



LEGAL NOTICE

**REQUEST FOR BID
SEALED BID 13-040**

For

4 WD BACKHOE

For

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

St. Charles County is seeking bids for **4 WD BACKHOE**. 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 thirty (30) days written notice stating the reasons therefore and giving the party time to remedy any deficiencies.

BID INSTRUCTIONS

One original and one [1] signed copy of the bid must be received in a sealed envelope plainly marked “**13-040 4 WD BACKHOE**” 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 1/23/2013 at 10:30 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 Manager at 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

- The bid number and title shall be referenced on all correspondence.
- All questions must be received no later than **5:00 PM** on **1/16/2013**. 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 [or Proposal] Inquiries”, concerning this request is prohibited PRIOR TO BID [OR PROPOSAL] OPENING. Representative shall include, but not be limited to, all elected and appointed officials, and employees of St. Charles County and the Agencies within St. Charles County.*
Any Offeror engaging in such prohibited communications prior to Bid [or Proposal] 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 Federal, State or Local taxes, fees and 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 therefor.

Bid Specification

TWO (2) 4WD BACKHOES

Unit described shall be a new, current year manufacture. Backhoe loader shall be of same manufacture as tractor.

LIST

1. **SIZE:**
The unit shall be a 15' 6" digging class machine, with extendable stick minimum reach of 19'

The unit should have 1000 lb. counterweights for normal operation in either mode

2. **OPERATING WEIGHT:**
The operating weight SAE minimum shall be 18,500 pounds exclusive of tire ballast and equipped per following specifications

3. **ENGINE:**
4 cylinders diesel turbo charged with minimum of 105 horsepower at 2000 RPM

4. **TRANSMISSION:**
Transmission shall be full power shift forward and reverse with a minimum of 4 forward and 4 reverse fully synchronized speeds.

Top Speed no less than 20 MPH

5. **POWER TRAIN:**
Mechanical – Front Wheel Drive

6. **STEERING:**
Hydrostatic power steering with emergency dead engine capability shall be standard

7. **DRIVE AXLES:**
Heavy duty outboard planetary final drives – Mechanical Front
Heavy duty outboard planetary final drives - Rear Axle
Minimum Static Axle Rating: Front – 24,000 lbs./Rear – 26,000 lbs.

8. **BRAKES:**
Service brakes shall be 8” diameter, 2-wheel, wet disk type, sealed and fully enclosed for off road operation

The service brakes shall be self-adjusting and hydraulic engaging

9. **TIRES:**
 Front tires shall be minimum of 12.5/80-18 10PR _____
 Rear tires shall be minimum of 19.5/24 10 PR R4 _____
10. **LOADER:**
 Shall be self leveling, automatic return to dig, H.D. general
 purpose bucket of 1.25 cubic yards min. _____
 The loader bucket breakout force shall be min. 10,000 lbs. _____
 The loader lift rating shall be a min of 7,000 lbs.
 at full height _____
11. **HYDRAULIC SYSTEM:**
 The system shall have a minimum flow of 40 GPM to the
 backhoe and shall have a hydraulic oil cooler _____
 Hyd. system & controls set-up for backhoe mounted breaker
 and/or hydraulic ditching bucket _____
 10 micron filtration rating _____
12. **BACKHOE:**
 The backhoe shall be an extendable type of the same manufacture
 as the tractor _____
 The unit shall have a max. digging depth of 20 ' _____
 The standard bucket shall be 24" wide with heaped capacity
 of 6 cu. ft., extreme duty type _____
 The bucket shall have 4' high protection high wear resistant
 teeth and lift hooks. _____
 The backhoe shall have a minimum digging force of 14,000 lbs. _____
 Minimum backhoe lifting capacity of 5,000 lbs. at 12' height _____
 The unit shall be equipped with stabilizer dirt/street pads _____
 The unit must be equipped with a swivel type attachment for the
 Backhoe bucket _____
13. **COOLING SYSTEM:**
 The cooling system shall be pressurized liquid with a thermostat

with anti-freeze solution to at least -30 degrees Fahrenheit _____

14. **ELECTRICAL:**
The system shall be 12V H.D. alternator system with a minimum of 70 AMPS and two (2) H.D. batteries. 1500 C.C.A.

