

PROCUREMENT DEPARTMENT
Rm 120 Municipal Services Building
Philadelphia, PA 19102-1685
FAX: (215) 686-4716

CITY OF PHILADELPHIA

Janet Hagan
Acting Procurement Commissioner

August 13, 2007

BID NUMBER: T8Z53790
TITLE: BAGS, PAPER AND PLASTIC
DEPARTMENT: Various
DATE TO OPEN: August 23, 2007 at 10:30 AM

ADDENDUM # 1

TO ALL BIDDERS:

You are hereby notified of the following changes to the above mentioned bid:

Correct Pages **2-31** to read: **T8Z53790**.

Only Corrected pages will be accepted with Bid #**T8Z53790**.

Correct pages attached.

Please sign, date and return this addendum with your bid to the Procurement Department, 1401 J.F.K Boulevard, Bid Room 170A, Philadelphia, PA 19102-1685 as it now becomes a part of the proposal.

Buyer, L. Lewicki

AUTHORIZED SIGNATURE

FIRM NAME (PRINT)

DATE

Attachment

LL/cs

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 2 31
		FIRM NAME (Must be filled in)	

SECTION 1: GENERAL BID SUBMISSION

1.1 **TITLE: BAGS, PAPER and PLASTIC**

1.2 **SCHEDULE NO: 544**

1.3 **CONTRACT TERM: 10/1/07 to 9/30/08** (“Initial Term”), with an option to renew for up to **THREE (3)** additional **ONE (1)** year periods, (“the Renewal Term”) exercisable, at the City’s sole discretion, as of the expiration of the Initial Term or then current Renewal term. The City may, at its sole discretion, renew the contract for up to three (3) months at the beginning of each renewal period(s) (the “Additional Performance Period”), if a decision has been made not to renew the contract for an entire year.

1.3.1 The City shall exercise such sole option to renew the Contract Term by issuing a letter (the “Renewal Notice”) notifying the Contractor that the Contract is renewed for the Renewal Term or Additional Performance Period (identified by commencement and termination dates) that is specified in the Renewal Notice. The Contract shall be deemed to be renewed for such Renewal Term or Additional Performance Period, and Contractor shall be obligated to perform all terms and conditions of the Contract throughout such Renewal Term or Additional Performance Period, as of the effective date indicated on the City’s Renewal Notice, whether or not Contractor has agreed, verbally or in writing, to such renewal of the Contract term.

1.3.2 If an individual Performance Bond and/or Payment Bond is required under this Invitation and Bid, such bond(s) shall be and remain in full force and effect throughout the Initial Term, all Renewal Terms, any Additional Performance Period, and the period of any unexpired warranty provided or required under the Contract, without notice of Contract renewal by the City to the surety or the consent of the surety thereto. It is the sole responsibility of the Contractor to ensure that such bond(s) remain in full force and effect as provided in this Section, and failure to do so shall be an event of default pursuant to Section 16, Default, of the attached Terms and Conditions of Bidding And Contract.

If participation in the City’s Master Performance Security Program is required under this Invitation and Bid, Contractor shall pay the required annual fee for such participation for each Renewal Term upon the issuance of the Renewal Notice.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 3 31
		FIRM NAME (Must be filled in)	

1.4 **CONTRACT TYPE: REQUIREMENTS**

1.4.1 The following items are required in the operation of various City agencies as ordered. Exact quantities cannot now be determined but estimates thereof are listed herein. Quantities listed may be increased or decreased to meet the requirements of the City during the period of this contract. A minimum is not guaranteed. Purchase orders issued as a result of this bid will be for materials or services to be delivered generally on an as-needed basis. Successful bidders are cautioned not to deliver any materials or services without first being advised to do so by the ordering agency.

1.4.2 It is the intent of the Procurement Department to make an award for the period as stated above subject to the appropriation of funds in succeeding fiscal year/years by City Council. The City's fiscal year is from July 1st to June 30th inclusive.

Commodities or services on the bid to be ordered after the end of the fiscal year are subject to the issuance of purchase orders for the following fiscal years. The City is not liable for the award involving following fiscal years' funds until such orders are issued.

The successful bidder(s) obligation to deliver on such purchase orders shall not take effect until the orders are issued. To simplify the contract procedure, however, the successful vendor will be required to furnish a Performance Bond or Performance Security Fee to cover units awarded to him.

1.5 **METHODOLOGY OF ACQUISITION: PURCHASE** only.

1.6 **STATEMENT OF DIRECTION:**

It is the intent of the City of Philadelphia to make an award for **Paper and Polyethylene Bags** for the various City agencies and departments as specified herein during the contract period.

1.7 **BID SECURITY**

1.7.1 Bid security shall be based upon **cumulative bid amount per Section 5.**

All bids submitted with a total greater than \$25,000.00 must be accompanied by the proper Bid Security.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 4 31
		FIRM NAME (Must be filled in)	

Bidders already enrolled in the City's Master Bid Security Program for Fiscal Year 2007 - 2008 (July 1, 2006 to June 30, 2008) are not required to provide Bid Security if their bid total is \$500,000.00 or less (per paragraph 8 of "Terms and Conditions of Bidding and Contract").

1.7.2 **The Master Security Program** allows bidders to qualify for bid security for individual bids submitted during the covered bidding period provided the individual bid total is \$500,000.00 or less.

