

**NOTICE INVITING BIDS**

Sealed proposals will be received at the Office of the Purchasing Agent, 200 S. Anaheim Blvd., Suite 620, Anaheim, California 92805 until 2:00 p.m., **WEDNESDAY, JUNE 4, 2008**, at which time they will be publicly opened and recorded for furnishing:

**BID # 7145**

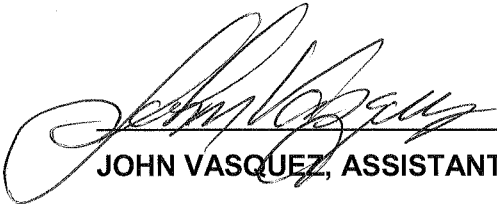
**IBM BLADE SERVERS**

**NIGP CODES: 206-97 SERVERS, MINI COMPUTER (APPLICATION, DATABASE, FILE, MAIL NETWORK, WEB, ETC.) AND 209-91 COMPUTER SOFTWARE FOR MINI, UTILITIES**

to the City of Anaheim, all in accordance with written specifications therefore to be delivered **F.O.B. INFORMATION SERVICES RECEIVING – ANAHEIM, DESTINATION, OFFLOADED AND DELIVERED**, within **SIX WEEKS** following the date of authorization to proceed.

Bid Proposal forms, Instructions to Bidders, and copies of the Technical Specifications are attached hereto. All proposals **MUST BE MADE** on the Bid Proposal form provided by the Purchasing Agent.

The City of Anaheim reserves the right to accept or reject any and all bids.



**JOHN VASQUEZ, ASSISTANT PURCHASING AGENT**

(714) 765-5216

*5/15/08*

Date

email: [jvasquez@anaheim.net](mailto:jvasquez@anaheim.net)

COMPLETE THE INFORMATION BELOW IF **YOU ARE NOT SUBMITTING A BID** but wish to remain in consideration for future bids.

A failure to respond to this solicitation may result in Purchasing removing your firm's name for future bids for this commodity/service.

To maintain active status in our vendor database, fax this form to (714) 765-5288 or e-mail it to the address shown above by the bid due date.

Reason for not bidding:

\_\_\_\_\_

Company Name:

\_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date \_\_\_\_\_

**MARK OUTER ENVELOPE "BID # 7145 -- IBM BLADE SERVERS"**

BIDDER'S NAME: \_\_\_\_\_

**BID PRICING:**

The undersigned bidder, having carefully examined the specifications, terms and conditions contained herein, hereby proposes to furnish, in strict accordance with the specifications, the below listed items for the prices entered herein:

The purpose of this bid request is to provide a solution platform to enable Anaheim Public Utilities to implement an application from eMeter: EnergyIP Meter Data Management System. The responder must include all components listed on the bid specification.

Each bidder to provide pricing as noted on the attached price sheet and transfer the totals as indicated herein.

ITEM #	UNIT QTY.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.	3 EA	BLADE SERVER PER ATTACHED SPECIFICATIONS ( Blade Center HS21)		
2.	3 EA	3 YEAR ONSITE REPAIR 24X7 4 HOUR RESPONSE		
			<b>Subtotal: \$</b>	
			<b>Sales Tax: \$</b>	
			<b>Total Bid Price:</b>	
			<b>With Tax</b>	<b>\$</b>

The total bid price is \_\_\_\_\_ dollars and \_\_\_\_\_ cents.

Attachments: **SPECIFICATIONS**

**ALL BIDS ARE TO BE SUBMITTED IN DUPLICATE**

DELIVERY REQUIRED: **WITHIN SIX WEEKS** AFTER AUTHORIZATION TO PROCEED.

STANDARD TERMS: NET 30 DAYS - ENTER DISCOUNT TERMS IF APPLICABLE \_\_\_\_\_

**FOB: INFORMATION SERVICES RECEIVING, 201 S. ANAHEIM BLVD., 4TH FLOOR, SUITE 401, ANAHEIM, CA 92805, DESTINATION OFFLOADED AND DELIVERED**

**NOTE: Bidder to enter applicable and current sales tax rate, however, the City will agree to pay applicable and current sales tax in effect at time of shipment.**

