

CITY OF MIDDLETOWN

One Donham Plaza
Middletown, OH 45042
(513) 425-7832

Date: August 4, 2008
Bid Reference No. 08-16
Bid Opening: Tues., August 19, 2008
@ 11:00 a.m.

Please quote the delivered price on all or any part of the material listed on this Price Inquiry Form. **THIS IS AN INQUIRY FOR PRICES -- NOT AN ORDER.** Unit price and extension must be shown. Descriptive brochures should be attached if available. Mail quotations to the above address and endorse envelope "Bid Reference No. 08-16." Bids must be received by the bid opening time shown above.

<u>Quantity</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
16 ea.	Tactical Body Armor per attached specifications	\$_____	\$_____
	Mfgr. and Model Quoted: _____		

** TERMS: _____% cash discount if paid within _____ days from delivery, Net _____ days.

** DELIVERY: To destination shown below. Completed within _____ days of receipt of order.

The undersigned agrees to furnish the above materials on which prices are quoted delivered to One Donham Plaza, Middletown, OH 45042, in accordance with City of Middletown requirements and at the prices specified.

Company Name: _____

Signed: _____

Street Address: _____

City/State/Zip: _____

Contact Person: _____

Telephone No. _____/Fax No. _____

E-mail: _____

Date: _____

** As delivery and cash discount payments may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

GENERAL CONDITIONS

1. The City Manager reserves the right to reject any or all bids, and unless otherwise specified by the bidder, to accept any item in the bid. In case of error in extending the total amount of the bid the unit prices the will govern.
2. Unless otherwise stated in the bid by the bidder, time, in connection with discount offered, will be computed from date of delivery of the supplies or services to carrier when final inspection and acceptance are at a point of origin, or from date of delivery and acceptance at destination when final inspection and acceptance are at this point, or from date correct bill or claim voucher properly certified by the contractor is received if the latter date is later than the date of delivery and acceptance.
3. In case of default by the bidder or contractor, the City of Middletown may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.
4. Prices should be stated in units of quantity specified.
5. Prices quoted unless otherwise stated by bidder, will be considered as being based on delivery to destination as designated and to include any charges for packing, crating, containers, etc. and being in strict accordance with specifications as shown.
6. Wherever a reference is made in the specification or in describing the material, supplies or services required, of a particular trade name, manufacturers' catalog or model number, the bidder, if awarded a contract will be required to furnish the particular item referred to in strict accordance with the specifications or description unless a departure or substitution is clearly noted and described in the proposal by the bidder.
7. The bidder, if awarded an order or contract, agrees to protect, defend and save harmless the City against any demand for payment for use of any patented material, process, article or device, that may enter into the manufacture, construction, or form a part of the work covered by either order or contract; and he further agrees to indemnify and save harmless the City from suits or actions of every nature and description brought against it for, or on account of any injuries or damages received or sustained by any party or parties, by or from any of the acts of the contractor, his servants, or agents.
8. Samples, when requested, must be furnished free of expense prior to the opening of bids and, if not destroyed, will, upon request, be returned at the bidder's expense.

INSTRUCTIONS TO BIDDERS

1. Each bid must be signed by the bidder with his usual signature. Bids by partnerships must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and title of the person signing. Bids by corporations must be signed with the name of the corporation, followed by the signature of a person authorized to bind it in this matter.
2. Proposals, to receive consideration, must be received prior to the specified time of closing as designated in the invitation.
3. Envelopes must be sealed when submitted.
4. Separate proposals must be submitted on each reference number.
5. Proposals having any erasures or corrections thereon will be rejected unless explained or noted over the signature of the bidder.
6. Bidders may submit proposals on any one or group of items, provided, however, that the unit price is shown as requested.
7. References in the specification or in describing the material, supplies or services required, of a particular trade name, manufacturers' catalog or model number are made for descriptive purposes to guide the bidder in interpreting the type of material or supplies or nature of the work desired.

They should not be construed as excluding proposals on other types of materials and supplies or of performing the work in a manner other than specified.

However, the bidder's attention is called to paragraph six of the General Conditions as shown above, which must be strictly adhered to.
8. Proposals should be mailed or delivered to the City Purchasing Office, second floor, City Building, One Donham Plaza, Middletown, OH 45042.

CITY OF MIDDLETOWN
AFFIDAVIT FOR DELINQUENT PERSONAL PROPERTY TAX

_____, being first duly sworn says that he is the _____

of _____, which company is submitting a bid

to the City of Middletown for _____

on _____. (date)

Affiant says that no personal property taxes are currently due to Butler/Warren County, Ohio, as of the date of said bid.

