

REQUEST FOR PROPOSAL

March 2, 2010

8 Self contained breathing apparatus with
facemask and 16 cylinders

CITY OF RIVERDALE, GEORGIA

I. PREFACE

The City of Riverdale invites Bidders to submit Proposals for 8 self-contained breathing apparatus with facemask and 16 cylinders . Proposals in response to this RFP are due to the Riverdale Fire Chief, 6690 Church Street, Riverdale, Georgia 30274 by no later than 5:00 p.m. EST on March 31, 2010. The City will not accept Proposals sent by fax or email. The City seeks manufacturers to manufacture and deliver a System compliant with the "Bid Specifications" attached hereto as Exhibit A.

This RFP is part of a procurement process to help serve the City's best interests. It provides a formal and unrestrictive opportunity for the City to consider the services of responding Bidders. With a bid and competitive negotiation, price is not required to be the determining factor, although it may be, and the City has the flexibility to negotiate with one or more Bidders to arrive at a mutually beneficial relationship.

The City reserves the right to reject any or all Proposals, waive technicalities or irregularities, and to accept any Proposal if such action is believed to be in the best interest of the City. The City also reserves the right after review of the Proposals to cancel this RFP and not award a contract.

II. BACKGROUND INFORMATION

The City of Riverdale, Georgia is located in north central Georgia and serves a population of approximately 18,500. The City operates under a Mayor and Council form of government in which the City Manager serves as the Chief Executive Officer.

III. SUBMISSION INSTRUCTIONS

A. General Guidelines

The City provides the following schedule. This schedule is for information only and will be adjusted as needed. Bidders submitting Proposals are encouraged to reserve flexibility.

RFP Release Date: March 2, 2010
RFP Submission Deadline: March 31, 2010
Anticipated Contract Date: May 1, 2010.

The Proposal must be signed and dated by an individual authorized to enter into a binding contract in the name of the Bidder. Late proposals will not be accepted.

The City reserves the right to reject any and all Proposals, waive any informalities in the Proposals received and accept any Proposals that in its opinion may be in the best interest of the City. The City does not obligate itself to accept the lowest price or any other Proposal.

The City will not be liable in any way for any costs incurred by Bidders in replying to this RFP. The City makes no guarantee that it will award a contract in conjunction with this RFP and, instead, may determine not to purchase the SCBA'S.

Bidders should provide four (4) copies of a written response in compliance with all provisions of the "Bid Specifications" attached hereto in Exhibit A.

Fire Chief
City of Riverdale
6690 Church Street
Riverdale, GA 30296

Interpretations and Addenda: If during the RFP submission period, a Bidder finds discrepancies, ambiguities, omissions or is in doubt as to the meaning or intent of the RFP or any part thereof, the City should be notified no later than 10 business days before the close date for Proposals. No request for interpretation or clarification will be received or answered after 10 days before the close date. The City will not be responsible for oral interpretations or instructions during the RFP period. All responses to inquiries about the RFP will be written and will be shared with all other Bidders. All addenda will be incorporated by reference into the contract. Failure of any Bidder to receive any addenda will not relieve the Bidder of any obligation with respect to the Proposal.

All Bidders submitting a Proposal will receive written notice of the award decision.

B. Contents of Submission Packet:

1. Cover Letter

The Proposal must include a letter of transmittal attesting to its accuracy, signed by an individual authorized to execute binding legal documents on behalf of the Bidder. This cover letter shall provide the name, address, telephone and facsimile numbers of the Bidder along with the name, title, address, telephone and facsimile numbers of the executive who has the authority to contract with the City on behalf of the Bidder.

2. Additional Required Information
 - a.) Disclosure Form and Questionnaire (Attachment B)
 - b.) Four (4) professional business references representing work performed within the last three (3) years.
3. Information of prior liability, including but not limited to:
 - a) State whether the Bidder, or any prior parent company, subsidiary or owner of the Bidder, has ever filed a petition in bankruptcy, taken any actions with respect to insolvency, reorganization receivership, moratorium, or assignment for the benefit of creditors, or otherwise sought relief from creditors and, if so, explain the circumstances.
 - b) State whether the Bidder has had a contract terminated due to the quality of its work and, if so, explain the circumstances.
 - c) State whether the Bidder has ever been cited by any governmental agency and, if so, state the date of citation, reason for citation and the amount of *any* fine paid.

IV. RULES GOVERNING RFP PROCESS

- A. All Proposals and supporting documentation received by the City shall become the property of the City and will not be returned.
- B. The City reserves the right to reject any and all Proposals received in response to this RFP. The City is under no obligation to award and/or enter into a Contract for these services and the selection schedule may be revised at the City's discretion.
- C. All costs associated with the preparation and submission of the Proposal shall be borne solely at the expense of the Bidder. The City shall not, under any circumstances, be responsible for any costs or expense incurred by the Bidder.
- D. This RFP shall in no way be deemed to create a binding contract of any kind between the City and the Bidder.
- E. The City reserves the right in its sole discretion to waive informalities in the RFP process.

