



**LEGAL NOTICE**

**REQUEST FOR BID  
SEALED BID 14-008**

**For**

**5-6 TON CLASS COMPACT EXCAVATOR**

**For**

**ST. CHARLES COUNTY GOVERNMENT  
ST. CHARLES, MISSOURI**

St. Charles County is seeking bids for **One (1) Compact Excavator (5-6 Ton)**. The county reserves the right to terminate the contract for any violation, by the successful bidder, of any term or condition of the contract by giving ninety (90) days written notice stating the reasons therefore and giving the party time to remedy any deficiencies.

## BID INSTRUCTIONS

One [1] signed original and one [1] signed copy of the bid must be received in a sealed envelope plainly marked “**14-008 5-6 Ton Compact Excavator**”, with the date and time of the bid opening in the lower left corner of the envelope.

An authorized representative of the company/person submitting the bid must sign the bid, in **blue** ink.

Bids must be submitted to the St. Charles County Finance Department, 201 North Second Street Room 541 St. Charles MO 63301 prior to the bid opening.

**Bid opening will be on Wednesday 12/4/13 at 10:00 am, in Room 523** of the St. Charles County Administration Building, 201 North Second Street, St. Charles, MO 63301.

St. Charles County reserves the right to accept and/or reject any and all bids.

Bid results may be obtained by emailing a request to the St. Charles County Purchasing Department at [purchasing@sccmo.org](mailto:purchasing@sccmo.org), **no phone calls please**. Include the name and number of the bid and date of the bid opening when requesting the results. The time it takes for final bid results to be made public depends on the complexity of the project and the cost of the project.

## BID INQUIRIES

Any questions or clarifications concerning this Request for Bid must be submitted in writing via E-mail (preferred), mail or fax to:

Kurt Mandernach, Purchasing Manager  
St. Charles County Government  
Finance Department  
201 North Second St  
St. Charles, Missouri 63301  
Fax: (636)949-7589  
[purchasing@sccmo.org](mailto:purchasing@sccmo.org)

**For questions or inquiries concerning the specifications please contact:**

Jeff Spalding, Highway Superintendent  
St. Charles County Government  
201 North Second St  
St. Charles, Missouri 63301  
Fax: (636)949-7307  
[jspalding@sccmo.org](mailto:jspalding@sccmo.org)

- The bid number and title shall be referenced on all correspondence.
- All questions must be received no later than **5:00 pm on 11/25/13**. Any question received after this deadline may not be answered.

**Responses to questions/clarifications will be placed on the County's website <http://finance.sccmo.org/finance>. Check this website frequently for updates and any addendum that are issued.**

### **Prohibited Communication**

**Contact with any representative, other than through the procedure outlined in the section titled “Bid Inquiries”, concerning this request is prohibited PRIOR TO BID OPENING. Representative shall include, but not be limited to, all elected and appointed officials, and employees of St. Charles County and their Agents within St. Charles County. Any Offeror engaging in such prohibited communications prior to Bid Opening may be disqualified at the sole discretion of St. Charles County.**

### **TERMS AND CONDITIONS**

- St. Charles County reserves the right to reject any and all bids or parts of a bid and waive technicalities, and to adjust quantities.
- All bids will be considered final. No additions, deletions, corrections, or adjustments will be accepted after the time of bid opening.
- All delivery costs or charges must be included in the F.O.B. destination bid price.
- City, County and State of Missouri Sales Tax and Federal Taxes are not applicable to sales made to St. Charles County and must be excluded.
- The contract shall be effective for the approximate twelve (12) month period from the date of the notice of award.
- The electronic version of this bid/RFP is available upon request. The document was entered into WORD for Microsoft Windows. The Purchasing Office does not guarantee the completeness and accuracy of any information provided on the electronic version. Therefore, respondents are cautioned that the hard copy of this bid/RFP on file in the Purchasing Office governs in the event of a discrepancy between the information contained in or on the electronic version and that which is on the hard copy.
- Vendors are required to clearly identify any deviations from the specifications in this document.
- An authorized officer of the company submitting the bid must sign all bids, in blue ink.
- Vendors must submit two [2] signed copies of their bid; one is to be an original and so marked.
- All prices and notations must be in blue ink or typewritten on the attached form. Mistakes must be crossed out, corrections typed adjacent and must be initialed in blue ink by the person signing the bid.
- St. Charles County will not award any bid to an individual or business having any outstanding amounts due from a prior Contract or business relationship with the County or who owes any amount(s) for delinquent taxes, fees or licenses.
- Sealed proposals received after the designated time of the receipt of the sealed proposals will be considered as “No Bid” and “Void” and will not be opened.

