



ATLANTA PUBLIC SCHOOLS
Procurement Services
130 Trinity Avenue, S.W.
4th Floor
Atlanta, Georgia 30303

INVITATION TO BID

For

Fencing Supplies

April 30, 2013

Solicitation Number: 052314-01

Due Date: March 23, 2014

Time Due: 11:00 a.m. ET

NIGP Commodity Code(s): 330-58, 330-78, 330-91, 330-95

ATLANTA PUBLIC SCHOOLS
Fencing Supplies
ADVERTISEMENT FOR INVITATION TO BID

NOTICE TO BIDDERS

Atlanta Public Schools invites bids for fencing supplies.

Outstanding solicitations may be viewed at: <http://www.atlantapublicschools.us/solicitations>

Offerors should read the general terms and conditions at: <http://www.atlanta.k12.ga.us/page/231>

If you are unable to download these documents, you may contact the assigned Procurement Officer: Marki Dixon at (404) 802-1564 or mxdixon@atlantapublicschools.us.

A pre-bid conference will be held on May 8, 2014 at 10:30 a.m. ET at Atlanta Public Schools Facilities Service Center 1631 LaFrance Street, Atlanta Georgia, 30307. Attendance is not mandatory but is strongly encouraged.

Proposals shall be accepted in the Office of Procurement Services of the Atlanta Public Schools, 130 Trinity Ave. S.W., 4th Floor Atlanta, Georgia 30303 up to 11:00 a.m. ET on May 23, 2014 (as determined by the time stamp clock in the APS Department of Procurement Services Department).

Proposals delivered prior to the proposal close date and time can be received during normal business hours (between 8:30 a.m. ET and 5:00 p.m. ET) only. Deliveries attempted by any method (including mail, express courier, or in person) before 8:30 a.m. ET or after 11:00 a.m. ET on the date due **CANNOT** be accepted; therefore, we suggest that you submit proposals well in advance of the date and time due.

To ensure proper and timely routing of your bid, packages shall be addressed to the attention of the assigned procurement officer indicated in the solicitation.

ATLANTA PUBLIC SCHOOLS



Randall Sellers
Director, Procurement Services

TENTATIVE TIMELINE

| | |
|------------|---|
| 04/30/2014 | Release ITB to the marketplace |
| 05/08/2014 | Pre-proposal conference, 10:30 a.m. ET |
| 05/12/2014 | Deadline for written questions 11:00 ET |
| 05/13/2014 | Response to questions to be posted to the APS website |
| 05/23/2014 | ITB due in APS Procurement Services by 11:00 a.m. ET. |
| 05/23/2014 | Administrative Review |
| 07/07/2014 | Recommendation to the APS Board of Education. |

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Fencing Supplies

1.0 PURPOSE

1.1 The Atlanta Independent School System (hereinafter, “Atlanta Public Schools” or “APS”) is requesting bids from qualified vendors to provide fencing supplies on an as needed basis.

1.2 In using this method for solicitation, we are requesting your best effort in seeking the best value for our requirements. To be eligible for consideration, sealed proposals shall be presented in accordance with the instructions of this solicitation and within the timeframe specified. It shall be the responsibility of the selected Offeror to meet all specifications and guidelines set forth herein. Atlanta Public Schools, at its discretion, determines the criteria and process whereby proposals are evaluated and awarded. No damages shall be recoverable by any challenger as a result of these determinations or decisions by Atlanta Public Schools.

2.0 SPECIFICATIONS

2.1 Ordering

- a. Orders will be placed on an as needed basis using a purchase order or p-card.
- b. All items listed on the attached bid form must be commercial grade parts only.
- c. APS will not guarantee minimum or maximum quantities to be purchased during the term of the contract.
- d. The selected vendor must be the primary vendor as APS will not accept subcontractors for material and supplies.
- e. The ability to place orders on-line is preferred but not a requirement.
- f. Vendor must be able to accept orders via phone or fax.
- g. Vendor must be able to provide access to will call pick up for goods as needed.
- h. Vendor must submit a link to an online catalog with their proposal. Catalog must be the regular, common available catalog distributes to schools and/or government entities. Items placed in the catalog must be housed at a local warehouse and available at the request of APS.
- i. APS reserves the right to purchase items not listed on the bid form on an as needed basis.

2.2 Deliveries

- a. Vendor must deliver to the APS maintenance supply services warehouse at 1631 LaFrance Street, N.E., Atlanta, Georgia 30307 and other sites throughout the school district within twenty four (24- 48) hours upon receipt of a purchase order or credit card (P-card) information.
- b. Items not in stock at the vendor’s warehouse that are identified on the bid form shall be available within twenty-four (24) to forty-eight (48) hours of the request.

