CITY O

CITY OF TACOMA

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REQUEST FOR QUOTATION 6000043277

Return Bids By 11:00 AM, 09/01/2016 to: sendbid@cityoftacoma.org

l'acoma

Debbie Seibert
TPU Administration Building North
3628 S. 35th St.
Tacoma WA 98409
dseibert@cityoftacoma.org
Fax.253-502-8372

Material	will	ship	to:
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Water Warehouse

RFQ Information		
Collective Bid #	TW16-0412N	
Bid Issue Date	08/26/2016	
Vendor Number	109226 WEB VENDOR FOR RFG	Q
Vendor Informatio	n (vendor to complete)	
Firm Name:		
Address:		
City/State/Zip	1 1	
Phone/Fax	1	
E-Mail		
Contact Name		
Payment Terms	%, days (e.g. 2% 10,N3	30)
Tacoma Bus. Lic. #		
Taxpayer ID #		
SIGNATURE OF PERSON A	AUTHORIZED TO SIGN THIS BID	
X		
NAME :		
TITLE :		

Material# Description	Delivery Date	QTY	UM	Net Price	Total
The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid.					
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.					
IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ.					
ITEMS MUST BE NEW AND UNUSED.					
PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID ORIGINATOR @ 253 502-8587.					
	The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid. 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. IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ. ITEMS MUST BE NEW AND UNUSED. PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID	The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid. 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. IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ. ITEMS MUST BE NEW AND UNUSED. PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID	The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid. 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. IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ. ITEMS MUST BE NEW AND UNUSED. PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID	The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid. 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. IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ. ITEMS MUST BE NEW AND UNUSED. PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID	The City is now accepting e-mailed bid submittals sent to sendbid@cityoftacoma.org . Please include the Collective Bid Number TW16-0412N in the subject line of your e-mailed bid. 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. IT IS ANTICIPATED THAT VENDORS WILL ATTEMPT TO PROVIDE PRICING FOR EACH ITEM LISTED ON THE RFQ. ITEMS MUST BE NEW AND UNUSED. PLEASE CIRCLE OR UNDERLINE THE MODEL/BRAND QUOTED IF MULTIPLE MANUFACTURERS ARE LISTED OR BID MAY BE CONSIDERED NON-RESPONSIVE. DELIVERY DATE WILL DEFAULT TO TWO WEEKS ARO IF VENDOR FAILS TO PROVIDE. IF DELIVERY DATES CAN NOT BE UPHELD, IT IS THE VENDOR'S RESPONSIBILITY TO MAKE CONTACT WITH THE BID

CITY OF TACOMA

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Item #	Material# Description	Delivery Date	QTY	UM	Net Price	Total
	BIDS MUST BE SIGNED IN ORDER TO BE A VALID BID. BID RESULTS ARE POSTED AT http://www.cityoftacoma.org/government/city_departments/finance/proc urement_and_payables_division/purchasing/bid_results/					
10	PUMP, METER BOX, 1-3/4" DIAM. X 3' LONG PUMP, METER BOX, 1-3/4IN DIAMETER, 3 FOOT LONG WITH 6 FOOT DISCHARGE HOSE, NON PRIMING, PVC BODY. THE PUMP CAPACITY IS 4 STROKES PER GALLON, DISCHARGING 32 OZ. PER STROKE. APPROVED: BECKSON MODEL 136PF-6 OR APPROVED EQUAL. Please Deliver this item to: Water Warehouse 3506 S 35th St Tacoma WA 98409		15	EA		
20	ADAPTER,1IN TO 1-1/2IN,METER,BRASS ADAPTER, METER, 1IN METER TO 1-1/2IN METER SETTER SIZE. BRASS. BRASS COMPONENTS THAT CONTACT POTABLE WATER MUST MEET NSF/ANSI 372. BRASS COMPONENTS THAT DO NOT CONTACT POTABLE WATER MAY BE MANUFACTURED WITH 85-5-5-5 BRASS, UNS NO C83600. Material # Manf Part# Manufacturer Name 10006771 710J46 A.Y. MCDONALD 10006772 A46NL FORD METER BOX CO		8	EA		

