

INVITATION AND BID Continuation	CITY OF PHILADELPHIA PROCUREMENT DEPARTMENT PHILADELPHIA, PA 19102 - 1685	BID NUMBER S2F01080	PAGE OF 2 21
		FIRM NAME (Must be filled in)	

SECTION 1: GENERAL BID SUBMISSION

1.1 TITLE: EGGS, CHEESE, OLEO

1.2 CONTRACT TERM: 01/01/2012 to 06/30/2012

1.3 CONTRACT TYPE: REQUIREMENTS

1.3.1 The following items are required in the operation of various City agencies as ordered. Exact quantities cannot now be determined but estimates thereof are listed herein. Quantities listed may be increased or decreased to meet the requirements of the City during the period of this contract. A minimum is not guaranteed. Purchase orders issued as a result of this bid will be for materials or services to be delivered generally on an as-needed basis. Successful bidders are cautioned not to deliver any materials or services without first being advised to do so by the ordering agency.

1.3.2 The successful bidder(s) obligation to deliver on such purchase orders shall not take effect until the orders are issued. To simplify the contract procedure, however, the successful vendor will be required to furnish a Performance Bond or Performance Security Fee to cover units awarded to him.

1.4 METHODOLOGY OF ACQUISITION: Purchase only.

1.5 STATEMENT OF DIRECTION:

1.5.1 It is the intent of the City of Philadelphia to make an award for **Eggs, Cheese and Oleo** for the **Youth Study Center and Office of Supportive Housing (OSH)** as specified herein during the contract period.

1.6 BID SECURITY

1.6.1 Bid security shall be based upon **cumulative bid amount per Section 5.**

All bids submitted with a total greater than \$30,000.00 must be accompanied by the proper Bid Security.

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Bidders already enrolled in the City's Master Bid Security Program **July 1, 2011 to June 30, 2012** are not required to provide Bid Security if their bid total is \$500,000.00 or less (per paragraph 2 of "Terms and Conditions of Bidding and Contract").

1.6.2 **The Master Bid Security Program** allows bidders to qualify for bid security for individual bids submitted during the covered bidding period provided the individual bid total is \$500,000.00 or less.

1.6.3 **Bids Opening July 1, 2011 through June 30, 2012**
Bidders may qualify for the Master Bid Security Program described above for **July 1, 2011 – June 30, 2012** by submitting a check in the amount of **\$120.00** made payable to the City of Philadelphia. The check should be submitted, under separate cover, to the Bid Unit Supervisor at least one day prior to the first bid that the bidder wants covered under the program and is non-refundable. Or if, and only if, the bidder chooses to submit the check with their bid, the check **MUST** be in the form of a Certified, Treasurer's or Cashier's Check, Bank or United States Postal Money Order and is non-refundable.

1.6.4 If the bidder is not enrolled and does not intend to enroll; or If the bidder is not enrolled and does not intend to enroll; or if the total value of the bid submitted exceeds \$500,000.00, the Master Bid Security Program is not applicable. Bidders instead **MUST** submit with their bid a refundable Certified, Treasurer's or Cashier's Check, Bank Money Order or United States Postal Money Order in the amount as specified in Paragraph 2 entitled "Bid Security", of the "Terms and Conditions of Bidding and Contract".

1.7 **BID INFORMATION:**

1.7.1 All information concerning this bid will be contained in this bid document as issued or amended.

1.7.2 Information provided verbally by any City official shall not be binding or relevant.

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1.8 BID SUBMISSION:

- 1.8.1 Bid information must be submitted to the City of Philadelphia no later than the time and date for the bid opening.
- 1.8.2 Advertised sealed bids will be received and read publicly at 10:30 AM in Room #170A, 1st Floor, Municipal Services Building, 1401 JFK Boulevard.
- 1.8.3 Bid should be complete and include ALL information required as described in the various paragraphs of the bid specifications.
- 1.8.4 All pricing must be completed on the forms provided; be complete; and be in ink or typed.
- 1.8.5 The bid must be complete as to required bid signatures and corporate seal, and fully accept the terms and conditions contained in the bid.
- 1.8.6 **BID PROCESSING FEE:**
All bids submitted where the bid total is greater than \$30,000 must be accompanied by the proper Bid Processing Fee. The fee shall be in the form of a separate check or money order in accordance with Paragraph 3 of the “Terms and Conditions of Bidding and Contract”.
- 1.8.7 If no M-BE, W-BE OR DS-BE ranges are established for this Invitation and Bid, bidder are requested to complete the “Voluntary Participation and Commitment Form (Bid)” located after page 1 of the bid.

