

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** April 3, 2023

**SUBJECT:** Bid Award for Purchase of

**PRESENTER:** Sheriff Lowell Griffin

**ATTACHMENTS:** 1) Legal Advertisement  
2) Bid Tabulation  
3) Low Bidder Bid Submittal

**SUMMARY OF REQUEST:**

The Board is requested to approve the low bid and authorize the Sheriff to proceed with the purchase of ammunition. Bidding was conducted between March 1 through March 9. The bidder with the lowest overall cost was Kiesler Police Supply, Inc for a total price of 121,293.70.

The purchase of ammunition was approved as part of the Fiscal Year 2023 budget.

**BOARD ACTION REQUESTED:**

The Board is requested to accept the low bid from Kiesler Police Supply Inc for the purchase of ammunition in the amount of \$121,293.70 and authorize the Sheriff to proceed with the purchase.

***Suggested Motion:***

***I move the Henderson County Board of Commissioners to accept the low bid from Kiesler Police Supply, Inc for the purchase of ammunition in the amount of \$121,293.70 and authorize the Sheriff to proceed with the purchase.***



P.O. Box 1276  
Hendersonville, NC 28793  
Phone: (828) 698-0407  
E-mail: legals@hendersonvillelightning.com  
Web: hendersonvillelightning.com

March 1, 2023

Doug Guffey  
Purchasing Agent  
Historic Courthouse Annex  
113 N. Main Street  
Hendersonville, NC 28792

Public Notice: RFP: Ammunition Rebid

I, William L. Moss, affirming the following under the penalties of perjury state:

I am editor and publisher of the *Hendersonville Lightning*, a newspaper published, issued and entered as periodical mail in the City of Hendersonville, County of Henderson and State of North Carolina. I hereby certify that the advertisement annexed hereto was published in the editions of the *Hendersonville Lightning* on the following date or dates:

3/01

And that the said newspaper in which such notice, paper, document or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and is a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 1st day of March, 2023.

(Signed)

Sworn to and subscribed before me this 1st day of March, 2023.

Janet R. Chapin

Notary Public

My commission expires December 11, 2024.

**PUBLIC NOTICE  
ADVERTISEMENT FOR  
SEALED BIDS**

**HENDERSON COUNTY**

Henderson County will accept sealed bids for the furnishing of ammunition as specified until 3:00 PM EST, Thursday, March 9, 2023, at the Henderson County Finance Department, 113 North Main Street, Hendersonville, NC 28792 where the bids will be publicly opened and read aloud. Bids must be sealed and visibly labeled as "RFP: Purchase of Ammunition". The ammunition must conform to the specifications provided and will be awarded based upon the lowest responsive responsible bidder standard. A copy of the bid package may be obtained from the Henderson County Finance Department between the hours of 9:00 AM and 4:00 PM, Monday through Friday, excluding Holidays, or on Henderson County's website at <https://www.hendersoncountync.gov/rfps>. Bidders with questions regarding specifications or the bid process may be referred to Doug Guffey, Purchasing Agent, at [hcpurchasing@hendersoncountync.gov](mailto:hcpurchasing@hendersoncountync.gov). Henderson County reserves the right to reject any and/or all bids received, or to select the bid which, in our opinion, is in the best overall interest of the County.

Doug Guffey,  
Purchasing Agent  
Henderson County  
Finance Department

3/01

**Bid Tabulation**  
**Formal Bid: Purchase of Ammunition**  
**Opened Thursday, March 9, 2023 at 3:00PM EST**

<b>Vendor Name</b>	<b>Bid Price</b>	<b>Difference from Low Bid</b>
Kiesler Police Supply Inc	\$ 121,293.70	



 ORIGINAL

**Henderson County Government**  
**Request for Proposals for Purchase of Ammunition**

**Date of Issue: March 1, 2023**

**Proposal Due Date: March 9, 2023, at 3:00PM EST**

**Direct all inquiries concerning this RFP to:**

**Doug Guffey**

**Purchasing Agency**

**Phone: 828-694-5023**

**Email: [hcpurchasing@hendersoncountync.gov](mailto:hcpurchasing@hendersoncountync.gov)**



## BID PROPOSAL FORM

Pursuant to the General Statutes of North Carolina, sealed bids, subject to the conditions and specifications herein, are invited for furnishing the following apparatus, supplies, materials, equipment. All bids will be received by the Henderson County Finance Department, at 113 North Main St., Hendersonville, NC 28792, March 9, 2023, at 3:00 PM EST, at which time the sealed bids will be publicly opened and read.

