



THE CITY OF KEY WEST

Post Office Box 1409
Key West, FL 33041-1409

October 23rd, 2011

To: All Prospective Bidders

Pursuant to the City of Key West's Code of Ordinances Section 2-769: Invitation to Bid (ITB), the City of Key West (CITY) is soliciting competitive sealed Bids for the ITB NO: 12-008 Purchase and installation of marine sanitation system for Wahoo and Kingfish pier. This package contains the following documents.

- a. Bidding Requirements
- b. Required Specifications and Bid Submittals

Please review your package to ensure it contains all of these documents. If not, contact Sue Snider, City of Key West Purchasing Agent at (305) 809-3815, immediately, to obtain copies of any missing document(s). Please contact David Hawthorne, Marina Supervisor (305) 809-3982, with questions concerning the project and scope of work.

Firms/corporations submitting a Bid should ensure that the following documents are completed, certified, and returned as instructed: Bid Form, Anti-Kickback Affidavit, Public Entity Crimes Certification, and Local Vendor Certification.

TABLE OF CONTENTS

PART 1: BIDDING REQUIREMENTS

Information to Bidders
Invitation to Bid
Instructions to Bidders
Bid Form
Public Entities Crime Form
Anti – Kickback Affidavit
Local Vendor Certification

PART 2: REQUIRED SPECIFICATIONS AND SCOPE OF WORK

INFORMATION TO BIDDERS

SUBJECT: INVITATION TO BID NO. 12-008: Installation of marine sanitation sewer system for Wahoo and Kingfish pier

ISSUE DATE: October 23rd 2011

PRE BID CONFERENCE: N/A

MAIL BIDS TO: CITY CLERK
CITY OF KEY WEST
3126 Flagler Ave
KEY WEST, FL 33040

DELIVER BIDS TO: SAME AS ABOVE

BIDS MUST BE RECEIVED: November 23rd 2011

NOT LATER THAN: 3:30 P.M. LOCAL TIME

SUE SNIDER
PURCHASING AGENT
CITY OF KEY WEST

ses

Enclosures

INVITATION TO BID

Sealed Bids addressed to the City of Key West (CITY), for the Invitation to Bid (ITB) # 12-008 for purchase and installation of marine sanitation sewer systems for Wahoo and Kingfish pier will be received at the office of the City Clerk, City of Key West, Florida, until 3:30 p.m., local time, on November 23rd 2011 and then will be publicly opened and read. Any Bids received after the time and date specified will not be considered.

The project contemplated consists of providing installation of all piping and equipment to support a marine sanitation sewer system to remove sewage from vessels using the Wahoo and Kingfish piers.

Specifications may be obtained from DemandStar by Onvia or from the City of Key West website (www.keywestcity.com). Please contact DemandStar at www.demandstar.com or call 1-800-711-1712.

One (1) original, one (1) copy, and 2 CD copies or flash drives in PDF format of the Bid are to be submitted in two sealed envelopes, one within the other, clearly marked on the outside "ITB # 12-008: Purchase and installation of marine sanitation sewer system for Wahoo and Kingfish pier", and addressed to the City Clerk.

The CITY may reject Bids: (1) for budgetary reasons, (2) if the Bidder misstates or conceals a material fact in its Bid, (3) if the Bidder does not strictly conform to the law or is non-responsive to Bid requirements, (4) if the Bid is conditional, (5) if a change of circumstances occurs making the purpose of the Bid unnecessary or (6) if such rejection is in the best interest of the CITY. The CITY may also waive any minor informalities or irregularities in any Bid.

INSTRUCTIONS TO BIDDERS

1. TYPE OF BID

LUMP SUM

The Bid for the items is to be submitted on a LUMP SUM basis. LUMP SUM prices shall be broken down on a unit price basis for each item in the Bid and a Schedule of Values shall be included with the bid. The total amount to be paid the Bidder shall be the amount of the Lump Sum Bid as adjusted for additions or deletions in number of units. The City of Key West reserves the right to enter into a contract for all or portions of the items and to adjust the final number of items accordingly.

2. PREPARATION OF BIDS

GENERAL

All blank spaces in the Bid form must be filled in, as required, in BLACK INK or TYPED. All price information will be shown in both words and figures where required. No changes shall be made in the phraseology of the forms. Written amounts shall govern in case of discrepancy between amounts stated in writing and the amounts stated in figures.

Any Bid shall be deemed informal, which contains omissions, erasures, alterations, or additions of any kind, or prices uncalled for, or in which any of the prices are obviously unbalanced, or which in any manner shall fail to conform to the conditions of the published ITB.

Bidders shall not submit unbalanced bids as requested in the breakdown of bids.

Only one (1) Bid from any individual, firm, partnership, or corporation under the same or different names, will be considered. Should it appear to the City of Key West that any Bidder is interested in more than one (1) Bid for work contemplated, all Bids in which such Bidder is interested will be rejected.