The unit shall have 2 front Halogen driving lights, 2 stop/tail lights and a lighted instrument panel _____

15. **INSTRUMENTATION:**
Unit shall have gauges and/or monitoring system that will include: trans., temperature, engine coolant temp., engine oil pressure, parking brake engagement, hyd. filter restriction, fuel, alternator, and electric hour meter, tachometer

16. **CAB:**
Cab shall be SAE ROPS/certified, fully enclosed cab. It shall be isolated mounted, deluxe fabric suspension seat, and include seat belt with retractors, heater/defroster, air conditioning 27,000BTU/hr. cap., front and rear windshield wipers, tinted safety glass, latched windows, lockable cab doors and rotating beacon on roof

The cab shall include: 2 rear Halogen work lights, 2 front and 2 rear turn and flashing lights, 2 stop lights, 2 tail lights and dome light _____

17. **ADDITIONAL EQUIPMENT:**
The unit shall have all standard equipment and shall include: key ignition switch w/safety start, hand and foot throttle, horn, cold weather starting aid engine coolant heater 1000 watt, dry type air cleaner and restriction indicator, muffler, backhoe engine service door, reverse warning alarm, engine fuel filter, mounting steps, and safety hand holds, and backhoe boom transport locks, operators compartment fan hose guard, boom cylinder guard, stabilizer cylinder guard, 4 WD driveshaft guard, fire extinguisher

18. **WARRANTY:**
Manufacturers warranty shall be a minimum of 3 years on entire machine and 12 additional months on power train. Attach

a copy of warranty in bid.

- 19. MANUALS:
One (1) set of operation manuals, parts and service manuals

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 vehicles listed below:

Trade – In Units:

2006 JCB 3CX Backhoe	VIN # SLP215TC6V0908086
2000 New Holland Backhoe	VIN # 31026436

These units will be in service until delivery of new vehicle.

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

Trade-in units may be inspected at the Central District Facility at 2480 St. Peters Howell Road St. Charles, Missouri (636) 447-8818 for a one (1) week period only, January 7 to January 11, 2013.

The bid must include delivery of one truck to each of the following facilities:

Central District Facility at 2480 St Peters-Howell Road, St Peters, Missouri 63376

Western District Facility at 121 Freymuth Road, Wentzville, Missouri 63385

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

SB 13-040

4 WD BACKHOE

BID OPENING DATE: 1/23/2013 at 10:30 AM

(Bidder name)

Submits the following bid for this project:

Quantity – Two (2)

Make Model and Year of Backhoe offered _____

Total price for Backhoes: \$ _____

Less: Trade in allowance for:

2006 JCB 3CX Backhoe

VIN # SLP215TC6V0908086 \$ _____

2000 New Holland Backhoe

VIN # 31026436 \$ _____

Net Price \$ _____

Estimated delivery time from date of order: _____ days

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: _____

AFFIDAVIT OF WORK AUTHORIZATION

The bidder/contractor who meets the section 285.525, RSMo definition of a business entity must complete and return the following Affidavit of Work Authorization.

Comes now _____ (Name of Business Entity Authorized Representative) as _____ (Position/Title) first being duly sworn on my oath, affirm _____ (Business Entity Name) is enrolled and will continue to participate in the E-Verify federal work authorization program with respect to employees hired after enrollment in the program who are proposed to work in connection with the services related to contract(s) with the County for the duration of the contract(s), if awarded in accordance with subsection 2 of section 285.530, RSMo. I also affirm that _____ (Business Entity Name) does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services provided to the contract(s) for the duration of the contract(s), if awarded.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

Authorized Representative's Signature

Printed Name

Title

Date

E-Mail Address

Subscribed and sworn to before me this _____ of _____. I am
(DAY) (MONTH, YEAR)

commissioned as a notary public within the County of _____, State of
(NAME OF COUNTY)

_____, and my commission expires on _____.
(NAME OF STATE) (DATE)

Signature of Notary

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