

MERCHANDISE INSTRUCTIONS FOR SUBMITTING BIDS

To be considered, all bids must be submitted in accordance with these instructions.

NOTE: THE FOLLOWING ARE GENERAL INSTRUCTIONS FOR SUBMITTING BIDS. ADDITIONAL AND/OR CONFLICTING INSTRUCTIONS OUTLINED IN THE GENERAL SPECIFICATIONS IN THIS INVITATION FOR BIDS (IFB) MAY SUPERSEDE THESE INSTRUCTIONS.

A. ISSUING OFFICE

This IFB is issued for El Paso County Contracts and Procurement Division.

B. PURPOSE

This IFB is designed to provide prospective vendors sufficient information to enable them to prepare and submit a bid for consideration by El Paso County.

C. SCOPE

This IFB contains the instructions for submitting bids and the Bid Form for you to submit your bid. The bid you are submitting should be your best and final offer to supply the item(s) described in the attached bid specifications.

D. BID FORM

Bids shall be submitted on the Bid Form supplied. Failure to provide all information requested may subject your bid to disqualification. The Bid Form must be signed by an authorized representative of the firm or it will not be considered.

E. BID IDENTIFICATION

The envelope containing your bid must be properly and clearly marked as specified in the Bid Form. Variations from this requirement may result in the bid being misplaced or rejected. The bid must be submitted independently; that is, do not attach it to the outside of any package or enclosed in any package containing samples.

F. ADDENDUM OR SUPPLEMENT TO INVITATION FOR BIDS

In the event that it becomes necessary to revise any part of this IFB, an addendum will be provided to each vendor who received the original IFB.

G. REJECTION OF BID

El Paso County reserves the right to reject any or all bids received, to waive informalities and minor irregularities, and to accept any portion of a bid deemed to be in the best interest of the County.

Bids received after the date and time specified in the IFB will be rejected and the carrier envelope returned to the bidder unopened. The envelope may have to be opened if the bidders name and return address is not clearly marked on the outside of the package.

H. PROPRIETARY INFORMATION

Any restrictions on the use of data contained within a bid must be clearly stated in the bid itself. Proprietary information submitted in response to this IFB will be respected in accordance with applicable El Paso County Procurement Regulations.

I. MATERIAL OWNERSHIP

All material submitted regarding the IFB becomes the property of El Paso County and will be returned to the bidder at the County's option.

J. ALTERNATE OR SUBSTITUTE BIDS

Bidders are encouraged to submit alternate (or substitute) bids in addition to the primary bid. If an alternate bid is submitted, it must meet the full form, fit and function of the bid specifications. El Paso County shall be the sole judge of equivalence. The alternate bid must be clearly identified separate from the primary bid.

Alternates will be accepted in lieu of the prime bid **only** if the vendor clearly marks the Bid Form for the primary bid as "**NO BID**" and identifies the submittal of an "**ALTERNATE BID**" along with an explanation for why the specifications for the prime bid could not be met.

Bids based on used, obsolete, reconditioned or discontinued products are unacceptable unless otherwise stated in the specifications.

K. ALTERNATE "GREEN BIDS" (RECYCLED MATERIAL)

The County encourages bidders to submit alternate bids of products made from or with recycled materials. If your product is submitted as a "Green Bid", you must also submit data to confirm the fact that a recycled material is present and to what extent. Consideration will be given to all "Green Bids" that meet the form, fit and function of the primary bid specifications.

L. LIFE-CYCLE BIDS

The Contracts and Procurement Division is emphasizing the use of "Life Cycle" bids for major purchases. If the IFB includes a "Life Cycle" Bid Form, the County reserves the right to investigate all consumption quantities, energy ratings and/or maintenance schedules stated with other users or product testing agencies.

M. METRIC MEASUREMENT

The El Paso County Contracts and Procurement Division is encouraging the use of metric measurements on bids for all lengths, weights, areas and volumes. If metric units are quoted, measurements should be defined for both US and metric equivalents.

