



**INVITATION FOR BIDS
FOR THE PURCHASE AND DELIVERY OF
ONE (1) AERIAL LIFT BUCKET TRUCK
FOR THE CITY OF BROWNSVILLE
TRAFFIC DEPARTMENT**

BID # ALT-72-0918

**PRE-BID MEETING: AUGUST 29, 2018 AT 3:00 P.M.
AT THE PURCHASING DEPARTMENT**

**BID DUE DATE: SEPTEMBER 5th, 2018
BID DUE TIME: 3:00 P.M.**



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

**City of Brownsville
Purchasing Department
ADVERTISEMENT AND INVITATION FOR BIDS**

Notice is hereby given that the City of Brownsville, Texas will receive sealed, competitive bids in original and one (1) electronic version, will be received until **Wednesday, September 5th, 2018 at 3:00 p.m.** local time at the Purchasing/Contracting Office. Then to be publicly opened in the Purchasing/Contracting Department, conference room located at City Hall 1001 E. Elizabeth Street, Second Floor, Brownsville, Texas 78520. Bids received after closing time will be returned unopened. Bids shall be guaranteed for a period of sixty (60) days after the opening of bids.

<u>BID NAME</u>	<u>BID NUMBER</u>	<u>OPENING DATE</u>	<u>OPENING TIME</u>
Invitation for Bids for Purchase & Delivery of One (1)Aerial Lift Bucket Truck for The City of Brownsville Traffic Department	ALT-72-0918	September 5th, 2018	3:00 p.m.

Copies of the bid documents consisting of detailed specifications, general requirements may be obtained at the Purchasing Department located at City Hall, 1001, E. Elizabeth St., First Floor, Suite No. 101, Brownsville, Texas, Monday through Friday 8:00 a.m. to 5:00 p.m. excluding holidays; or by calling (956) 548-6087; e-mail: purchasing@cob.us or visit our website at: <https://www.cob.us/Bids.aspx> Partial sets of specifications will not be issued.

A pre-bid meeting will be held at 3:00 p.m. C.D.S.T., Wednesday, August 29, 2018 at the Purchasing Conference Room located at City Hall, First Floor, Suite 101, Brownsville, Texas. **Although attendance at the pre-bid meeting is not mandatory, it may be a consideration in the award of the purchase contract. Therefore, attendance at the pre-bid conference is strongly recommended.**

As a guarantee that the bidder will enter into a contract and execute a Payment Bonds within ten (10) days after award by the City of Brownsville, all proposals shall be accompanied by a Bid Bond or Cashiers Check in the amount of 5% of the bid from a Surety Company. Bids without Bid Security will not be considered. Upon award of the Contract, all Bid Securities will be returned.

All bidders must clearly certify that they are not an ineligible contractor as listed upon the U.S. Comptroller General’s list of ineligible bidders or contractors. The City of Brownsville will be bound by the terms of this invitation only to the extent funds, from whatever source, are available.

The City of Brownsville reserves the right to reject any or all bids, to waive defects and formalities in such bids, to award the contract to the bidder which it considers has submitted the best and most advantageous bid, and to hold all bids for a period of thirty days without taking action thereon.

The City of Brownsville will not be responsible in the event the U.S. Postal Service or any other courier system fails to deliver the sealed bid to the City of Brownsville Purchasing Office by the given deadline above.

Witness my hand on this the 5th day of September 2018.

Roberto C. Luna, Jr
Purchasing/Contracting Director



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Please submit this page upon receipt.

For any clarifications, please contact Mr. Roberto C. Luna Jr., Purchasing & Contract Services Director, Purchasing Department, at the City of Brownsville Purchasing Department at (956) 548-6087 or e-mail: Purchasing@cob.us

Please fax or mail this page upon receipt of bid package

Fax: (956) 546-2711

If you are unable to respond on this item, kindly indicate your reason for "Not Responding" below and fax back. This will insure you remain active on our vendor list.

Date _____

Yes, I will be able to Bid.

Name: _____

Company: _____

Phone # _____

Fax # _____

E-mail: _____

No, I will not be able to Bid for the following reason:

PLEASE NOTE:

Please take a moment to register your Company with the City of Brownsville Purchasing Department or update your registration on our new form at the following web site address: <http://purchasing.cob.us/openbids>



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Bid # ALT-72-0918

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I. GENERAL INTENT, REQUIREMENTS AND CONDITIONS

1.0 **GENERAL INTENT** - It is the intent of the City of Brownsville to solicit sealed competitive bids for the purchase of one (1) new model aerial lift bucket truck. A detailed description of the vehicle is enclosed.

2.0 **GENERAL CONDITIONS** -

- A. It is the requirement of the bidders to acquaint themselves fully with the conditions of the specifications and the type of vehicles expected. The failure or omission of any bidder to examine any form, instrument, or document shall in no way relieve him from any obligation of this bid invitation.
- B. All bid quotations must be submitted on the bid quotation form supplied with this specification. Partial bid will not be accepted. A bid may be withdrawn, however, and resubmitted anytime prior to the closing time for receipt of bids.
- C. Bidders are advised that all City contracts are subject to all legal requirements provided for in the City charter and or City ordinances and State and Federal statutes.

No City employee or elected official of the City of Brownsville shall have a financial interest, direct or indirect, in any contract with the City or shall be financially interested directly or indirectly, in the sale to the City of any materials, supplies or services. Proposer must remain in full compliance with Article 5, Administrative Provisions, Sub-Section 4, Qualifications of the City of Brownsville City Charter:

“The mayor, commissioners, and other officers and employees shall not hold any other public office of emolument and shall not be interested in the profits or emoluments of any contracts, job, work, or service for the municipality, or interested in the sale to the city of any supplies, equipment, material, or articles purchased.”

- D. Single Proposal - In the event a proposal is received, the City will, at its option, conduct a price and/or cost analysis of the proposal and negotiate the award, or reject the proposal and re-advertise. A price analysis would be performed by comparing price quotations submitted on other current quotations, current price lists, or other established or competitive prices.
- E. Bids not submitted on these forms will not be considered.
- F. The City of Brownsville by receipt of bid proposals and/or execution of a contract with the successful bidder does not guarantee any minimum purchase



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of the items bid upon. If a minimum quantity is specified in the proposal, it shall be the minimum amount of purchase for each purchase order.

- 3.0 **USE OF BRAND NAMES** – Specifications contained herein, in some cases, may refer to brand names. Brand names and numbers are used ONLY to set forth and convey to prospective bidders the general style, type, character and quality of the equipment desired.

It should be understood that specifying a brand name, component, and/or equipment in this specification shall not relieve the supplier from his responsibility to produce the product in accordance with the performance warranty and contractual requirements. The supplier is responsible for notifying the City of any inappropriate brand name, component, and/or equipment that may be called for in the specification, and to propose a suitable substitute for consideration.

- 4.0 **LIQUIDATED DAMAGES** – Time is of the essence, and should delivery not be completed on, or before, the time stipulated it is mutually agreed and understood by and between the successful bidder and the City of Brownsville that the bidder shall provide the City with comparable vehicles until proposed vehicles are delivered to the City of Brownsville various Departments. The cost of the comparable vehicle(s) shall be the bidder's responsibility.

Should the successful bidder be obstructed or delayed in the delivery of vehicles hereunder by changes in the vehicles or by default, act, or omission of the City, or by strikes, fire, act of God, or by the inability to obtain materials, equipment, or labor due to Federal Government restrictions arising out of the defense or war program, then the delivery time shall be extended for such period as may be agreed. Should there be insufficient time to grant such extensions prior to delivery date of the contract, the City may, at the time of delivery of vehicles, waive liquidated damages which may have occurred for failure to complete delivery on time, due to any of the above reasons, after hearing evidence as to the reasons for such delay and making a finding as to the cause of same.

- 5.0 **SUBMISSION OF REQUESTS FOR CHANGES** - All requests for approved equals, bid modifications or clarifications must be received in writing, no later than Friday, August 31, 2018, at 4:00 PM, Central Time, to Roberto C. Luna Jr., Purchasing Director, P. O. Box 911, Brownsville, Texas, 78522-0911. Fax requests will be accepted on or before this deadline at 956/546-2711, or e-mail at "purchasing@cob.us". Written responses to all requests will be postmarked at least five (5) calendar days prior to bid opening. Any bidder wanting these responses to be returned by one-day "overnight" mail should provide a completed "airbill", or other pre-paid postage envelope, showing the bidder's account number with the overnight express company.

- 5.1 **A pre-bid meeting** will be held at **3:00 p.m.** C.D.S.T., **August 29, 2018** at the City of Brownsville, Purchasing Department conference room located at City Hall, 1001 E. Elizabeth St., First Floor, Suite 101, Brownsville, TX. Although attendance at the pre-



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bid meeting is not mandatory, it may be a consideration in the award of the contract. Therefore, attendance at the pre-bid conference is strongly recommended.

6.0 **PREPARATION OF BIDS** -

- A. Unit prices shall be shown and where there is an error in extension of prices, the unit price shall govern.
- B. A delivery date in days including Sundays and holidays is required with proposal where multiple items or groups of items are bid; a delivery date is required of each item or group of items.
- C. Do not include Federal Taxes or State of Texas Limited Sales Excise Tax. The City of Brownsville is exempt from payment of such taxes, and will issue exemption certificates upon request.

7.0 **BID REJECTION OR PARTIAL ACCEPTANCE** – The CITY OF BROWNSVILLE reserves the right to reject any or all bids. It further reserves the right to waive technicalities and formalities in bids, as well as to accept in whole or in part such bid or bids where it deems it advisable in protection of the best interests of the City.

8.0 **TERMS** – Net 30 days after delivery, inspection, and receipt of invoices.

9.0 **BID FORM** – Each bidder must submit a bid on the blank line adjacent to the bid item. The bidder shall sign the bid correctly and initial each page. Bid(s) may be rejected if they show any omissions, alterations of form, additions not requested, conditional bid or any irregularities.

10.0 **FILING OF BIDS**

- A. Sealed Bids must be filed with the Purchasing/Contracting Manager, City of Brownsville, prior to the time and date set for the bid opening. It is the bidder's responsibility to make sure the bids are delivered directly to the Purchasing/Contracting Manager prior to the bid opening. Bids received after bid opening time will not be considered regardless of any delays, regardless of any cause and will be returned unopened.
- B. Bid and changes thereto shall be enclosed in a sealed envelope and addressed to:

(Do not send bids by registered or certified mail.)

