



# **DRAINAGE DISTRICT NO. 3**

## **Jefferson County, Texas**

PO Box 388 Hamshire, TX 77622 Phone (409) 243-3495 Fax (409) 243-3158

### **LEGAL NOTICE**

#### **Advertisement for Invitation for Bids**

#### **SALE OF EXCAVATOR, EQUIPMENT, IMPLEMENTS & MISCELLANEOUS ITEMS**

March 22, 2023

Notice is hereby given that sealed bids will be accepted by the Jefferson County Drainage District No. 3 for IFB 23-0419/SV, Sale of Equipment, Implements and Miscellaneous Items. **Specifications for this project may be obtained from the DRAINAGE DISTRICT NO. 3 website <https://jcdd3.org> or by calling 409-243-3495.**

Bids are to be sealed and addressed to the Board of Commissioners with the bid number and name marked on the outside of the envelope or box. Bidders shall forward an original and two (2) copies of their bid to the address shown below. Drainage District No. 3 does not accept bids submitted electronically. Late bids will be rejected as non-responsive. Bids will be publicly opened and read aloud in the Drainage District Office at the time and date below. Bidders are invited to attend the sealed bid opening.

**BID NAME:** Excavators, Equipment, Implements, Miscellaneous Items  
**BID NO:** IFB 23-0419/SV  
**DUE DATE/TIME:** 4:30 AM CDT, Monday, April 17, 2023  
**MAIL OR DELIVER TO:** DRAINAGE DISTRICT NO. 3  
Jefferson County, Texas  
PO Box 388  
Hamshire, TX 77622

Any questions relating to these requirements should be directed to Ruffus Lavergne, General Manager at 409-243-3495 or [rlavergne@jcdd3.org](mailto:rlavergne@jcdd3.org)

Drainage District No. 3 encourages Disadvantaged Business Enterprises to participate in the bidding process. Drainage District No. 3 does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provisions of services. Individuals requiring special accommodations are requested to contact our office at 409-243-3495 to make arrangements no later than seven (7) calendar days prior to the submittal deadline. Drainage District No. 3 reserves the right to accept or reject any or all proposals, to waive technicalities and to take whatever action is in the best interest of Drainage District No. 3.

All interested firms are invited to submit a bid in accordance with the terms and conditions stated in this bid.

**RESPONDENTS ARE STRONGLY ENCOURAGED TO CAREFULLY READ THE ENTIRE INVITATION.**

Shanna Verret, Administrative Assistant  
Drainage District No. 3 Jefferson County, Texas

Publish: The Examiner – March 30, April 6, April 13, 2023

**IFB 23-0419/SV**

**Sale of Excavators, Equipment, Implements, Miscellaneous Items**

**Bids due: 7:30 AM CDT, Wednesday, April 19, 2023**

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**Bid Submissions:**

Bidder is responsible for submitting one (1) *original* bid copy to include a completed copy of this specifications packet in its entirety; and two (2) numbered bid *hard copies* to include at a minimum all pages requiring completion and/or marked with instructions to be returned with bid submission and any other documentation requested within these specifications.

Additionally, Bidder must monitor the Drainage District No. 3 Website (below) to see if addenda or additional instructions have been posted. Failure to return all required forms could result in a response being declared as non-responsive.

<https://jcdd3.org>

# Instructions to Bidders

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## 1. Bid Submission

Bids must be submitted in complete original form by mail or messenger to the following address:

Drainage District No. 3  
PO Box 388  
24460 Hwy 124  
Hamshire, TX 77622

Bids will be accepted at the above address until the time and date specified herein, and immediately after will be publicly opened and read aloud.

**All bids shall be tightly sealed in an opaque envelope or box and plainly marked "SEALED BID." The outside of the envelope or box shall also include: Bid Number, Bid Name, Bid Due Date, Bidder's Name and Address; and shall be addressed to the Board of Commissioners.**

**Bidder is responsible for submitting one (1) *original* bid copy to include a completed copy of this specifications packet in its entirety; and two (2) numbered bid *hard copies* to include at a minimum all pages requiring completion and/or marked with instructions to be returned with bid submission and any other documentation requested within these specifications.**

Late bids will not be accepted and will be returned unopened to the bidder.

