SEP3,2013 PUR-1 PROVIDED BY HERALD JOHNSON

City of Fort Lauderdale, Florida

Objection of Contract Award Bid # 433-11240 Titled: Electric Motor Rewind Services by

Condo Electric Motor Repair Inc. a Certified Small Business Enterprise

Agenda Item: Purchasing Item #113-1005

September 3, 2013



CONDO ELECTRIC MOTOR REPAIR

3615 E. 10th Court / Hialeah, Florida 33013 Tel (305) 691-5400 / Fax (305) 691-6564

The City of Fort Lauderdale, Florida

August 1, 2013

Purchasing Services Division

Mr. Kirk W. Buffington CPPO, Director

100 North Andrews Avenue, Room 619

Fort Lauderdale, Florida 33301

Re: Invitation to Bid # 433-11240 Motor Rewind Services, Protest of Award and Public Records Request (Freedom of Information Act)

Dear Mr. Buffington;

I am writing this letter after corresponding with your staff telephonically and via email regarding the aforementioned Invitation to Bid for the past several weeks regarding the items listed below (Technical Protest) and the dates for timely submission of a Protest regarding the same. I am including copies of the emails directing that we locate the Ordinance online and follow the directions, which we did. We proceeded to monitor Bidsync and your Official Website for the Award Recommendation immediately after bid opening and could not obtain any information. We asked your staff again, as a matter of Public Information on July 23, 2013, "Please advise if this bid is recommended for award and until what time is the protest period" because we wished to Protest, we received an answer even though Mr. Mc Kenney had already made the recommendation; he didn't share the time line was approaching or that he had already made the recommendation. In addition on July 22, 2013, he was informed that the tabulation on Emergency Services was incorrect and that our bid was the lowest priced at 20% markup over our regular price, which was better than the 50 % markup of Florida Bearing Inc. and that a the Tally Sheet should be corrected showing Condo as the lowest Bidder, no corrections were made. After seeking information on the bid status, we contacted Mr. Mc Kenney again on August 1, who now amazingly, advised that the recommendation was posted for award on July 16, 2013, during the same period we were having dialog, which would have been within the Protest Period July 22 and 23. We discussed with Mr. McKinney that we would be Protesting the Award at that time, but he never interjected that he had already made or posted the recommendation which triggers the five (5) day submission for the Protest. A review of Bidsync today (copy attached) and The City of Fort Lauderdale's website shows that the item has not been awarded as of this writing. Because of this situation, which is due to no fault of Condo's, we are requesting to be heard by the Full Board of City Commissioners on this award recommendation, please advise the date, time and location this item will be heard.

Technical Protest

Our firm recently provided and offer on the aforementioned Invitation to Bid (ITB) on Bidsync because we are regularly engaged in the Electrical Motor Repair Business and have been for many years, during which time we have provided services to the City of Fort Lauderdale (City) successfully. We are a documented one hundred percent (100%) State of Florida Certified Minority Business Enterprise, copy attached, with an outstanding industry reputation. We wish to Protest the Award of the aforementioned for the reasons listed below in compliance with the City Ordinance C-10-41.

After the publishing of the offers received by your division we noted several areas of concern which we wanted to bring to your attention directly. Your Invitation to Bid (ITB) contained one hundred and sixteen items(116) of which many were not included in the previous offering (482-10111) and at the time it was awarded some of those larger repairs were performed by our firm on your behalf after receiving the quotation/bid and offering the lowest responsive bid price. May I suggest that a competency site inspection of each vendor's facility be performed by your staff to determine capacity and capability prior to making a commission recommendation?

On the current ITB, our firm proffered a bid on each item based on a specific quantity for your evaluation as mandated by the specifications; with the exception of the Emergency Services Adder, Item #116, which is the single largest value item on the current bid listing. Because this item was not targeted towards any single item on the Bid Proposal, our interpretation was that its application would be applied to every item, and evaluated accordingly, which is the quantitative review component.