Mr. Roberto C. Luna Jr. C.T.P.M.
Purchasing & Contract Services Director
Purchasing & Contract Services Department
City of Brownsville
City Hall 1001 E. Elizabeth Street – 1st Floor, Suite 101
Brownsville, TX 78520

One (1) original (marked original), one (1) copy, and one (1) electronic version (Acrobat PDF format only – To be submitted after bid opening) of your bid package will be



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accepted at same address stated above by no later than **September 5, 2018 at 3:00 P.M.**
Proposals received after the time and date specified will not be considered

- C. Lower left hand corner shall be marked as follows:

OFFICIAL BID FOR:

**INVITATION FOR BIDS
FOR THE PURCHASE AND DELIVERY OF
ONE (1) NEW MODEL, AERIAL LIFT BUCKET TRUCK
FOR THE CITY OF BROWNSVILLE
TRAFFIC DEPARTMENT
BID # ALT-72-0918**

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- D. Telegraphic or telefaxed bids will not be considered.
- E. Bids may not be withdrawn after the bid opening.
- F. If "No Bidding" please explain. No response will be basis for removal from vendor list.

11.0 **BASIS OF BID AWARD** – The bid will be awarded to the responsible and responsive bidder meeting the specifications and having the lowest possible total extended price of the Base Bid, consistent with the quality needed for effective use. All prices quoted will be firm. Award to successful bidder will be made by Commission action, based on lowest delivered cost per vehicle category. This bid shall not necessarily be awarded on low overall total cost for all solicited vehicles.

12.0 **ASSURANCE OF COMPLIANCE - EQUAL EMPLOYMENT OPPORTUNITY AND SMALL AND/OR MINORITY BUSINESS ENTERPRISE REQUIREMENTS.-**

Bidder agrees that if bid is accepted, vendor will not engage in employment practices which have the effect of discriminating against employees or prospective employees because of race, color, religion, national origin, sex, age, handicap, political belief or affiliation. In addition, bidder agrees that he/she will abide by all applicable terms of the minority business enterprise program of the City of Brownsville.

13.0 **PATENTED MATERIAL, DEVICES AND PROCESSES. -**

If the awarded bidder is required or desires to use any design, device, material or process covered by letters of patent or copyright he/she shall provide for such use by suitable agreement with the patentee or owner. The awarded bidder and the surety shall indemnify and save harmless the City of Brownsville from any and all claims for infringement by reason of the use of any patented design, device, materials or process or any trademark or copyright used in connection with the work and they shall indemnify the City of Brownsville against any cost, expense or damages which it may



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be obliged to pay by reason of such infringement, at any time during the prosecution or after the completion of the work.

- 14.0 **ACCESSORIES** - The vehicle manufacturer's standard advertised/published accessories and other options shall be chassis-factory installed, if available, on the vehicles.
- 15.0 **LOGOS AND DECALS-** Do not place decals or markings of any type pertaining to advertisement other than manufacturer's name or model designation normally installed by manufacturer on equipment delivered to the City of Brownsville.
- 16.0 **MANUALS-** The successful bidder will include in the vehicles, an owner's or operator's manual. This will include all standard manufacturer/vendor literature normally furnished and as required by law with the purchase of a new vehicle.
- 17.0 **NEW MODEL-** The vehicles furnished under this specification shall be **2018** or newer models and shall be of good quality workmanship and material. The bidder represents that the unit offered under this specification shall meet or exceed the minimum requirements specified for the vehicles.
- 18.0 **SERVICING AND EQUIPPING-** The vehicles shall be completely assembled, serviced, adjusted, and all equipment including standard and optional equipment shall be installed and the units made ready for continuous operation. Standard equipment means those components and accessories usually and ordinarily furnished without additional cost on regular production models.
- 19.0 **VEHICLE INSPECTION-** The successful bidder shall have the vehicles properly inspected to meet Texas Department of Public Safety requirements with Texas Inspection Sticker attached prior to delivery to the City of Brownsville.
- 20.0 **PRE-DELIVERY SERVICE-** All units shall include new vehicle pre-delivery service.
- 20.1 The following services shall be performed before the vehicles are delivered to the City of Brownsville
- 20.1.1 All fluid levels checked and maintained with the proper grade and type of fluids.
- 20.1.2 Pre-delivery inspection and service on chassis.
- 20.1.3 The interior and exterior of vehicles shall be clean and washed.
- 21.0 **WARRANTY SERVICE AND SERVICE CONTRACTS:**
- 21.1 New Vehicle(s) - The successful bidder shall furnish the City of Brownsville a manufacturer's New Vehicle Warranty, which will be honored by any of the manufacturer's authorized dealers. This warranty shall be comparable to or better than those offered to the general public.
- 22.0 **DELIVERY REQUIREMENTS** – Delivery of vehicles shall be made within 60-90 days ARO, F.O.B. Destination to TECOM, Fleet Management facility, 6045 Coffee Port Road, Brownsville, TX 78521. All equipment shall be offloaded onto City of Brownsville property at vendor's expense.



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- 22.1 If the vehicles are canceled for non-delivery, the needed vehicles may be purchased elsewhere and the vendor may be charged full increase, if any, in cost and handling.
- 22.2 Unless a delivery extension is granted for acceptable reasons due to circumstances beyond the vendor's control, liquidated damages of \$50.00 per vehicle will be deducted from the invoice for every working day after the expiration of the number of days shown on the purchase order until the units are delivered. This provision is not intended as a penalty but as liquidated damages.
- 22.3 The vehicles will be examined by personnel from the City of Brownsville and the Fleet Maintenance Division to determine compliance with the specifications outlined in this invitation to bid, prior to being accepted for purchase by the City of Brownsville.
- 23.0 **QUANTITY** – The City of Brownsville plans to purchase **one (1) Aerial Lift Bucket truck for use by the City of Brownsville, Traffic Department**. The City reserves the right to purchase additional equipment of the same model & make for the period of **180 days**, for the same price as bid. The City of Brownsville reserves the right to increase or decrease to none the quantities of items described on this bid.

II. TECHNICAL AND PERFORMANCE SPECIFICATION

24.0 GENERAL SPECIFICATIONS

- A. Any items specified by name or manufacturer's reference is merely descriptive and not restrictive unless otherwise noted, and is used only to maintain a definite standard of quality and style.
- B. Bidders are required to state exactly what they intend to furnish; otherwise they shall be required to furnish the items as specified.
- C. All vehicles specified are to be new, no less than one-year factory warranty from date of acceptance. Also include information on extended warranties available for the vehicles.
- D. All parts, service, and technical support shall be available locally.
- E. Vehicles specified shall be delivered fully assembled, checked, ready for use and free from defects unless otherwise specified.
- F. Vendor shall be responsible with his carrier for any concealed damages. Damaged items shall be replaced or repaired to new condition.
- G. Upon receipt of each item, inspection will be made to check for compliance to the specification of bid. If a unit is rejected the bidder shall be required to pick



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up rejected item at the point of delivery and/or provide necessary repairs or replacements by returning unit in new condition to the original point of delivery.

- H. Bidder agrees to provide professional instructions in the operation and maintenance of vehicles. Bid proposals shall include adequate brochures, latest printed specifications and advertising literature, describing the product(s) offered in such a fashion as to permit ready comparison with the specifications on an item-by-item basis where applicable.

25.0 DEFINITIONS AND ABBREVIATIONS:

The following definitions and abbreviations are used throughout these specifications.

- 25.1 ASTM: American Society for Testing and Materials.
- 25.2 BCI: Battery Council International.
- 25.3 CFR: U.S. Code of Federal Regulations.
- 25.4 COMMISSION or GSC: General Services Commission.
- 25.5 DOT: U.S. Department of Transportation.
- 25.6 DPS: Texas Department of Public Safety
- 25.7 EPA: U.S. Environmental Protection Agency.

- 25.8 FMVSS: U.S. Federal Motor Vehicle Safety Standards.
- 25.9 IFB: Invitation for Bids.
- 25.10 MANUFACTURER: A fabricator of automobile trucks, bodies, chassis, or components.
- 25.11 MSO: Manufacturer's Statement of Origin.
- 25.12 NTEA: National Truck Equipment Association.
- 25.13 NGV: Natural Gas Vehicle Coalition.
- 25.14 OEM: Original Equipment Manufacturer.
- 25.15 OSHA: U.S. Occupational Safety and Health Administration.
- 25.16 SAE: Society of Automotive Engineers.
- 25.17 VENDOR: A manufacturer's representative or dealer authorized to make sales and supply parts and service in Texas.
- 25.18 VTCS: Vernon's Texas Civil Statutes. (Replaced by the Texas Government Code, Title 10)



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26.0 **APPLICABLE SPECIFICATIONS, STANDARDS, RULES AND REGULATIONS:**

- 26.1 EXHAUST EMISSION STANDARDS: Vehicles furnished to these specification shall meet the applicable requirements of the EPA's Exhaust Emission Standards (40 CFR 85, 86, and 88) and all revisions as issued under authority of the Clean Air Act, as amended (42 USC 1857).
- 26.2 FEDERAL MOTOR VEHICLE SAFETY STANDARDS (PUBLIC LAW 89-563): Automobiles and trucks shall meet or exceed the minimum requirements of this specification and all applicable requirements of the FMVSS. All requirements of this specification shall be met unless they are in conflict with the applicable FMVSS.
- 26.4 MOTOR VEHICLE COMMISSION CODE: (Texas Revised Civil Statute, Annotated, Article. 4413(36) and 4413(36a) "...any entity or person that manufactures, distributes, converts new motor vehicles (or represents any entity that manufactures, distributes, or converts new motor vehicles) or is in the business of buying, exchanging, or selling new motor vehicles is required to be licensed by the Motor Vehicle Division of the Texas Department of Transportation.
- 26.5 OTHER SPECIFICATIONS AND STANDARDS: Reference to specifications, standards and test methods shall be to those in effect on the date of the Invitation for Bid. The following publications form a part of this specification to the extent that they meet all of OSHA's requirements and others as specified herein
- 26.6 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103:
- 26.7 ASTM A 606 -- Standard Specification for Steel Sheet and Strip, Hot-Rolled and Cold-Rolled, High Strength, Low-Alloy, with Improved Corrosion Resistance.
- 26.8 NATIONAL TRUCK EQUIPMENT ASSOCIATION (NTEA), 25900 Greenfield Rd. #410, Oak Park, MI:
- 26.9 NTEA -- Hydraulic Conversion Hoist Classification Chart.
- 26.10 SOCIETY OF AUTOMOTIVE ENGINEERS (SAE), 400 Commonwealth Drive, Warrendale, Pennsylvania 159096:
- 26.11 SAE J377 -- Standard for Performance of Vehicle Traffic Horns.
- 26.12 SAE J544b -- Recommended Practice for Starting Motor and Generator Curves



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- 26.13 SAE J551/12 -- Vehicle Electromagnetic/Interference (EMI/RF) March, 1994 or latest revision.
- 26.14 SUPERINTENDENT OF DOCUMENTS, U.S. Government Printing Office, Washington, D.C. 20402:
- 26.15 CFR, Title 40, Part 85 -- Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines, Environmental Protection Agency.
- 26.16 DOT, Title 49, Part 393 -- Liquid Fuel Systems of Commercial Motor Vehicles, Certification of Fuel Tank.
- 26.17 FMVSS (Public Law 89-563):
- 26.18 FMVSS No. 108 -- Lamps, Reflective Devices and Associated Equipment
- 26.19 FMVSS No. 209 -- Seat Belt Assemblies for Passenger Cars, Multipurpose Passenger Vehicles, Trucks And Buses
- 26.20 FMVSS No. 210 -- Seat Belt Assembly Anchorages -Passenger Cars, Multipurpose Passenger Vehicles, Trucks And Buses.
- 26.21 FMVSS No. 301 -- Fuel System Integrity.

