



SB-2011-15

Annual Asphalt Bid

Bid Due Date/Time:

June 14, 2011

By 3:00 P.M.

Submitted by: _____



Notice to Bidders

Anne Smith
Central Purchasing Agent

Phone (918) 341-1325
Fax (918) 341-7705

May 22, 2011

To Whom It May Concern:

You are invited to submit your sealed bid for a contract, lasting until June 30, 2012, for the purchase of Asphalt for the City of Claremore's Street Department.

Specifications are attached hereto and are considered part of the SEALED BID package.

Sealed bids will be received in the Central Purchasing Agent's office, 104 S. Muskogee Avenue, Claremore, OK, 74017 **DUE NO LATER THAN 3:00 P.M., as so indicated by the time stamp clock of the City of Claremore, Tuesday, June 14 2011.**

Bids will be publicly opened and read by the City of Claremore Central Purchasing Agent or representative at **3:00 P.M., Tuesday, June 14, 2011**, at the City of Claremore Council Chambers, 104 S. Muskogee Avenue, Claremore, OK 74017. You are welcome to attend.

The City of Claremore reserves the right to accept or reject any or all bids received.

Should you have any questions regarding this bid, please contact Anne Smith in writing at ASMITH@CLAREMORECITY.COM.

We welcome your bid.

Sincerely,

Anne Smith
Central Purchasing Agent



ADVERTISEMENT OF BID PUBLISHED IN THE CLAREMORE DAILY PROGRESS

MAY 22, 2011 & MAY 29, 2011

**Invitation to Bid
SB-2011-15**

The City of Claremore will publicly open and read aloud sealed bids for the annual asphalt bid on June 14, 2011 at 3:00 P.M. in the Council Chambers located at City Hall, 104 S. Muskogee Avenue, Claremore, OK, 74017.

The City reserves the right to waive informalities in the bids and reject any or all bids for any reason whatsoever at the sole discretion of the City. The successful bidder will be notified in writing.

Please contact Anne Smith, Central Purchasing Agent, at 918-341-1325 or asmith@claremorecity.com with any questions or to receive a bid specification package. Packages are also available at <http://www.claremorecity.com/bids.aspx>

**INSTRUCTIONS TO BIDDERS
FOR THE PURCHASE OF ASPHALT
FOR THE CITY OF CLAREMORE**

You are invited to submit your sealed bid for the purchase of Asphalt for the City of Claremore. The contract is contingent on approval from the City Council. Expected duration of the contract will be from notice of award to June 30, 2012.

SEALED BIDS:

Sealed bids will be received in the Central Purchasing Agent's office located at 104 S. Muskogee Avenue, Claremore, Ok 74017, **no later than 3:00 PM, Tuesday, June 14, 2011.** ***BIDS RECEIVED AFTER THEIR TIME WILL NOT BE ACCEPTED.***

Sealed bids will be publicly opened and read aloud by the City of Claremore Central Purchasing Agent or representative at **3:00 PM, Tuesday, June 14, 2011** at the City of Claremore Council Chambers, 104 S. Muskogee Avenue, Claremore, OK 74017.

Bids must be made in accordance with the instructions contained herein.

Bid forms shall be completely filled out either typewritten or written legibly.

Proposals shall be submitted on the forms furnished by the City of Claremore in a sealed package, plainly marked, with the bidder's name, address, and following notation:

“SB-2011-15”

“Do not open until June 14, 2011 at 3:00 P.M.”

Proposals shall be addressed to the City of Claremore, City of Claremore, 104 S. Muskogee Avenue, Claremore, OK 74017.

SPECIFICATIONS:

Specifications are attached hereto and incorporated herein. It is the intention of the City of Claremore to request bids.

TAX EXEMPTION:

The City of Claremore is exempt from Federal, State, Municipal Sales and Use Taxes.

SIGNATURE ON BIDS:

The City of Claremore expects the signature on bid documents to be that of an authorized representative of said Company. An officer of or agent of the offering bidder who is empowered to bind the bidder in a Contract shall sign the proposal and any clarifications to that proposal.