- The successful bidder is specifically denied the right of using in any form or medium the names of St. Charles County or any other public entity within the St. Charles County for public advertising unless express written permission is granted.
- All bidders must possess the necessary and appropriate business and/or professional licenses in their field.
- Award will be made to the low responsive, responsible bidder, or to the offeror whose proposal is most advantageous to the County, price and other factors considered. When payments are to be made to the County, award will be made to the most advantageous offer.
- County reserves the right to accept any item or group of items offered, unless the bidder qualifies his bid by specific limitations. The bid can be on an "all or none" basis if wording in the bid so states and if all items solicited are included in the bid.
- When applicable, provide unit prices and extension prices. Where there is disagreement in the unit and extension prices, the unit price shall govern.

**Employment of Unauthorized Aliens Prohibited (Missouri Revised Statutes Section 285.530)**

As a condition for the award of any contract or grant in excess of five thousand dollars by St. Charles County to a business entity, the business entity shall, by sworn affidavit and provision of documentation\*\*, affirm its enrollment and participation in a federal work authorization program (**E-Verify**) with respect to the employees working in connection with the contracted services. Every such business entity shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. [RSMO 285.530 (2)]

An employer may enroll and participate in a federal work authorization program (**E-Verify**) and shall verify the employment eligibility of every employee in the employer's hire whose employment commences after the employer enrolls in a federal work authorization program. The employer shall retain a copy of the dated verification report received from the federal government. Any business entity that participates in such program shall have an affirmative defense that such business entity has not violated subsection 1 of this section. [RSMO 285.530 (4)]

Any entity contracting with St. Charles County shall only be required to provide the referenced affidavit on an annual basis. A copy of the affidavit is included in this bid request. Vendors may choose to send the required documentation using one of the following options:

- Send the notarized affidavit and E-Verify MOU signature page to: St. Charles County, Attn: Purchasing Manager, 201 N Second Street, Room 541, St. Charles, MO 63301 prior to responding to any solicitations; **OR**
- Send the notarized affidavit and E-Verify MOU signature page along with a bid solicitation response.

These documents will be kept on file. The notarized affidavit and E-Verify MOU signature page will remain current for **one year** from the date of the notarized affidavit.

**\*\* PLEASE NOTE:**

**Acceptable enrollment and participation documentation consists of a valid copy of the signature page Of the E-Verify Memorandum of Understanding, completed and signed by the Contractor, and the Department of Homeland Security - Verification Division  
The online address to enroll in the E-verify program is:**

<https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES>

**Open Records**

Any and all information contained in or submitted with the bid becomes a public record subject to the Missouri Sunshine Law when the bids are opened. If the bidder believes that any information contained in or submitted with the bid is protected from disclosure by the Missouri Sunshine Law, the bidder must clearly identify what information the bidder believes is so protected and must also clearly identify the legal basis therefore.

## BID SPECIFICATIONS

St. Charles County is seeking bids for **One (1) Compact Excavator (5-6 Ton)** for the Highway Department.

Unless otherwise specified, any manufacturers' names, trade names, brand names, information and/or catalog numbers listed in this specification are descriptive, **not restrictive**. The bidder may offer any product that meets or exceeds the applicable specifications. The bidder must demonstrate comparability, by including appropriate catalog materials, literature, specifications, test data, etc. **The County shall determine in its sole discretion whether a product is acceptable as an equivalent.**

Item Number	Feature Description	Meets	Exceeds	Not available or does not meet spec
<b>A. OPERATING WEIGHT</b>				
1)	Minimum 13,500 lbs. Operating Weight (includes Standard Equipment, Rubber Tracks and Cab w/Heat/AC)			
<b>B. WORKING RANGE &amp; DIGGING FORCES</b>				
2)	Maximum Dump Height – 13' 8"			
3)	Maximum Digging Depth – 12' 4"			
4)	Maximum Digging Height – 19' 7"			
5)	Minimum Front Swing Radius – 8'			
6)	Lifting Capacity Over Front @10" G.L. – 8345 lbs.			
7)	Lifting Capacity Over Side@10 G.L. – 3225 lbs.			
8)	Maximum Arm Digging Force – 6989 lbs.			
9)	Maximum Bucket Digging Force – 9237 lbs.			
10)	Tail Swing Radius – 4' 3"			
11)	Swing Speed – 9.5 RPM			
<b>C. UNDERCARRIAGE &amp; BLADE</b>				
12)	Track Width – 16"			
13)	Overall Track Length – 8' 2"			
14)	Ground Clearance – 13"			
15)	Width Over Standard Track – 6' 7"			
16)	Ground Pressure – 5.12 PSI			
17)	Maximum Travel Speed – 4.8 MPH			
18)	Blade Width – 6' 7"			
19)	Blade Height – 16"			
20)	Blade Maximum Lift – 18"			
<b>D. HYDRAULIC SYSTEM</b>				
21)	Pump Type – Variable Axial Piston			
22)	Pump Capacity – 38 GPM			
23)	Auxilliary Hydraulic Flow Rate – 24.2 GPM			
<b>F. ENGINE</b>				
24)	Make / Model – Yanmar/4 TNV 98 Tier 4			
25)	Fuel/Cooling – Diesel/Liquid			
26)	Horsepower (SAE Net) – 53 HP			
27)	Rated Engine Speed – 2000 RPM			