The undersigned, as bidder, hereby declares that this proposal is made without connection with any other person, company, or parties making a similar bid or proposal, and that the proposal is in all respects fair and in good faith, without collusion or fraud.

The bidder has carefully examined the annexed form of specifications and instructions to bidders and hereby declares that he will furnish the equipment called for in the manner prescribed in the specifications and instructions to bidders for the following price:

DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE
Speer Gold Dot 9MM+P 124 Grain Hollow Point 1000RDS/CASE, 50 RDS/BOX	25 CASES	\$438.23 per case of 1000 rds	\$10,955.75
Speer Lawman 9MM 124 Grain Total Metal Jacket Round Nose 1000RDS/CASE, 50 RDS/BOX	200 CASES	\$264.12 per case of 1000 rds	\$52,824.00
Federal Tactical Bonded 223 55 Grain Bonded Soft Point "Law Enforcement Only" 200 RDS/CASE	75 CASES	\$273.66 per case of 200 rds	\$20,524.50
Federal American Eagle 223REM 55 Grain Full Metal Jacket Boattail 500 RDS/CASE 20 RDS/BOX	125 CASES	\$266.57 per case of 500 rds	\$33,321.25
Federal 125GA Tactical Low Recoil 1oz Slug 250RDS/CASE	20 CASES	\$183.41 per case of 250 rds	\$3,668.20
GRAND TOTAL FOR ALL GOODS. INCLUSIVE OF SHIPPING TO HENDRSON COUNTY, NORTH CAROLINA			\$121,293.70
ESTIMATED DELIVERY DATE OF EQUIPMENT			12-24 months. Lead time may vary

PLEASE NOTE BID PRICES AND SPECIFICATIONS SHALL BE FULLY ENFORCEABLE FOR 90 DAYS AFTER THE BID DUE DATE UNLESS NOTED BELOW: Pricing held for 90 days

Printed Name of Firm Representative: Brittany A.L. Girdler  
 Signature of Firm Representative: Brittany A.L. Girdler  
 Title: Bid Specialist  
 Name of Firm Submitting Proposal: Kiesler Police Supply Inc  
 Firm Address: 2802 Sable Mill Rd., Jeffersonville, TN 47130  
 Telephone Number: 812-288-5740  
 Email Address: bgirdler@kiesler.com

### **BIDDER'S CHECKLIST**

- Be aware of the bid opening and date and time as indicated on the first page of this proposal.
- You must submit **sealed bids in hard copy format**. Ensure your bid is properly addressed and clearly marked with the appropriate bid number.
- All signatures must be by a company officer or agent who is authorized to enter into, and sign bid documents.
- Have you read and understood the "Terms and Conditions" and the "Instructions to Bidders" for submitting a bid?
- Have you read and do you completely understand all the specifications of this bid proposal?
- Have you submitted the requested number of copies of your proposal and included all the requested literature and specifications?
- If an addendum to the specifications was issued, has it been signed and returned with this bid proposal?
- Have you enclosed statements explaining any exceptions made to the specifications?
- Have you included executed copies of the attachments?

## **INSTRUCTIONS TO BIDDERS**

### **Section 1: Purpose**

The purpose of this document is to provide general and specific information for the purchase of ammunition. All bids and contracts are governed by Henderson County policy, Section 143-129 of the North Carolina General Statutes.

### **Section 2: Bid Schedule**

Listed below are the dates and times by which stated actions must be taken or completed. The County may determine, in its sole discretion, that it is necessary to change any of these dates and times. Should changes be required, proper notice will be provided to potential bidders. All listed times are Eastern standard times.

