



October 4, 2022

Bid: 22-05-13 (A-J)

Subject: Invitation to Bid

Prospective Bidders:

Sealed bids for requirements of **Chemicals** on attached forms will be received in the Purchasing Department of the Birmingham Water Works Board, located at 3600 First Avenue North, Birmingham, Alabama, 35222, until **10:00 a.m., Tuesday, October 18, 2022,** at which time and place they will be publicly opened and read.

The bid opening will be via Teams Zoom Meeting. The link and phone number to join are listed in the email for the Invitation to bid. Please connect 5 minutes before the bid opening, just in case of technical difficulties.

“Specifications and Conditions” and “Bid Form” are attached, and all bids shall be F.O.B. destination, freight prepaid, and at no charge. One copy of the bid should be returned, and the bidder should retain a copy.

The right is reserved to reject any or all bids submitted, waive any informalities and technicalities, and award to the bidder it is deemed will best and most economically serve the “Board’s” interests. The Board reserves the right to award the bid on an individual or total cost of bid basis. The Board reserves the right to exercise its option to extend the contract up to two (2) additional years with the mutual consent of both parties. The Board reserves the right to cancel this bid within thirty (30) days with written notice. The Board reserves the right to enter into a month-to-month contract once the contracts end, at the current prices, until the next bid is awarded the mutual consent of both parties. The Board reserves the right to RE-BID.

Note: Please include a copy of your NSF 60 Certification with your bid.

Bids must be mailed to 3600 First Avenue North, Birmingham, Alabama 35222, directed to the attention of the Purchasing Manager, and marked in the lower left-hand corner of the envelope as follows: “Bids on **Chemicals** are due Tuesday, October 18, 2022, @ 10:00 a.m.”

Yours truly,

Reis Logan

Reis Logan
Interim Purchasing Manager
/ll

SPECIFICATIONS AND CONDITIONS
2023 - LIQUID FERRIC SULFATE – 12-12.5%

The intent of this bid is to provide liquid ferric sulfate requirements for the Birmingham Water Works Board for the calendar year **2023**. **The bid will be awarded based on product performance. Cost per pound will be used to determine bid award when similar products give similar results.**

Ferric Sulfate required shall conform to AWWA specifications B406-14 or most recent revision thereof. **The ferric sulfate provided shall be made from virgin iron ore and not from waste products.**

The ferric sulfate supplied in accordance with specifications and conditions set forth herein shall not contain, in the opinion of the Alabama Department of Environmental Management and/or the United States Environmental Protection Agency, substances capable of producing dangerous or injurious effects upon the health of those consuming water that has been treated by the Board with this material. Material must be NSF 60 certified.

Note: Please include a copy of your NSF 60 Certification with your bid.

The manufacturer shall, when requested to do so, furnish an affidavit stating that the material conforms in all respects with “Specifications” herein contained and shall also furnish, when requested, a certified copy of a properly performed analysis of each shipment or of the lot from which the shipment was made.

Requirements for the product from **January 1, 2023**, through **December 31, 2023** are *estimated* at **3,550,000 dry pounds**. This is an *estimation* and should not be considered as a commitment to purchase any certain quantity of this product. The liquid ferric sulfate shall be provided in bulk.

Safety Data Sheets: *The SDS must be made available. The SDS must be properly maintained and updated as necessary.*

Deliveries shall be made to Two (2) plants :

Putnam Filter Plant

4400 Inglenook Lane
Birmingham, Alabama 35217

Shades Mountain Filter Plant

2990 Shades Crest Road
Birmingham, Alabama 35216

It is possible that additional plants may begin using this product at some point, but that is yet determined.

All prices quoted must be F.O.B. destination and shall include the cost of the product, all freight and surcharge costs and any other costs whatsoever connected with furnishing this product. Prices shall be firm for the calendar year **2023**.

