

BRIGHAM CITY CORPORATION

Tree Trimming Work Proposal

GENERAL INSTRUCTIONS

- A. OBJECTIVE:** The purpose of this Request, including attachments, is to enable Brigham City Corporation (BCC) to obtain a constant resource for the purpose of trimming trees within its service territory of Brigham City. BCC anticipates entering into a relationship with the successful Bidder for a three (3) year period with a renewal option for additional two (2) years upon mutual agreement of the parties.
- B. SCOPE:** This information explains BCC's requirements and requests information regarding the rates for services, availability of the vendor and expected response times of the vendor to perform emergency work in the City. This request does not constitute an offer to contract, but rather seeks to establish a common framework within which an agreement may be reached with the successful respondent. Work shall include, but not be limited to, the following:

Trimming trees in and around energized power lines

Removal of trees and brush

Interaction with customers to secure permission to trim

Handle customer complaints

Appropriate disposal of waste

The selected firm shall maintain a single point of contact which will be determined by BCC for all work performed for BCC.

The vendor may include in its submission a detailed list of recent tree trimming projects associated with electrical systems as well as detailed resumes of key employees the vendor will use to meet the requirements.

- C. COMPANY OVERVIEW:** BCC is a municipal corporation with an electrical distribution system servicing Brigham City, Utah. BCC is focused on providing its customers with outstanding and reliable electric retail energy service at the best possible price.

D. DISCLAIMERS:

1. **Legal Status:** This information does not constitute, and should not be interpreted as, a legal contract between BCC and any Bidder. The submission of a proposal to BCC and subsequent evaluation of that proposal by BCC does not constitute any kind of legal contract, even if all the required functions and features stated in the proposal are fully met.
2. BCC reserves the right to accept or reject any and all proposals, and to waive any formality or technicality in any proposal herein, if it is believed to be in the best interest of Brigham City.

E. Proposal Due Date: All Bid Submissions will be due June 17, 2011 at 4:00 p.m. MDT. Any bids received after this deadline will not be considered.

F. Submission Procedures:

1. Before submitting a bid, Bidder should ascertain all of the project conditions and requirements and determine for themselves the existing conditions and the extent of which they will affect the proposal. Failure to take this precaution will not release the successful Bidder from performing the work in strict compliance with the terms of the contract. If, in the judgment of Bidder, any item in this document is unclear or ambiguous, Bidder understands and agrees that it has an affirmative duty to ask questions and request clarification. A written request for an interpretation or correction thereof shall be received at least five (5) days prior to the date fixed for opening proposals. Bidder should contact:

Dave Burnett, Public Power Director
435-734-6623
Email: dburnett@brighamcity.utah.gov
Fax: 435-723-8132

2. **Submission of Proposal:** Each proposal shall be completely sealed in a package, marked with the name and address of the Bidder and the name of the project. The proposal must be delivered to the place named in the official advertisement and before the specified time.
3. **Modification of Delivered Proposal:** Change in a proposal already delivered will be permitted only if the request for the privilege of marking such modification is made in writing, signed by the Bidder, and the specific modification itself is stated prior to the scheduled closing time for the receipt of proposals. To be effective, every modification must be made in writing over the signature of the Bidder. No other form or procedure will be acceptable.
4. **Withdrawal of Proposal:** A proposal may be withdrawn prior to the scheduled closing time if the Bidder appears in person or upon a written or email request. A telephoned request for withdrawal will not be recognized for this purpose. No

Bidder will be permitted to withdraw their proposal after the scheduled closing time for filing bids unless the contract has not been awarded before the expiration of the thirty day (30) period immediately following the proposal submittal date. Bids received after the scheduled closing time will be returned to the Bidder unopened.

- 5. Opening and Rejection of Proposals:** All proposals received prior to the scheduled closing time and which are not withdrawn as provided above will be opened and read even though there may be irregularities or informalities therein, except that any proposal which is not signed will not be read and will be rejected without consideration.
- 6. Pricing:** BCC's tree trimming budget is a set amount, and when budget funds are expended the work and payments for said budget year will cease. Bid pricing will be based on unit pricing with divisions of labor (Foreman, Trimmer, Groundman, Other), rates per hour of labor (Regular Time, Overtime, etc.), Machinery (Lift Truck, Split Dump, Brush Chipper, Other) rates per hour of use.
- 7. Award of Contract:** The contract will either be awarded or all proposals rejected within thirty (30) calendar days of the opening. The contract will be awarded to the lowest responsible Bidder that meets all of the requirements within this document unless all proposals are rejected. Alternate bid items shall not be considered in the award of the contract.
- 8. Addenda:** Any addenda issued during the time of bidding will be in the form of written addenda to the specifications and will be mailed to each person who has previously received a set of Contract Documents. All addenda so issued shall become a part of the Contract Documents.