1.7.3 **Bids Opening July 1, 2007 through June 30, 2008**

Bidders may qualify for the Master Bid Security Program described above for **Fiscal Year 2007 - 2008 (July 1, 2007 – June 30, 2008)** by submitting a check in the amount of **\$120.00** made payable to the City of Philadelphia. The check must be submitted, under separate cover, to the Bid Unit Supervisor. The check **MUST** be in the form of a Certified, Treasurer's or Cashier's Check, Bank or United States Postal Money Order at least one day prior to the first bid that the bidder wants covered under the program and is *non-refundable*. Or if, and only if, the bidder chooses to submit the check with their bid, the check **MUST** be in the form of a Certified, Treasurer's or Cashier's Check, Bank or United States Postal Money Order.

1.7.4 If the bidder is not enrolled and does not intend to enroll; or if the total value of the bid submitted exceeds \$500,000.00, the Master Bid Security Program is not applicable. Bidders instead **MUST** submit with their bid a refundable Certified, Treasurer's or Cashier's Check, Bank Money Order or United States Postal Money Order in the amount as specified in Paragraph 8 entitled "Bid Security," of the "Terms and Conditions of Bidding and Contract".

1.8 **BID INFORMATION:**

1.8.1 All information concerning this bid will be contained in this bid document as issued or amended.

1.8.2 Information provided verbally by any City official shall not be binding or relevant.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 5 31
		FIRM NAME (Must be filled in)	

1.9 BID SUBMISSION:

- 1.9.1 Bid information must be submitted to the City of Philadelphia no later than the time and date for the bid opening.
- 1.9.2 Bid should be complete and include ALL information required as described in the various paragraphs of the bid specifications.
- 1.9.2.1 For each item on which bidder is submitting a bid, bidder must state the Manufacturer and Brand/Model Number offered.
- 1.9.2.2 For each item bid in Section 5.2 (Group B), bidder is to also submit results of manufacturer's documentation of testing, at no additional cost to the City, giving evidence that the Manufacturer's Brand/Model Number offered is in compliance with the referenced ASTM methods. Failure to submit the test results of the items bid at the time of bid opening may disqualify your bid.
- 1.9.3 Advertised sealed bids will be received and read publicly at 10:30 AM in Room #170A, 1st Floor, Municipal Services Building, 1401 JFK Blvd.
- 1.9.4 Bids should be complete and include ALL information required as described in the various paragraphs of the bid specifications.
- 1.9.5 All pricing must be completed on the forms provided; be complete; and be in ink or typed.
- 1.9.6 The bid must be complete with required bid signatures and corporate seal, and fully accept the terms and conditions contained in the bid.
- 1.9.7 **SAMPLES: Bags, Plastic**
A non-returnable sample of each product offered in Section 2.6 (Group B) and 5.2 (Group B) must be clearly identified with the item number and submitted with Bid. Failure to submit a sample for each item bid in these Sections will result in disqualification for that particular item.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 6 31
		FIRM NAME (Must be filled in)	

1.9.8

CERTIFICATION:

This bid makes reference to recycled products. Bidders are to familiarize themselves with the definitions and list the recycled products applicable and complete the certification. See Section 2.4 and Exhibit A, Recycling Form

1.9.9

BID PROCESSING FEE:

All bids submitted where the bid total is greater than \$25,000 shall be accompanied by the proper Bid Processing Fee. The fee shall be in the form of a separate check or money order in accordance with Paragraph 17 of the “Terms and Conditions of Bidding and Contract.”

1.9.10

When M-BE, W-BE or DS-BE ranges are required on an Invitation and Bid, bidders are reminded that the submission of a blank “Minority Business Enterprise Council Solicitation and Commitment Form” will be deemed non-responsive and ineligible for an award. Bidders are reminded to read carefully and entirely the “Bidder’s Guidelines relating to Executive Order 02-05”.

OR

If no M-BE, W-BE or DS-BE ranges are established for this Invitation and Bid, bidders are requested to complete the “Voluntary Participation and Commitment Form (Bid)” located after page 1 of the bid.

Completion of this form will not, in any way, impact the City’s determination concerning bidder’s responsiveness to the requirements of the bid and the award process. The information provided in the “Voluntary Participation and Commitment Form (Bid)” will be for the City’s information.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 7 31
		FIRM NAME (Must be filled in)	

1.9.11 In accordance with the City of Philadelphia's Regulations Relating to Local Bidding Preferences for Procurement Contracts, this bid may be subject to a 5% local bid preference. In order to determine eligibility to receive the 5% preference, if applicable, **bidder or subcontractor must be certified at the time of the bid opening and must submit with the bid the Local Business Entity Certification number** as issued by the Procurement Department for the prime contractor or the applicable subcontractor. If the prime relies upon its subcontractor's LBE status in order to be eligible for the preference, the name and certification number of the subcontractor **must** be submitted with the bid. **Failure to submit the prime's LBE certification number or the subcontractor's name and the LBE certification number with the bid will deem bidder ineligible for the 5% preference.**

Further, by submission of this bid, bidder makes the following certification in connection with the grant of any local bidding preference:

"I certify, that if awarded this contract on the basis of application of the LBE preference, my company or my subcontractor, throughout the entirety of this contract, will perform the majority of the work under this contract within the geographic limits of the City of Philadelphia, and I will, or cause my subcontractor to, maintain within the City a majority of the inventory or equipment that will be used on this contract or the amount of inventory that is customary for this industry."

