



INVITATION TO BID

ATTENTION: This is not an order. Read all instructions, terms and conditions carefully.

INVITATION NO.: KCT-00739	RETURN ORIGINAL COPY OF BID TO:
Issue Date: November 18, 2009	KCTCS PURCHASING DEPARTMENT 300 NORTH MAIN STREET VERSAILLES, KY 40383
Method of Award: Best Value	
Purchasing Officer: Heather Rash	
Phone: (859) 256-3342	
Bids are invited on the following: Walk-In Freezer Cooler Combination	

IMPORTANT: SEALED BIDS MUST BE RECEIVED BY December 7, 2009 by 4:00 PM Eastern Daylight Savings Time

1. Sealed Bids for furnishing the following will be received by the Purchasing Department, KCTCS, Versailles, Kentucky, until the date and time stated above. **Bid documents must be submitted in a sealed envelope identified with the Invitation to Bid number and the opening/return date on the face of the envelope FACSIMILE BIDS WILL NOT BE ACCEPTED.**
2. Please quote your single best net price on each item, unless a discount from list price is requested, delivered to the address specified, all transportation charges prepaid. Price shall include delivery to the department address shown on this Invitation. Submission of two (2) bids may result in disqualification of both bids.
3. Bids must be firm. Those containing escalator clauses cannot be accepted, unless provided for in Special Conditions. To receive consideration, bids must be made on this form and signed in full. Prices must be based on stated units and extended. Delivery guarantee must be shown. Bids will be rejected unless filled out in ink or on typewriter and signed in ink.
4. The KCTCS Sales Tax Exemption Number is A-20633. Certificate will be provided upon request. Do Not Quote Sales Tax. (...continued on following page.....)

SIGNATURE REQUIRED: This bid cannot be considered valid unless signed and dated by an authorized agent of the bidder. Type or print the information requested in the spaces provided.
ALL BIDS ARE TO BE "TRANSPORTATION CHARGES PREPAID, F.O.B. DESTINATION"

THIS AREA MUST BE COMPLETED

DELIVERY TIME:	NAME OF COMPANY	PHONE:
BID FIRM THROUGH:	NO. & STREET	FAX:
PAYMENT TERMS: NET 30 Must Accept Purchase Order	CITY, STATE & ZIP CODE	
F.O.B. DELIVERED ALL DELIVERY CHARGES INCLUDED IN PRICES SHOWN	SIGNATURE	DATE:
FEDERAL ID NUMBER (EIN):	TYPED OR PRINTED NAME	
	EMAIL:	

In submitting this bid, it is expressly agreed that, upon proper acceptance by Kentucky Community and Technical College System of any or all items bid, a contract shall thereby be created with respect to the items accepted.

BIDS MAY ALSO BE VIEWED AT OUR WEBSITE: <http://www.kctcs.edu> VENDORS, OPPORTUNITIES TO BID

All bids and contracts are subject to General Terms and Conditions of KCTCS. You may download/print a copy of these from our website: <http://kctcs.edu/businessservices/purchasing/BidWeb.htm> or you may request a copy be mailed to you by contacting the Purchasing Department at 859-256-3325.

AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

- I hereby swear (or affirm) under the penalty for false swearing as provided by KRS 523.040:
1. That I am the bidder (if the bidder is an individual), a partner, (if the bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);
 2. That the attached bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
 3. That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids;
 4. That the bidder is legally entitled to enter into contracts with KCTCS and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 164.390, 61.096, and 42.990, and;
 5. That I have fully informed myself regarding the accuracy of the statement made above.

NOTICE

1. Any agreement or collusion among bidders or prospective bidders which restrains, tends to restrain, or is reasonably calculated to restrain competition by agreement to bid at a fixed price or to refrain from bidding, or otherwise, is prohibited.
2. Any person who violates any provisions of KRS 45A.325 shall be guilty of a felony and shall be punished by a fine of not less than five thousand dollars nor more than ten thousand dollars, or be imprisoned not less than one year nor more than five years, or both such fine and imprisonment. Any firm, corporation, or association which violates any of the provisions of KRS 45A.325 shall, upon conviction, be fined not less than ten thousand dollars nor more than twenty thousand dollars.

SWORN STATEMENT OF COMPLIANCE WITH CAMPAIGN FINANCE LAWS

In accordance with KRS 45A.110(2), the undersigned hereby swears under penalty of perjury that he/she has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky and that the award of a contract to a bidder will not violate any provision of the campaign finance laws of the Commonwealth of Kentucky.

