

PUBLISH: July 3 and July 10, 2009

NOTICE OF SALE

The City of Sioux Falls, SD, requests formal bids for sale of Trees Located at 11th Street and Duluth Avenue.

Sealed bids shall be received by Purchasing, 3rd Floor, City Hall, 224 W. 9th St., P.O. Box 7402, Sioux Falls, SD 57104-7402, not later than 2 p.m., July 16, 2009. **Bids shall be publicly opened and read in City Hall, 1st Floor, at 2:15 p.m.**

Specifications and bid forms that must be used are available from Purchasing at the above address, or by calling 605-367-8835.

The City of Sioux Falls reserves the right to reject any or all bids, waive technicalities, and make award(s) as deemed to be in the best interest of Sioux Falls, SD.

Purchasing

Notice of Sale

Description:

This Notice of Sale is for the purchase and removal of trees on the stump on property that is owned by the City of Sioux Falls, South Dakota.

The trees are marked with a blue "Number" respective to the awarded tree. A tabulation of the species, location, and size of trees to be removed is attached as Exhibit A. The tree's diameters are measured at four and one-half (4 1/2) feet above the ground.

It is intended that the stumpage paid will cover the cost of removal of each tree to within six inches (6-inch stump) of the surrounding ground level. The site of each removal shall be cleaned of all debris created by the removal of each individual tree and leveled to the condition prior to starting removal.

General Conditions:

Any work unsatisfactorily performed that is not in accordance with these specifications or to the satisfaction of the City may result in your contract being terminated upon twenty-four (24) hours' notice.

No saws or power equipment shall be started prior to 7:30 a.m., with all daily scheduled work completed prior to sunset, Monday through Saturday. **No** work on Sundays is permitted.

Removal of trees shall begin upon execution of a contract and be completed within 30 days of notice to proceed.

Bidders will indicate on the bid form the purchase price for each tree.

Bidder shall be responsible for all licenses and permits that may be required by state and local governmental units. All bidders must provide such licenses and permits, including a valid arborist license issued by Sioux Falls Parks and Recreation, as required by the state or City if they are hiring the logging of trees.

The Contractor is responsible for contacting public utility companies if removal operations may possibly damage public utility facilities. The Contractor is specifically forbidden to do any disconnection work.

The Contractor will be responsible for the repair of any damage to sidewalks, curb and gutter, streets and lawns, or other property.

The Contractor shall use safety procedures and protective devices that will conform to OSHA standards.

Insurance Requirements:

The awarded contractor(s) shall meet the following insurance requirements prior to contract award.

1. **Commercial General Liability.** The policy shall provide occurrence form contractual, personal injury, bodily injury, and property damage liability coverage with limits of at least \$1,000,000 per occurrence, \$2,000,000 general aggregate, and \$2,000,000 aggregate products and completed operations. The required limit may include excess liability (umbrella) coverage. The policy shall name the City and its representatives as an additional insured. If "occurrence form" insurance is not available, "claims made" insurance will be acceptable. The policy shall be maintained for three years after completion of this contract.
2. The Contractor will provide the City with at least 30 days written notice of an insurer's intent to cancel or not renew any of the insurance coverage. The Contractor agrees to hold the City harmless from any liability, including additional premium due because of the Contractor's failure to maintain the coverage limits required.
3. The City's acceptance of a certificate of insurance does not mean that the City assumes responsibility for its validity. Nor does it mean that the City represents that the coverage and limits required are adequate to protect the Contractor.

Bid Award:

The sale of the trees will be awarded by proposal to the highest bidder. It will be the awarded bidder's responsibility once the notice to proceed has been given to remove the trees from the property per the specifications listed above.

Method of Payment:

Each sealed bid must include payment which can be a certified check, cashier's check, or money order in the amount of the bid and payable to the City of Sioux Falls. **No personal checks or company check will be accepted.** If a certified check, cashier's check, or money order is not included with the bid, the bid will be considered nonresponsive and will not be accepted.

Unsuccessful bids will be returned within 30 days from the date of opening to all unsuccessful bidders.

Successful bidder is responsible for any applicable federal, state, and local taxes.

All sales are final and the trees are sold as is and the City does not warrant the condition of the trees.

Questions:

Any questions regarding this invitation to the bid shall be directed to the Purchasing Office, City Hall, 224 West Ninth Street, P.O. Box 7402, Sioux Falls, SD 57117-7402, 605-367-8013. If the City deems it of general interest, the answer shall be issued in written addendum to each vendor that has been sent a request. The addendum will also be posted on the City's website at www.siouxfalls.org and it will be the bidder's responsibility to check the website before the bid opening date.

The Project Manager for this project is:

Russ Sorenson
City Planner
605-367-8896

Exhibit A

Tree	Size	Species	General Location
1	15-inch diameter x 50-foot height	Walnut	Near Spring Avenue
2	26-inch diameter x 55-foot height	Walnut	Near 11th Street
3	9-inch diameter x 35-foot height	Cedar	North of yellow house
4	10-inch diameter x 35-foot height	Cedar	North of yellow house

BID FORM AND CONTRACT

The undersigned shall, if awarded this contract, furnish payment to the City of Sioux Falls, South Dakota, the following items in accordance with the conditions, specifications, and requirements as set out in the notice of sale and this response.