28)	Number of Cylinders - 4			
29)	Displacement – 203 cu. In.			
30)	Filter – Cartridge Type – Full Flow			
31)	Air Cleaner – Dry Replaceable Paper Cartridge with Safety Element			
32)	Alternator – 12V/60 amps			
33)	Battery – 12V, 750cca @ 0 degrees			
34)	Starter – 12V, Gear Reduction Type			
<b>G. CONTROLS</b>				
35)	High/Low Travel Speed – Controlled by Switch on Console			
36)	Backhoe to Excavator Style Control Valve in Cab			
37)	Pilot Controls			
<b>H. CAPACITIES</b>				
38)	Fuel Tank – 31.7 gal.			
39)	Cooling System (Radiator) – 2 gal.			
40)	Engine Oil & Filter – 12 Qts.			
41)	Hydraulic Reservoir – 21.1 gal.			
<b>J. INSTRUMENTATION</b>				
42)	Information Monitor – All Vital Operating Functions			
43)	Air Filter Indicator			
44)	Check Engine Warning Light			
45)	Engine Oil Pressure Gauge with Light & Audible Alarm			
46)	Engine Temperature Gauge with Light & Audible Alarm			
47)	Fuel Gauge			
48)	Hour Meter / Tachometer			
49)	Low Fuel Indicator			
50)	Two Speed Indicator			
<b>K. STANDARD FEATURES</b>				
51)	Auto-Idle			
52)	Auxiliary Hydraulics with Quick Couplers			
53)	Boom Load Holding Valve			
54)	Control Console locks			
55)	Control Pattern Selector Valve (ISO / STD.)			
56)	Dozer Blade			
57)	Enclosed Cab with Heat / AC			
58)	Horn			
59)	Hydraulic Joystick Controls			
60)	Mirror			
61)	Retractable Seat Belt			
62)	Rubber Tracks			
63)	Spark Arrestor Muffler			
64)	Suspension Cloth High Back Seat			
65)	Two Speed Travel			
66)	Work lights			
67)	Warranty : Minimum 12 Months / Unlimited Hours			
<b>L. TRAINING RESOURCES</b>				
68)	A Comprehensive Excavator Safety Training Kit			
69)	A Comprehensive Excavator Operator Training Kit			

	<b>M. SERVICEABILITY</b>			
70)	Tailgate & Fuel Fill to Have Locks			
71)	Easy Access to All Grease Points			
	<b>N. SAFETY</b>			
72)	Deactivation of All Excavator Functions When Console is in Upright Position			
73)	Automatic Spring Applied Brake to Lock Upper Structure to Undercarriage for Transporting.			
74)	Grab Handles to Enter & Exit cab			
75)	Front & Rear Lights			
76)	Weather Resistant Operator Handbook Inside cab			
	<b>O. BUCKETS</b>			
77)	Minimum 24" Heavy Duty Bucket w/Hydraulic Clamp (Thumb)			
78)	Minimum 36" Smooth Edge Ditching Bucket			

All answers of ***Exceeds or Not Available or does not meet spec*** shall be explained on the *Exception Sheet* included in this packet. Cite the corresponding Item Number of the feature involved.

The County desires to trade in the vehicle listed below.

**Trade-In Unit**

1997 John Deere Motor Grader 670C Serial Number: DW670CX561639

The County reserves the right to accept either the base price bid or the bid price after the trade in.

The trade in may be inspected at the Central District Facility at 2480 St. Peters Howell Rd. St. Peters, MO 63376. Phone (636)447-8818. The vehicle will be on site for viewing for 3 days – Nov. 20,21,22, 2013.

The bid must include delivery of Excavator to the following facility.

Southern District Facility 176 Sprock Rd. Wentzville, MO 63385

The successful bidder shall deliver the excavator within 180 days of the bid award date. If the successful bidder fails to deliver within the time specified, a sum of \$25.00 per unit per day shall be forfeited to the County as liquidated damages.

The bids are scheduled to be awarded at the first County Council meeting in February. Please take this into consideration when submitting your bid.



**Exception Sheet**

If the item(s) and/or services proposed in the response to this bid is in any way different from that contained in this proposal or bid, the bidder is responsible to clearly identify all such differences in the space provided below. Otherwise, it will be assumed that the bidder's offer is in total compliance with all aspects of the proposal or bid.

