City of Statesboro Request for Proposals:

1. ENG - 122h: East Jones Ave. Sidewalk from S. Main St. to S. Zetterower Ave.

2. ENG - 122K: W. Main St. Sidewalk from Ivory St. To Foss St. &
   STM—26: W. Main St. to Foss St. Intersection Drainage Improvements

3. STM-29: Lydia St. and Hart St. Culvert Improvements

4. Eng-122c: Hwy 24 Sidewalk from US 80 to Packinghouse Rd.

This Request for Proposals includes 4 separate opportunities. Submissions will be accepted for any single or combination of proposals. Each project proposal will be evaluated separately on the following criteria:

Cost	40 points
Experience of Staff	20 points
Experience of Firm	20 points
Project Approach	20 points

Proposal(s) Due Date: February 2, 2022, 3:00 PM EST

Please submit two (2) copies in a sealed envelope with the project title clearly displayed on the outside of the envelope to this address.

Central Services Office
22 West Grady Street
Statesboro, GA 30458
Attention: Darren Prather

Please address any questions to: Central Services Director, Darren Prather 912-764-0642 or by email at darren.prather@statesboroga.gov

Company:_____

Telephone Number:_____

Authorized Representative (Print): _____

Title:_____

Authorized Signature/Date:_____

City of Statesboro
Department of Central Services
22 West Grady Street
Statesboro, GA 30458

Darren Prather, Director
darren.prather@statesboroga.gov
912-764-0642

RFP DOCUMENT CHECKLIST

Proposal Deadline: February 2, 2022
3:00 PM EST
22 W. Grady St. Statesboro, GA 30458

BID # / PROJECT NAME(S):

1. ENG - 122h: East Jones Ave. Sidewalk from S. Main St. to S. Zetterower Ave.

2. ENG - 122K: W. Main St. Sidewalk from Ivory St. To Foss St. &
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Experience of Staff	20 points
Experience of Firm	20 points
Project Approach	20 points

Items to be included:	**Bidders Initials**
_____ RFP (Completed, Signed, & Copies)	_____
_____ Acknowledgement of receipt of addenda	_____
_____ No Addenda were received	_____
_____ E-Verify	_____
_____MFBE Form	_____
_____MFBE Participation Report Grid	_____
_____ Non-Collusion Affidavit	_____
_____ Bid Bond (If required)	_____

Bidder Contact Information:

Mailing Address:_____

Telephone:_____

Email:_____

THE UNDERSIGNED BIDDER HEREWITH SUBMITS THE ABOVE REQUIRED DOCUMENTS.

PRINT OFFICIAL COMPANY NAME: _____

SIGNED BY: _____

PRINT NAME AND TITLE: _____

DATE: _____

THIS CHECKLIST SHOULD BE INITIALED AND SIGNED
WHERE INDICATED AND RETURNED WITH SEALED PROPOSAL

Contractor Affidavit Under O.C.G.A. § 13-10-91{b){l)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stat in g affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of City of Statesboro has registered w it h, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

_____ _____

Federal Work Authorization User Identification Number Date of Authorization

_____

Name of Contract or

_____

Name of Project

City of Statesboro

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ 2020, _____ (city), _____ (state).

_____

Signature of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE_____DAY OF _____, 2021

_____ _____

Notary Public My Commission Expires

MINORITY/FEMALE OWNED BUSINESS ENTERPRISE (MFBE) AFFIDAVIT

Section 1: Business ID

I attest that I am a majority minority or female owned business enterprise: ____ YES ____ NO

Employer Identification Number _____ State of Incorporation _____

Minority or Female Ownership (check all applicable): _____ Minority _____ Female

Minority or Female Owner Certification Number and Agency (if applicable)_____

Section 2: Business Information

Business Name _____ DBA Name _____

Company Corporation Type _____

Company Ownership Ethnicity _____ Company Ownership Gender _____

Section 3: Business Contact Information

Company Address _____ City _____ State ____ Zip _____

Company Phone # _____ Company Website _____

Section 4: Business Principal Information

Principal Contact Name _____ Principal Contact Title _____

Principal Contact Cell # _____ Principal Contact Email _____

Section 5: Project Participation Information

Project Name _____ Project Participation by Business _____ %

Business Project Participation as: _____ General Contractor _____ Subcontractor

Disclaimer and Signature

I certify that my answers are true and complete to the best of my knowledge.