This item we believe was intended to determine/define what the costs are for Emergency Services as identified by the City; above the bidders regular rates, this theory was confirmed by your staff member Mr. Bob McKinney.

After reviewing the Tabulation, for this item we noted that our firm was not considered the lowest bidder, even though we offered only twenty (20%) percent markup above our normal rate for the aforementioned, Tripp Electric Motors Inc. (35%), Florida Bearing Inc./ Kaman was listed as the best offer at fifty (50%) percent above their normal regular bid rate. This situation was brought to the attention of Mr. McKinney, who promptly responded that "The Emergency Service is not really quantifiable because we do not have any history of using that service in the past". This explanation and the elimination of the Emergency Services portion from the bid evaluation appears to violate the integrity of the established bid evaluation process outlined in the solicitation package and does not allow our firm the status of Lowest Responsible Bidder which we are entitled. If the intention was not to include #116 in the evaluation process, bidders should have been notified prior to the opening, the General Terms and Conditions, the Special Conditions nor the Bid Proposal, did not provided any declaration stating its benign status.

The following calculations respectively, taken from the bid summary should be considered in the award evaluation which would result in the uniform application of the process; Florida Bearing Inc. \$180,710.00@ 50% markup=271,065.00 annually, Condo Electric Inc. \$181,680.00 @ 20% markup=\$218,065.00 and finally, Tripp Electric Motors Inc. \$215,716.00 @ 35% markup = \$291,216.60. Clearly,

our Proffer will provide the City with the best timely and quality services and will ultimately save tens of thousands of dollars for the City annually for normal operations, the rewards are even greater during and after a climatic weather event such as a hurricane or tornado when prices historically skyrocket and availability is scarce.

With regard to previous emergency repair history, I am sure the Finance Department where all payments are issued, will have maintained payment histories for Emergencies Motor Rewind Repairs Services for the past four (4) contract years. Again, the elimination of this item from the process is injurious to our company, is as much as it changes the entire bid evaluation and award methodology for determining the lowest bidder.

Therefore by this instrument, we are requesting of the Finance Department copies all payments for Emergency Motor Rewind Services for the past four years, our firm will provide payment for the same upon notification of the costs, because this will legitimize our claim as the lowest bidder.

In Closing, we noticed that The City takes great pride in encouraging Minority and Women Business Participation as outlined in the General Conditions Section 1.09 & 1.10, while reviewing the tally sheets from your agency, we also noticed that it indicates that Florida Bearing, Inc. is a Minority Owned Firm (Woman Business Enterprise, WBE) which I believe is incorrect, rather it is a division of Kaman Industrial Technologies a National Corporation, (website exhibit attached).

Should you have questions or wish to discuss this matter, please don't hesitate to contact me directly.

Respectfully submitted

S. Esperols

Jose G. Espinola

President

Cc:

Mr. Douglas Wood, Director, Fort Lauderdale Finance Department

Enclosures:

Copy: State Certification

Copy: Mr. Mc Kenney Email Correspondence

Copy: Florida Bearing/Kaman Industrial Website

Protest Filing Fee: Certified Check



State of Florida

Business Certification

CONDO ELECTRIC

Is certified under the provisions of 287 and 295.187, Florida Statutes for a period from:

John PMile 01/17/2012 to 01/17/2014

John P Miles, Secretary

Florida Department of Management Services
Office of Supplier Diversity

From:

Robert McKenney [RMcKenney@fortlauderdale.gov]

Sent:

Friday, July 19, 2013 1:18 PM

To:

MARY BIALECK

Subject:

RE: Bid # 433-11240

Attachments:

11240 Packet, Motor Rewind Services.pdf; 11240 Tab, Motor Rewind Services.pdf

I can't really send you Florida Bearings, without sending you everybody's. So, here are the three bids that we received and the tabulation.