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
30	73317			3	EA		
		FLOAT CONTROL,CLA-VAL,CF1-C1 SERIES					
		CLA-VAL CF1 SERIES FLOAT CONTROL. CATALOG#					
		CF1-C1. CLA-VAL STOCK #89016-01J.					
	Material						
	73317	89016-01J CLA-VAL					
		Please Deliver this item to:					
		Water Warehouse 3506 S 35th St					
		Tacoma WA 98409					
		Tacoma WA 98409					
40	31086			300	EA		
		GASKET,1-1/2IN,MTR FLNG,DROP IN					
		GASKET, METER FLANGE, 1-1/2 INCH, 1/8 INCH THICK,					
		SOLID NEOPRENE OR RUBBER, 60 DUROMETER, DROP					
		IN TYPE FOR WATER SERVICE.					
		APPROVED: ROMAC, CAIN BOLT					
		Please Deliver this item to:					
		Water Warehouse 3506 S 35th St					
		Tacoma WA 98409					
		Tacoma WA 90409					
50	31022			1	EA		
		FLANGE,20IN,CI PIPE,BLIND,20-HOLE					
		FLANGE, C.I.PIPE, 20IN, BLIND, 20-HOLE, FACED &					
		DRILLED#					
		Please Deliver this item to:					
		Water Warehouse 3506 S 35th St					
		Tacoma WA 98409					
		Tatolila WA 30403					
60	10073			288	RL		
		TAPE,1/2IN,TEFLON,PIPE SEALANT					
		TAPE, TEFLON, PIPE SEALANT, 1/2" WIDE X 520" LONG					
		Please Deliver this item to:					

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
70	31147			16	EA		
		GLAND PACK,12IN,MJ,DI					
		12" GLAND PACKAGE. MECHANICAL JOINT, DUCTILE					
		IRON, PER THE LATEST REVISION OF ASTM A536.					
		INDIVIDUAL PACKAGES(BOXED) WILL INCLUDE A "SBR"					
		MJ GASKET AND 8 EACH 3/4" X 4" CORTEN T-BOLTS					
		AND A MJ GLAND.					
		APPROVED: STAR PIPE PRODUCT					

		NOT APPROVED: UNION FOUNDRY					
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
80	32130			30	EA		
		NIPPLE,2IN X 4IN,RED BRASS					
		NIPPLE, RED BRASS, 2 INCH X 4 INCH.					
		RED BRASS, MUST MEET ASTM B43 FOR SEAMLESS					
		RED BRASS PIPE AND NSF 372 FOR LEAD CONTENT					
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
90	30838			12	EA		
		COUPLING,1IN COMP X 1IN MALE IPT,GALV					
		COUPLING, ADAPTER 1" COMPRESSION X 1" MALE					
		IRON PIPE THREAD. TO FIT PIPE OD. 1.315".					
		GALVANIZED FINISH.					
		APPROVED:					
		DRESSER 65, MALE ADAPTER					
		NOT ACCEPTABLE:					
		B&K#160-005					
		TELSCO #704-100					
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
100	31065			60	EA		
		GASKET,6IN,TEFLON OR HALON,PTFE					
		GASKET, TEFLON OR HALON (PTFE), 6 INCH, 150 LB,					
		3/32 INCH THICK, REUSABLE, CORROSION AND BLOW					
		OUT RESISTANCE, WITH PERFORATED 304 STAINLESS					
		STEEL INSERT.					
	NA - 1 1	Was Part W. Manufacture Name					
	Material 1000885						
	1000885						
	1000000	Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
110	31089			100	EA		
		GASKET,2IN,MTR FLNG,FULL FACE					
		GASKET, 2 INCH, METER FLANGE, CLOTH INSERT					
		RUBBER, FULL FACE PS1005.					
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					

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Item #	Material#	Description		Delivery Date	QTY	UM	Net Price	Total
120	32132	NIPPLE,2IN X 8IN,RED BRASS NIPPLE,RED BRASS, 2IN X 8IN. MUST MEET ASTM B43 FOR SEAMLES PIPE AND NSF 372 FOR LEAD CONTE Please Deliver this item to: Water Warehouse 3506 S 35th St			20	EA		
130	3506 S 35th St Tacoma WA 98409 33065 COLLAR,THRUST,#83847,B100 MACH COLLAR, THRUST, BAR, BORING, B100 MACHINE, MUELLER NO 83847. Please Deliver this item to: Water Warehouse				2	EA		
140	33832	DIAPHRAM, SIN, CLA-VALVE, MODEL 100, SINO.11359H			2	EA		
	Material 33832		ame					

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
Item # 150	Material# Material Materia 100042 100043 100043 100056 100056 100090 100099	VALVE,4IN,GATE,FLNG X FLNG,CLASS 125 GATE, 4 INCH, VALVE, FLANGE X FLANGE, CAST IRON, WITH 2 INCH OPERATING NUT WHICH OPERATES LEFT TO OPEN (COUNTER CLOCK WISE), NON RISING STEM, UL LISTED AND FM APPROVED VALVES SHALL CONFORM TO THE LATEST REVISION OF AWWA C515 AND AWWA C550. FLANGED ENDS SHALL CONFORM TO C110/A21.10, (ANSI B16.1, CLASS 125) Material provided under this specification must be manufactured within two years of the date of the purchase order unless prior approval is obtained from Tacoma Water. I # Manf Part# Manufacturer Name 97 RS CLOW VALVE CO 99 MODEL RWGV-96 KENNEDY 00 STYLE 4067 M&H 01 METROSEAL 250 US PIPE 02 STYLE 2360 MUELLER 54 MODEL NO. 25-100-40 AVK International 55 F619RWSON NIBCO 21 FLOW MASTER EAST JORDAN IRON WORKS	-	QTY 12	UM EA	Net Price	Total

