

NOTICE OF SEALED BID SALE

DEPARTMENT OF WATER
COUNTY OF KAUAI
WPA-1-2016

UNDER THE AUTHORITY of the Charter of the County of Kauai, Section 19.20, the Department of Water, County of Kauai offers to dispose of these items as follows:

WPA-1-2016 SCHEDULE OF ITEMS			
ITEM NO.	ITEM	UPSET PRICE	USABLE OR UNUSABLE
1	CK1380 1993 International Mstr Flatbed Manitek Crane, 1HTSDPNN6PH483308	\$1,000.00	Useable
2	CK739 2001 Zieman Tilt Bed Trailer 1150, 1ZCT20S291ZP23127	\$100.00	Useable
3	CK1591 1999 Chevy C3500-HD Truck w/ Dump Body, 1GBKC34J0XF009426	\$1,000.00	Useable
4	CK1679 2001 Ford 4DSD, 1FAFP56S61A154418	\$100.00	Unusable
5	CK1784 2004 Ford Ranger 4x2 Lift Gate, 1FTYR14EX4PA10813 - safety recall airbag not complete	\$300.00	Useable
6	CK1786 2004 Ford F450 4x2 Truck, 1FDXF46P24EA40142	\$1,000.00	Useable
7	CK1792 2004 Mazda Truck 2WD, 4F4YR12D04TM03695 - safety recall airbag not complete	\$100.00	Useable
8	CK1911 2007 Ford Ranger 2x4, 1FTYR10D87PA03263	\$300.00	Useable
9	BH-4 Case Backhoe	\$1,000.00	Useable
10	Band Saw	\$10.00	Useable
11	Light Boards		Useable
12	Scrap Metal - Brass (Hydrants and Meter bodies)	\$750.00	Useable
13	Scrap Metal - Copper	\$100.00	Useable

Interested parties may obtain a list of items offered, sealed bid sale terms. Conditions, and bid forms at **4398 Pua Loke Street, Lihue, HI 96766** (phone 245-5424) or online at www.kauaiwater.org after July 11, 2016.

The items offered for sale “**where is**” and “**as is**”. All items have been used and may not be running or in a useable condition. Any item may be withdrawn from the auction at the discretion of the Manager - Chief Engineer if deemed to be in the best interest of the County of Kauai.

Items can be inspected by appointment from 8:00 am to 4:00 pm on July 18th and 19th. Prospective bidders are required to submit sealed bids in accordance with the provisions of the Sealed Bid Sale by 2:00 PM, Friday July 22, 2016.

Kirk Saiki
Manager – Chief Engineer

SEALED BID SALE

July 22, 2016

WPA-1-2016

A. ARTICLES FOR SALE: **SEE ATTACHED**

The items are offered for sale “where is” and “as is.” All items have been used and may not be in running or useable condition.

B. Vehicles are offered without license plates.

C. LOCATION OF ARTICLES

Items are situated at the Department of Water, 4398 Pua Loke Street, Lihue, HI 96766

D. INSPECTION OF ARTICLES

Items can be inspected by appointment only. Appointments will be scheduled on July 18th and 19th 2016 during working hours, 8:00 A.M. to 4:00 P.M.

Questions regarding the auction, or for an appointment to inspect may be directed to Anne Parrott at 245-5424, Monday thru Friday, 8:00 AM to 4:00 P.M.

E. METHOD OF SALE

Prospective bidders are required to submit signed bids in sealed envelopes. The envelope shall be clearly marked with the bid number “WPA-1-2016” and the bidder’s name and address.

Bids submitted by telephone, facsimile transmission, telex, telegraph or other forms of electronic communication will not be accepted.

Bidders will use the bid form provided by the Department of Water. An award will be made to the bidder submitting the highest responsive and responsible bid, provided that the Manager or his designee may elect to reject any bid offered or to waive any defects or deviations if deemed to be in the best interest of the Department of Water.