- F. To be considered, a Bidder must submit a complete response to this RFP as indicated. Failure to adhere to the instructions contained within this document will void the submission of any Proposals.
- G. Proposals will not be considered from any Bidder for which the City has a claim against outstanding debts or a financial dispute.
- H. Each Bidder must comply with the applicable laws, ordinances and resolutions of the City, Clayton County, the State of Georgia and the federal government.
- I. The selected Bidder is expected to enter into a Contract with the City and to abide by its terms and conditions.
- J. The price or prices for the services requested in this bid include all taxes, licenses and permits that the Bidder is or may be required to complete this work.
- K. The City reserves the right to award a Contract to other than the lowest cost Bidder if the interests of the City are best served.
- L. Pursuant to O.C.G.A. § 13-10-91(b), Bidder affirms that it is currently registered and participates in the federal work authorization program to verify information of all new employees. Bidder affirms that any and all subcontractors that it will use on the above-described project are registered and participate in the federal work authorization program to verify information of all new employees.
- M. Bidder shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, or handicap. The bidder will take affirmative action to ensure applicants are employed, and that employees are treated fairly during employment without regard to their race, color, religion, sex, national origin, or handicap.

Such action shall include, but not be limited to, (1) employment, (2) upgrading, (3) demotion, (4) transfer, (5) recruitment or recruitment advertising, (6) layoff or termination, (7) pay rates or other forms of compensation and (8) selection for training, including apprenticeship. The City of Riverdale fully encourages the participation of qualified minority business firms with respect to the project.

V. EVALUATION CRITERIA

In making its selection, the City will not only consider cost but also the Proposal with the best combination of attributes that provides the desired solution, in the opinion of the City. Consideration will be given to the following criteria:

- A. Bidder's Qualifications and Experience
- B. Client References
- C. Bid Specifications
- D. Cost Proposal
- E. Delivery time

The evaluation and selection shall be conducted in compliance with all federal and state laws.

Contract Award: The City of Riverdale reserves the right to issue any resulting contract/order to the Bidder whose proposal in the City's judgment most nearly conforms to the City's requirements and best serves the needs of the City. The City reserves the right to award a contract to other than the lowest cost Bidder if the interests of the City are best served. The City reserves the right to waive all technicalities in selecting or rejecting any or all Proposals that satisfy or fail to satisfy respectively, the City's best interest.

VI. MANDATORY CONTRACT TERMS

A. Pricing

1. All prices, costs and conditions outlined in the Proposal shall remain fixed and valid for acceptance by the City for 60 calendar days starting on the due date of the RFP Proposals.
2. Prices will remain firm for the duration of the Contract term.
3. The price quoted shall include equipment.
4. The City cannot pay any interest charges or late payment charges.

B. Insurance

The Bidder shall at all times during the Contract maintain in full force and effect Commercial General Liability, Workmen's Compensation and Excess Liability insurance. All insurance shall be by insurers, or a self-insurance plan, acceptable to the City and before commencement of work hereunder. The Bidder agrees to furnish the City certificates of insurance or other evidence satisfactory to the City to the effect that such insurance has been procured and is in force. The certificates shall contain the following express obligations:

"This is to certify that the policies of insurance described herein have been issued to the insured for whom this certificate is executed and are in force at this time. In the event of cancellation or material change in a policy affecting the certificate holder, thirty (30) days prior written notice will be given to the certificate holder."

For the purpose of the Contract, the Bidder shall carry the following types of insurance in at least the limits specified below:

Schedule of Required Insurance Coverages

Coverages	Limits of Liability
Workmen's Compensation	Statutory
Commercial General Liability	\$1,000,000 each occurrence
Excess Umbrella Liability	\$3,000,000 each occurrence

The City of Riverdale shall be named as an additional insured on the Commercial General and Excess Umbrella liability policies.

The Bidder shall procure and keep in full force and effect throughout the term of this Agreement all of the insurance policies specified in, and required by, the Contract Documents. Failure to keep in full force and effect the insurance policies set forth above constitutes a material breach of the Contract by the Bidder. If any of the above coverages expire during the term of this contract, the Bidder shall deliver renewal certificates and/or policies to the City of Riverdale at least 10 days prior to the expiration date.

The Bidder's selected insurers must be authorized to conduct and transact insurance contracts by the Insurance Commissioner, State of Georgia.

C. Indemnification Obligation

The Bidder shall indemnify and save harmless the City, its officers, agents, servants and employees, from and against any and all claims, demands, actions, suits and any type of proceeding by others, and against all liability to others, arising from any and all allegations of negligence or willful misconduct of the Bidder, its officers, agents, servants and employees, and any actions related in any way to the performance of the Contract, including, but not limited to, any liability for damages by reason of or arising out of any failure of Bidder to secure proper licenses, bonds, insurance coverage for the Bidder and against any loss, cost, expense, and damages resulting therefrom. The Bidder expressly agrees that this duty of indemnification includes providing a complete defense to the City and paying the City's reasonable attorney's fees and expenses. Nothing contained herein shall be deemed to constitute a waiver by the City of its governmental immunity.

