SUBJECT: ALUMINIZED METAL PIPE

BID #: SC-0353-21 **OPEN DATE:** 04/21/2021

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT: SUPPLY CONTRACT – ONE (1) YEAR FROM DATE OF AWARD WITH TWO (2) ONE (1) YEAR RENEWAL OPTIONS

AGENCY: RIGHT OF WAY AND STORMWATER MAINTENANCE DIVISION

BASIS OF AWARD: ALL OR NONE TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER

NUMBER OF BIDS INVITED: 5 **NUMBER RECEIVED:** 1 **OTHER:** 0

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:
Subject bid was opened on 4/21/21. The only bidder, Metal Culverts, Inc., added a disclaimer to the Bid Form that their prices are only good for thirty (30) days due to the volatility of the market.

Recommend approval to reject Metal Culverts, Inc. as being non-responsive for not honoring their prices for the full one-year term.

This solicitation will be re-bid as a one-time purchase on a later date.

ATTACHMENTS: Recommendation Memo; Supplier's Email; Rejection Letter; Terms & Conditions; Specifications

ANALYST: _____ DAVID KLAGES

RESPECTFULLY SUBMITTED: _____ GREGORY PEASE, CHIEF PROCUREMENT DIVISION

CONCURRENCE BY: STEVEN D. LONG, JR., P.E., CHIEF, RIGHT OF WAY AND STORMWATER MAINT. DIVISION

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING _____ MEMBERS DISAPPROVING _____ DATE: _____

_____ _____ OTHER: _____

_____ _____

_____ _____

ACTION OF AWARDING AUTHORITY DATE _____

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

City of Jacksonville, Florida

Lenny Curry, Mayor

Department of Public Works
Right of Way & Stormwater Maintenance Division
609 St. Johns Bluff Road
Jacksonville, FL 32225
(904) 472-2900
www.coj.net

ONE CITY ONE JACKSONVILLE

TO: **Gregory W. Pease, Chief**
Procurement Division

FROM: **Steven D. Long Jr., P.E., Chief**
Right of Way & Stormwater Maintenance Division

DATE: **May 5th, 2021**

SUBJECT: **SC-0353-21 Rejection of lowest bid**
Vendor – Metal Culverts, Inc.

Subject bid was opened on April 21, 2021. The only bidder, Metal Culverts, Inc., added a disclaimer to the Bid Form that their prices are only good for thirty (30) days due to the volatility of the market.

The Right of Ways & Stormwater Division recommends that the bid from Metal Culverts, Inc. be considered as being non-responsive for not honoring their prices for the full one-year term per the Terms & Conditions and to reissue the solicitation as a one-time purchase.

CC: David Klages, Purchasing Analyst

Klages, David

From: Michael Rackers <mike.rackers@metalculverts.com>
Sent: Wednesday, April 21, 2021 4:40 PM
To: Klages, David
Cc: Dale Pennington
Subject: RE: Bid Submittal for SC-0353-21 Aluminized Metal Pipe

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Metal Culverts, Inc. cannot commit to honoring our price for the full one-year term of the contract. As our note states our prices are good for 30 days and subject to steel availability. Pricing would need to be evaluated on an order by order basis after 30 days. We apologize for any inconvenience this may cause. We appreciate your business.
Sincerely,
Mike Rackers
Manager of Sales / Production Expediting

From: Klages, David [mailto:DKlages@coj.net]
Sent: Wednesday, April 21, 2021 3:27 PM
To: sales <sales@MetalCulverts.com>
Subject: Bid Submittal for SC-0353-21 Aluminized Metal Pipe
Importance: High

Good afternoon. Attached is your bid submittal for **SC-0353-21 Aluminized Metal Pipe**. Would you please clarify the disclaimer you put on the Bid Form under Term of Contract? Are you willing to commit to your pricing for the full one-year contract term?

Thank you,

David R. Klages
Purchasing Analyst
City of Jacksonville, Procurement Division
214 N. Hogan Street, Suite 800
Jacksonville, FL 32202
Phone: (904) 255 – 8813
Email: dklages@coj.net

CITY OF JACKSONVILLE

PROCUREMENT DIVISION

NOTIFICATION OF RECOMMENDED BID REJECTION

DATE: APRIL 27, 2021

VIA EMAIL: SALES@METALCULVERTS.COM

BIDDER'S NAME: METAL CULVERTS, INC.