Completion of this form will not, in any way, impact the City’s determination concerning bidder’s responsiveness to the requirements of the bid and the award process. The information provided in the “Voluntary Participation and Commitment Form (Bid)” will be for the City’s information.

1.8.8 LOCAL BUSINESS ENTITY:

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In accordance with the City of Philadelphia's "Regulations Relating to Local Bidding Preferences for Procurement Contracts", this bid may be subject to a 5% local bid preference. In order to determine eligibility to receive the 5% preference, if applicable, bidder or subcontractor **must be certified at the time of the bid opening and must submit with the bid, the Local Business Entity Certification number** as issued by the Procurement Department for the prime contractor or the applicable subcontractor. If the prime relies upon its subcontractor's LBE status in order to be eligible for the preference, the name and certification number of the subcontractor **must** be submitted with the bid. **Failure to submit the prime's LBE certification number or the Subcontractor's name and LBE certification number with the bid will deem bidder ineligible for the 5% preference.**

Further, by submission of this bid, bidder makes the following certification in connection with the grant of any local bidding preference:

"I certify, that if awarded this contract on the basis of application of the LBE preference, my company or my subcontractor, throughout the entirety of this contract, will perform the majority of the work under this contract within the geographic limits of the City of Philadelphia, and I will, or cause my subcontractor to, maintain within the City a majority of the inventory or equipment that will be used on this contract or the amount of inventory that is customary for this industry."

Prime or subcontractor's LBE Certification Number_____

If applicable:

Subcontractor's Name_____

NOTE: If you wish to apply for Local Business Entity (LBE) certification, go to www.phila.gov/bids. Please provide sufficient time prior to bidding for processing of the LBE application.

1.8.7

CONTACT PERSON:

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PRE-AWARD:

Indicate below to whom in your firm questions concerning this Invitation and Bid should be directed:

Name: _____

Address: _____

City/State/ZC: _____

Telephone No.(____) _____ Ext.: _____

Fax No.(____) _____

E-mail address _____

Vendor's WEB address _____

POST-AWARD:

Indicate below to whom in your firm questions concerning the Contract resulting from this Invitation and Bid should be directed:

Name: _____

Address: _____

City/State/ZC: _____

Telephone No.(____) _____ Ext.: _____

Fax No.(____) _____

E-mail address _____

Vendor's WEB address _____

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In preparing the bid response, should any bidder need clarification on the bid requirements, identify a discrepancy in the specifications, determine that a specified product has been discontinued or an alternate procedure is advised, etc.; then the bidder is **STRONGLY** encouraged to bring these issues to the attention of the Procurement Department prior to the bid opening by calling (215) 686-4720 or 4721, or by addressing a letter or fax (fax # 215-686-4727) to the Buyer. **Questions, whether written, phoned or faxed should be received no later than seven (7) calendar days prior to the scheduled opening date of the bid.** The City reserves the right to only respond to those questions submitted prior to the stated deadline. If it is in the City's best interest to do so, the bid **MAY** be amended to reflect the proposed changes/modifications. Exceptions taken **DO NOT** obligate the City to change the specifications.

The City of Philadelphia, Procurement Department will notify all bidders in writing, by addendum duly issued, of any interpretations/changes made to specifications or instructions. The City will not accept responsibility for oral instructions, suggestions or changes by any City agency.

