

# INSTRUCTIONS TO BIDDERS

## **ALL SUBMISSIONS MUST BE SEALED.**

**BID FOR TOWN OF BENTON, Snow Management Service (31 fire hydrants, Town Office mailbox and walkways)**

**SUBMISSION DUE DATE & TIME:** December 20, 2022 on or before 2:00 p.m. EST.

Submissions may be hand delivered, mailed and must be received by the submission due date and time to be considered.

**SUBMISSIONS SENT TO:** Town Treasurer, Town of Benton, 1279 Clinton Avenue, Benton, Maine 04901

Bids shall be received by the Town of Benton, Maine at the place and until the time specified in the "**Invitation To Bid for Snow Management Service (31 fire hydrants, Town Office mailbox and walkways)**" and then publicly read aloud for the information of bidders and other interested parties who may be present either in person or by representative.

## **1. PREPARATION OF BIDS**

- A. Bids shall be submitted in triplicate. Bid forms furnished by the Town of Benton or copies thereof shall be used, and strict compliance with the requirements of the Invitation to Bid, these Instructions to Bidders, and the instructions printed on the forms is necessary. Any bidder not utilizing the Bid Proposal Form attached hereto as [Exhibit 1](#) shall be considered non-responsive to the Invitation to Bid.
- B. Each bid must give the full business address of the bidder and be signed by an authorized representative or official of the entity bidding. Bids must be signed in the partnership name by one of the members of the partnership or by any authorized representative, followed by the signature and title of the person signing. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and title of the president, secretary, or other person authorized to bind it in the matter and such bid must be accompanied by a satisfactory Certificate of Corporate Resolution, properly executed, clearly stating that such person is authorized to so bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. A bid by a person who affixes to his signature the word "President," "Secretary," "Agent," or other title without disclosing his or her principal, may be held to be the bid of the individual signing.
- C. Erasures or other changes in the bids must be explained or noted over the signature of the bidder.
- D. Alternative bids will not be considered unless explicitly called for in the Invitation to Bid.

## **2. GENERAL CONDITIONS**

- A. Costs of Preparation - Respondent assumes all costs of preparation of the response and any presentations necessary to the response process.

- B. Pricing - Pricing provided shall remain firm for the entire term of the Agreement.
  - C. Response Validity - Unless specified otherwise, all responses shall be valid for ninety (90) days from the due date of the response.
  - D. Non-Response Submission - The Town will not consider non-responsive submissions, i.e. those with material deficiencies, omissions, errors or inconsistencies or that otherwise do not follow instructions. The Town in its sole discretion will determine what is non-responsive.
3. **INTERPRETATION OF CONTRACT DOCUMENTS** - No oral interpretation will be provided to any bidder as to the meaning of the Specifications or other contract documents. Every request for such interpretation shall be made in writing and addressed and forwarded to **Town Clerk, Town of Benton, 1279 Clinton Avenue, Benton, Maine 04901**, three (3) or more days before the date fixed for the opening of bids. Every interpretation made to a bidder will be issued in the form of an addendum to the contract documents which, if issued, shall be sent as promptly as practicable to all persons to whom the specifications have been issued. All such addenda shall become part of the contract documents.
  4. **EXAMINATION OF SPECIFICATIONS AND SCHEDULE** - Each bidder or his authorized agent is expected to examine the Specifications, contract documents and all other instructions pertaining to the work, which will be open to his inspection. Failure to do so will be at the bidder's own risk, and the bidder cannot secure relief on the plea of error in the bid. At its sole discretion, the Town of Benton may accept or reject bids that do not comply with the Specifications, contract documents and any addenda that may be issued.
  5. **PERSONS INTERESTED IN MORE THAN ONE BID** - If more than one bid is offered by any one person by or in the name of that person's clerk, partner, or other person, all such bids shall be rejected.
  6. **SUBMISSION OF BID** - Each bid shall be placed in a separate envelope clearly marked on the outside "**BID FOR Snow Management Services (31 fire hydrants, Town Office mailbox and walkways)**" and this envelope shall be placed in a second envelope for mailing purposes.
  7. **TIME OF OPENING OF BIDS** - Bids received prior to the time of opening stated in the Invitation to Bid will be kept unopened in a secure place. The person(s) whose duty it is to open them will decide when the specified time has arrived, and no bid received thereafter will be considered. No responsibility will attach to that person or those persons for the premature opening of a bid not properly addressed and identified. Telegraphic, facsimile or electronic mail (e-mail) bids or modifications to bids will not be considered.
  8. **WITHDRAWAL OF BIDS** - Bids may be withdrawn on written request received from bidders prior to the time fixed for opening in the Invitation to Bid. Negligence on the part of bidder in preparing the bids confers no right for the withdrawal of the bid after it has been opened. No bids may be withdrawn within a period of thirty (30) days after the opening of bids.
  9. **FORM OF AGREEMENT** - The successful bidder shall be required to sign a Standard Town of Benton Contract for Services, a copy of which is attached hereto as [Exhibit 2](#).

10. **AWARD OF CONTRACT** - The Town of Benton, Board of Selectmen reserves the right to reject any or all bids, to waive any or all formalities in the bidding, to evaluate bids, to investigate the references of any and all bidders, to negotiate with one or more bidders and otherwise to act as it deems to be in the best interests of the Town of Benton.
11. **PROPOSAL EVALUATION** – The score will be based on a 100-point scale and will measure the degree to which each response meets the following criteria:
- Organization, Qualifications and Experience (30 Points) – ***Exhibit 1 Appendix B Questions***
  - Responsible Bidder (30 points)
  - References (15 Points) - ***Exhibit 1 Appendix B References***
  - Cost (25 Points) - ***Exhibit 1 Appendix A, Bid Proposal Pricing, Page 1***

### **Scoring Descriptions**

Organization, Qualifications, Experience and References - The evaluation team will use a consensus approach to evaluate and assign evaluation points. Reference checks will be performed on the top Respondent(s) only as determined by consensus scoring in the other categories.

Responsible Bidder - The evaluation team will obtain a report from the Town Treasurer for each bidder detailing all personal or business amounts recorded in the Town's financial system which are outstanding at the time of submission including; real estate taxes, personal property taxes, public sewer utilities, and any existing fines. The report will be summarized by year and each category will be listed separately with the amount owed.

The evaluation team will use the following method to evaluate and assign points:

- Submissions with outstanding balance equal \$0.00 will receive 30 points.
- Submissions with outstanding balance limited to 2021 year amounts due will receive 15 points.
- Submissions with multiple year outstanding balance amounts due will receive 0 points.

Cost Evaluation - The total cost proposed for conducting all the functions specified in this document will be assigned a score according to a mathematical formula. The lowest cost response will be awarded the total points. Responses with higher cost response values will be awarded proportionately fewer points calculated in comparison with the lowest cost response.

The scoring formula is:

(Lowest submitted cost response / cost of response being scored) x (25) = prorated score

12. **TAXATION AND COMPLIANCE** - The Town of Benton is a municipal corporation organized under the laws of the State of Maine and so its purchase of goods is exempt from State, federal and local sales and use taxes. The successful bidder agrees to comply with all applicable federal, State and local statutes, laws, codes, rules, regulations, ordinances and orders in the performance of the Contract.