27.0 **FEDERAL STANDARDS:**

- 27.1 No. 595a -- Colors.
- 27.2 No. TT-C-5208 -- Coating Compound, Bituminous, Solvent Type, Underbody (for Motor Vehicles).
- 27.3 U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA):
- 27.4 Construction Safety and Health Regulations Section 1926.601 -- Motor Vehicles.

28.0 **STATE OF TEXAS:**

- 28.1 GENERAL SERVICES COMMISSION (GSC), Purchasing Division, P. O. Box 13047, Austin, TX 78711-3047:
- 28.2 Texas Specification No. 055-20-01 -- Gasoline to Compressed Natural Gas Conversion Systems (current edition).
- 28.3 Texas Specification No. 055-20-02 -- Gasoline to Liquefied Petroleum Gas Conversion Systems (current edition).



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- 28.4 RAILROAD COMMISSION OF TEXAS (RRC), Liquefied Petroleum Gas Division, P.O. Box 12967, Austin, TX 78711-2967:
- 28.5 Regulations for Compressed Natural Gas (current edition).
- 28.6 Safety Rules: Liquefied Petroleum Gas Division (current edition).
- 28.7 VERNON'S TEXAS CIVIL STATUTES (VTCS), West Publishing Company, St. Paul, MN:
- 28.8 VTCS 6701d -- Uniform Act Regulating Traffic on Highways.
- 28.9 VTCS 4413(36) -- Texas Motor Vehicle Division Code of the Texas Department of Transportation.

29.0 **GENERAL INFORMATION AND REQUIREMENTS:**

- 29.1 ACCESSORIES, REQUIRED AND OPTIONAL: Unless otherwise specified in the Invitation for Bid, vehicle manufacturer's standard advertised/published accessories and other options shall be chassis- factory installed, if available, on all vehicles except medium-duty cab and chassis units (but including light-duty cab and chassis units).

Vehicle manufacturer's standard advertised/published accessories for medium-duty cab and chassis units shall be chassis-factory installed. Requested optional equipment on medium- duty cab and chassis units shall be furnished and installed by the chassis manufacturer or they shall be furnished and installed by other manufacturers, provided all specified minimum requirements are met.

- 29.2 BATTERIES: Calcium hybrid type batteries shall be standard on all vehicles furnished to this specification. Permanently sealed batteries without antimony are acceptable.

- 29.3 COMPARABLY EQUIPPED VEHICLES: An attempt has been made to ensure that manufacturer's models in each Series are furnished with comparable equipment (whether optional or standard as provided by the manufacturer). Any imbalance in the requirements for a listed series, i.e., an item that is an optional accessory for one brand and standard on another, should be called to the attention of the Purchasing Division immediately.

- 29.4 EQUIPMENT MOUNTING: No equipment mounted on State of Texas trucks shall, under any circumstances, be welded to the vehicle frame at any point between the front of the front spring hanger and the rear of the rear spring hanger. Also, all holes for bolting must be drilled in the accepted manner and the burning of said holes shall not be acceptable under any condition. Further, no holes shall be drilled in top or bottom flange of truck frame unless drilling is confined to the section behind the rearmost attachment of the rear spring hangers or for pre-formed factory-made frame rail bolt holes for subsequent body installation. Welding or torch cutting shall be



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confined to "boxing" the rear end of truck frame (as required for dump equipment to allow full dumping angle). All such work shall be confined to area behind rear spring hangers. Mounting strip between hoist sub-frame of dump body and truck frame may have flame cut holes to countersunk rivets on truck frame. Chassis frame rivets shall not be removed or cut flush with frame for any reason.

- 29.5 EQUIPMENT, SAFETY PLAQUES (OR DECALS): Equipment safety plaques (or decals) shall be furnished on both sides of the special truck bodies, and shall be affixed at the operator's station and at any hazardous area. These safety plaques (or decals) shall include necessary warnings and precautions. Permanent plaques are preferred to decals.
- 29.6 SAFETY PLAQUES OR DECALS: Safety plaques or decals shall be furnished and shall be affixed at any hazardous area. The safety plaques or decals shall describe the nature of the hazard, level of hazard seriousness, how to avoid the hazard, and the consequence of human interaction with the hazard. Permanent plaques are preferred to decals. Type, size and locations of product safety plaques or decals shall be in accordance with ANSI 535.4-1995, or latest revision thereto.
- 29.7 HORN: Each vehicle shall have one or more horns meeting the requirements of SAE J377.
- 29.8 LAMPS, SIGNALS, AND REFLECTORS (ALL): Quantities, color, mounting and other requirements for lamps, signals, and reflectors shall be as specified for vehicles by FMVSS No. 108. Automobile and trucks furnished to this specification shall be provided with lamps, signals and reflectors as specified in the Texas "Uniform Act Regulating Traffic on Highways," (VTCS 6701d).
- 29.9 LAMPS, SIGNALS, AND REFLECTORS (SERIES 650-991): Reflectors and clearance, side-marker and identification lamps for Series 650-991 vehicles shall also meet the following requirements. Reflectors must be housed type with screw or bolt type mounting; stick-on type is not acceptable. Surface-mounted clearance and side-marker lamps shall be metal armored type. Recess-mounted side marker and clearance lamps must be recessed sufficiently to provide protection for the lens. Lenses for side-marker and clearance lamps shall be secured to the lamp by a fastening method which required a tool to remove the lens.
- 29.10 LICENSE PLATE ATTACHMENT: Each vehicle, except cab and chassis units, shall be furnished with means and adequate space for attaching the rear license plate without modification. Illumination for the license plate shall be provided to meet DPS requirements.
- 29.11 LOGOS AND DECALS: Do not place decals or markings of any type pertaining to advertisement other than manufacturer's name or model designation normally installed by manufacturer on equipment delivered to any state agency.
- 29.12 MANUALS: Each successful bidder will include in each vehicle an owner's or



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operator's manual. This will include all standard manufacturer/vendor literature normally furnished and as required by law with the purchase of a new vehicle.

- 29.13 MUD FLAPS: See Accessory Specifications (Section D.) for mud flaps prescribed by law.
- 29.14 NEW MODELS: The vehicles furnished under this specification shall be new 2001 models and shall be of good quality workmanship and material. The bidder represents that all units offered under this specification shall meet or exceed the minimum requirements specified for each vehicle Series listed.
- 29.15 ODOMETER STATEMENT: The Truth in Mileage Act requires the selling dealer to furnish a complete odometer statement to the purchaser. This statement must be complete and shall include mileage accrued at the point of delivery. In addition to the signature of the seller/ agent certifying the odometer reading, both the dealership and the name of the agent shall be printed on the Odometer Disclosure Statement. The odometer statement on the MSO will satisfy this requirement. NOTE: ODOMETER STATEMENT IS NOT REQUIRED ON CAB AND CHASSIS MODELS WITH A GROSS VEHICLE WEIGHT RATING OF 16,000 POUNDS OR MORE.
- 29.16 SERVICING AND EQUIPPING: Successful bidders shall furnish automobiles and trucks meeting or exceeding the minimum requirements in the appropriate Series table and equipped exactly as listed for makes and models in the various tables of this specification and with any other requirements specified in the Invitation for Bid. The vehicles shall be completely assembled, serviced, adjusted, and all equipment including standard and optional equipment shall be installed and the units made ready for continuous operation. Standard equipment means those components and accessories usually and ordinarily furnished without additional cost on regular production models.
- 29.17 SPEEDOMETER: Each vehicle shall be equipped with a speedometer having an odometer as an integral part. The speedometer drive mechanism must be properly calibrated in relation to each axle ratio and tire size to give accurate readings.
- 29.18 TIRES: Tires shall be of the type of construction specified under the applicable table or general requirements for each series. All tires shall be new and the tread style shall be the tire manufacturer's standard design and the brand normally furnished on regular production orders, unless otherwise specified in the Invitation for Bid. All tires shall be "ORIGINAL EQUIPMENT LINE" quality. All tires and wheels shall be properly balanced prior to delivery to receiving agency, except balancing of tires and wheels on medium duty-trucks, Series 930 through 991, is not required. (Note: out-of-round tolerance requirements for medium-duty truck tires in Section C.9.)

*EXCEPTION: UNLESS OTHERWISE SPECIFIED IN THE INVITATION FOR BID, RAISED WHITE LETTERS ARE NOT ACCEPTABLE ON LIGHT-DUTY TRUCK AND TRUCK TYPE TIRES. VEHICLES EQUIPPED WITH RH50 MULTIPLE PIECE CENTER-LOCKING RIMS ARE NOT ACCEPTABLE.