_____ _____

Print, Signature, and Title: Date:

_____ _____

Notary Signature and Seal Date:

City of Statesboro Minority/ Female Business Enterprise Program
MFBE Participation Report

Name of Bidder: _____

Name of Project: _____

MFBE Firm	Type of Work	Contact Person	City, State	%	MBE or FBE

MBE Total _____% FBE Total_____% MFBE Combined_____%

The undersigned should enter into a formal agreement with MFBE Contractor identified herein for work listed in this schedule conditioned upon execution of contract with the City of Statesboro

_____ _____

Signature Print

Non-Collusion Affidavit

State of (Georgia)
County of Bulloch

_____, being first duly sworn, deposes and says that he or she is Owner of _____ the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the Bidder has not , directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

Date: _____

Vendor Business Name: _____

Address: _____

City , State, Zip _____

Representative: _____ / Title: _____

Signature: _____ Date: _____

*By signing this form, I agree to the terms and conditions contained in this bid package and if my company is awarded the contract, I agree that this signed bid response shall serve as the legal binding document concerning this contract.

City of Statesboro
Engineering Department
50 East Main Street
Statesboro GA, 30458
912-764-5468
Fax 912-764-0664

The City of Statesboro is soliciting sealed proposals for the following four projects. Firms may submit a proposal and cost for each individual project. However, firms are not required to submit proposals for all projects, as each project will be evaluated independently. Please submit two (2) copies of your proposal in a sealed envelope for each individual project to the City of Statesboro Purchasing Office, 22 West Grady Street Statesboro, Georgia 30458, by 3:00 PM EST on Wednesday, February 2, 2022. The project title must be clearly displayed on the outside of the envelope. If you have any questions, please contact Darren Prather at 912-764-0642 or darren.prather@statesboroga.gov. The deadline for questions is January 27, 2022, 3:00 PM EST.

Although not required, it is the goal of the City of Statesboro to encourage participation of 20% or more by minority and female owned business enterprises (MFBE).

The City of Statesboro shall reserve the right to accept or reject any and/or all bids and also reserve the right to waive any technicalities or formalities. The City of Statesboro has an equal opportunity purchasing policy to ensure that all segments of the business community have access to supplying goods and services needed by the City of Statesboro. The City of Statesboro provides equal opportunity for all businesses and does not discriminate against any vendor regardless of race, color, religion, age, sex, or national origin.

Any/all addenda will be posted on the City of Statesboro website. It is the proposer's sole responsibility to ascertain that it has received all Addenda issued for this solicitation. All Addenda must be acknowledged and included in the proposal.

_____ _____

SIGNATURE DATE

Project 1

Request for Proposal

ENG – 122h: East Jones Ave. Sidewalk from S. Main St. to S. Zetterower Ave.

The City of Statesboro Engineering Department is requesting for proposals, engineering design services for improvements to East Jones Avenue from South Main Street to South Zetterower Avenue.

PROJECT LIMITS AND OVERVIEW

The project includes any drainage infrastructure, easements, and property acquisition needed to install the sidewalk. The design task involves locating the existing right-of-way and designing a sidewalk profile to allow for a 5' sidewalk that extends approximately 1500 feet, terminating at South Zetterower Avenue. Additionally, a culvert underneath East Jones will need to be extended, with the headwall aligned to the new sidewalk. A hydrology study and hydraulic calculations for the culvert extension will be required. A typical City roadway pavement section is to be used.

A site location map is attached for your reference.