2.3 Reporting

- a. Vendor should have a delivery management/inventory control system deployed to provide evidence to APS that the requests under the governance of this solicitation are being met.
- b. The data shall be captured electronically and stored in an electronic data repository for the term of any agreement resulting from this solicitation.
- c. Designated APS personnel shall have access to the reports through an internal portal. Access to the data repository shall be secured and only provided to designated personnel.
- d. On a monthly basis, the vendor must provide an Excel spreadsheet of the items purchased, quantity, unit cost, extended cost and delivery data from in the event the vendor’s management/inventory control system has not yet been implemented.

2.4 Warranty

- a. Commercial warranty-goods furnished under the contract shall be covered by the cost favorable commercial warranties that the vendor would provide to any other customer for such goods/supplies and or services.
- b. Inspection and acceptance will be at the discretion of the APS Region Manager or their representative unless otherwise stated.

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2.5 Bid Form (pricing), attached

- a. Pricing must be submitted on the attached bid form which is a separate Excel spreadsheet and vendor must be able to provide pricing on all 101 items listed on the bid pricing form to be consider.
- b. Vendors are encouraged to enter information on the bid form using Excel rather than hand written.
- c. On the bid form you must provide the following:
 1. Unit cost (including delivery)
 2. Vendor item number; this item number will be used when placing orders.
 3. Company name
 4. Authorized company representative name and signature
 5. Date bid form is signed
- d. If you will not be submitting a bid on an item listed on the bid form, please write “No Bid” in the unit cost column on the appropriate line.
- e. Vendor should not change or alter the format of the bid form.
If there is a discrepancy between the electronic and hard copy, the hard copy will supersede.

3.0 GENERAL INFORMATION

3.1 All communications regarding this solicitation must be with Marki Dixon, the assigned procurement officer for APS.

3.2 All questions or requests for clarification must be sent by email to mxdixon@atlantapublicschools.us

3.3 By submitting a response to this request, the offeror accepts the responsibility for downloading, reading and abiding by the terms and conditions set forth in the General Terms and Conditions found on the APS web site at: <http://www.atlanta.k12.ga.us/page/231>

3.4 All addendums related to this solicitation will be posted on the APS website at <http://www.atlanta.k12.ga.us>, Quick Links, Purchasing, Outstanding Solicitations. It is the offeror’s responsibility to check the APS website for any addendums, responses to offeror questions or other communications related to this solicitation.

3.5 Vendor is not required to submit proof of insurance with bid but must submit within five (5) business days after receiving a letter of intent. The insurance requirements are included in section 7 of the General Terms and Conditions.

3.6 The ACORD certificate of insurance must list Atlanta Public Schools as the additional insured.

4.0 VENDOR REQUIREMENTS

4.1 APS policy requires that all contractors, consultants, or vendors providing services on APS premises be fingerprinted and submit to a criminal record check initiated by APS prior to providing services to APS. There is a fee of \$44.25 per individual payable by money order associated with the background check. The payment of this fee is the sole responsibility of the contractor, consultant, vendor or the employing company. Any contract awarded pursuant to this solicitation is contingent upon compliance with this requirement and a satisfactory background check as determined by APS.

4.2 Vendor must be primarily engaged in the business of providing fencing supplies.

4.3 Vendor must have proven experience in providing the goods specified in this bid.

4.4 Vendor must have adequate equipment, qualified personnel and the financial ability to provide the services specified in this bid.

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4.5 Vendor must complete and submit with their proposal the applicable documentation related to Georgia House Bill 87 (commonly known as the “Illegal Immigration Reform and Enforcement Act of 2011”).

4.6 Information on Georgia House Bill 87 may be viewed on the APS web site at:

- <http://www.atlanta.k12.ga.us>
- Quick Links
- Procurement
- E-verify

4.7 Failure to provide the required Georgia House Bill 87 documentation may result in the offeror’s response to the solicitation being deemed non-responsive and ineligible for evaluation.

4.8 The Atlanta Board of Education desires that the Atlanta Public Schools operate in the most ethical and conscientious manner possible. Employees are expected to not only avoid any direct conflict of interest but also to avoid even the appearance of impropriety. In an effort to comply with Board policy and to ensure that our relationship with vendors is above reproach, vendors are prohibited from giving any APS employee any gift, favor, loan, reward, political contribution, gratuity, entertainment, transportation, lodging, or meal except those of nominal value (less than \$50.00), which must be disclosed to the immediate supervisor and the Department of Internal Auditing. Advertising items and instructional products that are widely distributed may be accepted. (Refer to Policy GAG and GAJB).

4.9 All contractors and vendors desiring to do business with the APS and/or to participate on APS contracts shall be required to comply with Board policy GAG, Staff Conflict of Interest. All vendors and contractors doing business with the APS shall provide all persons with equal opportunity without regard to race, color, sex, religion, national origin, marital status, sexual orientation, age, or disability.

