

November 19, 2021

To: Prospective Bidders

Re: Parks Cement Bid

The City of Holland will receive sealed bids from prospective bidders to place cement at Moran Park in the City of Holland.

The bids will be received at the City of Holland Finance Office 270 South River Ave, Holland, MI 49423 until **11:00am, Wednesday, December 8, 2021**, at which time they will be publicly opened and read. You are invited, but not required, to attend said bid opening.

Bids must be on the "BID FORM" provided and be submitted online via the following website [BidNetDirect](#) or in a sealed envelope that is plainly marked "CEMENT BID."

All bids are to be net, F.O.B. – destination.

Bids are to be irrevocable for a period of thirty (30) days from the date of the bid opening and shall not be withdrawn, modified, or altered after the bid opening. In case of default by the selected vendor, the City of Holland may procure its requirements from another vendor, without going through additional bidding procedures, and hold the original vendor liable for any increased costs.

The City of Holland reserves the right to accept or reject any or all bids, to waive any irregularities/informalities in the bids received and to split the bid if deemed desirable by the City.

Contracts and Purchase Orders shall be awarded to the lowest responsible bidder. In determining the lowest responsible bidder, in addition to price, the items set forth in Section 2-48 (Award of contracts and Purchases) and Section 2-48.1 (Preference for Local Bidders/Holland- Based Businesses) of the Ordinance Code of the City of Holland shall be considered.

The City of Holland reserves the right to consider use of the State of Michigan contract Purchasing Program or other purchasing programs available to Michigan local units of government that have met bid requirements for identical vehicles/equipment.

Lynn McCammon
Finance Director
(616)355-1377

GENERAL CONDITIONS

1. Scope of the Work

The work shall consist of providing all labor, material, and equipment necessary to supply areas designated for cement as specified.

2. Inspection of the Premises

All contractors, prior to submission of their bid, shall inspect the premises. The submission of a bid shall constitute acknowledgement by the contractor that they have familiarized themselves thoroughly with all phases of the contemplated project. Personnel from the Parks & Recreation Department will be available by appointment to accompany any interested contractor on a site inspection. An appointment for inspection can be made by calling 616.355.1130.

3. Quality of the Work

All work shall be subject to inspection by the Parks & Recreation Department and shall meet recognized standards of good workmanship. Unacceptable work shall be promptly removed and replaced by the contractor at their expense with no additional costs incurred by the City.

4. Completion

The work shall be completed by May 30, 2022.

5. Protection of the Public

The contractor shall assume full responsibility for the protection of the public during the progress of the work and shall be responsible for any damage to any adjacent premises which might result from the progress of the work. The contractor shall be responsible for providing and placing adequate barricades and warning lights at all locations where the work is in progress.

6. Payments

The contractor shall be paid the total contract price upon completion of the work and its acceptance by the City; and after a sworn statement has been submitted by the contractor that all bills for labor and material have been paid.

7. Insurance

The contractor shall agree to indemnify and save harmless the City of Holland, including its officers, agents and employees from any and all liabilities that may result from the contractor's work as proposed herein. This covenant of indemnification shall include any reasonable attorney fees and costs incurred in defense of any actions, claims or liability by the City.

The contractor shall maintain general liability insurance, automobile liability insurance, employer liability insurance, and workers compensation insurance on all employees who work or perform services under the proposed purchase order or contract. The general liability insurance and automobile liability insurance required herein shall name the City of Holland, its officers, agents and employees as additionally insured, and shall be in the form of a comprehensive, general and automobile bodily injury and property damage policy, and shall provide that the City receive not less than ten (10) days prior written notice in the event of cancellation or change in terms thereof. Said policy shall be for the following minimum limits:

Comprehensive General Liability insurance in an amount not less than \$1,000,000 for injuries, including accidental death, to any one person, and subject to the same limit for each person, with a combined aggregate per occurrence of not less than \$1,000,000, property damage insurance in an amount not less than \$1,000,000, and business auto liability insurance in an amount not less than \$500,000.