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- 29.19 WIRING: With the exception of factory-installed wiring, all electrical wiring shall be insulated and enclosed in a fibrous loom, plastic loom, or flexible conduit for protection from external damage and short circuits. It shall be securely fastened at sufficient intervals to prevent sagging and to ensure clearance of mechanical parts. Routing of the wiring through the cab, frame, body, compartment box, and the like shall be placed in such a manner so as not to interfere with normal operation and use, or present a safety hazard. Rubber grommets shall be used wherever wires, hoses or harness pass through metal. (Refer to Section F.4.6 for the wiring requirements for dump bodies.)
- 29.20 UNACCEPTABLE INTERIOR COLORS: **Black and White interior trim including upholstery is not acceptable** (except for black floor mats) unless otherwise specified in the Invitation for Bid.
- 30.0 **CERTIFICATION AND COMPLIANCE:**
- 30.1 EXCEPTIONS AND DEVIATIONS: Failure on the part of the bidder to comply with any and all requirements and conditions of this specification will result in rejection of the bid. No exceptions to or deviations from this specification will be considered unless each exception or deviation is specifically stated by the bidder as an exception with a detailed statement completely defining the exception and/or exceptions. This detailed exception must be listed on a separate sheet of paper, clearly labeled as an exception and attached to the bid. The make and model number must be shown on each bid; however, that information will not be sufficient evidence that the bidder is making an exception. If no exceptions or deviations are shown, the bidder will be required to furnish vehicles and equipment exactly as specified herein. The burden of proof of compliance with this specification shall be the vendor's
- 30.2 SUBMITTAL OF LITERATURE: Bidders must submit with their bids, the latest printed literature on equipment the bidder proposes to furnish. This literature shall include an engine chart showing SAE gross horsepower, SAE gross torque rating, and other operating characteristics.
- 31.0 **INSPECTION:**
- 31.1 1,000-MILE INSPECTION STICKER: Not required unless otherwise specified in the Invitation for Bid.
- 31.2 VEHICLE INSPECTION: The successful bidder shall have vehicle (except cab and chassis units) properly inspected to meet DPS requirements with Texas Inspection Sticker attached prior to delivery to the receiving agency.



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- 31.3 **AGENCY CHECK-IN INSPECTION:** Receiving Department shall check the vehicle upon delivery to ensure compliance with this specification and any other specific requirements. The vendor shall deliver with the vehicle a vehicle-specific line-setting ticket, manufacturer's invoice, or any official documentation to verify the fact that ordered options, GVWR rating, and other requirements have been met. Unless otherwise specified in the Invitation for Bid, Departments are permitted a maximum of five working days to complete this inspection. Failure to provide this information may cause the delay of department processing of payment.
- 32.0 **INTENT OF SPECIFICATIONS:** The following conditions have been adopted by the City of Brownsville from standard state of Texas bid requirements: Vendors shall note that any reference to the "State" shall imply standards adopted by the City of Brownsville.
- 32.1 **GENERAL:** The vehicles covered by this specification are categorized into eight general classifications. Each classification is further divided into sub-classifications which are specifically identified by generic title and description and by an assigned vehicle Series number. For example, Series 352 represents a 2-door Small Compact Automobile under the classification of "General Purpose Automobiles" as categorized by the state. The table of each vehicle Series contains the make, model, and other specifications for each vehicle submitted by manufacturers for sale to the state of Texas. It should be understood that vehicles listed as "Full Size" are not acceptable as "Intermediate" automobiles. It should also be further understood that any vehicles bid which fail to meet the minimum requirements of the Series number will not be considered for purchase. The purpose of listing vehicles in a given Series is so that the user will have the information necessary to match requirements with available vehicles. However, the fact that a vehicle is not listed in a given Series will not preclude its being purchased by the City of Brownsville provided that (1) it is determined to be the lowest and best bid, (2) it meets the requirements of the Series number by which the City of Brownsville classifies vehicles, and (3) it is approved by the Commission. The following examples will clarify the intent of these specifications.
- 32.2 **COMPANION VEHICLES:** If the City of Brownsville request bids on a Small Compact Automobile, Series 352a, a Mercury Topaz would be considered for purchase even though it is not listed in the Series 352a table. The Topaz is considered a Small Compact by the state as the Mercury version of the Ford Tempo, sold by different divisions of Ford.
- 32.3 **ENGINE SUBSTITUTION:** If the City of Brownsville requests bids on an Intermediate Station Wagon listed in Series 555 (which requires a 6-cylinder engine), a vehicle listed in this table but having an 8-cylinder engine would not be acceptable. It is assumed that the using agency requires a 6-cylinder engine unless it is stated on the Invitation for Bid that an 8-cylinder engine would be acceptable.



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- 32.4 **EXCEEDING SPECIFICATIONS:** Bidders may exceed chassis specifications on medium-duty trucks only when the ordering entity requests heavier components which are only provided on the next larger size.
- 32.5 **MODEL SUBSTITUTION:** If the state requests bids for a Series 350, Subcompact Automobile, for example, then an Intermediate Automobile normally purchased under Series 360 will not be acceptable. In this instance the state's intent is clearly to purchase a subcompact automobile.
- 33.0 **MANUFACTURER'S STATEMENT OF ORIGIN:** Successful bidder shall furnish the receiving agency a MSO (Certificate of Title will not meet this requirement). This Statement of Origin shall be furnished at the time of delivery to the receiving agency, shall be made out in the name of the individual agency, and shall provide the following:
- NOTE: Vendor should contact the ordering agency to obtain proper Agency name and address for assignment of the MSO.
- 33.1 GVWR for the particular model specified, or;
- 33.2 The GVWR required for the agency's written exception, or;
- 33.3 A greater GVWR required by extra equipment, and;
- 33.4 Nominal weight rating (in tons),
- 33.5 Odometer Disclosure Statement (See Section 27.15).
- 34.0 **PRE-DELIVERY SERVICE:** All units (including complete vehicles and cab and chassis units) shall include new vehicle pre-delivery service
- 34.1 The following service shall be performed before the units are delivered to the receiving agency:
- 34.2 All fluid levels checked and maintained with the proper grade and type of fluids.
- 34.3 Pre-delivery inspection and service on chassis.
- 34.4 The interior and exterior of units shall have been cleaned and washed.
- 34.5 When so specified in the Invitation for Bid, the vendor or their representative who is responsible for the final delivery shall attach signed certificates to the units stating that the above service was performed and that inspection indicates they are in good condition and ready for delivery.
- 34.6 Unless specifically permitted by the ordering entity, vehicles shall be equipped with all accessories as stated in the purchase order prior to delivery. Generally,



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the up fitting or servicing of ordered vehicles on the premises of the ordering entity is not permitted.

- 34.7 All shipping tickets shall reference the applicable agency requisition number. Shipping tickets shall accompany each delivery shipment.

35.0 WARRANTY, SERVICE, AND SERVICE CONTRACTS:

- 35.1 **ACCESSORIES:** The successful bidder shall furnish a copy of the manufacturer's standard warranty on major accessories such as Dump, Stake, Platform and Utility Bodies, side-mounted tool compartments and tool boxes at the time of delivery to the receiving agency.
- 35.2 **NEW VEHICLE:** The successful bidder shall furnish the receiving agency a chassis manufacturer's New Vehicle Warranty, which will be honored by any of the manufacturer's authorized dealers. This warranty shall be comparable to or better than those offered to the general public. Passenger cars and light-duty trucks shall have a minimum warranty offered to the general public (not commercial trade).
- 35.3 **WARRANTIES, DELAYED:** Delayed warranties are available on vehicles. Specifying them on the Invitation for Bid will give the vendors advance notification of this requirement. Requests for delayed warranties over six months after delivery are not acceptable.
- 35.4 **WARRANTIES, EXTENDED:** When so specified on the Invitation for Bid, an extended warranty shall be provided to cover the period of time from the expiration of the standard warranty to a period of four years and 70,000 miles, whichever comes first.
- 35.5 **WARRANTIES, DEALER INSTALLED ITEMS:** Dealerships shall warrant all dealer installed options/components (100% of parts and labor at FOB location) for quality and workmanship for a period of at least twelve (12) months, beginning on the date of acceptance of vehicle (s) by the agency.
- 36.0 Unless otherwise specified, all units shall be furnished complete with standard equipment and factory- installed accessories as listed in the manufacturer's printed literature for the models specified herein. The following items are minimum requirements for the models specified herein, and shall be provided whether shown as optional or standard equipment by the manufacturer. The following are some of those standard features or additional features as listed for these models. Please note any additional requirements following the table for each series number.

A). **Body:**

1. **Air Bags:** Driver's side air bag required. If front passenger seat is provided, then dual air bags required.
2. **Air Conditioning:** Manufacturer's standard.



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3. Arm Rests: Left door only. (Both right and left arm rests are required if right front seat is provided.)
4. AM/FM Radio: Manufacturer's standard.
5. Cigar Lighter: Automatic pop-out type.
6. Heater and Defroster: (See Accessory Specifications.)
7. Rearview Mirrors: Nominal 4" x 6" below eye level or, largest factory installed available left and right sides.
8. Seat Belts(with retractors for Driver and Right Front Seat Passenger): Installed for each passenger space to meet the requirements for FMVSS Nos. 209 and 210.
9. Sun Visor: Driver's side only: Dual sun visors are required if right front seat is provided.
10. Tinted Glass: Windshield and all windows.
11. Windshield Wipers: Dual electric 2-speed type with intermittent feature windshield washers.

B). **Chassis**:

1. Brakes, ABS, required, Manufacturer's standard; front disc, 2 or 4 wheel.
2. Automatic Transmission.
3. Bumpers: Manufacturer's standard front and rear step bumper.
4. Ground Ratings: As required for the GVWR certified.
5. Jack, Handle, and Lug Wrench:
6. Shock Absorbers: Front and rear.
7. Spare Wheel and Tire (mounted on carrier): Manufacturer's standard. Must be IDENTICAL IN BRAND NAME, TYPE AND SIZE OF TIRE to those on the vehicle.
8. Tires (**including spare**): Steel belted radial type tubeless tires.
9. Power Steering: Manufacturer's standard.

C). **Cargo Weight**:



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1. Approximate Payload Allowance: The payload allowance is the weight of cargo that may be carried by the standard, base vehicle. It is found by adding the weight of the driver and all passengers (150 pounds each) to the curb weight and subtracting the total from the GVWR.

37.0 **PLEASE READ YOUR SPECIFICATIONS THOROUGHLY AND BE SURE THAT THE VEHICLES COMPLY WITH ALL THE REQUIREMENTS.** State exceptions or deviations from the specifications.

38.0 **BASE BID DESCRIPTION:** SPECIFICATIONS FOR THE PURCHASE OF **ONE (1) AERIAL LIFT BUCKET TRUCK FOR USE BY THE CITY OF BROWNSVILLE, TRAFFIC DEPARTMENT,** SHALL NOT BE LESS THAN THE FOLLOWING SPECIFICATIONS, BUT MAY EXCEED THEM.