5.0 SUBMISSION REQUIREMENTS

5.1 Bid shall be submitted as follows:

- The entire bid (including the items listed in section 5.3) on three (3) CD-ROMs or Flash Drives.
- All CD-ROMs/Flash Drives should be labeled with the company name, bid name and bid number.
- All information on CD-ROMs/Flash Drives should be protected or in PDF file format.
- The original and three (5) hard copies of the entire bid.
- The original should be marked as such.
- All hard copies should be submitted on loose leaf paper.
- Failure to submit the required number of CDs and hardcopies requested may cause the proposal to be deemed non-responsive.

5.2 Pricing shall be submitted as follows:

- The original, hard copies and CD-ROMs or Flash Drives in a separate sealed envelope labeled pricing with the company name, bid name and bid number listed on the outside.
- All hard copies should be submitted on loose leaf paper.
- Failure to submit the required number of hardcopies requested may cause the proposal to be deemed non-responsive.
- Vendor must submit pricing on attachment B, bid form, which is an Excel spreadsheet as follows:
 - a. Bid form on two (2) CD-ROMs or Flash Drives. Do not submit as a PDF.
 - b. If submitting a CD-ROM/Flash Drive, it must be marked with the vendor name, bid name and bid number.
 - c. The original and three (3) hard copies of the bid form.
 - d. The original should be marked or stamped “Original”

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- e. All information submitted on the CD-ROM/Flash Drive must be identical to the information submitted on the original and hard copies.
- f. If there is a discrepancy between the CD-ROM/Flash Drive and the original hard copy, the original hard copy will be considered the official version.

5.3 The following required documents must be submitted with your bid:

- 1. Bidder affirmation form
- 2. Bidder information form
- 3. Bidder reference form
- 4. Joint venture affidavit (if this will not be a joint venture, check the appropriate box on the form and return with your response)
- 5. Primary vendor / subcontractor utilization (if subcontractors will not be used, check the appropriate box on the form and return with your response)
- 6. Promise of non-discrimination
- 7. Contractor Affidavit of Compliance under O.C.G.A 13-10-91(b) (1), if applicable
- 8. Affidavit of Exception, if applicable
- 9. Local Preference Form
- 10. Copy of Occupation Tax Registration Certificate, (if applicable, refer to section 9 Local Preference)
- 11. Copy of local or state business license or permit (if firm does not qualify for local preference)
- 12. Signature page to APS contract

5.4 Bids, in the format requested in 5.1, 5.2 and 5.3 shall be submitted together in a sealed package with the sealed bid label attached to the outside of the package.

5.5 Failure to submit the required number of CDROMs or hardcopies may cause the bid to be deemed non-responsive.

5.6 APS shall not be liable for any costs associated or incurred by offeror in conjunction with preparation of bid response.

5.7 No telephone, electronic or faxed bids will be accepted.

5.8 Any bid received after the designated time and date due will not be considered by APS.

5.9 Bids cannot be withdrawn after they are delivered to APS unless offeror makes a request in writing to the Director of Procurement Services prior to the time set for receiving bids, or unless the Director of Procurement Services fails to accept or reject the bids within one hundred and twenty (120) days after the due date of the bid.

5.10 Bids which contain irregularities of any kind and/or do not comply fully with requirements stated in the solicitation documents may be rejected at the discretion of the Director of Procurement Services.

5.11 APS reserves the right to waive any minor informality or error in the solicitation or offerors bid which will not adversely affect competition.

5.12 By submitting a response the offeror certifies that this bid is made without prior understanding, agreement or connection with any corporation, company or person submitting a bid for the same service and is in all respects fair and without collusion or fraud; that collusive pricing is understood to be a violation of state and federal law and can result in fines, prison sentences and civil damage awards. It is further agreed that offeror agrees to abide by all conditions of the solicitation, notice of award and/or purchase order(s) of APS and that the person signing this bid is duly authorized to bid on behalf of the offeror.

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5.13 If additional information is required to demonstrate responsibility such as copies of licenses, permits certificates, etc., the offeror will be notified in writing and given five (5) days from notification to provide such information.

5.14 After the closing date and time, Procurement Services will conduct an administrative review of all bids received to determine responsiveness. Bids that are deemed to be responsive will be evaluated. Bids that are deemed to be non-responsive will not be evaluated or considered for award.

6.0 AWARD

6.1 A contract shall be awarded to the lowest responsive and responsible bidder whose bid is determined to be in the best interest of APS.

6.2 The contract will be conditional upon the offeror's ability to comply with requirements set forth in the solicitation document(s).

6.3 APS reserves the right to award by line item or by group to more than one vendor.

6.4 If a specific brand or model is requested and listed as only, no substitution will be considered.

6.5 If a specific brand or model is requested and listed as equal to, APS will consider other brands or models that meet or exceed the specifications of the model or brand listed.