Prime or subcontractor's LBE Certification Number _____

If applicable:

Subcontractor's Name _____

NOTE: If you wish to apply for Local Business Entity (LBE) certification, go to www.phila.gov/bids. Please provide sufficient time prior to bidding for processing of the LBE application.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 8 31
		FIRM NAME (Must be filled in)	

1.9.12 **BID QUESTIONS OR PROBLEMS**

In preparing the bid response, should any bidder need clarification on the bid requirements, identify a discrepancy in the specifications, determine that a specified product has been discontinued or an alternate procedure is advised, etc.; then the bidder is STRONGLY encouraged to bring these issues to the attention of the Procurement Department's Public Information Unit prior to the bid opening by calling (215) 686-4720 or 4721, or by faxing (215) 686-4716.

Questions, whether phoned or faxed, should be received no later than seven (7) calendar days prior to the scheduled opening date of the bid.

The City reserves the right to only respond to those questions submitted prior to the stated deadline. If it is in the City's best interest to do so, the bid MAY be amended to reflect the proposed changes/modifications.

Exceptions taken DO NOT obligate the City to change the specifications. The City of Philadelphia, Procurement Department will notify all bidders in writing, by addendum duly issued, of any interpretations/changes made to specifications or instructions. The City will not accept responsibility for oral instructions, suggestions or changes by any City agency.

Otherwise the successful bidder will have to provide the product or service exactly as defined in this bid, and in accordance with the specifications and requirements as listed in this Invitation and Bid.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 9 31
		FIRM NAME (Must be filled in)	

1.9.13 **CONTACT PERSON(S):**

PRE-AWARD:

Indicate below to whom in your firm questions concerning this Invitation and Bid should be directed:

Name: _____

Address: _____

City/State/ZC: _____

Telephone No.(____) _____ Ext.: _____

Fax No.(____) _____

E-mail address _____

State Company Web Site Address: _____

POST-AWARD:

Indicate below to whom in your firm questions concerning the Contract resulting from this Invitation and Bid should be directed:

Name: _____

Address: _____

City/State/ZC: _____

Telephone No.(____) _____ Ext.: _____

Fax No.(____) _____

E-mail address _____

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 10 31
		FIRM NAME (Must be filled in)	

1.9.14 **ALTERNATES SUBMITTED:**

If an alternate to any item is offered, bidder must follow instructions in Paragraph 2 of “Terms and Conditions of Bidding and Contract”. State the brand name and the model number of each alternate offered. Detailed technical information on the alternate should accompany the bid.

Failure to state alternates will obligate bidder to provide material and/or service specified in the bid.

Any other product information submitted by bidder in connection with this bid is for purposes of product description, information and specification only. Bidder agrees that any additional terms or conditions contained therein, including, but not limited to, disclaimers or limitations of liability, do not become part of the bid.

1.10 **BIDDER QUALIFICATION:**

- 1.10.1 All bidders must be a bona fide manufacturer of, or dealer in, the article or service specified within the bid. To demonstrate this, bidders should submit the following reference information with their bid. References provided should be pertinent to the commodity or service requested in this Invitation and Bid; and demonstrate the bidder’s ability to perform on a contract of this size and scope.

Please note that reference information in each section must be completed. Failure to submit this information may result in the bidder’s disqualification.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 11 31
		FIRM NAME (Must be filled in)	

SECTION 1:

Customer References other than an employee or department of the City of Philadelphia, (excluding suppliers or financial institutions).

	A.	B.	C
Firm Name:	_____	_____	_____
Address:	_____	_____	_____
Contact:	_____	_____	_____
Phone #:	_____	_____	_____
Type Work:	_____	_____	_____
Years dealing w/your firm:	_____	_____	_____

SECTION 2:

Previous purchase order(s)/contract(s) with the City; (State "None" if applicable)

P.O./Contract Number:	_____	_____	_____
Department:	_____	_____	_____
Contact Name:	_____	_____	_____
Phone #:	_____	_____	_____
Item(s):	_____	_____	_____

NOTE: Do not provide the name and phone number of a Procurement Department Buyer in this section. Contact name(s) and phone number(s) must be from a City ordering department.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 12 31
		FIRM NAME (Must be filled in)	

SECTION 2: SPECIFICATIONS

- 2.1 Successful vendor (s) shall be required to supply the City of Philadelphia's Agencies/Departments with **Paper and Plastic Bags** as listed in Sections 2 and 5 of this Invitation and Bid.
- 2.2 **GENERAL REQUIREMENTS:**
- 2.2.1 Purchase Orders may be sent to awarded vendor via email, fax, or standard mail.
- 2.2.2 All items will be ordered and shipped according to the unit of measure in Section 5, "Pricing", with no restrictions to the minimum or maximum quantities.
- 2.2.3 All bags furnished must be of current manufacturer and newly manufactured.
- 2.2.4 Delivery locations will be supplied on the purchase order by the using City Department.
- 2.2.4 All orders must ship within five (5) to seven (7) business days.
- 2.3 **WARRANTY:**
- 2.3.1 Bidder must guarantee the products offered will perform to the specifications listed in this Invitation and Bid and for its intended purpose. Products must be new and materials free from defects (pin holes, tears, cuts, extraneous embedded matter or other visual defects which might impair their usefulness. The final product must be of high quality and exhibit professional quality workmanship.
- 2.4 **RECYCLING:**
- 2.4.1 **RECYCLED PRODUCTS:**
For purposes of this Invitation and Bid, Recycled Products must contain recovered material which shall be defined as listed below.
- 2.4.2 **RECOVERED MATERIAL:** Means material and by-products which have been recovered or diverted from solid waste. Such term does not include those

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 13 31
		FIRM NAME (Must be filled in)	

materials and by-products generated from and commonly reused within, an original manufacturing process such as mill broke or home scrap.

