

## SECTION I

### NOTICE AND INSTRUCTIONS TO BIDDERS NUMBER 210802

#### 1. CALL FOR PROPOSALS

Sealed proposals for furnishing one (1) new Sherman Reilly, Diesel Engine, Trailer Mounted Underground Puller DDHXA-75 – 7,500 lb. (hereinafter called the "Equipment") will be received by PUBLIC UTILITY DISTRICT NO. 1 OF CLALLAM COUNTY, on Wednesday, **April 29, 2021**, until 2:00 p.m., Pacific Time. At 2:30 p.m., Pacific Time, a public bid opening will take place in the Boardroom at the District's Main Office located at 104 Hooker Rd, Sequim, Washington.

#### 2. SCOPE OF PROPOSAL

The Equipment to be purchased and delivered to the District is a:

**Sherman Reilly, Diesel Engine, Trailer Mounted Underground Puller DDHXA-75 – 7,500 lb.**

#### 3. MANUFACTURERS' GUARANTEES

All manufacturers' guarantees of the Equipment or any portion thereof shall be transferred and assigned to the District upon delivery of the Equipment and before payment is made for such Equipment. Such guarantees shall be in addition to those required of the Vendor by other provisions of this contract. **A copy of the manufacturer's warranty shall be included with the bidder's proposal.**

#### 4. AVAILABILITY OF CONTRACT DOCUMENTS

The complete contract includes the Advertisement for Bids; Section I - Notice and Instructions to Bidders, Section II - Proposal, Section III - Specifications, Contract, and all modifications incorporated in these Contract Documents before their execution.

Contract Documents are on file and copies available on the District's website <https://clallampud.net/contractorsprojects/>. If you have questions please contact our Automotive Department by telephone (360) 565-3262 or by email [terrym@clallampud.net](mailto:terrym@clallampud.net).

#### 5. SUBMISSION OF PROPOSAL

Proposals must be in a sealed envelope with the name of vendor and address, plainly marked "SEALED BID", and the District Request for Proposal Number **210802** written on the sealed envelope and then placed inside the delivery envelope to be mailed. Proposal may be submitted via USPS and sent to PUD No. 1 of Clallam County, Attn: Contracts Coordinator, P.O. Box 1000, Carlsborg, WA 98324. If submitting the sealed proposal via express delivery (i.e. FedEx, UPS), it must be addressed to PUD No. 1 of Clallam County, Attn: Contracts Coordinator, 100 Hooker Rd., Sequim, WA 98382. Sealed proposal will be received by PUD No.1 of Clallam County until 2:00 p.m., Pacific Time on Wednesday, April 29, 2021. At 2:30 p.m., Pacific Time, April 29, 2021, a public bid opening will take place in the Boardroom at the

District's Main office at 104 Hooker Road, Sequim, WA. If attending the bid opening, please no more than 2 people per party, full mouth and nose mask covering is required, park on the East side of the building parking lot, and enter only on the North side of the building, and distancing of at least 6 feet separation will be in place.

Proposals must be filled in ink or typewritten. No alterations or interlineations will be permitted, unless made before submission and initialed and dated.

**6. BID SECURITY**

Each proposal shall be accompanied by a Certified Check or Cashier's Check payable to the order of the District for a sum not less than five percent (5%) of the amount of the bid, or accompanied by a Bid Bond in an amount not less than five percent (5%) of the total bid with a Corporate Surety licensed to do business in the State of Washington, conditioned that the Bidder will pay to the District as liquidated damages the total amount specified in the Bond unless entering into a contract in accordance with the bid and furnishing a Performance and Payment Bond(s) for not less than One Hundred percent (100%) of the contract price within ten (10) days of being notified as being the successful bidder, as required by Section 54.04.080 R.W.C.

If a proposal is not accepted, the Certified Check, Cashier's Check, or Bid Bond will be returned within 90 days to the Bidder furnishing same, except that of the successful Bidder shall be retained until a contract is entered into and a Performance and Payment Bond(s) furnished as mentioned above.

If the Bidder fails to enter into a contract and furnish the Bond(s) within ten (10) days of the date of being notified as being the successful Bidder, the check or Bid Bond and the amount thereof shall be forfeited to the District. No Bidder shall be permitted to withdraw a bid within a period of 45 days after the actual date on which the bids were opened.

**7. EXECUTION OF CONTRACT**

The Contract, when executed, shall be deemed to include the entire agreement, or any portion thereof, between the parties thereto, and the Contractor shall not claim any modification thereof resulting from any representation or promise made at any time by any officer, agent, or employee of the District or by any other person.

**8. PROPOSAL IRREGULARITIES OR ERRORS**

The District reserves the right to waive minor irregularities or minor errors in any Proposal, if it appears to the District that such irregularities or errors were made through inadvertence. Any such irregularities or errors so waived must be corrected on the Proposal in which they may occur prior to the execution of any contract that may be awarded thereon.

**9. REJECTION OF PROPOSAL**

The District reserves the right to reject any or all proposals, or any portion of any proposal.

**10. DELIVERY DATE**

The delivery date as specified by the bidder in the proposal may be used as a factor in deciding the award of the contract. The delivery date is the date the equipment is accepted by the District, which shall be not greater than (90) ninety days after this bid is awarded. Time is of the essence of this contract.

**11. PRIOR CONTRACTS**

The bidder's performance in prior contracts with the District may be used as a factor in deciding the award of the contract.

**12. EMPLOYER'S IDENTIFICATION NUMBER**

The bidder must furnish with the bid the firm's Employer's Identification Number.

**13. BID PRICE AND ACCEPTANCE**

The Contractor shall deliver the Equipment F.O.B. the District's Port Angeles Operations Center at 1936 West 18<sup>th</sup> Street, Port Angeles, Washington 98363. Bid prices shall include delivery of all equipment, fully assembled and operational, to said destination.

**14. SALES TAXES**

The cost of any county, city, or metropolitan municipal sales taxes (R.C.W 82.14) that may be applicable to this transaction will be considered by the Board in evaluation of bids. In the event that a county, city, or metropolitan municipal sales tax is applicable to the proposed purchase, the Board will award the contract to the lowest Bidder, on the basis of the relative amount of the stated bid price plus the amount of county, city, or metropolitan municipal sales and use tax imposed pursuant to Chapter 82.14, Revised Code of Washington (1970 1st Ex. Sess., Chapter 94).

PUBLIC UTILITY DISTRICT NO. 1  
OF CLALLAM COUNTY

By:   
John Purvis, Assistant General Manager

Date: April 14, 2021