

May 17, 2013

INVITATION TO BID

Sealed bids will be received by the City of Urbana until 2:00 p.m., local time, on May 28, 2013, in the Office of the Fire Chief, 400 South Vine Street, Urbana, Illinois, and then publicly opened and read for furnishing the following:

SELF-CONTAINED BREATHING APPARATUS

Bid specifications are attached. The City of Urbana is requiring bid prices on new equipment. Please direct any questions to Division Chief Brian Nightlinger at 217.722.7514 or blnightlinger@urbanaininois.us.

Bids must be submitted in a sealed envelope addressed:

Fire Chief, City of Urbana
400 S. Vine St.
Urbana, IL 61801

Envelope must be plainly marked on the outside as follows:

BID: Self-Contained Breathing Apparatus
OPENING: 2:00 p.m., local time
DATE: May 28, 2013

LEGAL RIGHT TO SPECIFY

The Urbana Fire Department (for the remainder of this section referred to as the “specifier”) chooses to exercise it’s Legal Right to Specify as determined by the U.S. Supreme Court affirmation on the decision handed down in the case of Whitten Corp. vs. Paddock, by the U.S. District Court of Massachusetts, the First Federal Court, which in effect States:

- 1.) That as trained professionals, the specifiers make informed judgments on products that they feel best serve their needs. Also, those proprietary specifications (if chosen) DO NOT violate any anti-trust laws. Technically, very few brands of material or equipment are exactly alike, and if the specifier wants to limit the specification to one source, he has the right to do so and enforce it.

- 2.) Only the specifier has the responsibility and judgment for determining whether a proposed substitution is an “equal”.
- 3.) That from the start to finish in the purchasing process, only the specifier can ultimately decide if another desirable product is available in lieu of the specification.
- 4.) Finally, that the concluded “the burden is on the supplier or manufacturer, who has NOT been specified, to convince the specifier that their product is equal for the purpose of a particular project.

The City of Urbana reserves the right to reject any and all proposals, and waive all technicalities deemed in the best interest of the Urbana Fire Department, and is not bound to accept the lowest proposal submitted. If the lowest proposal is not the best in the Urbana Fire Department’s opinion, of value received for the money expended, the right is reserved to make awards in the best interest of the Urbana Fire Department. In making awards, intangible factors, such as bidder’s reputation, past performance, access of service, parts availability, and Urbana Fire Department’s operator performance evaluation, will be weighed.

Any exceptions to these specifications must be detailed in a separate attachment, and failure to do so will automatically disqualify the bidder. Successful bidder must be a factory-authorized distributor to sell the equipment specified herein.

The successful bidder will note that the City pays by invoices every Friday. Invoices must be received by the Urbana Fire Department Administrative Assistant at least seven working days before the scheduled check date. If you have any questions concerning billing, contact the Urbana Fire Department Administrative Assistant at 217.384.2429.

Division Chief Brian Nightlinger
Urbana Fire Department
400 S. Vine Street
Urbana, Illinois 61801