

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Date: December 28, 2016
To: Board of Supervisors
From: Rick Smith, Township Manager
Re: Heat Pump Replacement at the Blacksmith Shop

I opened bids on December 28, 2016 for the replacement of the heat pump at the Blacksmith Shop. The bid specifications were based on the Bryant Heat Pump, although an "Or Equal" heat pump was permitted.

We received 4 bids:

<u>Bidder</u>	<u>Equipment</u>	<u>Cost</u>
Precision Mechanical	Coleman HC6B048F3	\$5,013.26 *
Cook's Services	Bryant 285BNA048000A	\$7,580.00
Battavio Plumbing	Bryant 285BNA048000A	\$10,214.00
Vulkan Air	Carrier 25HNB5	\$40,998.00

* The Precision Mechanical bid was not executed.

The Bid Specifications contain the following statement "The selection of the low bidder shall be at the sole discretion of the Township. The Township specifically reserves the right to waive technicalities, to reject any or all bids or items herein, and to make the award that is in the best interests of the Township."

However, the Township Solicitor advised that in 2003 the Commonwealth Court decided that failure to sign the bid is a material defect and not a technicality that can be waived (Balsbaugh v. Commonwealth Department of General Services). Accordingly, the bid from Precision Mechanical Services is "non-responsive". The next lowest responsive bidder is Cook's Services.

Suggested Motion - I move that we reject the bid from Precision Mechanical, since it was not signed and award the bid for the replacement of the heat pump at the Blacksmith Shop to Cook's Services in the amount of \$7,580.00.