SCOPE OF SERVICES

Design plans shall be in Georgia Department of Transportation format and all design shall be in accordance with the latest AASHTO, MUTCD and Georgia Department of Transportation Standards and Specifications.

Erosion control plans shall be in accordance with latest NPDES and Georgia EPD requirements.

All survey of existing conditions shall be done on state plane coordinates.

The plan set shall consist of cover, notes, quantities, plan and profile with cross-sections at 50 foot intervals, utility plans, erosion and sediment control plans, details, and right-of-way plans.

The proposal shall include project approach of design, staking of any required right-of-way and easements. Preparation of right-of-way plans and documents shall also be included as part of this proposal.

The proposal shall include a construction cost estimate to be used for bid tabulation. The format shall be MS excel spreadsheet.

Upon the City of Statesboro's acceptance of the completed plans, the consultant shall provide an electronic copy of files and drawings in AutoCAD format.

The City expects the design plans for the project to be completed by May 2022, so that anyright-of-way acquisition can take place shortly after and construction can commence as early as the fall.

This project is funded through City TSPLOST funds.

Project 2

Request for Proposal
ENG-122k: W. Main St. Sidewalk from Ivory St. to Foss St.
STM-26: West Main Street at Foss Street Intersection Drainage Improvements

The City of Statesboro Engineering Department is requesting for proposals, engineering design services for intersection and drainage improvements to West Main Street from Ivory Street to Foss Street.

PROJECT LIMITS AND OVERVIEW

The project includes any drainage infrastructure, easements, and property acquisition needed to install the sidewalk, and improve the drainage. The design task involves locating the existing right-of-way at Ivory Street, and designing a sidewalk profile to allow for a 5' sidewalk that extends approximately 1400 feet, terminating at Foss Street. Additionally, drainage improvements to West Main from Bay Street to Foss Street will include curb and gutter and larger storm pipes to increase the drainage flow. A hydrology study and hydraulic calculations will be required. A typical City roadway pavement section is to be used.

A site location map is attached for your reference.

SCOPE OF SERVICES

Design plans shall be in Georgia Department of Transportation format and all design shall be in accordance with the latest AASHTO, MUTCD and Georgia Department of Transportation Standards and Specifications.

Erosion control plans shall be in accordance with latest NPDES and Georgia EPD requirements.

All survey of existing conditions shall be done on state plane coordinates.

The plan set shall consist of but is not limited to cover, notes, quantities, plan and profile with cross sections at 50 foot intervals, utility plans, erosion and sediment control plans, details, and right of way plans.

The proposal shall include project approach of design, staking of any required right-of-way and easements. Preparation of right-of-way plans and documents shall also be included as part of this proposal.

The proposal shall include assistance with all applicable GDOT permitting necessary for this project.

The proposal shall include a construction cost estimate to be used in bid tabulation. The estimate will be MS excel format.

Upon the City of Statesboro's acceptance of the completed plans, the consultant shall provide an electronic copy of files and drawings in AutoCAD format.

The City expects the design plans for the project to be completed by May 2022, so that anyright-of-way acquisition can take place shortly after and construction can commence as early as the fall.

This project is funded through City TSPLOST funds.

Project 3

Request for Proposal
STM-29: Lydia Street at Hart Culvert Improvements

The City of Statesboro Engineering Department is requesting for proposals, engineering design services for drainage improvements to the culvert at the intersection of Lydia and Hart.

PROJECT LIMITS AND OVERVIEW

The project includes any drainage infrastructure, easements, and property acquisition needed to install the drainage structures and stormwater pipes needed. The design task involves locating the existing right-of-way at Lydia Street, and designing a stormwater system to allow for new drainage structures and storm water alignments to collect and convey stormwater to a receiving ditch on Wilburn Road. A hydrology study and hydraulic calculations for drainage improvements will be required. The existing Right-of-Way for Hart Street, Lydia Street, and Wilburn Street will be utilized for placement of any new stormsewer infrastructure.