<b>Action</b>	<b>Time</b>	<b>Date</b>
Bid issued	5:00 PM	March 1, 2023
Deadline for Questions	12:00 PM	March 3, 2023
County Responses	5:00 pm	March 3, 2023
Bids Due	3:00 PM	March 9, 2023

### **Section 3: Bid Contact**

Any and all questions, concerns and requests for additional information shall be directed to the Finance Department to the attention of Doug Guffey, Purchasing Agent:

Doug Guffey  
hcpurchasing@hendersoncountync.gov

**Note: Bids shall be submitted sealed as provided herein. Bids cannot be submitted via email.**

### **Section 4: Bidder Questions**

The County is not liable for interpretations/misinterpretations or other errors, or omissions made by the Bidder in responding to this bid. The Bidder shall examine this bid to determine if the County's requirements and terms and conditions are clearly stated. If, after examination of the various requirements and terms and conditions of this bid, the Bidder believes there are any requirements or terms and conditions which remain unclear or which restrict competition, the Bidder may request, in writing, that the County clarify the requirement(s) and terms(s) and condition(s) specified by the Bidder. The Bidder must provide the Section(s), Subsection(s), Paragraph(s), and page number(s) that identify the requirements or conditions questioned by the Bidder.

Requests for clarification and technical questions to this bid must be received by the County no later than the date shown above in Section 2, entitled "Bid Schedule", under Deadline for Questions. The Bidders' failure to request clarification and submit questions by the date in the bid schedule above shall be considered to constitute the Bidders' acceptance of all County requirements and terms and

conditions. The County shall issue addenda reflecting questions and answers to this bid, if any, and shall be posted to the County's website at <https://www.hendersoncountync.gov/rfps>.

### **Section 5: Objections to the Specifications**

It is not the intent of the bid specifications to exclude or limit competition or favor any supplier. If there is an objection to any of the specifications or requirements listed herein, the bidder must notify Doug Guffey, Purchasing Agent in writing, stating and listing the specifications and objections, no later than the date shown above in Section 2, entitled "Bid Schedule", under Deadline for Questions. If a pre-bid meeting has been scheduled, any objections must be presented in writing at that time. The objections stated must pertain both to form and substance of the bid document. Failure to object in accordance with the above procedure shall constitute a waiver on the part of the bidder to protest the solicitation. All concerns, questions, clarifications, or other correspondence must be directed only to Doug Guffey, Purchasing Agent. Information obtained from other sources will not be considered in the evaluation and award of this bid.

### **Section 6: Bid Options**

The County reserves the right to request pricing on optional equipment or services along with the pricing for the main or primary product or services when applicable. At the discretion of the County, some or all of the options requested may or may not be added and purchased based upon necessity and the availability of budgeted funds. The bid award will be made to the lowest, responsive, responsible bidder for the main or primary product or services on the Bid Proposal Form. Pricing for any additional options will be requested in a separate section of the bid and will not be included in the determination of the bid award.

### **Section 7: How to Prepare Bid Proposals**

Bidders are encouraged to carefully review all provisions and attachments of this document prior to completion. Each bid constitutes an offer and may not be withdrawn except as provided herein. Also, prices are to remain firm for the period stated herein.

- A. **PROPOSAL FORM:** Submit all prices and offers on the **BID PROPOSAL FORM(s)** provided herein. All bid proposals must be submitted and signed by the supplier or their authorized representative with all erasures or corrections initialed and dated by the authorized representative of the proposal.
- B. **Addendum(s):** If applicable, bidders shall include signed addendum(s) with their bid submittal acknowledging the modifications made to the bid document.
- C. **SIGNATURE:** All bids must be signed by an authorized official of the company on the **Bidders Signature Page**. A bid may be rejected if it shows omissions, alterations of form, additions not called for, conditional bid, or any irregularities.
- D. **TAXES:** Do not include taxes in your bid prices. Taxes must be itemized and added to invoices separately when invoicing the County. The County is required to pay sales tax. The County is exempt from Federal Excise Tax and has a Federal Tax number.



