

GENERAL INSTRUCTIONS TO BIDDERS

1. BID FORMS OR REQUEST FOR QUOTATION: Bids should be submitted only on forms provided by the State. The bid must be received in the office of the Kansas Department of Transportation, Bureau of Fiscal Services, no later than the date and time scheduled for closing of the bid.
2. EQUIVALENT BIDS: When brand names or trade names and model numbers followed by the words "or equivalent" or "or other approved equal" are used in the bid invitation, it is for the quality, style and features. Bids on equivalent items of substantially the same quality, style and features are invited. However, to receive consideration, such equivalent bids must be accompanied by sufficient descriptive literature and/or specifications to clearly identify the units and provide for competitive evaluation.
3. ACCEPTANCE OF BIDS: Bids are invited on the basis that acceptance of the offer to furnish articles as described in the invitation shall constitute a contract between the bidder and the State of Kansas, which will bind the bidder to furnish and deliver articles for which the offer is accepted. If specifications and contents of the proposal cannot be complied with, a bidder may elect not to bid.
4. SAMPLES: Samples of the items when required, must be furnished at no expense to the State, and if not destroyed in the evaluation or testing process, will be returned at bidders expense, if requested.
5. UNIT PRICES: Prices must be stated in units of quantity specified.
6. DISCOUNT: All offered discounts shall be taken if paid within 30 days from receipt of the invoice or acceptance of goods, whichever is later.
7. PREPARATION OF BID: Each bid must be legible and properly signed. Prices are to be entered in spaces provided on the bid form. Mathematical extensions and totals shall be indicated where required. In cases of errors in extensions or totals, the unit price will govern.
8. SIGNATURE OF BIDS: Each bid must give the complete mailing address of bidder and be signed by him with his legal signature. Bids by partnerships must be signed by one of the members of the partnership or by an authorized representative. Bids by corporations must be signed in the name of the corporation followed by signature and title of the president, secretary, or other person authorized to bind it in the matter. The names of all persons signing should be typed or printed below the signature.
9. MARKING AND MAILING BIDS: Bids must be securely sealed in a suitable envelope addressed and marked on the outside as required by the invitation, including name and address of bidder, quotation number and closing date.
10. FACSIMILE BIDS: Bids submitted via Facsimile copier are not sealed bids, and thus do not comply with K.S.A. 75-3739(b) and (c). As a result, this office will not accept facsimile bids when the purchase is estimated to exceed \$25,000.00

(OVER)

11. TIME FOR RECEIVING BIDS: All bidding will close promptly at 2:00 P.M. Central Standard or Daylight Savings Time, whichever is in effect at Topeka, Kansas, or other designated bid opening site on the date specified in the invitation to bid. Formal bids received prior to time of closing will be securely kept, unopened until closing time. The State will accept no responsibility for prematurely opening of a bid not properly identified on outside of envelope as requested.
12. MODIFICATION OF BIDS: Telegraphic or written modifications of bids already submitted will be accepted by the Kansas Department of Transportation, Bureau of Fiscal Services, if received prior to the date and hour scheduled for closing of bids.
13. WITHDRAWAL OF BIDS: A bid may be withdrawn on written, telegraph or personal request received from a properly identified bidder prior to the date and hour scheduled for closing of bids.
14. BIDDERS PRESENT: At the date and hour scheduled for closing, bid prices will be made public for information of interested bidders who may be present either in person or by representative. Such information is not to be construed as meaning low bidder has met all specifications as set out in invitation to bid.
15. CAUSE FOR BID REJECTION: Any bid may be rejected for justifiable reason, including but not limited to the following:
 - (a) Material alteration or erasure
 - (b) Bidder is in arrears on taxes due to the State
 - (c) Bidder has failed to perform on a previous contract with the State
 - (d) Failure of bidder to sign bid form
 - (e) Irregularities of any kind
 - (f) Obvious errors on part of bidder
 - (g) Failure to submit required bid guaranty
 - (h) Failure to furnish requested pricing, FEIN Number, or other information
 - (i) Submission of a late bid
 - (j) Offering of alternates not called for in the invitation to bid
 - (k) Failure to comply with Shipping requirements.
16. NOTICE OF AWARD: Depending upon the type of purchase transaction, the Kansas Department of Transportation, Bureau of Fiscal Services, will issue a Purchase Order to the successful bidder.
17. FEIN NO.: The State of Kansas requires your Federal Employer's Identification Number or Social Security Number in order to make payment to you. Failure to provide the FEIN Number or Social Security Number may result in disqualification of bid.
18. **The State of Kansas is exempt from state sales or use taxes and federal excise taxes for direct purchases.** The bidder is responsible to determine what constitutes a "Direct Purchase" pursuant to K. S. A. 79-3606(b) and are to determine pricing accordingly. Any questions should be addressed to the Kansas Department of Revenue, Division of Taxation, Taxpayer Assistance Center (785-296-0222). The State shall not be responsible for additional costs due to the bidder's failure to understand this requirement.