39.0 **GENERAL INTENTION:**
The intention of the following specifications is to describe the different types of vehicles as follows:

EXAMPLE: Chevrolet, Ford, GMC, Dodge, Chrysler, Plymouth, etc., etc...

NOTICE TO BIDDER: The examples shown are to show the type and class of equipment desired. Standard industry specifications for similar types of equipment and options will be considered "on specifications" and responsive, provided that the general intention requirements are fulfilled. Basis of bid award shall be determined by equipment which results in the highest degree of cost effectiveness, not necessarily the lowest amount bid.



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**SPECIFICATIONS FOR: ONE (1) NEW MODEL, AERIAL LIFT BUCKET TRUCK FOR USE
BY THE CITY OF BROWNSVILLE, TRAFFIC DEPARTMENT:**

MINIMUM SPECIFICATIONS:

BIDDER'S SPECIFICATIONS:

(Please fill out basic or exceeding specifications. All wording must be written in column to the right and without confusion to avoid disqualification).

01)	YEAR / MODEL: 2018 or newer model – Regular Cab / 17,500 GVWR Minimum, Rear Dual Wheels, Diesel Truck with a 60" Cab-To-Axle with an Articulated Aerial Platform Lift Bucket.	01)	YEAR / MODEL: _____
	<u>CHASSIS FEATURES: 17,500 GVWR Minimum</u>		
02)	ENGINE: Diesel Engine	02)	ENGINE: _____
03)	TRANSMISSION: HD 6-Speed Automatic with overdrive Rear wheel drive	03)	TRANSMISSION: _____ _____
04)	RADIATOR: Heavy-duty core (minimum) Largest-capacity cooling system available (Engine oil cooler).	04)	RADIATOR: _____ _____
05)	STEERING: Speed Sensitive, Power steering, Independent front suspension w/coil springs, Front stabilizer bar, Leaf spring rear suspension	05)	STEERING: _____
06)	BRAKES: 4-Wheel Anti-Lock brake system, Power front/ Rear disk brakes. (ABS)	06)	BRAKES: _____ _____
07)	ALTERNATOR: 95 AMP (minimum)	07)	ALTERNATOR: _____
08)	BATTERY: Heavy-Duty Maintenance free, HD 600 CCA Dual 12-volt battery. (minimum)	08)	BATTERY: _____
09)	60" CAB-TO-AXLE, ALL-STEEL SERVICE BODY BED – Reading Model N134 – Dual Wheel with Safety Step Recessed Bumper with Hitch Plate <i>or equal</i> .	09)	60" CAB-TO-AXLE, ALL-STEEL SERVICE BODY BED: (specify brand & model number) _____ _____
10)	SUSPENSION: Independent front suspension w/torsion bars,	10)	SUSPENSION: _____



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	maximum GAWR front springs. Multi-leaf spring rear suspension.		
11)	EXHAUST SYSTEM: Aluminized stainless steel.	11)	EXHAUST SYSTEM: _____
	<u>EXTERIOR FEATURES:</u>		
12)	COLOR: White.	12)	COLOR: _____
13)	Tires: (6) LT235/85R17E all-season tires. (Full-size spare tire w/steel wheel).	13)	TIRES: _____
14)	Rims: (6) 17" "Standard" silver painted argent steel wheels w/black or chrome center cap/trim rings. (Winch-type spare tire carrier, under rear frame).	14)	RIMS: _____ _____
15)	BUMPER: (front) Standard Bumper. Rear bumper to be as follows; Galvanized safety step recessed bumper with hitch plate.	15)	BUMPER: _____ _____
16)	GRILLE: Standard, Molded Grille Painted Argent.	16)	GRILLE: _____
17)	HEADLAMPS & LAMPS: Sealed beam halogen headlights Aero halogen headlights. Daytime Running lamps. (Cargo area lamp)	17)	HEADLAMPS & LAMPS: _____
18)	WIPERS: Intermittent Windshield Wiper System.	18)	WIPERS: _____
19)	MIRRORS: Manually telescoping trailer tow w/manual glass	19)	MIRRORS: _____
20)	FUEL TANKS: Indicate fuel tank size 36 gallon fuel tank (minimum)	20)	FUEL TANKS: _____
21)	UNDERCOATING: Rust-proofing & undercoating w/minimum four-year (4-year) written guarantee.	21)	UNDERCOATING: _____



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<u>INTERIOR FEATURES:</u>			
22)	AIR CONDITIONING: Factory-installed Mounted w/outlets through dash (not mounted under dash)	22)	AIR CONDITIONING: _____ _____
23)	DOORS & WINDOWS: Standard, power door locks and windows.	23)	DOORS & WINDOWS: _____
24)	GLASS: Solar-Ray tinted glass (all windows). Swing-out rear quarter windows.	24)	GLASS: _____
25)	GAUGES: Standard instrumental panel.	25)	GAUGES: _____
26)	FLOORING: Color-Key rubber floor covering. Insulation under dash and floor covering.	26)	FLOORING: _____
27)	SEATS: 3-passenger reclining split bench seat w/easy entry, "scotchgard" Fabric Protector on all cloth and carpet surfaces.	27)	SEATS: _____ _____
28)	RADIO: Standard, AM/FM Stereo w/Digital Clock, 2 speakers.	28)	RADIO: _____
29)	AIR BAGS: Driver & Passenger Side.	29)	AIR BAGS: _____
30)	SAFETY BELTS: Color keyed w/adjustable D-rings.	30)	SAFETY BELTS: _____
31)	INSTRUMENTATION PANEL: Color keyed w/glove box, 4 air registers w/positive shutoff, ashtray, and cigar lighter	31)	INSTRUMENTATION PANEL: _____
32)	DOME LAMP: LH/RH door activated I/P switch operated w/delay Dome lamp w/dual map light Reading lamp	32)	DOME LAMP: _____
33)	STEERING WHEEL: Black vinyl (PVC) / Tilt Steering Wheel	33)	STEERING WHEEL: _____
34)	HOOD RELEASE: Inside handle hood release.	34)	HOOD RELEASE: _____



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35)	HORN: Dual electric horn.	35)	HORN: _____
36)	CUPHOLDERS: Dual I/P mounted.	36)	CUPHOLDERS: _____
37)	MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:	37)	MISCELLANEOUS ACCESSORIES AND REQUIREMENTS:
a)	State inspection sticker	a)	_____
b)	Two (2) turn indicator lights	b)	_____
c)	Traffic hazard switch	c)	_____
d)	Sun visor left and right	d)	_____
e)	Heater (w/heavy-duty type core)	e)	_____
f)	Tilt Wheel/ Intermittent Windshield wiper package	f)	_____
g)	Passlock theft deterrent security system. (Key-in-ignition warning buzzer)	g)	_____
h)	Heavy Duty Trailer Special Equipment Package with Wiring Harness	h)	_____
i)	Towing package	i)	_____
j)	Tow hooks – two, front	j)	_____
k)	Trailer wiring – 4-Pin trailer connectors	k)	_____
l)	Warning tones-inc: Key-in-ignition, seat belt, headlamp, turn signal	l)	_____
m)	Driver message center warnings-inc: transmission overheat, low fuel, low coolant, vehicle security, oil level, engine/transmission temperature, oil pressure, etc.	m)	_____ _____
n)	Lighting-inc: dome, ashtray, glove box, under hood.	n)	_____
o)	Side door guard beams.	o)	_____
p)	Manuals: Two operators and Maintenance Manuals.	p)	Manuals: _____



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38)	AERIAL LIFT SPECIFICATIONS	38)	
a)	45ft. working height	a)	_____
b)	40 ft Height to Bottom of Platform	b)	_____
c)	27.75 ft Horizontal Reach	c)	_____
d)	10.33 ft Stowed Travel Height	d)	_____
e)	450 lbs Platform Capacity	e)	_____
f)	300 Pound Bucket Capacity	f)	_____
g)	Body Harness with lanyard	g)	_____
h)	Full Hydraulic Controls	h)	_____
i)	Lower boom shall consists of 6in square steel	i)	_____
j)	Two (2) operators and maintenance manuals.	j)	_____
k)	Stabilizer bar installed	k)	_____
l)	Steel upper boom.	l)	_____
m)	24x24 Side Mount Fiberglass bucket with step.	m)	_____
n)	Stop-Start at basket.	n)	_____

39)	Body	39)	Body
a)	53 in. Floor Width	a)	_____
b)	93 in. Body Width	b)	_____
c)	40 ins. High	c)	_____
d)	Treadplate compartment tops	d)	_____
e)	Automotive Type Neoprene Bulb Door seal	e)	_____
f)	1 Street side Compartmentation, 20 in. deep	f)	_____
g)	First vertical compartment – two adjustable shelves with two dividers each	g)	_____



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h)	Horizontal compartment – blank	h)	_____
i)	Rear compartment, vertical – one adjustable shelf with two dividers	i)	_____ _____
j)	1 Curb side compartment , twenty inches deep	j)	_____
k)	First vertical compartment – adjustable shelves with two dividers each	k)	_____ _____
l)	Horizontal compartment – one shelf with eight dividers	l)	_____ _____
m)	Rear compartment, vertical – one adjustable shelf with two dividers	m)	_____ _____
n)	1 set of Mud flaps and Brackets	n)	_____
o)	1 Tailgate – twelve inches high with chains	o)	_____
p)	1 service body to be painted white, with enamel paint	p)	_____ _____
q)	1 Boom Support	q)	_____
r)	1 Bucket support	r)	_____
s)	1 Body DOT lighting kit. Rear lights to be flushed mounted	s)	_____ _____
t)	1 Non-skid coating on compartment tops, body floor and bumper	t)	_____ _____
u)	1 Half step for bucket access	u)	_____
v)	1 Stool step for bucket access	v)	_____
w)	1 Combination pintle hitch with two inch ball	w)	_____
x)	1 six prong trailer socket	x)	_____
y)	2 Amber strobe light with post mounting bracket	y)	_____
z)	2 Amber strobe lights with mounting bracket	z)	_____
aa)	1 Recessed oval amber strobe lights mounted in rear. Rubber Grommet mounted.	aa)	_____ _____
bb)	1 Dot kit - five pound ABC Fire Extinguisher – mounted	bb)	_____ _____



