

**MACOMB COUNTY DEPARTMENT OF ROADS**

**DIRECTOR OF ROADS**

Robert P. Hoepfner, P.E.

**FINANCE DIRECTOR**

Michelle M. Mykytiak

**PURCHASING DIRECTOR**

JoAnna K. Strizic

**Request for Proposal: One (1) 5,000 Gallon Double Wall Polypropylene Vertical Storage Tank**

Sealed proposals will be publicly opened at **11:00** o'clock A.M., E.S.T. on **Wednesday, November 30, 2011** at the office of the Macomb County Department of Roads, 117 S. Groesbeck, Mt. Clemens, Michigan, 48043 for the furnishing of the above materials, services, equipment, work and/or supplies in accordance with the terms, conditions and specifications as stated herein and hereto attached.

1. The Macomb County Department of Roads reserves the right to reject any and all Requests for Proposals, to waive any informality and, unless otherwise specified by the vendor, to accept any items in the proposal. In case of error in the extension of prices in the proposal or other arithmetical error, the unit prices will govern.
2. The proposal must be delivered in person or sent by mail to the Macomb County Department of Roads, 117 S. Groesbeck, Mt. Clemens, Michigan, 48043. **It shall be in a sealed envelope marked with the name and address of the vendor on the outside of the envelope. The above referenced RFP number should also be highlighted on the outside of the envelope.** Facsimile and/or e-mail transmitted RFP's will **not** be accepted.
3. The vendor shall assume full responsibility for delivery of proposals prior to the appointed hour for opening same and shall assume the risk of late delivery or non-delivery regardless of the manner he employs for the transmission thereof. Proposals shall be accepted by the Department of Roads at any time during the normal course of business only, said hours being 8:00 am to 4:30 pm, Monday through Friday, legal holidays excepted. A vendor may withdraw their proposal response by written request at any time prior to the scheduled opening. Any proposal received after the scheduled opening time will **not** be accepted. No proposal may be withdrawn, changed, or modified in any way for a period of sixty (60) calendar days from the date of the opening.
4. **IT IS UNDERSTOOD THAT THE MACOMB COUNTY DEPARTMENT OF ROADS IS A GOVERNMENTAL UNIT AND AS SUCH IS EXEMPT FROM THE PAYMENT OF ALL STATE AND FEDERAL TAXES APPLYING ON THE ABOVE MENTIONED ITEM AND ALL PRICES QUOTED SHALL NOT INCLUDE ANY SUCH TAX.**
5. The total price quoted by the vendor must be the total cost delivered to the location(s). All goods are to be shipped F.O.B. Shipments sent C.O.D. without the Department of Road's consent will not be accepted and will, at the Contractor's risk and expense, be returned. Unauthorized shipments are subject to rejection and returned at the Contractor's expense.
6. The vendor by execution of the proposal thereby declares that the RFP is made without collusion with any other person, firm or corporation making any other quotation, or who otherwise would make a quotation, and agrees to furnish all quoted items in strict accordance with all Federal Regulatory Measures.

7. All proposals must be submitted on the Department of Roads form of proposal. The proposal shall be legibly prepared in ink or typewriter. Erasures or alterations must be initialed by the bidder.
8. Submission of a proposal will be construed as a conclusive presumption that the vendor is thoroughly familiar with the RFP and specifications and that he/she understands and agrees to abide by each and all of the stipulations and requirements contained therein.
9. In the specifications, whenever an article or material is defined by brand name, the name and catalog number of a particular manufacturer, vendor or a limited description, the term "OR APPROVED EQUAL" is written. Any reference to a particular manufacturer's product either by brand name or limited description is only for purposes of setting a standard of performance, quality, composition, construction or size.
10. The Macomb County Department of Roads reserves the right to award the proposal which best fits our needs and appears to be in the best interest of the Department of Roads at the time the proposals are evaluated.
11. When applicable, contractor shall furnish material safety data sheets for their products.
12. VENDORS ARE REQUIRED TO SUBMIT DATA AND DESCRIPTIVE LITERATURE COVERING THE ITEM PROPOSED TO BE FURNISHED. PROPOSALS SUBMITTED WITHOUT THE ABOVE DOCUMENTATION MAY BE CONSIDERED NON-RESPONSIVE AND REJECTED.
13. Addenda issued during the proposal period covering additions, deletions or changes to documents shall be acknowledged as having been received and included in the proposal.  
  
