

# REQUISITION & PROPOSAL

ALABAMA STATE PORT AUTHORITY  
**MCDUFFIE COAL TERMINAL** DEPARTMENT

DATE 1/5/12  
ORIGINATING DEPT NO. UPON REQUEST

TO: Prospective Bidders  
Please procure the following and **DELIVER TO:**

ALABAMA STATE PORT AUTHORITY  
McDUFFIE COAL TERMINAL RECEIVING WHSE  
1760 YEEND LOOP  
MOBILE, AL 36602

## NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

The Alabama State Port Authority will be accepting bids on the following items:

**CONTACT FOR THIS BID ITEM: SCOTT MCAFEE @ (251) 422-1801**

| ITEM | QTY | DESCRIPTION  | UNIT PRICE / DELIVERY ARO |
|------|-----|--|---------------------------|
| 1    | 4   | LINCOLN ELECTRIC VANTAGE® 400 PERKINS WELDER. PART NUMBER K2410-3. |                           |

The brands and model numbers referenced provide a level of quality and unless otherwise specified are not restrictive. Vendors bidding alternate items must provide complete descriptive/technical literature for consideration and evaluation of their bid.

**FOB – ALABAMA STATE DOCKS, McDUFFIE COAL TERMINAL, MOBILE, AL**

**When submitting bid, please note on the outer envelope “WELDER”.**

## (4) WELDING MACHINES FOR MCDUFFIE TRUCKS

Recommended:

\_\_\_\_\_  
Kimberly Jones, Cargo Movement Supervisor  
Bulk Division

**Approved:**

\_\_\_\_\_  
Randy Gossett, Superintendent,  
McDuffie Terminal

\_\_\_\_\_  
Raymond Dearmon, Manager Bulk Operations

\_\_\_\_\_  
Brad Ojard, Vice President Operations

\_\_\_\_\_  
H. S. “Smitty” Thorne,  
Executive Vice President & COO

\_\_\_\_\_  
James K. Lyons, Director & CEO



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### **Alabama State Docks/Port Authority**

**Bid Description:** Purchase Four 400 AMP 3 Phase Welding Machines

**Bids to be Open:** 2/7/12

*The following paragraph shall be considered a part of the above referenced bid:*

### **Indemnification Clause**

The Contractor shall assume all liability for and shall indemnify and save harmless the **State of Alabama** and the **Alabama State Docks/Port Authority** and its officers and employees from all damages and liability for injury to any person or persons, and injury to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising from operations under the contract, whether such operations are performed by himself or by any subcontractor or by anyone directly or indirectly employed by either of them occurring on or about the premises, or the ways and means adjacent during the term of the contract, or any extension thereof, and shall also assume the liability for injury and/or damages to adjacent or neighboring property by reason of work done under the contract.

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NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

Please use this as a **guide only** for proper delivery.

Sender Name & Address

Alabama State Port Authority  
McDuffie Coal Terminal  
Postal Address for US Mail  
Physical Address for Courier Service

**Sealed Bid: (Description)**

**Bid Opening Date:**

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### ALABAMA STATE PORT AUTHORITY ACCESS POLICY

#### IMPORTANT NOTICE TO BIDDERS REGARDING ACCESS TO ASPA RESTRICTED FACILITIES:

Successful bidders requiring access to the Alabama State Port Authority's Restricted Facilities to fulfill any obligations set forth in this bid must comply fully with the Authority's Access Policy found in its entirety at [http://www.asdd.com/portaccess\\_policy.html](http://www.asdd.com/portaccess_policy.html). The Port Authority's Access Policy requires all persons permanently employed at the port, including ASPA staff, tenants and their employees, surveyors, agents, stevedores, longshoremen, chaplains, contract labor and persons requesting temporary access to the port, including delivery persons, vendors, contractors, and temporary workers must obtain and display an ASPA issued photo ID badge or visitor badge at all times when accessing or working on port property. In order to obtain an ASPA credential, applicants must also obtain a Transportation Worker Identification Credential (TWIC) and undergo mandatory Security Awareness Training. Information on the TWIC can be found at [http://www.asdd.com/portaccess\\_twicregs.html](http://www.asdd.com/portaccess_twicregs.html).

Information on Security Awareness Training classes and scheduling can be found at [http://www.asdd.com/portaccess\\_securitytraining.html](http://www.asdd.com/portaccess_securitytraining.html)

**ALL PROSPECTIVE BIDDERS ARE ENCOURAGED TO REVIEW THESE POLICIES AND CONSIDER THESE REQUIREMENTS IN PREPARING BID SUBMISSIONS.**

## **IMPORTANT NOTICE TO BIDDERS REGARDING EMPLOYMENT PRACTICES:**

Effective October 1, 2011, the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (“the Act”) requires that any business entity contracting with or approving any grant or incentives to the state, including the Alabama State Port Authority, certify compliance with the Act. Alabama’s new law requires business entities conducting business with the State register with E-Verify on or before January 1, 2012. E-Verify is an Internet-based system that allows an employer to determine the eligibility of that employee to work in the United States.