### Section 8: How to Submit Bid Proposals

- A. **SUBMIT SEALED BIDS ON THE BID PROPOSAL FORM PROVIDED HEREIN.**
- B. Provide (2) complete sets of your bid on the BID PROPOSAL FORM PROVIDED HEREIN in hard copy paper format (on 8-1/2" x 11" size paper, printed one side, only bound with a single staple in the upper left corner or with a single removable clip (no 3-ring binders) and must be SEALED in an envelope. **NO EMAIL OR FAX BIDS WILL BE ACCEPTED.**
- C. All bids must be mailed or delivered as follows in enough time to ensure receipt by the Purchasing Agent for this purpose on or before the time and date specified on the Bid Proposal Form. Bids not received by the time and date specified on the Bid Proposal Form will not be opened or considered.

**Mailing & Delivery Address:**

RFP: Purchase of Ammunition  
Finance Department  
113 N Main Street  
Hendersonville, NC 28792

- D. Bidders shall provide any available product literature and manufacturer's specifications at the request of Henderson County.

### Section 9: Bid Opening

- A. Bids will be opened and read at the time and place shown on the enclosed Bid Proposal Form. No official award will be made at the Bid Opening. All bidders are welcome to attend the bid opening. **LATE BIDS WILL NOT BE OPENED OR ACCEPTED.**
- B. Bidders may review and request copies of the bid documents after the public bid opening has concluded.
- C. Bids will be examined by the Purchasing Agent and the using department officials promptly after the opening and an award made as early as possible. No bids may be withdrawn except for as provided herein.

### Section 10: Award of Bid

- A. **Standard of Bid Award Acceptance:**  
The County reserves the right to reject any or all bids and to waive any irregularities or technicalities in bids received whenever such rejection or waiver is in the best interest of Henderson County. The award shall be made to the lowest, responsive, responsible bidder, or bidders, taking into consideration quality, performance and the time specified in the bid for the performance of the contract.
- B. **Bid Prices:**  
All items and products proposed in response to this Bid are to be new, in un-used condition unless otherwise noted in the Minimum Specifications. All prices proposed in response to this Bid are to include all transport, freight, fuel surcharges and other fees if applicable and be delivered **FOB destination, freight prepaid and allowed** to the location provided on the County Purchase Order if

not otherwise instructed within the specifications section. All items are to be packaged, and shipped or delivered safely in a protective carton, fully assembled and serviced, ready for use and operation where applicable or otherwise described within the specifications. All supplies, equipment, and apparatus must meet all Federal, State, and Local safety regulations, requirements, and guidelines, such as OSHA, EPA, US DOT, NC-DOT, NFPA, UL, etc., if so regulated.

**C. Order of Precedence:**

In cases of conflict between sections and provisions within the Bid document, the Order of Precedence will be 1) the Special Conditions section specific to the Bid (if present); 2) the Minimum Specifications section specific to the Bid, 3) Henderson County Terms and Conditions; and 4) the Instructions to Bidders section of the Bid document.

**D. Bid Award Approval:**

The Henderson County Board of Commissioners will approve the award of the bid at a designated meeting.

**Section 11: Errors in Bids & Bid Withdrawal**

Bidders or their authorized representatives are expected to understand the conditions, requirements, and specifications before submitting bids. Failure to do so will be at the bidders' own risk. In case of an error in the extension of prices on the bid, the unit price shall govern.

**Section 12: Bid Tabulation**

Bidders may request a bid tabulation from the Purchasing Agent, after the public bid opening.

**Section 13: Specifications**

It is the intent of these specifications to set up minimum requirements for the purchase of ammunition as defined herein.

DESCRIPTION	QUANTITY
Speer Gold Dot 9MM+P 124 Grain Hollow Point 1000RDS/CASE, 50 RDS/BOX	25 Cases
Speer Lawman 9MM 124 Grain Total Metal Jacket Round Nose 1000RDS/CASE, 50 RDS/BOX	200 Cases
Federal Tactical Bonded 223 55 Grain Bonded Soft Point "Law Enforcement Only" 200 RDS/CASE	75 Cases
Federal American Eagle 223REM 55 Grain Full Metal Jacket Boattail 500 RDS/CASE 20 RDS/BOX	125 Cases
Federal 125GA Tactical Low Recoil 1oz Slug 250RDS/CASE	20 Cases

Ammunition shall be shipped FOB destination to the Henderson County Sheriff's Office, 100 N Grove Street, Hendersonville, NC 28792.

