

NOTICE TO ALL BIDDERS:

Due to problems with past bids, the City of Aberdeen has implemented a process to insure all bids conform to the information provided in the published set of bid documents you are downloading from the website.

Of particular concern is the calculation of bid security. Specific instructions for the acceptable calculation of bid security is provided in **Section B-2 of the Instructions to Bidders** portion of the bid document.

The attached checklist will be the guideline followed when opening bids. The items on the checklist address problem areas of submitted bids. The applicable sections are noted with each item on the checklist to give bidder direction for clarification.

The bidder is advised to insure their bid conforms to all items on the checklist. If your bid does not address all of the items on the checklist it is likely that the City Council will not consider your bid.

The City Council will **NOT** consider any bid not signed and sealed as per the instructions; does not include the 10% bid bond or 5% Certified or Cashier's check; or **does not acknowledge that the bid is firm.**

If there are questions or concerns that you have prior to submitting your bid, please feel free to contact the City of Aberdeen at 605-626-7010. We will do everything that we can to help.

BID CHECKLIST

- BID ENVELOPE LABELED WITH “**BID FOR 2009 WATER TREATMENT ACTIVATED CARBON**”?
(PAGE IB-1, SECTION B-1)
- BID ENVELOPE SEALED?
(PAGE IB-1, SECTION B-1)
- BID BOND INCLUDED (10% BID BOND OR 5% CERTIFIED OR CASHIER’S CHECK OF THE **TOTAL GROSS BID**, AND IN PROPER FORM?
(PAGE IB-1, SECTION B-2)
- READ AND COMPLIED WITH SECTION B-2 (INSTRUCTIONS TO BIDDERS) OF THE BID DOCUMENT?
- CERTIFIED BID, ACKNOWLEDGED ANY & ALL ADDENDA, RECORDED CERTIFIED CHECK OR BID BOND % (PAGE P-3)?
- BID PROPOSAL PROPERLY SIGNED** (PAGE P-4)?
(PAGE IB-2, SECTION B-6)
- ALL ADDENDA TO BID DOCUMENTS **SIGNED** AND **INCLUDED** WITH BID AND **ACKNOWLEDGED** ON PROPOSAL?
(SECTION B-1 AND PROPOSAL)
- NO ALTERATIONS TO BID FORM?
(SECTION B-1)
 - IF ALTERATIONS ARE MADE ARE THEY SIGNED OR INITIALLED?
- INCLUDED PROOF OF NSF CERTIFICATION OR WEB-SITE ADDRESS FOR NSF CERTIFICATION?
- INCLUDED CERTIFICAT OF ANALYSIS & MSDS SHEETS?
- BID SUBMITTED INCLUDE THE **COMPLETED COVER PAGE, BID PAGES P-1, P-2, and P-3** , **ALL** MUST BE **BOUND** WITH A STAPLE AND IN THE PROPER ORDER? (SECTION B-10) Bids will be rejected if these pages are not **INCLUDED** & **COMPLETE!**

SPECIFICATION
AND
CONTRACT DOCUMENTS

2009 WATER TREATMENT PLANT ACTIVATED CARBON

for

CITY OF ABERDEEN, SOUTH DAKOTA

MAYOR

Mike Levsen

FIRM: _____

ADDRESS: _____

CONTACT NAME: _____ PHONE NUMBER: _____

E-MAIL ADDRESS: _____

Prepared by:
Janel Ellingson
Superintendent
January 14, 2009

**ABERDEEN, SOUTH DAKOTA
WATER TREATMENT PLANT ACTIVATED CARBON**

2009

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**ADVERTISEMENT FOR BIDS
CITY OF ABERDEEN
WATER TREATMENT PLANT
2009 ACTIVATED CARBON**

Notice is hereby given that sealed bids will be received by the Council of the City of Aberdeen, South Dakota at the office of the City Finance Officer, Auditor Division, 123 S. Lincoln Street, Aberdeen, SD 57401-4215, until 2:00 o'clock p.m. local time on the **4th of February, 2009**, at which time bids will be publicly opened, read and referred to the Council of the City of Aberdeen for furnishing:

Activated Carbon

Copies of the Specifications, and other proposed contract documents are available on the City of Aberdeen web site at www.aberdeen.sd.us and on file at the City Finance Office Auditor Division, and the City Public Works Office, Aberdeen, South Dakota, and will be available at no cost from the latter.

