1.0 PURPOSE:
1.1 To clarify the procedures to be used for the competitive bidding process for public works materials.

2.0 ORGANIZATIONS AFFECTED:
2.1 Public Works Department staff

3.0 POLICY:
3.1 When competitive bidding is required for purchase of materials the procedures in this section shall be followed.

4.0 DEFINITIONS:
4.1 None.

5.0 PROCEDURES:
5.1 Develop the listing of materials that are needed and the specifications needed to obtain the right materials.

5.2 PROJECT MANUAL CONTENTS:
   a. Cover
   b. Addendum to project manual, if any
   c. Invitation to Bid
   d. Instructions for bidders
   e. Bid Submittal Sheet
   f. Standard Terms and Conditions
   g. Purchase Order (in final contract manual only)
   h. Purchase Contract
   i. Bid specifications
   j. Bid bond
   k. Non-Collusion Affidavit
   l. Year 2000 Compliance Warranty
   m. Bidder’s Checklist

5.3 Project Manual/Contract Documents will be reviewed by the city attorney and deputy director before they are published.

5.4 Publish notice of advertisement for bids twice in city official newspaper, first ad at least thirteen days prior to the date upon which bids will be received, which is usually the date set for opening the bids. It may also be in the best interest of the City to publish the advertisement for bids in the Daily Journal of Commerce.

5.5 Set bid opening date and time and location in City Hall. A conference room needs to be reserved for the bid opening.

5.6 Open bids and read aloud to public the bids received.

5.7 Review all bids for compliance with the project manual requirements specific to each project. Correct all math errors and prepare spreadsheet on all bids.

5.8 Check references of low bidder, as necessary.

5.9 Send memo to City Council recommending award.

5.10 City Council award bid.

5.11 Send Letter with P.O. to awarded contractor.

5.12 Upon award of the contract to the successful bidder, the City will send the Contractor a cover letter with duplicate, completes sets of Contract Documents which will include the City’s Purchase Order...
Requisition. The PO will include the final agreed upon price and the specific equipment and options being purchased. The Contractor will be asked to sign duplicate sets of the contract documents and return them for signature by the City. One set of the Contract Documents will be returned to Contractor for their files.

5.13 Send thank you, bid tabulations to unsuccessful bidders.

6.0 APPENDIX:

a. Outside Cover ....................................................................................... PW-408_01 [06/01]
b. Notice of Award Letter ......................................................................... PW-408_02 [06/01]
c. Addendum to Project Manual Bid Documents .................................. PW-408_03 [07/01]
d. Invitation for Bid ................................................................................ PW-408_04 [05/02]
e. Instructions for bidders .......................................................................... PW-408_05 [07/01]
f. Bidder's Checklist ................................................................................ PW-408_06 [07/01]
g. Non-Collusion Affidavit ......................................................................... PW-408_07 [11/95]
h. Bid Submittal Page .............................................................................. PW-408_08A [07/01]
i. Bid or Quote - Schedule Page .............................................................. PW-408_08C [07/01]
j. Bid Bond ............................................................................................... PW-408_09 [11/95]
k. Planholders List .................................................................................. PW-408_10 [03/01]
l. Bid Tabulation Sheet .............................................................................. PW-408_11 [03/01]
m. Letter to other bidders after award made by Council ....................... PW-408_12 [07/01]
n. Memo to City Council recommending award ........................................ PW-408_13 [03/00]
o. Year 2000 Compliance Warranty .......................................................... PW-409_14 [04/99]
p. Checklist for Bid Package Procedures .................................................. PW-409_15 [05/01]
q. Purchase Contract ............................................................................... PW-409_16 [06/01]
r. Standard Terms and Conditions ............................................................ PW-409_17 [06/01]
PROJECT MANUAL
CONTRACT DOCUMENTS
for

**Description of Materials

PURCHASE CONTRACT NO. **

CITY OF PORT ANGELES
WASHINGTON

**DATE

GLENN A. CUTLER, P.E., DIRECTOR OF PUBLIC WORKS & UTILITIES
KEN RIDOUT, DEPUTY DIRECTOR OF OPERATIONS

Reviewed by:
Craig D. Knutson, City Attorney

Reviewed by:
Deputy Director
*[date]*

*[address]*

RE: *2001 Water Materials  
   Project No. *

Dear *

This letter is to advise you that on *[date]*, the City of Port Angeles City Council accepted your bid for the following:

   Schedule * *[name of schedule] $*

A copy of the bid summary is enclosed for your information.