Addendum No. \_\_\_\_\_ Dated \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Dated \_\_\_\_\_
14. Prior to furnishing the requested products and services, it shall be the responsibility of the awarded vendor to obtain all licenses and permits required to complete this contractual service, at no cost to the Department of Roads. These licenses and permits shall be readily available for review by the Administration and Purchasing Personnel.
15. Vendors will provide a general history, description and status of their company.
16. All applicable Federal and State laws and rules and regulations over the project shall apply to the project contract throughout and will be deemed to be included in the contract herein written out in full.
17. The Macomb County Department of Roads adheres to Title VI related requirements as outlined in USDOT Regulation 49 CFR-Part 26, Appendix A of MDOT Bidding Specifications, and the MCDR Policy #440.
18. The Macomb County Department of Roads will not pay fuel surcharges.
19. This document is available over the internet at [www.mitn.info](http://www.mitn.info) or [www.rcmcweb.org](http://www.rcmcweb.org).

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[lcivatta@rcmcweb.org](mailto:lcivatta@rcmcweb.org)

Copies of Proposals and Tabs are available on the following websites:  
[www.mitn.info](http://www.mitn.info) or [www.rcmcweb.org](http://www.rcmcweb.org)

**PROPOSAL**

WE, THE UNDERSIGNED, agree to furnish to the Road Commission of Macomb County, one (1) 5,000 GALLON DOUBLE WALL POLYETHYLENE VERTICAL STOARGE TANK, conforming to the attached specifications at the pricing indicated as noted. F.O.B., delivered to 51235 Napi Drive, Shelby Twp., MI 48315.

The undersigned herein submitted this bid or proposal and agrees to enter into an agreement with the Road Commission of Macomb County in accordance with the bid documents. In submitting this complete and signed proposal, it is understood that the right is reserved by the Road Commission of Macomb County to reject any or all bids or proposals and to make such award that is in the best interest of the Road Commission of Macomb County.

MAKE \_\_\_\_\_

MODEL \_\_\_\_\_ YEAR \_\_\_\_\_

ORIGIN \_\_\_\_\_

DELIVERY DATE \_\_\_\_\_

UNIT PRICE \$ \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ TERMS: \_\_\_\_\_

## **INSURANCE**

The following insurance shall be obtained:

- |    |   |  |
|----|---|--|
| A. | Comprehensive General Liability including   | \$1,000,000 per occurrence and<br>\$2,000,000 aggregate  |
|    | 1. Products and completed operations  |  |
|    | 2. Broad form property damage   |  |
|    | 3. Premises operations  |  |
|    | 4. Broad form contractual   |  |
|    | 5. Personal injury  |  |
| B. | Workers' Compensation Employers Liability Statutory<br>Coverage and Employer's Liability Limits of: | \$500,000/\$500,000/\$500,000  |
| C. | Automobile liability including hired and leased<br>Vehicles owned and non-owned autos               | \$1,000,000 CSL or \$500,000 per person<br>\$1,000,000 per accident \$500,000<br>Property damage |

Personal Injury Protection – Statutory Limits and Property Protection Insurance - \$1,000,000 Limit.

Supplemental Environmental Auto Liability (SEAL) coverage or insurance that covers the loading and unloading of scheduled pollutants is required.

## **CERTIFICATES OF INSURANCE (GENERAL)**

All certificates of insurance and duplicate policies of an outsider, vendor or contractor shall contain the following clauses:

- A. "Underwriters shall have no right of recovery or subrogation against the MCDR (including its agents and agencies as aforesaid), it being the intention of the parties that the insurance policy so effected shall protect both parties in primary coverage for any and all losses covered by the subject policy."
- B. "Any coverage afforded the MCDR shall apply as primary and not excess to any insurance issued in the name of the MCDR, et al."
- C. "The insurance company(s) issuing the policy or policies shall have no recourse against the MCDR for payment of any premiums or for assessments under any form of policy."
- D. "The term 'insured' is used severally, not collectively but the inclusion in this policy of more than one insured shall not operate to increase the limit of the MCDR's liability."