ADDRESS: 2148 PINE FOREST DRIVE, CLEARWATER, FL 33764

CONTACT NAME: DALE PENNINGTON

BID NO: SC-0353-21

TITLE: ALUMINIZED METAL PIPE

DATE OPENED: APRIL 21, 2021

REASON FOR RECOMMENDED BID REJECTION: FOR BEING NON-RESPONSIVE; SPECIFICALLY, FOR STATING THAT YOU WILL ONLY HONOR YOUR PRICES FOR THIRTY (30) DAYS.

IF YOU WISH TO PROTEST THE RECOMMENDED REJECTION OF THIS BID, PLEASE RESPOND IN ACCORDANCE WITH THE CITY OF JACKSONVILLE'S BID PROTEST PROCEDURES. PLEASE DIRECT YOUR PROTEST TO DAVID KLAGES, PURCHASING ANALYST, AT EMAIL ADDRESS DKLAGES@COJ.NET. THIS ACTION IS SCHEDULED FOR THE GENERAL GOVERNMENT AWARDS COMMITTEE MEETING ON **THURSDAY, MAY 6, 2021 AT 1:00 P.M.**

BUYER'S SIGNATURE: _____
DAVID KLAGES, PURCHASING ANALYST

214 N. Hogan St., Suite 800 | Jacksonville, FL 32202 | Phone: 904.255-8815 | Fax: 904.255-8837

TERMS AND CONDITIONS

RIGHT OF WAY & STORMWATER MAINTENANCE DIVISION

1. **SCOPE**
The City of Jacksonville's Procurement Division is currently accepting bids to obtain a source of supply for the item(s) / service(s) as outlined in the bid documents provided. The purpose of this bid invitation is to obtain information about your firm and its ability to provide these item(s) / service(s) and to obtain pricing commitments for **ALUMINIZED METAL PIPE** as listed in the bid documents.

2. **AWARD**
Award will be **ALL OR NONE** to the lowest responsive, responsible bidder subject to the Buy American Preference clause described below. Bidders must bid on all items to be considered for award. The City reserves the right to reject any or all bids. ALL awards are subject to the availability of funds.

As per Section 126.114 of the City of Jacksonville Ordinance Code, preference will be given to a responsive and responsible vendor offering American manufactured, assembled, or produced goods, and who is within 5% of the lowest responsive and responsible bidder. To receive this preference, the bidder must complete the attached Buy American Preference Compliance Certificate and attach supporting documentation and/or evidence attesting that at least 51% offered in the bid response is manufactured, assembled or produced in the United States.

- Bidder is not required to submit for the Buy American Preference. Bidders may quote items less than 51% American made but will not be eligible for the preference.
- Restrictions and exemptions may apply. Please refer to Section 126.114 for specifics.

3. **TERM OF AGREEMENT**
The term of this agreement will be one (1) year from date of award with two (2) one (1) year renewal options. Renewal options may be exercised at the discretion of the City based on supplier performance and adherence to the terms and condition set forth in the bid documents.

4. **MINIMUM REQUIREMENTS**
Bidders should submit or comply with the following requirements; failure to submit any of these requirements may be grounds for rejection:

   a. Supplier shall provide proof of applicable local business license if located within Duval County.

5. **PRE-BID CONFERENCE**
N/A.

6. **STATE CONTRACTS**
The City reserves the right to utilize contracts established by the State of Florida and or other governmental agencies for item(s)/service(s) covered under this bid. The city reserves the right to cancel this contract in whole or in part for such item(s)/service(s).

7. **QUANTITIES**
Quantities indicated reflect the estimated quantities to be purchased throughout the contract period and are subject to fluctuation in accordance with actual requirements. The City reserves the right to purchase more than the estimated quantities listed or not to make any purchase against this bid if it so deems necessary anytime during the contract period. The City reserves the right to add or delete items during the contract period. The City will order on an as needed basis.

