

**REVISED: MARCH 6, 2003**



**CITY OF SAINT LOUIS**

**SUPPLY DIVISION**

ROOM 324 - CITY HALL  
TUCKER & MARKET STREETS  
ST. LOUIS, MISSOURI 63103

**TELEPHONE: (314) 622-4580**

**FAX NUMBER: (314) 622-4826**

**FRANCIS G. SLAY**  
MAYOR

**FREDDIE L. DUNLAP**  
SUPPLY COMMISSIONER

**Dear Vendor:**

The purpose of this guide is to explain the purchasing process by which the Supply Division procures needed goods and equipment for City agencies/departments. Competitive bidding is the basis for this process, providing City agencies/departments with the maximum value at the lowest cost to taxpayers.

To be included on the Vendor's List, or for additional information, Please call or write to:

Supply Commissioner  
Room 324 - City Hall  
1200 Market Street  
St. Louis, Missouri 63103  
Telephone Number: **(314) 622-4580**

Thank you for your interest. We look forward to providing you an opportunity to do business with us in the future.

Sincerely,

*Freddie L. Dunlap*

Freddie L. Dunlap  
Supply Commissioner

The procurement function of the City of St. Louis (Jurisdiction) is covered under Article XV, Sections 26, 27, 28, 29, 30 of the City Charter, and under Chapter 5.56 of the Revised Code.

## **VENDOR'S LIST**

The Supply Division maintains a business directory for supplies and services for St. Louis City agencies/departments. Business firms interested in submitting bids should request to be placed on the Vendor's List. Please send us your firm's name, address, telephone number, F.I.D. number and the type of commodity you sell.

It is the vendor's responsibility to notify the Supply Division of any changes in its ownership, officers and/or address at the time the change occurs.

### **TO: CONTRACT HOLDERS AND PROSPECTIVE BIDDERS**

**The City of St. Louis is under no obligation to give all potential vendors an opportunity to bid.** The business firms desiring to do business with the City of St. Louis should take the initiative by making sure they obtain the Request For Quote.

The City of St. Louis will deal only with companies that are stable and have service available when required. Bids are not solicited from so-called back-yard operators, temporary sales offices, or such vendors who stock no supplies or parts, nor offer other follow-up service.

The City of St. Louis may require a vendor to supply catalogs, brochures, names of officers, contract and service personnel, number of employees, F.I.D. number, a copy of the most recent annual report **or** a statement of gross annual sales, a definition of the marketing area served, and previous experience in selling to government.

The City of St. Louis will disqualify a vendor or contract holder for lack of performance. For example:

1. Delivery of commodities or equipment which does not meet specifications, or failure to replace defective merchandise.
2. Failure to make delivery within the time specified.
3. Failure to keep the offer firm for the length of time agreed in the bid.

**Termination of Award/Contract:** The City of St. Louis and the Supply Commissioner reserves the right to cancel any or all awards/contracts whenever the City shall determine that such termination is in the best interests of the City. The Supply Commissioner will provide the vendor with an official written Notice of Termination thirty (30) days prior to the effective date of termination.

For contracts, unless otherwise stipulated, it is hereby agreed that the City of St. Louis will receive the benefit for any reduction in prices during the life of the Contract,

but will only pay the Contract or Bid prices should any increases occur during the same period. No exact amount of usage is guaranteed. Any quantities listed are only estimates. Payments are subject to annual appropriation.

#### **REINSTATEMENT TO VENDOR'S LIST**

At any time after receiving formal notice of removal or suspension, the vendor may submit in writing or in person an explanation of the circumstances, which were the cause of removal or suspension, or substantiate that such circumstances have been corrected. On the basis of such proof, the Supply Commissioner may modify or rescind the removal or suspension.

#### **CAUTION TO VENDORS**

The vendor must furnish with bid all descriptive material (such as catalogue cuts, illustrations, drawings, or other information) necessary for the Supply Division to (a) determine whether the product offered meets the specifications, (b) establish exactly what the vendor proposes to provide. The information furnished may include specific references to information previously provided.

Unless the vendor clearly indicates with bid that he/she is offering an alternate product, bid shall be considered as offering the product referenced in the Request For Quotes.

**Failure of Vendor to fill in "Name of Firm" and Manual Signature on the Request for Quote (RFQ), may cause disqualification and/or rejection of bid.**

Surplus Property is sold by the Supply Division, by competitive bidding.

The City of St. Louis has a centralized purchasing function. Vendors **shall not** make sales to City Employees without a purchase order approved by the Supply Division and Comptroller, except for purchases under \$500.00.