All certificates are to provide thirty (30) days written notice of material change or cancellation. Certificates of insurance and insurance binders must be provided not less than ten (10) working days before commencement of work to the Macomb County Department of Roads, 117 S. Groesbeck Hwy., Mt. Clemens, MI 48043. Insurance carriers are subject to the approval of MCDR.

**INDEMNIFICATION**

MCDR will not be responsible for injury to contractor’s employees, sub-contractors, or to third parties caused by the contractor’s agents, servants or employees. Therefore, the contractor agrees to incorporate the below hold harmless agreement into the required insurance and to be evidenced by being contained in the certificate of insurance. Further, the below listed indemnification is incorporated and is part of the subject contract.

“The contractor agrees to protect, defend, indemnify and hold the MCDR and its officers, employees and agents free and harmless from and against any and losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, legal fees, liens, demands, court costs, obligation, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof. Without limiting the generality of the foregoing, any and all such claims, etc. relating to personal injury, death, damage to property, defects in materials or workmanship, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder”.

“The contractor further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc. at his sole expense and agrees to bear all other costs and expenses related hereto, even if it (claims, etc.) is groundless, false or fraudulent. In any case in which this indemnification would violate legal prohibition, the foregoing provision concerning indemnification shall not be construed to indemnify the MCDR for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the MCDR, its officers, employees or agents”.

**WORK REFERENCES (at least three)**

Name of Company	Location	Name of Person Approving Work and Telephone No.	Time Period of Project
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

**NON-COLLUSION AFFIDAVIT**

County                    )  
                                  )

\_\_\_\_\_ being first duly  
sworn, deposes and says that he is the

\_\_\_\_\_  
(Individual, Partner, Corporate Officer)

making the foregoing proposals of bids; that such bids are genuine and not collusive or sham; such bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any bidder or person, to put in sham a bid, or that such other person shall refrain from bidding and has not in any manner, directly with any person, to fix the bid price of affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Joint Purchasers or any person or persons proposal are true; and further, that such bidder has not, directly or indirectly submitted this bid, or the contents thereof, or divulged information or data relative thereto any association or to any member or to any member or agent thereof.

\_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_ Notary Public

My Commission Expires

\_\_\_\_\_

**BIDDER: THIS AFFIDAVIT MUST BE COMPLETED, SIGNED, NOTARIZED AND INCLUDED IN YOUR BID SUBMISSION.**

**FEDERAL EMPLOYER IDENTIFICATION**

COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ TERMS: \_\_\_\_\_

FEDERAL EMPLOYER IDENTIFICATION NUMBER: \_\_\_\_\_

Which is (check one of the following:)

( ) Corporation, incorporated under the laws of the State of: \_\_\_\_\_

( ) Partnership, consisting of (list partners): \_\_\_\_\_

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( ) Assumed Name (register no.) \_\_\_\_\_

( ) Individual \_\_\_\_\_

When payment on such order or contract is to be directed to the same company at an address different from above, fill in the following address: \_\_\_\_\_

\_\_\_\_\_

MACOMB COUNTY DEPARTMENT OF ROADS

Specifications for:

**One (1) 5,000 GALLON DOUBLE WALL POLYETHYLENE  
VERTICAL STORAGE TANK**

General Description

***This specification describes one (1) 5,000 gallon double wall polyethylene vertical storage tank that will be used to store salt brine and deicing chemicals for winter snow removal operations.***

**General Requirements**

Proposals will be considered only from vendors who offer polyethylene tanks manufactured by companies that are known to be skilled and have been regularly engaged in the manufacture of tanks of the type, class and size specified herein for a period of not less than ten (10) years. Bidders must be a manufacturer authorized licensed dealer for the product offered, or the manufacturer itself.

Units offered under this advertisement should be new production models utilizing proven design and manufacturing processes. Units of experimental or unproven design are not acceptable.