6.6 If an awarded brand/model is discontinued during the contract term, the vendor may offer a replacement that is equal to the brand /model being discontinued. APS reserves the right to accept or reject the replacement item.

6.7 APS has selected as its owner's representative, the Executive Director of Facilities Services. After award, supervision of the contract will be performed by the owner's representative.

6.8 This contract shall be for one (1) base term (of one year or less) with four (4) one-year options to renew at the sole discretion of the Superintendent of APS. The contract will be conditional upon the offeror's ability to comply with requirements set forth in the solicitation documents.

6.9 Pricing must remain firm for one (1) year from date of award.

6.10 At the end of each contract term, the awarded vendor may request a price re-determination. Price re-determination requests must be submitted to the Procurement Services Contract Administrator ninety (90) days prior to the contract term expiration date accompanied by justification of price re-determination. APS may, at its discretion:

- a. Accept the proposed price re-determination.
- b. Reject the proposed price re-determination.
- c. Suggest an alternative price re-determination.

6.11 If APS rejects a proposed price re-determination the awarded vendor may:

- a. Continue with the existing pricing.
- b. Suggest an alternative price re-determination.
- c. End the contract.

6.12 Offeror shall not provide goods or services until a purchase order has been issued by APS's Department of Procurement Services.

6.13 The original and one (1) copy of itemized invoices must be submitted to:

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Atlanta Public Schools
Accounts Payable Department
P. O. Box 4659
Atlanta, GA 30302

6.14 Invoices

- a. Invoices must include the APS purchase order number and the “ship to” location where the goods and/or services were delivered.
- b. Invoices that do not include this information will be returned to the vendor.
- c. Separate invoices are required for each purchase order.
- d. The accounts payable department may be contacted at 404-802-2400.

6.15 Vendor Payment

APS may make payments to vendors via one of the following:

- a. Automated Clearing House (ACH)
- b. Check
- c. Purchasing Card

6.16 APS reserves the right to reject all bids when such action is in the best interest of the district.

6.17 Awards will be posted on the APS website at:

- <http://www.atlanta.k12.ga.us>
- Quick Links
- Procurement
- Contracted Vendors

7.0 LOCAL PREFERENCE

7.1 In order to encourage and promote Atlanta Public Schools contracting opportunities with local businesses, formal solicitation processes may give preference to proposals and bids from local businesses based on the following rules.

7.2 Local preferences are prohibited when the federal government is the source of funding.

7.3 Local businesses that wish to receive preferential consideration shall submit a copy of their Occupation Tax Registration Certificate issued by Clayton, Cobb, DeKalb, Fulton or Gwinnett counties or by a city government located with the five-county metro area (e.g. Atlanta, Decatur, Marietta) covering the last 12 month period to certify qualification or the preference as part of each proposal or response.

8.0 CONTRACT

8.1 By submitting a response to this solicitation, the offeror affirms that it has read and will accept all provisions of the General Terms and Conditions as written, which are applicable to all purchases by APS, and outlined at <http://www.atlanta.k12.ga.us/page/231>. Offeror also understands that these provisions are non-negotiable. By signing the Acknowledgement and Agreement Form, the offeror intends to create a contract with APS and will be bound by the General Terms and Conditions, as well as the terms of the APS Purchase Order, a sample of which is attached to this solicitation. Offeror further understands that the terms of the purchase order are not legally binding upon the parties until executed by APS Purchasing Director and Offeror.

8.2 The Offeror must sign and submit the Acknowledgement and Agreement Form. By doing so, the offeror acknowledges that it accepts the provisions of the APS contract as written.

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NON-SUBMITTAL RESPONSE FORM

Bid Name: Fencing Supplies
Bid Number: 052314-01

NOTE TO VENDOR:

If your company's response is a "non-submittal", the Atlanta Public Schools is very interested in the reason for such response since APS desires to ensure that the procurement process is fair, non-restrictive and attracts maximum participation from interested companies. We therefore, appreciate your responses to this non-submittal response form.

Please complete and fax this form to: (404) 802-1506

Please indicate your reason for responding with a "non-submittal":

- Unable to meet the requirements for this solicitation.
- Unable to provide the goods or services specified in this solicitation
- Unable to meet time frame established for start and or completion of project.
- Received too late to submit a bid. Received on: _____
- Please remove our company's name from receiving similar type solicitations.

Other (Please explain): _____

Your response will be reviewed and placed in the solicitation file. Your input will assist APS in determining changes necessary to increase participation in the solicitation process.

Company name

Company address

(_____) _____
Company telephone number

(_____) _____
Company fax number

Primary company contact e-mail address

Authorized company official signature

Title

Date

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OFFEROR AFFIRMATION FORM

(This form must be completed and returned with your response)

Company Name: _____

Bid Name: Fencing Supplies

Bid Number: 052314-01

After careful examination of the solicitation document in its entirety, Fencing Supplies, Solicitation No. 052314-01 and any addendum(s) issued, the undersigned proposes to satisfy all requirements in accordance with said documents.