CONTRACTOR REPORT OF PRIOR VIOLATIONS OF KRS CHAPTERS 136, 139, 141, 337, 338, 341 & 342

The contractor by signing and submitting a bid on this invitation agrees as required by 45A.485 to submit final determinations of any violations of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341 and 342 that have occurred in the previous five (5) years prior to the award of a contract and agrees to remain in continuous compliance with the provisions of the statutes during the duration of any contract that may be established. Final determinations of violations of these statutes must be provided to KCTCS by the successful contractor prior to the award of a contract.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The contractor, by submitting a bid on this Invitation, certifies that he/she is in compliance with the Code of Federal Regulations, No. 41 CFR 60-1.8(b), that prohibits maintaining segregated facilities.

INSTRUCTIONS TO BIDDERS:

Bidder's response on the following items must include full identification of the item(s) proposed, and be accompanied by descriptive literature, etc., to enable the purchaser to evaluate qualifications of the item(s) proposed as equal to those specified. **ALL ALTERNATE QUOTATIONS MUST BE ACCOMPANIED BY COMPLETE LITERATURE AND SPECIFICATIONS TO EVALUATE ALTERNATE QUOTE AS EQUAL TO THAT SPECIFIED. FAILURE TO PROVIDE SUFFICIENT INFORMATION WILL BE CAUSE FOR REJECTION OF THE BID.**

When a Bidder proposes to furnish the exact item specified, he shall cite, beside the item, or use the Mfg. & Model No. Proposed blank that follows the line item as follows:

1. If bidding the manufacturer and model number specified in this Invitation, write in "AS SPECIFIED".
2. If bidding an alternate model, identify by manufacturer's number and model.
3. If bidding a private label model, identify as private label and show stock number.

ALL BIDS ARE TO BE "TRANSPORTATION CHARGES PREPAID, F.O.B. DESTINATION"

METHOD OF AWARD

Unless otherwise specified, it is the intent of KCTCS to award this Invitation to Bid on a Best Value bid basis. In the event no satisfactory bids are received, we reserve the right to award on a group award basis. Separate purchase orders may not be issued unless there is a savings of at least \$25.00 to KCTCS.

Scope

You are invited to bid on the following Walk-In Freezer/Cooler Combination for the Kentucky Community and Technical College System (KCTCS), **Ashland Community & Technical College, 4818 Roberts Drive, Ashland, KY 41102.**

Equipment Listing Requirements:

All equipment and assemblies of equipment offered in response to this Invitation to Bid shall be in full compliance with all current applicable standards established by Federal, State, and Local governments, including, but not limited to OSHA, NFPA 70, NFPA 79, the Kentucky Building Code and all applicable references noted therein. The equipment must also be listed and labeled by a nationally recognized testing laboratory (NRTL) or certified by field evaluation and labeled by a third party nationally recognized testing laboratory (NRTL) acceptable to the authority having jurisdiction in Kentucky to certify compliance with applicable codes and safety requirements. If a listing does not exist or third party certification cannot be provided for said equipment, the services of a Professional Engineer licensed in the Commonwealth of Kentucky may also be procured by the bidder to certify that the equipment has been constructed in accordance with NFPA 79 and UL 508A standards and their references. **All costs associated with required listings or certifications shall be included in the bid price.** Each piece of equipment or assembly of equipment offered in response to this bid shall either be listed and labeled or certified and labeled prior to shipment by the successful bidder.

Equipment

Attached is the list of items required. All equipment proposed and delivered by the successful vendor must be "New and Current Model(s)". No used equipment or demonstrator models will be acceptable. All serial number tags, FCC approval numbers, model numbers, etc. must be affixed on each piece of equipment at the time of delivery. Equipment will be inspected and rejected if these numbers are not affixed or have been altered.

Alternates

Alternate equipment proposed by a bidder as equivalent must meet or exceed the manufacturer's specifications for each product listed in this Invitation to Bid. Vendors bidding alternate equipment must submit complete literature and specifications with their bid in order for an evaluation by KCTCS to be made. Failure to submit complete literature may be cause for rejection of bid.

Delivery

All items are to be shipped F.O.B. Destination, *all freight charges included in the price.* The successful vendor will be responsible for all equipment while in transit. Any freight claims will be the responsibility of the vendor. The College will reject any damaged shipments and immediate notification will be given to the vendor.

METHOD OF AWARD

Best Value - Ranking Approach

KCTCS intends to award a contract to the vendor, whose offer, conforming to the solicitation, is the most advantageous on the basis of "best value".

