

Request for Bids



2022

Clifton Knolls Leaf District Bid
H-2-2022

Town of Clifton Park
Saratoga County

Town of Clifton Park
c/o Dahn S. Bull
Superintendent of Highways
1 Town Hall Plaza
Clifton Park, New York 12065

January 5, 2022

**NOTICE TO BIDDERS
TOWN OF CLIFTON PARK
SARATOGA COUNTY, NEW YORK**

Sealed Bids to furnish the following:

Large Trailer-Mounted Yard Waste Collector

Sealed Bids for a Large Trailer-Mounted Yard Waste Collector Spec. No. H-1-2022 will be received by the Town Clerk at the Town office Building Clifton Park commencing at **3:00 PM** on **Wednesday January, 19th, 2022** when bids will be publicly opened and read. Bids must be made upon the proper form and submitted. Specification numbers must be written on a sealed envelope. The blank spaces in the bid must be filled in and no change shall be made in the phraseology of the bid. Bids that carry an omissions, erasures, alteration, or additions may be rejected as informal.

Corporations submitting bids shall be authorized to do business in the State of New York.

Specifications and bid packet may be obtained at the Office of the Town Clerk, One Town Hall Plaza, Clifton Park, New York.

The Town Board reserves the right to reject any or all bids.

Teresa Brobston
Town Clerk
Town of Clifton Park

TOWN OF CLIFTON PARK

NON-COLLUSIVE BIDDING CERTIFICATION

(Required by Section 103-d of the New York State General Municipal Law)

By Submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- 1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;
- 2) Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed, directly or indirectly, by the Bidder prior to the opening to any other Bidder or to any competitor; and
- 3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition.

BIDDER: _____

***BY:** _____
(Signature) (Print/Type Name Here)

TITLE: _____ SEAL: _____

ADDRESS: _____

PHONE: _____ DATED: _____

FAX: _____

FID#: _____

**If signed by other than a corporate officer, partner, or owner, a letter of authorization must accompany the Bid with the corporate seal (if applicable).*

**TOWN OF CLIFTON PARK
HIGHWAY DEPARTMENT
NON-COLLUSION AFFIDAVIT**

Every bid or proposal made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury.

By submission of this bid, each bidder and each person signing on behalf of any bidder, or in the case of joint bid each party thereto, certifies that:

such bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;

such bid is genuine and collusive or sham;

said bidder has not directly induced or solicited any other bidder to put in a false or sham bid and has not directly or indirectly colluded, conspired, connived or agreed with any bidder or anyone else to put in a sham bid, nor that anyone shall refrain from bidding;

said bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of said bidder or of any other bidder, nor to fix any, profit or cost element of such bid price, nor of that of any other bidder, nor to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract;

all statements contained in such bid are true;

and, further, that said bidder has not directly or indirectly, submitted his bid price or any breakdown.

thereof, nor the contents thereof, nor divulged information or data relative thereto, nor paid and will not pay fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, nor to any member or agent thereto, nor to any other individual except to such person or persons as have a partnership or other financial interest with said bidder in his general business.

No bid shall be considered for award, neither shall any award be made where above items have not been complied with.

If the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons why the above items have not been complied with. The bid shall not be considered for award, neither shall any award be made, unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or the appointed designee, determines that such disclosure was not made for the purpose of restricting competition.

Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation or local law, and where such bid contains the certification referred to in this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature: _____

Print Name: _____

Title: _____

Business Address
Of Bidder: _____

Dated: _____

**Town of Clifton Park
Highway Department**

ITEM: Leaf Vacuum Trailer

SPECIFICATION NO: H-2-2022

OPEN DATE: January 19, 2022 3:00pm

Bidders are requested to retain this information for future references in connection with the item(s) listed herein.

GENERAL INFORMATION

TAX: Purchases by the Town Board are **not** subject to any sales or federal excise taxes. Exemption certificates will be furnished upon request by ordering agency. The Town Board is also exempt from transportation tax and no exempt certificates are required for this tax.

PROPOSALS: Proposals must be made upon the attached forms in addition to flyers, catalogs or other material that explains, in detail, the description of the product. The blank places in the proposal must be filled in as noted and no change shall be made in the phraseology of the proposal or in the terms mentioned herein.

**WITHDRAWAL
OF PROPOSAL:**

Permission will not be given to modify or explain any proposal or bid after it has been deposited with this department. No proposal shall be withdrawn or cancelled before the time designated for opening such proposal publicly. No returned proposals will be considered after the bidder has exercised his privilege to withdraw the same. No proposals will be considered which have not been deposited with this department prior to the time indicated in the advertisement.