Successful bidders will be notified by telephone and are required to satisfy the full amount bid within two (2) working days after notification of award. In the event telephone contact cannot be made within two (2) working days after bid opening, award will be made to the next highest bidder. This process will be repeated until an award is made or until there are no bids to consider. The Manager or designee may approve a request for additional time to obtain the balance necessary to fulfill the bid price.

Tie bids shall be decided by a flip of the coin, which will be conducted by the Controller.

Conditional Bids will be rejected; Bids must be placed on a specific item(s); bids noting an “or” will not be accepted. (For example, a bidder cannot bid by stating that the bid is for “item 5 or 6”.)

F. DEADLINE FOR SUBMISSION OF SEALED BIDS

Sealed bids must be received and time stamped at the Department of Water, 4398 Pua Loke Street, Lihue, by 2:00 PM, July 22, 2016 to be eligible for opening and consideration for award. **Bids received after said time will be rejected.**

Bids that are mailed must be **received** by the designated time. Risk of late delivery shall be borne by the bidder.

G. OPENING OF SEALED BIDS

All timely received sealed bids shall be publicly opened at the Department of Water, 4398 Pua Loke Street, Lihue, immediately after the deadline for submission. Successful bids will be processed in accordance with the procedures specified herein.

H. PAYMENT

The successful bidder shall pay the full price **FOR ALL ITEMS SUCCESSFULLY BID BY CASH OR CASHIER’S CHECK** at the place of bid opening designated in paragraph F. No partial payment will be accepted. If the bidder is unable to pay for all items successfully bid, the bid(s) will be rejected in its entirety, provided that the Controller or designee may accept a bid when there are no other bids for the same item. Payment by check as specified hereinabove shall be made payable to the “Department of Water.” **NO PERSONAL, COMPANY OR THIRD PARTY CHECKS OR OTHER FORM OF PAYMENT WILL BE ACCEPTED. BIDDERS ARE URGED TO BRING THE EXACT AMOUNT DUE.**

I. REMOVAL

The successful bidder shall be responsible for removal of the items awarded within two (2) days after full payment is accepted by the Department of Water or by the date agreed to by Manager and Chief Engineer or designee. Failure to remove the item within the specified time will be cause for forfeiture of the bidder’s rights to the item and allow the Department of Water to again auction the item without compensation or benefit to any previous successful bidder, OR to dispose of same.

IT SHALL BE THE SUCCESSFUL BIDDER’S RESPONSIBILITY TO PROVIDE LABOR, TRANSPORTATION AND ALL OTHER NECESSARY INCIDENTALS FOR THE REMOVAL OF THE ARTICLE(S) FROM THE DEPARTMENT OF WATER’S BASEYARD. (NOTE: Department of Water will not provide any form of removal assistance.)

A payment receipt must be presented before any items are permitted to be removed from the Department base yard.

Bidders must present receipts for the specific items being picked up. If the pickup is to be done by persons other than the successful bidder, a power of attorney authorizing the pickup by the appointed person will be required for the release of items.

For and in consideration of the benefit the successful bidder will enjoy, the successful bidder understands and agrees that he/she/it shall fully release and discharge absolutely and forever, the Department of Water and its officials, employees, agents, and attorneys, from and against any and all manner of injuries to person or damages to property, actions, causes of action, suits, debts, fines, penalties, claims, demands, or liabilities whatsoever, in lay or in equity, that the successful bidder may have against the Department of Water, arising or growing out of the successful bidder's removal of the item from the subject premises. Without limiting the generality of the preceding sentence, this release shall apply to liabilities arising for any reason or cause, whether such liabilities are based contract or tort.

J. UNSOLD ITEM(S)

The Manager and Chief Engineer or his/her duly authorized representative reserves the right to sell by informal sealed bid, without advertising, any unsold item(s) at prices lower than the specified upset price listed herein. Any items remaining after this process will be disposed.