G. Bidders Response: Bidders should submit bids that re-state each numbered paragraph followed by a complete and accurate response. Responses should be as precise as possible. Supporting information expanding upon specific responses may be provided in the form of an addendum to the main submission. Bidders are invited to identify the strengths and attributes of their company, product, strategy, or vision that best qualifies them to meet this bid. BCC reserves the right to reject any responses that fail to comply with the stated format.

- 1. Financial Stability:** Provide your company's profile (e.g., annual report detailing background, financial reports, management experience and tenure, profitability, etc.) or provide web link. Provide a Dunn & Bradstreet Supplier Evaluation report if available or a financial statement.
- 2. Company Locations:** Indicate your company's location(s) that will be used if you are the successful Bidder.

3. **Tree Trimming:** Identify your company's experience and safety record when working in close proximity to electric distribution systems during the last three years. List any certifications your employees hold that would be considered complimentary to your response. The successful Bidder will provide ongoing safety programs for its workers as well as quality assurance programs. Please state if the Bidder has familiarity. The vendor's submission should address its organization with regards to tree trimming and its approach to tree trimming for electrical distribution systems. The successful Bidder will be required to keep daily records of the work performed.
4. **References:** Provide five (5) references from other owners of electrical distribution systems. Each reference must be from a different organization. References should include a name, company and telephone number as these references will be contacted.
5. **Submission Evaluation:** Proposals will be evaluated and ranked by BCC. Upon completion of BCC's evaluation each Bidder will be informed of the status of its response. At Bidder's sole expense, Bidder may be asked to attend a meeting in Brigham City to answer specific questions regarding its bid, provide a presentation, and demonstrate its product and services.
6. Bid criteria will be based on above information and past experience in providing similar services to an Electric Utility.

H. Insurance: The successful Bidder is required to have the following insurances:

1. **Workers Compensation and General Liability Insurance** sufficient to cover all of the contractor's employees pursuant to Utah Law. This requirement includes those who are doing business as an individual and/or as a sole proprietor as well as corporations and partnerships. In the event that any work is subcontracted, the contractor shall require the subcontractor(s) similarly to provide compensation insurance for the latter's employees, unless a waiver of coverage is allowed and acquired pursuant to Utah Law.
2. **Commercial General Liability (CGL) insurance with Brigham City Corporation as additionally insured** in the amount of \$2 million per occurrence with a \$3 million aggregate and \$3 million products and completed operations aggregate. These limits can be covered either under a GCL insurance policy along with, or a combination of, a CGL insurance policy and an umbrella insurance policy and/or a CGL insurance policy and an excess insurance policy. The policy shall protect Brigham City Corporation, the contractor, and any subcontractor from claims for damages and for personal injury including accidental death including claims for property damage that may arise from the contractor's operations while performing services for BCC whether performed by the contractor, any subcontractor, or anyone directly or indirectly employed by either the contractor or

subcontractor. Such insurance shall provide coverage for premises, operations, acts of independent contractors, products, and completed operations.

3. Certificates of Insurance must be submitted with the signed contract and must name Brigham City Corporation as additionally insured.
- I. **Safety:** BCC is committed to safety including the safety of employees, vendors, contractors and the general public. The successful Bidder must commit to adhering and upholding the highest safety standards. The successful Bidder must provide assurance of Workers Compensation coverage.
 - J. **Equipment:** Provide a list of your company's equipment that will be used if your company is the successful Bidder. Include in the list the age and intervals of test certifications of the units and general description.
 - K. **Environmental Commitment:** BCC is an environmentally conscious entity. To maintain our commitment to the environment, any vendor responding to this bid must demonstrate that their company recognizes and operates in an environmentally friendly manner.

The undersigned has carefully checked all of the above information and requirements and understand that BCC will not be responsible for any errors or omissions on the part of the undersigned in making up this bid.

In submitting this bid, it is understood that the right is reserved by BCC to reject any and all bids and award any and all schedules together or separately in the interest of BCC. Alternate bid items shall not be considered in the award of the contract.

Submitted by:

Bidder: _____

Date of Proposal: _____

Company Name (if different than 'Bidder'): _____

Contractor License #: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____