***The origin and availability of service and parts be stated. Qualified service and factory replacement parts must be available on a regular basis.***

***The bidder shall include in the proposal package a list of at least five (5) users of the tank type offered in the package, so that department personnel can check the references.***

***The bidder must also submit with their proposal, the latest printed manufactures specifications and advertising literature on the units they propose to furnish.***

Bidders are expected to propose price and delivery of the tank they propose to furnish giving careful consideration to the specification. Any deviations from these specifications shall be submitted with the proposal in writing, with full detail of each variation with reference made to each item to which the variation applies. If these variations are not submitted with the proposal, the entire proposal will be considered non-responsive.

A copy of the manufactures warranty certificate shall be included as part of the proposal package as applicable to the product being proposed. The bidder upon request shall provide further clarification of warranty provisions. Unsatisfactory or inadequate warranty provisions shall, in themselves, be justification for the denial of the award of this proposal by the Road Commission of Macomb County.

Delivery time, past performance of the bidder and/or the equipment offered, as well as price, will be considered major factors in determining the successful bidder.

COMPLIES WITH SPECIFICATIONS?	YES	NO	EXPLAIN DEVIATIONS
<b>Double wall tank construction, thickness equal or greater then required by ASTM D 1998 standards</b>			
High Quality polyethylene with UV protection			
<b>Outer containment tank should provide 115-120% of inner tank capacity, must comply with 40 CFR-264.193</b>			
<b>Molded-in deep tie-down/lifting lugs</b>			
<b>18" threaded manway</b>			
<b>Molded-in gallon markers</b>			
<b>1" drain outlet with pvc plug</b>			
<b>3" UFO fitting (unified fitting outlet)</b>			
<b>3" to 2" reducer bushing</b>			
<b>119" X 154"</b>			
<b>3 year warranty</b>			
<b>Freight included in price</b>			
<b>WARRANTY DOCUMENTATION PROVISIONS</b>			
<p><b>General Terms and Conditions: Warranty certificates or letters shall be provided to the end user upon delivery of the unit. All warranties shall start from the in-service date with the Road Commission of Macomb County.</b></p> <p><b>Penalty Clause:</b> Failure to provide any of the above documentation at the time of delivery shall be grounds for withholding five hundred (\$500.00) dollars of the monies due for payment of the unit, until such time as the requested documentation is provided.</p>			
<b>ADDITIONAL BIDDER INSTRUCTIONS</b>			
<b>A Copy of the manufactures warranty certificated shall be included as part of the bid package as applicable to the product being bid. The bidder upon request shall provide further clarification of warranty provisions</b>			
The bidder must also submit with their bid, the latest printed manufactures specifications and advertising literature on the units they propose to furnish			

**Statement of No Bid**

**Macomb County Department of Roads**

**Bid Number: RFP 12-01**

**Title: One (1) 5,000 Gallon Double Wall Polypropylene Vertical Storage Tank**

**Please Send or Fax To:**

Macomb County Department of Roads  
Attn: Purchasing Department  
34592 Nova Drive  
Clinton Twp., MI 48035  
**Fax Number:** (586) 791-5860

We, the undersigned, have declined to bid on the subject bid for the following reasons:

<b>Check All That Apply</b>	<b>Reason</b>
<input type="checkbox"/>	Our company does not handle the type of product/service
<input type="checkbox"/>	We cannot meet the specifications nor provide an approved alternate – please explain below
<input type="checkbox"/>	Our company is not interested in bidding at this time
<input type="checkbox"/>	Job is too small
<input type="checkbox"/>	Job is too large
<input type="checkbox"/>	Cannot be competitive
<input type="checkbox"/>	Liability issues such as insurance, bonding, indemnification, hold harmless
<input type="checkbox"/>	Insufficient time to respond – please explain below
<input type="checkbox"/>	Our company's schedule would not permit performance of the specifications
<input type="checkbox"/>	Other – describe below

**Remarks:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Company Information:**

Company Name: \_\_\_\_\_

Signature of Authorized Company Representative: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Address: \_\_\_\_\_  
\_\_\_\_\_

**Fax Number:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Important Note:** To qualify as a respondent to the bid, the vendor must submit a proposal or return this completed form.

**VENDOR REGISTRATION:** The Macomb County Department of Roads uses the MITN website for vendor registration, bid and tabulation posting, award information and other processes. Final bid results will be posted on the MITN website after award. Please register to see results – [www.mitn.info](http://www.mitn.info)