2.4.3 **RECOVERED MATERIALS** includes any of the following:

2.4.3.1 **POST-CONSUMER MATERIAL**: a material or finished product that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item. Examples are office paper and corrugated cartons from retail stores, office buildings and homes.

2.4.3.2 **PRE-CONSUMER MATERIAL**: a material generated during production which cannot be returned to the same production process, nor used by another company to make a product similar to the original product, nor used by the same parent company to manufacture a different product, and includes all wastes generated during the intermediate steps in producing an end product by succeeding companies. Examples are envelope cuttings, bindery trimmings, printing waste, cutting and other converting wastes, butt rolls and mill wrappers, obsolete inventories, and rejected unused stock.

2.4.4 For all **RECYCLED PRODUCTS**:

2.4.4.1 All terms, conditions and requirements of this Invitation and Bid shall apply.

BAGS, PAPER AND PLASTIC

2.5 **GROUP A – BAGS, PAPER**

2.5.1 **31800 001 036**

Bag, paper, refuse, S.O.M., 2-Ply wet strength, Kraft; 100 lb. nom. Basis weight wet strength Kraft paper, plus or minus 5%, 2/50; min. circumference 53". Min. 70 lb. tape at bottom. Waterproof glue must be used where applicable. Tied 100 bags/bundle. Palletized shipments. Bidders to list manufacturer and manufacturer's number of product offered with bid. Approximate size 15" x 11-3/4" x 42" long.

2.5.2 **31800 001 037**

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 14 31
		FIRM NAME (Must be filled in)	

Bag, paper, refuse, S.O.M., 2-Ply wet strength, Kraft; 100 lb. nom. basis weight wet strength Kraft paper, plus or minus 5%, 2/50; min. circumference 53". Min. 70 lb. tape at bottom. Waterproof glue must be used where applicable. Tied 100 bags/bundle. Palletized shipments. Bidders to list manufacturer and manufacturer's number of product offered with bid. Approximate size 15" x 11-3/4" x 35" long.

2.5.3 **31800 001 038**

Bag, paper, refuse, S.O.M., 2-Ply wet strength, Kraft; 100 lb. nom. Basis weight wet strength Kraft paper, plus or minus 5%, 2/5; min. circumference 53". Min. 70 lb. tape at bottom. Waterproof glue must be used where applicable. Tied 100 bags/bundle. Palletized shipments.

Recycling Logo and accompanying text, to be in a Block 5-1/2 wide x 8-1/2" long, in green ink, front and back, with green dotted lines printed around the bag, 12" down from the top of bag, and text stating-"fill to this line."
(Reference: Exhibit I and II are attached.

Bidders to list manufacturer and manufacturer's number of product offered with bid. Approximate 15" x 11-3/4" x 35" long.

2.6 **GROUP B – BAGS, PLASTIC**

For each item bid in Section 5.2 (Group B), bidder is to also submit results of manufacturer's documentation of testing, at no additional cost to the City, giving evidence that the Manufacturer's Brand/Model Number offered is in compliance with the referenced ASTM methods. Failure to submit the test results of the items bid at the time of bid opening may disqualify your bid.

Weight (Per 1000/Bags) shall be measured as follows:

Width x Length x Mil Thickness divided by 15) + 5%.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 15 31
		FIRM NAME (Must be filled in)	

Seams: Heat – sealed seams shall be continuous with no seal separations. The seals shall be parallel to and within 1-inch of the liner edge. Two-side gusset type liners shall have the seam seal located on the liner bottom and the seal extend across the full face width dimension (the first listed dimension). Flat bag liners shall have the seam seal through two-ply of material and may be located on either the liner bottom or sides.

Dimensions: Liner dimensions shall be determined by overall outside measurements (including sealed seam end) of the liner laying in the flat position. Liner dimensions shall be in compliance with the appropriated acceptable dimensions listed. A minus ¼-inch with an open plus tolerance shall be permitted on all listed dimensions. Gusset type liner face width first listed dimension) and depth (second listed dimension) measurements shall have the sum total of both measurements within a minus ¼ inch of the total applicable face and depth specification dimension listed. Length dimension shall be measured with the bag laying in flat position from center of top to center of bottom.

Upon delivery the vendor shall provide the following information attached with each case:

Weight/Per Case
Dimensions/Per Bag
Mil Thickness/Per Bag

Bidders shall submit the following ASTM Method test results with each sample that they intend to bid on. Failure to submit the test results of the items bid at the time of bid opening may disqualify your bid.

ASTM D 882
ASTM D 1709
ASTM D 1922

- 2.6.1 **31800 001 005**
Bag, polyethylene, gusset, sealed bottom, one-piece, medium slip coefficient, wire tie closure, 15" x 9" x 24", 1 mil thick min. (Weight, 38.4 lb/per 1000 bags) + 5% Color-Black
- 2.6.2 **31800 001 006**
Bag, polyethylene, gusset, sealed bottom, one-piece, medium slip coefficient, wire tie closure; 23"x 17" x 48", 1.5 mil thick (low linear), 250 bags per case. (Weight, 192 lbs/per 1000 bags) + 5%) Color-Black

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 16 31
		FIRM NAME (Must be filled in)	