N. USE BY OTHER JURISDICTIONS

Awarded vendor may elect to extend the resulting contract or price agreement, pricing, terms and conditions to any Colorado political subdivision, but is not obligated to do so.

O. ADDITIONAL REQUIREMENTS

In addition to the merchandise requested in the general or technical specifications in the IFB, it may be requested that you furnish training, manuals, technical data, material safety data sheets (MSDS) etc. This information may be requested on the Response Checklist, in the IFB Requirements and on the Bid Form.

P. DELAY IN BID OPENING DATE

In the event of an emergency situation (i.e. large snowstorm, tornado, etc.) which causes the Board of County Commissioners to close the El Paso County Offices, the Contracts Division Manager has the authority to reschedule the bid opening date. All bidders will be allowed to submit their bids prior to the new date and time specified.

Q. FAX POLICY

The Contracts and Procurement Division will accept bids received by fax under the following conditions:

- The faxed copy is received complete prior to the specified due date and time.
- The hard copy of the bid must be received in the Contracts and Procurement Division within twenty-four (24) hours after the specified due date and time.
- The hard copy of the bid must be identical in every way to the faxed copy with no changes or alterations. If any changes or alterations are noted, the entire bid shall be disqualified.
- If a Bid Security is part of the bid package, it may also be faxed and will be accepted under the same conditions as stated above.

El Paso County Contracts and Procurement Division does not accept any responsibility for bids which are not received on time due to (1) overloading the fax machine at the last minute, (2) the County fax machine not operating or has malfunctioned, (3) the bid material has been lost in transmission or inadvertently sent to an incorrect fax number by the bidder.

R. BID RESPONSE

Your bid response must be submitted on the Bid Form included in this package to the Contracts and Procurement Division by the date and time stated in the IFB. In the event the bidder is unable to bid or cannot supply the merchandise requested for any reason, a **“NO BID”** should be noted on the Bid Form and submitted by the date and time stated in the IFB.

S. ALL BIDS MUST BE SUBMITTED IN DUPLICATE, UNLESS STATED OTHERWISE IN THE SPECIFICATIONS

T. QUOTED PRICES

All quoted terms, conditions, warranties and specifications for the bid must be clearly stated. All quoted prices shall be delivered, FOB, Colorado Springs, CO 80903. All prices quoted shall be firm for a period of sixty (60) days after the bid opening date or until a Purchase Order is issued, whichever comes first.

U. BID ACCEPTANCE

El Paso County reserves the rights to accept a bid other than apparent low bid; to accept or reject all or part of any bid submitted; or accept such bids deemed to be in the best interest of the County.

V. FAILURE TO PERFORM

Should the successful bidder be unwilling or unable to fulfill the terms of the purchase order after receiving the award of bid, the bidder's name will be removed from the active Bidder's List for a period of twelve (12) months from the date of a written notice to the bidder.

W. BID SECURITY

If required in the Invitation for Bids, your bid shall be accompanied by a Bid Security, made payable to El Paso County, in the amount of five (5%) percent of the bid sum. This security assures that the bidder will enter into a contract with the County on the terms and conditions stated in the IFB. Should the bidder refuse to enter into such contract, the amount of the Bid Security shall be forfeited to the County as liquidated damages and not as a penalty.

X. EVALUATION CRITERIA

Evaluation criteria for bids will include, but not be limited to, the following:

- Adequacy and completeness of bid submitted
- Compliance to bid specifications
- Brand recognition
- Location of parts or service facility
- Cost
- Delivery date after receipt of order (ARO)
- Warranty
- Recycled material content (Green Bid)
- "Life Cycle" cost analysis, if required as part of the bid

Y. ENVIRONMENTAL IMPACT

El Paso County reserves the right to consider the environmental impact a product or material will have on the community during the evaluation process of a bid.

Z. CONFLICT OF INTEREST

Full disclosure of any and all actual or perceived conflicts of interest must be included with your bid. Examples of such conflicts of interests include, but are not limited to, vendor/County employee relationship, vendor/public official relationship, vendor's financial interest in the project.