**Section 14: Minority and Disadvantaged Business**

Pursuant to General Statutes of North Carolina Sections 143-128 and 143-131 and, the County encourages and provides equal opportunity for Certified Minority and Women- Owned Business Enterprise (MWBE) businesses to participate in all aspects of the County’s contracting and procurement programs.

For Disadvantaged Business Enterprise requirements, see Minority Business Participation Guidelines posted under Doing Business with Henderson County at <https://www.hendersoncountync.gov/county/page/doing-business-henderson-county>.

**Section 15: Terms and Conditions**

Any proposal submitted to Henderson County shall be deemed to include all the Terms and Conditions shown in the document found online at

[https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson\\_county/page/42611/terms\\_and\\_conditions\\_02.23.2022.pdf](https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson_county/page/42611/terms_and_conditions_02.23.2022.pdf)

These Terms and Conditions, which refer to a “purchase order”, shall be deemed to be included in any contract entered into as a result of this Request for Proposals (“RFP”).

Any attempt by a proposed contracting party (the “Bidder”) under the RFP to exclude any of these Terms and Conditions shall cause any Proposal made in response to this RFP to be deemed to be non-responsive (unless Henderson County has notified the Bidder that the funding source for the goods or work sought under this RFP is not federal funds, in which case those provisions under number 15 of the Terms and Conditions (and all subparts thereunder) may be excluded from a Proposal.

**Section 16: Funding Source**

This request for proposals is funded with **County Funds**.

**Section 17: Attachments**

Attachment I: Vendor Information Form

**Attachment I: Vendor Information Form**

Company/Firm Name			
Kiesler Police Supply Inc.			
Mailing Address			
2802 Sable Mill Road, Jeffersonville, IN 47130			
Contact Name			
Brittany Girdler			
Phone Number	Fax	Email	Website
812-288-5740	812-284-8008	bgirdler@kiesler.com	www.kiesler.com
Federal Tax ID Number			
35-1361847			
Required Documentation			
Completed IRS W-9 form dated within calendar year and signed by authorized personnel.			
Minority and Women Owned Business (MWBE) certification, if applicable.			
W9 Received		Internal Routing	
<input checked="" type="checkbox"/> YES		<input checked="" type="checkbox"/> YES	
MWBE Certification Received		N/A	
<input type="checkbox"/> YES		<input checked="" type="checkbox"/> N/A	
Unique Entity Identification Number confirmed in SAM.gov		YES	
<input type="checkbox"/> YES		<input type="checkbox"/> YES	



# Sales Quote

KIESLER POLICE SUPPLY  
 2802 SABLE MILL RD  
 JEFFERSONVILLE, IN 47130

**Bill-to Customer**

HENDERSON COUNTY SHERIFF'S OFFICE  
 JOSH HARDEN  
 113 N. MAIN ST  
 EMAIL INVOICES hcsfinance@hendersoncountync.  
 HENDERSONVILLE, NC 28792

**Ship-to Address**

HENDERSON COUNTY SHERIFF'S OFFICE  
 ATTN: JOSH HARDEN #828.694.2975  
 100 NORTH GROVE STREET  
 HENDERSONVILLE, NC 28792

Your Reference

Bill-to Customer No. L77543  
 Tax Registration No.

Salesperson CHELSEY HACKER  
 Email  
 Home Page  
 Phone No.