The Supply Division does not purchase for the Board of Education, St. Louis Zoo, Police Department, Human Development Corporation (H.D.C.), Housing Authority or Public Library.

Bids and Proposals are solicited through "Advertised" procedures. Advertised procedures are used when the value of the purchase is estimated at \$500.00 or greater.

Offers on "Advertised Bids" will be solicited by Request For Quote and will be advertised in the City Journal (which is a City owned publication) prior to the date offers are due. The advertisement will state the date offers are due, the general nature of the goods or services to be purchased, where bid forms may be obtained, and the time and place bids will be opened.

You may subscribe to the City Journal by making application at the Register's Office, Room 118, City Hall. Yearly subscription is \$26.00.

After bids or proposals are opened, the evaluation process may take approximately 30 days before an award is made. After bid is awarded, a vendor may review copies of bid in the Supply Division, Room 324, City Hall.

All bids will be accepted on "OFFICIAL BID FORM" only. Exceptions will be determined by the Supply Commissioner when a proposal is submitted in a Sealed Envelope, so marked as to indicate its contents prior to being opened. The proposal submitted in this manner must be fronted by the "OFFICIAL BID FORM" manually signed and indicating by reference to "See Attached" .

Vendors shall not offer more than one bid on each item. Two or more quotations on the same item may cause a rejection of the bids. Vendors must determine which one of their many styles or types best meets the specifications.

**EXCEPTIONS TO SPECIFICATIONS:** In the event that any recognized vendor shall wish to bid, but finds it impossible to comply exactly with all of the specifications set forth, a bid nevertheless will be accepted. All variances from the specifications must be specifically listed on a separate page (or pages) in the bid proposal. Exceptions must be listed in the same sequence as the specifications and identified by section number. Page (or pages) to be headed "Exceptions to Specifications" .

**STIPULATION:** Quote may be submitted on company's official quotation form with the understanding that the City's quote form must also be completed and signed.

**ALL CITY TERMS AND CONDITIONS SUPERCEDE THOSE OF THE VENDOR.**

#### **RECEIPT AND OPENING OF FORMAL SEALED BIDS**

Vendors and the public are invited, but not required to attend the formal bid opening. No decisions related to an award of a contract or quote will be made at the opening. Buyers will not repeat prices after an opening via telephone request. Please do not make such request. Vendors may include a self-addressed stamped envelope with their bid in order to receive a bid tabulation after the award has been made.

It is the vendor's sole responsibility to ensure that a bid is physically delivered to the Supply Division prior to the time and date specified. Late bids will not be opened and will be rejected unopened regardless of the degree of lateness or the reason, including causes beyond the control of the vendor.

Likewise, vendors must ensure that bids submitted as the result of an Request For Quote are sealed prior to delivery to the Supply Division Office. Either an envelope or box may be used. The container must bear the official quote number and the official opening date in the left-hand corner.

**The Supply Division will not accept faxed bids.**

#### **MISTAKES IN BIDDING**

If bidders discover that there is a mistake in their bid, it may be corrected before the specified time of bid opening. The vendor should request a new RFQ Form. Altered or erased prices will not be accepted. After the bid opening, all bids must stand as read. Unless the proposal specifically indicates a lump sum price, unit price will govern.

#### **INSPECTION**

All merchandise purchased by the City of St. Louis is subject to inspection. Some specifications may contain a clause stating where and when inspection will take place.

#### **AWARD POLICY**

**Criteria for Award:** Awards will be made to the lowest responsive bidder considering price, responsibility, qualification and capability of vendor, availability of funds, and all other relevant factors, provided the bid meets specifications and other requirements of the Request For Quote.

#### **BID SECURITY DEPOSIT (BID BOND) AND PERFORMANCE BOND**

**Bid Security Deposit:** If a bid security deposit is required, this requirement will be stated in the Request For Quote. At the time the bid is submitted the bidder must furnish a bid security deposit in the form of a bond or certified check made payable to the City of St. Louis. No personal or company checks are acceptable. The bid security deposit guarantees that the successful bidder will accept the contract or purchase order if offered and furnish the commodities or services as stated in the bid. Failure to accept the contract and/or furnish the commodities or services offered will cause the amount of the bid security deposit to revert to the City of St. Louis.

Bid security deposits of unsuccessful vendors will be returned after the award is made. If a performance bond is required in the Request For Quote, the successful bidder's security deposit will be held until a Performance Bond is received by the Supply Division.