Bids shall be submitted in accordance with the specifications. All bids shall be plainly marked on the outside of the envelope with the words "**Bid for 2009 Water Treatment Plant Activated Carbon**"

Bid securities for each total gross bid in excess of \$25,000 will be provided **A ten per cent (10%) Bid Bond or a certified check or a cashier's check in an amount equal to at least five per cent (5%) of the total gross bid will accompany each bid packet**, the same to be issued by a solvent bank authorized to operate in South Dakota, and made payable to the City of Aberdeen, South Dakota. These securities are to be guaranteed that if the Proposal is accepted, a contract will be entered into by the Bidder. Contracts in excess of \$25,000 may require a Payment Bond and a Performance Bond acceptable to the Board of Commissioners of the City of Aberdeen, South Dakota, for one hundred per cent (100%) of the Contract, in conformance with the requirements of the Contract documents. No bid may be withdrawn within a period of thirty (30) days after the date fixed for opening bids.

The Council of the City of Aberdeen, South Dakota reserves the right to reject any and all bids, waive irregularities and accept the bid it deems most favorable and in the best interest of the City of Aberdeen after all bids have been examined.

By Order of the Council of the City of Aberdeen, South Dakota.

Dated this 20th Day of January, 2009.

By: _____
Karl Alberts
Finance Officer

INSTRUCTIONS TO BIDDERS

B-1.BIDS. Each bid shall be legibly written or printed in ink on the form provided in this bound copy of proposed contract documents. No alterations in bids, or in the printed forms therefor, by erasures, interpolations, or otherwise will be acceptable unless each such alteration is signed or initialed by the bidder; if initialed, the Owner may require the bidder to identify any alteration so initialed. No alteration in any bid, or in the form on which it is submitted, shall be made after the bid has been submitted. All addenda to the contract documents, properly signed by the bidder, shall accompany the bid when submitted.

The bid form shall be completed for any individual section or combination of sections at the bidder's option.

Each bid shall be enclosed in a sealed envelope or wrapping, addressed to the City Council of the City of Aberdeen, South Dakota, identified on the outside with the words "Bid for 2009 Water Treatment Activated Carbon", and filed with the office of the Deputy Finance Officer, Auditor Division.

No bidder may submit more than one bid. Multiple bids under different names will not be accepted from one firm or association.

B-1-a. ADDENDUMS TO BIDS. The deadline for addendums to the base bid packet shall be January 27, 2009. Addendums, if required, shall be posted to the website under the addendums link prior to this date. Please check for addendums before submitting completed bid packets to the City of Aberdeen.

B-2. BID SECURITY. Each bid in excess of \$25,000 shall be accompanied by a certified check, cashier's check, or draft certified or issued by a state or national bank for five (5) per cent of the total gross bid, or in lieu thereof a bid bond issued by a surety authorized to do business in South Dakota for ten (10) per cent of the amount of the total gross bid, all in accordance with SDCL 5-18-6 to 5-18-10 inclusive.

The bid security shall be made payable without condition to the City of Aberdeen, South Dakota, hereinafter referred to as Owner. The bid security may be retained by and shall be forfeited to the Owner as liquidated damages if the bid is accepted and a contract based thereon is awarded and the bidder shall fail to enter into a contract in the form prescribed, with legally responsible sureties, within ten (10) days after such award is made by the Owner.

B-3. RETURN OF BID SECURITY. The bid security of each unsuccessful bidder will be returned when his bid is rejected. The bid security of each bidder to whom a contract is awarded will be returned when he executes a contract and files a satisfactory performance bond. The bid security of each second lowest responsible bidder may be retained for not to exceed thirty (30) days pending the execution of the contract and bond by the successful bidder.

B-4. WITHDRAWAL OF BID. No bidder may withdraw his bid for thirty (30) days after the date and hour set for the opening. A bidder may withdraw his bid any time prior to expiration of the period during which bids may be submitted by a written request signed in the same manner and by the same person who signed the Bid Form.

B-5. ACCEPTANCE AND REJECTION OF BIDS. The Owner reserves the right to accept the bid which, in its judgment, is the lowest and best bid, to reject any or all bids, and to waive irregularities or informalities in any bid. Bids received after the specified time of closing will be returned unopened.

B-6. SIGNATURE OF BIDDERS. Each bidder shall sign the Bid Form using his usual signature and giving his full business address. Bids by partnerships shall be signed with the partnership name followed by the signature and designation of one of the partners or other authorized representative. Bids by corporations shall bear the corporate seal and shall be signed with the name of the corporation followed by the signature and designation of the president, secretary, or other person authorized to bind the corporation. Bids by joint ventures shall be signed by each participant in the joint venture or by an authorized agent of each participant and each shall indicate whether the participant is doing business as an individual, partnership or corporation. The names of all persons signing shall also be typed or printed below the signature. A bid by a person who affixes to his signature the word "president", "secretary", "agent", or other designation without disclosing his principal may be held to be the bid of the individual signing. When requested by the Owner, evidence of the authority of the person signing shall be furnished.

