

ALLEGANY COUNTY DEPARTMENT OF

PUBLIC WORKS

7 Court Street, Room 210

Belmont, NY 14813-1078

Telephone: 585-268-9230 Fax: 585-268-9648

NOTICE TO BIDDERS

The Allegany County Department of Public Works will receive sealed bids until 10:00 a.m. February 22, 2018. At that time bids will be opened in Room 221, County Office Building, Belmont, New York on the following items:

1. Culvert Pipe & Bands
2. Galvanized Corrugated Steel Beam Guide Rail, Posts, Block-Outs, and Back-Up Plates
3. Steel
4. Washed Crushed Gravel- Crushed Limestone
5. Highway Signs, Blanks and Posts
6. Bituminous Materials
7. 1311 Calcium Chloride
8. Crushed Gravel, Screened & Bank Run Gravel
9. Stone Fill (Rip Rap)
10. Ready Mix Concrete, Flowable Fill, and Concrete Blocks
11. Sand & Salt Mix
12. Rust Preventative Paint
13. Equipment Rental
14. Fiber Reinforced Bituminous Membrane Surface Treatment
15. Cold In-Place Recycled Asphalt Pavement
16. Pavement Markings

Specifications for the above listed items may be obtained on the Internet: Allegany County Website at www.alleganyco.com; click on Government then Public Works Department. They are also available at the Office of the Superintendent of Public Works, Room 210, County Office Building, Belmont, New York.

The Allegany County Department of Public Works reserves the right to reject any or all bids and to accept the bid it determines to be in the best interest of Allegany County.

Upon mutual agreement of the parties, Allegany County reserves the right to renew the contract (s) awarded as a result of this bid for an additional one (1) year period by resolution of the Public Works Committee of the Allegany County Board of Legislators in accordance with the specifications and NYS GML 103 and 104b.

Guy R. James
Superintendent
Allegany County
Department of Public Works

GENERAL TERMS AND CONDITIONS:

1. Objective:

This document is published in order to obtain competitive prices for rust preventative paint.

2. Acquisition of Bid Documents:

- a. Bid documents are available for download at www.alleganyco.com; click on Government then Public Works Department. They are also available at the Office of the Superintendent of Public Works, 7 Court Street, Room 210, Belmont, New York 14813. The office is open Monday – Friday, 8:00 a.m. to 4:00 p.m. Telephone number is (585) 268-9230.
- b. Each contractor bears sole responsibility for acquisition of bid documents. Requests for bid documents to be forwarded are neither a guarantee nor an incurred obligation on the part of Allegany County to ensure contractors requested receipt of bid documents, timely or otherwise.
- c. Receipt of these documents, unsolicited or otherwise, shall not be construed a predetermination of a contractor's qualification to receive a contract reward. Nor shall said receipt of these documents be interpreted an endorsement that the contractor's equipment, materials, products, and/or services are in compliance with the bid specifications.

3. Examination, Interpretation, Correction of Bid Documents:

Each contractor shall examine all bid documents and judge all matters relating to the adequacy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to this bid solicitation shall be in writing and submitted to the Public Works Department. The County shall not be responsible for oral interpretations given by any county employee, representative or others. The issuance of written addendum/addenda is the only official method whereby clarification or additional information can be given.

4. Preparation of Bid Documents:

Bids must be submitted on the forms provided in these bid documents and prepared in the following manner:

- a. All forms shall be clearly legibly completed using a permanent medium (i.e. ink, typewriter, laser printer, etc.) Illegible entries may be rejected.
 - i. If submittal of unit price(s) is a requirement, said unit price(s) shall prevail.
 - ii. All mathematical functions (extensions, additions, etc.) are subject to audit.
 - iii. Each price shall be expressed as a numerical dollar value, indicators such as ditto marks, arrows, etc. are not acceptable.