K. COUNTY'S RIGHT TO REMOVE ITEMS FROM AUCTION

The Department of Water reserves the right to remove any of the items offered herein at any time prior to the deadline for submission of bids.

DEPARTMENT OF WATER
COUNTY OF KAUAI
SEALED AUCTION
GENERAL CONDITIONS

1. DEFINITION

“DEPARTMENT” means Department of Water of the County of Kauai.

“MANAGER” means Manager and Chief Engineer of the Department of Water who is authorized to dispose of all unusable Department of Water personal property.

“CONTROLLER” means Waterworks Controller of the Department of Water.

“SUCCESSFUL BIDDER” means the bidder, whose bid has been accepted for the specific item offered for auction.

“UPSET PRICE” is the minimum price that the Department of Water will accept for the specific item offered for auction.

2. INSPECTION

All prospective bidders are urged to inspect the articles to be sold prior to bidding. The articles will be available for inspection at the Department Baseyard. In no case will failure to inspect constitute grounds for the withdrawal of a bid.

3. CONDITION AND LOCATION OF ARTICLES

Unless otherwise specifically provided herein, all articles are offered for sale “as is” and “where is.” The description is based on the best available information. However, the Department makes no warranty, expressed or implied, as to quantity or description of any of the articles, or its fitness for any use or purpose. This is not a sale by sample.

4. TITLES OF ARTICLES

Title of the articles shall vest in the successful bidder upon full payment of the bid price. Thereafter, all risks of loss, damage or destruction from any cause whatsoever shall be borne by said bidder.

5. RIGHTS TO REMOVE ARTICLES

The successful bidder must remove the articles at his expense and within the period specified or within such additional time as may be allowed by the Manager and Chief Engineer. The successful bidder shall reimburse the Department of Water for any damage to Department property caused by the removal operation. Should the removal operation be delayed a written application for an extension of time shall be filed with the Manager

before the expiration of the time permitted for removal expires, setting forth in detail the causes for such delay and the additional time required.

6. RIGHTS AND REMEDIES OF THE DEPARTMENT

Should the successful bidder fail to remove the articles within the specified time, the Department reserves the right to sell the articles and the proceeds shall be credited to the Department. In such event, the successful bidder shall forfeit all claims to the articles and shall not be reimbursed for any expenses whatsoever. He shall also forfeit the full amount paid to the Department for the sale.

7. CANCELLATION OF SALE

The Manager reserves the right to cancel the sale at any time.

8. EXAMINATION

It will be conclusively presumed that the bidder has read, examined and agreed to each and every term, condition, provision, covenant, or agreement in this solicitation.

9. INTERPRETATION

The meaning of the conditions specified herein will be as interpreted by the Manager and Chief Engineer or his authorized representative.

10. REJECTION AND WAVER

The Manager and Chief Engineer or his authorized representative reserves the right to accept or reject any bid offered and to waive any defects or deviations in said auction proposal, if deemed to be in the best interest of the Department and in compliance with Law.

BID FORM - SEALED BID SALE
Department of Water, County of Kauai, WPA-1-2016

Item Number	Description	Serial or VIN Number	Amount Bid
			\$
			\$
TOTAL			\$

Print Name:

Address:

Submitted By: _____
Signature Date Phone No.

Instructions for Bid Form: (additional forms are available upon request):

Bidders will use and complete this form. An award will be made on a per item basis to the bidder submitting the highest responsive and responsible bid, provided that the Manager - Chief Engineer or his designee, may reject any bid offered or to waive any defects or deviations if deemed to be in the best interest of the County of Kauai.

Prospective bidders are required to submit signed bids in sealed envelopes. The envelopes shall be clearly marked with the bidder's name, address and Sealed Bid Number "**WPA-1-2016**".

Bids must be received by the Department of Water, 4398 Pua Loke Street, Lihue, HI 96766 by **2:00 PM July 22, 2016**. Bids received after that time will be rejected. The timely delivery of bids is the sole responsibility of the bidder.