A site location map is attached for your reference.

SCOPE OF SERVICES

Design plans shall be in Georgia Department of Transportation format and all design shall be in accordance with the latest AASHTO, MUTCD and Georgia Department of Transportation Standards and Specifications.

Erosion control plans shall be in accordance with latest NPDES and Georgia EPD requirements.

All survey of existing conditions shall be done on state plane coordinates.

The plan set shall consist of cover, notes, quantities, plan and profile with cross-sections at 50 foot intervals, utility plans, erosion and sediment control plans, details, and right-of-way plans.

The proposal shall include project approach of design, staking of any required right-of-way and easements. Preparation of right-of-way plans and documents shall also be included as part of this proposal.

The proposal shall include a construction cost estimate to be used for bid tabulation. The format shall be MS Excel spreadsheet.

Upon the City of Statesboro's acceptance of the completed plans, the consultant shall provide a flash drive with all electronic files and drawings, two sets of 24"x36" stamped plans, and a construction cost estimate.

The City expects the design plans for the project to be completed by May 2022, so that anyright-of-way acquisition can take place shortly after and construction can commence as early as the fall.

This project is funded with TSPLOST funds.

Project 4

Request for Proposal
ENG-122c: Hwy. 24 Sidewalk from US 80 to Packinghouse Rd.

The City of Statesboro Engineering Department is requesting for proposals, engineering design services for sidewalk improvements along East Main Street (SR24) from Northside Drive (US 80) to Packinghouse Road.

PROJECT LIMITS AND OVERVIEW

The project includes design for improving a 24 foot wide paved roadway for a sidewalk on the north side of the road for a distance of approximately 1,800 feet from Northside Drive eastward and terminating at Packinghouse Road. A typical GDOT roadway pavement section is to be used for inclusion of the sidewalk. The design task involves survey for locating the existing right-of-way and stream crossing and design of a new culvert crossing. A hydrology study and hydraulic calculations for the culvert design will be required. A site location map is attached for your reference.

SCOPE OF SERVICES

Design plans shall be in Georgia Department of Transportation format and all design shall be in accordance with the latest AASHTO, MUTCD and Georgia Department of Transportation Standards and Specifications.

Erosion control plans shall be in accordance with latest NPDES and Georgia EPD requirements.

All survey will be done on state plane coordinates.

The plan set shall consist of cover, notes, quantities, plan and profile with cross-sections at 50 foot intervals, utility plans, erosion and sediment control plans, details, and right-of-way plans.

The proposal shall include project approach of design, staking of any required right-of-way and easements. Preparation of right-of-way plans and documents shall also be included as part of this proposal.

The proposal shall include assistance with all applicable GDOT permitting necessary for this project.

The proposal shall include a construction cost estimate to be used for bid tabulation. The format shall be a MS Excel spreadsheet.

Upon the City of Statesboro's acceptance of the completed plans, the consultant shall provide an electronic copy of files and drawings in AutoCAD format.

The City expects the design plans for the project to be completed by May 2022, so that any right-of-way or construction easement acquisition can take place shortly after and construction can commence as early as possible.

This project is funded with City TSPLOST funds.

CITY OF STATESBORO
NOTICE

These are the "boiler-plate" rules and requirements of the City of Statesboro in regards to submitting sealed bids, proposals and qualifications.
(Please sign where required and adhere to the requirements that pertain to this Bid)
Also, please submit one copy with each Bid/RFP/RFQ response.
Only one copy per vendor submittal—If sending five copies of bid, only send one of these signed—both areas signed (agreement and non-collusion affidavit)

All applicable terms and conditions contained herein shall apply unless otherwise altered in the body of the bid package.
It shall be the sole right of the City of Statesboro to determine the applicability of any condition in question.

INSTRUCTIONS TO BIDDER

BID FORMS. Unless otherwise specified, vendor may submit individual bid forms.