- b. All forms requiring a contractor's signature shall be signed by the contractor or the contractor's authorized representative. Erasures and/or alterations shall be initialed by the representative whose signature appears on the forms.
- c. The contractor shall submit the bid in accordance with the bid documents and shall not make any changes in the wording or the bid forms or make any stipulations or qualify the bid in any manner.
- d. Prices shall be F.O.B. any point in Allegany County, New York. Price quoted shall include all delivery charges.
- e. All bids shall be firm for a period of forty-five (45) days from the bid opening date; during which time the County shall render its decision.
- f. **NO FRIDAY DELIVERIES DURING SUMMER HOURS, FROM THE 3RD FRIDAY IN APRIL TO THE LAST FRIDAY IN OCTOBER.**

5. Contract Term:

May 1, 2018 through April 30, 2019

6. Quantities:

- a. Quantities are not guaranteed. A minimum and/or maximum quantity shall not be established. All purchases, therefore the cumulative annual purchase quantity shall be "as required" by Allegany County.
- b. If this bid specifies "estimated quantities", said quantities are specified for bid purpose only. These quantities are not intended, nor should they be construed to reflect the actual purchase requirements of Allegany County.

7. Non-Collusive Bidding Clause and Certificate:

The contractor shall submit a signed and dated Non-Collusive bidding certificate with its bid which is included in this bid document. Said certificate is mandated by Section 103-d of the General Municipal Law.

8. Hold Harmless Clause and Form:

The contractor shall submit a signed and dated Hold Harmless Clause form with its bid, which is included in this bid document.

9. Iranian Energy Sector Divestment Certification:

Contractor hereby represents that said contractor is in compliance with New York State General Municipal Law, Section 103-g entitled "Iranian Energy Sector Divestment." By submission of this bid, each contractor and said person signing on behalf of any contractor certifies and in case of a joint bid, each party hereto certifies as to its own organization, under penalty of perjury, that the best knowledge and belief, that each contractor is not on the list created pursuant to NYS Finance Law Section 165-A (3) (b).

The contractor shall submit a signed, notarized and dated Iranian Energy Sector Divestment Certification, included in this document, with its bid.

Said certificate is mandated by Section 103-g of the General Municipal Law. Reference the Iranian Energy Sector Divestment Certificate Form included in this document.

10. Required Insurance(s):

a. This bid documents includes an information sheet entitled: ALLEGANY COUNTY STANDARD INSURANCE REQUIREMENTS. These requirements establish the minimum insurance(s) which the contractor shall have in effect prior to entering into a contract with Allegany County. Said insurance (s) are required to remain in effect through the term of the contract(s). In the event that the contractor's insurance lapses during the term of the contract(s), the County reserves, as its right, the right to cancel the contractor's contract(s), and to purchase the contracted product(s)/service(s) on the open market; with any increase in cost(s) to Allegany County charged to the awardee. Credit shall not be issued to the awardee where open market cost(s) to the County are less than the cost(s) contracted with the awardee.

b. Additional Insurance & Certificate Holder:

- i. Allegany County shall be named as an "additional insured" for the purpose of coverage on direct, primary and non-contributory basis in the contractor's policy for all intents and purposes of contract(s) issued as a result of an award of this bid. Additional insured shall read- Allegany County, 7 Court Street, Room 210, Belmont, New York 14813.
- ii. Certificate Holder shall read- Allegany County, 7 Court Street, Room 210, Belmont, New York 14813.

11. Sales Tax Exemption:

The County is exempt from payment of sales and compensating use taxes of the State of New York and cities within the State of New York.

12. Protection from Claim Against or Equal:

In the event of any claim concerning or relating to the issues of equal or better, the contractor agrees to hold the County of Allegany free and harmless from any and all claims, legal fees and court costs for loss or damage arising out of this transaction for any reason whatsoever.

13. Addendum/Addenda:

a. If an addendum has been issued prior to the County's receipt of bids: Allegany County shall attempt to notify contractor's known to have received the sealed bid documents and whose contact information is on file with the County. Allegany County does not ensure the potential contractor's receipt of the addendum. It shall be the responsibility of the contractor, prior to submitting its

bid, to contact the Department of Public Works (585) 268-9230, to determine if an addendum has been issued.

- b. Addendum shall be available online at www.alleganyco.com; click on Government then Public Works Department. They are also available at the Office of the Superintendent of Public Works, 7 Court Street, Room 210, Belmont, New York 14813.
- c. It is a requirement that the contractor sign, date and include the addendum with its bid submittal. Failure to do so may result in rejection of bid.

14. Multiple/Alternate Bid Submittal(s):

For those contractor's intending to submit multiple/alternate bids in response to this bid solicitation; the contractor is required and shall submit a complete bid document for each bid submitted. Note: if there is a bid surety requirement, one (1) surety instrument written for the highest amount, shall suffice.