8. **DELIVERY**
A packing list shall accompany all shipments, which shall indicate, at a minimum, the following; purchase order number, item number and description, date of shipment, quantity ordered, and shipped, unit price, and unit of measure.

9. **ESCALATION/DE-ESCALATION**
All pricing submitted shall remain firm for the initial term period. Upon renewal (if applicable), a supplier may submit in writing a request for price escalation/de-escalation for the percentage of change as listed in the Consumer Pricing Index (CPI) and/or documentation notifying of an industry wide increase. The City reserves the right to decline any price increase request.

10. **PRICES**
All unit prices shall include **freight, delivery, and handling charges** to the delivery location as outlined in the bid documents.

11. **PICK UP AND RETURNS**
The City reserves the right to return an order in whole or in part if the merchandise is not in compliance with the bid specifications. The City or its agencies will determine compliance with bid specifications. Pick up and returns will be made within 48 hours of notification at no charge to the City or its agencies.

12. **COMPLIANCE WITH SPECIFICATIONS**
The bidder, by affixing their signature to the bid form submitted, agrees to provide item(s)/service(s) in accordance with the bid documents provided. Bid only a single offering for each bid item. Multiple offerings, alternates (unless stated) and or stipulations may be cause for bid rejection. Bid only on forms provided herein unless otherwise stated. Bid submissions shall be in ink or typewritten. All corrections must be initialed.

13. **INVOICING**
Invoices will be issued once supplies/services are delivered and/or rendered to the City of Jacksonville or its agencies. At a minimum, invoices must include; purchase order number or contract number, item number and description, date of shipment, quantity ordered and shipped, unit prices, unit of measure, and extended totals. Payment terms are Net 30 days. All original invoices shall be submitted to: COJ1CloudInvoices@coj.net. The invoice email subject line **MUST BE**: inv_300000008806179. Invoices can also be submitted through the 1Cloud Supplier Portal.

14. **INSURANCE/INDEMNIFICATION**
Each supplier shall maintain, for the entire term of this bid, current insurance coverage as stated in the bid documents. All insurance certificates shall list the City of Jacksonville as an additional insured. Bid number should be listed on certificate.

15. **REPORTING**
The City may request, during the term of this bid, reports including but not limited to; usage, pricing, and delivery. Suppliers will be required to provide reports requested in hard copy and electronic format as required.

16. **SUPPLIER ACCESSIBILITY**
The City or its representative must be able to contact, during normal business hours, by telephone or email any supplier providing goods or services to the City or its agencies. Any supplier accessibility requirements outlined in the specifications supersede this section.

SPECIFICATIONS

ALUMINIZED METAL PIPE

The City of Jacksonville Procurement Division is soliciting bids from qualified suppliers for the supply of, and firm price agreement for, **Aluminized Metal Pipe** as outlined in the bid documents.

All questions or discrepancies regarding the bidding process or the bid documents must be submitted in writing to David Klages, Purchasing Analyst, at dklages@coj.net by the date and time specified on the Bid Form.

Delivery:

Delivery locations include but are not limited to:

- 2639 West 1st Street 32254
- 4767 Moncrief Road 32209
- 2915 Parental Home Road 32216
- 609 St. Johns Bluff Road N. 32225

Delivery to other unspecified locations may be required for specific work projects within Duval County.

Corrugated Metal Pipe:

1.1 Corrugated Metal Pipe (CMP) shall be manufactured from aluminized Type II steel, conforming to AASHTO Specification **M36** for Type I culverts, including the provisions for helical corrugations for both round and pipe-arch pipe and with the additional provisions contained herein. Only CMP fabricated with helical corrugations with continuous locked or welded seams running from end to end of each length of pipe shall be provided. Each pipe section shall have at least two (2) annular corrugations at each end.

1.2 The material utilized under this contract shall be domestically produced in the U.S.A. and conform to AASHTO Specification **M274**. If requested, the supplier shall be able to produce adequate documentation to certify that this requirement has been met.

1.3 Round CMP shall meet the minimum thickness requirements as shown in Table 1. A tolerance of 0.008 inches will be allowed for the pipe thickness.

TABLE 1

Diameter	Gauge No.	Mean Thickness
15	16	.0635
18	16	.0635
24	16	.0635
30	14	.0785
36	14	.0785