Bob McKenney, CPPB

Procurement Specialist II City of Fort Lauderdale 100 N. Andrews Avenue Room 619 Fort Lauderdale, FL 33301 P 954.828.5139 F 954.828.5576 rmckenney@fortlauderdale.gov

From: MARY BIALECK [mailto:mcbcondo@bellsouth.net]

Sent: Friday, July 19, 2013 12:42 PM

To: Robert McKenney Subject: Bid # 433-11240

To: Bob McKenney

Procurement Specialist II City of Fort Lauderdale

Bob,

Good afternoon,

In reference to your Bid # 433-11240 Title: Motor Rewind Services, we would like to request a copy of the Florida Bearing Complete Bid Submittal. Please advise when this copy will be available to us. Thank you for your assistance in this matter. Regards,

MARY BIALECK

Condo Electric

From:

MARY BIALECK [mcbcondo@bellsouth.net]

Sent:

Monday, July 22, 2013 11:36 AM 'RMcKenney@fortlauderdale.gov'

To: Cc:

Gary Kowalewski (garyk@condoelectric.com); Jose Espinola (jgecondo@bellsouth.net);

Hector Gomez (hgscondo@bellsouth.net)

Subject:

REF: Bid # 433-11240

Attachments:

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TO:Bob McKenney, CPPB

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City of Fort Lauderdale
100 N. Andrews Avenue Room 619
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Bob,

Good morning,

I have reviewed the tabulations carefully and I see that Item # 116,

Emergency Services, Florida Bearings is listed as the Low Bidder with 50% and Condo Electric is listed as the High Bidder at 20%. This is an error as Item 116 is an "additional percentage of the rewind price would be charged for 36 hour service." Condo Electric is clearly the Low Bidder for this Item with an additional 20 percent in comparison to Florida Bearing's additional 50 percent. The value of this item would well surpass the \$970.00 difference between the bids, clearly making Condo Electric the lowest responsive and responsible bidder that would best serve the needs, and provide the most cost savings to the City of Fort Lauderdale.

I assume that there will be a new Tally.

Please advise if you have any questions. Regards,

MARY BIALECK

Condo Electric

From:

MARY BIALECK [mcbcondo@bellsouth.net]

Sent:

Thursday, August 01, 2013 1:18 PM

To: Subject: 'Robert McKenney' RE: Bid # 433-11240

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Please tell me where it was posted as we have been checking daily and have not seen it.

Thank you,

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3746 East 10th Court Hialeah, Florida 33013 Phone (305)691-5400 Fax (305)691-6564 mcbcondo@bellsouth.net

From: Robert McKenney [mailto:RMcKenney@fortlauderdale.gov]

Sent: Thursday, August 01, 2013 1:10 PM

To: MARY BIALECK

Subject: RE: Bid # 433-11240

The award recommendation was posted on 07/16/13.

Bob McKenney, CPPB

Procurement Specialist II
City of Fort Lauderdale
100 N. Andrews Avenue Room 619
Fort Lauderdale, FL 33301
P 954.828.5139
F 954.828.5576
rmckenney@fortlauderdale.gov

From: MARY BIALECK [mailto:mcbcondo@bellsouth.net]

Sent: Thursday, August 01, 2013 12:32 PM

To: Robert McKenney

Subject: RE: Bid # 433-11240

TO:Bob McKenney, CPPB

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Also, please advise when will a award recommendation be posted?

Recipient
'RMcKenney@fortlauderdale.gov'
Gary Kowalewski (garyk@condoelectric.com)

Jose Espinola (jgecondo@bellsouth.net)

Hector Gomez (hgscondo@bellsouth.net)

Jose Espinola

Read

Read: 7/22/2013 12:46 PM

From:

MARY BIALECK [mcbcondo@bellsouth.net]

Sent:

Tuesday, July 23, 2013 11:04 AM

To:

'Robert McKenney'

Subject:

RE: Bid # 433-11240

Robert,

I thank you for your reply, but the basis for award stated on your Bid #433-11240 is by group or by item, item 116 is part of the Bid. There is a percentage value that applies to this item and should be evaluated as such otherwise it would not be included as an item in this Bid.