Each bidder, by making their bid, represents that they have read and understands the bidding documents.

SUBMISSION REQUIREMENTS:

Any bid not containing said signed documents shall be non-conforming and shall be rejected. Please be sure to submit the signed documents listed below.

1. **Signed** and completed Bid Form (page 7)
2. **Signed** and completed Non Collusion Affidavit (page 8)
3. **Signed** and completed Notarized Sworn Statement (page 9)
4. **Signed** and completed W-9 (page 10)

BIDDING PROCEDURES:

1. All bids must be prepared on the forms provided by the City and submitted in accordance with the Instructions to Bidders.
2. A bid is invalid if it has not been deposited at the designated location prior to the time and date for receipt of bids indicated in the Advertisement for Bid or prior to any extension thereof issued to the bidders.
3. Unless otherwise provided in any supplement to the Instructions to Bidders, no bidder shall modify, withdraw or cancel his bid or any part thereof for ninety (90) days after the time designated for the receipt of bids in the Advertisement for Bids.
4. Changes or corrections may be made in the bid documents after they have been issued and before bids are received. In such cases a written addendum describing the change or correction will be issued by the City of Claremore to all bidders recorded by the City of Claremore as having received the bidding documents and will be available for inspection wherever issued. Such addendum shall take precedence over that portion of the documents concerned, and shall become part of the bid documents. Except in unusual cases, addendum(s) will be issued to reach the bidders at least five (5) days prior to date established for receipt of bids.
5. Each bidder shall carefully examine all bid documents and all addenda thereto, and shall thoroughly familiarize themselves with the detailed requirements thereof prior to submitting a proposal. Should a bidder find discrepancies or ambiguities in, or omissions from documents, or should they be in doubt as to their meaning, they shall, at once, and in any event, not later than seven (7) days prior to bid due date, notify the City of Claremore, who will, if necessary, send written addendum to all bidders. The City of Claremore will not be responsible for any oral instructions. All inquiries shall be directed to Anne Smith, Central Purchasing Agent, in writing at ASMITH@CLAREMORECITY.COM. After sealed bids are received, the bidder will make no allowance for oversight.

REJECTION OF BIDS:

The bidder acknowledges the right of the City of Claremore to reject any and all proposals for cause and to waive non-material informality or irregularity in any bid received.

DEFAULT:

In case of default by the successful bidder, the City of Claremore may procure the articles or services from other sources and may deduct from any unpaid balance due the successful bidder any increase in cost to the CITY as a result of said default, or may collect against the bond or surety for excess costs so paid, and the prices paid by the City of Claremore shall be considered the prevailing market price at the time such purchase is made.

City of Claremore reserves the right to cancel the contract if the bidder fails to perform the work required in the bid specifications after efforts to resolve any problems that have been unsuccessful.

NONDISCRIMINATION:

The Contractor shall at all times observe and comply with any law, statute, regulation or the like relating in any way to civil rights.

DELIVERY:

If the supplier chosen to furnish this material is not operating or for any reason and/or cannot deliver the material on a day that the City needs it, the City of Claremore reserves the right to purchase this material from another supplier on that date.

PRICES:

The bid price shall be for asphalt delivered FOB at various locations throughout the City of Claremore. Prices shall remain firm for the length of the contract award to June 30, 2012.

PRODUCT TESTING & SAMPLES:

You may be required to submit samples of your products for better evaluation.

WORDS AND FIGURES:

Where amounts are given in both words and figures, the words shall govern. If the amount is not written in words the unit cost will take precedence over the extended price in case of a discrepancy in the multiplication.

PAYMENT:

The City of Claremore shall pay all invoices Net 30, pursuant to 62 O.S., Section 41.4a, et seq. Payment will not be made on invoices submitted later than six-months (180 days) after delivery of goods and any statute of limitations to the contrary is hereby waived.