B-7. INTERPRETATION OF CONTRACT DOCUMENTS. If any person who contemplates submitting a bid is in doubts to the true meaning of any part of the drawings, specifications, or other proposed contract documents he may submit to the Superintendent a written request for an interpretation thereof. The person submitting the request shall be responsible for its prompt delivery. Interpretation of the proposed contract documents will be made only by addendum. A copy of each addendum will be mailed or delivered to each person obtaining a set of contract documents from the Superintendent. The Owner will not be responsible for any other explanations or interpretations of the proposed contract documents.

B-8. TAXES AND PERMITS. Attention is directed to the requirements of the General Conditions regarding payment of taxes and obtaining permits. The City of Aberdeen is not exempt from taxes levied by the State of South Dakota.

B-9. PERFORMANCE STANDARDS. In lieu of a performance bond, suppliers will agree upon acceptance of the contract to abide by the following performance agreement:

If at any time, the City of Aberdeen determines that any chemical provided under this contract fails to adequately perform when used as described in the plans and specifications, the supplier will, at his own expense, arrange for the removal of the substandard product upon notification by the superintendent. Additionally, the City of Aberdeen may arrange delivery of a suitable product for the remainder of the contract period from another supplier. If this action is necessary as determined by the superintendent, the company awarded the contract will pay any and all expenses beyond the accepted bid price for the duration of the contract.

B-10. BOUND COPY OF BID DOCUMENTS. ONLY A COMPLETE BID PACKAGE SHALL BE ACCEPTED at bid opening. A complete bid package shall include:

- 1. 10% Bid Bond or 5% Certified or Cashier's check**
- 2. Completed cover page**
- 3. Properly completed pages P-1, P-2, P-3, (each column for the chemical(s) you are bidding must be filled)**
- 4. Signed Addenda (if any) and Acknowledged on proposal**
- 5. NSF Certification**
- 6. Certificate of Analysis where required**
- 7. Items 1. - 4. Must be stapled together in proper order**
- 8. All documents shall be placed in an envelope or wrapper that is then sealed and marked as required in B-1.**

B-11. SOUTH DAKOTA RESIDENT CONTRACTOR PREFERENCE. A South Dakota resident bidder will be allowed a preference on this contract against the bid of any bidder from any other state which enforces or has a preference for resident bidders. The amount of preference given to the South Dakota low resident bidder will be equal to the preference given in the other state.

2009 Water Treatment Plant Activated Carbon

TO THE CITY COUNCIL
CITY OF ABERDEEN, SOUTH DAKOTA

DATE: January 4, 2009

THE UNDERSIGNED BIDDER, being familiar with the specifications, for materials to be furnished, now on file in the office of the Water Treatment Superintendent, Aberdeen, South Dakota, hereby proposes to furnish the following materials at the quoted unit prices:

ITEM	BID FIRM YES/NO	# OF POUNDS	PRICE PER POUND	TOTAL BID PRICE
Activated Carbon	_____	_____	\$ _____	\$ _____

The bidder agrees to furnish the required Bonds and to enter into a contract as provided with the bid package within ten (10) days after acceptance of this bid.

The bidder certifies that the materials meet or exceed the specifications within the bid package.

In submitting this bid it is understood that the right is reserved by the Owner to reject any and all bids, and it is understood that this bid may not be withdrawn during a period of thirty (30) days after the scheduled time for the receipt of bids.

The bidder hereby certifies (a) that this bid is genuine and is not made in the interest of, or in the behalf of, any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, with any agreement or rules of any group, association, organization, or corporation; (b) that he has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid (c) that he has not solicited or induced any person, firm or corporation to refrain from bidding and (d) that he has not sought buy collusion to obtain for himself any advantage over any other bidder or over the Owner.

Yes _____

No _____

The bidder acknowledges receipt of the following addenda:

No. _____

Dated _____

No. _____

Dated _____

No. _____

Dated _____

Dated in _____ this _____ day of _____, 2009.

Enclosed herewith is a (certified check), (bid bond) in the amount of _____% of the bid which the undersigned agrees is to be forfeited to and become the property of the City of Aberdeen, should this proposal be accepted and the contract awarded to us and we shall fail to enter in the contract and furnish the specified bond. The check shall be returned to the undersigned upon the signing and acceptance of the executed contract and executed bond by the City.

Bid For: **2009 Water Treatment Activated Carbon**

Date: February 4, 2009

SIGNATURE OF BIDDER:

If an Individual: _____

doing business as: _____

If a Partnership: _____

By _____, partner

If a Corporation: _____

By _____, (Seal)

Title _____

If a Joint Venture (Both must sign)

By _____,

Title _____

By _____,

Title _____

Business address to which Notice of Award is to be sent: _____

**SPECIFICATIONS
CARBON - 2009
WATER TREATMENT PLANT**

Bids will be received for one year's supply of chemicals for the Aberdeen, South Dakota, Water Treatment Plant. Chemicals, quantities and specifications are as follows:

CARBON BID shall be accompanied by a recent Certificate of Analysis, MSDS sheet and ANSI/NSF Standard 60, Drinking Water Treatment Chemical Certification (or web address where this certification can be found).