Measurable Criteria:

Price 100 points

Price (100 points) - The bidder with the lowest price receives the maximum score. The bidder with the next lowest price receives points by dividing the lowest price by the next lowest price and multiplying that percentage by the available points. For example, assume 90 points are allocated to the price criterion for this procurement and \$50,000 by bidder "A" is the low offer, then bidder "A" receives 90 points ($\$50,000/\$50,000 = 1.00 \times 90 = 90$). Assume \$55,000 is the next low offer by bidder "B", then he receives 81.8 points ($\$50,000/\$55,000 = .91 \times 90 = 81.8$), etc.

Bid Submittal

Bids must be received no later than the date and time show on the front page of this Invitation to Bid. All bids must be received in a sealed envelop/package clearly identified with the Invitation to Bid Number in the lower left corner.

Kentucky Sales and Use Taxes

Sales of tangible personal property or services to the State of Kentucky and its constitutional agencies are not subject to state sales or use taxes.

Inspection

All supplies and equipment shall be subject to inspection or tests by the college prior to acceptance. In the event supplies or equipment are defective in material or workmanship or otherwise not in conformity with specified requirements, the college shall have the right to reject them or require acceptable correction at the vendor's expense.

Compliance with Federal Requirements

Where this procurement involves the expenditure of federal assistance or contract grant funds, the awarded contractor shall comply with such federal law and authorized regulations which are mandatory applicable and which are not presently set forth elsewhere in this solicitation. Office of Management and Budget Circular A-102, Appendix "O" requires but is not limited to, compliance with the following provisions;

(1) All contracts awarded in excess of \$10,000 by grantees and their contractors or sub grantees require compliance with Executive Order 11246, entitled "Equal Employment Opportunity", as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60).

(2) All negotiated contracts (except those awarded by small purchase procedures) awarded by grantees provide that the grantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the contractor which are directly pertinent to this specific contract, for the purpose of making audit, examination excerpts and transcriptions. Contractors are to maintain all required records for three years after grantees make final payments and all other pending matters are closed.

(3) Contracts, subcontracts and subgrants of amounts in excess of \$100,000 requires compliance with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), Section 508 of the Clean Water Act 33 U.S.C. 1368), Executive Order 11738 and Environmental Protection Agency regulations (40 CFR Part 15), which prohibit the use under non-exempt Federal contracts, grants or loans of facilities included on the EPA List of Violating Facilities. This provision requires reporting of violations to the grantor agency and to the U.S.E.P.A. Assistant.

Rejection of Bids

KCTCS reserves the right to reject any and all bids when it is in the best interest of KCTCS to do so.

Warranty

The manufacturer's most favorable warranty offered to preferred customers shall apply to all items. A copy of such warranty shall be furnished to the college upon delivery of the equipment or product. **Warranty may be used as part of the award of this bid.**

Oral Discussions

Potential bidders should clearly understand that any verbal representations made or assumed to be made during any oral discussions held between representatives of potential bidders and any State employee or official are not binding on the Commonwealth of Kentucky or its constitutional agencies or colleges.

Compliance With State Laws

Any contracts or orders placed as a result of an offer shall be governed by the laws of the Commonwealth of Kentucky. The rights and obligations of the parties thereto shall be determined in accordance with these laws. Any offer conditioned upon governance by the laws of a state other than Kentucky shall not be considered.

Questions

All questions are to be submitted to the Purchasing Department **not later than seven (7) days prior to bid opening**, via fax (859-256-3124) or email (preferred) to: Heather.Rash@kctcs.edu

FORM OF PROPOSAL

Specifications include the following:

Item #1 – Leer Brand 7’9” x 15’5” x 7’6” freezer/cooler combination and accessories

Walk-in constructed of 26 gauge Galvalume and will feature a 16 gauge stainless steel floor. Doors will measure 36” x 78” and will feature a 14” x 14” window. Each walk-in will have an interior ramp and a digital thermometer.

Freezer Refrigeration System

Provide and install a Trenton semi-hermetic condensing unit and Trenton electric defrost evaporator coil. System will feature all available accessories and controls including, but not limited to voltage monitor, defrost timer, fusible disconnect switches, low ambient control, oil pressure control, low and high pressure controls, thermostatic expansion valve, crankcase pressure regulator, temperature control, liquid line solenoid valve, liquid line drier and sight glass.

Price includes installation of refrigeration equipment and running of insulated refrigeration lines. 230 volt, 3 phase power supply will be installed by others. Price includes installation of fusible disconnect switches and make final electrical connections. The system will be leak checked, evacuated and charged to capacity with R-404A refrigerant. Overall operation will be checked.

