



**Boone County, Kentucky**

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**BID # BCFY22-9**

**COMPLETE FOAM RECYCLING SYSTEM  
BOONE COUNTY PUBLIC WORKS**

**ACCEPTANCE DATE: August 12, 2021, 2:00 pm “local time”**

**ACCEPTANCE  
PLACE**

Boone County Fiscal Court  
2950 Washington Street  
Finance Department  
2<sup>nd</sup> Floor Administration Building  
Burlington, Kentucky 41005

Requests for information related to this Invitation should be directed to:

Mike Wilson  
Recycling Center Supervisor  
E-mail address: [mike.wilson@boonecountyky.org](mailto:mike.wilson@boonecountyky.org)

Issue Date: July 23, 2021

IF YOU NEED ANY REASONABLE ACCOMMODATION FOR ANY TYPE OF  
DISABILITY IN ORDER TO PARTICIPATE IN THIS PROCUREMENT, PLEASE  
CONTACT OUR OFFICE AS SOON AS POSSIBLE.

The Boone County Fiscal Court will receive sealed bids in the Finance Department, Second Floor, Administration Building, 2950 Washington Street, PO Box 900, Burlington, Kentucky 41005, **until 2:00 p.m. (local time), August 12, 2021 for a Foam Recycling System equipped with one mobile metal weather-resistant container, one metal foam collection recycling bin and one foam densifying machine for the Solid Waste Division of the Boone County Fiscal Court.** Bids will be opened and publicly read aloud at that time in the Fiscal Courtroom, First Floor, Administration Building. Late, electronically submitted or facsimile bids will not be accepted.

**BID ENVELOPE MUST BE LABELED: "SEALED BID: Foam Recycling System." Envelopes must also be labeled with the name and address of the vendor submitting the bid**

Boone County reserves the right to reject any and all bids, to waive any informalities and to negotiate for the modifications of any bid or to accept that bid which is deemed the most desirable and advantageous from the standpoint of customer value and service and concept of operations, even though such bid may not, on its face, appear to be the lowest and best price. No bid may be withdrawn for a period of sixty (60) days after scheduled time of receipt of bids.

#### INTENT

Whenever a specific "Brand Name" is used in these specifications, it is used for descriptive purposes only. Whenever or where the Bidder takes exceptions to the specifications, such exceptions shall be listed on the "Exception Sheet," of these specifications, and signed by the Bidder. The Bidder must use the attached "Bid Form as No Other Form," will be accepted. The Bidder shall also attach to the Bid Form, descriptive information and literature showing the items on which the Bid was based. The Boone County Recycling Center Review Committee shall be the sole judge of whether a Bid meets the intent of these specifications.

#### KENTUCKY PREFERENCE LAW

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. \*Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.

## **SPECIFICATIONS**

It is the intent of this specification to provided for the purchase, delivery, and installation of a foam recycling system equipped with one (1) mobile metal weather-resistant container, housing one (1) metal foam collection recycling bin with removable storage sack, and (1) foam densifying machine capable of reducing the size of Expanded Polystyrene (EPS) material into a recyclable and marketable product.

The following specification is based upon Foam Cycle's Styrofoam collection, densifying and recycling system. This specification is not to be interpreted as restrictive, but rather as a measure of the quality and performance against which all bids will be compared.

As stated above this is a brand name or equivalent bid, therefore; if you are submitting a brand name equivalent you must include specification sheets so that we may make a comparison. Vendors who do not submit these additional specification sheets with their equivalent bid shall not be considered.

The contract will be awarded for the product which best serves the interests of the County when cost, product, safety, quality and delivery are considered. The County reserves the right to reject any or all bids or any part thereof, and to waive any minor technicalities. A contract will be awarded to the bidder submitting the lowest responsive and responsible bid.