The Board will provide as much notice as possible when releases for shipment are made, but the supplier must maintain readiness to make delivery within forty-eight (48) hours following notice of release. All deliveries must be made by no later than 2:00 p.m. CST (Alabama) on the day scheduled for delivery.

Each shipment of this material shall be weighed on a truck scale certified by the State Bureau of Weights and Measures, and a certified copy of the weight ticket shall accompany each delivery ticket.

Because of security and safety concerns, all delivery vehicle drivers shall be U.S. citizens and have a proper commercial driver's license with a Hazardous Material endorsement. Driver information will be submitted in advance to The Birmingham Water Works Security Department for background checks. Contractor's drivers shall display their driver's license whenever challenged by Birmingham Water Works Board during the delivery. Failure to show proper license shall result in rejection of delivery. All deliveries shall be properly sealed after loading and the number on the seal faxed to the plant for comparison. Broken seals are cause for rejection.

A purchase order per shipment will be issued to the lowest acceptable bidder against which releases for shipment will be made upon request as requirements dictate. The purchase order number, this “Invitation to Bid” with “Specifications and Conditions” and bidder’s Bid Form to same shall constitute a contract for the Board’s requirements.

Inquiries: Any questions that may arise relative to specifications in this bid should be directed to:

Mr. Jonathan Harris, Manager of Water Treatment at (205) 244-4371 or email at Jonathan.harris@bwwb.org. Any questions that may arise about the bidding process should be directed to LyTonJa Levert, Purchasing Buyer at (205) 244-4305 or by email at tonJa.levert@bwwb.org.

Any failure by the supplier to furnish ferric sulfate and make deliveries in accordance with all “Specifications and Conditions” contained in this bid shall be deemed a breach of contract by the supplier and shall constitute grounds for immediate cancellation, without notice, of the contract by the Board.

In case of default by the vendor, the Board may procure the articles or services from other sources and may deduct from any monies due, or that may thereafter become due to the vendor, the difference between the price named in the contract or purchase order and the actual cost thereof to the Board. Prices paid by the Board shall be considered the prevailing market price at the time such purchase is made.

Please price Liquid Ferric Sulfate per pound dry Ferric Iron (Fe+++), delivered F.O.B. to Buyer’s Treatment Plant.

Invoice would be determined as follows:

**Total Pounds Shipped x % Ferric Iron (Fe+++) x Cost per Pound =
Total Cost Per Load.**

Price increase/decrease terms for 2023 CY chemical specifications

The solicitation is to establish a term contract for a one (1) year period from the effective date of the award. It may, by mutual agreement, be renewed at the same terms and conditions for up to two additional one-year periods. The contract award will be between the awarding bidder (known hereafter as “VENDOR”) and The Water Works Board of the City of Birmingham (known hereafter as “BWVB”). In the event goods/services are scheduled to end due to expiration of the if requested by BWVB, and at the mutual written agreement of both parties, we will continue delivery of goods/services as needed beyond the current contract expiration date. VENDOR shall be compensated at the rate in effect when the contract extension amendment is executed by both parties unless otherwise agreed to by BWVB.

VENDOR shall agree that submitted pricing will be held firm for no less than a period of three (3) months within the one (1) year contract term. A price escalation or reduction may be requested by VENDOR or BWVB to the price of all goods/services. BWVB may, in its sole discretion, accept an equitable adjustment in the contract terms or pricing if pricing or availability of supply is affected by extreme and unforeseen volatility in the economy and/or marketplace, that is, by circumstances that satisfy all the following criteria: (1) the volatility is due to causes wholly beyond VENDOR’s control, (2) the volatility affects the marketplace or industry, not just the particular contract source of supply, (3) the effect on pricing or availability of supply is substantial, (4) the volatility so affects VENDOR that continued performance of the contract would result in a substantial loss, and (5) no price adjustment will be approved to compensate VENDOR for the inefficiency or for errors or omissions in judgment or for additional profit.

