



Public Works Service Operations

DATE: April 23, 2024

FROM: Steven Salwei, Director Public Works Services

ITEM: Concrete Street Light Poles Bid Award

REQUEST:

Award bid for Concrete Street Light Poles to Graybar Electric Company, Inc. for Public Works Service Operations Electrical Division.

BACKGROUND INFORMATION:

Bids were opened on Friday, April 12, 2024, for Concrete Street Light Poles. Three bids were received. The recommendation is to award to the lowest bid, Graybar Electric Company, Inc. for a total sum of \$89,114.25. In the event the company is unable or unwilling to fulfill the agreement, we request to award to the next lowest bidder. The bid tabulation and RFB are attached.

RECOMMENDED CITY COMMISSION ACTION:

Award the Concrete Street Light Poles to Graybar Electric Company, Inc. in the amount of \$89,114.25.

STAFF CONTACT INFORMATION:

Paul Lies, Traffic Maint. Superintendent, 701-355-1719, plies@bismarcknd.gov

ATTACHMENTS:

1. 2024 Concrete Street Light Poles - Request for Bids
2. 2024 Concrete Street Light Poles - Bid Tab
3. Addendum 1 - Advertisement Seeking Bids for Concrete Street Light Poles 2024

**REQUEST FOR BIDS
TO PROVIDE
CONCRETE STREET LIGHT POLES**

CITY OF BISMARCK
PUBLIC WORKS DEPARTMENT
ELECTRICAL DIVISION

BIDS RECEIVED BY:
9:00 A.M. CT
WEDNESDAY, APRIL 10, 2024

OFFICE OF THE CITY ADMINISTRATOR
PO BOX 5503 (221 N 5TH ST, 4th Floor)
BISMARCK ND 58506-5503

DEPARTMENT OF PUBLIC WORKS
PO BOX 5503
BISMARCK ND 58506-5503
(701) 355-1700, option 3

ADVERTISEMENT

The City of Bismarck Public Works Service Operations is seeking bids to provide Concrete Street Light Poles.

Sealed bids will be received in the office of the City Administrator, until 9:00 A.M. CT, on Wednesday, April 10, 2024. Bids will be publicly opened and reviewed at 10:00 A.M. CT, on Wednesday, April 10, 2024.

The sealed bid must be mailed to the City Administrator (PO Box 5503, Bismarck ND 58506-5503) or otherwise deposited with the City Administrator (221 North Fifth Street, 4th Floor, Bismarck ND 58501) and shall be sealed and endorsed:

“Bid to Provide Concrete Street Light Poles”

Name of the person, firm or corporation submitting the bid.

If a bid is to be faxed, the bid must be sent to a bidder’s agent independent of the City of Bismarck, placed in a sealed envelope, labeled according to this specification, and delivered to the office of the City Administrator prior to the bid deadline.

Specifications may be downloaded from the website or obtained from Public Works Service Operations, 601 S 26th St, Bismarck ND 58504, or Gale Nicholson, publicworksservice@bismarcknd.gov or 701-355-1707. All bidders are invited to be present at the opening of bids.

Bids shall be made on the basis of cash payment for the equipment provided, delivered to the City of Bismarck Public Works Department.

There shall be deducted from any money due the supplier the sum of Fifty Dollars (\$50.00) for each calendar day that the delivery is delayed. Such deducted amounts shall be charged as liquidated damages and not as a penalty.

In accordance with North Dakota state law, a **separate envelope** containing a bid bond in the amount of five (5) percent of the total amount bid must be attached to the outside of the proposal/bid envelope and labeled “**Bid Bond**”. Bonds of the unsuccessful bidders will be returned to them after making the award.

The Board of City Commissioners reserves the right to hold all bids for a period of forty-five (45) days after the date fixed for the opening thereof and reject any or all bids and to waive irregularities whenever it is for the best interest of the City of Bismarck.

