



Sealed bids will be received at the office of the Purchasing Agent, Karen Mays, located at the Central Warehouse, 990 Fishel Street, Martinsville, no later than **2:00 p.m. on Monday, December 11, 2017,** to contract with vendors to supply and deliver Food/Products to the Martinsville City Jail and City Annex, subject to the attached specifications and conditions contained herein.

If unable to bid, please sign and return this form, advising reason for not submitting a bid.

BIDDERS SHALL SIGN THIS FORM WITHOUT DETACHING FROM REST OF BID AND RETURN BID IN ITS ENTIRETY. FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY BE CAUSE FOR REJECTION OF BID.

ANY BID RECEIVED AFTER THE ANNOUNCED TIME AND DATE OF OPENING, WHETHER BY MAIL OR OTHERWISE, WILL NOT BE CONSIDERED AND WILL BE RETURNED UNOPENED.

Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. On the contrary, all responsible firms, local, faith-based, minority-owned and female-owned are encouraged to submit a bid. The City of Martinsville reserves the right to accept or reject any and all bids, to waive any informalities, and to place the order with the lowest responsive and responsible bidder/s where it appears it will be to the best interest of the City of Martinsville.

We are asking that all quoted prices shall remain firm for a period of 6 months. Please make any corrections or changes to the pack or size in order to correctly price each item.

If you have any questions, please contact Karen Mays at 276-403-5354.

PLEASE SEND AN EMAIL COPY OF YOUR PRICES TO kmays@ci.martinsville.va.us PLUS A HARD COPY, AS BELOW.

RETURN BIDS TO KAREN MAYS, PURCHASING AGENT, CITY OF MARTINSVILLE, CENTRAL WAREHOUSE, 990 FISHEL STREET, MARTINSVILLE, VA. 24112-3248 (for UPS, FedEx or hand deliver). BIDS ALSO MAY BE MAILED TO THE CITY OF MARTINSVILLE PURCHASING DEPARTMENT, P O BOX 1112, MARTINSVILLE, VA. 24114-1112 (for postal).

Each bidder shall submit a bid in a sealed envelope and mark outside of envelope with subject and bid opening date.

WITHDRAWAL OF BID DUE TO ERROR.

A bidder for a public construction contract, other than a contract for construction or maintenance of public highways, may withdraw his bid from consideration if the bid price was substantially lower than the other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or unintentional omission of a quantity of work, labor or material made directly in the compilation of a bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of original work papers, documents and materials used in the preparation of the bid sought to be withdrawn. The bidder shall give notice in writing of his claim or right to withdraw his bid within two (2) business days after the conclusion of the bid opening procedure, and shall submit original work papers with such notice.

In compliance with Invitation for Bid, and subject to all conditions thereof, the undersigned offers and agrees to furnish any or all of the items upon which prices are quoted, at the price quoted for each item and delivered as specified.

My signature certifies that the accompanying bid is not the result of or affected by, any act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud punishable under Title 18.2, Chapter 12, Article 1.1 of the Code of Virginia, 1950, as amended. Furthermore, I understand that fraudulent and collusive bidding is a crime under the Virginia Governmental Frauds Act, the Virginia Government Bid Rigging Act, the Virginia Antitrust Act and Federal Law, and can result in fines, prison sentences and civil damage awards.

**I AGREE TO ABIDE BY ALL CONDITIONS OF THIS BID AND CERTIFY THAT
I AM AUTHORIZED TO SIGN THIS BID FOR THE BIDDER.**

NAME OF BIDDER _____

ADDRESS _____

SIGNATURE _____

NAME (TYPE OR PRINT) _____

OFFICIAL TITLE _____

DATE _____

TELEPHONE NUMBER _____

FAX NUMBER _____

EMAIL ADDRESS _____

IMPORTANT - READ CAREFULLY BEFORE SUBMITTING BID

CITY OF MARTINSVILLE PURCHASING DEPARTMENT

GENERAL TERMS, CONDITIONS, AND INSTRUCTIONS

1. **SUBMISSION AND RECEIPT OF BIDS:**

- (a) BIDS, TO RECEIVE CONSIDERATION, MUST BE RECEIVED PRIOR TO THE SPECIFIED TIME AND DATE OF OPENING AS DESIGNATED IN THE INVITATION.
- (b) UNLESS OTHERWISE SPECIFIED, BIDDERS MUST USE THE BID FORM FURNISHED BY THE COUNTY. FAILURE TO DO SO MAY CAUSE BID TO BE REJECTED. REMOVAL OF ANY PART OF THE BID FORM MAY INVALIDATE THE BID.
- (c) ALL BIDS SHALL BE EITHER TYPEWRITEN OR FILLED IN WITH INK IN ORDER TO BE CONSIDERED. ALSO, ALL BIDS MUST BE SIGNED IN INK IN ORDER TO BE CONSIDERED. BIDS FILLED IN WITH PENCIL WILL BE REJECTED.
- (d) BIDS CONCERNING SEPARATE BID INVITATIONS, MUST NOT BE COMBINED ON THE SAME FORM OR PLACED IN THE SAME ENVELOPE. BIDS SUBMITTED IN VIOLATION OF THIS PROVISION MAY NOT BE CONSIDERED.