**Performance Bond:** If a performance bond is required, this requirement will be stated in the Request For Quote. The performance bond must be issued for the amount stated in the award letter. No personal or company checks will be accepted. A Cashier's Check can be accepted in lieu of a surety bond.

The performance bond shall be conditioned on full performance of all obligations imposed upon the vendor by the contract with the City of St. Louis. The performance bond shall provide that if the vendor fails to perform any such obligations the City of St. Louis may recover from either the vendor or surety company (or both) any and all damages suffered because of the breach of contract. The bond will be for at least 50% of the contract (bid proposal) price and due 15 days after notice of award.

#### **PAYMENT PROCEDURE**

After delivery of commodities or services ordered, the vendor must prepare and submit an original and four copies of the invoice to the agency or institution specified in the purchase order or contract. Vendors can expedite payment by preparing and mailing in strict accordance with the instructions given on the order. All invoices must include department number and purchase order number. For large orders requiring partial or periodic deliveries and involving sizable amounts of money, separate invoices may be submitted for each delivery.

When merchandise is received by the department, it is inspected and checked against the specifications and a receiving report is prepared. The receiving report is then matched with the vendor's invoice and the order form. If all of these documents are in order, the invoice is certified for payment and payment request is forwarded to the Supply Division.

Payment will not be made to a party other than the vendor whose name appears on the purchase order unless specific authorization is granted by the Supply Division.

**Payment Delays:** Do "not" send the invoice to the Supply Division, as this will result in the delay of payment since invoices will either be returned to the vendor or forwarded to the appropriate department.

Vendor complaints for non-receipt of payment should be handled as follows:

1. Vendor contacts the ordering department's accounts payable clerk.
2. The clerk notifies vendor of payment status.

3. If vendor is not satisfied with the payment status from the clerk, vendor should contact the department supervisor.
4. If the vendor is not satisfied with payment status from the supervisor, vendor should contact the department head.
5. If the vendor is not satisfied with payment status from the department head, vendor should contact the department's Director, Appointing Authority or Commissioner.
6. If the vendor has exhausted all five steps above, vendor should contact the Supply Division as follows:
  - a. Purchasing/Procurement Manager at 314-622-4775
  - b. Deputy Supply Commissioner at 314-622-4585
  - c. Supply Commissioner at 314-622-4330.
7. If the vendor is not satisfied after exhausting all of the steps listed above, the vendor should contact the Fiscal Manager in the Comptroller's Office at 314-622-4912.

**NOTE:** No payment shall be made to the vendor if said vendor is not current with taxes due the Collector of Revenue and the License Collector.

#### GENERAL INFORMATION

##### FOR THE VENDOR

**Correspondence Concerning Bid Invitations:** Any question concerning the Request For Quote should be directed to the Buyer whose name and telephone number is listed on the quote document. The person corresponding should specify the bid or quotation number and the bid opening date that appears in the invitation.

**Bid Errors:** Prior to submission of bids, errors may be corrected by lining out and entering the substituted words or figures. The change should be initialed by the person signing the bid. No bid shall be altered or amended after the bid opening. In the case of errors in the extension of price, the unit price will govern.

**Modification or Withdrawal of Bids:** Bids may be modified or withdrawn by written or faxed notice received prior to the bid opening date and time specified in the Request For Quote. Any such change may be made only by substitution of another bid or stating that the bid shall be changed by specified amount (such as the subtraction of 75 cent per 100 weight) without giving the final figure resulting from the change. A bid may also be withdrawn or modified in person by

a vendor or his authorized representative, provided his identity is made known and he signs a receipt for the invitation, but only if these actions are accomplished before the specified time of bid opening. **Telephone requests to withdraw a bid will not be considered.**

After bid opening, a vendor will be permitted to withdraw his bid at the sole discretion of the City where there is an obvious error in the bid supported by cost data, or where enforcement of the bid would impose an unconscionable hardship due to an error in the bid resulting in a quotation substantially below the other bids received. Such withdrawal will be considered only after receipt of a written request from the vendor. No change in bid prices or other provision of bid shall be made.

**Tie Bid:** The Supply Division will resolve bids which are equal in all respects and ties in price by coin toss, unless one vendor is located in the City of St. Louis. The coin toss will be held in front of at least three people. Each of the three people present will document the result by their signature on the document. Local preference is applicable only in the case of tie bids.

