

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: December 4, 2023

SUBJECT: Bid Award: Purchase of Harley Davidson Motorcycles

PRESENTER: Sheriff Lowell Griffin

ATTACHMENTS: (1) G&G Motorcycle Inc, Richmond Harley Davidson Bid Proposal

SUMMARY OF REQUEST:

The Board is requested to approve the lowest responsive, responsible bid in the amount of \$71,542.12 and authorize the Sheriff to proceed with the purchase of a two 2024 Harley Davidson Electra Glide Police Fleet Motorcycles. Bidding was concluded on September 8, 2023.

Due to the federal nature of the funds involved in this purchase equivalent language was included in the specifications of the bid document for the purchase of these motorcycles. As a result, staff recommends the award be made to, G&G Motorcycles, the only responsible bidder who complied with the equipment specifications and compliance requirements. Bids were sent out twice per policy and only one bid was received each time.

Revenue sources for this project include federal forfeiture funds in the amount of \$92,845.86

BOARD ACTION REQUESTED:

The Board is requested to accept the lowest responsive, responsible bid from G&G Motorcycle Inc in the amount of \$71,542.12 for the purchase of the two 2024 Harley Davidson Electra Glides as specified and to authorize the Sheriff to proceed with the purchase.

Suggested Motion:

I move the Board accept the lowest responsive, responsible bid from G&G Motorcycles, Inc in the amount of \$71,542.12 for the purchase of two 2024 Harley Davidson Electra Glides as specified and to authorize the Sheriff to proceed with the purchase.

BID PROPOSAL FORM

Pursuant to the General Statutes of North Carolina and 2 CFR Part 200 Federal Uniform Administrative Requirements, Cost Principles, and Audit, as amended, informal small purchase bids, subject to the conditions and specifications herein, are invited for furnishing the following apparatus, supplies, materials, equipment. Bids may be submitted via email to hcpurchasing@hendersoncountync.gov or via mail to the Henderson County Finance Department, at 113 North Main St., Hendersonville, NC 28792. Bids will be due by Friday, September 8, 2023, at 4:00PM EST.

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
2024 FLHTP	2	35,771.06	71,542.12
GRAND TOTAL FOR ALL GOODS. INCLUSIVE OF SHIPPING TO HENDRSON COUNTY, NORTH CAROLINA			71,542.12
ESTIMATED DELIVERY DATE OF EQUIPMENT/VEHICLES Feb 15 th 2024			

PLEASE NOTE BID PRICES AND SPECIFICATIONS SHALL BE FULLY ENFORCEABLE FOR 120 DAYS AFTER THE BID DUE DATE UNLESS NOTED BELOW:

Printed Name of Firm Representative: David Badenheimer
 Signature of Firm Representative: [Signature]
 Title: Parts Manager / Police Director
 Name of Firm Submitting Proposal: G & G Motorcycle Inc. DBA Richmond Harley Davidson
 Firm Address: 12200 Harley Club Dr.
 Telephone Number: 804.752.2800
 Email Address: Parts@Richmondharley.com

Bidders Checklist

- Be aware of the bid opening and date and time as indicated on the first page of this proposal.
- All signatures must be by a company officer or agent who is authorized to enter into contracts 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?

ATTACHMENT I
FUNDING PROCEDURAL REQUIREMENTS ADDENDUM

This **FUNDING PROCEDURAL REQUIREMENTS ADDENDUM** (this "Addendum") is entered into by and between Contractor ~~[Richard H. ...]~~ [] ("Contractor"), and County of Henderson, a body corporate and politic of the State of North Carolina ("County"), and forms an integral part of the Contract (as defined in Section I hereof).

RECITALS

WHEREAS, the County has received, either as a Recipient or Subrecipient (as each such term is defined in Section I hereof) a payment from the Coronavirus State Fiscal Recovery Fund ("*State Fiscal Recovery Fund*") or Coronavirus Local Fiscal Recovery Fund ("*Local Fiscal Recovery Fund*" and, together with the State Fiscal Recovery Fund, the "*Fiscal Recovery Funds*") established pursuant to Sections 602 and 603, respectively, of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 ("*ARPA*"); and

WHEREAS, the County contemplates paying, in part or in whole, for the cost of the Contract (as defined in Section I hereof) using monies received from the Fiscal Recovery Funds; and

WHEREAS, in using such funds, County must comply with the terms of ARPA, regulations issued by the U.S. Department of the Treasury governing the expenditure of monies distributed from the Fiscal Recovery Funds (including, without limitation, the Interim Final Rule (86 Fed. Reg. 26,786 (May 17, 2021) and Final Rule (87 Fed. Reg. 4,338 (Jan. 27, 2022))), the Award Terms and Conditions applicable to the Fiscal Recovery Funds, and such other guidance as the U.S. Department of the Treasury has issued or may issue governing the expenditure of monies distributed from the Fiscal Recovery Funds (collectively, the "*Regulatory Requirements*"); and

WHEREAS, the County has determined that compliance with the provisions of ARPA and the Regulatory Requirements and 2 C.F.R. Part 200 *et seq.* should be required in this Contract.

