

**THE LOCAL GOVERNMENT PURCHASING COOPERATIVE
GENERAL INFORMATION
TWO STORY MODULAR BUILDINGS
Sealed Proposal #353-10**

*****Please insure that you have either downloaded or printed all sections of this specification package. All proposal forms must be returned in a sealed envelope – no electronic responses will be accepted.**

PURPOSE OF THE CONTRACT:

The intent of this proposal process is to establish a contract for the purchase of various Two Story Modular Buildings and accessories used by various member entities of the purchasing cooperative. Purchases can be made by any cooperative member entity at any time within the contract.

The buildings shall be factory assembled off site and delivered to the site in sections and installed on an engineered concrete slab foundation/floor system. **Wood or steel framed floor systems for first story floor will not be considered.**

The buildings shall be engineered and designed in accordance with the Standards established by Texas Department of Labor and Regulations "TDL&R" and the latest editions of applicable model building and energy codes. The buildings shall be manufactured in a TDL&R approved manufacturing facility.

This is not a request for a defined construction project.

For proposals to be considered from vendors with a current Cooperative contract award for the same or similar commodity or products the submitted pricing must be equal to or better than what was awarded under the expiring contract. Pricing that is not considered equal or better could result in the vendor's proposal being determined non-competitive and not considered for award.

TERM OF CONTRACT:

The term of this contract will be for one (1) year beginning May 1, 2010, with two (2) possible one – year extensions. The vendor has no right to or vested interest in an extension and any extensions must be mutually agreed upon in writing by both parties. Each successful vendor shall supply products at the discount structure established for the duration of the contract. Successful vendors shall honor all purchase orders prepared by each cooperative member entity.

The estimated value of this contract is unknown since this type of building has not been included in the BuyBoard previously. The actual order quantities will be dependent on usage and budget availability and purchases will be made by the individual cooperative member entities as needs arise.

AWARD AND EVALUATION:

This proposal will be awarded in the best interest of the Cooperative based on the evaluation and award criteria included in Item #7 of the General Terms and Conditions.

Awarded proposals will not be active on the Buyboard until price sheets or catalogs are submitted in the proper format to be posted to the Buyboard.

TYPE OF CONTRACT:

Contract prices shall include all transportation charges (FOB Destination). Separate or additional transportation charges will not be paid by cooperative member entities.

By signing this proposal, the proposer certifies that the proposing entity has obtained, and will continue to maintain during the entire term of this contract, all permits, approvals, or licenses, necessary for lawful performance of its obligations under this contract.

The scope of service in this RFP does not include services that are required to be procured under the Professional Services Procurement Act (Chapter 2254 of the Texas Government Code), including without limitation architectural

and professional engineering services.

Individual School District Members of the Cooperative may in certain circumstances request background checks on vendor employees who will have direct contact with students.

DELIVERY RESPONSE:

Routine delivery response to any cooperative member entity shall be within 10 working days after receipt of purchase order. Delivery shall be made during normal working hours of the individual ordering entity.

Any participating entity may request emergency delivery. Successful vendors shall use their best efforts to comply with rush or emergency requests. However, if the successful vendor cannot fulfill the emergency delivery requirements, the participating entity may procure its needs from alternative sources without penalty.

WARRANTY/GUARANTEE:

All products purchased under this contract shall be **NEW** and free from defects. The awarded vendors shall have sole control of the defense of any action on claims and all negotiations for its settlement or compromise.

BID PREPARATION INSTRUCTIONS:

Catalog/Price List **must** be included with proposal.