**Cancellation of Request For Quote:** The Supply Division may cancel a Request For Quote any time prior to award.

**Samples and/or Literature:** Any samples or descriptive literature requested in the Request For Quote must be provided free of charge. Samples, which are not destroyed by testing, will be returned at the vendor's expense upon request. Samples submitted by successful vendors may be kept for the duration of the contract for comparison with shipment received.

**Specifications:** Unless a vendor specifies otherwise in his bid, it is assumed that the vendor is bidding in strict accordance with the specifications in the Request For Quote. When merchandise is received that does not meet these specifications, it will be returned to the vendor, shipping charge collect.

**New Equipment:** All supplies and equipment offered and furnished must be new and of current production unless the Request For Quote specifically permits offer of used items. Re-manufactured, refurbished or reconstructed items are not considered new.

**Recycled Products:** The City of St. Louis seeks to buy recycled products whenever possible and strongly encourages vendors to supply products with recycled content, especially those products containing post-consumer materials. Each vendor should specify the percentage of total recycled content and post-consumer material in bids submitted. Bid documents may specifically request recycled products.

**Trade-Ins:** The City may request bids for new equipment involving trade-ins or used equipment. In such cases, a

trade-in price quotation will be requested for trade-in purchases and a separate price quotation without trade-in for the requested equipment. The City reserves the right to purchase equipment either with or without the trade-in.

**Product Testing and Demonstration:** Manufacturers and vendors often offer demonstrations of their products at agency level. The City recognizes the value of such tests and demonstrations; however, in order to assure proper testing and valid evaluation, vendors are required to obtain prior approval for such test/demonstrations from the Supply Division or the Department Head.

**Substitutions:** Substitution is defined as shipment of an item that materially conforms to the specifications but is technically different from the item bid. Substitutions shall require the approval of the Supply Division prior to shipment.

Any products delivered that do not meet the specifications will be returned to the vendor at his expense. When a shipment or product is returned, the vendor must make immediate replacement with acceptable merchandise.

**Back - Orders:** If it is necessary to back-order any items, the vendor should notify the department and advise of expected delivery or shipment date. If this date is not acceptable, the City may rescind the order.

**Default by Vendor:** In case of any default by the vendor, the City of St. Louis may procure the product or service from other sources and hold the vendor responsible for any damages incurred including, but not limited to, excess cost or handling charge. The Supply Division shall have the right to remove from Vendor's List any vendor who defaults on any contract.

**Subletting:** Subletting or assigning of any bid or contract under these specifications cannot be made without the approval of the Supply Division.

**Packaging:** All packaging shall conform to the award standard, acceptable to the trade and required by Interstate Commerce Commission (ICC) regulations. A packing slip or invoice must accompany shipment and reference the purchase order number and the department number.

**Inspection:** All materials, equipment, and supplies are subject to inspection and tests. Items that do not meet specifications will be rejected. Failure to reject upon receipt, however, does not relieve the vendor of liability. When subsequent tests after receipt are conducted and reveal failure to meet specifications, the City may seek damages regardless of whether a part or all of the merchandise has been consumed.

**NOTICE OF ACCEPTANCE OF BID**

The successful bidder will receive an official written notice of acceptance of bid. On formal contracts, acceptance notice is normally in the form of a letter from the Supply Commissioner. Vendors will be required to obtain a bond for at least fifty percent (50%) of the contract (bid proposal) price. The bond will be due fifteen (15) days after Notice of Award.

#### **UNAUTHORIZED ORDERS**

Only the Supply Commissioner is authorized to commit the City for the purchase of goods and services, except as provided for under professional services procedures. Commitments by any other employees of the City of St. Louis are not binding on the City and Vendor's invoices covering such commitment may not be honored.

### **MINORITY AND WOMEN BUSINESS AND ENTERPRISES UTILIZATION STATEMENT AND POLICY**

#### **A. Mayor's Executive Order #28, Section Six - Supply Contracts**

- 1) The goal of the City of St. Louis is that 25% of the value of all contracts let and purchases made by the Supply Commissioner shall be let or made with Minority Business Enterprises (MBEs) and that 5% of the value of all contracts let and purchases made by the Supply Commissioner shall be let or made with Women's Business Enterprises (WBEs).
- 2) All contracts let by the Supply Division for the purchase or lease of materials, equipment, supplies, commodities or services, the estimated cost of which exceeds \$500.00, shall be subject to this goal.
- 3) The methods by which the Supply Commissioner shall pursue this goal shall include but not be limited to the following:
  - a) The Supply Commissioner shall solicit bids from minority business enterprises and women's business enterprises certified to supply the required materials, equipment, supplies or services;
  - b) St. Louis Airport Authority (SLAA) shall provide the Supply Commissioner with a list of minority business enterprises and women's business enterprises qualified to provide each of those commodities that the Supply Commissioner indicates are required by the City;