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cc)	1 Triangle Flare kit	cc)	_____
dd)	1 Set of spare fuses for truck	dd)	_____
40)	Ladder: 1 Side mounted ladder rack with angle rails on top of street side with ladder hold down	40)	Ladder: _____ _____
41)	Basket	41)	Basket
a)	1 12 volt emergency power at basket	a)	_____
b)	Two speed throttle at basket – to regulate the trucks engine	b)	_____
c)	1 Electrical tool Circuit with GFCI outlets at Boom tip – unit is now non-insulated	c)	_____ _____
d)	1 Unit Safety Switch – Parking brake must be set before unit will operate	d)	_____ _____
e)	1 Tripp Lite 2000 Watt inverter, model PV2000FC, Inverter requires no battery and shall fused to truck battery.	e)	_____ _____
f)	Delivery: Delivery within one hundred fifty days from date of order.	f)	Delivery: _____ _____
g)	SB108D53-SS ETI Body	g)	_____



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Bid Form

<u>SECTION 40.0</u>	<u>ITEM DESCRIPTION</u>
ITEMS #1 – 41	Base Bid: <u>One (1) New Model, 2018, 40ft. Telescopic-Aerial Platform Lift Bucket Truck, Diesel engine 4500, 60 in. Cab to Axle, Single Cab, Dual Rear Wheel Axle, GVWR 17,500 lbs.</u>
<u>UNIT PRICE</u>	
\$ _____	
Unit Price in words: _____	
Make and Model: _____ Year of manufacture: _____	
Servicing Dealer in Brownsville: _____ Phone #: _____	
<u>Alternative Options:</u>	<u>Unit Price:</u>
a) V10 Gas Engine _____ liter	\$ _____
b) Dual Gas tank	\$ _____
g) Crew Cab (4 full door)	\$ _____

Delivery Date Guarantee – I agree to furnish the above equipment in the number of calendar days indicated below, following the date of issuance of a purchase order by the City. I understand purchase orders may be canceled due to late delivery unless a determination of due cause can be made.

Calendar days required for delivery _____
(not to exceed - days) (to be filled in by bidder)

The bid prices quoted on this form are firm bids which are good for one hundred eighty (180) calendar days following the opening of bid proposals and are not subject to price adjustments.

I have attached and initialed a copy of the City’s specifications for the item(s) bid on this form to clarify my understanding as to what features shall be required in the equipment.

Date _____

Signed _____



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

Company _____ Title _____

NOTE: In addition to responding to our “local” solicitation for bids/proposals vendors/contractors are encouraged to provide pricing on the above referenced items/products/services based on **BuyBoard, H-GAC, TPASS, TXDOT, US Communities** and/or any other State of Texas recognized and approved cooperative which has complied with the bidding requirements for the State of Texas (any and all applicable fees must be included) All cooperative pricing must be submitted on or before bid/proposal opening date and hour.

Check one			
<input type="checkbox"/> BUYBOARD	<input type="checkbox"/> H-GAC	<input type="checkbox"/> TPASS	<input type="checkbox"/> DEALER/LOCAL
<input type="checkbox"/> TX DOT	<input type="checkbox"/> U.S. COMMUNITIES	<input type="checkbox"/> OTHER _____	Specify
CONTRACT NUMBER: _____ (if applicable)		COMMODITY NUMBER: _____ (if applicable)	

Notice to vendors:

All Addenda issued in respect to this project shall be considered official changes to the original bidding documents. It shall be the Respondent(s) responsibility to ensure that all Addenda have been received. Furthermore, respondents are advised that they must recognize, comply with, and attach a signed copy of each Addendum which shall be made part of their Bid Submittal. Respondent(s) signature on Addenda shall be interpreted as the vendor’s “recognition and compliance to” official changes as outlined by the City of Brownsville and as such are made part of the original bidding documents.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

III. MISCELLANEOUS

- 42.0 **TERMINATION BY THE CITY** - The City of Brownsville reserves the right of unilateral termination of the contract by providing a thirty (30) day written notice of such intent.
- 43.0 **POINT OF CONTACT** – All information regarding the specifications or bidding procedures please contact Roberto C. Luna, Jr., Purchasing Director, at (956) 548-6087.
- 44.0 **DISCLOSURE OF INTEREST FORM** - Please complete the attached Disclosure of Interest Form and submit with your bid proposal.
- 45.0 **STATEMENT OF NON-COLLUSION FORM** - Enclosed is a Statement of Non-Collusion which must be completed by the vendor and submitted with the bid.
- 46.0 **BID OPENING DATE** - Bid opening date will be at **3:00 P.M., September 5, 2018** at the Purchasing Department, located at City of Brownsville No. 1, Market Square, Brownsville, Texas.
- 47.0 **ADDENDA**

The following Addenda have been received. The modifications to the Contract Documents noted therein have been considered and all costs thereto are included in the Bid Price.

Addendum No. Dated.....

Addendum No. Dated.....

Addendum No. Dated.....

Addendum No. Dated.....

The City of Brownsville reserves the right to reject any and all bids.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

**CITY OF BROWNSVILLE
DISCLOSURE OF INTERESTS**

City of Brownsville, Texas requires all persons or firms seeking to do business with the City to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA." Corporations whose shares are publicly traded and listed on national or regional stock exchanges or over-the-counter markets may file a current Securities and Exchange Commission Form 10-K with the City in lieu of answering the questions below. See reverse side for definitions.

FIRM NAME: _____

ADDRESS: _____

FIRM is: 1. Corporation () 2. Partnership () 3. Sole Owner ()
4. Association () 5. Other () _____

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the names of each "employee" of the City of Brownsville having an "ownership interest constituting 10% or more of the voting stock or shares of the business entity or ownership of \$2,500 or more of the fair market value of the business entity or employed by the above named "firm."

Name	Title	Department

2. State the name of each "official" of the City of Brownsville having an "ownership interest" constituting 10% or more of the ownership in the above named "firm", or employed by the above named "firm."

Name	Title	Department

3. State the names of each "board member" of the City of Brownsville having an "ownership interest" constituting 10% or more of the ownership in the above named "firm", or employed by the above named "firm."

Name	Board, Commission, or Committee

CERTIFICATE



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the City of Brownsville, Texas as changes occur.

Certifying Person: _____ Title: _____
(Type or Print)

Signature of Certifying Person: _____

Date: _____

DEFINITIONS

The following definitions of terms should be used in answering the questions set forth below:

- a. **“Board member.”** A member of any board, commission, or committee appointed by the City Commission of the City of Brownsville, Texas.
- b. **“Employee.”** Any person employed by the City of Brownsville, Texas either on a full or part-time basis, but not as an independent contractor.
- c. **“Firm.”** Any entity operated for economic gain, whether professional, industrial or commercial, and whether established to produce or deal with a product or service, including but not limited to, entities operated in the form of sole proprietorship, as self-employed person, partnership, corporation, joint stock company, joint venture, receivership or trust, and entities which for purposes of taxation are treated as non-profit organizations.
- d. **“Official.”** The Mayor, members of the City Commission, City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judge of the City of Brownsville, Texas.
- e. **“Ownership interest.”** Legal or equitable interest, whether actually or constructively held, in a firm, including when such interest is held through an agent, trust, estate or holding entity. “Constructively held” refers to holdings or control established through voting trusts, proxies, or special terms of venture of partnership agreements.”

PLEASE FILL IN INFORMATION NEEDED AND SUBMIT TO:

THE CITY OF BROWNSVILLE
PURCHASING DEPARTMENT
P. O. BOX 911
BROWNSVILLE, TEXAS 78522-0911



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

CITY OF BROWNSVILLE
NON-COLLUSIVE BIDDING CERTIFICATION

I/We have read instructions to bidder and specifications. My/Our bid conforms with all bid specifications, conditions, and instructions as outlined by *CITY OF BROWNSVILLE*. Signing the Acknowledgment Form confirms that our company will enter into a binding contract with CITY OF BROWNSVILLE for item(s) awarded to our company. I/We have read instructions to bidder and specifications.

The undersigned Bidder, by signing and executing this bid, certifies and represents to the CITY OF BROWNSVILLE that Bidder has not been offered, conferred or agreed to confer any pecuniary benefit, as defined by §1.07(a)(6) of the Texas Penal Code, or any other thing of value as consideration for the receipt of information or any special treatment or advantage relating to this bid; the Bidder also certifies and represents that Bidder has not offered, conferred or agreed to confer any pecuniary benefit or other things of value as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion concerning this bid; the Bidder certifies and represents that Bidder has neither coerced nor attempted to influence the exercise of discretion by any officer, trustee, agent or employee of the CITY OF BROWNSVILLE concerning this bid on the basis of any consideration not authorized by law; the Bidder also certifies and represents that Bidder has not received any information not available to other bidders so as to give the undersigned a preferential advantage with respect to this bid; the Bidder further certifies and represents that Bidder has not violated any state, federal or local law, regulation or ordinance relating to bribery, improper influence, collusion or the like and that Bidder will not in the future offer, confer, or agree to confer any pecuniary benefit or other thing of value to any officer, trustee, agent or member of the CITY OF BROWNSVILLE in return for the person having exercised the person's official discretion, power or duty with respect to this bid; the Bidder certifies and represents that it has not now and will not in the future offer, confer, or agree to confer a pecuniary benefit or other thing of value to any officer, trustee, agent or member of CITY OF BROWNSVILLE in connection with information regarding this bid, the submission of this bid, the award of this bid or the performance, delivery or sale pursuant to this bid.

Date: _____

Company Name: _____

Signature : _____

Title: _____

Note: This form must be filled in and submitted with the sealed bid.

Certificate of Interested Parties



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

House Bill 1295

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016. The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission’s website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law. The commission does not have any additional authority to enforce or interpret [House Bill 1295](#).