BID OPENING AND BID RESULTS. Bids are opened publicly in the City of Statesboro Purchasing Office. Interested parties are invited to attend the bid opening. A tabulation of bids received will be available within a reasonable time after the bid opening. Bid results will be faxed or mailed to interested parties upon request.

BID WITHDRAWAL. Bidders' authorized representatives may withdraw bids only by written request received by the City of Statesboro prior to the submittal deadline. After the bid deadline has past, vendors shall not be allowed to withdraw their bids for a period of (90) days. The determined successful bidder shall not be allowed to withdraw their bid at any time.

INFORMED BIDDERS. Before submitting bids, Bidders must fully inform themselves of the conditions, requirements and specifications of the work or materials to be furnished. Failure to do so will be at Bidders' own risk and they cannot secure relief on the plea of error.

LATE BIDS. Bids not received by the Bid Submittal Deadline are late. Late bids will be returned to Bidders unopened.

PRICES, NOTATIONS, AND MISTAKES. All prices and notations must be in ink or typewritten. Mistakes may be crossed out and corrections typed or printed adjacent to the mistake and initialed in ink by the person who signs bid. Prices shall be stated in units and quotations made separately on each item. In case of conflict, unit prices will govern. Where there is a conflict between words and figures, words will govern.

OFFERS OF MORE THAN ONE PRICE. Bidders are allowed to submit more than one bid but not more than four bids. Bidders may submit one Base Bid and up to three Alternate Bids. Where Bidder submits more than one bid, one bid shall be marked "Base Bid" and the others shall be marked "Alternate Bid". Each Base Bid and each Alternate Bid shall be submitted in accordance with the terms and conditions of this bid solicitation. Bidders may reproduce this bid package to submit alternate bids. Additional bid packages will not be furnished by the City of Statesboro. Also, if both parties agree, additional units may be purchase within a twelve (12) month calendar year from the original award of this contract with all terms and conditions of the original bid/contracting process being in effect.

INSTRUCTIONS TO BIDDER - Continued

QUESTIONS, INTERPRETATION, OR CORRECTION OF QUOTE DOCUMENTS. Bidders shall notify the City of Statesboro Purchasing Department of any inconsistency found during the examination of the solicitation. Any clarification shall be made, in writing to the COS Purchasing Agent. ***Questions regarding this solicitation must be submitted by email,*** to COS Purchasing Agent and shall arrive at least one week prior to submittal Deadline. Questions received after the deadline will not be addressed. Bidder's company name, address, phone and fax number, and contact person must be included with the questions or comments.

Clarification, corrections, or changes to specifications. All clarifications, corrections, or changes, to the solicitation documents will be made by Addendum ***only***. Bidders shall not rely upon interpretations, corrections, or changes made in any other manner, whether by telephone, in person, or at a pre-bid conference. Interpretations, corrections, and changes shall not be binding unless made by Addendum. All Addenda issued shall become part of the Agreement documents. Addendum will be sent to all known solicitation holders by email. It is the Bidders sole responsibility to ascertain that it has received all Addenda issued for this solicitation. All Addenda must be acknowledged and returned on or before the Submittal Deadline, unless otherwise directed by an Addendum.

TERMS OF THE OFFER. COS's acceptance of Bidder's offer shall be limited to the terms herein unless expressly agreed in writing by the COS. Bids offering terms other than those shown herein will be declared non-responsive and will not be considered.

TERMS AND CONDITIONS

ATTORNEY FEES. In the event a suit or action is instituted in connection with any controversy arising out of this contract, the prevailing party shall be entitled to receive, in addition to its costs, such sum as the court may adjudge reasonable as to attorney's fees and costs.

BIDDER AGREEMENT TO TERMS AND CONDITIONS. Submission of a signed bid will be interpreted to mean Bidder has agreed to all the terms and conditions set forth in the pages of this solicitation.