- 2.6.3 **31800 001 007**
Bag, polyethylene, 2 mil thick, gusset, sealed bottom, One-piece, medium slip coefficient, wire tie closure, 15" x 9" x 24". (Weight, 76.8 lbs/per 1000 bags) + 5% Color-Black
- 2.6.4 **31800 001 008**
Bag, polyethylene, 2 mil thick, 23" x 17" x 48", gusset, sealed bottom, one-piece, medium slip coefficient, wire tie closure, (Weight, 256/lbs per 1000 bags) + 5% Color-Black
- 2.6.5 **31800 001 011**
Bag, polyethylene, gusset, sealed bottom, one-piece, medium slip coefficient, wire tie closure, Minimum 3 mil./with ties; 23" x 17"x 48" (Weight, 384 lbs/per 1000 bags) + 5% Color-Black
- 2.6.6 **31800 001 015**
Bag, polyethylene, flat, heat sealed seam, medium slip coefficient, wire tie closure, Color: Buff or Green: 1.5 mil thick, for 55 gal. drum - pack 100/case; Size: 36" x 60". Weight 216 lbs/per 1000 bags) + 5%.
- 2.6.7 **31800 001 016**
Bag, polyethylene, gusset, made with 50% Blend (LLDPE/LDPE). Size -18" x 8" x 44" - 1.5 mil thick. (Weight, 114.4 lbs/per 1000 bags) + 5% Color - Black
- 2.6.8 **31800 001 017**
Bags, polyethylene, gusset, made with 50% Blend (LDPE/LDPE). Size: 22" x 16" x 48", 1.25 mill thick. (Weight, 152 lbs./per 1000 bags) + 5% Color - Opaque
- 2.6.9 **31800 001 018**
Bag, trash, 2 mil thick, gusset, high strength film, 56 gallon size, 23" x 20"x 48", Pack - 100 per case. (Weight, 275.2 lbs./per 1000 bags) + 5% Color - Opaque
- 2.6.10 **31800 001 026**
Bag, polyethylene, 2 mil thick minimum; flat, sealed bottom, one-piece, medium slip coefficient, wire tie closure, 100 per case, 36" x 38". (Weight,

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 17 31
		FIRM NAME (Must be filled in)	

182.4 lbs./per 1000 bags) + 5% Color - Black

2.6.11 **31800 001 029**

Bag, polyethylene, flat, made with 50% blend (LLDPE/LDPE) Size: 33"x 40", 1.25 MIL Thick, (Weight, 110 LBS/ per 1000 bags) + 5% Color - Clear

2.6.12 **31800 001 032**

Bag, polyethylene, flat, made with 50% blend (LLDPE/LDPE) Size: 24"x 33", 1.25 MIL Thick, (Weight, 66 LBS/ per 1000 bags) + 5% Color - Clear

31800001035

2.6.13 Bag, polyethylene, .4 mil thick, gusset, Heat sealed seam, medium slip coefficient, 15" x 9" x 31". (Weight, 19.8 lbs./per 1000 bags) + 5% Color - Clear

2.7 **GROUP C - MISCELLANEOUS**

2.7.1 **31800-001-900**

Sheeting, Plastic, 20'x 100', 3 mil industrial average, color; black, On sheet per roll, 50 per skid.

2.8 **DELIVERY LOCATIONS:**

Vendor will be informed of various locations by the using departments.

2.9 **PRICING**

Bidders shall submit a price for each item listed below. Prices shall be firm for the Initial Term of the Contract and the first Renewal Term if exercised by the City. If subsequent Renewal Terms are exercised by the City, the vendor may increase prices as per paragraph 4.3 "Price Increase or Decrease."

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 18 31
		FIRM NAME (Must be filled in)	

SECTION 3: BID EVALUATION AND AWARD

3.1 EVALUATION:

- 3.1.1 Bids will be evaluated by the Procurement Department.
- 3.1.2 Bids will be evaluated for responsiveness to the bid specifications and for responsibility of the bidders.
- 3.1.3 Bids which are determined to be non-responsive for reasons of:
- (i) improper bid security
 - (ii) improper bid execution
 - (iii) incompleteness
 - (iv) offering counter terms and conditions
 - (v) improper or incomplete execution of MBEC documents (if applicable)

may be disqualified by the City without notice to the bidder. The decision of the City is final.

- 3.1.4 Bidders whose bids are determined to be non-responsible for reasons of bidder qualification shall be notified by the City of the reasons for the determination and may contest the finding of non-responsibility through the prescribed procedures described in paragraph 12 of "Terms and Conditions of Bidding and Contract".

3.2 AWARD:

- 3.2.1 The Procurement Commissioner reserves the right to award this bid by item or group (A, B, C,) whichever he/she deems to be in the best interest of the City.
- 3.2.2 If the 5 % local bid preference is applicable, the total bid price of the certified Local Business Entity (LBE) will be multiplied by .95 and rounded to the second decimal place. The adjusted bid price of the LBE will then be used in determining the lowest responsive and responsible bidder. If the bid is awarded as a whole, the 5% local bid preference is applicable. If the bid is awarded by line item, the 5% local bid preference is not applicable.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 19 31
		FIRM NAME (Must be filled in)	

3.2.3 **BASIS OF AWARD**

The prices used for the calculation of the Basis of Award must be the same prices as quoted in Section 5 - Pricing. In the event of a conflict between the prices quoted in Section 5, "Pricing", of the bid and those used in the Basis of Award, the prices quoted in the Pricing Section will prevail and will be used for calculations.

3.2.4 **PERFORMANCE SECURITY:**

Bidder's attention is directed to paragraph 9 of "Terms and Conditions of Bidding and Contract," for the required Performance Security.

Please note however, that all awards as a result of this bid will have a minimum contract amount of \$25,000.01. All awards at the \$25,000.01 amount will be subject to a \$50.00 Master Performance Security Fee.