15. Submittal of Bid(s):

- a. The bid shall be submitted in a sealed envelope with the following marked on the outside:
 - i. Print your company's name in the upper left corner:
 - ii. In the lower left corner print:

Sealed Bid: February 22, 2018 10:00 a.m.
Rust Preventative Paint

- b. The envelope shall be addressed to Allegany County DPW, 7 Court Street, Room 210, Belmont, New York 14813.
- c. Bids will be received at the Public Works Department at the time specified. At which time bids will be opened.
- d. Facsimile transmitted bids are not acceptable and shall be rejected.
- e. Security procedures are in effect at the Allegany County Office Building. Interested parties, especially contractors who intend to hand deliver bids and/or conduct business with Allegany County Department of Public Works should allow sufficient time for any delay which may arise as a result of security procedures. To be considered delivered and on time a bid submittal must be received at the Public Works Department by the appointed hour.
- f. All bid proposal sheets shall remain intact and be submitted with the bid.

16. Business Hours:

Contractors will maintain normal business hours during the time in which the material bid will be needed by the County. Bidders agree that normal business hours shall mean 8:00 a.m. to 4:00 p.m. Bidders acknowledge and agree that on some occasions

it may be necessary to remain open before and beyond normal business hours in order to provide the County with material bid.

17. NYSDOT Standard Specifications or Source(s) & Materials:

- a. All materials proposed or materials supplied by the bidder to Allegany County shall conform to the requirements set forth in Standard Specifications (US CUSTOMARY UNITS), published by the New York State Department of Transportation, May 1, 2008, including all current amendments, or to any other standard or standard specifications. If the materials bid are subject to certification or approval by the State of New York Department of Transportation for materials or sources of materials bid or proposed and/or certified by the State of New York Department of Transportation for use by the State of New York and the bidder shall furnish with the bid proof of such current approval or certification.
- b. The Superintendent of Public Works may order tests for the materials proposed by the bidder or supplies by a successful bidder, at any time, the costs of such testing shall be the responsibility of the bidder and/or successful bidder as the case may be. The bidder and/or successful bidder agree to pay the costs of such tests when presented with an invoice by the Superintendent of Public Works.

18. Compensation:

Payment shall be rendered to the contractor(s) for satisfactory compliance with the general terms and conditions of this bid. Invoice terms shall be net 30 days. The county normally processes invoices for payment bi-monthly, according to regular established schedule.

19. Late Bids:

Contractors bear the sole responsibility for the delivery of their bid in a timely manner. Reliance upon the U.S. Postal Service or other carriers is at the contractor's risk. Late bids will not be considered and will be returned unopened.

20. Right of County to Seek Clarification, Accept or Reject Bid(s), etc:

- a. Allegany County reserves as its right, the right to require clarification from the contractor for the purpose of assuring a full understanding of the contractor's responsiveness to the solicitation requirements.
- b. Allegany County reserves as its right, the right to accept or reject any and all bids (or separable portions thereof), the right to waive irregularities and technicalities, and the right to request resubmittal of bids (re-bid).

21. Civil Rights:

The County of Allegany in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and New York Labor Law; Article 8- Public Works, Section 220e hereby notifies all contractors will affirmatively ensure that any contract awarded as a result of

this bid solicitation will be awarded without discrimination on the grounds of race, color, sex or natural origin.

22. Award of Bid:

For the purpose of this bid and subsequent award(s), it is intended that award(s) will be made on a line item basis:

- a. Bids will be awarded to qualified and responsible contractor(s) who sufficiently meet the terms, conditions and specifications stated herein. However, under all circumstances and all statements to the contrary notwithstanding, Allegany County reserves as its right, the right to determine award(s)/awardee(s) in accordance with the best interest of Allegany County.
- b. Award of bid is not made at the bid opening. All bids are subject to final review and acceptance by the Public Works Committee of the Allegany County Legislature before any award may be made.

23. Executory Clause:

Allegany County shall have no liability under any contract or contracts or to anyone else beyond funds appropriated and available for the purpose of this document and resultant contract(s).

24. Assignability:

The contractor shall not assign, transfer, convey, sub-contract, sublet or otherwise dispose of all or portions of this contract (and/or work to be performed as a result of the contract) or its right, title, or interest to any other person, company, corporation, without prior written consent of the Superintendent of Public Works.

