



CITY OF TOPEKA

Contracts & Procurement Division
City Hall, 215 SE 7th St., Room 60
Topeka, KS 66603

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General Terms and Conditions

Read all terms and conditions before registering or responding to a bid event.

I. General

All data in this website is subject to the Statutes of the State of Kansas and ordinances contained in the Topeka Municipal Code. The City of Topeka shall not be held liable or legally bound by any software limitation or defect. The City of Topeka operates under and is subject to the Central Time Zone (CST or CDT).

The City of Topeka strives to include as many suppliers as possible to enhance the competitive sealed bidding process. The city is unable to include every supplier in all events that they may be able to quote on. Registration on the city's Vendor Access website does not guarantee an organization will receive notification of every bidding opportunity.

II. Disclaimer

The City of Topeka attempts to maintain continuous access to the Vendor Access website. However, from time to time, access may be interrupted or prevented due to maintenance, site problems, Internet problems, or problems experienced by the user due to the user's computer system. The city makes no warranty that the supplier portal will be uninterrupted or error-free. Regardless of the source of any problem, it is the user's responsibility to ensure that its bid is timely received. Because of the discrepancies inherent in timing mechanisms (e.g. cell phones, computers, mobile devices), the bid time will be determined based upon the time indicated on the city server for the Vendor Access application. If the user does not submit its bid at or before the time indicated on the City server for the Vendor Access application, the bid will be electronically rejected by the Vendor Access application as untimely.

The City shall not be liable for any direct, indirect, incidental, special, consequential, or exemplary damages, including but not limited to damages for loss of profits, goodwill, use, data, or other intangible losses resulting from: (i) the use or the inability to use the Vendor Access website; (ii) unauthorized access to or alteration of the user's transmissions or data; or (iii) any other matter relating to the website.

It shall be the bidder's responsibility to advise the City of Topeka of any specifications, language, other requirements, or combinations thereof that restrict or limit bidding. Such notification must be submitted in writing and must be received by the Contracts and Procurement Division no later than five (5) days prior to the bid closing. The specifications were written with the intent of permitting competitive bidding. The City of Topeka reserves the right to waive minor deviations in the specifications that inadvertently restrict bidding to a single manufacturer (or vendor) or when such deviations do not alter or deter the City from accomplishing the intended use or function. Each bid shall include descriptive literature and specifications for the

product. However, the provision of this material shall not be considered a substitute for listing deviations.

Amendments to Bids: To ensure maximum access opportunities for users, events and solicitations shall typically be posted for a minimum of ten (10) days, and no amendments shall typically be made within the last three (3) days before the event or solicitation is due. Bidders and vendors are cautioned that the competitive nature of their offers could be affected if their submission does not include all amendments. For this reason, bidders and vendors are advised to revisit all solicitations to which they intend to respond three (3) days prior to the due date. It is the bidder's or vendor's responsibility to check the website from time to time for updates to events and solicitations and to pick up additional addenda and information.

All bids shall be considered firm for a period of forty-five (45) calendar days from the bid opening date, unless otherwise stated in the bid specification document(s).

If bidders have a concern about bid specifications or any term or condition that they believe restricts competition, bidders must contact, in writing, the procurement buyer assigned no later than five (5) days prior to bid closing. Upon receipt, the procurement buyer will research the issue and provide a response within five (5) days. Failure to submit a question or concern within the five (5) day period will waive any right the bidder may have to challenge the bid or a bid award.