Performance security shall be required for any subsequent renewal periods.

3.2.5 **City of Philadelphia-Business, Corporate and Slavery Era Insurance Disclosure**

In accordance with Section 17-104 of The Philadelphia Code, the Bidder, after execution of this Contract, will complete an affidavit certifying and representing that the Bidder (including any parent company, subsidiary, exclusive distributor or company affiliated with Bidder) has searched any and all records of the Bidder or any predecessor business entity regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records must be disclosed in the affidavit.

The Bidder expressly understands and agrees that any false certification or representation in connection with this Paragraph and/or any failure to comply with the provisions of this Paragraph shall constitute a substantial breach of this Contract entitling the City to all rights and remedies provided in this Contract or otherwise available in law (including, but not limited to, Section 17-104 of the Philadelphia Code) or equity and the contract will be deemed voidable. In addition, it is understood that false certification or representation is subject to prosecution under Title 18 Pa.C.S.A. Section 4904.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 20 31
		FIRM NAME (Must be filled in)	

3.2.6

INSURANCE:

Insurance is a requirement for this bid in accordance with Paragraph 14 of the "Terms and Conditions of Bidding and Contract". No contract will be executed nor purchase order issued unless and until all required insurance certificates, in the required amount, are received. **All insurance MUST meet the following requirements:**

- Insured must be in the same name and address as the Bidder
- The insurance carrier must be rated "A" or better by AM Best
- The certificate holder must be the City of Philadelphia, and specifically named as an additional insured on the certificate in the "Description of Operations section".
- Certificate must be signed by an authorized representative of the insurance company/carrier

All certificates are to be sent to the Office of Risk Management, One Parkway, 1515 Arch Street, 14th Floor, Philadelphia, PA 19102, Attn. Debbie Lawton or FAX to (215) 683-1705.

SECTION 4: CONTRACT MANAGEMENT

4.1 **CITY OF PHILADELPHIA RESPONSIBILITY:**

4.1.1

City agencies will be notified by Procurement of award(s) and will be provided with vendor(s), vendor contact(s) and applicable pricing. Departments will prepare and submit through the appropriate review channels, a requisition detailing their specific needs and requirements to Procurement. The Procurement Department shall then apply the requisition against the contract and issue a purchase order.

Order Against Contracts

Subsequent to contract conformance of a Requirements bid, purchase orders will be issued at such time that the product and/or service is needed. Such purchase orders will show if delivery is to be made upon receipt of order, or only after notification by the using department.

4.1.2

Invoices shall be submitted after delivery and acceptance of the product or service by the City. The City attempts to process invoices in a timely manner. Delays can occur because of incomplete or inaccurate invoicing information. Please make sure that invoices contain the following information to help the City process payments to the Contractor as quickly as possible.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 21 31
		FIRM NAME (Must be filled in)	

- (a) After the delivery or services have been completed the Contractor must submit three (3) copies of the invoice for payment to the receiving department listed on the purchase order.
- (b) The invoice must correctly reference the purchase order number, the vendor name, address and Federal Employer Identification number.
- (c) Checks will only be made payable to the company name as shown on the purchase order; the invoice must reflect this same company name as the “pay to”.
- (d) The invoice must show the quantity and type of item or service and the price.
- (e) The unit of purchase on the invoice must agree with the unit cited on the purchase order. Reference to the specific line item is helpful.

4.1.3 The using agencies and departments are responsible for monitoring the services and/or products delivered as described in the contract. If any problems arise, a letter should be sent to the vendor requesting resolution by a specified date. A copy should be sent to the buyer. If vendor does not resolve the breach of contract by the requested date the matter should be turned over to the buyer.

4.1.4 **ADD-ONS:**

The City reserves the right to add, delete and/or acquire products/services that the vendor can supply that are similar to, but not specifically called for in this bid. The procedure for such acquisitions shall be as follows:

Procurement or the using department will obtain from the Vendor a letter (on his/her letterhead) verifying the items to be added. The letter shall include the complete description of the item, the location (if applicable), the bid number bid schedule number, the price to the City and the applicable contract period; and upon receipt and approval by the Procurement Department shall automatically become part of the contract. **The City, however, reserves the right to accept or reject the letter and to acquire the supplies or materials in the open market.**

4.1.5 **CONTRACT DEFAULT**

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 22 31
		FIRM NAME (Must be filled in)	

The City reserves the right to automatically declare the Contractor in default of the contract and exercise all available rights and remedies if four (4) separate deliveries are made that are not in compliance with the terms and conditions of the contract. Regardless of whether or not the rejections were subsequently remedied.

4.1.6 **MATERIALS TESTING:**

The City of Philadelphia, may, during the life of this contract, supply a delivered product from this contract to the Materials Testing Laboratory. These products shall be tested to ensure conformance with bid specifications. If product fails, or is different from product supplied at award stage, rejection procedures will be implemented.

4.2 **VENDOR RESPONSIBILITY:**

4.2.1 Contractor may deliver only products as authorized in the contract and only after receipt of a purchase order or other authorized document from the Procurement Department. All orders must be in writing. Contractor shall not accept verbal delivery requests until after receipt of purchase order or other authorizing document from Procurement.

4.2.2 Contractor may deliver only products at the prices quoted in the contract and that are reflected on a purchase order or a change to a purchase order (a change to a purchase order is issued whenever the items, unit price, total amount, or terms and conditions change from the original purchase order).

4.2.3 Contractors may deliver products up to the dollar limit of the purchase order and for the period shown on the purchase order. Contractors are requested to carefully monitor obligations against purchase orders and inform the departments of anticipated funding shortfalls.