No. Q136230  
 Document Date October 31, 2022  
 Due Date November 30, 2022

Payment Terms  
 Payment Method  
 Tax Identification Type Legal Entity  
 Shipment Method

RFP: PURCHASE OF AMMUNITION  
 jharden@hendersoncountync.gov  
 Office: 828.694.2975

No.	Description	Quantity	Unit of Measure	Unit Price Excl. Tax	Line Amount Excl. Tax
KIESLER NOTE	RFP: PURCHASE OF AMMUNITION  *** PRICING HELD FOR 90 DAYS ***		1 EACH	0.00	0
KIESLER NOTE	--MEETS OR EXCEEDS NC STATE CONTRACT 680A PRICING--		1 EACH	0.00	0
KIESLER AMMO ETA	----AMMO LEAD TIMES---- MOST ROUNDS 12(+ -) MONTHS 9MM FMJ 15-20 MONTHS .223 FMJ 16-24 MONTHS ----THESE ARE APPROX. & SUBJECT TO CHANGE----		1 EACH	0.00	0
SPEER53617	SPEER GOLD DOT 9MM+P 124 GRAIN HOLLOW POINT 1000RDS/CASE, 50RDS/BOX ALKKC - NC (DROP SHIP)	25	CASE	438.23	10,955.75
SPEER53651	SPEER LAWMAN 9MM 124 GRAIN TOTAL METAL JACKET ROUND NOSE, 1000RDS/CASE, 50RDS/BOX LEMCO - NC (DROP SHIP)	200	CASE	264.12	52,824
FEDELE223T1	FEDERAL TACTICAL BONDED 223 55 GRAIN BONDED SOFT POINT *LAW ENFORCEMENT ONLY* 200RDS/CASE CMLLOT - NC (DROP SHIP)	75	CASE	273.66	20,524.5





No.	Description	Quantity	Unit of Measure	Unit Price Excl. Tax	Line Amount Excl. Tax
FEDEAE223	FEDERAL AMERICAN EAGLE 223REM 55 GRAIN FULL METAL JACKET BOATTAIL 500RDS/CASE,20RDS/BOX CMLOT - NC (DROP SHIP)	125	CASE	266.57	33,321.25
FEDELEB127LRS	FEDERAL 12GA TACTICAL LOW RECOIL 1OZ SLUG, 250 RDS/CASE CRLOT - NC (DROP SHIP)	20	CASE	183.41	3,668.2
KIESLER FREIGHT NOTE	-----PLEASE BE ADVISED-----  FREIGHT CARRIERS AND/OR KIESLER WILL BILL THE AGENCY DIRECT FOR ANY SPECIAL DELIVERY SERVICES. EX: ADDRESS CHANGE, LIFT GATE, CALL AHEAD, INSIDE DELIVERY, ETC... ALSO, NOTE THERE ARE LIMITS ON HOW LONG A DELIVERY IS SUPPOSED TO TAKE PER CARRIER/WEIGHT OF SHIPMENT & A CHARGE MAY OCCUR IF DELIVERY IS DELAYED. ----- PLEASE ALERT YOUR STAFF NOT TO ACCEPT/REQUEST ANY SPECIAL SERVICES UPON DELIVERY OF GOODS, ELSE THESE OR OTHER UNDISCLOSED FEES MAY OCCUR, AND THE AGENCY WILL BE RESPONSIBLE TO PAY OR ADDRESS WITH CARRIER DIRECTLY. -----	1	EACH	0.00	0
FORMAT BRITTANY	QUOTED BY BRITTANY GIRDLER KIESLER POLICE SUPPLY 2802 SABLE MILL ROAD JEFFERSONVILLE, IN 47130 THIS QUOTE IS VALID FOR 30 DAYS BGIRDLER@KIESLER.COM	1	EACH	0.00	0
Amount Subject to Sales Tax				0.00	
Amount Exempt from Sales Tax				121,293.70	
<b>Subtotal</b>					<b>121,293.70</b>
<b>Total Tax</b>					<b>0.00</b>
<b>Total \$ Incl. Tax</b>					<b>121,293.70</b>
<b>Tax Amount</b>					<b>0.00</b>

**KIESLER POLICE SUPPLY FFL# 4-35-019-11-4M-08220**

**RETURNED GOODS POLICY**

No returned goods will be accepted without prior consent. Any packages returned without properly displaying a return authorization number will be refused. Returns subject to up to 25% restocking fee

**DEFECTIVE MERCHANDISE POLICY**

We are not a warranty repair station for any manufacturer. Returns of defective merchandise must be made directly to the manufacturer for repair or replacement.

**DAMAGED GOODS POLICY**

Claims of shortages or damaged shipments must be made immediately upon receipt of shipment.