

CITY OF VICTORIA, TEXAS

PURCHASING DIVISION

INVITATION TO BID, BID SPECIFICATIONS & BID FORMS

FOR

ANNUAL SUPPLY CONTRACT FOR
BAGGED TYPE 1 PORTLAND CEMENT



BIDS WILL BE RECEIVED UNTIL
1:30 P.M., WEDNESDAY, MAY 20, 2009
AT THE PURCHASING OFFICE
1201 E. PINE STREET
VICTORIA, TX 77901

AFTER 1:30P.M. ALL BIDS SHALL BE DELIVERED TO
700 MAIN CENTER, 702 N. MAIN STREET, SUITE 204
VICTORIA, TEXAS 77901

PUBLIC BID OPENING WILL BE CONDUCTED AT
2:00 P.M. ON WEDNESDAY, MAY 20, 2009 AT
700 MAIN CENTER, 702 N. MAIN STREET, SUITE 204
VICTORIA, TEXAS 77901

PHONE: 361-485-3170
FAX: 361-578-9478

Bid Reference No.052009-S-3

INVITATION TO BID

Bids, addressed to the City of Victoria, Purchasing Department, will be received for:

ANNUAL SUPPLY CONTRACT FOR BAGGED TYPE 1 PORTLAND CEMENT

in accordance with the specifications and contract documents. Bids will be received at the office of the City Purchasing Department, 1201 E. Pine Street, Victoria, Texas until **1:30 p.m. on Wednesday, May 20, 2009**. After 1:30p.m. all bids shall be delivered to 700 Main Center, 702 N. Main Street, Suite 204, Victoria, Texas 77901. Bids will be opened and publicly read aloud at the 700 Main Center, 702 N. Main Street, Suite 204, Victoria, Texas 77901 on **Wednesday, May 20, 2009 at 2:00 p.m.** Any bid received after 2:00 p.m. will be returned unopened. The envelope containing the bid shall be clearly marked “**Bid for Annual Supply Contract for Bagged Type 1 Portland Cement**”.

Bid packages are available at the City of Victoria, Purchasing Office, 1201 E. Pine Street, Victoria, Texas 77901. Bid packages may also be downloaded in .pdf format at www.victoriatx.org/purchasing/bids.htm Bidders must periodically check with the Purchasing Department and/or this webpage for modifications to bid specifications.

The City of Victoria reserves the right to reject any and/or all bids, to waive any and/or all formalities and to accept the one deemed most advantageous to the City of Victoria..

Lana Schultz
Purchasing Agent
City of Victoria

CITY OF VICTORIA, TEXAS

PURCHASING DEPARTMENT

GENERAL TERMS AND CONDITIONS

1. PURCHASE CONTRACT

The successful bidder will be asked to enter into a contract with the City of Victoria for an Annual Supply Contract For Bagged Type 1 Portland Cement. The contract will include the specifications herein listed and any other pertinent information.

2. DESCRIPTION OF SUPPLIES

Any catalog or manufacturer's reference used in describing Bagged Type 1 Portland Cement is merely descriptive, and not restrictive, unless otherwise noted and is used only to indicate type and quality of material. Bidders shall state exactly what they intend to furnish, otherwise they shall be required to furnish the items as specified.

3. ANNUAL SUPPLY CONTRACTS

All quantities for Bagged Type 1 Portland Cement specified for these specifications are merely estimates and not actual order amounts. The actual quantities ordered may be more than or less than the quantities specified.

4. DISCOUNTS

Bids submitted will be considered as competitive and should reflect any and all discounts offered to the City of Victoria.

5. FIRM TIME OF BIDS

The Bidder shall state the length of time for which bid prices are firm. The City of Victoria requests a minimum of 90 days.

6. LEAD TIME

Lead time must be specified on the Bid Sheet as to the number of calendar days from receipt to release. Bids submitted on the basis of "as required" may be rejected as being non responsive.

7. PAYMENT

Full payment will be made within 30 days of the delivery of each completed order.

8. SALES TAX

These items will be exempt from payment of Sales and Local Sales Tax. The City of Victoria will furnish Exemption Certificate to successful bidder in the amount of merchandise cost, if required.

9. TRANSPORTATION

All bids must include the cost of transportation, FOB Victoria, Texas.

10. FUNDING SOURCE

The purchases will be funded by the City of Victoria. One complete Bid Document which contains the Invitation to Bid, Bid Specifications and Bid Forms must be returned in its entirety.

11. BID EVALUATION FACTORS

- A. The City retains the authority to award a bid based on findings in accordance with Texas Local Government Code § 271.905. If the City awards a bid based on Section 271.905, the City may condition such award on the awarded bidder providing additional requested information from the bidder and indemnifying the City for all costs of litigation arising from the use of said statute.
- B. Partial Awards. Bidders may furnish pricing for all or any portion of the bid invitation. Unless the bidder specifies otherwise in his bid, the City may award the contract for any item or group of items shown on the bid invitation. The City reserves the right to award a contract based on the “low total bid” for all items.
- C. Reservations. The City expressly reserves the right to:
 - 1. Waive as an informality minor deviations from specifications that do not impair overall functions;
 - 2. Waive any defect, irregularity or informality in any bid or bidding procedure;
 - 3. Reject or cancel any or all bids;
 - 4. Reissue a bid invitation;
 - 5. Extend the bid opening time and date;
 - 6. Procure any item by other means;
 - 7. Increase or decrease the quantity specified in the bid invitation, unless the bidder specifies otherwise;
 - 8. Consider and accept an alternate bid as provided herein when most advantageous to the City.
 - 9. Negotiate with any bidder after proposals have been made regarding price, warranty, or any other factor being considered in reference to this proposal.