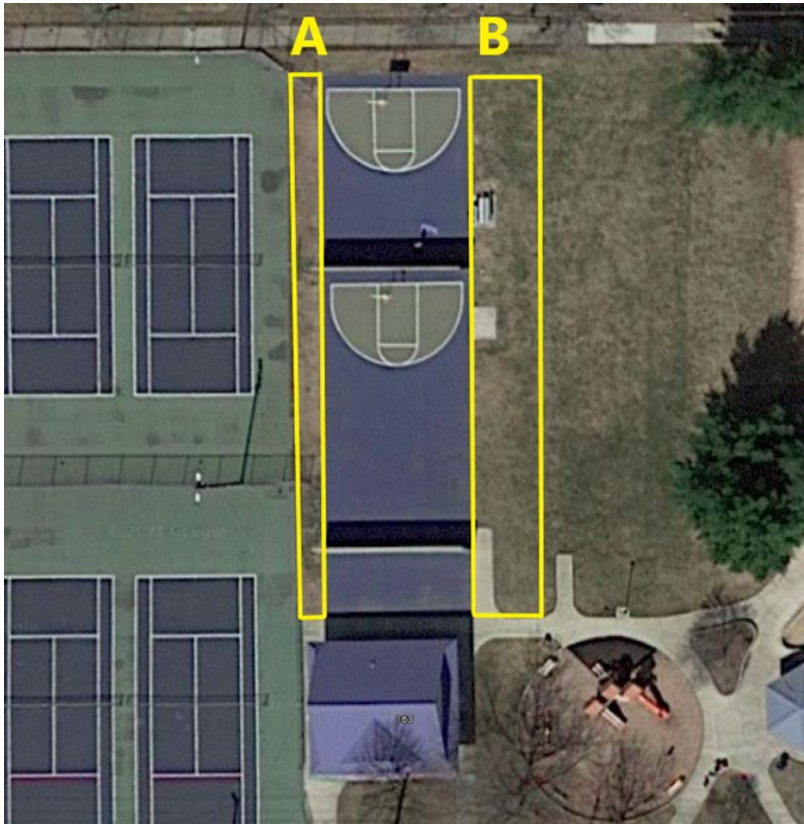
Evidence of an approved insurance policy shall be submitted by the successful bidder and approved by the City of Holland prior to commencement of the work as here in proposed. All general liability insurance and automobile liability insurance shall waive subrogation against the City.

SPECIFICATIONS

Moran Park (515 Maple Ave); Between Tennis and Basketball Court

- 4" Cement with wire. Between the area of the tennis and basketball courts
- Approximately 8' x 175'
- Remove grass, weeds and other debris in between area prior to cement.
- Remove and dispose of the fence and debris between the tennis and the basketball courts.
- Cemented areas are to be level with tennis and basketball courts.

Work is to be completed by May 30, 2022.





Finance Office
Lynn McCammon DIRECTOR

City of Holland

BID FORM

_____ Date of Bid

TOTAL NET BID \$ _____

This bid is net, F.O.B. and includes any and all costs associated with cementing the park as specified.

This bid is firm for a period of thirty (30) days from date of the bid opening and will not be withdrawn, modified or altered after the bid opening.

Signature of Bidder: _____

Company Represented: _____

Company Mailing Address: _____

Company Telephone Number: _____

Company email address: _____

Section 2-48 of the Ordinance Code of the City of Holland

Section 2-48 Award of Contract or Purchases.

Contracts and purchases shall be awarded to the lowest responsible bidder. In determining "lowest responsible bidder", in addition to price, the purchasing coordinator or the City Council shall consider:

- a. The bidder's ability, capacity and skill to perform the contract or provide the supplies, material, equipment or services required promptly, or within the specified time, without delay or interference.
- b. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- c. The bidder's previous and existing compliance with contracts, purchase orders or service.
- d. The bidder's previous and existing compliance with laws and ordinances relating to contracts, purchase orders or services;
- e. The sufficiency of the financial resources of the bidder to perform the contract or provide the supplies, materials, equipment or services.
- f. The availability and adaptability of the supplies, materials, equipment or contractual services to the particular use required.
- g. The bidder's ability to provide future maintenance and service for the use of the subject of the contract.
- h. The number and/or scope of conditions attached to the bid by the bidder.
- i. The brand, make or type of product being proposed by the bidder, and its compatibility with other similar materials or equipment currently owned and operated by the City.

