

Villa Hills, Kentucky

INVITATION FOR BID

DUMP TRUCK

ACCEPTANCE DATE: Prior to 2:00 p.m., July 19, 2022 “Local time”

ACCEPTANCE
PLACE

City of Villa Hills
Administration Building
720 Rogers Road
Villa Hills, KY 41017

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

Corey Schalk
Public Works Crew Leader
(859) 393-6921
E-mail address: cschalk@villahillsky.org

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 City of Villa Hills will receive sealed bids in the City Administration Building, 720 Rogers Road, Villa Hills, Kentucky 41017, until 2:00 p.m. (local time), Tuesday, July 19, 2022 for one (1) diesel Dump Truck. Bids will be opened at that time in the conference room, Administrative Building. Late, electronically submitted and facsimile bids will not be accepted.

BID ENVELOPE MUST BE LABELED: "Sealed Bid: Dump truck."

Specifications may be obtained from the City Clerk's office located in the City Administration Building, 720 Rogers Road, Villa Hills, Kentucky 41017.

The City of Villa Hills reserves the right to reject any and all bids, to waive any informality and to negotiate for the modifications of any bid. To accept the 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 No bid shall be withdrawn for a period of thirty (30) days after scheduled time of receipt of bids.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 City of Villa Hills 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.

All bidders must fill out the REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS CLAIMING RESIDENT BIDDER STATUS. If this form is not completed and notarized, the bid will not be considered.

Selected Equip & Specs

Dimensions

- Exterior length: 230.7"
- Exterior width: 80.0"
- Front track: 74.8"
- Turning radius: 21.2'
- Front legroom: 43.9"
- Front hip room: 62.5"
- Passenger volume: 64.6cu.ft.
- Maximum cargo volume: 11.6cu.ft.
- Cab to axle: 60.0"
- Wheelbase: 145.0"
- Rear track: 74.0"
- Rear tire outside width: 93.9"
- Front headroom: 40.8"
- Front shoulder room: 66.7"
- Cargo volume: 11.6cu.ft.

Powertrain

- 330hp 6.7L OHV 32 valve intercooled turbo V-8 engine with diesel direct injection
- federal
- Part-time
- Fuel Economy City: N/A
- Transmission PTO provision
- **Recommended fuel** : diesel
- TorqShift 10 speed automatic transmission with overdrive
- Limited slip differential
- Fuel Economy Highway: N/A.
- 4x4 drivetrain

Suspension/Handling

- Front Mono-beam non-independent suspension with anti-roll bar, HD shocks
- Firm ride Suspension
- Front and rear 19.5 x 6.75 argent steel wheels
- Dual rear wheels
- Rear DANA M300 rigid axle leaf spring suspension with anti-roll bar, HD shocks
- Hydraulic power-assist re-circulating ball Steering
- Front LT245/70SR19.5 GBSW AS rear LT245/70SR19.5 G BSW AT

Body Exterior

- 2 doors
- Turn signal indicator in mirrors
- Chrome bumpers
- Trailer harness
- Front and rear 19.5 x 6.75 wheels
- Driver and passenger **power remote heated, manual folding door mirrors with turn signal indicator**
- Black door mirrors
- * Side steps

Convenience

- Manual air conditioning with air filter
- Power front windows
- Clearcoat paint
- 2 front tow hook(s)
- Cruise control with steering wheel controls
- Driver and passenger 1-touch up

Selected Equip & Specs (cont'd)

- Driver and passenger 1-touch down
- Manual tilt steering wheel
- Day-night rearview mirror
- 911 Assist emergency SOS
- AppLink smart device integration
- Front cupholders
- Driver and passenger door bins

Seats and Trim

- Seating capacity of 3
- 4-way driver seat adjustment
- 4-way passenger seat adjustment

Entertainment Features

- AM/FM stereo radio
- Steering wheel mounted radio controls
- Streaming audio

Lighting, Visibility and Instrumentation

- Halogen aero-composite headlights
- Auto on/off headlights
- Light tinted windows
- Tachometer
- Outside temperature display
- Trip computer

Safety and Security

- 4-wheel ABS brakes
- 4-wheel disc brakes
- Dual front impact airbag supplemental restraint system with passenger cancel
- Safety Canopy System curtain 1st row overhead airbag supplemental restraint system
- Power remote door locks with 2 stage unlock and panic alarm
- MyKey restricted driving mode

Remote power door locks with 2 stage unlock and **illuminated entry**

- Manual telescopic steering wheel
- Connect 4G internet access
- Wireless phone connectivity
- 2 1st row LCD monitors
- Passenger visor mirror
- Upfitter switches