AWARD

Award may be by Group or Item, whichever is determined to be in the best interest of the City. Award will be made to the responsive and responsible bidder, quoting the lowest price, for that product/service that will best serve the needs of the City of Fort Lauderdale.

Please advise if this Bid is recommended for award and until what time is the protest period.

We thank you for your assistance in this matter. Respectfully,

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From: Robert McKenney [mailto:RMcKenney@fortlauderdale.gov]

Sent: Tuesday, July 23, 2013 8:50 AM

To: MARY BIALECK

Subject: RE: Bid # 433-11240

Thank you for your response. Our system had sent it to SPAM, so I am glad that I discovered it. I understand your argument. The emergency service is not really quantifiable because we do not have any history of using that service in the past. I can't recommend awarding a higher dollar bid based on a possible emergency sometime in the next twelve months.

Bob McKenney, CPPB City of Fort Lauderdale 100 N. Andrews Ave. Room 619 Fort Lauderdale, FL 33301 P - 954.828.5139 F - 954.828.5677

From: MARY BIALECK [mailto:mcbcondo@bellsouth.net]

Sent: Monday, July 22, 2013 11:36 AM

To: Robert McKenney

Cc: Gary Kowalewski; Jose Espinola; Hector Gomez

Subject: REF: Bid # 433-11240

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Sent:

Tuesday, July 23, 2013 11:10 AM

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http://www.fortlauderdale.gov/purchasing/index.htm

The protest ordinance is available at the link above.

Bob McKenney, CPPB

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Sent:

Thursday, August 01, 2013 1:10 PM

To: Subject: MARY BIALECK RE: Bid # 433-11240

Attachments:

Bid # 433-11240 (10.0 KB)

The award recommendation was posted on 07/16/13.

Bob McKenney, CPPB

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From:

Robert McKenney [RMcKenney@fortlauderdale.gov]

Sent:

Thursday, August 01, 2013 1:49 PM

To:

MARY BIALECK

Subject:

RE: Bid # 433-11240

Attachments:

Bid # 433-11240 (17.7 KB)

Attached is the e-mail with the link that lists the intent to award or reject. The award was posted on 07/16. It is posted for 5 days, not counting the day it was listed or any holidays or weekends.

Bob McKenney, CPPB

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Condo Electric



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July 05, 2012 KAMN

Kaman Industrial Technologies Acquires Florida Bearings, Inc.

BLOOMFIELD, Conn.—(DUGINESC) WIRE)—Jul. 5, 2012.- Karman Corporation (NYSE KAMM) lodgy ennounced that its subsidiary, Karman Industrial Technologies Corporation (KII) has acquired Florida Beart Inc. of Miami, Florida Bearings will become part of NIT, Kirman's Industrial Distribution segment. Terms were not disclosed.

Fioride Beerings, Ecunded in 1930, is a distributor of bearings, power transmission and pump products as well as a provider of value add services such as predictive maintenance and motor, gentous and pum repair to diverse industries, such as the water, westerwater, municipal, food and aggregate industries, in addition to Allians, the company also has locations in Historia, Fil Lauderdale, Hivsera Boach and Origin The company has annual solves of approximatory \$20 maion.