~~Continue to bid instructions and other applicable forms~~

**IBM BLADE SERVERS**

**INSTRUCTIONS TO BIDDERS:**

1. No bid proposal will be considered for award unless submitted on the bid proposal form furnished by the Purchasing Agent completely filled out, properly signed by the bidder, and delivered under sealed copy plainly marked as **BID # 7145 -- IBM BLADE SERVERS** to the Office of the Purchasing Agent, 200 S. Anaheim Blvd., Suite 620 Anaheim, CA 92805 on or before 2:00 p.m., **WEDNESDAY, JUNE 4, 2008**, at which time all bids will be publicly opened and recorded.
2. Attention of bidders is especially directed to all provisions of the Specifications which, in addition to the Bid Proposal and these Instructions, will be made a part of any contract with the successful bidder.
3. Awards will be made by the City of Anaheim within **NINETY (90) DAYS** from the date bids are opened and no bid proposal may be withdrawn prior to award within that time.
4. Any questions concerning this bid request are to be referred to the Purchasing Agent in writing/email no later than **SEVEN (7)** calendar **DAYS** prior to the scheduled bid submittal date. All known bidders will be notified by the Purchasing Agent of any revision, deletion, or addition made as a result of such inquiries.
5. In the event of discrepancies between totals, unit price extensions and summaries of totals, the unit price correctly extended will control.
6. If more than one item appears on the bid proposal form and no statement to the contrary is set forth therein, the City of Anaheim reserves the right to:
  - a. make multiple awards based upon prices submitted; or
  - b. make one award based upon the total price of all items.Bidders have the option of stipulating "all or nothing" or any combination of items on their proposal unless otherwise stated in the bid specifications.
7. The City of Anaheim encourages all qualified business firms to submit proposals. The Purchasing Division will assist by providing detailed instructions, procurement policies, and other relevant information upon request to any potential bidder seeking assistance.
8. For projects designated as federally funded, the successful bidder must certify prior to award that it has a written affirmative action program and complies with all federal, state, and municipal laws and regulations pertaining to affirmative action and non-discrimination. This certification may be made on the bid proposal in the space provided.
9. When bidding an item believed to be equal to that specified where equals are called for, sufficient supporting data is to accompany your bid to enable the City of Anaheim to determine whether the proposed item is equal. Vendors should refer to the special provisions and specification pages to determine if alternate products or specifications will be considered for this bid, and to determine any pre-qualification requirements that may be applicable.
10. Exceptions taken at time of, or after bid submittal, may render the bid non-responsive.
11. It is understood that, except as may be otherwise expressly provided in the Specifications, the award will be made to the lowest responsible bidder where the bids are for identical items or supplies, subject to the right to reject any and all bids. But where bids are called for articles or supplies that are similar but of different brand or make, the City may accept the bid of the bidder who submits the article or supply which, in the City's judgment, is deemed best for the City although it may not be the lowest bid.
12. It is understood that in determining the lowest price, the ultimate receipt of local sales tax by the City will be considered, and for this purpose, the undersigned bidder submits the following information:
  - ( ) The undersigned bidder does not maintain a place of business in the City of Anaheim.
  - ( ) The undersigned bidder maintains a place of business in the City of Anaheim at:

13. It is understood that the City of Anaheim reserves the right to waive any informality or irregularity in a bid when it is to the advantage and best interest of the City to do so. It is further understood that if the bidder to whom any award is made fails to enter into a contract, award may be made to the next lowest responsible bidder who shall be bound to perform as if he had received the award in the first instance.
14. Standard payment terms are net 30 days. Discount payment terms may be offered; however, they will not be considered in determining lowest responsive bid award.
15. Payment will be made within thirty days of acceptance of goods or services and receipt of invoice, whichever occurs last.
16. Any person, including but not limited to, an individual, corporation, or sole proprietor who wishes to conduct any business within the City of Anaheim, must secure a business license and comply with any and all applicable provisions of Title 3 of the City Ordinance relating to business licenses. A City of Anaheim business license must be in effect prior to any product or services being provided to the City.
17. It is the responsibility of each bidder to include all applicable taxes and identify as such in the bid proposal.
18. All items checked below apply to this bid proposal:

XXX Non-Collusion Affidavit: Each proposal must be accompanied by a Non-Collusion Affidavit (attached) properly executed by the Bidder.

\_\_\_\_\_ **Bid Bond:** A bid bond (sample attached) in an amount equal to at least ten percent (10%) of the total bid(s) must accompany the bid proposal.

\_\_\_\_\_ **Labor and Materials Bond:** The successful bidder shall be required to furnish a Labor and Materials Bond (sample attached) in an amount equal to 100% of the total contract award within thirty (30) calendar days from date of award.

\_\_\_\_\_ **Faithful Performance Bond:** The successful bidder shall be required to furnish a Faithful Performance Bond (sample attached) in an amount equal to 100% of the total contract award within thirty (30) calendar days from date of award.

\_\_\_\_\_ **Hold Harmless and Indemnification:** The successful bidder hereby agrees to indemnify, defend, and hold harmless the City (including its officers and employees) from and against any and all claims of any kind or nature presented against the City arising out of vendor's (including vendor's employees, representatives, products, and subcontractors) performance under this agreement, excepting only such claims, costs or liability which may arise out of the sole negligence of the City.

