Request for Bid (RFB) Terms and Conditions

1. Bid Acceptance

1.1 Olmsted County only accepts bids which have been submitted prior to the bid close date and time through the electronic bidding site. Bids submitted by any other form including, but not limited to oral, e-mail, facsimile, telephone or paper bids, in addition to the electronic submittal, shall be rejected entirely.

1.2 Bids shall be electronically unsealed and available for public viewing immediately after the established closing date and time.

1.3 The County reserves the right to make any decisions regarding the RFB process that provides the best value to the County. The Purchasing Manager shall have the right to reject any or all bids.

1.4 The County shall reject all bids from Bidders where there has been collusion among the Bidders.

1.5 Any costs incurred by Bidders responding to this RFB in anticipation of receiving a contract award will not be reimbursed by Olmsted County.

2. Late Bids

2.1 Per the Terms of Use of Olmsted County, bids may not be submitted after the submission deadline. The server clock shall govern.

3. Contract Development

3.1 The County intends to enter into a contractual agreement with the lowest responsible, responsive bidder by issuing either a purchase order or a written contract.

3.1.1 Responsible Bidder shall be defined as a bidder whose skills and abilities, reputation, past performance, and business and financial capabilities are such that the bidder would be judged by an appropriate authority as capable of satisfying an organization's needs for a specific contract.

3.1.2 Responsive Bidder shall be defined as a bidder whose bid does not vary from the specifications and terms set out in the Request for Bid, unless otherwise approved by the County.

3.2 The Contract Terms and Conditions are downloadable under the “Attachment” tab for this RFB on the electronic bidding site and represents typical language used in County agreements. Any requested modifications to the Contract Terms and Conditions language shall be submitted on or before the deadline for questions via the “Questions” tab on the website. The County reserves the right to reject proposed contract language.

3.3 A contract award shall be conditioned upon mutual agreement of any proposed contract language changes. If mutually accepted contract language cannot be agreed upon, the conditional contract award shall be withdrawn, and the County shall enter into contract negotiations with the next lowest responsive and responsible bidder.

4. Interpretations

4.1 Requests for additional information, interpretations, or corrections to Terms and Conditions, Specifications and or Drawings shall be initiated on or before the deadline for questions, by utilizing the "Questions" tab on the electronic bidding site.

4.2 Questions shall appear on the website as submitted.

4.3 Information obtained from any source other than the Bid Contact identified on the electronic bid site for the RFB shall be considered invalid. If any Bidder attempts any unauthorized communication, Olmsted County, in its sole discretion, may reject that Bidder's bid.

4.4 Any protest alleging improprieties in the solicitation process or in solicitation documents shall be filed no later than seven (7) calendar days prior to the deadline for submittal of bids. Protests shall be sent electronically to the Purchasing Manager.

5. Addenda

5.1 Addenda are defined as any change made to the project, including but not limited to, modifications or interpretations to the bidding documents by addition, deletions, clarification or corrections. All addenda issued by the County shall become a part of the specifications and shall be made part of the contract.

5.2 No addenda shall be issued later than five (5) calendar days prior to the date and time for receipt of bids except an addendum withdrawing the request for bids or one which includes postponement of the date of receipt of bids.

6. Bid Award

6.1 The County reserves the right to request additional information from the apparent successful Bidder including but not limited to: references, any prior and/or pending legal activity relative to the requirements of this bid; claims against performance bonds; Dun and Bradstreet reporting number and or; current information and data regarding the Bidder's resources, personnel, and organization.

6.2 Award shall be made to the lowest responsive, responsible bidder. Responsibility of bidders includes, but is not limited to, the financial responsibility, integrity, skill and the likelihood of performing faithful and satisfactory work, or the quality, suitability and adaptability of the materials.

6.3 The Purchasing Manager shall resolve low-tied bids in a manner which in the Manager's judgment is in the County's best interest.

6.4 Any protest regarding the recommendation or award of a contract shall be filed no later than ten (10) calendar days after the electronic bid opening. Protests shall be sent electronically to the Purchasing Manager.

7. Prohibited Interest

7.1 No member, officer, or employee of Olmsted County during their tenure or one (1) year thereafter shall have any interest, direct or indirect, in this bid or proceeds thereof.