A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

Follow the hyperlink below to submit electronic filing application Form 1295 *(Must be submitted with bid/proposal package to be considered by the City of Brownsville). The Purchasing/Contracting Department requires “CERTIFICATE OF INTERESTED PARTIES FORM 1295” from your firm in order to be considered as per Government Code section §2252.908*

[HTTPS://WWW.ETHICS.STATE.TX.US/FILE/](https://www.ethics.state.tx.us/file/)

Acknowledged by,

(Name of Bidder)

(Signature)

(Print)

Date

Note: This page must be filled in and submitted with the sealed bid/proposal as an acknowledgement of bid/proposal document requirements by the City of Brownsville



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

Table with 4 columns: Name of Interested Party, City, State, Country (place of business), and Nature of Interest (Controlling, Intermediary). Includes a large watermark: 'Must file online at www.ethics.state.tx.us/efile'

5 Check only if there is NO Interested Party. []

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

ADD ADDITIONAL PAGES AS NECESSARY



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

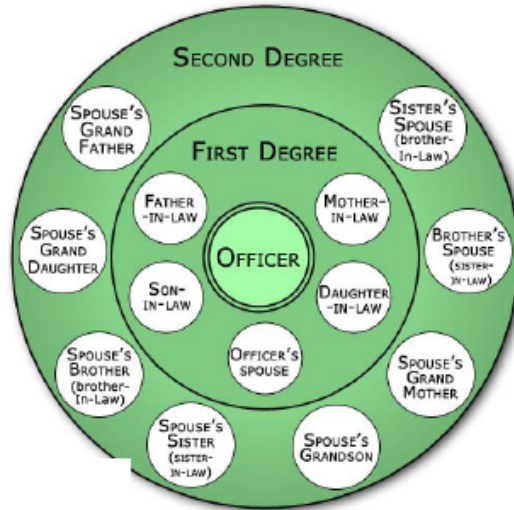
NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VITCA Government Code, Chapter 573, §§573.021 - .025

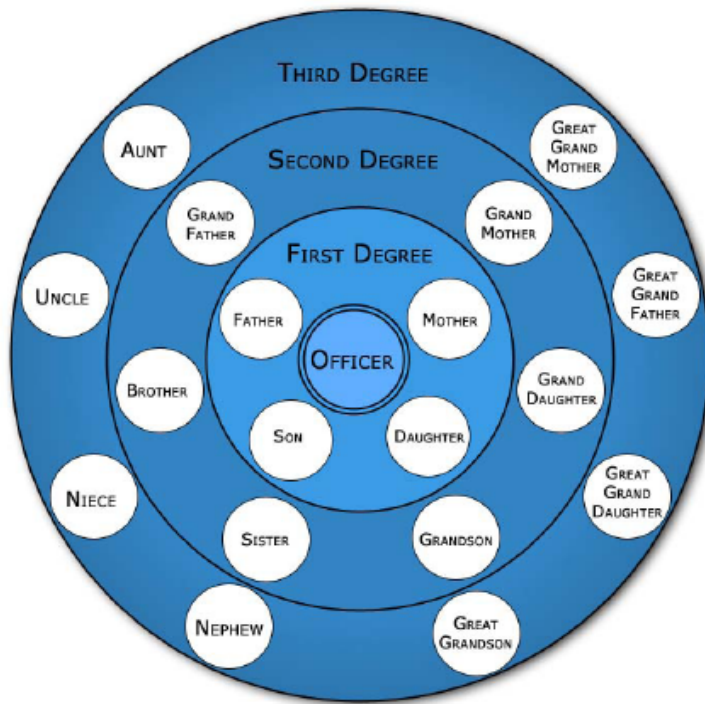
AFFINITY KINSHIP

Relationship by Marriage



CONSANGUINITY KINSHIP

Relationship by Blood





IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

AUTHORIZED CONTACT FORM:

This *IFB/RFP/SOQ has been issued by City of Brownsville Purchasing & Contract Services Department. The Purchasing & Contract Services Department shall be the vendor's sole point of contact with regard to the IFB/RFP/SOQ, its content, and all issues concerning it.

All communication regarding this IFB/RFP/SOQ shall be directed to an authorized representative of City Purchasing & Contract Services Department. The Purchasing Director or Assistant Director facilitating this IFB/RFP/SOQ is identified on the cover page, along with his or her telephone number, and he or she shall be the primary point of contact for discussions or information pertaining to the IFB/RFP/SOQ. Contact with any other City representative, including elected officials, for the purpose of discussing this IFB/RFP/SOQ, its content, or any other issue concerning it, is prohibited unless authorized by the Purchasing & Contract Services Department Director or Assistant Director. Violation of this clause, by the vendor having unauthorized contact (verbally or in writing) with such other City representatives, may constitute grounds for rejection by the Purchasing & Contract Services Department of the vendor's quotation.

The above stated restriction on vendor contact with City representatives shall apply until the City has awarded a purchase order or contract to a vendor or vendors.

SIGNATURE _____ TITLE _____

COMPANY _____ DATE _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public _____

My Appointment Expires: _____

* IFB – Invitation for Bids

RFP – Request for Proposals

SOQ – Statements of Qualifications

Note: This page must be filled in and submitted with the sealed bid as an acknowledgement of bid document requirements by the City.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

FORM FOR PROPOSAL DEVIATIONS

The following form shall be completed for each condition, exception, reservation or understanding (i.e., Deviations) in the proposal according to “Conditions, Exceptions, Reservations and Understandings”.

Deviations # _____ Offeror : _____

Solicitation Ref: _____ Page: _____ Section: _____

Complete Description of Deviations:

Rationale (Pros & Cons): _____



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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TxDOT – DBE Business Forms

<http://www.fta.dot.gov/index.html>

http://www.fta.dot.gov/funding/apply/grants_financing_6018.html

A. DBE Certification

The RESPONDER complies with 49 CFR 26.49 regarding the transit vehicle manufacturer's overall DBE goal.

<http://www.osdbu.dot.gov/>

<http://www.osdbu.dot.gov/DBEProgram/index.cfm>

The South Central Texas Regional Certification Agency (SCTRCA) is a non-profit corporation that represents several public entities in the South Texas area. These entities are committed to enhancing participation for disadvantaged, minority and woman owned businesses in public/government contracting and purchasing activities.

Visit web site link for more information: <http://www.sctrca.org/>



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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

HISTORICALLY UNDERUTILIZED BUSINESSES SUBMITTAL REQUIREMENTS:

It is the policy of the City of Brownsville Purchasing & Contract Services Department to promote and encourage contracting and subcontracting opportunities for Historically Underutilized Businesses (HUB) in all contracts. Accordingly, the Purchasing & Contract Services Department has adopted the State of Texas Statewide HUB Program, administered by the Texas Building and Procurement Commission. If the Purchasing & Contract Services Department determines that subcontracting opportunities are probable, then a HUB Subcontracting Plan is a required element of the contract.

Please follow the following link and choose Cameron County to run a HUB search.

<http://www.window.state.tx.us/procurement/cmb/cmbhub.html>

Centralized Master Bidders List (CMBL) & Historically Underutilized Business (HUB) Search

Search:
 CMBL only, HUBs on CMBL, HUBs not on CMBL
 HUB Mentor Protege, All Vendors

Vendor ID: ?
Vendor Number: ?
Vendor Name: begins with Name: ?
Include Inactive Vendors: ? **Small Businesses Only:** Yes, No

Selection 1: Class Code: Item: District:
Selection 2: Class Code: Item: District:
Selection 3: Class Code: Item: District: ?
[Class Code](#) | [Item Code](#) | [District](#)

Texas County: Cameron ?
City: begins with
Zip: begins with
Sort by: City
Output as: Detail List
Results: return all matches

Output may contain coded information in Hub Status and Reason Off CMBL

Texas Online | Statewide Search from the Texas State Library | State Link Policy | Texas Homeland Security
 Susan Combs, Texas Comptroller • Window on State Government • Contact Us
 Privacy and Security Policy | Accessibility Policy | Link Policy | Public Information Act | Compact with Texans



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

CERTIFICATION FORM

A) COMPLIANCE WITH REQUIREMENTS FOR THE PARTICIPATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBE's)

The bidder hereby certifies that it will not discriminate on the basis or race, color, national origin, or sex in the performance of this contract. The requirements of 49 CFR Part 26 and U.S. DOT-approved Disadvantage Business Enterprise (DBE) program are incorporated in this contract by reference.

B) DEBARMENT, SUSPENSION, AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS

The bidder certifies that neither the bidder, its third party subcontractors, nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

C) CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING

The bidder certifies that no Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

SIGNATURE _____ TITLE _____

COMPANY _____ DATE _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public _____

My Appointment Expires: _____



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
THE CITY OF BROWNSVILLE TRAFFIC DEPARTMENT

Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

Restrictions on Lobbying Activity

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor's/contractor's agent/representative is prohibited from contacting city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for Statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract has been acted on by the City Commission. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by contractors, respondents or their agents, including lobbyists, may lead to disqualification of the respondent's offer.

B. A Lobbyists or Vendor/ Contractor May Not Place City Official Under Personal Obligation

A Lobbyist or a Vendor/Contractor or any of their agents may not do any act or refrain from any act for the express purpose and intent of placing any city official under personal obligation to the Lobbyist or Vendor/ Contractor.

C. False Statements

A lobbyist or the vendor/contractor or any of their agents/representatives cannot intentionally or knowingly make any false or misleading statement of fact to any city official, or cause a copy of a document with false information to be received by an official without notifying the official in writing of the truth. Likewise, a registrant who learns that a statement in a registration form or activity report during the previous 3 years is false must correct that statement within 30 days by written notification to the Office of the City Secretary.

D. Use of False Identification

A lobbyist or the vendor/contractor or any of their agents/representatives cannot communicate with a city official in the name of any fictitious person or in the name of any real person, without that person's consent.

E. Improper Influence

A lobbyist or the vendor/contractor or any of their agents/representatives cannot cause or influence the introduction of any ordinance, resolution, appeal, application, petition, nomination, or amendment for the purpose of later being employed as a lobbyist to secure its granting, denial, confirmation, rejection, passage, or defeat.

F. Improper Representation

A lobbyist or the vendor/contractor or any of their agents/representatives cannot represent that the person can control or obtain the vote or action of any city official.

¹ City Official – the Mayor, members of the City Commission, City Manager, Assistant City Managers, Department and Division Heads, and Municipal Court Judge of the City of Brownsville.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

Disclosures and Requirements for City Vendors/Contractors

Lobbyists are often retained for the purpose of assisting vendor/contractor seeking to do business with the city. The standards of conduct applicable to city contractors or other vendor/contractor of lobbyists are discussed below.

A. Prohibited Contacts During Contract Evaluation

A vendor/contractor or a vendor's/contractor's agent is prohibited from lobbying activities with city officials, including elected officials, and employees regarding a proposed contract from the time a Request for Proposal (RFP), a Request for statements of Qualifications (RFQ-SOQ), a Bid Solicitation (IFB) or other solicitation has been released until the contract is posted as a City Commission agenda item. If contact is required, such contact will be done in accordance with procedures incorporated into the solicitation document. Violation of this provision by respondents or their agents, including lobbyists, may lead to disqualification of the respondent's offer. There is a parallel no-contact provision for lobbyists and their agents.

B. The City's Discretionary Contracts Disclosure Form

When seeking a discretionary^{1[2]} city contract, the contractor must submit a form disclosing:

- the identity of all parties to the contract;
- subcontractors;
- partners, parent or subsidiary business entities of any party to the contract;
- any lobbyist or public relations firm that has been employed for a purpose related to the contract.