All bids submitted in response to this invitation shall become the property of Jefferson County Drainage District No. 3 and will be a matter of public record available for review.

## 2. Drainage District Office Hours

The District's office is open Monday-Thursday 7a.m. to 5p.m.

## 3. Bid Submissions During Time of Inclement Weather, Disaster, or Emergency

In case of inclement weather or any other unforeseen event causing the District to close for business on the date of a bid/proposal/statement of qualifications submission deadline, the bid closing will automatically be postponed until the next business day that District offices are open to the public. Should inclement weather conditions or any other unforeseen event cause delays in courier service operations, the District may issue an addendum to all known vendors interested in the project to extend the deadline. It will be the responsibility of the vendor to notify the District of their interest in the project should these conditions impact their ability to submit a bid/proposal/statement of qualifications submission before the stated deadline. The District reserves the right to make the final judgement call to extend any deadline.

Should an emergency or unanticipated event interrupt normal District processes, and bid/proposal/statement of qualifications submissions cannot be received by the Board of Commissioners by the exact time specified in the IFB and urgent District requirements preclude amendment to the IFB, the time specified for receipt of bids will be deemed to be extended to the same time of day specified in the solicitation on the first business day on which normal District processes resume.

## 4. Preparation of Bids

The bid shall be legibly printed in ink or typed.

If a unit price or extension already entered is to be altered, it shall be crossed out and initialed in ink by the bidder.

The bid shall be legally signed and shall include the complete address of the bidder.

## 5. Signatures

All bids, notifications, claims, and statements must be signed by an individual authorized to bind the bidder. The individual signing certifies, under penalty of perjury, that he or she has the legal authorization to bind the bidder.

## 6. District Holidays – 2023:

January 16	Monday	Martin Luther King, Jr. Day
February 20	Monday	President's Day
April 7	Friday	Good Friday
May 29	Monday	Memorial Day
July 4	Tuesday	Independence Day
September 4	Monday	Labor Day
November 10	Friday	Veteran's Day
November 23 & 24	Thursday & Friday	Thanksgiving
December 25 & 26	Monday & Tuesday	Christmas
January 1, 2024	Monday	New Year's

## 7. Rejection or Withdrawal

Submission of additional terms, conditions or agreements with the bid document are grounds for deeming a bid non-responsive and may result in bid rejection. Drainage District No. 3 reserves the right to reject any and all bids and to waive any informalities and minor irregularities or defects in bids. Bids may be withdrawn in person by a bidder or authorized representative, provided their identity is made known and a receipt is signed for the bid, but only if the withdrawal is made prior to the time set for receipt of bids. Bids are an irrevocable offer and may not be withdrawn within 90 days after opening date.

## 8. Award

The bid will be awarded to the responsible, responsive bidder(s) whose bid, conforming to the solicitation, will be most advantageous to Drainage District No. 3. Unless otherwise specified in this IFB, Drainage District No. 3 reserves the right to accept a bid in whole or in part, and to award by item or by group, whichever is deemed to be in the best interest of Drainage District No. 3. Any bidder who is in default to Drainage District No. 3 at the time of submittal of the bid shall have that bid rejected. Drainage District No. 3 reserves the right to clarify any contractual terms with the concurrence of the Contractor; however, any substantial nonconformity in the offer, as determined by Drainage District No. 3, shall be deemed non-responsive and the offer rejected.

In evaluating bids, Drainage District No. 3 shall consider the qualifications of the bidders, and, where applicable, operating costs, delivery time, maintenance requirements, performance data, and guarantees of materials and equipment. In addition, Drainage District No. 3 may conduct such investigation as it deems necessary to assist in the evaluation of a bid and to establish the responsibility, qualifications, and financial ability of the bidders to fulfill the contract.

Drainage District No. 3 reserves the right in accordance with the laws of the State of Texas, to waive any formality or irregularity, to make awards to more than one offeror, and/or to reject any or all bids. In the event the highest dollar offeror is not awarded a contract, Offeror may appear before the Board of Commissioners and present evidence concerning Offeror responsibility after officially notifying the Administrative Assistant of Offeror's intent to appear.