Steve Syrigiter, president of KrT stated, "We are very pleased to welcome the Flonda Boarings team to Kamen Industrial Technologies. Over their sixty-two year history, Florida Boarings has developed a repulfor technical excellence and exceptional curstotlet service which makes for a great outstrail fil with IQT. The acquisation of Flonda Boarings provides a strong public of a provider and southern Florida and increase our exposure to key and markets. Most importantly Florida Bearings has a great reputation, already explorer relationships and a terrific group of deficialed employees that will integrate well with the Kenten for

"Florida Bostings has a stanted history and jorning Karmon will entitude a continued high level of customer support and provides many of our employees with substantial apportunities for protessional growth and development", said Bruce Marchette, president, Florida Readings. The addition of Karman's broad array of electrical, Build power and conveying product lines to our custom affecting with be a welcome growth opportunity for us to become an even more alreadings supplier to customers in central end ended in Florida.

Neel J. Keeling, cheirman, president and chief executive officer of Kaman Corporation, edded, "The acquisition of Florida Bearings demonstrates our commitment to the continued growth of XII and our locus learning with strong management to deliver increased value to our customers. This explaids we spend our geographic foulpful, expland our product and service officings and further diversity our market exposure. We see the combination of Florida Bearings and KIT as a perfect example of two fine companies coming trupities to hring additional resources and capabilities to outstomers in a dynamic an growing market."

About Kaman Corporation

Kaman Corporation, founded in 1945 by eviation planter Charles H. Karrieri, and handquarianed in Bloomfeld, Connectical conducts histoness in the aerospace and industrial distribution markets. The comparation states of industrial points, and operates more than four misless including bearings, modern states and industrial points. Additionally, kind operates more than four misless including bearings, median states and provides and present and power, submission and RRC expities to customers at virtually every industry. Additionally, Kernan provides engineering, devi examples and customers at virtually every industry. Additionally, Kernan provides engineering, devi examples and extension, excellent, customized mechanical elevicials, force seventhics, repoil, fluid analysis and involve management. Additionally, the company produces and/or markets widely used proprietary already several bearings and components; conjuler materials and composite sensitivities for communities of communities and composite sensitivities for misland and only with increasin, sensitivities engineering design enalysis and FAA contribution services; sale and arm editions for missile and bomb systems for the U.S., and eliked mislantes; subcontributions are missile and composite and composite and composites. Horse information is available at www.kerpan.com (https://doi.org/obs.com/obs/communities/c

Source: Karnan Curporation

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Bid Tabulation Packet for Solicitation 433-11240

Motor Rewind Services

Bid designation: Public



City of Fort Lauderdale

433-1124001-113 Totally enclos	ed fan cooled				
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
Florida Bearings	First Offer - \$2,389.00	1 / lot	\$2,389.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1year on rewind vendor fault 200hp			
Condo Electric [Ad]	First Offer - \$2,605.00	1 / lot	\$2,605.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			
TRIPP ELECTRIC MOTORS, INC. [Ad]	First Offer - \$3,010.00	1 / lot	\$3,010.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			

433-1124001-114 Totally enclos	ed fan cooled				
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
Condo Electric [Ad]	First Offer - \$13,945.00	1 / lot	\$13,945.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			
TRIPP ELECTRIC MOTORS, INC. [Ad]	First Offer - \$14,785.00	1 / lot	\$14,785.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			
Florida Bearings	First Offer - \$17,144.25	1 / lot	\$17,144.25		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1year on rewind, vendor fault 700hp - 4160V			

433-1124001-115 Totally enclose	sed fan cooled				
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
Condo Electric [Ad]	First Offer - \$13,585.00	1 / lot	\$13,585.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			
TRIPP ELECTRIC MOTORS, INC. [Ad]	First Offer - \$14,300.00	1 / lot	\$14,300.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR			
Florida Bearings	First Offer - \$16,144.24	1 / lot	\$16,144.24		Y
Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1year on rewind, vendor fault 600hp-4160V			

433-1124001-116 Emergency Services					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
Florida Bearings	First Offer - 50.00%	1 / percentage	50.00%		Υ
Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1year on rewind, vendor fault Emergency service adder			
TRIPP ELECTRIC MOTORS, INC. [Ad]	First Offer - 35.00%	1 / percentage	35.00%	}	Y
Product Code:		Supplier Product Code:			