- c) The Supply Commissioner shall notify SLAA prior to solicitation of bids whenever no such qualified businesses are available;
  - d) SLAA shall attempt to identify such qualified businesses, and if successful, shall notify the Supply Commissioner of their availability;
  - e) The Supply Commissioner shall provide such minority business enterprises and women's business enterprises every practical opportunity to submit bids.
- 4. Joint ventures or mentor-protégé relationships between prime contractors and subcontractors with local MBE and WBE firms are encouraged.
  - 5. Participation of MBE and WBE firms located outside the St. Louis Metropolitan Statistical Area (SMSA) shall not count toward the goals established in this order.

#### **B. SUPPLY DIVISION POLICY**

It is the policy of the Supply Division that all bids/contracts awarded adhere to the Mayor's Executive Order #28. All vendors are encouraged to comply with this policy and all other provisions of Executive Order #28. A copy of Executive Order #28 is available upon request. Each Vendor/Contractor (bidder) must complete, sign and return the M/WBE Form. Failure to complete, sign and return the M/WBE Form will result in the bid being declared non-responsive and your bid may be eliminated.

#### **C. OBLIGATION**

The bidder agrees to make a good faith effort to ensure that M/WBE businesses have an opportunity to participate in the performance of contracts or subcontracts financed in whole or in part with City funds. The bidder will take all necessary and reasonable steps to ensure that said businesses have an opportunity to compete for and perform under this bid/contract. The bidder shall not discriminate on the basis of race, color, creed, national origin or sex in the award and performance of bids/contracts. To request a Directory of Disadvantaged, Minority and Woman Owned Business Enterprises certified by the City of St. Louis contact the Ms. Jackie Taylor, Certification Manager, at 314-551-5002.

## **ST. LOUIS DOMESTIC PRODUCTS PROCUREMENT ACT (BUY AMERICAN)**

The City of St. Louis has enacted an ordinance relating to the purchase of domestic products by City government, with penalty provisions. The ordinance amends Section 5.58.010 Revised Code of the City of St. Louis, 1986, as amended by adding thereto new subsections dealing with the requirement that the Supply Commissioner or his designee give preference to goods or commodities manufactured in the United States of America, stating exception to said policy.

Vendors are advised of legislation enacted by the City of St. Louis which requires all manufactured goods or commodities used or supplied in the performance of a contract or any subcontract to be manufactured, assembled or produced in the United States, unless obtaining American made products would increase the cost of the contract by more than ten percent.

This legislation does not apply if the total bid is less than one thousand dollars (\$1,000). Bids received will be evaluated on the basis of this legislation.

### **OPEN COMPETITION**

It is the intent and purpose of the Supply Division that specifications permit free and open competition. However, the vendor has a responsibility to advise the Supply Division if, in his opinion, any language or requirement, or combination thereof, inadvertently restricts or limits the requirement to a single source. Such notification must be submitted in writing not less than seven (7) days prior to the bid opening date.

In addition, the Supply Division strives to design specifications for compatibility with standard trade practices and to use procedures that will accomplish its mission in accordance with the law and prudent business practices. Potential vendors are encouraged to notify the Supply Division whenever, in their judgement, specifications are not considered as permitting open competition or complying with standard trade practices, or impose an impractical or unreasonable procedural burden. All suggestions or objections should be submitted in writing and received by the Buyer at least seven (7) days prior to any official opening date and time.

Vendors should be aware that the Supply Division constantly monitors all procurement activity to detect any possibility of deliberate restraint of competition, collusion among vendors, price-fixing or any other anti-competitive conduct by vendors which appears to violate

City, State and Federal antitrust laws. Any suspected violation will be referred to the City Counselor's Office for appropriate action.

**OFFICE HOURS**

The Purchasing Department is open for business from 8:00 A.M. to 5:00 P.M., Monday through Friday, with the exception of legal holidays.

The following Supply Division personnel are available to assist you:

**BUYERS:**

Sharon Coleman	314-731-5236
Bill Fulkerson	314-622-4250
Charlene Wiley	314-622-4716

**PURCHASING/PROCUREMENT MANAGER:**

Wesley R. Bokal	314-622-4775
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**DEPUTY SUPPLY COMMISSIONER:**

Rose Milina Neyland	314-622-4585
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