3. SIGNATURE

The Bidder shall sign his/her Bid in the blank space provided therefore. If Bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers authorized to sign Contracts on behalf of the corporation. If the Bidder is a partnership, the true name of the firm shall be set forth above, together with the signature of the partner or partners authorized to sign Contracts on behalf of the partnership. If signature is by an agent, other than an officer of a corporation or a member of a partnership, a notarized power of attorney must be on file with the City of Key West prior to opening of Bids or submitted with the Bid, otherwise the Bid will be regarded as not properly authorized.

4. **ATTACHMENTS**

Bidder shall complete and submit the following forms with his Bid or as otherwise identified in the bid document:

- Bid Form,
- Sworn statement under section 287.133(3)(a) Florida Statutes, on public entity crimes,
- Anti-Kickback Affidavit
- Local Vendor Certification Form

5. **STATE AND LOCAL SALES AND USE TAX**

The City of Key West is exempt from state sales tax on materials. Bidder, as required by the laws and statutes of the state and its political subdivisions, shall pay all state and local sales and use taxes unless stated differently in these documents. Prices quoted in the Bid shall include all nonexempt sales and use taxes, unless provision is made in the Bid form to separately itemize the tax.

6. **SUBMISSION OF BIDS**

All Bids must be submitted not later than the time prescribed, at the place, and in the manner set forth in the ITB. Bids must be made on the Bid forms provided herewith.

Each Bid must be submitted in two sealed envelopes, one within the other, so marked as to indicate the Bidder's name and its contents without being opened, and addressed in conformance with the instructions in the ITB. One original and one copy are required.

7. **MODIFICATIONS OR WITHDRAWAL OF BIDS**

Prior to the time and date designated for receipt of Bids, any Bid submitted may be modified or withdrawn by notice to the party receiving Bids at the place designated for the receipt of Bids. Such notice shall be in writing over the signature of the Bidder or by telephone, fax, or email. If by telephone, fax, or email, written confirmation over the signature of the Bidder shall be mailed and postmarked on or before the date and time set for receipt of Bids, and it shall be so worded as not to reveal the amount of the original Bid.

8. **AWARD OF CONTRACT**

Within sixty (60) calendar days after the opening of the Bids, The City of Key West will accept one of the Bids. The acceptance of the Bid will be by issuance of a purchase order. In the event of failure of the lowest, responsive, qualified Bidder supply the items with the specified time, The City of Key West may award the Contract to the next lowest, responsive, qualified Bidder.

The City of Key West reserves the right to reject any and/or all Bids because of irregularities or due to budgetary considerations, to waive irregularities or informalities in any or all Bids, and to accept any Bid that it deems to be in the best interest of The City of Key West.

9. **BASIS OF AWARD**

The City of Key West, on the basis of the Bid will make the award from the lowest, responsive, qualified Bidder that in the Cities sole and absolute judgment will serve the best interests of the City of Key West.

If at the time this Contract is to be awarded, the total of the lowest acceptable Bid exceeds the funds then estimated by the City as available, the City of Key West may reject all Bids or take such other action as best serves the Cities interest.

10. **TIME OF COMPLETION**

The Bidder further agrees to complete the project within ninety (90) calendar days (weekends and holidays included) of issuance of the purchase order.

11. **PAYMENT TERMS**

The Bidder will bill the City on a monthly basis. Terms of payment will be a maximum of 45 days from receipt of invoice.

Notice to Bidder: Use Black Ink or Type For Completing the Form.

BID FORM

To: The City of Key West

Address: 3126 Flagler Ave, Key West, Florida 33040

Project Title: ITB # 12-008 Installation of marine sanitation sewer system for Wahoo and Kingfish Pier

BIDDER'S INFORMATION

Name: _____

Address: _____

Contact Name: _____

Email: _____

Telephone: _____

Fax: _____

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Bid are those named herein, that this Bid is, in all respects, fair and without fraud, that it is made without collusion with any official of The City of Key West, and that the Bid is made without any connection or collusion with any person submitting another Bid on this Contract.

COMPLETION TIME

The Bidder further agrees to complete the project within ninety (90) calendar days of issuance of the purchase order.

SALES AND USE TAXES

The Bidder agrees that all federal, state, and local sales and use taxes are included in the stated bid prices for the work.

PUBLIC ENTITY CRIMES

“A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.”

LUMP SUM BASE BID

The Bidder agrees to accept as full payment for supply of the items the lump sum on the Bid Form. The amounts shall be shown in both words and figures. In case of a discrepancy, the amount shown in words shall govern. The bid will be awarded on total bid amount. Final lump sum payments will be adjusted based on actual units and unit prices. A schedule of values shall be submitted with the bid.

BID FORM

ITB # 12-008 Purchase and installation of marine sanitation sewer system for Wahoo and Kingfish pier

Item	Units	Unit Measure	Unit Price	Total
			Shipping	
			Total	

LUMP SUM BID PRICE

\$ _____

Bid Total in Words

Bidder shall provide a complete schedule or values for the bid, including, labor, Parts, materials, using the format above. Bid will be awarded on a lump sum amount.