Two copies of the Project Manual/Contract Documents are enclosed for signature. A copy of Purchase Order No. *[number]* is included in the contract documents. Please have the Purchase Contract signed by the proper representative of your firm and return both documents to my attention for signature by the City. One copy will be returned for your records.

Please note the delivery date required at Final Destination is *[number] days from the receipt of the enclosed purchase order.

We sincerely appreciate your interest in supplying equipment to the City.

Sincerely,

Ken Ridout  
Deputy Director Public Works

enc.  
cc: Glenn A. Cutler, Director
NOTICE TO PROSPECTIVE BIDDERS
(date:*)

NOTICE IS HEREBY GIVEN that the instructions and requirements of the subject bid are amended as follows:

The Bid Opening Date has not been changed.

This addendum must be acknowledged on the Bid Submittal Sheet and included in your proposal. Failure to do so may result in the proposal being rejected as non-responsive.

Glenn A. Cutler, P.E.
Director of Public Works and Utilities

ACKNOWLEDGE OF RECEIPT OF ADDENDA on the “Bid Submittal Sheet” in the Project Manual - Contract Documents, page * __________. 
CITY OF PORT ANGELES
INVITATION TO BID
for

**Description of Materials**

Sealed bids will be received by the Director of Public Works & Utilities until **2:30 PM, **Day of Week, **Date and will be opened and read in **City Hall, Port Angeles City Hall, 321 East Fifth Street, Port Angeles, Washington 98362.

Bids will be taken for: **Description of Materials**

The materials to be bid include **____________________________________________________

____________________________________________________ hereinafter collectively called the “materials”. Bid documents may be obtained between the hours of 7:00 AM and 3:30 PM at the City of Port Angeles, Light Operations Building, 240 West Front Street, PO Box 1150, Port Angeles, Washington 98362 or by calling Kathy Trainor at (360) 417-4724. Technical questions regarding this bid should be addressed to **________________________ at (360) **_______.

All bids must be on the form provided and must be accompanied by a bid deposit in the form of a surety bond, postal money order or cashier’s check for a sum of not less than 5% of the amount of the bid. Faxed bids and/or surety bonds shall not be accepted.

The City of Port Angeles reserves the right to reject any or all bids and to waive informalities in the bidding process. The contract will be awarded to the lowest responsible bidder.

Minority and women owned businesses shall be afforded full opportunity to submit bids in response to this invitation, shall not be discriminated against on the grounds of sex, race, color, age, national origin or handicap in consideration of an award of any contract or subcontract, and shall be actively solicited for participation in this project by direct mailing of the invitation to bid to such businesses as have contacted the City for such notification. Further, all bidders are directed to solicit and consider minority and women owned businesses as potential subcontractors and material suppliers for this project.

Bids must be sealed with the outside of the envelope marked BID OPENING DATE **______________, PURCHASE CONTRACT NO.**____________. The name and address of the bidder shall also appear on the outside of the envelope. Bids shall be addressed to the Director of Public Works & Utilities, PO Box 1150, 321 East Fifth Street, Port Angeles, Washington 98362.

Glenn A. Cutler, Director

PUBLISH: Peninsula Daily News: **________________________
Daily Journal of Commerce: **________________________
BID SUBMITTAL:
All bids must be sealed with the outside of the envelope marked with the BID OPENING DATE and MATERIALS PROJECT NUMBER or PROJECT NAME. The name and address of the bidder shall also appear on the outside of the envelope. Bids shall be directed to the Director of Public Works & Utilities, and mailed to PO Box 1150, or delivered to 321 East Fifth Street, Port Angeles, Washington 98362.

It is the intent of the attached specifications to describe the minimum requirements for the materials requested in sufficient detail to secure bids on comparable materials. All parts included in the bid shall conform in strength, quality of workmanship and material to that which is usually provided the trade in general. Any variance from the specifications or standards of quality must be clearly pointed out in writing by the bidder.

Do not make reference to brochures or supporting literature on the bid sheet. All notations for bid compliance or exceptions are to be made on the bid sheet or on a plain piece of paper attached and referenced to the bid item.

Bidders are not required to bid on all schedules and may, therefore, bid on Schedules A through *____. Bidders are required to bid on all items in the schedule. Failure to do so could be cause for the bid to be considered non-responsive. Bid award will be based on lowest responsive bid for each schedule included in the invitation.