- Front 40-20-40 split-bench seat
- Manual driver lumbar support
- Centre front armrest with storage

- SYNC external memory control
- 4 speakers
- Fixed antenna

- Delay-off headlights
- Variable intermittent front windshield wipers
- Front reading lights
- Compass
- Camera(s) - rear
- Trip odometer

- Brake assist
- Driveline traction control
- Dual seat mounted side impact airbag supplemental restraint system
- **Remote activated perimeter/approach lighting**

Security system with SecuriLock immobilizer

- Manually adjustable front head restraints

Dimensions

General Weights

- | | | | |
|--------|------------|------|-------------|
| • Curb | 8,049 lbs. | GVWR | 22,000 lbs. |
|--------|------------|------|-------------|

Selected Equip & Specs (cont'd)

• Payload	14,030 lbs.		
<i>Front Weights</i>			
Front GAWR	7,500 lbs.	• Front curb weight	4,755 lbs.
Front axle capacity.	7,500 lbs.	Front spring rating	7,500 lbs.
Front tire/wheel capacity	7,500 lbs.		
<i>Rear Weights</i>			
Rear GAWR.	15,500 lbs.	• Rear curb weight	3,294 lbs.
Rear axle capacity	15,500 lbs.	Rear spring rating	15,500 lbs.
Rear tire/wheel capacity	15,000 lbs.		
<i>Trailer Type</i>			
Harness	Yes	• Brake controller	Yes
Trailer sway control	Yes		
<i>General Trailering</i>			
• 5th-wheel towing capacity	32500 lbs.	• Gooseneck towing capacity.	34200 lbs.
Towing capacity	18500 lbs.	• GCWR	43000 lbs.
<i>Fuel Tank type</i>			
Capacity	40 gal.		
<i>Interior cargo</i>			
Cargo volume	11.6 cu.ft.	Maximum cargo volume.	11.6 cu.ft.
<i>Rear Frame</i>			
Height loaded	29"	Height unloaded	35"
Powertrain			
<i>Engine Type</i>			
• Cylinders	V-8	Block material	Iron
		Head material.	Aluminum
• Ignition	Compression	• Injection	Diesel direct injection
• Liters	6.7L	Orientation	Longitudinal
• Recommended fuel	Diesel	• Valves per cylinder	4
Valvetrain	OHV	• Forced induction	Intercooled turbo
<i>Engine Spec</i>			
• Bore	3.90"	• Compression ratio	15.8:1
• Displacement	406 cu.in.	• Stroke	4.25"
<i>Engine Power</i>			

Selected Equip & Specs (cont'd)

SAEJ1349 AUG2004 compliant	Yes	Output	330 HP @ 2,600 RPIVI
• Torque	825 ft.-lb @ 2,000 RPIVI		
<i>Alternator</i>			
• Type	Dual	• Amps	397
<i>Battery</i>			
Amp hours	78	Cold cranking amps	750
Run down protection	Yes	• Type	Dual
<i>Engine Extras</i>			
• Block heater	Yes		
<i>Transmission</i>			
Electronic control	Yes	Lock-up	Yes
Overdrive	Yes	Speed	10
Type	Automatic		
<i>Transmission Gear Ratios</i>			
1st	4.615	2nd	2.919
3rd	2.132	4th	1.773
5th	1.519	6th	1.277
7th	1	8th	0.851
9th	0.687	10th	0.632
Reverse Gear ratios.	4.695		
<i>Transmission Torque Converter</i>			
Stall ratio	1.97		
<i>Transmission Extras</i>			
Driver selectable mode	Yes	Sequential shift control	SelectShift
Oil cooler	Regular duty	PTO provision	Yes
<i>Drive Type</i>			
4wd type	Part-time	Type	Four-wheel
<i>Drive Feature</i>			
Limited slip differential	Mechanical	Traction control	Driveline
Power take-off provision	Yes	Locking hub control	Auto
Transfer case shift.	Electronic		
<i>Drive Axle</i>			
Ratio	4.88		
<i>Exhaust</i>			
Material.	Stainless steel	System type	Single

Selected Equip & Specs (cont'd)

