



TOWN OF WAYNESVILLE

**REQUEST FOR PROPOSAL
FBR23-550**

RUSS AVENUE LIGHTING PROJECT

BIDS DUE MARCH 30, 2023 AT 2:00 PM

Instructions to Bidders
Town of Waynesville
FBR 23– 550 Russ Ave Lighting Project

1. It is the intent of this RFP package to specify the Town of Waynesville requirements for the purchase and delivery of Street Lights and Poles to the Town of Waynesville.

The Town of Waynesville reserves the right to reject any and all bids, including, without limitation, the right to reject any or all non-conforming, non-responsive, unbalanced, or conditional bids and to reject the bid of any bidder if the Town believes it would not be in the best interest of the Town to make an award to that bidder. The Town of Waynesville also reserves the right to waive informalities.

2. The Bidder must submit their quotation on the enclosed Quotation Form.

Bids may be rejected if they show any omissions, alterations, or unauthorized additions to the form, or for conditional bids, or for any irregularities of any kind.

3. No additional charges OF ANY KIND will be allowed on the awarded vendor's invoices. Any and all costs for the bidder, including freight/delivery charges MUST be included in the bidder's quotation. Terms of payment must also be noted, or Terms of Net 30 will be applicable.
4. All questions concerning these bid requirements and/or specifications are to be forwarded in writing to Lisa Burnett, Purchasing Supervisor, no later than March 24, 2023, at 2:00 pm. In order to be fair to all known bidders, no oral interpretations will be given to any bidder as to the meaning of the specification documents or any other part of this package. In the event of a major change to requirements and/or specifications, the Town reserves the right to postpone the bid opening, with advance notice via Addendum to all known bidders.
5. This contract shall be awarded to the lowest responsive, responsible bidder, taking into consideration quality, performance, and time of delivery. The Town of Waynesville reserves the right to reject any and all bids, including, without limitation, the right to reject any or all non-conforming, non-responsive, unbalanced, or conditional bids and to reject the bid of any bidder if the Town believes that it would not be in the best interest of the Town to make an award to that bidder.
6. Quotations and all supporting documentation as required in these specifications must be submitted in a sealed envelope, addressed to:

**Town of Waynesville
Attn: Lisa Burnett, Purchasing Supervisor
129 Legion Drive
Waynesville, NC 28786**

FBR 23 - 550 STREET LIGHTING BID ENCLOSED

**Quotations must be received on or before 2:00 pm March 30, 2023, at the office of
the Lisa Burnett, Purchasing Supervisor, 129 Legion Drive, Waynesville, NC 28786.**

Item Number	Description	Qty.	Unit Price	Ext. Cost
LED Light ESPL2 P30 40K MVOLT SG4 QSM BK PR7 PCLL DS	Holophane Teardrop LED P30, performance package 4000K, 120-277V, Type 4 asymmetric sag (shallow) glass and door, Quick stem mount, Black, 7 pin NEMA dimmable photocontrol receptacle, DTL photocontrol, Deep skirt, 30" diameter	7	\$	\$
BC ARM BCR 30-IN 1A BO QSM SL5 BK	Bishop's Crook, 30-inch, Single arm, Bolt-on, Quick stem mount, Shaft, Sitelink 5.25-inch fluted, .25 wall (L5J), Black	7	\$	\$
Wadsworth Pole WDA 20 SL5 17D CO6 BK BWKT ABG	Wadsworth Aluminum pole, 20 ft., Shaft, Sitelink 5.2-inch fluted, .25 wall (L5J) 17-inch Base, Diamond pattern bolt circle, 3 x 6 tenon, Breakaway kit for cast aluminum pole, Black, Anchor bolt (galvanized steel)	7	\$	\$
Mongoose Medium Skirt MGLEDM P4 40K MVOLT FG VH BKSD PR7 PCLL US NL	Holophane Mongoose LED Medium, P4 performance package, 4000k, 120-277V, Forward throw (Type IV) with refractor, Vertical tenon/horizontal arm, Black super durable, 7 pin NEMA photocontrol receptacle, DLL photocontrol, Uplight skirt, NEMA label	25	\$	\$
Shakespeare Composite Pole BSW35- 02SIDG21	Shakespeare 35 ft. round tapered direct burial w/ breakaway feature, 2 3/8-inch tenon, Black	25	\$	\$
			Total Bid Amount	\$

Company Name	Federal Tax ID #
Authorized Signer	Date

Special Terms and Conditions for Town of Waynesville

1. **Summary:** Bidders please note: This Request for Bids and Proposals includes provisions for the Tow.

Bids are to be submitted in accordance with the enclosed specifications and these Special Terms and Conditions, both of which require doing all that is necessary, proper, or incidental to the furnishing of the materials identified herein. All things not expressly stated in the attached specifications or Special Terms and Conditions but involved in carrying them out must be included in bidder's proposal as though they were specifically stated.