\_\_\_\_\_ **Insurance Provisions:**

1. Comprehensive General Liability Insurance: (include products liability coverage, when applicable); \$1,000,000 per occurrence.
2. Auto Liability Insurance: \$1,000,000 per occurrence, combined single limit (CSL).
3. Workers' Compensation Insurance: as required by State statutes.
4. City of Anaheim to be named as an Additional Insured on the above-captioned insurance coverages as respects the City's interests under this agreement. This is to be complied with by presenting an appropriate insurance certificate to the City prior to commencement of work under this agreement; and by presenting to the City an endorsement to the policy signed by an officer of the insurance company within thirty (30) days of the inception date of this agreement.
5. All policies of insurance shall provide for a minimum of thirty (30) days written notice of any change or cancellation of the policy.

6. Insurance policies to be in a form and written through companies acceptable to the City; and shall include those endorsements which are necessary to extend coverage which is appropriate to the nature of the agreement.
19. Any changes, deletions, or additions to this bid solicitation will be made by addendum numbered sequentially. **To ensure that your bid is predicated upon having received all such addendum, enter the last number received below; if none have been received, enter "none":**

The price(s) set forth herein includes addendum through No. \_\_\_\_\_.

20. In support of its commitment to equal opportunity, the City of Anaheim requires all suppliers to comply with Title VII of the Civil Right Act of 1964, as amended, the Civil Rights Act of 1992, and all federal, state, and municipal laws and regulations pertaining thereto. In addition, successful bidders must certify prior to award of contracts in excess of \$50,000 that they have a written policy statement prohibiting discrimination in compliance with the above laws and regulations, and such policy statement may be reviewed by the City of Anaheim. Said Certification may be made by signing below:

Certified to above - FIRM: \_\_\_\_\_

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

PRINT NAME: \_\_\_\_\_

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

21. For tracking purposes on projects designated as Federally funded, please indicate if you are a minority owned business enterprise as defined by the U.S. Government in 42, U.S.C.A. Section 6705(F) (fifty percent (50%) or more of the business or shares of stock are owned by minority group members who are African Americans, Hispanic, Asian/Pacific Islanders, Native Americans, Eskimos, and Aleuts?

\_\_\_\_\_ YES

\_\_\_\_\_ NO

22. If your quote is based on an alternate product or service from that specifically identified in the bid Specification, or you are taking exception to any of the terms or conditions of this request for bid, please indicate below and describe:

**(check any that apply)**

\_\_\_\_\_ Exception taken to bid terms and conditions

\_\_\_\_\_ Alternate, but equivalent, product offered to that named in the specification

\_\_\_\_\_ Alternate product, not completely equivalent in construction and/or performance of that specified, but believed to be suitable and acceptable for its intended purpose

(Taking exception to the terms, conditions, or specification without approval prior to bid opening could be cause for rejection of bid.)

Please explain any of the checked items:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

23. The City of Anaheim reserves the right to accept or reject any and all bids.

**We acknowledge receipt and understanding of all bid specifications, terms and conditions, and hereby submit the enclosed bid in accordance with them, with the exception of anything identified otherwise in Item 22, above:**

BIDDING FIRM: \_\_\_\_\_

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

\_\_\_\_\_

PHONE # \_\_\_\_\_ FAX # \_\_\_\_\_

EMAIL \_\_\_\_\_

SIGNATURE OF REPRESENTATIVE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

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

INSTRUCTION REGARDING SIGNATURE: If bidder is an individual, state "Sole Owner" after signature. If bidder is a partnership, signature must be by a general partner, so stated after "Title". Names of all other partners and their business addresses must be shown below. If bidder is a corporation, signature must be by an authorized officer, so stated after "Title", and the names of the President and Secretary and their business addresses must be shown below:

_____	_____
_____	_____
_____	_____
_____	_____

**24. The bid you submit to the City must contain the following documents, submitted in duplicate:**

1. The Instruction to Bidders form, properly completed and signed
2. The Bid Pricing Page(s)
3. Non-Collusion Affidavit
4. Any bonds or insurance certificates indicated as required (see above)

**NON-COLLUSION AFFIDAVIT TO BE EXECUTED BY  
BIDDER AND SUBMITTED WITH BID**

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STATE OF CALIFORNIA

ss.

County of \_\_\_\_\_

\_\_\_\_\_, being first duly sworn deposes and says that he is \_\_\_\_\_ of \_\_\_\_\_, the party making the foregoing bid that such bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation; that such bid is genuine and not collusive or sham; that said bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that said bidder has not in any manner directly or indirectly sought by agreement, communication, or conference with any one to fix the bid price of said bidder or of any other bidder, or to fix any overhead, profit, or cost element of such bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in such bid are true, and further, that said bidder has not directly or indirectly submitted his bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid and will not pay any fee in connection therewith, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, or to any other individual except to any person or persons as have a partnership or other financial interest with said bidder in this general business.

\_\_\_\_\_  
By \_\_\_\_\_

**NOTARY NOT REQUIRED**