DRAWN,					
		TO BE SUPPLIED ON 25 LB. NON -RETURNABLE,					
		PLASTIC SPOOLS, DIMENSIONS 12IN X 4IN X 5IN WITH					
		A 2IN ARBOR HOLE.					
50	22282			1,000	FT		
		WIRE,#6, WHITE,STR,CU,THHN					
		WIRE, #6, WHITE INSULATION, 1-C, STRANDED,					
		COPPER, THHN, THWN, 600 VOLT, 1000 FT. PACKAGING					
60	34592			10	EA		
		PLUG,15AMP-125V,3 WIRE,MALE					
		CAP, ATTACHMENT PLUG, GROUND 15A-125 VOLT, 3					
		WIRE					
		NOT ACCEPTABLE: WOODHEAD 5266					
		EAGLE BRAND # 5266#					
	Material						
	1000180						
	1000180						

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Item #	Material#	Description			Delivery Date	QTY	UM	Net Price	Total
	1000180	<u> </u>		LEVITON	Date				
	1000100	0 3200-1	•	LEVITON					
70	34596					50	EA		
		CAP,SMALL,EN	D,HE	AT SHRINK TUBING					
		CAP, END, HEA	SHI	RINKABLE TUBING, SMALL, 3.5 INCH					
		MINIMUM LENG	тн х	1.37 IN. MINIMUM EXPANDED SIZE;					
		MINIMUM RECC	VER	ED SIZE .50 IN, WITH ADHESIVE					
		SEALANT. PACH	AGE	D 10 TO A BOX.					
				++++++++++++					
				SIGMAFORM SSC-2					
				ESC-2A					
	Motorial			++++++++++++++++++++++++++++++++++++++					
	Material : 1000181			Manufacturer Name 3M					
	1000181			XL TECHNOLOGIES-HEBRAN INDUSTRIE	q				
	1000101	4 LOS1-	.50	AE TECHNOLOGIES-HEBIXAN INDOSTRIE					
80	64652					1,000	FT		
		WIRE,#12,BROV	/N,S	TR,CU,THHN		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
		WIRE, #12, BRC	WN I	NSULATION, 1-C, STRANDED,					
		COPPER, THHN	, TH\	VN, 600 VOLT, 500FT. PACKAGING.					
90	19944					40	EA		
		GRIP,25M,GUY,	STRA	ANDVISE,LONG					
		GRIP, GUY, WIR	E, S	TRANDVISE, 25M, LONG BAIL.					
		+++++++++++	++++	+++++++++					
		NOT ACCEPTAE	LE: I	PREFORMED BG 2115 (A WIRE					
		FORMED PROD	JCT	- NOT AUTOMATIC TYPE)					
		+++++++++++							
	Material		art#						
	19944	5204L		MACLEAN					
100	19968					200	EA		
100	13300	GUARD,8FT,GU	Y.YF	LLOW PVC		200			
		, ,	•	TIC, 8 FT, YELLOW, PVC					
		NOT_ACCEPTAE	LE: I	ELECTRICAL MATERIALS #70-7Y					
	Material:		art#	Manufacturer Name					
	1000554			PREFORMED LINE PRODUCTS					
	1000554			E-8Y VIRGINIA PLASTIC					
	1.555554	1012	ال						

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Item #	Material#	Description		Delivery Date	QTY	UM	Net Price	Total
110	22209				10	EA		
		INSULATOR, BATTERY	CLIP,#87 FOR #85					
		INSULATOR, BATTER	Y CLIP, NO. 87, RUBBER, FOR NO					
		85 CLIP, 100 BLACK A						
120	52357				12	EA		
		CLEANER,QUART,RUI	BBER GOODS,SPRAY BOTTLE					
		CLEANER, FOR USE C	ON ALL NATURAL AND SYNTHETIC					
		RUBBER GOODS, INC	LUDING LINEMAN'S GLOVES;					
		JUMPER CABLES; ANI	D LINE-HOSE. WATER-BASED, PH					
		•	GRADABLE. PKG IN 1-QUART					
		BOTTLE WITH SPRAY						
	Material a		Manufacturer Name					
	52357		AMERICAN POLYWATER CORPORATION					
130	20227				50	EA		
130	20227	LOCK BARREL W/FFF	RRULE AND WEATHER CAP		30			
			NLESS STEEL, WITH METAL					
		FERRULE AND PLAST	'					
		*** NO SUBSTITUTE						
	Material :		= Manufacturer Name					
	20227	2607-234	DEWALCH					
140	22141				25	EA		
		SLEEVE,4/0 ACSR,TEI	NSION 18-1/2IN					
		·	SLEEVE 4/0 STR ACSR,					
			TENSION, 18-1/2IN LENGTH.					
		•	CTRICAL AND MECHANICAL					
			NSI C119.4 WILL WITHSTAND 95%					
			ED BREAKING STRENGTH.					
	Material :		Manufacturer Name					
	22141	RC40	BLACKBURN					
150	34624				50	EA		
130	37027	CLEVIS,30,000 LB,SO	CKET WYE			-^		
			E, 30,000 LB. ULTIMATE					
		STRENGTH LBS.	-, 00,000 ED. OETHWATE					
		++++++++++++++						
		NOT ACCEPTABLE JO	SI VN #33303					
		++++++++++++	OL 114 #00000					
	Material a		Manufacturer Name					
	1000189	U 31CK-36 UK	. STC-30 IVIAULEAIN					