SWORN TO AND SUBSCRIBED before me, a notary public this _____ day of _____, 20_____.

Notary Public

My Commission expires _____, 20_____.

(ORC 5719.042)

CITY OF MIDDLETOWN
AFFIDAVIT

RELATIONSHIP TO CITY OFFICIALS OR EMPLOYEES TO BE SIGNED BY AN OFFICER OF BIDDER

STATE OF OHIO
COUNTY OF _____,ss

_____ (name and title) being first duly sworn says that he/she is related by blood or marriage to the following City of Middletown officials or employees _____
(if none, write in "none")

Affiant further states that he/she knows of no person in his/her company who is related by blood or marriage to any City of Middletown official or employee, except the following:

<u>Name of Company Person</u>	<u>Relationship</u>	<u>City Official or Employee</u>

(If none, write "no exception")

Further affiant saith not.

(Signature)

(Title and Company Name)

(Address)

SWORN TO AND SUBSCRIBED before me a notary public this ____ day of _____, 20_____.

Notary Public

My Commission expires _____, 20_____.

CERTIFICATION

ORC Section 3517.13 (I)(3) & (J) (3)

The undersigned hereby certifies that the entity entering into this contract with the City of Middletown is in compliance with ORC Section 3517.13 (I) (1) * or ORC 3517.13 (J) (1)*, whichever is applicable.

Print Name of Business

By: _____

Printed Name _____

Title: _____

By: _____

Printed Name _____

Title: _____

Knowingly making a false statement on the certification is a felony of the fifth degree and the contract shall be rescinded. ORC Sections 3517.13 (A) (A) and 3517.992 (R) (3).

* These sections of the Ohio Revised Code deal with political contributions to members of City Council by individuals or business entities seeking to do business with the City of Middletown. Vendors should take adequate steps to be sure they are in compliance with these statutes prior to signing this certification.

This certification must be attached to all contracts involving the purchase of goods costing more than \$10,000.00 or services costing more than \$10,000.00.

CITY OF MIDDLETOWN

Specifications Tactical Body Armor

1.0 SCOPE

The City of Middletown is actively seeking proposals for 16 pieces of tactical body armor to be used by the Division of Police SRT (SWAT) team.

The body armor shall meet all requirements of testing in accordance with the latest edition of the National Institute of Justice (NIJ) standards, threat level IIIA. Proof of certification shall accompany bid. The product must be listed on the NIJ's "Bulletproof Vest Partnership" Bureau of Justice Assistance Program.

It is the intent of these specifications to describe a body armor for the Division of Police in sufficient detail to obtain bids from several vendors.

The Protech Titan model meets the needs of the City and may be used for comparison purposes. Other makes and models will be evaluated by City of Middletown personnel. Vendors are encouraged to bid comparable units. The model listed above is to be used for comparison purposes only.

While the purpose of this specification is to indicate certain minimum requirements, it is not the intent to exclude any bids, but is written to ensure the City of Middletown a body armor most suitable for its requirements.

2.0 EXCEPTIONS

The bidder shall list on a separate sheet of paper, titled "Exception(s) to the Bid Conditions and Specifications," any variations from or exceptions to the conditions and specifications of this bid. It will be the determination of a representative of the City of Middletown to decide what is or is not important in any variation or deviation of bid.

Whereas alternate features, additions, or deletions to the specifications will be given due and utmost consideration, they shall be clearly outlined by the successful bidder. Failure to comply may disqualify bid.

3.0 PRICE AGREEMENT

All prices must be firm for thirty (30) days.

Terms are to be listed on the proposal page.

All prices quoted are to include freight and any other charges for delivery to the Division of

Police, One Donham Plaza, Middletown, OH 45042.

4.0 AWARD CRITERIA

In making an award, the City of Middletown will evaluate the bids received considering such facts as listed below, as well as other factors which are considered pertinent:

- 4.1 Compliance with specifications
- 4.2 References
- 4.3 Delivery time
- 4.4 Total delivered net price
- 4.5 Availability of quick response to service requests
- 4.6 Comfort and fit
- 4.7 Guarantees/warranties
- 4.8 Bidder past history in performance
- 4.9 Compliance with NIJ specifications
- 4.10 Quality, workmanship, service and dependability of the product

The City of Middletown reserves the right to determine poor workmanship and quality.

Bidder shall submit with the proposal complete specifications and descriptive literature of the body armor bid.

The City of Middletown reserves the right to reject any or all bids, to waive technicalities or informalities, and to accept any proposal deemed to be in the best interest of the City of Middletown.