The E-Verify system is operated by the Department of Homeland Security in partnership with the Social Security Administration. E-Verify is available in Spanish. For more information about this system, please log onto <http://www.dhs.gov/files/programs/gc-1185221678150.shtm>. All Bidders must certify such compliance by executing the enclosed Affidavit and returning it to the Alabama State Port Authority with your bid package. The Affidavit must be notarized.

STATE OF ALABAMA :

COUNTY OF MOBILE :

**AFFIDAVIT AND CERTIFICATE OF COMPLIANCE**

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared \_\_\_\_\_, who is known to me and who, being by me first duly sworn, deposes and says as follows:

1. My name is \_\_\_\_\_. I am the \_\_\_\_\_ of \_\_\_\_\_ ("Company"), a company that contracts with and/or provides goods or services to the Alabama State Port Authority (ASPA) in Mobile, Alabama.
2. Company certifies that it does not knowingly employ, hire for employment or retain the services of any person who is not authorized to work in the United States as defined in 8 U.S.C. § 1324a(h)(3). Company further certifies that it is in full compliance with all federal and State of Alabama laws and regulations concerning the employment of non-citizens of the United States of America and will continue to remain in full compliance throughout the period Company contracts with or provides its goods or services to the Alabama State Port Authority.
3. Company further certifies that it is currently enrolled or will be enrolled in the E-Verify program administered by the United States Citizen and Immigration Services, the Department of Homeland Security and Social Security Administration or that it participates in the program through the Alabama Department of Homeland Security on or before January 1, 2012.

\_\_\_\_\_

STATE OF ALABAMA :

COUNTY OF MOBILE :

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
NOTARY PUBLIC  
State of Alabama

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| NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE |
|---|
|---|

**Please return one copy of this proposal, duly signed, by 11 o'clock a.m. February 7, 2012.**

When all bids are publicly opened, UNIT PRICES AND EXTENSIONS shall be entered opposite each item below on which you are prepared to bid for delivery **FREE OF CHARGE TO - McDuffie Coal Terminal (FOB) ALABAMA STATE DOCKS**

No consideration will be given bids unless on this form or a written attachment.

If not prepared to submit a bid, please state over the firm signature and return so that it may be known it was brought to your attention; otherwise your name may be dropped from the list of prospective bidders.

The right is reserved to reject any and all bids deemed for the interest of the Alabama State Port Authority, to strike out any item or items in the proposals, and to waive any defect or irregularity not a violation of law or to make any modification in the several conditions herein stipulated that are deemed to be in the best interest of the Alabama State Port Authority, including the separation of items of a class in making awards. In general, awards will be made to the lowest satisfactory bidder.

No Allowance will be made for errors, either of omission or commission, on the part of the bidders. It must be assumed that bidders have fully informed themselves as to all conditions, requirements, and specifications before submitting proposals and they can not expect to be excused or relieved from the responsibility assumed by their proposals on the plea of error. In case of error in extension of prices the unit price will govern.

The Port Authority reserves the right to refuse to issue a proposal form or a contract to a prospective bidder for any of the following reasons:

- a) Failure to pay, or satisfactorily settle, all bills due for labor and materials on a former contract in force with the Port Authority.
- b) Contractor default under a previous Contract with the Port Authority.
- c) Proposal withdrawal or Bid Bond forfeiture on a previous project with the Port Authority.
- d) Unsatisfactory work on a previous contract with the Port Authority.

Port Authority may make such investigations as deemed necessary to determine the ability of the bidder to perform the work, and the bidder shall furnish all such information and data for this purpose as the Port Authority may request. The Port Authority reserves the right to reject any bid if the evidence submitted by, or investigation of, such bidder fails to satisfy the Port Authority that such bidder is properly qualified to carry out the obligations of the Contract.

INSTRUCTIONS FOR BIDDERS  
ALABAMA STATE PORT AUTHORITY

This instruction sheet is provided as a guide to facilitate the bid process and highlight important points for consideration by bidders. Each bidder is responsible for fully reading and complying with the instructions on the Alabama State Port Authority bid form. **This instruction sheet is to be used as a guide only.**