WHEREAS, pursuant to the Regulatory Requirements, County must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury has determined or may determine are inapplicable to the Fiscal Recovery Funds; and

WHEREAS, pursuant to 2 C.F.R. § 200.327, County must include within the Contract applicable provisions described in Appendix II to 2 C.F.R. Part 200, each of which is contained in this Addendum; and


WHEREAS, the County shall not enter into the Contract or make any distributions of funds to Contractor using monies from the Fiscal Recovery Funds absent Contractor's agreement and adherence to each term and condition contained herein.

NOW THEREFORE, Contractor and County do mutually agree as follows:

AGREEMENTS

- I. **Definitions**. Unless otherwise defined in this Addendum, capitalized terms used in this Addendum shall have the meanings ascribed thereto in this Section I.
 - a) "*ARPA*" shall mean the American Rescue Plan Act of 2021, Pub. L. No. 117-2, as amended.

CONTRACTOR:

By: G.G. Motorcycle Inc. DBA Richmond Harley-Davidson.
Name: David Bodenheimer
Title: Parts Manager / Police Director. 

COUNTY OF HENDERSON:

By: _____
Name: _____
Title: _____

This instrument has been preaudited in the manner required by the Local Government Budget & Fiscal Control Act, N.C.G.S. 159-28(a).

Henderson County Finance Director

ATTACHMENT 1
TO

FUNDING PROCEDURAL REQUIREMENTS ADDENDUM

APPENDIX A, 31 C.F.R. PART 21 – CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor, Richard Harley Davidson, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.


Signature of Contractor's Authorized Official

David Bodenheimer - Parts Manager Police Director
Name and Title of Contractor's Authorized Official

9-17-23.
Date

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ATTACHMENT 2
TO


FUNDING PROCEDURAL REQUIREMENTS ADDENDUM

DEPARTMENT CERTIFICATION FORM The Contractor certifies that, neither the Contractor firm nor any owner, partner, director, officer, or principal of the Contractor, nor any person in a position with management responsibility or responsibility for the administration of federal funds, nor any subcontractors or suppliers:

- (a) Are presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any federal or state department/agency:
- (b) Have within a three-year period preceding this certification been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract (federal, state, or local); violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (b) above; or
- (d) Have within a three-year period preceding this certification had one or more public transactions or contracts (federal, state, or local) terminated for cause or default.
- (e) The contractor is "Actively" registered with SAMS (Service for Award Management) and has been assigned the following Unique Entity Identification Number: JMG4N96B1568

The Contractor further certifies that it shall not knowingly enter into any transaction with any subcontractor, material supplier, or vendor who is debarred, suspended, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department/agency.

Dated this 17th day of September, 20 23

By  _____
Authorized Signature for Contractor

David Bodenheimer - Parts Manager / Police Director
Printed Name and Title

MASSACHUSETTS

DEPARTMENT OF

TRANSPORTATION

Attachment II: Vendor Information Form

Company/Firm Name			
G:G Motorcycle Inc. DBA: Richmond Harley-Davidson			
Mailing Address			
12200 Harley Club Drive Ashland, Va. 23005			
Contact Name		Contact Title	
David Bodenheimer		Parts Manager / Police Director	
Phone Number	Fax	Email	Website
804-752-2400		Parts@Richmondharley.com	www.Richmondharley.com
Federal Tax ID Number		Unique Entity Identification Number (SAM.gov)	
54-2144048		JMG4N96R1568	
Required Documentation		Internal Routing	
Completed IRS W-9 form dated within calendar year and signed by authorized personnel.		W9 Received	<input type="checkbox"/> YES
Minority and Women Owned Business (MWBE) certification, if applicable.		MWBE Certification Received	<input type="checkbox"/> YES <input type="checkbox"/> N/A
		Unique Entity Identification Number confirmed in SAM.gov	<input type="checkbox"/> YES

To who it may concern.

Harley-Davidson Police fleet is out of 2023 models. The bid I am submitting will be for model year 2024 FLHTP. The bid consist of

- Two 2024 FLHTP
- Color vivid black color code 010
- Whelen tourpak box with six M4 light heads split red/blue rear psrx brake light/signal lights
- Par 36 light heads split red/blue with integrated spot lights and switch to cut on/off
- Puddle lights (like Fairfax County) in place of the 90/45 lights.
- Chrome trim package
- Front fender light kit
- Led signals and tail light with flash module
- Moto lights
- Cool flow fan
- Light array with three blue lights heads and two red
- Saddlebag guard rails
- Seth bracket
- Siren and amp (whelen)
- Stage one high flow air cleaner and tuner you supply mufflers
- Low profile saddlebag lights
- Rear lic. Linz6 lights

- Set com communications
- Battery charger
- You supply Motorola and we install
- You supply radar and we install
- We deliver two units once complete