1.9 **BIDDER QUALIFICATION:**

- 1.9.1 All bidders must be a bona fide manufacturer of or dealer in, the article or service specified within the bid, **Eggs, Cheese and Oleo**. To demonstrate this, bidders should submit the following reference information with their bid. References provided should be pertinent to the commodity or service requested in this Invitation and Bid and demonstrate the bidders ability to perform on a contract of this size and scope.

Please note that reference information in each section must be completed. Failure to submit this information may result in the bidder's disqualification.

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SECTION 1:

Customer Reference other than an employee or department of the City of Philadelphia, (excluding suppliers or financial institutions).

Firm Name: _____

Contact Name: _____

Phone No.: _____

Type Work: _____

Years dealing w/your firm: _____

SECTION 2:

Previous purchase order(s)/contract(s) with the City of Philadelphia; (State "None" if applicable).

Dept. Name: _____

Contact Name: _____

Phone No.: _____

PO#/Contract#: _____

Items: _____

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SECTION 2: SPECIFICATIONS

2.1 FRESH EGGS

- 2.1.1 **REGULATION REQUIREMENTS:** All delivered shell eggs shall be classified to the small grade and size outlined in the current Edition of the Regulations Governing the Grading of Shell Eggs (7 CFR Part 56) and the United States Standards, Grade and Weight Classes for Shell Eggs (AMS 56).
- 2.1.2 Plant Facilities, Equipment and all Processing Operations must comply with all USDA Requirements.
- 2.1.3 **SPECIAL REQUIREMENTS:** All shell eggs shall be graded within 72 hours of the delivery date by the Poultry Programs, Grading Branch, AMS, U.S. Department of Agriculture. The eggs shall be packed in new fiber cases and sealed. The tape shall be so placed that it must be torn to open the case. **The official grader shall stamp each case with the U.S. Grade A stamp and date of grading.** A Poultry Products Grading Certificate (PY-210) shall be issued certifying that the product meets contract requirements. A copy of the certificate shall accompany each delivery. The stamp and date listed on the certificate must agree with the stamp imprint on each container. An imprint of the stamp must appear on the Poultry Product Grading Certificate (PY-210) accompanying each delivery.
- 2.1.4 **SPECIAL NOTICE:** It is required that contractor, under these specifications, cooperate with the Grader to the fullest extent and furnish such assistance as may be necessary in the examination and grading. The contractor to assume all expenses incurred, including labor, materials, and the fees of the Official Grader.

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2.1.5 **DELIVERIES are to be made by the contractor no later than ten (10) business days after receipt of order as follows:**

Youth Study Center

3232 Henry Avenue
Philadelphia, PA 19129
7:45 a.m. - 2:45 p.m.

OSH - Warehouse

4000 American St
(9:00 a.m. - 2:00 p.m.)
Phone prior to delivery: (215) 685-9551, 9552, 9553

2.1.6 **SPECIAL NOTE:**

No delivery at institutions will be accepted after time specified unless arrangements are made with the receiver at the institutions in advance. Late deliveries may be rejected and will subject the contractor to removal from the bidder's list.

2.1.7 **Shell Eggs:**

USDA Certificate: A copy of US Department of Agriculture Poultry Product Grading certificate (PY-210) must be furnished to each institute or agency certifying satisfactory condition. More than one order or institution may be included on a certificate providing the quantity is shown for each institution or order. Cost of inspection(s) shall be borne by the contractor.

2.2 **LIQUID WHOLE EGGS**

2.2.1 **SPECIFICATIONS:** Product shall be produced from shell eggs of the domesticated chicken. Product is to be pasteurized and shall be produced according to the U.S. Department of Agriculture, Food Service Inspection Service (FSIS), and the Regulations Governing the Inspection of Eggs and Egg Products (9 CFR Part 590). Food grade additives to improve functional properties or preserve color may be added providing they are approved by U.S.D.A. and meet Food and Drug Administration regulations.

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2.2.2 Product shall be cooled to 40°F. or lower as soon as possible after pasteurization and not to exceed a two hour period. Product shall be held at 40°F. or lower and delivered to the using agency within three days including the date of pasteurization and at a temperature of 40°F. or lower.