## **9. Contract**

A response to an IFB is an offer to contract with Drainage District No. 3 based upon the terms, conditions, and specifications contained in the IFB. Bids do not become contracts unless and until they are executed by Drainage District No. 3, eliminating a formal signing of a separate contract. For that reason, all of the terms and conditions of the contract are contained in the IFB, unless any of the terms and conditions is modified by an IFB Amendment, a Contract Amendment, or by mutually agreed terms and conditions in the contract documents.

## **10. Waiver of Subrogation**

Bidder and bidder's insurance carrier waive any and all rights whatsoever with regard to subrogation against Drainage District No. 3 as an indirect party to any suit arising out of personal or property damages resulting from bidder's performance under this agreement.

## **11. Bid Results**

Bid results are not provided in response to telephone inquiries. A preliminary tabulation of bids received will be posted on the Purchasing web page (<http://co.jefferson.tx.us/purchasing/main.htm>) as soon as possible following bid opening. A final tabulation will be posted following bid award, and will also be available for review in the District's office.

## **12. Changes and Addenda to Bid Documents**

Each change or addendum issued in relation to this IFB document will be on file in the Office of the District, and will be posted on the Purchasing web site as soon as possible. It shall be the bidder's responsibility to make inquiry as to change or addenda issued, and to monitor the web site. All such changes or addenda shall become part of the contract and all bidders shall be bound by such addenda. Information on all changes or addenda issued will be available at the Office of the District.

## **13. Specifications**

Any unsolicited alternate bid, or any changes, insertions, or omissions to the terms and conditions, specifications, or any other requirements of the bid, may be considered non-responsive.

## **14. Interpretation of Bid and/or Contract Documents**

All inquiries shall be made within a reasonable time prior to the date and time fixed for the bid opening, in order that a written response in the form of an addendum, if required, can be processed before the bids are opened. Inquiries received that are not made in a timely fashion may or may not be considered.

## **15. Currency**

Prices calculated by the bidder shall be stated in U.S. dollars.

## **16. Pricing**

Prices shall be stated in units of quantity specified in the bid documents. In case of discrepancy in computing the amount of the bid, the unit price shall govern.

## **17. Certification**

By signing the offer section of the Offer and Acceptance page, bidder certifies:

- The submission of the offer did not involve collusion or other anti-competitive practices.
- The bidder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to any public servant in connection with the submitted offer.
- The bidder hereby certifies that the individual signing the bid is an authorized agent for the bidder and has the authority to bind the bidder to the contract.

**18. Definitions**

“District” – Drainage District No. 3

“Contractor” – The bidder whose proposal is accepted by Drainage District No. 3.

**19. Minority-Women Business Enterprise Participation**

It is the desire of Drainage District No. 3 to increase the participation of Minority (MBE) and women-owned (WBE) businesses in its contracting and procurement programs. While the District does not have any preference or set aside programs in place, it is committed to a policy of equitable participation for these firms.

# Minimum Specifications

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The following requirements and specifications supersede General Requirements where applicable. Contact Shanna Verret, Administrative Assistant (e-mail: [sverret@jcdd3.org](mailto:sverret@jcdd3.org), Phone: 409-243--3495, regarding any questions or comments. Please reference bid number IFB 23-0419/SV.

## 1. Objective

Drainage District No. 3 seeks to sell Excavator, Equipment, Implements and Miscellaneous Items that are housed at the Drainage District's physical address.

## 2. Scope

The District will receive sealed bids for the Excavator, Equipment, Implements, & Miscellaneous Items. The Excavator, Equipment, Implements, & Miscellaneous Items will be sold as listed on the Bid Form. All offers must be submitted on the official bid form included as part of this IFB.

**The successful bidder shall be solely responsible for picking up and transporting the Excavator, Equipment, Implements, & Miscellaneous Items. Excavator, Equipment, Implements, & Miscellaneous Items must be picked up within fifteen (15) days of notification of award.**

## 3. Description

**The Excavator, Equipment, Implements, & Miscellaneous Items being sold are listed below. Please note that all items listed may be incomplete, and are being sold "as is."**

<b>DESCRIPTION</b>	<b>YEAR</b>	<b>SERIAL NUMBER</b>
(1) Caterpillar 322 BL EXCAVATOR	2000	1YS01247
Caterpillar 322 BL Grapple Bucket	2008	XD6B555607511
Caterpillar Trackhoe Thumb Attachment	2008	
Modern 72" Grapple Bucket	2008	57754
Grapple Bucket	2007	7224
MX401 Mower Head for Excavator	2021	17624
Diamond Attachment 50" Excavator Mower	2022	148635
32' Dutch Utility Trailer	2007	1D9GN372978601704
Alkota Hot Water Pressure Washer 3205-2T		189079
300 Gallon Spray Rig	2007	

Instructions: Complete the form below. Please provide legible, accurate, and complete contact information. PLEASE PRINT.