ATTACHMENTS

BID SPECIFICATIONS – ATTACHMENT - A

Self contained breathing apparatus

QTY (8) --AP-75, 2.2, STANDARD BACKFRAME & HARNESS, E-Z FLOW REGULATOR, FACTORY INSTALLED PASS DEVICE AND AUTOMATIC BYPASS PRESSURE REDUCER, SCBA SHOULD BE BOXED TWO UNIT PER SHIPPING CARTON

QTY (16) -- 30 MINUTE, 2216PSIG CARBON CYLINDER & VALVE ASSEMBLY WITH FACTORY INSTALLED HANGER BRACKET,

QTY (8) -- AV-3000 SERIES FACEMASK WITH KEVLAR HEADNET INSTALLED.

Bidder's Disclosure Form And Questionnaire

Attachment - B

- a. Please provide the names and business addresses of each of the Bidder's officers directors, affiliates and other employees, agents or representatives.

For the purposes of this form, the term "affiliate" of any Bidder shall mean any person or entity, which directly or indirectly controls or is controlled by, or is under common control with such Bidder. "Control" means the possession, directly/ indirectly, of the power to director cause the direction of the management and policies of a person or entity, whether through ownership of voting securities, by entreat, or otherwise.

- b. Describe accurately, fully and completely, all affiliates respective relationships with said Bidder, including their ownership interests and their anticipated role in the management and operations of said Bidder.
- c. Please describe the general development of the Bidder's business during the past five (5) years.
- d. Please state whether any of the following events have occurred in the last five (5) years with respect to said Bidder. If any answer is yes, explain fully the following.
- Whether a petition under the federal bankruptcy laws or state insolvency laws was filed by or against said Bidder, or a receiver fiscal agent or similar officer was appointed by a court for the business or property of said Bidder.
 - Whether the Bidder was subject of any order, judgment or decree not subsequently reversed, suspended or vacated by any court of competent jurisdiction, permanently enjoining said Bidder from engaging in any type of business practice or otherwise eliminating any type of business practice.
 - Whether said Bidder's business was the subject of any civil or criminal proceeding in which there was a final adjudication adverse to said Bidder. If so, please explain fully.
 - Please state whether any employee, agent or representative of said Bidder who is or will be directly involved in the Subject Project has or had within the last five (5) years; (i) directly or indirectly had a business relationship with the City of Riverdale, (ii) directly or indirectly received revenues from the City of Riverdale or (ii) directly or indirectly receives revenues from the result of conducting

business on the City of Riverdale's property or pursuant to any contract with the City of Riverdale.

- Please state whether any employee, agent or representative of said Bidder, who is or will be directly involved in the Subject Project, has or had within the last five (5) years a direct or indirect business relationship (to the best of your knowledge and belief) with any elected or appointed City official or with any City employee, and fully describe such business relationship.

Please Note: Failure to provide required disclosure, submit officially signed and notarized documents or respond to any and all information required by the City of Riverdale can result in the Submittal Packet declared as non-responsive. This

Under penalty or perjury, I declare that I have examined this questionnaire and all attachments hereto, if applicable, to the best of my knowledge and belief, and all statements contained hereto are true, correct, and complete.

On this _____ day of _____, 2010

(Legal Name of Bidder) (Title) _____ (Date)

(Signature of Authorized Representative) _____ (Date)

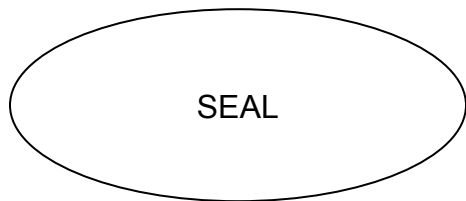
Title

Sworn to and subscribed before me,

This _____ day of _____ 2010

(Notary Public)

Commission Expires _____ (Date)



BUSINESS IDENTIFICATION FORM

ATTACHMENT - C

(Your Letterhead)

Please answer all questions. Attach additional sheets as necessary.

1. _____
Name of the firm under which you do business:

2. _____
Permanent main office address:

City State Zip Code

3. _____
Phone No.: - Fax No.

4. _____
E-Mail Address

5. Type of organization: (Check all applicable)

Individually-Owned Partnership Corporation Joint
Venture

Non-profit Private Public Minority Owned

6. If a corporation, enter the date of incorporation and the state in which incorporated:

Date: State: _____

7. Enter the number of years you have been in business under the present firm name: _____

7. Identify number of employees: _____

9. _____
Enter any other names your firm has done business under.