2.2.3 Product shall be delivered in clean refrigerated trucks with a maximum temperature of 40°F. or lower. No deliveries are to be made by public carriers.

2.2.4 **PACKAGING:**

Product shall be packed not less than 5 lbs, or more than 10 lbs. to a container. Packages or containers shall be new and of sanitary design and constructed so that product will pour properly without spillage. All packages or containers shall be of a liquid proof sealing type, shall be clean when being filled, and all reasonable precautions shall be taken to prevent soiling of containers. Master carton to weigh no more than 45 lbs. Master carton to show packaging date and delivery must be made within 72 hours (3 days) from date of packaging. Containers shall be packed in a master container of suitable and practical size for delivery.

2.2.5 **EGG PRODUCT:**

U.S.D.A. CERTIFICATE: A copy of U.S. Department of agriculture Egg Products Inspection and Grading certificate (PY-200) must be furnished to each institution or agency certifying satisfactory condition and storage temperature an ambient 45°F or below and date of pasteurization. More than one order or institution may be included on a certificate providing the quantity is shown for each institution or order. Cost of inspection(s) shall be borne by the contractor.

DELIVERY:

BIDDER TO COMPLETE SECTION 5, "TYPE OF TRANSPORT."

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SECTION 3: BID EVALUATION AND AWARD

3.1 EVALUATION

- 3.1.1 Bid will be evaluated by the Procurement Department.
- 3.1.2 Bids will be evaluated for responsiveness to the bid specifications and for responsibility of the bidders.
- 3.1.3 Bids which are determined to be non-responsive for reasons of:

- (i) improper bid security
- (ii) improper bid execution
- (iii) incompleteness
- (iv) offering counter terms and conditions
- (v) improper or incomplete execution of OEO documents (if applicable)

may be disqualified by the City without notice to the bidder. The decision of the City is final.

- 3.1.4 Bidders whose bids are determined to be non-responsible for reasons of bidder qualification shall be notified by the City of the reasons for the determination and may contest the finding of non-responsibility through the prescribed procedures described in paragraph 9 of "Terms and Conditions of Bidding and Contract".

3.2 **AWARD**

- 3.2.1 This Invitation and Bid shall be awarded **as a whole or by line item, whichever is in the best interest of the City.**

3.2.2 **Performance Security**

If the total award amount is \$500,000 or less, bidders attention is directed to paragraph 14 of "Terms and Conditions of Bidding and Contract", for the required Performance Security.

Please note however, that all awards as a result of this bid may have a minimum contract amount of \$30,000.01. All awards at the \$30,000.01 amount will be subject to a \$50.00 Master Performance Security Fee.

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3.2.3 Insurance

Insurance is a requirement for this bid in accordance with Paragraph 15 of the “Terms and Conditions of Bidding and Contract”. No contract will be executed nor purchase order issued unless and until all required insurance certificates, in the required amount, are received. **All insurance MUST meet the following requirements:**

- Insured must be in the same name and address as the Bidder
- The insurance carrier must be rated “A” or better by AM Best
- The certificate holder must be the City of Philadelphia, and specifically named as an additional insured on the certificate in the “Description of Operations section.”
- Certificate must be signed by an authorized representative of the insurance company/carrier

All certificates are to be sent to the Office of Risk Management, One Parkway, 1515 Arch Street, 14th Floor, Philadelphia, PA 19102, Attn. Debbie Lawton or FAX to (215) 683-1705.

3.2.4 **City of Philadelphia-Business, Corporate and Slavery Era Insurance Disclosure**

In accordance with Section 17-104 of The Philadelphia Code, the Bidder, after execution of this Contract, will complete an affidavit certifying and representing that the Bidder (including any parent company, subsidiary, exclusive distributor or company affiliated with Bidder) has searched any and all records of the Bidder or any predecessor business entity regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records must be disclosed in the affidavit.