The vendor/contractor must also disclose all political contributions^{2[3]} totaling more than \$100 made by the parties or the other individuals or entities listed on the form made directly or indirectly to:

- any current or former member of City Commission, including the Mayor;
- any candidate for City Commission, including the Mayor;
- any political action committee (PAC) that contributes to City Commission elections.

Indirect contributions include contributions made by an individual's spouse or by the officers, owners, attorneys, or registered lobbyists of the entity.

Indirect contributions do not include contributions by owners of a business entity who hold less than 5% of the fair market value or voting stock of the entity. If a publicly traded corporation seeks to contract with the city, it will not be required to list contributions made by its shareholders whose holdings are less than 5%.

² "Discretionary contract" means any contract other than those which by law must be awarded on a low or high qualified bid process. They do not include contracts subject to Section 252.022(a)(7) of the Texas Local Government Code or those contracts not involving an exercise of judgment or choice.

³ Political contributions include both campaign and officeholder contributions.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

C. Chapter 176 of the Local Government Code

Effective January 1, 2006, Chapter 176 of the Local Government Code requires all vendors or those who seek to contract for the sale or purchase of property, goods, or services with a local governmental entity to submit a completed "conflict of interest questionnaire" with the Office of the City Secretary within seven (7) days after the person:

- 1) begins contract discussions or negotiations; or
- 2) submits an application, response to a request for proposal or bids, correspondence, or another writing related to a potential agreement with the local governmental entity.

The questionnaire requires the vendor/contractor or contract seeker to disclose business or employment relationships with Commissioners, Mayor and the City Manager. The Texas Ethics Commission is responsible for drafting the questionnaire and a link to the form on the Texas Ethics Commission website is posted on the "Forms" page of the city's ethics webpage. It is subject to change and anyone subject to the requirement should consult the TEC website to obtain the most up-to-date form.

Violation of Chapter 176 of the Local Government Code is a class C misdemeanor. Please consult your own legal counsel for questions about compliance.

D. Political Contribution Prohibition

Any person or company official acting as a legal signatory for a proposed "high-profile" city contract cannot make a political contribution to any Commissioner or candidate from the time a Request for Proposal (RFP), Request for Statements of Qualifications (RFQ-SOQ) or Invitation for Bids (IFB) is issued or from the time negotiations or discussions for a contract for which no competitive solicitation begins until thirty (30) days after the contract is awarded.

The designation of "high-profile" is assigned in accordance with the City of Brownsville Purchasing Policy Manual.

4. "High-Profile"- A designation of profile assessment, based on contract value, level of community interest, non-competitive acquisition, and contract complexity.



IFB- FOR THE PURCHASE OF ONE (1) AERIAL LIFT BUCKET TRUCK FOR
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Bid # ALT-72-0918

September 5, 2018 at 3:00 P.M.

Sec. 252.043. AWARD OF CONTRACT.

- (a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the **best value** for the municipality.
- (b) In determining the best value for the municipality, the municipality may consider:
 - (1) the purchase price;
 - (2) the reputation of the bidder and of the bidder's goods or services;
 - (3) the quality of the bidder's goods or services;
 - (4) the extent to which the goods or services meet the municipality's needs;
 - (5) the bidder's past relationship with the municipality;
 - (6) the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
 - (7) the total long-term cost to the municipality to acquire the bidder's goods or services; and
 - (8) any relevant criteria specifically listed in the request for bids or proposals.
- (c) Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.
- (d) The contract must be awarded to the lowest responsible bidder if the competitive sealed bidding requirement applies to the contract for construction of:
 - (1) highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or
 - (2) buildings or structures that are incidental to projects that are primarily civil engineering construction projects.
- (e) If the competitive sealed bidding requirement applies to the contract for construction of a facility, as that term is defined by Section 271.111, the



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contract must be awarded to the lowest responsible bidder or awarded under the method described by Subchapter H, Chapter 271.

- (f) The governing body may reject any and all bids.
- (g) A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. This chapter does not change the common law right of a bidder to withdraw a bid due to a material mistake in the bid.
- (h) If the competitive sealed proposals requirement applies to the contract, the contract must be awarded to the responsible offeror whose proposal is determined to be the most advantageous to the municipality considering the relative importance of price and the other evaluation factors included in the request for proposals.
- (i) This section does not apply to a contract for professional services, as that term is defined by Section 2254.002, Government Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 1370, Sec. 4, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1409, Sec. 3, eff. Sept. 1, 2001.

Submitted,

(Name of Bidder)

(Signature)

(Print)

Date

Note: This page must be filled in and submitted with the sealed bid as an acknowledgement of bid document requirements by the City



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Protest Procedure

The protest must outline the specific portion of the specification or IFB procedure that had been violated.

Prospective proposers whose direct economic interest would be affected by the award of a contract or by failure to award a contract may file a protest. The purchaser (City of Brownsville) will consider all protests requested in a timely manner regarding the award of a contract, whether submitted before or after an award. All protests are to be submitted in writing to: Roberto C. Luna, Jr., Purchasing & Contract Services Department Director, City of Brownsville Purchasing Department, City Hall, 1001 E. Elizabeth St., First Floor, Suite 101 Brownsville, TX 78520. Protest submissions should be concise, logically arranged, and clearly state the grounds for protest. Protest must include the following information:

- (A) name, address, and telephone number of protestor,
- (B) identification of contract solicitation number,
- (C) a detailed statement of the legal and factual grounds of the protest, including copies of relevant documents, and
- (D) a statement as to what relief is requested.

Protest must be submitted to the City of Brownsville Purchasing Department in accordance with these procedures and time requirements must be complete and contain all issues that the protestor believes relevant.

In the procedure outline below, the Purchasing/Contracting Director is considered to be the Contracting Officer.

1.0 **Protest Before Opening**

Proposal protests alleging restrictive specifications or improprieties which are apparent prior to the proposal deadline or receipt of proposals must be submitted in writing to the Contracting Officer at the address above and must be received at least seven (7) days prior to the proposal deadline or closing date for receipt of proposals. If the written protest is not received by the time specified proposals may be received and award made in the normal manner unless the Contracting Officer determines that remedial action is required. Oral protest not followed up by a written protest will be disregarded. The Contracting Officer may request additional information from the appealing party and information or responses from other proposers, which shall be submitted to the



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Contracting Officer not less than ten (10) days after the date of the City of Brownsville's request. So far as practicable, appeals will be decided based on the written appeal, information and written responses submitted by the appealing party and other proposers. In failure of any party to timely respond to a request form information, it may be deemed by the purchaser that such party does not desire to participate in the proceeding, does not contest the matter, or does not desire to submit a response, and in such case, the protest will proceed and will not be delayed due to the lack of response. Upon receipt and review of written submissions and any independent evaluation deemed appropriate by the purchaser, the Contracting Officer shall either (a) render a decision, or (b) at the sole election of the Contracting Officer, conduct an informal hearing at which the interested parties will be afforded the opportunity to present their respective positions and facts, documents, justification, and technical information in support thereof. Parties may, but are not required to, be represented by counsel at the informal hearing, which will not be subject to formal rules of evidence or procedures. Following the informal hearing, if one is held, the Contracting Officer will render a decision, which shall be final, and notify all interested parties thereof in writing but no later than ten (10) days from the date of the informal hearing.

1.2 **Protest After Opening/Prior to Award**

Proposal protests against the making of an award by the purchaser must be submitted in writing to the Contracting Officer and received within seven (7) days of the award by the purchaser. Notice of the protest and the basis thereto will be given to all proposers. In addition, when a protest against the making of an award by the purchaser is received and it is determined to withhold the award pending disposition of the protest, the proposers whose proposals might become eligible for award shall be requested, before the expiration of the time for acceptance, to extend or to withdraw the proposal. Where a written protest against the making of an award is received in the time period specified, award will not be made prior to seven (7) days after resolution of the protest unless the purchaser determines that:

- (a) the items to be purchased are urgently required
- (b) delivery or performance will be unduly delayed by failure to make an award promptly, or
- (c) failure to make an award will otherwise cause undue harm to City of Brownsville or the federal government.

1.3 **Protest After Award**

In instances where the award has been made, the Contractor shall be furnished with the notice of protest and the basis thereof. If the contractor has not executed the contract as of the date of the protest is



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received by the City of Brownsville; the execution of the contract will not be made prior to seven (7) days after resolution of the protest unless the City of Brownsville determines that:

- (a) the items to be purchased are urgently required
- (b) delivery or performance will be unduly delayed by failure to make an award promptly, or
- (c) failure to make an award will otherwise cause undue harm to the City of Brownsville or the federal government.

Upon receipt of the material described herein, The City of Brownsville will either request further information or a conference among parties, or will render a decision on the protest.

TEXAS OPEN RECORDS ACT AND CONFIDENTIALITY

All materials submitted to the City of Brownsville pursuant to this Invitation for Bid/Request for Proposals/Statement of Qualifications become subject to the mandates of the Texas Open Records Act, Government Code, Chapter 552, Subchapter A, §§552.009; Subchapter D, §§552.205; and Subchapter F, §§552.261 through 552.274. The purpose of this Act is to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power. Almost all "records," as that term is defined in the Act, may be disclosed to the public upon request. Except where specific state or federal statutes create a confidential privilege, persons who submit information to public bodies have no right to keep this information from public access or reasonable expectation that this information will be kept from public access.

If you believe that any of the information you have submitted to the City pursuant to this Request for Proposals is **confidential** under a specific state or federal statute and therefore not subject to the public access, *you must comply with the following:*

- A. Place said documents/records in a separate envelope marked "**Confidential**" **DO NOT** label your entire response to the Request for Proposals as "Confidential" – label only those portions of the response that you feel are made confidential by state or federal law as "Confidential." If only a portion of a document is confidential, please identify specifically the portions of the document you are claiming are confidential. Under the State of Texas Open Records Act, the City is obligated to produce documents for public inspection even if the documents contain a portion which is confidential, but can redact the confidential parts.
- B. For each such document for which you are claiming a confidential privilege, identify the federal and/or state law that creates said privilege, e.g., for trade secrets.



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Should an Open Records request be presented to the City requesting information you have identified as "Confidential," you will be responsible for defending your position in the Court where the proceeding is filed, if needed.

If you fail to identify any records submitted as part of your Proposal as "Confidential" by placing them in the "Confidential" envelope AND you fail to identify the specific state or federal law creating said privilege, you are irrefutably agreeing that said records are not confidential and are subject to public access.