2. **DELIVERY POINT:**

ALL ITEMS SHALL BE DELIVERED F.O.B. DESTINATION, AND DELIVERY COSTS AND CHARGES INCLUDED IN THE BID PRICE.

3. **BRAND NAMES:**

IF AND WHEREVER IN THE SPECIFICATIONS A BRAND NAME, MAKE, NAME OF ANY MANUFACTURER, TRADE NAME, OR VENDOR CATALOG NUMBER IS MENTIONED, IT IS FOR THE SOLE PURPOSE OF ESTABLISHING A GRADE OR QUALITY AND CHARACTERISTICS OF GOODS THAT WILL BE ACCEPTED. SINCE THE CITY DOES NOT WISH TO RULE OUT OTHER COMPETITION AND EQUAL BRANDS OR MAKES, THE PHRASE: OR APPROVED EQUAL IS ADDED.

4. **QUALITY:**

ALL MATERIALS USED FOR THE MANUFACTURE OR CONSTRUCTION OF ANY SUPPLIES, MATERIALS, OR EQUIPMENT COVERED BY THIS BID SHALL BE NEW. THE ITEMS BID MUST BE NEW, THE LATEST MODEL, THE BEST QUALITY, AND THE HIGHEST GRADE WORKMANSHIP.

GENERAL TERMS, CONDITIONS, AND INSTRUCTIONS

5. **BASIS FOR REJECTIONS AND AWARD:**
THE CITY OF MARTINSVILLE RESERVES THE RIGHT TO ACCEPT OR REJECT ALL BIDS OR PARTS OF BIDS, TO WAIVE IRREGULARITIES AND TECHNICALITIES, AND TO REQUEST REBIDS. THE CITY ALSO RESERVES THE RIGHT TO AWARD THE CONTRACT ON SUCH MATERIAL THE CITY DEEMS WILL BEST SERVE ITS INTEREST. THE AWARD WILL BE MADE AND POSTED BY THE CITY TO THE LOWEST RESPONSIBLE BIDDER WITH THE LOWEST RESPONSIVE BID WHICH IS IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS OF THE BID AND IS IN CONFORMANCE WITH THE CITY OF MARTINSVILLE PURCHASING MANUAL THE CODE OF VIRGINIA.
6. **INTERPRETATION OF BID:**
IF ANY PARTY CONTEMPLATING THE SUBMISSION OF A BID ON THIS INVITATION IS IN DOUBT AS THE TRUE MEANING OF ANY PART OF THE BID, HE SHOULD CONTACT **KAREN MAYS, PURCHASING AGENT, AT 276-403-5354.** ANY RESULTING CHANGE TO THE BID INVITATION DOCUMENT WILL BE MADE ONLY BY WRITTEN ADDENDUM DULY ISSUED TO EACH PARTY RECEIVING A BID INVITATION. THE CITY WILL NOT BE RESPONSIBLE FOR ANY CHANGES EXCEPT AS NOTED THROUGH A WRITTEN ADDENDUM OR SO STATED BY THE PURCHASING DEPARTMENT FOR THE CITY OF MARTINSVILLE.
7. **RIGHT TO NEGOTIATION:**
IF A BID FROM THE LOWEST RESPONSIBLE BIDDER EXCEEDS THE FUNDS AVAILABLE FOR SERVICES AND/OR MATERIALS REQUESTED, THE CITY OF MARTINSVILLE RESERVES THE RIGHT TO NEGOTIATE. SUCH NEGOTIATIONS WITH THE LOWEST RESPONSIBLE BIDDER MAY INVOLVE DISCUSSION OF REDUCTION OF QUALITY, QUANTITY OR OTHER COST SAVING MECHANISMS.
8. § 2.2-4311. EMPLOYMENT DISCRIMINATION BY CONTRACTOR PROHIBITED; REQUIRED CONTRACT PROVISIONS. SEE VA CODE FOR DETAIL INFORMATION.
9. PIGGY BACK CLAUSE. ACCORDING TO THE STATE OF VA PROCUREMENT CODE ANY OTHER AGENCY WITHIN THE STATE OF VA MAY USE THIS BID AS A BASIS FOR PROCURING SUCH ITEMS.
10. THE CITY OF MARTINSVILLE RESERVES THE RIGHT TO BUY FOR ADDITIONAL PRODUCTS/SERVICES OF SIMILARITY FROM AWARDED VENDOR OF THIS CONTRACT WITHOUT GOING THROUGH THE BIDDING PROCESS FOR ONE (1) CALENDAR YEAR FROM THE DATE OF THE NOTICE OF AWARD FROM THIS CONTRACT. **THE CITY RESERVES THE RIGHT TO AWARD AS DETERMINED TO BE IN THE BEST INTEREST OF THE CITY. THE CITY IS WILLING TO AWARD ITEMS TO THE LOWEST BIDDER AS LONG AS THE BIDDER IS QUOTING ALL OR MOST OF THE ITEMS. WE WILL NOT AWARD A FEW ITEMS ON THIS BID REQUEST IF YOU DID NOT QUOTE ALL OR MOST OF THE ITEMS, AND WE ARE NOT WILLING TO AWARD ALL OR NONE.**