If a bidder’s corporate policy mandates use of an official quotation form, it may be submitted. However, the cost data must be duplicated on the City’s bid cost data and agreement sheet. The City’s bid sheet must be signed by the bidder or its agent in order for the proposal to be accepted. If alternate materials are proposed, bidders are required to submit a separate bid sheet for each unit offered.

All bids must be made on the required bid form and in cases of errors in the extension of prices in the bid, the unit prices will govern. All blank spaces for bid prices must be filled in, with ink or typewritten, and the bid form must be fully completed and executed when submitted. Only one copy of the bid form is required. Each bid must be accompanied by a bid deposit in the form of a cashier’s check, postal money order, or surety bond for a sum of not less than 5% of the amount of the bid. Faxed bids and/or surety bonds will not be accepted. Failure to adhere to instructions may constitute disqualification of proposal.

COMPLIANCE WITH SPECIFICATIONS:
The materials must be in accordance with the specifications. Any variation proposed by the successful bidder must be approved in writing by the City prior to the change. Such variations, regardless of whether there is any adjustment in the contract amount, must be confirmed by a fully-signed change order. Failure to follow this procedure can result in non-acceptance of the materials by the City.

Failure on the Contractor’s part to comply with any specification herein, once the bid is accepted by the City, will be grounds for disqualification of the bid and termination of the contract.

All items called for in the specifications, including but not limited to the materials constructed as shown, and the necessary manuals, must be complied with before the final payment can be processed.

Where the description of an item includes both specifications and a brand name and number, the specifications shall govern in case of conflict. Brand name and number are for reference as to the type and quality required and do not preclude offers of a comparable or better product, provided full specifications and descriptive literature accompany the offer. Failure to include full descriptive literature may be cause to reject the offer.

The term “approved equal” shall mean that the quality of materials must be equal to the named reference and receive the approval of the City. The City shall be the sole arbiter in the determination of equality, and it reserves the right to reject any and all bids, to accept the bid or bids which in its sole and absolute judgment will, under all circumstances, best serve the interest of the City.

GENERAL INFORMATION:
The City of Port Angeles reserves the right to consider delivery time and may waive any informalities or minor defects or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered. No Bidder will be permitted to withdraw its proposal between the closing time for receipt of proposals and the execution of contract, unless the award is delayed for a period exceeding sixty (60) calendar days. The City of Port Angeles may, at its option, in awarding this purchase contract, take into account the time and date specified shall not be considered.
consideration the revenue it would receive from purchasing the materials from a supplier located within its boundaries, in accordance with RCW 39.30.040.

Offers made in accordance with the Invitation to Bid shall be good and firm for the period of 365 after receiving initial order unless the Bidder specifically limits its offer to a shorter period by written notification on the bid document. However, bids so modified may be declared non-responsive.

Quantities shown are of total quantities to be ordered. Orders for additional supplies may be placed with successful bidders over a one-year period from the date of award. Prices bid shall be good for all materials ordered during that period. Payments shall be made monthly for materials received and invoiced.

Should a vendor fail to make delivery within the time allotted in the bid documents, the City may, at its option, exercise its right to deduct from that vendor’s billing, twenty-five ($25.00) dollars per day for each day any shipment is late. This amount is fixed and agreed upon by the successful bidder and the City because of the impracticability and extreme difficulty in ascertaining the actual damages the City would sustain in such an event.

Minority and women owned businesses shall be afforded full opportunity to submit bids in response to this invitation, shall not be discriminated against on the grounds of sex, race, color, age, national origin or handicap in consideration of an award of any contract or subcontract, and shall be actively solicited for participation in this project by direct mailing of the invitation to bid to such businesses as have contacted the City for such notification. Further, all bidders are directed to solicit and consider minority and women owned businesses as potential subcontractors and material suppliers for this project.

Signing of the bid sheet by Contractor and subsequent acceptance by the City of the lowest responsible bid will constitute a binding agreement between the City and Contractor. Contractor understands and agrees that no contract payment will be made until the City certifies that all stated specifications have been complied with and the materials is delivered and accepted by the City.

Bids will be evaluated and submitted to the City Council for approval as soon as possible after bid opening. All bidders will be notified of results in writing.