1. No consideration will be given to bids unless presented on the Alabama State Port Authority "Requisition & Proposal" Form with suitable attachments as deemed necessary by the bidder. Alternate bid proposals may be rendered, with proper support.
2. If your company is not prepared to submit a bid, so state and sign to avoid being deleted from the prospective bidder's list.
3. The Alabama State Port Authority reserves the right to reject any and all bids if deemed in the Alabama State Port Authorities' interest.
4. No allowance will be made for error, either omission or commission.
5. Unit price governs in errors relating to extension of prices.
6. **Bids will not be accepted via FAX.** All bids must be sealed and sent via mail or hand delivered to the McDuffie Coal Terminal Office before the specified date and time.
7. The Alabama State Port Authority accepts no responsibility for facilitating the receipt of bids.
8. **Bids over \$7,500 must be notarized.**
9. Bids received after specified opening time will be returned to the bidder unopened. Bidders are requested to show a return address on the bid envelope.
10. Bid proposals must be filled out completely, including the name, address, telephone number, fax number (if possible) and signature of responsible person.
11. **Questions may be directed to the Alabama State Port Authority McDuffie Coal Terminal, Kim Jones, at (251) 441-7661.**
12. **All hand delivered bids** must be tendered to Alabama State Port Authority, McDuffie Coal Terminal Office 1901 Ezra Trice Blvd., Mobile AL 36603, at or before specified time.
13. **All regular U.S. Postal Mail** must be tendered to:  
Alabama State Port Authority  
ATTN: Kim Jones  
McDuffie Coal Terminal  
P.O. Box 1588 Mobile, AL 36633-1588  
**PLEASE IDENTIFY BID ON OUTER ENVELOPE**
14. **All courier / overnight deliveries** (UPS, FEDEX, DHL, etc.) must be delivered to:  
Alabama State Port Authority  
McDuffie Coal Terminal  
ATTN: Kim Jones  
1901 Ezra Trice Blvd.  
Mobile, AL 36603  
**RECOMMENDED METHOD**  
**PLEASE IDENTIFY BID ON OUTER ENVELOPE!**
15. Note: all overnight bids must be **FIRST PRIORITY OVERNIGHT. (8:30 A.M. NEXT MORNING)**
16. **Notarization not required on "SALE" bids.**
17. Please specify the purchase order number (when available) on envelope.



# State of Alabama Disclosure Statement

(Required by Act 2001-955)

ENTITY COMPLETING FORM

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

STATE AGENCY/DEPARTMENT THAT WILL RECEIVE GOODS, SERVICES, OR IS RESPONSIBLE FOR GRANT AWARD

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

This form is provided with:

- Contract   
 Proposal   
 Request for Proposal   
 Invitation to Bid   
 Grant Proposal

Have you or any of your partners, divisions, or any related business units previously performed work or provided goods to any State Agency/Department in the current or last fiscal year?

- Yes   
 No

If yes, identify below the State Agency/Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services.

| STATE AGENCY/DEPARTMENT | TYPE OF GOODS/SERVICES | AMOUNT RECEIVED |
|-------------------------|------------------------|-----------------|
|                         |                        |                 |
|                         |                        |                 |

Have you or any of your partners, divisions, or any related business units previously applied and received any grants from any State Agency/Department in the current or last fiscal year?

- Yes   
 No

If yes, identify the State Agency/Department that awarded the grant, the date such grant was awarded, and the amount of the grant.

| STATE AGENCY/DEPARTMENT | DATE GRANT AWARDED | AMOUNT OF GRANT |
|-------------------------|--------------------|-----------------|
|                         |                    |                 |
|                         |                    |                 |

1. List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

| NAME OF PUBLIC OFFICIAL/EMPLOYEE | ADDRESS | STATE DEPARTMENT/AGENCY |
|----------------------------------|---------|-------------------------|
|                                  |         |                         |
|                                  |         |                         |

OVER

2. List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the public officials/public employees and State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

| NAME OF FAMILY MEMBER | ADDRESS | NAME OF PUBLIC OFFICIAL/<br>PUBLIC EMPLOYEE | STATE DEPARTMENT/<br>AGENCY WHERE EMPLOYED |
|-----------------------|---------|---|--|
|-----------------------|---------|---|--|

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If you identified individuals in items one and/or two above, describe in detail below the direct financial benefit to be gained by the public officials, public employees, and/or their family members as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

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Describe in detail below any indirect financial benefits to be gained by any public official, public employee, and/or family members of the public official or public employee as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

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List below the name(s) and address(es) of all paid consultants and/or lobbyists utilized to obtain the contract, proposal, request for proposal, invitation to bid, or grant proposal:

| NAME OF PAID CONSULTANT/LOBBYIST | ADDRESS |
|----------------------------------|---------|
|----------------------------------|---------|

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***By signing below, I certify under oath and penalty of perjury that all statements on or attached to this form are true and correct to the best of my knowledge. I further understand that a civil penalty of ten percent (10%) of the amount of the transaction, not to exceed \$10,000.00, is applied for knowingly providing incorrect or misleading information.***

Signature \_\_\_\_\_ Date \_\_\_\_\_

Notary's Signature \_\_\_\_\_ Date \_\_\_\_\_ Date Notary Expires \_\_\_\_\_

*Act 2001-955 requires the disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000.*

**THIS PAGE MUST BE NOTARIZED**