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The Bidder expressly understands and agrees that any false certification or representation in connection with this Paragraph and/or any failure to comply with the provisions of this Paragraph shall constitute a substantial breach of this Contract entitling the City to all rights and remedies provided in this Contract or otherwise available in law (including, but not limited to, Section 17-104 of the Philadelphia Code) or equity and the contract will be deemed voidable. In addition, it is understood that false certification or representation is subject to prosecution under Title 18 Pa.C.S.A. Section 4904.

SECTION 4: CONTRACT MANAGEMENT

4.1 CITY OF PHILADELPHIA RESPONSIBILITY

4.1.1 Order Against Contracts

Subsequent to contract conformance of a Requirements bid, purchase orders will be issued at such time that the product and/or service is needed. Such purchase orders will show if delivery is to be made upon receipt of order, or only after notification by the using department.

4.1.2 Invoices shall be submitted after delivery and acceptance of the product or service by the City. The City attempts to process invoices in a timely manner. Delays can occur because of incomplete or inaccurate invoicing information. Please make sure that invoices contain the information as specified in Section 4.2.7., this is necessary to process payments to the Contractor as quickly as possible. Invoices which are not in accordance with the instructions in section 4.2.7 will be rejected for correction.

4.1.3 The using agencies and departments are responsible for monitoring the services and/or products delivered as described in the contract. If any problems arise, a letter should be sent to the vendor requesting resolution by a specified date. A copy should be sent to the buyer. If vendor does not resolve the breach of contract by the requested date the matter should be turned over to the buyer.

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4.1.4 **ADD-ONS**

The City reserves the right to add, delete and/or acquire other product/services that the vendor can supply that are similar to, but not specifically called for in this bid. The procedure for such acquisitions shall be as follows:

Procurement or the using department will obtain from the Vendor a letter (on his/her letterhead) verifying the items to be added. The letter shall include the complete description of the item, the location (if applicable), the bid number, bid scheduled number, the price to the City and the applicable contract period; and upon receipt and approval by the Procurement Department shall automatically become part of the contract. **The City, however reserves the right to accept or reject the letter and to acquire the supplies or materials in the open market.**

4.2 **VENDOR RESPONSIBILITY**

- 4.2.1 Contractor may deliver only products as authorized in the contract and only after receipt of a purchase order or other authorized document from the Procurement Department. All orders must be in writing. Contractor shall not accept verbal delivery requests until after receipt of purchase order or other authorizing document from Procurement.
- 4.2.2 Contractor may deliver only products at the prices quoted in the contract and that are reflected on a purchase order or a change to a purchase order (a change to a purchase order is issued whenever the items, unit price, total amount, or terms and conditions change from the original purchase order).
- 4.2.3 Contractors may deliver products up to the dollar limit of the purchase order and for the period shown on the purchase order. Contractors are requested to carefully monitor obligations against purchase orders and inform the departments of anticipated funding shortfalls.

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- 4.2.4 In the event that the contractor receives an order for products not specifically priced and incorporated into the contract, they must:
- (i) bring this to the immediate attention of the Procurement Dept., and
 - (ii) notify the ordering agency in writing and refuse to deliver.
- 4.2.5 Should products be delivered that are not specifically incorporated and priced into the contract, and/or be delivered without purchase order, the City shall have no obligation for payment.
- 4.2.6 For delivery of products, contractors shall honor and be paid for orders placed until the close of business of the date of purchase order expiration. Delivery of product may occur following purchase order expiration, so long as the order was placed prior to the purchase order expiration date.
- 4.2.7 **Invoices/Receipts**
- 4.2.7.1 Successful bidder(s) agrees not to invoice more than once per month per purchase order.
- 4.2.7.2 Invoices should be sent in triplicate to each ordering department: One (1) original and two (2) copies of fully itemized. Failure to submit invoices in the form noted below will cause a delay in payment.
- (a) After the delivery or services have been completed the Contractor must submit three (3) copies of the invoice for payment to the receiving department listed on the purchase order.
 - (b) The invoice must correctly reference the purchase order number, the vendor name, address and Federal Employer Identification number.
 - (c) Checks will only be made payable to the company name as shown on the purchase order; the invoice must reflect this same company name as the "pay to".
 - (d) The invoice must show the quantity and type of item or service and the price.