Emissions

CARB Federal

Fuel Economy

• Fuel type Diesel

Engine Retarder

• Type Yes

Drive ability

Brakes

ABS 4-wheel ABS channels 4
Type 4-wheel disc Vented discs Front and rear

Brake Assistance

Brake assist Yes

Suspension Control

Ride Firm

Front Suspension

Independence. Mono-beam non-independent Anti-roll bar Regular

Front Spring

Type Coil Grade HD

Front Shocks

Type HD

Rear Suspension

Independence DANA M300 rigid axle Type Leaf
Anti-roll bar Regular

Rear Spring

Type Leaf Grade HD

Rear Shocks

Type HD

Steering

Activation Hydraulic power-assist Type Re-circulating ball

Steering Specs

of wheels 2

Front Wheels

Diameter	19.5"	Width	6.75"
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Rear Wheels

Diameter	19.5"	Width	6.75"
Dual	Yes		

Front and Rear Wheels

Appearance	Argent	Material	Steel
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Front Tires

Aspect	70	Diameter	19.5"
Sidewalls	BSW	Speed	S
Tread	AS	Type	LT
Width	245Mm	LT load rating	G
RPM	611		

Rear Tires

Aspect	70	Diameter	19.5"
Sidewalls	BSW	Speed	s
• Tread	AT	Type	LT
Width	245ITIM	LT load rating	G
RPM	611		

Wheels

Front track	74.8"	Rear track.	74.0"
Turning radius	21.2'	Wheelbase.	145.0"
Rear tire outside width.	93.9"		

Body Features

Front splash guards	Yes	Body material	Aluminum
Side impact beams	Yes	• Side steps	Yes
Front tow hook(s)	2		

Body Doors

Door count	2
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Exterior Dimensions

Length	230.7"	Body width	80.0"
Cab to axle	60.0"	Axle to end of frame.	47.2"
Frame section modulus	12.7cu.in.	Frame yield strength (psi)	50000.0
Frame rail width	34.2"	Front bumper to Front axle	38.3"
Cab to end of frame	107.2 "	Front bumper to back of cab	123.7"

Safety

Selected Equip & Specs (cont'd)

Airbags

Driver front-impact	. Yes	Driver side-impact	Seat mounted
Overhead Safety Canopy System curtain 1st row		Passenger front-impact	Cancellable

Passenger side-impact	Seat mounted
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Seatbelt

Height adjustable	Front
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Security

• Immobilizer.	SecuriLock	• Panicalarm	Yes
• Restricted driving mode.	MyKey		

Seating

Passenger Capacity

Capacity	3
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Front Seats

Split	40-20-40	Type	Split-bench
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Driver Seat

Fore/aft	Manual	Reclining	Manual
Way direction control	4	Lumbar support.	Manual

Passenger seat

Fore/aft.	Manual	Reclining	Manual
Way direction control	4		

Front Head Restraint

Control	Manual	Type	Adjustable
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Front Armrest

Centre	Yes	Storage	Yes
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Front Seat Trim

Material	Cloth	Back material	Cloth
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Convenience

AC And Heat Type

Air conditioning.	Manual	Air filter	Yes
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Audio System

Radio.	AM/FM stereo	Radio grade	Regular
Seek-scan	Yes	External memory control	SYNC

Selected Equip & Specs (cont'd)

Audio Speakers

Speaker type	Regular	Speakers	4
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Audio Controls

Steering wheel controls	Yes	Voice activation	Yes
Streaming audio	Bluetooth yes		

Audio Antenna

Type	Fixed
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LCD Monitors

1st row	2	Primary monitor size (inches).	4.2
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Cruise Control

- Cruise control With steering wheel controls

Convenience Features

• Retained accessory power	Yes	12V DC power outlet	3
Emergency SOS	911 Assist	Wireless phone connectivity	Bluetooth
• 120V AC power outlet	1	• Back-up alarm	Yes
Smart device integration	App link	Upfitter switches	Yes

Door Lock Activation

• Type	Power with 2 stage unlock	• Remote	Keyfob (all doors)
• Integrated key/remote.	Yes		

Door Locks Extra FOB Controls

- Remote engine start . Keyfob and smart device

Instrumentation Type

Appearance	Analog
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Instrumentation Gauges

Tachometer	Yes	Engine temperature	Yes
• Turbo/supercharger boost.	Yes	Transmission fluid temp	Yes
Engine hour meter	Yes		

Instrumentation Warnings

Oil pressure	Yes	Engine temperature	Yes
Battery	Yes	Lights on	Yes
Key	Yes	Low fuel	Yes
Door ajar	Yes	Service interval	Yes
Brake fluid	Yes		

Selected Equip & Specs (cont'd)

Instrumentation Displays

Clock	In-radio display	Compass	Yes
Exterior temp	Yes	Systems monitor	Yes
• Camera(s) - rear	Yes		