If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to the local bidder, if any. In all other cases of tied bids, the contract or purchase shall be awarded to one of the tied bidders by drawing lots in public.

Sec. 2-48.1. Preference for local bidders/Holland-based businesses.

(a) *Purpose.* The city finds that its purchasing practices should encourage local vendors to provide goods and/or services to the city, resulting in increased economic activity through more local jobs, tax revenues, and expenditures, and to entice businesses to relocate to the city.

(b) *Definition.* Holland-based business means a physical and economic relationship to Holland determined by a verifiable business address (not a P.O. box) within the corporate boundaries of the city, activities carried out in Holland substantial enough to consider it a Holland-based business, and the payment of city property taxes for not less than one year immediately prior to the date of the bid submittal. A Holland-based business shall also include a local vendor which is located outside the geographic boundaries of the City of Holland but within the geographic boundaries of the Macatawa Area Coordinating Council and the governmental unit in which such local vendor is located has an ordinance or a purchasing policy which grants a similar local vendor preference to Holland-based businesses as defined in the first sentence of this paragraph.

(c) *Exceptions.*

(1) Purchases resulting from exigent emergency conditions where any delay in completion or preference would jeopardize public health, safety or welfare of the citizens of the city, or where in the judgment of the manager or his designee the operational effectiveness of a city department or division or a significant city function would be seriously threatened if a purchase was not made expeditiously.

(2) Purchases from any sole source supplier for supplies, materials, or other equipment.

(3) Purchases made through the state's extended purchasing program, or other cooperative purchasing contractual agreements utilized or initiated by the purchasing division.

(4) The procurement of goods and services utilizing the request for proposal (RFP) or best value quote processes where the award is based on criteria other than lowest cost, unless the original solicitation contains the criteria used to affect Holland-based preference.

(5) Bid solicitations that utilize federal funding that prohibits awards based on local preference criteria.

(6) Bid solicitations that utilize "life cycle cost" as the basis of award in place of submitted bid price.

(d) *Preference*. When sealed bids are received under section 2-46, the following shall apply:

(1) The person or business submitting the lowest responsive, responsible bid, according to the requirements of the bidding documents, shall be deemed the lowest bidder. If the lowest bidder is not a Holland-based business, any Holland-based business with a bid within two percent (2%) of the lowest bid shall be deemed the lowest bidder if it agrees to reduce its bid to match the bid of the lowest bidder. A lowered bid by a Holland-based business which is premised upon, in whole or in part, changes to or variances to the bid specifications, contract requirements, or scope of work shall be considered non-responsible and will not be considered.

(2) If such a Holland-based business refuses to reduce its bid to match the lowest bid, then the next lowest responsive and responsible Holland-based business with a bid within two percent (2%) of the lowest bid shall be deemed the lowest bidder, if it agrees to reduce its bid to match the bid of the lowest bidder.

(3) If no responsive and responsible Holland-based business within two percent (2%) of the lowest bid agrees to reduce its bid, then the contract shall be awarded to the person or business with the lowest, most responsive and responsible bid.

(4) No contract awarded pursuant to this section shall be sublet in any matter that permits 50 percent or more of the dollar value of the contract to be performed by a subcontractor or subcontractors who do not meet the definition of "Holland-based."

(e) *Additional requirements*. In no event shall a Holland-based business be awarded a contract if the business is not current on real and personal property taxes owed to the city.

(f) *Rights of city*. This section shall not waive or constrain, in any manner, the right and prerogative of the city to reject any and all bids or proposals, to reject a bid not accompanied by required bid security or other documentation or data required by the bidding documents, or to reject a bid which is in any way incomplete, irregular, not responsive or not a lowest responsible bidder as defined by Section 2-48 of the Ordinance Code.

(g) *Rules and Regulations.* The city manager, in conjunction with the purchasing coordinator, may prescribe rules and regulations to implement and carry out the intent and purpose of this section. Such rules and regulations shall be consistent with the City Charter and all applicable city ordinances.

“The City of Holland, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation will and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award”