CITY OF BISMARCK
Jason Tomanek
Acting City Administrator

Adv 3/23 & 3/30

GENERAL SPECIFICATIONS

1. Bids may be accepted or rejected in the best interest of the City of Bismarck.
2. The bid will be awarded on the lowest Total Sum based on the street light pole quantities and descriptions listed on the bid sheet.
3. Bids may be rejected if they show any alteration of form, additions not called for, conditional or alternate bids, incomplete bids, or irregularities of any kind, or if they contain a clause in which the bidder reserves the right to accept or reject a contract awarded to him. Bids in which the prices are obviously unbalanced or bids otherwise regular which are not accompanied by a satisfactory bid bond will be rejected.
4. No bid will be considered unless accompanied by a bidder's bond in an amount equal to five (5) percent of the gross sum bid, attached to the outside of the bid envelope, which bond will be forfeited should the bidder fail to effect a contract within ten (10) days after a notice of award.
5. The total price is to be less federal excise tax for which exemption certificates will be furnished.
6. Contractor awarded the bid, must submit Detailed Manufacturer's Specifications that must be approved by the City, prior to ordering the poles.
7. All concrete street light poles shall be delivered to the City of Bismarck no later than August 27, 2024, a maximum of 18 weeks after award.
8. Purchases by the City of Bismarck are not subject to the North Dakota State Sales Tax.
9. Bids shall be on the bid forms furnished in the specifications packet.
10. Liquidated Damages. Owner and Contractor recognize that time is of the essence of this Agreement and that the Owner will suffer inconvenience and financial loss if the delivery date is not met. The parties recognize the difficulties of estimating or proving the financial loss and/or inconvenience of the Owner by the failure to meet the delivery date. Both the Owner and Contractor agree that the Owner has made a reasonable estimate of financial loss and inconvenience caused by a delay that the stated damages are reasonable in amount and reasonably related to the actual damages that would be suffered by the Owner as a result of delayed delivery. Accordingly, instead of requiring any actual proof of damages, Owner and Contractor agree to the sum of \$50 per each day of non-delivery beyond the delivery deadline as reasonable liquidated damages (and not as a penalty) and also agree that the recitals in this paragraph are conclusive presumptions pursuant to NDCC Section 31-11-02.

11. The City reserves the right to waive all technicalities or deviations from specifications, if deemed not material, in the City's sole discretion.
12. As a political subdivision, the City of Bismarck will not agree to indemnify or hold harmless any bidder or contractor for any actions or negligence of the bidder or contractor or for any third-party liability. The City of Bismarck will agree to be responsible for its own actions and for the actions of its officials, officers, employees, or agents. By submitting a response to this RFP, the bidder or contractor agrees that it will not ask the City of Bismarck to indemnify or hold harmless the bidder or contractor.
13. It is the policy of the City of Bismarck to comply with all laws, rules, regulations, and orders with respect to local preference, non-discrimination, wages and hours and all other applicable laws, rules, regulations, and orders. All suppliers, contractors, and service providers doing business with the City of Bismarck must certify that they are in compliance with all federal, state, and local laws, regulations and orders including but not limited to those regarding non-discrimination, wages and hours, workers' compensation, and immigration. Failure of compliance may result in the cancellation of any City of Bismarck contract and exclusion from consideration for future contracts.

SPECIAL PROVISION NO. 1
PROVIDE
TYPE DP STREET LIGHT POLE NO ARM
12' Minimum Pole Height Above Grade

Prices provided shall include shipping to the City of Bismarck street light pole storage area located at the Solid Waste Facility at 2111 North 52nd Street.

The street light pole standards shall be furnished per City of Bismarck Standard Specification with the following provisions:

Type DP light standard, concrete having the following features:

1. Precast, pre-stressed spun concrete, direct embedded, tapered, 12-ft nominal mounting height.
2. Minimum of 3 1/2-inch OD by 17-inch-long cast aluminum tenon with a maximum of 3 7/8-inch OD
3. Color and finish: Equivalent to Ameron VER04, white natural, exposed aggregate finish with amershield anti-graffiti coating or Stresscrete Color: Bismarck tan finish: etched.
4. Handhole opening, Ameron placed at 90° & 270 ° to curb side, minimum 1 5/8"X7" or Stress Crete placed at 90° to curb side, minimum 2 1/2"X8" opening with cast aluminum frame and cover with stainless steel screws.
5. Cable entrances, placed at 90° and 270° to curb side, minimum 2 1/4" X 9".
6. GFI box cast in place.
7. Grounding lead to bond the pole to the grounding system.
8. See attached shop drawings.
9. Manufacturers and model number:
Ameron VER04
Stresscrete KD(NF)12-G-T-E84-GFI-C/W 140(40/200)

SPECIAL PROVISION NO. 2
PROVIDE
TYPE L & L1 STREET LIGHT POLE STANDARDS
28' Minimum Mounting Height

Prices provided shall include shipping to the City of Bismarck street light pole storage area located at the Solid Waste Facility at 2111 North 52nd Street.