4.2.4 **DELIVERY:**

Unless otherwise specified in Section 2, noted by bidder in Section 5, and/or approved by the Using Agency, delivery of product and/or service will be made within 30 days from date requested by Using Agency. **VENDOR NOTE:** In Section 5, specify delivery if other than 30 days.

4.2.4.1 **Liquidated Damages:**

The first delivery with an item(s) that does not meet the applicable specification and/or is not the Manufacturer's

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 23 31
		FIRM NAME (Must be filled in)	

Brand/Model awarded, the Contractor will be assessed damages (which will be deducted from any outstanding invoices) in the amount of \$100.00 and will be required to remove and replace all material with product(s) that are in conformance with the specifications and awarded product(s).

For each subsequent delivery that an item does not conform to the terms, conditions, and specifications of the contract, the liquidated damages will be double the previously assessed penalty and will be deducted from any outstanding invoices. In addition, all material delivered must be remove and replaced with products that are in conformance with the contract.

- 4.2.5 In the event that the contractor receives an order for products, services or equipment not specifically priced and incorporated into the contract, they must:
- (i) bring this to the immediate attention of the Procurement Dept., and
 - (ii) notify the ordering agency in writing and refuse to deliver.
- 4.2.6 Should products, services, or equipment be delivered that are not specifically incorporated and priced into the contract, and/or be delivered without purchase order, the City shall have no obligation for payment.
- 4.2.7 For delivery of products or equipment, contractors shall honor and be paid for orders placed until the close of business of the date of purchase order expiration. Delivery of product may occur following purchase order expiration, so long as the order was placed prior to the purchase order expiration date.
- 4.2.8 **REPORTS**
- 4.2.8.1 **RECYCLED USAGE REPORTS**
If the successful bidder is supplying products/ services in this contract that have recycled content, indicate which item(s) contain this content in Section 5: Pricing, (under the applicable item) and the percentage of recovered material and post consumer material as it applies.

The successful bidder will be required, on a quarterly basis, to furnish a usage report of the recycled products purchased by City Departments. Two reports will be required:

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 24 31
		FIRM NAME (Must be filled in)	

a. **Departmental Report**

A report by purchase order, current and cumulative, showing item(s) delivered, description, date, quantity, price, extended amount and to the extent possible, the percent of recovered material in delivered items.

b. **Item Report**

A report, current and cumulative, by item, showing description, date, quantity, price, extended amount, and to the extent possible, the percent of recovered material and percent of Post-Consumer material in delivered items.

All reports are to be submitted to the Recycling Office, Room 780, Municipal Services Building, Philadelphia, PA 19102, Attn: Recycled Content Administrator.

In support of the City of Philadelphia's Recycling Program, bidders are encouraged to supply with their bid, any information available regarding recycled material content in the products bid. The City is particularly interested in the type of recycled material used (such as paper, plastic, glass, metal, etc.); the percentage of recycled material contained in the product and the cost and product performance impact of increasing the percentage of recycled content.

The City also requests information regarding any known or potential material content in the product that may be extracted and recycled after the product has served its intended purpose.

Product bid contains recycled content? YES NO

Is your product packaged and/or shipped in material containing recycled content? YES NO

Is your product recyclable after it has reached its intended end use? YES NO

Is your product shipped in returnable Containers? YES NO

4.2.9 At the conclusion of this contract, Contractor agrees to cooperate with any incoming vendor on a transition plan to ensure an orderly changeover of

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 25 31
		FIRM NAME (Must be filled in)	

responsibilities.

4.2.10 **Invoices/Receipts:**

4.2.10.1 Successful bidder(s) agrees not to invoice more than once per month.

4.2.10.2 All invoices/receipts for parts shall have the signature and payroll ID number of the authorized/designated City personnel..

4.2.10.3 Invoices should be sent in triplicate to each ordering department

4.2.10.3.1 One (1) original and two (2) copies fully itemized invoices.

4.2.10.2 See also item 4.1.2 above.

4.3 **PRICE INCREASE OR DECREASE:**

Contractor shall provide Bags, paper and plastic at the prices set forth in Section 5 for period of twelve (12) months; thereafter, service may be renewed under the terms and conditions of this agreement at the sole option of the City on an annual basis for additional one (1) year period(s). Contractor may increase prices for the three (3) renewal period(s) provided that; notice of price increases must be received, in writing, by the City at least 60 days prior to the expiration of each contract period and price increase letter shall be sent to the Buyer, Room 120 Municipal Services Building, 1401 JFK Blvd., Phila., PA 19102, referencing the Bid #, Contract #, period and showing item(s), descriptions and applicable pricing.

In no event shall the increased prices exceed contractor's published charges for non-educational state and local governments on the effective date of the adjustment, under similar terms and conditions.

Failure to notify the City within this sixty (60) day time frame shall result in the following:

the effective date of the price increase shall be sixty (60) days from the receipt of the price increase letter by the City;

or

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 26 31
		FIRM NAME (Must be filled in)	

if the letter is not received before the last day of the contract period, the prices for the renewal period shall be the same as the prices for the previous contract period.

NOTE: Price decreases may be forwarded to the Procurement Department buyer, in writing at any time during the contract period, to include any renewal period(s).

Failure to notify the City within the time frame specified in 4.3 will result in a commensurate delay in implementing the price change. Example: If prices change effective July 1, but the notice of change is not received by Procurement until June 1, then the price increase effective date will be delayed until September 1.