## **CITY OF TACOMA**

<u>Tacoma</u>

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Item #	Material#			Delivery	QTY	UM	Net Price	Total
	Des	cription		Date				
	10001891	SYC-30	ANDERSON					
	10001892	SY-56	ACE					
160	34683				50	EA		
100		DEND,1/0 ACSR,F	PREFORMED		30			
			MED, FOR USE WITH #1/0 ACSR					
			STH, COLOR CODE YELLOW.					
	Material #		Manufacturer Name					
	10002042	DG-4544	PREFORMED LINE PRODUCTS					
	10002044	HD522	HELICAL					
	10002045	80003	SLACAN					
	10009923	DGFW4544						

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Item #	Material#			Delivery	QTY	UM	Net Price	Total
		Description		Date				
170	35418				30	EA		
		INSULATOR,25KV,	DEADEND,COMPOSITE					
		INSULATOR, DEAD	END,25KV,COMPOSITE,GRAY					
		SILICON RUBBER	AND WEATHERSHEDS BONDED					
		TOGETHER AND T	O ROD OR ONE (1) PIECE MOLDED					
		TO ROD WITH LEN	GTHWISE SEAM ORIENTED WITH					
		HOLES IN END FIT	TINGS. MINIMUM 30% SILICON OIL					
		CONTENT. IN ACC	ORDANCE WITH ANSI C29.13-2000.					
		WEATHERSHED M	ATERIAL SHALL HAVE AT LEAST 30%					
		SILICON OIL, UV A	ND OZONE INHIBITORS					
		THROUGHOUT TH	E MATERIAL,AND BE RESISTANT TO					
		FUNGI,AND HYDRO	DLYSIS. INSULATORS SHALL PASS A					
		TRACKING WHEEL	TEST OF 1000 HOURS WITH NO					
		TRACKING AND SH	IALL BE TESTED PER ANSI STD.					
		C29.1, AND SURVI	/E ONE FLASHOVER OF 150					
		KA-CYCLES. END F	FITTINGS SHALL BE OF THE					
		COMPRESSION TY	PE. END FITTINGS MAY BE EITHER					
		GALVANIZED MALI	EABLE IRON OR ALUMINUM					
		ALLOY,AND SHALL	BE ANSI CLASS 52-2.ALLOWING A					
		+/-90 DEGREE DEF	LECTION. INSULATORS SHALL HAVE					
		A MINIMUM ULTIMA	ATE STRENGTH RATING OF 15,000					
		LBS, AND A MINIM	JM WORKING LOAD RATING OF 7,500	)				
			MATERIAL SHALL BE COMPATABLE					
		WITH TREATED W	OOD POLES. LENGTH 18.75 TO 20.75					
		INCHES. MINIMUM	LEAKAGE DISTANCE 29.9 INCHES.					
		IEEE STD 1024 CLA	ASS CI-4					
		+++++++++	++++					
		NOT ACCEPTABLE	: K LINE #28ASTLM					
		VICTOR #	8025					
		SALISBUI	RY					
		++++++++	++++					
	Material	# Manf Part	# Manufacturer Name					
	1000396	67 401025-0	215 OHIO BRASS					
	1000396		)-35 SEDIVER					
	1000666	51 DS-25M	MACLEAN					
180	19940				50	EA		
		GRIP,6M,GUY WIR	E,STRANDVISE,SHORT BAIL					
		GRIP, GUY WIRE, S	STRANDVISE, 6M, SHORT BAIL.					
	Material	# Manf Part						
	1000799	00 GDE5200	FARGO					
.[	1000799	5200	MACLEAN					