2. **Notice to Bidders:** All bids are subject to the provisions of the Special Terms and Conditions specific to this Request for Quotation and the Specifications. The Town of Waynesville objects to and will not evaluate or consider any additional terms and conditions submitted with a bidder response. This applies to any response appearing in or attaché to the document as part of the bidder's response. This applies to any response appearing in or attached to the documents as part of the bidder's response. **DO NOT ATTACH ANY ADDITIONAL TERMS AND CONDITIONS.** By execution and delivery of a proposal, the bidder agrees that any additional terms and conditions, whether submitted purposely or inadvertently, shall have no force or effect. It shall be the bidder's responsibility to read this entire document, review all enclosures and attachments, and comply with all requirements specified herein.
3. **Office:** This bid is issued by the Town of Waynesville Purchasing Department, 129 Legion Drive, Waynesville, North Carolina 28786. All correspondence and inquiry should be made to this address. Telephone number (828) 456-3706 or email the Purchasing Supervisor, Lisa Burnett at lburnett@waynesvillenc.gov.
4. **Clarifications/Interpretations:** Any and all questions regarding this document must be addressed to the Town of Waynesville Purchasing Department. Any and all revisions to this document shall be made only by written addendum from the Town of Waynesville Purchasing Department. Therefore, no oral statements by any person shall modify or otherwise affect the terms, conditions, or specifications stated in this request for bids and proposals. The bidder is cautioned that the requirements of this bid can be altered only by written addendum and that verbal communications from whatever source are of no effect.
5. **Minor Deviations/Exceptions to Specifications:** Minor deviations from the provisions of these specifications may be considered to permit manufactures to follow their standard manufacturing processes; however, all proposed minor deviations must be explained in detail and submitted within the exceptions to specifications, time frame identified herein.
6. The Town of Waynesville reserves the right to postpone bid openings for its own convenience.
7. **Nonconforming Terms and Conditions:** A bid response that includes terms and conditions in this bid document is subject to rejection as non-responsive. The Town of Waynesville reserves the right to permit the bidder/vendor to withdraw nonconforming

terms and conditions from its bid response prior to a determination by the Town of Waynesville of non-responsiveness.

8. **Bidders Submittals:** Bidder must furnish all information requested herein including descriptive literature and/or complete specifications covering the products offered. Reference to literature submitted with a previous bid will not satisfy this provision. Bids which do not comply with these requirements will be subject to rejection. All documents submitted should bear the name of the bidder.
9. **Expenses incurred in Preparing Bid:** The Town of Waynesville accepts no responsibility for any expense incurred by the bidder in the preparation and presentation of a bid. Such expenses shall be borne exclusively by the bidder.
10. **Tax Exemptions:** The Town of Waynesville is exempt from Federal Excise Tax but not State and Local Sales Tax. Sales tax should not be included in bid prices but may be added as separate items.
11. **Evaluation and Selection of Bids:** The evaluation of bids shall center on the match between the stated specification requirements in the final bid request and the vendor's proposed materials/equipment including selection of the lowest responsible/responsive bidder with consideration of past performance, service record and reliability.

The statutory provisions controlling purchasing by local governments in N.C. (RE: G.S. 143) includes selection standards for use in making awards. The provision reads, "A; contracts shall be awarded to the lowest responsible bidder taking into consideration quality, performance and the time specified in the bids for performance of the contract.

The Town of Waynesville reserves the right to accept or reject any or all bids and proposals further specifically reserves the right to make the award of awards in the best interest of the Town of Waynesville.

12. **Indemnification:** The bidder/vendor covenants to save, defend, keep harmless and indemnify the Town of Waynesville and all of its officers, departments, agencies, agents and employees from and against all claims, loss, damage, injury, fines, penalties and cost-including court costs and attorney's fees, charges, liability and exposure, however caused resulting from, arising out of, or in any way connected with the bidder's/vendor's negligent performance or nonperformance of the terms of the contract.
13. **Assignment:** During the performance of the contract, the bidder/vendor shall not assign, transfer, convey, sublet, or otherwise dispose of any award of or any or all of its rights, title, or interest therein, without the prior written consent of the Town of Waynesville.
14. **All bids shall be made firm for no less than ninety (90) days.**
15. **Invoices and Payments:** All invoices and packaging slip must bear Purchase Order number issued for that order. The Town is not exempt from sales tax. The tax must be shown as separate items on invoice.

IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S.

Name of Contractor, Vendor or Bidder: _____

As of the date listed below, the contractor, vendor or bidder listed above, and all subcontractors utilized by the contractor, vendor or bidder listed above, is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 143-6A-4.

The undersigned hereby certifies that he or she is authorized by the contractor, vendor or bidder listed above to make the foregoing statement.

Signature Date

Printed Name Title

Notes to persons signing this form:

N.C.G.S. 143C-6A-5(a) requires this certification for bids or contracts with the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina. The certification is required at the following times:

- When a bid is submitted
- When a contract is entered into
- When a contract is renewed or assigned

N.C.G.S. 143C-6A-5(b) requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer’s Final Divestment List. The State Treasurer’s Final Divestment List can be found on the State Treasurer’s website at the address www.nctreasurer.com/Iran and will be updated every 180 days.

NON-COLLUSION, DEBARMENT AND GIFT BAN CERTIFICATION

The bidder being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating *N.C.G.S. §133-24* within the last three years, and that the bidder intends to do the work with his own bona fide employees or subcontractors and will not bid for the benefit of another contractor.

By submitting this non-collusion, debarment and gift ban certification, the Contractor is attesting his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. §133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State or Local Government employee of any gift from anyone with a contract with these entities, or from any person seeking to do business with these entities. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF BIDDER

Full name of Company

Address

President or Authorized Signer

Print Name