AWARD OF BID:

The bidder acknowledges the right of the City of Claremore to accept that bid, in whole or part, deemed to be the lowest responsible bid after all bids have been examined and evaluated. Award of contract must be approved by City Council, City Manager, and Mayor. The winning bidder will be notified in writing.

BID FORM

Awarded item(s) will effective from written notice of award to 6-30-2012 City of Claremore makes no guarantee(s) for 2011-2012 quantity purchases. The bid price shall be for asphalt delivered FOB at various locations throughout the City of Claremore. If the supplier chosen to furnish this material is not operating or for any reason cannot deliver the material on a day that the City needs it, the City of Claremore reserves the right to purchase this material from another supplier on that date.

Price FOB Claremore

Price Plant Location

Hot Mix-Hot Lay Asphalt-Type A-Per Ton	\$ _____	\$ _____
Amount(s) written in words: _____		
Hot Mix-Hot Lay Asphalt-Type B-Per Ton	\$ _____	\$ _____
Amount(s) written in words: _____		
Hot Mix-Hot Lay Asphalt-Type C-Per Ton	\$ _____	\$ _____
Amount(s) written in words: _____		
Hot Mix-Cold Lay Asphalt-Per Ton	\$ _____	\$ _____
Amount(s) written in words: _____		

The undersigned acknowledges:

1. That he/she is an authorized agent of the vendor submitting this bid
2. The receipt of the following addenda; if none was received, mark N/A _____
3. The firm submitting this bid has never defaulted on any municipal, state, federal or private contract

Company: _____

Signed by: _____ Printed or typed name: _____

Address: _____

Telephone number: _____ Fax number: _____

Toll free number: _____ E-mail: _____

Cell phone number: _____ Pager: _____

Primary point of contact: _____

Payment terms and conditions: _____

Notarized Sworn Statement (Contract)

STATE OF OKLAHOMA)

) SS

COUNTY OF)

_____, of lawful age, being first duly sworn, on oath says:

1. (s)he is the duly authorized agent of _____, the contractor under the contract which is attached to this statement, for the purpose of certifying the facts pertaining to the giving of things of value to government personnel in order to procure said contract;
2. (s)he is fully aware of the facts and circumstances surrounding the making of the contract to which this statement is attached and has been personally and directly involved in the proceedings leading to the procurement of said contract; and
3. neither the contractor nor anyone subject to the contractor's direction or control has paid, given or donated or agreed to pay, give or donate to any officer or employee of the State of Oklahoma any money or other thing of value, either directly or indirectly, in procuring the contract to which this statement is attached.

Name & Title _____

Address _____

County of _____

State of _____

Subscribed and sworn to before me this _____ day of _____, 20__.

My commission expires: _____

Request for Taxpayer Identification Number and Certification

Give form to the
 requester. Do not
 send to the IRS.

Print or type
 See Specific Instructions on page 2.

Name	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/ Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶ <input type="checkbox"/> Exempt from backup withholding	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 2.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 2.

Social security number								
or								
Employer identification number								

Note: If the account is in more than one name, see the chart on page 2 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 2.)

Sign Here	Signature of U.S. person ▶	Date ▶
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Purpose of Form

A person who is required to file an information return with the IRS must get your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to give your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee.

If you are a foreign person, use the appropriate Form W-8. See Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments **after** December 31, 2001 (29% **after** December 31, 2003). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required (see the Part II instructions on page 2 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions on page 2 and the separate **Instructions for the Requester of Form W-9.**

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

LATE BIDS CANNOT BE ACCEPTED!

SEALED BID DOCUMENT

BID #: SB-2011-15

DUE BY: 3:00 P.M.

DESCRIPTION: Do not open until "June 14, 2011
at 3:00 P.M.

**DATED MATERIAL-DELIVER IMMEDIATELY
CITY OF CLAREMORE CENTRAL
104 S. MUSKOGEE AVENUE, CLAREMORE, OK
74017**

For your convenience, you may cut out and affix this bid label (above) to the outermost envelope of your sealed bid to help ensure proper delivery.