### **Technical Specifications**

1. The mobile metal weather-resistant container shall be an 8' x 20' International Organization for Standardization (ISO) certified metal foam processing container equipped with two (2) 8' wide roll up doors, interior lighting, exhaust fan and electrical connection. The exterior must contain a design publicizing the recycling of Styrofoam (polystyrene).
2. The mobile metal weather-resistant container shall be equipped with one (1) metal foam collection recycling bin with a removable storage sack, and one (1) 200 lb., per hour foam densifier.
3. The mobile metal weather-resistant container's overall design (showing the densifier's placement access points, lighting, electrical connections, air flow, storage area and signage) shall be included with the bid.
4. All instruction manuals and any other printed information necessary for the operation of any and all components of the Foam Recycling System must be included upon delivery.
5. The unit cost shall include the purchase, delivery, and installation of the foam recycling system equipped with one (1) mobile metal weather-resistant container, housing one (1) metal foam collection recycling bin with removable storage sack, and (1) foam densifying machine.

**EXCEPTION(S) TO SPECIFICATIONS**

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Signature required, if exceptions are noted.

**TERMS AND SIGNATURE SHEET**

In compliance with this Invitation to Bid and subject to all conditions thereof, the undersigned offers and agrees to furnish at a unit cost for the purchase, delivery, and installation of a foam recycling system equipped with one (1) mobile metal weather-resistant container, housing one (1) metal foam collection recycling bin with removable storage sack, and one (1) foam densifying machine to the Boone County Fiscal Court:

\$ \_\_\_\_\_ **cost each**

Delivery will be made within \_\_\_\_\_ days of receipt of purchase order.

My signature certifies that the accompanying bid is not the result of or affected by any act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud. I hereby certify that I am authorized to sign this bid for the bidder.

NAME OF BIDDER: \_\_\_\_\_

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

FEDERAL ID #: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

OFFICIAL TITLE: \_\_\_\_\_

PHONE (\_\_\_\_\_) \_\_\_\_\_ FAX (\_\_\_\_\_) \_\_\_\_\_

## **KENTUCKY PREFERENCE LAWS**

The scoring of bids/proposals is subject to Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries. **\*Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.**

### **Reciprocal preference for Kentucky resident bidders**

#### **KRS 45A.490 Definitions for KRS 45A.490 to 45A.494.**

As used in KRS 45A.490 to 45A.494:

- (1) "Contract" means any agreement of a public agency, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item; and
- (2) "Public agency" has the same meaning as in KRS 61.805.

#### **KRS 45A.492 Legislative declarations.**

The General Assembly declares:

- (1) A public purpose of the Commonwealth is served by providing preference to Kentucky residents in contracts by public agencies; and
- (2) Providing preference to Kentucky residents equalizes the competition with other states that provide preference to their residents.

#### **KRS 45A.494 Reciprocal preference to be given by public agencies to resident bidders -- List of states -- Administrative regulations.**

- (1) Prior to a contract being awarded to the lowest responsible and responsive bidder on a contract by a public agency, a resident bidder of the Commonwealth shall be given a preference against a non-resident bidder registered in any state that gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the non-resident bidder.
- (2) A resident bidder is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:
  - (a) Is authorized to transact business in the Commonwealth; and
  - (b) Has for one (1) year prior to and through the date of the advertisement, filed Kentucky corporate income taxes, made payments to the Kentucky unemployment insurance fund established in KRS 341.490, and maintained a Kentucky workers' compensation policy in effect.
- (3) A non-resident bidder is an individual, partnership, association, corporation, or other business entity that does not meet the requirements of subsection (2) of this section.
- (4) If a procurement determination results in a tie between a resident bidder and a non-resident bidder, preference shall be given to the resident bidder.
- (5) This section shall apply to all contracts funded or controlled in whole or in part by a public agency.
- (6) The Finance and Administration Cabinet shall maintain a list of states that give to or require a preference for their own resident bidders, including details of the preference given to such bidders, to be used by public agencies in determining resident bidder preferences. The cabinet shall also promulgate administrative regulations in accordance with KRS Chapter 13A establishing the procedure by which the preferences required by this section shall be given.
- (7) The preference for resident bidders shall not be given if the preference conflicts with federal law.
- (8) Any public agency soliciting or advertising for bids for contracts shall make KRS 45A.490 to 45A.494 part of the solicitation or advertisement for bids.