For consideration of this proposal, the undersigned hereby affirms that:

1. He/she is a duly authorized official of the offeror,
2. No changes were made to the original RFP document,
3. The proposal is being submitted on behalf of the offeror in accordance with any terms and conditions set forth in this document,
4. The offeror will accept any awards made to it as a result of the proposal submitted herein for a minimum of one hundred and twenty (120) calendar days following the date of submission,
5. The offeror will accept the terms and conditions set forth in the contract template attached hereto.

It is the supplier's responsibility to check the APS Outstanding Solicitations website for any addenda, responses to supplier questions, or other communications. Supplier acknowledges and incorporates each applicable Addenda number listed below in their response:

Check all that apply: No. 1 _____, No. 2 _____, No. 3 _____, No. 4 _____, No. 5 _____

No Addenda _____

If notified in writing by mail or delivery of the acceptance of the award, the undersigned agrees to furnish and deliver to the assigned Procurement officer within five (5) days of the request, a certificate of insurance indicating the coverage's specified within this solicitation.

A contract shall be established which will set forth the terms of this agreement. The contract shall be interpreted, construed and given effect in all respects according to the laws of the State of Georgia.

Nondiscrimination in Employment: We, the supplier of goods, materials, equipment or services covered by this bid or contract, have not discriminated in the employment, in any way, against any person or persons, or refused to continue the employment of any person or persons on account of their race, color, sex, religion, national origin, marital status, sexual orientation, age, or disability.

Respectfully submitted,

Company Name

Address

Authorized Official Name

Signature

Title

Date

(_____)
Business Telephone Number

(_____)
Fax

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BIDDER INFORMATION FORM

Bid Name: Fencing Supplies

Bid Number: 052314-01

Full Company Legal Name: _____

Street Address: _____

City, State, Zip Code: _____

Contact Name for Solicitation: _____ Title: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

Contact Name for Contract: _____ Title: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

Contact Name for Purchase Order's: _____ Title: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

Purchase orders may be delivered via e-mail or fax. Please indicate your preferred delivery method and provide an e-mail address or fax number where they should be sent.

E-mail _____ Fax (____) _____

Company Web Site: _____ State of Incorporation: _____

Taxpayer ID Number: _____ Duns #: _____

Check one of the following: Independently owned and operated: An Affiliate or Division of:

Company Name: _____

Address: _____

Does the company utilize an Affirmative Action Plan for Equal Employment Opportunity? Yes No

Has the company implemented a compliance program in accordance with the Americans with Disabilities Act? Yes No

Have any conditions or restrictions been placed on this proposal by the company that would cause it to be declared non-responsive? Yes No

If recommended for award will company provide proof of insurance as required? Yes No

Is the company currently debarred from doing business with any federal, state or local agency? If yes please provide details and submit on a separate sheet Yes No

Has the company ever defaulted on a contract or been denied a contract due to non-ability to perform? If yes please provide details on a separate sheet. Yes No

Is the company registered as a vendor with Atlanta Public Schools? Yes No

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BIDDER INFORMATION FORM

Bid Name: Fencing Supplies

Bid Number: 052314-01

Does the company accept payment by credit card? Yes No

Can the company offer on-line ordering to APS? Yes No

Provide a link to your companys online catalog. _____

Can the company accept orders via phone or fax. Yes No

Can the company provide will call pick up? Yes No

What is the standard lead time (in business days) for items listed on the bid form? _____

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BIDDER REFERENCE FORM
(This form must be completed and returned with your response)

Bid Name: Fencing Supplies
Bid Number: 052314-01

All references must be from customers for whom your company has completed work similar to the specifications of this bid. Note: do not use Atlanta Public Schools as a reference.

References for: _____
(Company Name)

1. Company: _____

Address, City, State, Zip: _____

Name/title of Contact Person: _____

Telephone : (_____) _____ Fax: (_____) _____

E-mail: _____

Provide the scope of work and date of project: _____

2. Company: _____

Address, City, State, Zip: _____

Name/title of Contact Person: _____

Telephone : (_____) _____ Fax: (_____) _____

E-mail: _____

Provide the scope of work and date of project: _____

3. Company: _____

Address, City, State, Zip: _____

Name/title of Contact Person: _____

Telephone : (_____) _____ Fax: (_____) _____

E-mail: _____

Provide the scope of work and date of project: _____

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JOINT VENTURE AFFIDAVIT
(This form must be completed and returned with your response)

Primary Vendor Name: _____

If this will not be a joint venture, check this box:

Bid Name: Fencing Supplies
Bid Number: 052314-01

State of: _____

County of: _____

We, the undersigned, being duly sworn according to law, upon our respective oaths depose and say that:

1. The following named contractors/companies have entered into a joint venture for the purpose of carrying out all the provisions of the Contract for the above named solicitation:

Joint Venture Company "A"

Company Name _____ Federal ID No. _____

Address: _____

City: _____ State: _____ Zip: _____

Check all that apply:

- Sole Proprietorship
- Partnership
- Corporation
- N/A, other

Joint Venture Company "B"

Company Name _____ Federal ID No. _____

Address: _____

City: _____ State: _____ Zip: _____

Check all that apply:

- Sole Proprietorship
- Partnership
- Corporation
- N/A, other

2. The contractors/companies, under whose names we have affixed our respective signatures, have duly authorized and empowered us to execute this Joint Venture Statement in the name of and on behalf of such contractors for the purpose hereinbefore stated.

Under the provision of such Joint Venture, the assets of each of the contractors named in Paragraph 1 hereof, and in case any contractor so named above is in partnership, the assets of the individual members of such partnership, will be available for the performance of such Joint Venture and liable therefore and for all obligations incurred in connection therewith.

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JOINT VENTURE AFFIDAVIT

(This form must be completed and returned with your response)

This Joint Venture Statement is executed so that the named contractors/companies, as one organization, may under such joint venture, bid upon said contract, and be awarded the contract if they should become the successful bidder therefore, any bid, bond and agreement relating to joint venture and each and every contractor name herein, severally and jointly. Simultaneous with the execution of the contract, the contractors entering into this joint venture shall designate and appoint a project manager to act as their true and lawful agent with full power and authority to do and perform any and all acts or things necessary to carry out the work set forth in said contract.

The Joint Venture shall be known as: _____

Principal Office Address: _____

City: _____ State: _____ Zip: _____

Telephone: (_____) _____ Fax: (_____) _____

3. On a separate sheet provide the following information and reference the section number:
 - A. Describe the capital contributions by each joint venture and accounting therefore.
 - B. Describe the financial controls of the joint venture. Will a separate cost center be established? Which joint venture company will be responsible for keeping the books? How will the expenses be reimbursed? What is the authority of each joint venture company to commit or obligate the other?
 - C. Describe any ownership, options for ownership, or loans between the joint ventures. Identify terms thereof.
 - D. Describe the estimated contract cash flow for each joint venture company.
 - E. How and by whom will the on-site work be supervised?
 - F. How and by whom will the administrative office be supervised?
 - G. Which joint venture company will be responsible for material purchases including the estimated cost thereof? How will the purchases be financed?
 - H. Which joint venture company will provide equipment? What is the estimated cost thereof? How will the equipment be financed?
 - I. Describe the experience and business qualifications of each joint venture company.
 - J. Submit a copy of all joint venture agreements and evidence of authority to do business in the State of Georgia as well as locally, to include all necessary business licenses.

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JOINT VENTURE AFFIDAVIT

(This form must be completed and returned with your response)

In connection with any work that these firms, as a joint venture, might be authorized to perform in connection with the above captioned contract, we each do hereby authorize representatives of the APS, Department of Procurement Services, Office of Contract Administration, to examine, from time to time, the books, records and files to the extent that such relate to this APS solicitation.

We bind the contractors for whom we respectively execute this Joint Venture Statement in firm agreement with the APS, that each of the representations herein set forth is true.

Subscribed and sworn before me

this _____ day of _____ 20_____.

(A) _____
Name of Contractor/Company A

My commission expires: _____ By: _____ (L.S.)

Notary Public

Print Name

Subscribed and sworn before me

this _____ day of _____ 20_____.

(B) _____
Name of Contractor/Company B

My commission expires: _____ By: _____ (L.S.)

Notary Public

Print Name

ATLANTA PUBLIC SCHOOLS
Fencing Supplies
PRIMARY VENDOR / SUBCONTRACTOR UTILIZATION
(This form must be completed and returned with your response)

Bid Name: Fencing Supplies
Bid Number: 052314-01

Primary Vendor Name: _____
If subcontractors will not be used check this box:

List all subcontractors to be used during the performance of this contract. Submit additional forms if needed.

Company Name: _____
Street Address: _____
City, State, Zip: _____
Telephone: (____) _____ Fax: (____) _____
Primary Contact: _____
E-mail Address: _____
Services to be provided: _____

Company Name: _____
Street Address: _____
City, State, Zip: _____
Telephone: (____) _____ Fax: (____) _____
Primary Contact: _____
E-mail Address: _____
Services to be provided: _____

Company Name: _____
Street Address: _____
City, State, Zip: _____
Telephone: (____) _____ Fax: (____) _____
Primary Contact: _____
E-mail Address: _____
Services to be provided: _____

ATLANTA PUBLIC SCHOOLS
Fencing Supplies
PROMISE OF NON-DISCRIMINATION
(This form must be completed and returned with your response)

In consideration of, and as condition precedent, the right and privilege to bid on construction projects and other procurement contracts of the APS, each potential vendor shall be required to submit to the APS Office of Contract Administration, a duly executed and attested Promise of Non-Discrimination, enforceable at law, which by agreement, affidavit or other written instrument acceptable to the General Counsel for APS, shall contain promises, averments and/or affirmations voluntarily made by the bidder.