Upon award of the contract to the successful bidder, the City will send the Contractor duplicate, complete sets of Contract Documents, which will include the City’s Purchase Order Requisition. The Purchase Order Requisition will include the final agreed upon price and the specific materials and options being purchased. The Contractor will then sign the duplicate sets of Contract Documents and return them for signing by the City. Each party will retain a fully executed set of the Contract Documents.

The Invitation to Bid is released by the City of Port Angeles Public Works and Utilities Department, which shall act as sole point of contact for administration of the bidding. Questions should be directed to

* Superintendent, (360) 417-*
* or Ken Ridout, Deputy Director of Operations, (360) 417-4802.

PW-408.05 [rev. May, 2002]
BIDDER'S CHECKLIST

1. Has a bid bond or certified check been enclosed with your bid?

2. Is the amount of the bid guaranty at least five percent (5%) of the amount of the bid?

3. Has the proposal been properly signed, and corporate seal affixed, if applicable?

4. Has the Non-Collusion Affidavit been properly executed?

5. Have you bid on all items on each of the schedules you have included in your proposal?

6. Do the written amounts of the proposal agree with the amounts in figures? Do the amounts on individual schedules agree with the bid summary figures?

7. Have all Addenda, if any, been acknowledged on the Bid Submittal Sheet?
NON-COLLUSION AFFIDAVIT

STATE OF WASHINGTON   )
COUNTY OF __________  )

The undersigned, being first duly sworn on oath, says that the bid herewith submitted is a genuine and not a sham or collusive bid, or made in the interest or on behalf of any person not therein named; and (s)he further says that the said bidder has not directly or indirectly induced or solicited any bidder on the above work or supplies to put in a sham bid, or any other person or corporation to refrain from bidding; and that said bidder has not in any manner sought by collusion to secure to him/her self an advantage over any other bidder or bidders.

Signature of Bidder/Contractor

Subscribed and sworn to before me this ______ day of __________________, 19 ___.

Notary Public in and for the
State of Washington.
Residing at _______________________
My Comm. Exp.:
City of Port Angeles  
Bid No.  

**DESCRIPTION**  

BID SUBMITTAL SHEET  
(BID SUMMARY and SIGNATURES)

<table>
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<th>DESCRIPTION</th>
<th>SCHEDULE</th>
<th>TOTAL PRICE</th>
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<tr>
<td>Washington State Sales Tax at 8.2%</td>
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<tr>
<td>TOTAL</td>
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Delivery time after receipt of order (calendar days)

Terms of payment

Will you sell additional units to the City of Port Angeles at the bid price until further notice?  Yes ☐  No ☐

Will you sell additional units to other government agencies within the State of Washington at the bid price, terms and conditions until further notice? The City of Port Angeles accepts no responsibility for the payment of the purchase price by other government agencies. Yes ☐  No ☐

ADDENDA ACKNOWLEDGMENT: The bidder hereby acknowledges that it has received Addenda Nos. To this project manual. The undersigned hereby accepts the terms and conditions as set forth herein. This bid submittal sheet must be signed and dated by the bidder or a representative legally authorized to bind the bidder.

FULL LEGAL NAME OF BIDDER

TYPE OF BUSINESS: ☐ Corporation  ☐ Partnership (general)  ☐ Partnership (limited)  ☐ Sole Proprietorship  ☐ Limited Liability Company

ADDRESS

CITY/STATE/ZIP

PHONE ____________________________  FAX

NAME (PLEASE PRINT) ____________________________  TITLE

SIGNED ____________________________  DATE

PW 408.08 [rev. 7/2001]
SCHEDULE *

GENERAL DESCRIPTION: *

SPECIFICATIONS: *

DATE DELIVERY REQUIRED: *

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<th>ITEM #</th>
<th>QUANTITY</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>TOTAL PRICE</th>
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SUBTOTAL
WASHINGTON STATE SALES TAX at 8.2%
TOTAL SCHEDULE

PW-408_08C [7/2001]
BID BOND FORM

Herewith find deposit in the form of a cashiers check, postal money order or bid bond in the amount of $__________ which amount is not less than five (5%) percent of the total bid.