Instrumentation Feature

Trip computer	Yes	Trip odometer	Yes
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Steering Wheel Type

Material	Urethane	Tilting	Manual
Telescoping	Manual		

Front Side Windows

• Window 1st row activation.	Power
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Window Features

• 1-touch down	Driver and passenger	• 1-touch up.	Driver and passenger
Tinted	Light		

Front Windshield

Wiper	Variable intermittent
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Rear Windshield

Window	Fixed
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Interior

Passenger Visor

Mirror	Yes
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Rear View Mirror

Day-night.	Yes
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Headliner

Coverage	Full	Material.	Cloth
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Floor Trim

Coverage	Full	Covering	Vinyl/rubber
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Trim Feature

Gearshifter material	Urethane	interior accents.	Chrome
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Lighting

Dome light type	Fade	Front reading	Yes
• Illuminated entry	Yes	Variable IP lighting	Yes

Storage

As Configured Vehicle (cont'd)

Code	Description
	Engine Block Heater
	Upfitter Interface Module
	397 Amp Alternators
	Folding Trailer Tow Mirrors <i>102" width. Includes manual telescoping power/heated glass, heated convex spotter mirror and integrated clearance lamps/turn signals.</i>
	<i>Includes:</i> <i>- Utility Lighting System</i> <i>Includes LED side-mirror spotlights.</i>
	Utility Lighting System <i>Includes LED side-mirror spotlights.</i>
	Trailer Brake Controller <i>Includes smart trailer tow connector. Verified to be compatible with electronic actuated drum brakes only.</i>
	Platform Running Boards
	Rear View Camera & Prep Kit <i>Pre-installed content includes cab wiring and frame wiring to the rear most cross member. Upfitters kit includes camera with mounting bracket, 20' jumper wire and camera mounting/aiming instructions.</i>
	110V/400W Outlet <i>Includes 1 in-dash mounted outlet.</i>
	Remote Start System
	Exterior Backup Alarm (Pre-Installed)
	Bright Grille (LPO) Requires valid FINcode.
	XL Decor Group (LPO) Requires valid FIN code. <i>Includes:</i> <i>- Chrome Front Bumper</i>
	Fleet Customer Powertrain Limited Warranty Requires valid FIN code.

As Configured Vehicle (cont'd)

Code

Description

50-State Emissions System

Medium Earth Gray w/HD Cloth 40/20/40 Split Bench Seat

Emissions

Interior Color

Medium Earth Gray w/HD Cloth 40/20/40 Split Bench
Seat

Exterior Color

Red

Warranty

Standard Warranty

Basic

Distance	36,000 miles	Months	36 months
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Powertrain

Distance.	60,000 miles	Months	60 months
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Corrosion Perforation

Distance.	Unlimited miles	Months	60 months
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Roadside Assistance

Distance	60,000 miles	Months	60 months
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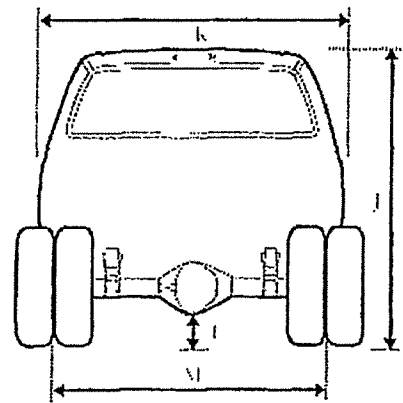
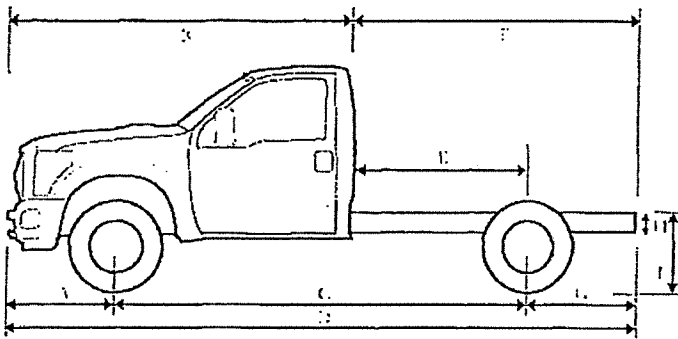
Additional Warranty

Diesel Engine

Distance	100,000 miles	Months.	60 months
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Vehicle Dimension and Performance Summary

Performance predictions in this report represent an estimate of vehicle performance based on standard operating conditions. Variations in customer equipment, load configuration, ambient conditions, and/or operator driving techniques can cause significant variations in vehicle performance. These values are not representative of results that may be shown in actual dynamometer tests. This report should therefore be used as a guide for comparative vehicle performance.