“Know All Men by These Presents, that I/We,

(_____)

Authorized Company Representative Name(s)

(_____)

Authorized Company Representative Title(s)

(_____)

Name of Company

(Hereinafter “Company”), in consideration of the privilege to bid on contracts funded in whole or in part by Atlanta Independent School System (hereinafter, “APS”) , hereby consents, covenants and agrees as follows:

- (1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, sex, religion, national origin, marital status, sexual orientation , age, or disability in connection with any bid submitted to APS, or the performance of any contract resulting there from;
- (2) That it is and shall be the policy of Company to provide equal opportunity to all business persons seeking to contract or otherwise interested in contracting with this Company, including those companies owned and controlled by racial minorities, cultural minorities and females;
- (3) That the promises of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption for so long as any contract between Company and APS remains in force and effect;
- (4) That the promises of non-discrimination as made and set forth herein shall and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which the Company may hereafter obtain with APS; and
- (5) That the failure of this company to satisfactorily discharge any of the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the APS to declare the contract in default and to exercise any and all applicable rights and remedies including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

Solicitation Name

Solicitation Number

Authorized Company Representative Name

Authorized Company Representative Signature

Date

ATLANTA PUBLIC SCHOOLS
Fencing Supplies
Contractor Affidavit of Compliance under O.C.G.A. § 13-10-91(b) (I)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of Atlanta Public Schools has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Atlanta Public Schools

Name of Public Entity

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____

in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of authorized Officer or Agent

Subscribed and Sworn Before Me

On This The _____ Day Of _____, 20____.

Notary Public

My Commission Expires: _____

ATLANTA PUBLIC SCHOOLS

Fencing Supplies
Affidavit of Exception

I attest that I am exempt from providing an Affidavit of Compliance to Atlanta Public Schools pursuant to O.C.G.A. § 13-10-91, as amended, for one of the following reasons:

_____ I am a sole proprietor with no employees, subcontractors or sub-subcontractors and I will not use employees, subcontractors or sub-contractors for any work performed for Atlanta Public Schools.

***In order to be exempt from compliance under the above exception, in addition to this affidavit you must provide a copy of your State of Georgia driver’s license.**

(Please see

http://www.georgia.gov/vgn/images/portal/cit_1210/50/35/173461453Lists_of_states_that_verify_migration_status_7_26_11.pdf for a list of driver’s licenses from alternative states that can be submitted in lieu of a Georgia driver’s license.)

_____ My company/firm will render services to Atlanta Public Schools; however, the services will not be rendered in the State of Georgia.

_____ My company/firm will only provide goods to Atlanta Public Schools and will not render any physical services to Atlanta Public Schools.

_____ My company/firm will render services to Atlanta Public Schools, however my company/firm has ten (10) or fewer full-time employees.

Vendor Name: _____

Name of Project: _____

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____

in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of authorized Officer or Agent

Subscribed and Sworn Before Me

On This The _____ Day Of _____, 20____.

Notary Public

My Commission Expires: _____

ATLANTA PUBLIC SCHOOLS

Fencing Supplies

Local Preference

In order to encourage and promote Atlanta Public Schools contracting opportunities with local businesses, formal solicitation processes may give preference to proposals and bids from local businesses based on the following rules.

Local Area

The chart below shows the counties and cities considered local for preference purposes. A business must have been registered in one of the below jurisdictions for at least 12 months to receive local preference.

| County | Cities |
|---------------|---|
| Clayton | Forest Park, Jonesboro, Lake City, Lovejoy, Morrow, Riverdale |
| Cobb | Acworth, Austell, Kennesaw, Mableton, Marietta, Powder Springs, Smyrna, Vinings |
| DeKalb | Atlanta, Avondale Estates, Chamblee, Clarkston, Decatur, Doraville, Dunwoody, Lithonia, Pine Lake, Stone Mountain |
| Fulton | Atlanta, Alpharetta, Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Johns Creek, Milton, Mountain Park, Palmetto, Roswell, Sandy Springs, Union City |
| Gwinnett | Berkeley Lake, Buford, Dacula, Duluth, Grayson, Lawrenceville, Lilburn, Loganville, Norcross, Snellville, Sugar Hill, Suwanee |

Certification

Local businesses that wish to receive preferential consideration shall submit a copy of one or more valid Occupational Tax Registration Certificate(s) issued by Clayton, Cobb, DeKalb, Fulton or Gwinnett counties or by a city government located within the five-county metro area (e.g. Atlanta, Decatur, Marietta) covering the last 12 month period to certify qualification for the preference as part of each proposal or response.