CANCELLATION OF CONTRACT. The City of Statesboro shall reserve the right to cancel this contract by giving (30) days written notice to the vendor. The City of Statesboro (COS) may cancel this contract with cause anytime by giving (10) days written notice to the supplier/contractor. Cancellation for cause shall be at the discretion of the City of Statesboro (COS) and shall include but not limited to: failure to supply materials or service specified within the time allowed or within the terms, conditions or provisions of this contract. The successful Bidder may not cancel this contract without prior written consent of the City of Statesboro (COS).

COMPLIANCE OR DEVIATION TO SPECIFICATIONS. Bidder hereby agrees that the material, equipment or services offered will meet all the requirements of the specifications in this solicitation unless deviations from them are clearly indicated in the Bidder's response. Bidder may submit an attachment entitled "Exceptions to Specifications", which must be signed by Bidder's authorized representative. An explanation must be made for each item to which an exception is taken, giving in detail the extent of the exception and the reason for which it is taken. Bids failing to comply with this requirement will be considered non-responsive. Submittal of brochure or other manufacturer literature is desirable but shall not be an acceptable substitution for this requirement.

COMPLIANCE WITH LAWS. All bids shall comply with current federal, state, local and other laws relative thereto.

FORCE MAJEURE. If execution of this contract shall be delayed or suspended and if such failure arises out of causes beyond the control of and without fault or negligence of the Contractor, the Contractor shall notify the COS, in writing, within twenty-four (24) hours, after the delay. Such causes may include but are not limited to acts of God, war, acts of a public enemy, acts of any governmental entity in its sovereign or contractual capacity, fires, floods, epidemics, strikes and unusually severe weather.

FORMATION OF CONTRACT. Bidder's signed bid and COS's written acceptance shall constitute a binding contract.

TERMS AND CONDITIONS - Continued

LAWS GOVERNING CONTRACT. This contract shall be in accordance with the laws of the state of Georgia. The parties stipulate that this contract was entered into in the county of Bulloch, in state of Georgia. The parties further stipulate that the county of Bulloch, GA, is the only appropriate forum for any litigation resulting from a breach hereof or any questions risen here from.

NOMENCLATURES. The terms Successful Bidder, supplier, vendor, and contractor may be used interchangeably in this solicitation and shall refer exclusively to the person, company, or corporation with whom the COS enters into a contract as a result of this solicitation.

REJECTION OF BIDS. The COS reserves the right to reject any bids, all bids, or any part of a bid. The COS reserves the right to reject the bid of any Bidder who previously failed to perform adequately for the COS or any other governmental agency. The COS expressly reserves the right to reject the bid of any Bidder who is in default on the payment of taxes, licenses, or other monies due the City of Statesboro (COS).

SAFETY. All articles delivered under this contract must conform to the Safety Orders of the State of Georgia, Division of Industrial Safety.

SELL OR ASSIGN. The successful Bidder shall not have the right to sell, assign, or transfer, any rights or duties under this contract without the specific written consent of the COS.

SEVERABILITY. If any provisions, or portions of any provisions, of this contract are held invalid, illegal, or unenforceable, they shall be severed from the contract and the remaining provisions shall be valid and enforceable.

TAXES, FEDERAL EXCISE. The COS is exempt from Federal Excise Tax.

TAXES, SALES. (State) Sales Tax should be shown separately on the Bid Form, when and where indicated.

WAIVER OF INFORMALITIES. The COS reserves the right to waive informalities or technicalities in bids.

SPECIAL PROVISIONS
FOR MATERIALS & EQUIPMENT

AUTHORIZED DISTRIBUTOR. Successful Bidder must be an authorized distributor for the product he offers, or with his bid he must submit documentation from an authorized distributor that he has purchased the specified product/equipment from that distributor and that the distributor will honor all of the manufacturer's warranties.

BRAND NAMES. Manufacturers names, trade names, brand names, model and catalog numbers used in these specifications are for the purpose of describing and establishing general quality levels. Such references are not intended to be restrictive. Bids will be considered for alternative brands that meet or exceed the quality of the specifications listed for any item.