Powdered Activated Carbon – 150,000 pounds (75 Ton) in bulk form meeting *AWWA Standard B600-05*. Activated carbon made in the United States may be given preference based on past experience. All carbon must be free of foreign matter or incompletely processed raw material. Bids will be made for the following product requirements:

The hardness of our dilution water exceeded 250 mg/L at times though the year therefore the carbon bid shall be **ACID WASHED LIGNITE COAL** with a pH of less than 8.3, an iodine number of no less than 500 mg/g and a packed density not greater than 47 pounds per cubic foot. A guaranteed analysis of the product must be provided with the bid. *The carbon will be delivered bulk from pneumatically off-loaded semi-trailers. Maximum delivery 40,000 lbs.*

NOTE - Special Delivery Requirements:

All quantities are on an as-needed basis established by the Aberdeen Water Works. Deliveries shall be made directly to the Aberdeen Water Works. The address will be provided upon acceptance of the bid.

All chemicals delivered on pallets must be loaded and transported such that the pallets can be unloaded from the **rear** of the truck using a pallet jack. Maximum height of palletized packages will be five (5) feet and the pallets must be of standard dimensions. Chemicals delivered on pallets must arrive at the Aberdeen Water Works between the hours of 8:00 AM and 3:30 PM Monday through Friday.

Bulk chemical deliveries must have prior coordination and will be off loaded between the hours of 6:00 AM and 6:00 PM, Monday through Friday.

NO DELIVERIES WILL BE ACCEPTED ON TUESDAYS OR GOVERNMENT RECOGNIZED HOLIDAYS.

Drivers must contact the Aberdeen Water Works at the telephone number listed below at least one day prior to arrival once the load has been dispatched to confirm delivery time

CHEMICAL BID SPECIFICATIONS

and date. Security measures for our facility require deliveries be admitted only with prior notification. Drivers will be locked out if they do not call ahead to coordinate time of arrival as all deliveries must be admitted by water treatment plant personnel. Please call ahead! Drivers should use the North entrance to get off the road for other traffic.

The successful bidder will provide a means to secure each load from tampering, and will provide sufficient chain-of-custody paperwork to verify the security of the load while in transit.

All quantities are approximate and will vary in accordance with production rates.

Bids shall be firm for one year from date of award of the contract.

All bids shall be F.O.B. Aberdeen Water Works, Ordway, South Dakota.

Chemicals not NSF certified must be accompanied by documentation showing pending certification and anticipated date of approval. All NSF certified chemical bids will include documentation verifying NSF approval.

Inquiries shall be directed to:

Janel Ellingson, Superintendent
Aberdeen Water Works
Aberdeen, SD 57401-4215
(605) 626-7011

CONTRACT FORM

GENERAL INFORMATION ONLY

**TO BE COMPLETED BY THE
AWARDED BIDDER ONLY**

MATERIAL and/or SERVICE CONTRACT
MUNICIPAL PROJECT

THIS AGREEMENT, made and entered into this _____ day of _____, 2009, between the City of Aberdeen, a municipal corporation of the State of South Dakota, hereinafter referred to as City, and _____, City of _____, County of _____, State of _____, hereinafter referred to as _____.

For the consideration set forth herein, the parties agree as follows:

1. _____ being the lowest and best bidder, shall provide to the City the following: _____

materials and services described above shall be provided in accordance with the bid made by _____, pursuant to the Notice to Bidders and specifications on file in the Finance Office of the City and by reference made a part hereof as if set forth herein in full.
2. City shall pay _____ the price and amount set forth in _____'s bid upon delivery to and acceptance by the City of _____ herein described and on filing by _____
3. This agreement shall be inoperative during such period of time as delivery or acceptance may be rendered impossible by reason of fire, strike, act of God, government regulation or other cause beyond the control of either party.
4. This agreement shall be binding on the assigns and successors of the parties.

In witness whereof, the parties have executed this agreement at Aberdeen, South Dakota, the day and year first above written.

ATTEST:

CITY OF ABERDEEN, a municipal corporation

Deputy Finance Officer

By

Mike Levsen, Mayor

* * * * *

Company Name

(CORPORATE SEAL)

By

Title

(This document must be signed with the full name of the Contractor. If the Contractor is a partnership, it must be signed in the partnership name by one partner. If this document is signed by a Contractor that is a Corporation, it must be signed in the Corporate name by a duly authorized Officer and the Corporate Seal affixed and attested by the Secretary of the Corporation.)

Water Treatment Act Carbon - 2009
Aberdeen, South Dakota * * * * *

CA-1

The contract and bond are in due form according to law and are hereby approved.

Attorney for City