25. Extension of Contract Usage by Political Subdivisions:

Political subdivisions within Allegany County (Towns, Villages, School Districts and Fire Districts), as defined in Section #103 of the General Municipal Law may participate in any contract awarded as a result of this bid document. Additionally, per section 408-a (2) of County Law and Allegany County Resolution No. 202-15, all political subdivisions within the state of New York may piggyback off this competitive bid as long as it is mutually agreed to by both parties. Responsibility, financial or otherwise, for purchase(s) made by other parties as a result of the extension of this contract, shall not be borne by Allegany County.

26. Contractor's Failure to Comply:

The contractor's failure to perform in compliance with the bid award shall result in withholding of payment. The payment shall be withheld until such times as the contractor fulfills its responsibilities. Compliance shall be determined by and to satisfaction of Allegany County. Such action would not necessarily preclude further initiatives on the part of Allegany County to protect and preserve its best interest.

27. Cancellation of Contract:

Allegany County reserves, as its right, to cancel the contract(s) resulting from an award of this bid solicitation at any time during the contract period, without penalty to Allegany County and without stated reason, by delivering a written ten (10) day notice of intent to the contractor(s) or its representative(s). Said notification mailed to the contractor or its representatives via the US Postal Service, First Class Mail shall be considered sufficient and delivered.

**ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS
BID SPECIFICATIONS FOR RUST PREVENTATIVE PAINT
February 22, 2018**

It is the intent of these specifications to describe the requirement of the Allegany County Department of Public Works for Rust Preventative Paint for the period of bid award date through May 1, 2019. Bids must be submitted by 10:00a.m, February 22, 2018 to the Allegany County Department of Public Works, Room 210, County Office Building, Belmont, New York.

Paint Specifications:

Paint shall be Valspar Anti-Rust Enamel or equivalent.

Paint color shall be John Deere Green. Any deviation must be approved prior to award.

Paint shall contain a built-in primer and be of one-coat application.

Percent of Solids by Weight: 51%

Percent of Solids by Volume: 35%

Wet film thickness for 1.4 mil. Dry: 4.0 mils.

Vehicle:	Alkyd Resin
Reduction Solvent:	Mineral Spirits
Cleanup Solvent:	Mineral Spirits
Grind (N.S.Min.):	7
Viscosity:	72-74 KU
Flash Point:	104 degrees Fahrenheit
Dry Time:	½ - 1 hr.
Dry Time Handle:	1-½ - 2 hrs.
Dry Time Hard:	4 - 6 hrs.
Dry Time ReCoat:	12 hrs.
Shelf Life:	5 years minimum

MSDS (Materials Safety Data Sheet) must be supplied with bid.

Paint specifications must be supplied with bid indicating all product specifications as listed on the previous page.

Paint shall be supplied in 5 gallon pails and delivered on hardwood pallets.

Paint shall be delivered F.O.B. to Friendship Shop within two (2) weeks of receipt of order. It is anticipated that our initial order will be 1,000 gallons.

Allegany County Department of Public Works reserves the right to reject any or all bids and to accept the bid it determines to be in the best interest of Allegany County.

Proposal

THE UNDERSIGNED PROPOSES TO PROVIDE SAID SERVICE required by the County of Allegany as set forth in the enclosed bid. The successful bidder shall be obligated to furnish said services as set forth in this bid. The successful bidder shall be the person or corporation submitting the lowest bid meeting all specifications.

Where a definite brand is specified, it is not intended that a definite quality level is established. The determination as to whether an alternate product is or is not equal shall be made by Allegany County.

Sufficient information must be submitted with your bid to allow Allegany County to determine if the product is acceptable and meets the needs of Allegany County. Final determination shall be made by the County.

Company Name

Address

City, State, Zip

Signed By:

Title

Date

Email

Telephone Number

Fax Number

**YOU MUST COMPLETE AND RETURN THE BID PRICING FORM
AT THE END OF THIS DOCUMENT**

**ALLEGANY COUNTY DEPARTMENT OF PUBLIC WORKS
BID PROPOSAL FOR RUST PREVENTATIVE PAINT
February 22, 2018**

RUST PREVENTATIVE PAINT PER GALLON: \$ _____
John Deere Green Paint
(Supplied in 5 gallon pails)

of pails/pallet _____

Manufacturer's Name: _____