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Agency Notes:		Supplier Notes: Warranty Offered: 1 YEAR		
Condo Electric [Ad]	First Offer - 20.00%	1 / percentage	20.00% Y	
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes: Warranty Offered: 1 YEAR		

Supplier Totals

\$180,710.00 (116/116 items) Florida Bearings

Address 1430 W Broward Bivd Bid Contact Alan Rooks

arooks@floridabearings.com Ft Lauderdale, FL 33312 Ph 954-462-0285

Qualifications

Supplier Code 00017427

Supplier Notes: Agency Notes:

Condo Electric [Ad] \$181,680.00 (116/116 items)

Address 3746 EAST 10TH COURT Jose Espinola Bid Contact

CONDOEL@BELLSOUTH.NET Hialeah, FL 33013 Ph 305-691-5400

Supplier Code 00003734 Qualifications MBE

Agency Notes: \$215,716.00 (116/116 items) TRIPP ELECTRIC MOTORS, INC. [Ad]

JIMMY TRIPP Address 1233 NW AVE L

Supplier Notes:

Bid Contact ginger@trippmotors.com **BELLE GLADE, FL 33430**

Ph 561-996-3333

Qualifications SB Part 1 - Information and Special Conditions #20 (Insurance)states "a copy of Any current **Bid Notes**

Certificate of insurance should be included with your proposal"

Supplier Notes: **Agency Notes:** Part 1 - Information and Special Conditions #20

(Insurance)states "a copy of Any current Certificate of insurance should be included with your proposal"

CITY OF FORT LAUDERDALE SPECIFICATIONS PACKAGE

433-11240

Motor Rewind Services



Bob McKenney

954-828-5139

DELIVERY/ SERVICE COMPLETION

All work is to be completed and returned within six (6) working days. On occasion, an "emergency rewind" will be requested. In the case of such an emergency, the City of Fort Lauderdale will be viewed as a "most favored customer" and the contractor shall return rewound equipment within 36 hours.

All deliveries are to be shipped F.O.B. Destination, Freight included.

Contractor must quote a firm, fixed annual price for all services stated in the ITB, which includes any travel associated with coming to the City of Fort Lauderdale.

Failure to provide costs as requested in this ITB may deem your bid non-responsive.

BID DOCUMENTS

The Contractor shall examine this bid carefully. Ignorance of the requirements will not relieve the Contractor from liability and obligation under the Contract.

08. AWARD

Award may be by Group or Item, whichever is determined to be in the best interest of the City. Award will be made to the responsive and responsible bidder, quoting the lowest price, for that product/service that will best serve the needs of the City of Fort Lauderdale.

The City reserves the right to waive minor variations in the specifications and in the bidding process. The City further reserves the right to accept or reject any and/or all bids and to award or not award a contract based on this bid solicitation.

Contractor must bid on all items. Partial bids will not be considered.

09. PRICE VALIDITY

Prices provided in this Invitation to bid (ITB) are valid for 120 days from time of ITB opening. The City shall award contract within this time period or shall request to the recommended awarded vendor an extension to hold pricing, until products/services have been awarded.

GENERAL CONDITIONS

General Conditions Form G-107 Rev. 01/13 (GC) are included and made a part of this ITB.

11. NEWS RELEASES/PUBLICITY

News releases, publicity releases, or advertisements relating to this contract or the tasks or projects associated with the project shall not be made without prior City approval.

12. CONTRACTORS' COSTS

The City shall not be liable for any costs incurred by proposers in responding to this solicitation.

RULES AND SUBMITTALS OF BIDS

The signer of the bid must declare that the only person(s), company or parties interested in the proposal as principals are named therein; that the bid is made without collusion with any other person(s), company or parties submitting a bid; that it is in all respects fair and in good faith, without collusion or fraud; and that the signer of the bid has full authority to bind the principal bidder.