The reciprocal preference as described in KRS 45A.490-494 above shall be applied in

accordance with 200 KAR 5:400.

**Determining the residency of a bidder for purposes of applying a reciprocal preference**

Any individual, partnership, association, corporation, or other business entity claiming resident bidder status shall submit along with its response the attached Required Affidavit for Bidders, Offerors, and Contractors Claiming Resident Bidder Status. The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

A non-resident bidder shall submit, along with its response, its certificate of authority to transact business in the Commonwealth as filed with the Commonwealth of Kentucky, Secretary of State. The location of the principal office identified therein shall be deemed the state of residency for that bidder. If the bidder is not required by law to obtain said certificate, the state of residency for that bidder shall be deemed to be that which is identified in its mailing address as provided in its bid.

**Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries.**

Pursuant to 200 KAR 5:410, and KRS 45A.470, Kentucky Correctional Industries will receive a preference equal to twenty (20) percent of the maximum points awarded to a bidder in a solicitation. In addition, the following "qualified bidders" will receive a preference equal to fifteen (15) percent of the maximum points awarded to a bidder in a solicitation: Kentucky Industries for the Blind, any non-profit corporation that furthers the purposes of KRS Chapter 163 and any qualified non-profit agencies for individuals with severe disabilities as defined in KRS 45A.465(3). Other than Kentucky Industries for the Blind, a bidder claiming "qualified bidder" status shall submit along with its response to the solicitation a notarized affidavit which affirms that it meets the requirements to be considered a qualified bidder- affidavit form included. If requested, failure to provide documentation to a public agency proving qualified bidder status may result in disqualification of the bidder or contract termination.

**Solicitation/Contract #: BCFY22-9**

**REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS**

**FOR BIDS AND CONTRACTS IN GENERAL:**

The bidder or offeror hereby swears and affirms under penalty of perjury that, in accordance with KRS 45A.494(2), the entity bidding is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:

1. Is authorized to transact business in the Commonwealth;
2. Has for one year prior to and through the date of advertisement
  - a. Filed Kentucky income taxes;
  - b. Made payments to the Kentucky unemployment insurance fund established in KRS 341.49; and
  - c. Maintained a Kentucky workers' compensation policy in effect.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

Signature	Printed Name
Title	Date

Company Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_

(Affiant)                      (Title)

of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Company Name)

\_\_\_\_\_  
Notary Public

[seal of notary]    My commission expires: \_\_\_\_\_



**Solicitation/Contract #: BCFY22-9**  
**REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING QUALIFIED BIDDER**  
**STATUS**

**FOR BIDS AND CONTRACTS IN GENERAL:**

I. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding, and all subcontractors therein, meets the requirements to be considered a "qualified bidder" in accordance with [200 KAR 5:410\(3\)](#); and will continue to comply with such requirements for the duration of any contract awarded. Please identify below the particular "qualified bidder" status claimed by the bidding entity.

\_\_\_\_\_ A nonprofit corporation that furthers the purposes of KRS Chapter 163

\_\_\_\_\_ Per KRS 45A.465(3), a "Qualified nonprofit agency for individuals with severe disabilities" means an organization that:

- (a) Is organized and operated in the interest of individuals with severe disabilities; and
- (b) Complies with any applicable occupational health and safety law of the United States and the Commonwealth; and
- (c) In the manufacture or provision of products or services listed or purchased under KRS 45A.470, during the fiscal year employs individuals with severe disabilities for not less than seventy-five percent (75%) of the man hours of direct labor required for the manufacture or provision of the products or services; and
- (d) Is registered and in good standing as a nonprofit organization with the Secretary of State.

The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of qualified bidder status. Failure to provide such documentation upon request may result in disqualification of the bidder or contract termination.

\_\_\_\_\_  
Signature Printed Name

\_\_\_\_\_  
Title Date

Company Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_  
(Affiant) (Title)

of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(Company Name)

\_\_\_\_\_  
Notary Public

[seal of notary]

My commission expires: \_\_\_\_\_