4.4 VENDOR ACCEPTANCES – IN SUBMITTING AN EXECUTED BID, THE BIDDER AGREES TO THE CONTRACT MANAGEMENT PROCEDURES IN THIS SECTION.

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 27 31
		FIRM NAME (Must be filled in)	

SECTION 5: PRICING

NOTE:

Unit Price(s) quoted below (Section 5: Pricing), will prevail in case of any discrepancy(ies) between Unit Price and 'Amount and will be the determining factor in establishing applicable contract amount(s) / award.

(PRICES QUOTED MAY NOT EXCEED THREE (3) DECIMAL PLACES)

Unit of Measure: CA = case, TH = thousand, RL = roll

	<u>Quantity</u>	<u>Unit of Measure</u>	<u>Unit Price</u>	<u>Total Amount</u>
--	-----------------	------------------------	-------------------	---------------------

SECTION 5: PRICING

BAGS. PAPER (VARIOUS TYPES) BUNDLE PACKED

5.1 **GROUP A - BAGS, PAPER:**

5.1.1 **31800 001 036**

Bag, paper, refuse,
S.O.M.
(Ref. 2.5.1)

230 TH \$ ____ \$ ____

STATE MANUFACTURER/ BRAND/ MODEL OFFERED: _____

5.1.2 **31800 001 037**

Bag, paper, refuse,
S.O.M.
(Ref 2.5.2)

225 TH \$ ____ \$ ____

STATE MANUFACTURER/ BRAND/MODEL OFFERED: _____

5.1.3. **31800 001 038**

Bag, paper, refuse,
S.O.M.
(Ref 2.5.3)

10 TH \$ ____ \$ ____

STATE MANUFACTURER/ BRAND/MODEL OFFERED: _____

SUB-TOTAL FOR SECTION - A \$ ____

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 29 31
		FIRM NAME (Must be filled in)	

		<u>Quantity</u>	<u>Unit of Measure</u>	<u>Unit Price</u>	<u>Total Amount</u>
5.2.5	31800 001 011 Bag, plastic (Ref 2.6.5)	100	TH	\$_____	\$_____

STATE MANUFACTURER/BRAND/MODEL OFFERED:_____

5.2.6	31800 001 015 Bag, plastic, polyethylene (Ref 2.6.6)	10	TH	\$_____	\$_____
-------	--	----	----	---------	---------

STATE MANUFACTURER/BRAND/MODEL OFFERED:_____

5.2.7	31800 001 016 Bag, polyethylene, made with 50% Blend (LLDPE/LDPE) (Ref 2.6.7)	15	TH	\$_____	\$_____
-------	---	----	----	---------	---------

STATE MANUFACTURER/BRAND/MODEL OFFERED:_____

5.2.8	31800 00 1017 Bags, polyethylene, made with 50% Blend (LLDPE/LDPE) (Ref 2.6.8)	1250	TH	\$_____	\$_____
-------	--	------	----	---------	---------

STATE MANUFACTURER/ BRAND/MODEL OFFERED:_____

5.2.9	31800 001 018 Bag, trash (Ref 2.6.9)	10	TH	\$_____	\$_____
-------	---	----	----	---------	---------

STATE MANUFACTURER/ BRAND/MODEL OFFERED:_____

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 30 31
		FIRM NAME (Must be filled in)	

		<u>Quantity</u>	<u>Unit of Measure</u>	<u>Unit Price</u>	<u>Total Amount</u>
5.2.10	31800 001 026 Bag, plastic, polyethylene (Ref 2.6.10)	100	CA	\$___	\$___

STATE MANUFACTURER/BRAND/MODEL OFFERED: _____

5.2.11	31800 001 029 Bag, polyethylene, made with 50% blend (LLDPE/DPE) (Ref 2.6.11)	10	TH	\$___	\$___
--------	--	----	----	-------	-------

STATE MANUFACTURER/ BRAND/MODEL OFFERED: _____

5.2.12	31800 001 032 Bag, polyethylene, made with 50% blend (LLDPE/DPE) (Ref 2.6.12)	50	TH	\$___	\$___
--------	--	----	----	-------	-------

STATE MANUFACTURER/BRAND/MODEL OFFERED: _____

5.2.13	31800 001 035 Bag, polyethylene, clear, gusset (Ref 2.6.13)	10	TH	\$___	\$___
--------	---	----	----	-------	-------

SUB-TOTAL FOR SECTION - B \$_____

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER T8Z53790	PAGE OF 31 31
		FIRM NAME (Must be filled in)	

<u>Quantity</u>	<u>Unit of Measure</u>	<u>Unit Price</u>	<u>Total Amount</u>
-----------------	------------------------	-------------------	---------------------

5.3 **GROUP C - MISCELLANEOUS**

5.3.1	31800-001-900 Sheeting, plastic; 20'X 100'—one sheet per roll, 50 per skid	100	RL	\$____	\$____
-------	--	-----	----	--------	--------

STATE MANUFACTURER/BRAND/MODEL OFFERED:_____

SUB-TOTAL FOR SECTION - C \$_____

Grand Total Bid Amount \$_____

(Total for all sections bid.)

BIDDER TO STATE HOW PRODUCT(S) ARE TO BE DELIVERED TO THE CITY OF PHILADELPHIA: (E.G. ON-SITE DELIVERY VIA AWARDED VENDOR'S TRUCK, UNITED PARCEL, U.S. POSTAL SERVICE ETC.).

TYPE OF TRANSPORT:_____

BIDDER SHALL SPECIFY IF DELIVERY IS OTHER THAN 30 DAYS:_____