SIGN HERE

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, ______________________ as Principal and ______________________ as Surety, are held and firmly bound unto the CITY OF PORT ANGELES as Obligee, in the penal sum of Dollars, for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

The condition of this obligation is such that if the Obligee shall make any award to the Principal for:

according to the terms of the proposal or bid made by the Principal, therefor, and the Principal shall duly make and enter into a contract with the Obligee in accordance with the terms of said proposal or bid and award and shall give bond for the faithful performance thereof, with Surety or Sureties approved by the Obligee; or if the Principal shall, in case of failure so to do, pay and forfeit to the Obligee the penal amount of the deposit specified in the call for bids, then this obligation shall be null and void; otherwise it shall be and remain in full force and effect and the Surety shall forthwith pay and forfeit to the Obligee, as penalty and liquidated damages, the amount of this bond.

SIGNED, SEALED AND DATED THIS ___ day of _____________, 19___.

Principal

Surety

Dated:

Received return of deposit in the sum of $___________.

Signature
<table>
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<tr>
<th>Doc No.</th>
<th>Name, Mailing Address:</th>
<th>Date Sent</th>
<th>#1 Sent</th>
<th>#2 Sent</th>
<th>#3 Sent</th>
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**PROJECT:**

**PROJECT NO.:**

**BID OPENING:**

(Date and Time)

**BID**

**ADDENDUM**

**COST OF PLANS & SPECS $**

**ENGR. RANGE $**

**Doc No.**

**No.**

**Name, Mailing Address:**

**Date**

**Sent**

**#1**

**Sent**

**#2**

**Sent**

**#3**

**Sent**

**#4**

**Sent**

**Receipt No.:**

**Phone No.:**

**Attn:**

**Fax No.:**

**PW-408_10 [3/01]**
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PW-408_11 [3/01]
December 7, 1993

*

RE: Traffic Maintenance Materials
   Project No. **

Dear *

This letter is to advise you that on **, 1992, the City of Port Angeles City Council awarded bids for Schedules *** on the above referenced project to other firms.

Please find enclosed a copy of the bid summary. We sincerely appreciate your interest in this project and should you have any questions, please feel free to contact me at (360) 417-4802.

Sincerely,

Ken Ridout
Deputy Director Public Works

enc.
cc: Glenn A. Cutler, Director

PW-408_12 [4/2002]
DATE: April 4, 2000

TO: MAYOR DOYLE AND CITY COUNCIL

FROM: Glenn A. Cutler, Director of Public Works & Utilities

SUBJECT: Water Utility Materials Bid

Summary: It is necessary to bid water utility materials on an annual basis. Bids for Water Utility Materials were opened on March 21, 2000. The call for bids included Schedule A, water meters, Schedule B, pipe and fittings and Schedule C, fire hydrants.

Recommendation: Authorize Public Works & Utilities Department personnel to purchase Schedule A and C items from H.D. Fowler and Schedule B items from Familian NW.

Background / Analysis: Bids for water utility materials were opened on Tuesday, March 21, 2000. Vendors were asked to bid on the three separate schedules or any combination of schedules. The bids were reviewed and analyzed as follows:

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>SCHEDULE A Water Meters</th>
<th>SCHEDULE B Pipe Fittings</th>
<th>SCHEDULE C Fire Hydrants</th>
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</thead>
<tbody>
<tr>
<td>Familian NW, Sequim</td>
<td>$5,419.54</td>
<td>$10,135.62</td>
<td>$5,027.12</td>
</tr>
<tr>
<td>H.D. Fowler, Bremerton</td>
<td>$4,710.93</td>
<td>$10,204.07</td>
<td>$4,984.00</td>
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<tr>
<td>U.S. Filter, Puyallup</td>
<td>$5,672.22</td>
<td>$10,292.41</td>
<td>$5,344.44</td>
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<tr>
<td>Western Utilities, Seattle</td>
<td>$5,691.98</td>
<td>$10,814.15</td>
<td>$5,361.79</td>
</tr>
<tr>
<td>ABB Water Meters, Florida</td>
<td>no bid</td>
<td>no bid</td>
<td>no bid</td>
</tr>
<tr>
<td>APPARENT LOW BIDDER</td>
<td>H.D. Fowler</td>
<td>Familian</td>
<td>H.D. Fowler</td>
</tr>
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</table>

During our recalculation of the bid prices some mathematical errors were found. The figures above reflect the bids as recalculated. This did result in a change of award of one bid. Schedule B would have been awarded to U.S. Filter by their calculations, however a mistake was made.
where they only bid for 5 parts instead of 10. This resulted in an approximate $500.00 mistake. As a result of this Familian NW is apparent low bidder. The Water Division budget includes approximately $40,000 for the purchase of utility supplies for the year. Bid items include the bulk of that purchase.