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Item #	Material#	Description	Delivery Date	QTY	UM	Net Price	Total
160	37776	SAMPLE STATION, POTABLE WATER SAMPLE STATION FOR POTABLE WATER, 3/4 INCH STAINLESS STEEL FIP INLET, ALUMINUM BODY WITH INTERNAL STORAGE SHELVES, PROVISONS FOR THE INSTALLATION OF A LOCK TO SECURE THE STATION, FREEZE PROTECTED WITH OUT DRAIN HOLES, THREE FOOT BURY, TACOMA WATER LOGO CAST ON COVER. APPROVED: ECLIPSE MODEL 88SS, MANUFACTURED BY KUPFERLE FOUNDRY CO., MANUFACTURE PART # Z88-66TACS3.01 NO SUBSTITUTES	Date	11	EA		
	Material 37776	# Manf Part# Manufacturer Name Z88-66TACS3.01 Kupferle Foundry Company Please Deliver this item to: Water Warehouse 3506 S 35th St Tacoma WA 98409					
170	43953 Material	CORE, "KEYMARK" KEYING, K (NEW) CORE, "K" KEYING, KEYMARK BY MEDECO, SMALL FORMAT INTERCHANGEABLE CORE(SFIC). SOLID BRASS CONSTRUCTION. MEDECO SYSTEM NUMBER: K588B (SPECIFIC TO TACOMA WATER). MEDECO KEYSET IDENTIFICATION NUMBER: LETTER "A", WATER DIVISION DESIGNATION NUMBER: LETTER "K", TO BE CLEARLY STAMPED ON THE FACE OF THE CORE IN THE UPPER LEFT SIDE CORNER. APPROVED: SOLE SOURCE KEYMARK BY MEDECO DISTRIBUTOR: ROBBLEE'S TOTAL SECURITY # Manf Part# Manufacturer Name		20	EA		
	43953	KEYMARK K588B MEDECO Please Deliver this item to:					

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Item #	Material#		Delivery	QTY	UM	Net Price	Total
iteili #	Wateriai	Description	Date	Q I I		NetTile	iotai
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
180	73286			6	EA		
		KIT,LED,RETROFIT,CREE					
		CREE RETROFIT KIT, LED. WATTAGE: 44, VOLTS AC:					
		120, 277, LENGTH 4 FT, INCLUDES CREE DRIVER PART					
		NUMBER UR2-48-45L-FD-DR.					
		APPROVED: CREE UR2-48-45L-40K-S-FD					
		Please Deliver this item to:					
		Tacoma Water					
		Water Warehouse					
		3506 S 35th Street					
		Tacoma WA 98409					
190	30836			50	EA		
		COUPLING,3/4IN COMP X 3/4IN MALE,IP					
		COUPLING, ADAPTER, 3/4 INCH COMPRESSION X 3/4					
		INCH MALE IRON PIPE THREAD, TO FIT PIPE 0.D. 1.05IN,					
		GALVANIZED FINISH.					
		ACCEPTABLE: DRESSER STYLE 65 OR APPROVED					
		EQUAL					
		NOT ACCEPTABLE: B&K NO.160-004, TELSCO NO.					
		704-070G, ROMAC NO. 702-105					
		Please Deliver this item to:					
		Water Warehouse					
		3506 S 35th St					
		Tacoma WA 98409					
200	33755			6	EA		
		WASHER,8IN,SPACER,CLA-VALVE					
		WASHER, SPACER, CLA-VALVE, 8IN. MOD. 90G-01, ITEM					
		#18.#					
	Material	# Manf Part# Manufacturer Name					
	33755	MOD 90G-01, ITEM #18 CLA-VAL					
		Please Deliver this item to:					

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		Water Warehouse						
		3506 S 35th St						
		Tacoma WA 98409						
210	33834				2	EA		
		DISK,8IN,CLA-VALVE,	MODEL 100					
			100, 8IN. ITEM NO. 17, NO.					
		V-5566E#	,					
	Material		Manufacturer Name					
	33834	V-5566E	CLA-VAL					
		Please Deliver this item						
		Water Warehouse						
		3506 S 35th St						
		Tacoma WA 98409						
						ot Val		

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. <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