Requests from VENDOR for price adjustments shall be received in writing (via email or fax) to BWVB’s Purchasing Department a minimum of 45 calendar days prior to the requested effective date of price adjustment and are subject to BWVB approval (if applicable) and execution of a contract amendment before becoming effective. Failure to reach an agreement for a requested price adjustment may, at the sole option of BWVB, result in the termination of the Agreement for cause.

Compelling and verifiable documentation substantiating the causes of any requested price adjustments shall be provided with the request. BWWB reserves the right to consider various pertinent information sources to evaluate price adjustment requests (e.g., CPI, PPI (including sub-indexes) as published by the US Department of Labor, Bureau of Labor Statistics). BWWB also reserves the right to consider other information related to special economic and/or industry circumstances when evaluating a price adjustment request. Price adjustments may be either increases or decreases and may be requested by either party.

If after BWWB approves a requested price increase, market indicators demonstrate that prices have decreased by more than 5% and that VENDOR has not offered to pass the decrease on to BWWB, BWWB reserves the right to place VENDOR in default, cancel the award, and remove VENDOR from BWWB's bidder's list for a period deemed suitable by BWWB.

Notwithstanding the aforementioned, requests for price adjustments will be handled by BWWB on a case-by-case basis. BWWB, in its sole discretion, will determine whether to accept requested price adjustments. BWWB will notify VENDOR in writing of the effective date of any approved price adjustment.

BIDDERS CHECKLIST (MUST BE RETURNED WITH BID)

- Laboratory Analysis of **Ferric Sulfate Sample** Y/N
- NSF Certification Y/N
- List of References Y/N
- List of Subcontractors or Affiliates Y/N
- Exceptions Taken to the Specification Y/N

Any of which may result in Bidder's disqualification

Name of Bidder

Address of Bidder

Signature and Title of Authorized Representative

Date

DATE: October 4, 2022

BID22-05-13(B)

BID FORM - BID 22-05-13(B)

Reis Logan, Interim Purchasing Manager
The Water Works of the City of Birmingham
3600 First Avenue North
Birmingham, Alabama 35222

Submitted below is our ***firm*** bid for ***Ferric Sulfate*** in accordance with your "Invitation to Bid" and Specifications and Conditions" due ***Tuesday, October 18, 2022 @ 10:00 a.m.*** Prices quoted are F.O.B.'s destination. The undersigned has read and understands said "Invitation to Bid" and "Specifications and Conditions" and expressly agrees to be bound by the terms

Bid opening will be VIA TEAMS MEETING. The link will be listed within the email.

***Note: "Please include a copy of your NSF 60 Certifications with your bid.
Please review the Board "Price increase/decrease terms at the end of the specifications"***

PLEASE ATTACH THIS BID FORM TO THE FRONT OF YOUR BID SUBMITTAL

QUANTITY	DESCRIPTION	UNIT PRICE PER POUND DELIVERED	TOTAL PRICE PER POUND DRY FERRIC IRON (Fe+++)
3,550,000 lbs.	Ferric Iron Fe+++ (full truck - 12 months)	\$ _____	\$ _____

Note: All superfund taxes and fuel surcharges should be included in bid price.

Any bids must be submitted in a sealed envelope directed to the attention of the Purchasing Manager, and marked in the lower left-hand corner as follows: ***"Quotation on Ferric Sulfate, due 10:00 a.m., Tuesday, October 18, 2022"***

BY: _____

TITLE: _____

Are you bidding approved item per bid specifications?

Yes () No ()

If NO, please provide the manufacturer of product?

DATE: _____

COMPANY: _____

ADDRESS: _____

CITY _____ STATE _____ ZIP _____

TERMS: _____

TELEPHONE: _____

EMAIL: _____

REQUIRED NOTICE PRIOR TO DAY OF
DELIVERY: _____

CITY/STATE PRODUCT MANUFACTURED