Dimensions

A	Front of Bumper to Front Axle	38.30 in.
B	Front Bumper to Back of Cab (BBC)	123.70 in.
C	Wheelbase (WB)	145.00 in.
D	Overall Length (OAL)	230.70 in.
E	Back of Cab to Rear Axle (CA)	60.00 in.
F	Back of Cab to End of Frame	107.20 in.
G	Rear Axle to End of Frame (AF)	47.20 in.
H	Frame Section Height	N/A
I	Rear Frame Height Unloaded	35.10 in.
i	Rear Frame Height Loaded	28.60 in.
J	Cab Height	N/A
K	Body Width	80.00 in.
L	Maximum Ground Clearance	N/A
L	Minimum Ground Clearance	N/A
M	Front Tread	74.80 in.
M	Rear Tread	74.00 in.

Rugby stainless steel z spec dump body with

9'4" dump body length	96" overall dump body width
16" side height	22" tailgate height
3/16 ar400 crossmemberless steel floor	10 guage stainless steel double wall sides
Fully boxed top rail	s/t/t lights in rear post
5" formed channel longsills	¾ cab protector
Three panel tailgate	tail board gussets
2 vertical side braces per side	steel splash shields (powder coated black)
Full height board gussets	icc bumper
Mud flaps	sr4016 double acting hoist
Backup alarm	stainless steel ez latch tailgate latch
Front marker lights	

PTO with central hydraulic to be run off transmission

- Electronic dump hoist control
- Electronic manual salt spreader controls for auger and spinner
- 304 stainless steel 15 gallon reservoir and valve enclosure
- No hydraulic lines in cab
- Reese hitch plate with d rings
- 7 way rv trailer plug connected with factory brake controller

Western 9' pro plus steel snow plow

- nighthawk auxiliary plow lamps
- ultra mount mounting system
- flo stat electric over hydraulic power unit
- hand held cab command control

Stainless steel under tailgate spreader to run off of central hydraulics

18" polyurethane spinner disc

Anti-flow plates bolted on

Hydraulic motors to run spinner and auger

Bottom opening gate

Install backup camera on rear of truck

Install salt spreader light

Install flashing led warning lights

2 in front of bed

1 on each side of bed

2 on the rear of bed

**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: _____

**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: _____

BID FORM

NOTE TO BIDDER: THIS FORM MUST BE USED, IF NOT THE BID MAY BE REJECTED.

1.) ANY EXCEPTIONS TO THE BID SPECIFICATIONS MUST BE LISTED ON THE "BID EXCEPTION SHEET" OR THE BID WILL BE REJECTED.

2.) FURNISH AND SUPPLY ONE (1) NEW DUMP TRUCK, TO THE CITY OF VILLA HILLS FOR THE LUMP SUM OF

NET BID: \$ _____

options

\$ _____ installation of onspot tire chains

\$ _____ installation of poly rear fenders

body. \$ _____ installation of aluminum toolbox mounted under dump

DELIVERY WILL BE MADE WITHIN _____ DAYS OF RECEIPT OF PURCHASE ORDER.

NAME OF BIDDER: _____ DATE: _____

ADDRESS: _____

FEDERAL ID #: _____

SIGNATURE: _____

OFFICIAL TITLE: _____

PHONE (____) _____ FAX (____) _____

Bid Accepted By: The City of Villa Hills,

BY: _____

TITLE: _____ DATE: _____

**SPECIFICATIONS FOR
ONE (1), DUMPTRUCK**

GENERAL CONDITIONS

The Dump truck shall be on a Conventional Chassis
The Dump truck that is bid must be a Set back axle truck
Straight Truck Provision, LH Primary Steering Location.

PROPOSED BID

YEAR: 2023
MAKE _____
MODEL _____

Truck shall fully Complete and in working order.

DELIVERY SPECIFIC CONDITIONS

DELIVERY DATE: _____

The successful Bidder states that they maintain a Factory Service Facility within 75 miles of Villa Hills, Kentucky, and is staffed with Factory Certified and Qualified service and parts personnel. They must also state that they store a representative supply of parts for the machine being bid and with provisions for securing parts within a reasonable length of time.

SERVICE AREA _____ MILES

EXCEPTION TO SPECIFICATIONS

Signature required, if exceptions are noted.

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 nonresident 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 nonresident 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 nonresident 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 nonresident 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 nonresident 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 nonprofit corporation that furthers the purposes of KRS Chapter 163 and any qualified nonprofit 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.