5.0 FREIGHT

All price quotes shall be submitted with freight costs included.

6.0 DELIVERY

Delivery must be made to the City of Middletown, Division of Police, One Donham Plaza, Middletown, OH 45042.

Delivery time shall be stated on page 1 of this proposal.

7.0 INVOICES

Invoices shall be mailed to the City of Middletown, Division of Police, One Donham Plaza, Middletown, Ohio 45042.

8.0 GUARANTEE

A copy of the manufacturer's standard guarantee shall be furnished with the bid.

9.0 SIZE AND FIT

The successful vendor will provide factory trained personnel to measure Division of Police personnel and provide a personal and satisfactory fit for each officer (male and female), and will provide a custom made unit, if necessary, at no additional cost. Female officers will be fitted for units specifically designed for females. Individual measurements must be taken by an authorized and trained representative of the manufacturer.

Due to the rotation of officers' schedules, there may be two separate fitting dates. Fittings may be scheduled outside the normal 8-5 working hours.

10.0 IDENTIFICATION

Each ballistics panel, front and back, shall be clearly identified with the manufacturer's name, manufacturer's model and style, ballistic standard Threat Level rating, serial number, date of manufacturer, garment size, and officer's name for whom the body armor was constructed.

11.0 PRODUCT LIABILITY INSURANCE

Vendor must submit with the proposal proof of product liability insurance. Vendor must specify per incident and total liability limits, as well as period of coverage.

12.0 REFERENCES

Vendor must submit with the bid a list of customers (preferably in the Ohio region) to whom the vendor has satisfactorily sold armor during the past three (3) years.

13.0 SAMPLES

Bidder must be prepared to submit a sample of the body armor if so requested by the City Purchasing Agent.

14.0 ADDITIONAL SERVICES

The City recognizes that the vendors participating in this bid may have a great deal of expertise at their disposal concerning the mechanics of this bid. Other services or benefits not specifically mentioned in these specifications which the vendor may be able to provide to assist Purchasing and the Division of Police will also be considered in the bid evaluation. If applicable, please submit a complete description of these extra services or benefits on company letterhead and submit with the bid.

15.0 SUBMISSION OF BIDS

All bids must be received in the Purchasing Office, no later than 11:00 a.m., August 19, 2008.

Envelopes must be clearly marked, "Body Armor, Bid 08-16." Bidders should take caution if U.S. Mails or other carriers are to be used for submission of bids. Mailing should be made in sufficient time for bids to arrive at the City Purchasing Office prior to the time and date specified above.

16.0 CONTACT PERSON

Please provide name and telephone number of contact person:

Name: _____ Phone No.: _____

17.0 ADDITIONAL INFORMATION

Additional information needed in the preparation of the bid package may be obtained by contacting Cindy Strayer, City of Middletown Purchasing Agent, 513/425-7832, or Lt. John Magill, 513-594-0906.

TECHNICAL SPECIFICATIONS

Tactical Body Armor

1.0 SCOPE

The Middletown Division of Police is seeking tactical body armor. Sixteen officers on the tactical SRT (SWAT) team are to be outfitted. Armor must meet NIJ IIIA standards and be listed with the "Bulletproof Vest Partnership" Bureau of Justice Assistance program.

The Protech Titan Assault Vest meets the needs of the City and may be used for comparison purposes. Equivalent (or better) pieces of equipment will be given a full evaluation and consideration.

2.0 SIZING

Sizes from Small through XXXL must be available.

3.0 DEFECTS

Unit shall be free from any defects affecting durability, service ability, appearance or the safety of the user. Workmanship and construction details, cutting, stitching and finishing shall be in all cases in accordance with first-class commercial textile standard practices for the intended purpose.

4.0 MINIMUM SPECIFICATIONS

4.1 Full front, back and overlapping side protection

4.2 Weapon retention system

4.3 Ripstop nylon interior carrier

4.4 1000 denier Cordura exterior carrier

4.5 Front to back closure

4.6 Pull down groin attachment system

4.7 Front and back plate pocket

4.8 Internal wire channel and mic tabs

4.9 Rear "Officer Down" drag strap

4.10 Bicep and ID attachment system

- 4.11 Internal cummerbund
- 4.12 Removable NIJ threat level IIIA ballistic panels
- 4.13 Molle attachment system
- 4.14 Minimum of 5 pocket attachments, magazine holder, utility pouch
- 4.15 Ballistic panels constructed of woven and laminated aramids
- 4.16 Ballistic bicep protection level IIIA
- 4.17 Ballistic yoke system IS NOT necessary