Below are the exceptions or differences to the stated specifications (attach additional sheets as needed):

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

**BID FORM-14-008**  
**For COMPACT EXCAVATOR (5-6 Ton)**  
**BID OPENING DATE: 12/4/13 at 10:00 am**

\_\_\_\_\_  
(Bidder name)

**Submits the following bid for this project:**

**Quantity – One (1)**

**Make, Model and Year of 5-6 Ton Compact Excavator Offered** \_\_\_\_\_

**Total price per unit with specified buckets** \$ \_\_\_\_\_

**Less Trade-In – 1997 John Deere Motor Grader 670C** \$ \_\_\_\_\_  
**Serial Number: DW670CX561639**

**TOTAL** \$ \_\_\_\_\_

\_\_\_\_\_  
**Authorized signature** **Date** \_\_\_\_\_

**THIS FORM MUST BE COMPLETED AND ENCLOSED WITH THE BID**

**Audit Clause for Contracts**

Examination of Records

The Contractor's records must include, but not be limited to, accounting records (hard copy, as well as computer readable data), written policies and procedures, subcontractor files, indirect cost records, overhead allocation records, correspondence, instructions, drawings, receipts, vouchers, memoranda, and any other data relating to this contract shall be open to inspection and subject to audit and/or reproduction by the County Auditor, or a duly authorized representative from the County, at the County's expense. The contractor must preserve all such records for a period of three years, unless permission to destroy them is granted by the County, or for such longer period as may be required by law, after the final payment. Since the Contractor is not subject to the Missouri Sunshine Law (Chapter 610, RSMo), information regarding the Contractor's operations, obtained during audits, will be kept confidential.

The Contractor will require all subcontractors under this contract to comply with the provisions of this article by including the requirements listed above in written contracts with the subcontractors.

Vendor Information

Company Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

\_\_\_\_\_

Business Hours: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

(Indicates acceptance of all bid terms and conditions)

Date: \_\_\_\_\_

**EXHIBIT A**

**ST. CHARLES COUNTY  
DOMESTIC PRODUCTS PROCUREMENT ACT (BUY AMERICAN)**

The Missouri Domestic Products Procurement Act (34.350-34.359 RSMo) requires that for all bids with a value of \$25,000 or more, the goods or commodities purchased by any public agency (which definition includes all political subdivisions of the State, including counties) or used or supplied in the construction, alteration, repair, or maintenance of any public works must be **manufactured or produced** in the United States. As defined in 34.350 RSMo, United States means the United States of America, the District of Columbia, and all territories and possessions subject to the jurisdiction of the United States. The law also requires that the bidder must provide proof of compliance. **Note: In general, if an import tariff is applied to an item, it does not qualify for the Buy American preference. In addition, Most Favored Nation status does not allow application of the preference.**

**Section A – All Products Are Manufactured or Produced In U.S.**

If all products bid qualify as domestic products under Missouri law, complete only Section A.

I hereby certify that all products qualify as domestic, that the information provided is true and correct, and complies with all provisions of Sections 34.350-34.359 RSMo. I understand that any misrepresentation herein constitutes the commission of a class A misdemeanor pursuant to Section 34.355 of the Revised Statutes of Missouri.
SIGNATURE
COMPANY NAME

**If Section A is completed, do not complete Section B.**

**Section B – Only One Product Line or No Products Are Manufactured or Produced In U.S.**

If only one product line or no products are manufactured or produced in the U.S. complete only section B.

I hereby certify that there is only one product line or no product manufactured or produced in the U.S., that the information provided is true and correct, and complies with all provisions of Sections 34.350-34.359 RSMo. I understand that any misrepresentation herein constitutes the commission of a class A misdemeanor pursuant to Section 34.355 of the Revised Statutes of Missouri.
SIGNATURE
COMPANY NAME

**Section C – Products May Qualify Because of Qualifying Treaty**

If some or all products bid qualify for domestic status because of a trade treaty, etc., then the bidder must identify each product, country and qualifying treaty, etc. below. The bidder must list ALL products which are or may qualify as domestic below. If more space is needed, please copy this form and submit as an attachment.

BID ITEM NUMBER(S)	COUNTRY WHERE MANUFACTURED OR PRODUCED	QUALIFYING TREATY, LAW, AGREEMENT, OR REGULATION

**SECTION C**

I hereby certify that the specific items listed above are domestic, that the information provided is true and correct, and complies with all provisions of Sections 34.350-34.359 RSMo. I understand that any misrepresentation herein constitutes the commission of a class A misdemeanor pursuant to Section 34.355 of the Revised Statutes of Missouri.
SIGNATURE
COMPANY NAME