Proposal No.	Tree No.	Size	Species	Location	Bid Price
1	1	15-inch diameter x 50-foot height	Walnut	Near Spring Avenue	\$
2	2	26-inch diameter x 55-foot height	Walnut	Near 11th Street	\$
3	3	9-inch diameter x 35-foot height	Cedar	North of yellow house	\$
4	4	10-inch diameter x 35-foot height	Cedar	North of yellow house	\$

If awarded this request, the bidder's signature on this bid form and contract is the bidder's contractual signature and when countersigned by the Mayor and delivered to the successful bidder shall become a binding contract to furnish the awarded item(s). The City's acceptance is conditioned upon the resolution of any subsequent protest to the bid award.

Signature of Bidder: _____

Typed/Printed Name and Title: _____

Company Name: _____

Address: _____

Telephone: _____ Fax: _____

Federal Tax ID No.: _____ Security Enclosed: _____

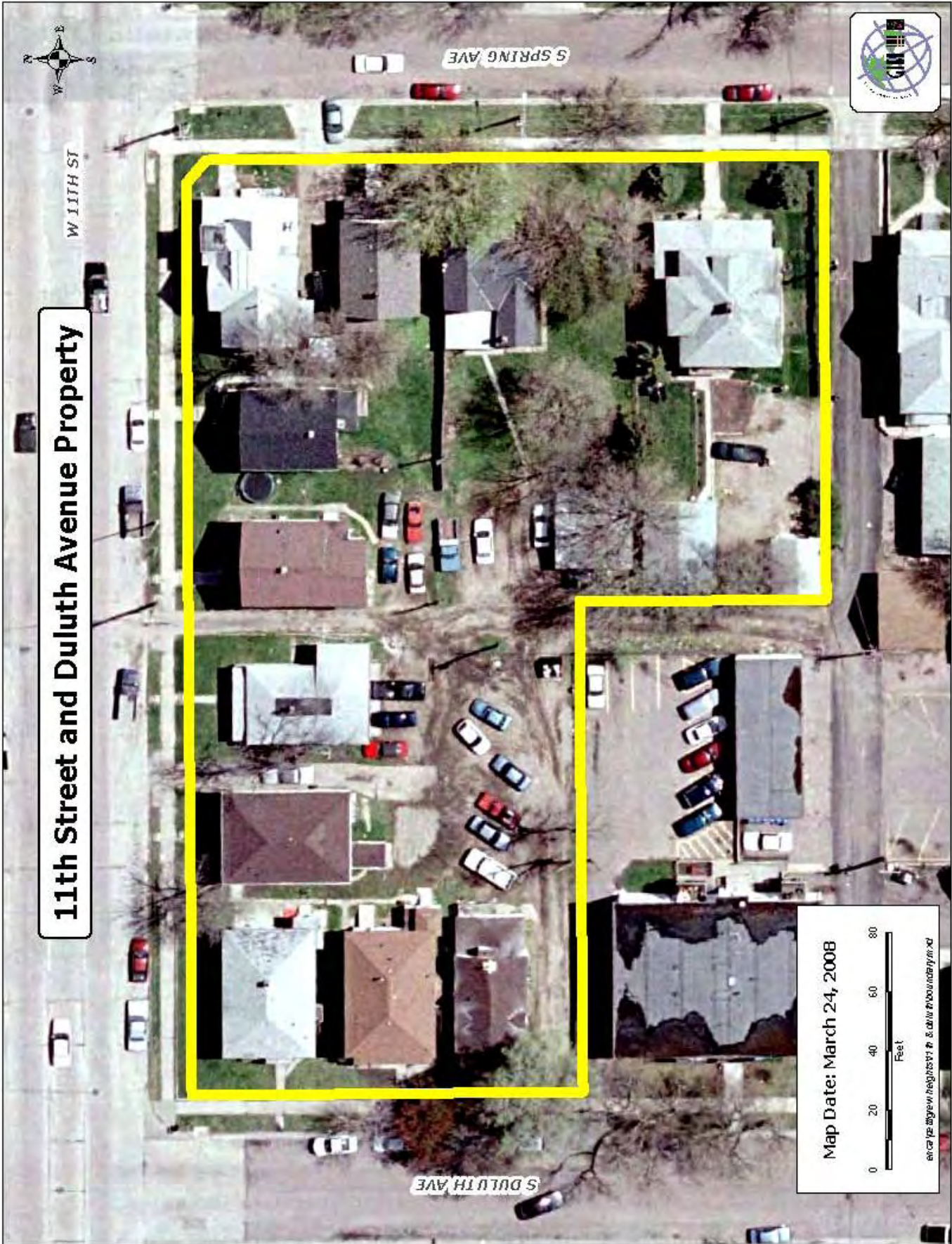
South Dakota Sales Tax Permit No.: _____

Accepted by the City of Sioux Falls,

Dave Munson, Mayor

ATTEST:

City Clerk



11th Street and Duluth Avenue Property