Cooler Refrigeration System

Trenton semi-hermetic refrigeration system and will feature all of the accessories as the freezer refrigeration system. 230 volt, single phase. Must have an air defrost evaporator coil. Will be installed in same manner as freezer refrigeration system. System will be started and overall operation checked as well.

Manufacturer/Model Bidding: _____

WARRANTY: _____

Warranty may be used as part of the award of this bid.

YES or NO _____ listed and labeled by a nationally recognized testing laboratory (NRTL)?

YES or NO _____ certified by field evaluation and labeled by a third party acceptable to the authority having jurisdiction in Kentucky to certify compliance with applicable codes and safety requirements?

Indicate the nationally recognized testing laboratory (NRTL) providing the listing or third party providing the field evaluation and certification _____

Grand Total \$ _____
(Includes: Destination/Delivery Charge, Installation, & All Equipment Certifications)

****48-hour notice prior to delivery required. If notice is not given at least 48 hours prior to delivery, the delivery will be subject to refusal and redelivery will be at dealer's expense.****

**Kentucky Community and Technical College System
Department of Purchasing**

MEMORANDUM

TO: Potential Bidders Responding to KCTCS Invitation to Bid KCT- 00739

FROM: David Holcomb – System Director of Purchasing

Date: November 18, 2009

RE: KCTCS Listing or Certification Requirements for Equipment or Assemblies of Equipment - Invitation to Bid KCT- 00739

The Kentucky Community and Technical College System is a public institution of higher education organized under the laws of the Commonwealth of Kentucky. As such the authority having jurisdiction in Kentucky requires that equipment used in our facilities be either listed and labeled by a nationally recognized testing laboratory (NRTL) or certified by field evaluation and labeled by a third party acceptable to the authority having jurisdiction in Kentucky to certify compliance with applicable codes and safety requirements.

Providers of equipment listing or third party certification services are included but not limited to those indicated in the attached Excel spreadsheet. Manufacturers may use any NRTL or other third party acceptable to the authority having jurisdiction in Kentucky to certify compliance with applicable codes and safety requirements.

All equipment and assemblies of equipment offered in response to this Invitation to Bid shall be in full compliance with the above referenced listing or certification requirements. If a listing does not exist or third party certification cannot be provided for said equipment, the services of a Professional Engineer licensed in the Commonwealth of Kentucky may also be procured by the bidder to certify that the equipment has been constructed in accordance with NFPA 79 and UL 508A standards and their references.

All costs associated with required listings or certifications shall be included in the bid price. Each piece of equipment or assembly of equipment offered in response to this bid shall either be listed and labeled or certified and labeled prior to shipment by the successful bidder.

Listing of Field Evaluators.xlsx

NAME	STREET	CITY	STATE	ZIP	PHONE	EMAIL	WEB
ESACSA International dba ESA Field Evaluation	1 Terrence Matthews Crescent, Suite 130	Ottawa	Ontario	K2M 2G3	800-559-5356 or 613-271-1489	field.evaluation@electricsafety.on.ca	www.esasafe.com
TUV-Rheinland of North America, Inc. CertifGroup	901 Sheldon Drive	Cary	NC	27513	800-422-1651	info@CertivGroup.com	http://www.certivgroup.com/pages/field.htm
GPS America, Inc.	12 Commerce Road	Newtown	CT	06470	203-426-0888	info@tiv.com	http://www.us.tuv.com/contact/index.aspx
Underwriters Laboratories	912 County Road 27	Estilfork	AL	35745-8048	877-746-4777	info@gps.ca	http://www.gps.ca/
MET Laboratories, Inc.	333 Pfingsten Road 914 W. Patasco Ave.	Northbrook Baltimore	IL MD	60062-2096 21230	847-854-3577 800-638-6057	info@metlabs.com	http://www.ul.com/contact.htm http://www.metlabs.com/packages/direct.htm
Emerson Process Management, Mobile Area Service Center	5380 Business Pkwy #1	Theodore	AL	36582	251-655-5880		http://www.electro-test.com/Conform.htm#Field%20Evaluation
Intertek Testing Services NA, Inc.	1717 Arlington Lane	Columbus	OH	43228	614-279-8090	andy.abur@intertek.com	http://www.intertek-elisemko.com/portal/page/portal/IT K_PGR
Pfeiffer Engineering Co.	2701 Lindsay Avenue	Louisville	KY	40206-2222	502-897-1630 or 502-417-9358	jepp@pfeiffereng.com	www.PfeifferEng.com
Echo Power Engineering, LLC	1002 S. Graycroft Ave	Madison	TN	37115	615-692-9472 or 615-796-5131	je@echopowerengineering.com scottly@echopowerengineering.com	www.echopowerengineering.com