**Bid Name & Number:** IFB 23-0419/SV, Excavator, Equipment, Implements, & Miscellaneous Items

**Name:** \_\_\_\_\_

**Phone Number (with area code):** \_\_\_\_\_

**Alternate Phone Number if available (with area code):** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Mailing Address:**

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

***Bidder Shall Return Completed Form with Offer.***

## **OFFER AND ACCEPTANCE FORM**

### **OFFER TO CONTRACT**

To Drainage District No. 3:

We hereby offer and agree to furnish the materials or service in compliance with all terms, conditions, specifications, and amendments in the Invitation for Bid and any written exceptions in the offer.



We understand that the items in this Invitation for Bid, including, but not limited to, all required certificates are fully incorporated herein as a material and necessary part of the contract.

The undersigned hereby states, under penalty of perjury, that all information provided is true, accurate, and complete, and states that he/she has the authority to submit this bid, which will result in a binding contract if accepted by Drainage District No. 3.

We acknowledge receipt of the following amendment(s): \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

**I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:**

_____			For clarification of this offer, contact:	
Company Name			_____	
_____			Name	
Address			_____	
_____			_____	
City	State	Zip	Phone	Fax
_____			_____	
Signature of Person Authorized to Sign			E-mail	
_____			_____	
Printed Name			_____	
_____			_____	
Title			_____	

***Bidder Shall Return Completed Form with Offer.***

## Acceptance of Offer

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The Offer is hereby accepted for the following items: Excavator, Equipment, Implements, & Miscellaneous Items.

The Contractor is now bound to buy the materials or services listed by the attached contract and based upon the Invitation for Bid, including all terms, conditions, specifications, amendments, etc., and the Contractor's Offer as accepted by Drainage District No. 3.

**Payment shall be made by the successful bidder, by guaranteed funds, within fifteen (15) days of notification of award.**

This contract shall henceforth be referred to as Contract No. IFB 23-0419/SV.

**Countersigned:**

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Frank R. Rose  
Chairman

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Date

**Attest:**

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Reginald C. Boykin  
Secretary

**Bidder Must Complete and Return This Page With Offer.**

## Bid Form

**Please note that all items listed on this Bid Form may be incomplete, and are being sold “as is.”**

Item Description	Bid Amount
(1) 2000 Caterpillar 322 BL Excavator SN 1YS01247	\$ _____
(1) 2008 Caterpillar 322 BL Grapple Bucket SN XD6B555607511	\$ _____
(1) 2008 Caterpillar Trackhoe Thumb Attachment	\$ _____
(1) 2008 Modern 72” Grapple Bucket SN 57754	\$ _____
(1) 2007 Grapple Bucket SN 7224	\$ _____
(1) 2021 MX401 Mower Head for Excavator SN 17624	\$ _____
(1) 2022 Diamond Attachment 50” Excavator Mower SN 148635	\$ _____
(1) 2007 32’ Dutch Utility Trailer VIN 1D9GN372978601704	\$ _____
(1) Alkota Hot Water Pressure Washer SN 3205-2T	\$ _____
(1) 2007 300 Gallon Spray Rig	\$ _____

**Payment shall be made by the successful bidder, by guaranteed funds, within fifteen (15) days of notification of award. Payment will be made to:**

**Drainage District No. 3  
PO Box 388  
Hamshire, TX 77622**

The successful bidder shall be solely responsible for picking up and transporting the equipment and or/other items. Equipment and/or other items must be picked up within (15) days of notification of award.

**Acknowledgment of Addenda (if any):**

Addendum 1 \_\_\_\_\_ Date Received\_\_\_\_\_

Addendum 2 \_\_\_\_\_ Date Received\_\_\_\_\_

Addendum 3 \_\_\_\_\_ Date Received\_\_\_\_\_

**Bidder Must Complete and Return This Page With Offer.**