PRICE: The price quoted shall be net and shall include all necessary modifications in place complete and to the satisfaction of the Superintendent of Highways of the Town of Clifton Park.

AWARD: The bid will be awarded to the lowest responsible bidder based on the total unit prices for the equipment that meets the necessary specifications, attached, for a large trailer mounted yard waste collector.

TITLE VI Regulations
Federal Prohibition of Discrimination for
Contractors, Subcontractors, Suppliers, and Manufacturers

A. During the performance of this contract, the contractor, for itself, its assignees and successors in (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance With Regulations

The contractor (hereinafter includes consultants) shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq., 78 stat. 252) (hereinafter referred to as the Acts) and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter USDOT), Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination

The contractor, with regard to the work performed during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project or program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, including Procurement of Materials and Equipment

In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to the Non-discrimination on the ground of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports by the Acts, Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Town of Clifton Park or the New York State Department of Transportation (hereinafter NYSDOT) to be pertinent to ascertain compliance with such Acts, Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Town, or the NYSDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the contractor's noncompliance with the Non-discrimination provisions of this contract, the Town of Clifton Park, and the NYSDOT shall impose such contract sanctions as it, or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. withholding of payments to the contractor under the contract until the contractor complies, and/or;

- b. cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the Town or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Town enter into such litigation to protect the interests of the Town and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

B. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (45 U.S.C. §4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. §794 et seq), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. §6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 –12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low - Income Populations, which ensures non - discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low - income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.)

X
Signature

Date

**Town of Clifton Park
Highway Department
BID PROPOSAL**

Item: Leaf District Leaf Vacuum Bid

Return Bid To: Town of Clifton Park, c/o Town Clerk, 1 Town Hall Plaza, Clifton Park NY 12065

Date of Bid Opening: Wednesday January 19, 2022

Time: 3:00 PM, Wood Room Town Hall

PURSUANT TO CHAPTER 861 OF THE LAWS OF 1953, SEALED PROPOSALS WILL BE RECEIVED BY THE TOWN BOARD OF THE TOWN OF CLIFTON PARK AT THE ABOVE ADDRESS FOR FURNISHING THE ITEM HEREIN LISTED.

INSTRUCTIONS

1. This proposal is signed by the bidder with the full knowledge and acceptance of all the provisions of the General Specifications, the Proposal and the Item Specification.
2. Bids must be submitted on this and subsequent forms (Only One Copy of Bid Required).
3. This form must be made out in the Corporate or other name of the Bidder and must be fully and properly executed by an Authorized person of the Company.
4. Upon completion, the Bid Proposal, Non-Collusive Bidding Certification, Non-Collusive Bidding Affidavit and Applicant Ethics Disclosure Form must be sealed and delivered to the Clifton Park Town Clerks Office prior to the time of Bid Opening. Please note on the envelope that the document is for the Bid for Leaf District Leaf Vacuum Bid.

Bid By: _____ Date: _____

(Name of Company)

Address: _____

Company Contact Name: _____ Phone: _____

Cell Phone: _____ Email Address: _____

Printed Name of Bidder: _____

Official Title: _____

Signature of Bidder: _____

PROPOSAL

Item Name: _____

We agree to furnish to the Clifton Park Highway Department and Clifton Knolls Leaf District as per the specification number **H-1-2022** , per the following:

BID PRICE: \$ _____

EARLIEST DELIVERY DATE: _____

*** Please note, Clifton Park Town Board must approve proposal prior to delivery.**

Appendix A

GENERAL MUNICIPAL LAW

Section 103-D

1. [Eff. until June 1, 2018, pursuant to L.2010, c. 56, pt. FF, § 13, subd. 2 and L.2003, c. 62, pt. X, § 41, subd. (a). See, also undesig. par. below.] Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification. [Eff. June 1, 2018. See, also subd. 1, opening par. above.] Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification. “(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief: (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor; (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.” (a-1) [Expires and deemed repealed June 1, 2018, pursuant to L.2010, c. 56, pt. FF, § 13, subd. 2 and L.2003, c. 62, pt. X, § 41, subd. (a).] Notwithstanding the foregoing, the statement of non-collusion may be submitted electronically in accordance with the provisions of subdivision one of section one hundred three of the general municipal law. (b) A bid shall not be considered for award nor shall any award be made where (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a)(1)(2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition. The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (a). 2. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.