Procedures for local preference

Request for Proposals (RFP) – If a local business meets the quality standards established for the RFP process, the local business shall be awarded five (5) additional points in the total evaluation. The evaluation and scoring of all proposals shall be conducted in accordance with departmental procedures issued by the Chief Financial Officer or his/her designee.

Invitations to Bid (ITB) – In general, price is the deciding factor in APS invitation to bid processes. In cases when two or more responses offer the same price to the district, local preference will be used as a tiebreaker.

In order to qualify for local preference based on the requirements listed above, you must submit with your proposal a copy of your Occupational Tax Registration Certificate.

Company Name: _____

Company Qualifies for Local Preference: Yes No

Occupational Tax Registration Certificate issued by:

County: _____ or City: _____

ATLANTA PUBLIC SCHOOLS

Fencing Supplies

SOLICITATION CHECKLIST

(This form must be completed and returned with your response)

Bid Nameplies: Fencing Supplies

Bid Number: 052314-01

The following items must be completed and submitted with your response. *Note: only return pages on which your company has included a response.*

Submitted

1. Reviewed addendum(s) posted to the APS website (if applicable).
2. The original and five (5) hard copies of the proposal.
3. The proposal on three (3) CD-ROMs. All information on CD-ROM should be protected or in PDF file format.
4. The original and three (3) hard copies of the required documents and all required documents on three (3) CD-ROMS. All information on CD-ROM should be protected or in PDF file format.
5. Offeror affirmation form.
6. Bid form.
7. Offeror information form.
8. Offeror reference form.
9. Joint venture affidavit form
10. Primary vendor / subcontractor utilization form.
11. Promise of non-discrimination form
12. Promise of non-discrimination Contractor Affidavit of Compliance under O.C.G.A 13-10-91(b) (1), if applicable
13. Affidavit of Exception, if applicable
14. Local Preference Form
15. Occupation Tax Registration Certificate, (if applicable, refer to section 9 Local Preference)
16. Copy of local or state business license or permit (if firm does not qualify for local preference)
17. Review and accept all provisions of the contract by executing and returning signature page
18. Review and accept the General Terms and Conditions
19. Attach label to sealed bid package.

How did you hear about this solicitation?

- APS Website
- Georgia Procurement Registry
- Other (please list) _____

Company Name

Signature of Authorized Company Representative

Date

ATLANTA PUBLIC SCHOOLS

Fencing Supplies

PLEASE CUT LABEL AND SECURELY TAPE TO THE FRONT OF SEALED BID PACKAGE.

**ATLANTA PUBLIC SCHOOLS
PROCUREMENT SERVICES DEPARTMENT
130 TRINITY AVENUE, SW
4th FLOOR
ATLANTA, GEORGIA 30303**

Company Name: _____

Bid Name: Fencing Supplies

Bid Number: 052314-01

Due Date: May 23, 2013

Procurement Officer: Marki J. Dixon

*****Please tape this return label on your sealed bid.*****

ATLANTA PUBLIC SCHOOLS
Fencing Supplies
ATLANTA PUBLIC SCHOOLS
PROCUREMENT SERVICES DEPARTMENT

ACKNOWLEDGEMENT AND AGREEMENT

Invitation to Bid

Solicitation No. 052314-01

This acknowledgement and agreement must be signed by a representative authorized to contract with the Atlanta Public Schools. The acknowledgement becomes a part of your Solicitation Response, and without it your Solicitation Response is not complete and will be subject to rejection.

I, the undersigned, have carefully examined and fully understand the Solicitation 052314-01, Fencing Supplies in its entirety and agree to confirm with every requirement. I certify that I am authorized to sign this bid for the supplier. I further acknowledge that failure to prepare, submit, or execute this bid in the exact manner requested will be just cause to reject any, or all, of my bid submission.

Withdrawals, cancellations, etc. will not be accepted unless authorization is given by the Director of Procurement Services. In the event suppliers fail to comply, they may be removed from the suppliers' list.

Failure to respond using the most recent forms/information posted to the APS Outstanding Solicitations website may be deemed non-responsive. It is the supplier's responsibility to check the APS Outstanding Solicitations website for any addenda, responses to supplier questions, or other communications, which may be vital during the solicitation period. Supplier acknowledges and incorporates each applicable Addendum number listed below in their response:

Check all that apply: No. 1____, No. 2____, No. 3____, No. 4____, No Addenda _____

Company Name

Representative's Name (type or print)

Address

Representative's Signature

City, State, and Zip Code

Telephone number and Extension

Date

Fax Number