BRAND SUBSTITUTIONS. Bids will be considered for items complying substantially with specifications, provided deviations to the specifications are stated and items are described in detail. When offering alternate products, it is the responsibility of the bidder to indicate the brand names and model/catalog numbers, and to provide evidence of the equality of the items to the products specified in the solicitation. Standard catalog sheets or technical data will not be accepted in lieu of this requirement. The City of Statesboro shall be the sole judge if equivalents are equal to the items specified. The City of Statesboro reserves the right to waive brand specific requirements.

COMPLIANCE WITH OSHA. Bidder agrees that all item(s) offered comply with all applicable Federal and the State Occupational Safety and Health Act, laws, standards and regulations, and that Bidder will indemnify and hold the COS harmless for any failure to so conform.

DELIVERY HOURS. See restrictions in the scope of proposal.

DELIVERY TIME. Please list when work can begin and a completion date.

DEMONSTRATION OF PRODUCT. A demonstration of the item(s) offered may be required. If the demonstration cannot not to be performed at a (Agency) facility, the demonstration must be performed within a 60-mile radius of the COS Purchasing Office. Bidders shall indicate on their bid the location of the demonstration site. Bids for item(s) that do not perform to the COS's satisfaction during the demonstration will be declared non-responsive and will not be considered for award of bid.

SPECIAL PROVISIONS
FOR MATERIALS & EQUIPMENT - Continued

F.O.B. POINT & SHIPPING CHARGES. All prices shall be quoted F.O.B. destination, City of Statesboro. All shipping and freight charges shall be shown separately on the bid form.

HOLD HARMLESS. Successful Bidder agrees to indemnify, defend, and hold harmless the City of Statesboro and all employees, insurance carriers connected with COS from all losses, claims, suits, demands, expenses, subrogation, attorneys' fees, or actions of any kind in nature resulting from personal injury to any person (including bodily injury and death), or damage to any property, arising or alleged to have arisen out of Bidder's negligent acts, errors, omissions, for provision of the products specified under the contract. The amount and type of insurance coverage requirements set forth herein, or lack thereof, will in no way be construed as limiting the scope of indemnity in this paragraph.

MANUFACTURER & MODEL NUMBER. On his Bid Form, Bidder must state the manufacturer name and model number of each item proposed.

NEW AND UNUSED. Unless specifically provided to the contrary, all materials and equipment shall be new and unused and of the current production year. Bids that are received for other than the current production year or for items and materials that have been previously used will be rejected.

SAMPLES. For evaluation purposes, samples may be requested from any Bidder. Samples shall be provided at no charge unless Bidder indicates on his bid the exact charge for samples. The COS reserves the right to consume samples for testing. The COS may retain sample until delivery and acceptance of contracted items and vendor shall remove samples at their expense at the request of COS.

TESTING. After delivery, random samples may be submitted to a commercial laboratory, or other inspection agency, for testing to determine if they conform to the specifications. In cases where tests indicate the samples do not meet specifications, the cost of the testing shall be borne by the contractor. When tests indicate the materials do not meet specifications, the COS reserves the right to cancel the award and to purchase the goods in the open market at the expensed of the vendor.

Bidder further agrees, in addition to the terms and conditions specified herein the following terms and conditions that are a part of this bid and any resulting contract:

F.O.B. Point. All shipments shall be made F.O.B. destination, City of Statesboro, GA). F.O.B. destination indicates that the *seller* is responsible for shipment until it is tendered to the City of Statesboro, even if the COS agrees to pay for shipping and handling. The COS will allow freight charges, but only if they are indicated on this form. Freight shall be shown separately on the lines provided.

Award. Bid award will be based on the lowest responsible bid price including any transportation charges, as well as any other criteria indicated in these specifications.

Signatures. All information submitted by Bidder, including signatures, must be original. Copies will not be accepted.

Taxes. The COS is exempt from Federal Excise Tax. The COS is exempt from state sales tax in Georgia.