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- (e) The unit of purchase on the invoice must agree with the unit cited on the purchase order. Reference to the specific line item is helpful.

4.3 **VENDOR ACCEPTANCES - IN SUBMITTING AN EXECUTED BID, THE BIDDER AGREES TO THE CONTRACT MANAGEMENT PROCEDURES IN THIS SECTION.**

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SECTION 5: PRICING

(PRICES QUOTED MAY NOT EXCEED THREE (3) DECIMAL PLACES)

Unit pricing quoted below will prevail in case of any discrepancy(ies) between unit price and the extended amount and will be the determining factor in establishing applicable contract amount(s)/award.

SECTION A - EGGS

| YSC | OSH |

EST	UNIT	EXTENDED
QTY	UNIT	AMOUNT

1. **EGGS, FRESH:**

Natural and/or Shell Protected, U.S. Grade A except as noted complying with current USDA Regulations Governing the Grading of Shell Eggs and United States Standards, Grades, Weight Classes for Shell Eggs.

LARGE - Net weight not less than 45.00 lbs. per 30 dozen case

1. **31321-000-000**

U.S. Grade "A" Large: 2,000 dz _____

2,000		

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| | **YSC** | **OSH** |

EST UNIT EXTENDED
QTY UNIT PRICE AMOUNT

2. **31324-000-000**
LIQUID WHOLE EGGS: 8,000 lb _____ _____

Product to be pasteurized, Salmonella negative, free from blood spots, shell fragments, and foreign substances.

Packed in 2, 5, or 10 lb. pour-pack type containers or 20 lb. pour spout container, the master carton to weigh no more than 45 lbs. Master carton to show packaging date and delivery must be made within 72 hours (3 days) from date of packaging.

CERTIFICATE OF INSPECTION MUST ACCOMPANY EACH DELIVERY

Bidder to State Packaging: _____

| | | |
| | 2,000 | 6,000 | _____

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SECTION B - CHEESE AND MARGARINE

SPECIAL NOTE: U.S.D.A. GRADING CERTIFICATES NOT REQUIRED.

MARGARINE

| YSC | OSH |

EST	UNIT	EXTENDED
QTY	UNIT	PRICE
		AMOUNT

3. **31320-005-000**
MARGARINE: Colored, Fed.Spec -
 EE-M-0045a, Class 1, Style A, all
 vegetable oil base, in 1 lb. prints
 wrapped in parchment paper 30 to
 60 lbs. to the Commercial container. 7,500 lb _____

Name Brand Bid On: _____

1,500	6,000	_____

4. **31320-005-001**
MARGARINE: Colored, Fed.Spec.
 EE-W-304A, Class 1, Style A, all
 vegetable oil base. To be pre-cut
 reddies, on individual trays with
 paper covers, 72 cuts/lb.,
 12 lbs./case 2,000 lb _____

2,000		_____

CHEESE

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| YSC | OSH |

EST UNIT EXTENDED
QTY UNIT PRICE AMOUNT

5. **31320-001-002**
STYLE F RINDLESS, (Sandwich Style)
 Class 1 – Mild (Fresh or Current) in
 5 lb. loaves, cellophane wrapped.
 Sliced, 115 to 120 slices per loaf

9,500 lb _____

| 1,500 | 8,000 | _____

6. **31320-001-500**
CHEESE-PARMESAN, Grated in 1 lb.
 packages

30 lb _____

| 30 | _____

EXTENDED TOTAL AMOUNT _____
 (Unit Price x Quantity for all
 items bid).

BIDDER TO STATE HOW PRODUCT(S), SUPPLIES AND/OR PARTS ARE TO BE DELIVERED TO THE CITY OF PHILADELPHIA: (E.G. ON-SITE DELIVERY VIA AWARDED VENDOR'S TRUCK, UNITED PARCEL, U.S. POSTAL SERVICE ETC.).

TYPE OF TRANSPORT: _____