The street light pole standards shall be furnished per City of Bismarck Standard Specification with the following provisions:

Type L and L1 light standard, concrete having the following features:

1. Precast, pre-stressed spun concrete, direct embedded, octagonal, tapered, 28-foot nominal mounting height.
2. 6-foot galvanized steel mast arm with 4-bolt arm clamp with scroll assembly, Ameron Part No. C6ARMA.
3. Mix color and finish: equivalent to Ameron color No.112-sky gray, or Stresscrete Concrete color salt & pepper with gloss acrylic graffiti resistant coating.
4. Bolt on cast aluminum top cap with (2) 3/8" X 1" cap screws.
5. Handhole opening, placed at 180° to curb side, minimum 2 1/4" X 7" opening with cast aluminum frame and cover with stainless steel screws.
6. Cable entrances, placed at 90° and 270° to curb side, minimum 2 1/4" X 9".
7. Grounding lead to bond the pole to the grounding system.
8. Manufacturers and model number:
Ameron MEO-8.5-C6-Brace
Stresscrete E330-BPO-G-S30-AG C/W

Submission for preapproved equals shall be per Section 1004 of the Standard Specifications.

BID SHEET

Bidder: _____

Date: _____, 2024

To The Honorable Board of City Commissioners

Bismarck, North Dakota

Commissioners:

We the undersigned agree to furnish to the City of Bismarck the following: Concrete Street Light Poles conforming to the General Specifications and the Special Provisions at bid prices listed below.

CONCRETE STREET LIGHT POLES

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Special Provision 1	5	EA	\$	\$
Special Provision 2	30	EA	\$	\$
TOTAL SUM			\$	\$

COMPANY _____

SIGNATURE _____

PRINTED NAME _____

TITLE _____

MAILING ADDRESS _____
City State Zip

PHONE NUMBER _____

EMAIL _____

CITY OF BISMARCK
221 North 5th Street
Bismarck ND 58501
CONCRETE STREET LIGHT POLES - BID TABULATION
Friday, April 12, 2024

Bids Received - 3:00 p.m. CT Bids Opened – 4:00 p.m. CT

VENDOR			Graybar Electric Company, Inc		Dakota Supply Group		Border States Electric Supply	
ACKNOWLEDGED ADDENDUM #1			Yes		Yes		Yes	
ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
Special Provision 1	5	Each	\$1,603.35	\$8,016.75	\$3,360.00	\$16,800.00	\$3,315.74	\$16,578.70
Special Provision 2	30	Each	\$2,703.25	\$81,097.50	\$2,705.00	\$81,150.00	\$2,664.97	\$79,949.10
TOTAL:			TOTAL:	\$89,114.25	TOTAL:	\$97,950.00	TOTAL:	\$96,527.80

ADDENDUM NO. 1

**REQUEST FOR BIDS
TO PROVIDE
CONCRETE STREET LIGHT POLES**

**CITY OF BISMARCK
PUBLIC WORKS DEPARTMENT**

BIDS RECEIVED BY: 9:00 A.M. CT on WEDNESDAY, APRIL 10, 2024

Addendum No. 1 to the Concrete Street Light Poles Request for Bids states as follows:

1. The advertisement was not published as scheduled; therefore, the date and time to receive bids and open and review bids has been changed.

The correct date and time(s):

Receive Bids By: 3:00 P.M. CT on Friday, April 12, 2024.

Bids Opened and Reviewed: 4:00 P.M. on Friday, April 12, 2024.

ADVERTISEMENT

The City of Bismarck Public Works Service Operations is seeking bids to provide Concrete Street Light Poles.

Sealed bids will be received in the office of the City Administrator, until ~~9:00 A.M. CT, on Wednesday, April 10, 2024~~ **3:00 P.M. CT on Friday, April 12, 2024**. Bids will be publicly opened and reviewed at ~~10:00 A.M. CT, on Wednesday, April 10, 2024~~ **4:00 P.M. CT on Friday, April 12, 2024**.

---end of Addendum 1---

This addendum shall become a part of the specifications and its receipt acknowledged on the envelope containing the proposal . *Bids will not be opened if said acknowledgement is not indicated on the envelope.*

Due to discrepancies with addendum acknowledgement on previous projects, the BIDDER shall also **include on the outside of the bid envelope the name and telephone number** of a person to be contacted in the event of a submitted bid package irregularity. The indicated individual should be available between receipt of bid and the opening should a question arise. Failure to resolve a submittal irregularity may result in the rejection of the bid package as submitted according to the City of Bismarck Board of City Commissioners' instructions and at their discretion.



Steve Salwei, P.E.
Public Works Service Operations Director

4-3-24

Date