12. INDEMNIFICATION

The successful bidder shall defend, indemnify and hold harmless the City of Victoria and its officers, agents, and employees from all suits, actions, or claims of any character, name and description including attorney’s fees/expenses brought for any injuries to persons or damages to property in connection with this contract including any claims for damages accruing during the delivery of the item supplied hereunder. Any money due the successful bidder under this Contract as shall be considered necessary to the City of Victoria may be retained for the use of the City to secure this indemnity. The successful bidder expressly agrees to defend, indemnify and hold harmless the City of Victoria and its officer, agents, and employees in accordance with this clause regardless of whether the injury or damage is caused in whole or in part by the acts of omissions, including negligence, of the City of Victoria, its officer, agents or employees.

**CITY OF VICTORIA, TEXAS
PURCHASE SPECIFICATIONS
FOR**

BAGGED TYPE I PORTLAND CEMENT

1. GENERAL:

Type I Portland Cement shall be of the type and quality as normally furnished the construction industry. Each bag shall not weigh less than 93 pounds each and shall be palletized on four-way pallets in quantity of no more than 35 bags each. All pallets must be in good condition to permit timely unloading by forklift.

2. QUANTITY:

The City of Victoria Purchasing Department will order on an "as needed basis" in quantities of not less than one transport load of 525 bags each.

3. DELIVERY:

Delivery will be made to the City of Victoria, 1701 S.W. Ben Jordan Street or to various job sites as required, FOB Victoria, Texas.

4. CONTRACT:

This contract shall be for a period of one year with the option for renewal for an additional three one year periods if agreeable with both the successful bidder and the City of Victoria.

5. BIDDER INFORMATION:

Firm Name: _____

Address: _____

Telephone No.: _____

Fax Number: _____

Signature
of Authorized Representative: _____

**CITY OF VICTORIA, TEXAS
INVITATION TO BID AND BID QUOTATION FORM**

THIS DOES NOT REPRESENT AN ORDER FOR A PURCHASE BY THE CITY OF VICTORIA

USE THIS FORM IN SUBMITTING ALL BIDS

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|---|--|---|---|---------------|
| BIDDERS NAME & CONTACT INFORMATION (INCLUDE FULL LEGAL NAME {OR EXACT CORPORATE NAME} & TRADE NAME, ADDRESS PHONE NUMBER & FAX NUMBER AND E-MAIL ADDRESS {IF AVAILABLE}) | → SHOW THIS INFORMATION ON THE FACE OF THE ENVELOPE | DATE: May 4,2009 QUOTATION No.: 052009-S-3 REQUEST FOR: ANNUAL SUPPLY CONTRACT FOR TYPE 1 PORTLAND CEMENT SEALED BIDS WILL BE RECEIVED UNTIL 1:30P.M. ON WEDNESDAY , May 20, 2009 AT THE CITY OF VICTORIA PURCHASING DEPARTMENT, 1201 E. PINE STREET, VICTORIA, TEXAS 77901. AFTER 1:30P.M. ALL BIDS SHALL BE DELIVERED TO 700 MAIN CENTER, 702 N. MAIN STREET, SUITE 204, VICTORIA, TEXAS 77901. BIDS WILL BE OPENED AND PUBLICLY READ ALOUD AT 2:00P.M. ON WEDNESDAY, MAY 20, 2009 AT 700 MAIN CENTER, 702 N. MAIN STREET, VICTORIA, TEXAS 77901. LANA SCHULTZ 361-485-3170 PHONE | | |
| ITEM | QTY | DESCRIPTION | UNIT PRICE | AMOUNT |
| 1 | 8,000 Bags | Annual Supply Contract for Type 1 Portland Cement as per City of Victoria Bid Specifications. Type 1, Portland Cement, 93 Pound Bags | | |
| | | | | |
| TOTAL BID | | | | \$ |
| ALL TAXES TO BE EXCLUDED FROM BID | | | PRICES TO BE QUOTED F.O.B. VICTORIA, TEXAS | |

DELIVERY IN _____ DAYS FROM RECEIPT OF ORDER.

Note:

By submitting the above and signing below, the signer agrees that acceptance of any or all quotations by the governmental unit that posted the bid constitutes a contract in accordance with the Invitation to Bid and Bid Quotation Form, General Conditions, Technical Specifications and other contract documents that accompanies the request for bid or were available for examination by bidders with respect to this item. Including provisions as to indemnification that may be included therein.

The City of Victoria reserves the right to reject any and/or all bids and to waive any and/or all formalities and to award purchase on individual item basis.

Acceptance of the successful bid shall obligate the bidder to provide up to the amount bid at the bid terms and conditions stated herein. Acceptance of the successful bid shall only obligate the City to purchase some of the item from that bidder.

The City reserves the right to require any successful bidder to enter a separate written contract containing the terms herein and other reasonable conditions.

Signature of Authorized Representative

Print Name

Date