## Tacoma Tacoma

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Item #	Material#	escription			Delivery Date	QTY	UM	Net Price	Total
		·							
190	CC MII		R,URD TYPE PLICE, KIT FOR 3/0 STE	R. AAC 220		6	EA		
	Material #	Manf Part#	Manufacturer Name E II NO. 5412-CI-3/0	3M					
200	CL AA OF LIF UL ++- NC	C, TYPE ASO ALUM PENING, SPRING LO. FTING EYE FOR HOT TIMATE STRENGTH  THE ACCEPTABLE: CO D.#DSO-68-1  ANDERSON #	DEND, #2 TO 3/0 ACSR, INUM STRAIGHT GROO ADED KEEPER ONLY W STICK APPLICATION 8 , ALL ALUMINUM	OVE, SIDE /ITH 8000 LB		150	EA		
	10001867 10001868	ASO-570-1-N		ODUCTS					
210	FU US TR Material #	SE LINK, BAY-O-NE SE ON SINGLE PHAS ANSFORMERS AND Manf Part#	NG,LINK,BAY-O-NET ITYPE, 8A, DUAL SENS E DISTRIBUTION 3-PHASE TRANSFORM Manufacturer Name COOPER INDUSTR	IERS.		25	EA		

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Item #	Material#	Description		Delivery Date	QTY	UM	Net Price	Total
220	34901				12	EA		
		RECEPTACLE,6 OU	TLET,MULTIPOWER STRIP					
		RECEPTACLE, OUT	LET, MULTI-POWER STRIP, 6					
		OUTLETS, SURGE/N	IOISE FILTER AND SUPPRESSOR,					
		RATING: 15 AMP, 12	0 VOLT AC, 60 HZ, 1875 WATTS,					
		CONTINUOUS DUTY	, MAXIMUM SURGE VOLTAGE AT					
		LEAST 6000V, MININ	IUM SURGE CURRENT HOT TO					
		NEUTRAL 46,000 AM	IPS, MINIMUM ENERGY					
		DISSIPATION HOT T	O NEUTRAL AT LEAST 625 JOULES,					
		UL 1449 RATING 330	OV, UL 1283 TESTED, WITH 3					
		FILTERING LEVELS:	FILTER 1-80 DB, FILTER 2-103 DB,					
		AND FILTER 3 110 D	B, WITH MASTER SWITCH AND					
		PILOT LIGHT, CIRCL	JIT BREAKER PROTECTION.					
			INTERMATIC #IG2066					
	Material #							
	10002613	ISOBAR6	TRIPP-LITE					
	10002614	WT6	S.L. WABER					
	10006420	ISOBAR6U	ILTRA TRIPP-LITE					
230	35044				5,000	EA		
		TIE,3/16IN TO 3-1/2II	N,CABLE,LARGE					
		TIE, CABLE, NYLON	BLACK, BUNDLING RANGE 3/16 IN					
		TO 3-1/2IN, TENSILE	STRENGTH 120 LBS, WIDTH .301,					
		LENGTH 13.38IN, 50	PER PACK.					
		* * * * * * * *	* * *					
		NOT ACCEPTABLE:	CATAMOUNT #1-14-120-0-C					
	Material #	Manf Part#	Manufacturer Name					
	10003026	BT4LH-L0	PANDUIT					
	10003027	7 TY-527MX	THOMAS & BETTS					
240	35009				100	EA		
		STRAP,2-1/2IN,CON	DUIT,2-PIECE,GALV					
		STRAP, CONDUIT, F	IOT DIP GALVANIZED, 2-1/2IN RIGID,					
		2 PIECE, WITH HEX	HEAD BOLT AND NUT. TO FIT 1-5/8IN					
		"UNISTRUT" TYPE C	HANNEL. STRAP MUST BE HOT					
		DIPPED GALVANIZE	D TO ASTM STANDARD A-386/A1-53					
		AFTER FABRICATIO	N. ELECTRO-GALVANIZING WILL					
		NOT BE ACCEPTED						
	Material #	Manf Part#	Manufacturer Name					
	10002926	B2014HDG	B-LINE		1			

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Item #	Material#	cription		Delivery Date	QTY	UM	Net Price	Total
	10002927 10002928 10002929 10002930		MORFAB UNISTRUT DG SUPERSTRUT /2HDG POWERSTRUT					
250	BUSH	HING INSERT, 15 MP, 14.4/8.3 KV.	Manufacturer Name BLACKBURN ELASTIMOLD		15	EA		
260	RING TYPE SEAL POSI ENTE ANSI ***	, METER, SEALI E, ALLOWS EASY ., MOUNTING SC TION WHEN ASS ER ASSEMBLY F STANDARD C12 F NO SUBSTITUT	********* ABB, EKSTROM 8-9001		2,000	EA		
	Material # 20559		Manufacturer Name BROOKS UTILITY PRODUCTS					

Net Value	\$
Plus Tax at	\$
<b>Total Amount</b>	\$

### 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. <u>Bid/ Proposal Withdrawal:</u> 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. <u>Terms and Conditions</u>: 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 Taxamount 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. <u>Prevailing Terms and Conditions</u>: 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.

Revised: 03/2006