BIDDER

The name of the Bidder submitting this Bid is: _____

Doing business at _____

City _____ State _____ Zip _____

Telephone No. _____

The names of the principal officers of the Corporation submitting this Bid, or of the Partnership, or of all persons interested in this Bid as Principals are as follows:

Name	Title

If Corporation

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this _____ day of _____, 2011.

(SEAL)

Name of Corporation

By: _____

Title: _____

Attest: _____

Secretary

If Sole Proprietor or Partnership

IN WITNESS hereto the undersigned has set his/her/its hand this _____ day of _____, 2011.

Signature of Bidder _____

Title _____

SWORN STATEMENT UNDER SECTION 287.133(3)(a)
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICE AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Bid or Contract No. _____ for

2. This sworn statement is submitted by _____
(Name of entity submitting sworn statement)

whose business address is _____
_____ and (if applicable) its Federal
Employer Identification Number (FEIN) is _____ (If the entity has no FEIN,
include the Social Security Number of the individual signing this sworn statement.)

3. My name is _____ and my relationship to
(Please print name of individual signing)

the entity named above is _____.

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means
 1. A predecessor or successor of a person convicted of a public entity crime: or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(8), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter

into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (Please indicate which additional statement applies.)

There has been a proceeding concerning the conviction before a hearing of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the Sate of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

The person or affiliate has not been put on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services.)

(Signature)

(Date)

STATE OF _____

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

_____ who, after first being sworn by me, affixed his/her signature in the
(Name of individual signing)

space provided above on this _____ day of _____, 2011.

My commission expires:

NOTARY PUBLIC

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)
 : SS
COUNTY OF MONROE)

I, the undersigned hereby duly sworn, depose and say that no portion of the sum herein bid will be paid to any employees of the City of Key West as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

By: _____

Sworn and subscribed before me this
_____ day of _____, 2011.

NOTARY PUBLIC, State of Florida at Large

My Commission Expires: _____

**LOCAL VENDOR CERTIFICATION PURSUANT TO CKW ORDINANCE 09-22
SECTION 2-798**

The undersigned, as a duly authorized representative of the vendor listed herein, certifies to the best of his/her knowledge and belief, that the vendor meets the definition of a "Local Business." For purposes of this section, "local business" shall mean a business which:

- a. Principle address as registered with the FL Department of State located within 30 miles of the boundaries of the city, listed with the chief licensing official as having a business tax receipt with its principle address within 30 miles of the boundaries of the city for at least one year immediately prior to the issuance of the solicitation.
- b. Maintains a workforce of at least 50 percent of its employees from the city or within 30 miles of its boundaries.
- c. Having paid all current license taxes and any other fees due the city at least 24 hours prior to the publication of the call for bids or request for proposals.
 - Not a local vendor pursuant to Ordinance 09-22 Section 2-798
 - Qualifies as a local vendor pursuant to Ordinance 09-22 Section 2-798

If you qualify, please complete the following in support of the self certification & submit copies of your County and City business licenses. Failure to provide the information requested will result in denial of certification as a local business.

Business Name _____ Phone: _____
 Current Local Address: _____ Fax: _____
 (P.O. Box numbers may not be used to establish status)

Length of time at this address _____

 Signature of Authorized Representative _____ Date

STATE OF _____
 COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.
 By _____, of _____
 (Name of officer or agent, title of officer or agent) Name of corporation acknowledging)
 or has produced _____ as identification
 (type of identification)

 Signature of Notary

Return Completed form with
 Supporting documents to:
 City of Key West Purchasing

 Print, Type or Stamp Name of Notary

 Title or Rank

PART 2: REQUIRED SPECIFICATIONS AND SCOPE OF WORK

Sewer sanitation system for Wahoo and Kingfish pier

- Schedule 80 PVC piping. HDPE SDR-17 pipe may be used as an alternate
- Peristaltic Keco brand pumps (1)model 900 M 40 for Kingfish Pier and (1) model 900 M 55 for Wahoo pier (see attached specifications)
- 316 Stainless hangers and fasteners any substitutes must be approved by The City of Key West
- Spear brand check valves Y pattern
- Schedule 80 PVC ball valves “Spear brand”
- Cam lock service hydrants “Banjo Brand”
- Check valves on the main suction and discharge lines at the sewer pumps.
- All associated electrical connections to pump and switches
- (3) wired on off switch locations on Wahoo pier (see attachment)
- All slips on Wahoo and Kingfish pier shall have pump out capability.
- Blue print drawings indicating location of plumbing, electrical and equipment .
- Contractor is required to supply all documents necessary for grant reimbursement.
- Bidder will be responsible for hiring a licensed engineer and paying for the signed and sealed drawings that are in accordance with local, state and federal regulations and guidelines
- Bidder is responsible for all associated costs of the purchase and installation of the Wahoo and Kingfish pier marine sewer sanitation systems.
- Equipment and installation will have a one year warranty on parts and labor.
- Bidder is responsible for obtaining all permits and paying for all fees associated with permits

Scope of work

Prospective bidder shall be responsible for the design, purchase and installation of all components necessary to complete marine sanitation sewage removal systems for Wahoo and Kingfish piers which includes all pumps, pipes, connections, main sewer connections, plans and permits.