

INVITATION FOR BIDS

PLEASE TAKE NOTICE, that, pursuant to Section 103 of the General Municipal Law, sealed bids for one the repair of the boat ramp at the Mandana Boat Launch for the Town of Skaneateles shall be received by the Town Clerk of the Town of Skaneateles, 24 Jordan Street, Skaneateles, New York 13152 until 10:00 a.m. on August 17, 2018, at which time all bids will be publicly opened and read.

A non-collusive bid certification pursuant to §103-d of the General Municipal Law must be submitted with each bid.

Specifications for the contract for services identified above have been filed in the office of the Town Clerk and are available to any interested person.

The right is reserved by the Town to reject all bids and re-advertise for new bids.

Julie Stenger
Town Clerk
Town of Skaneateles
685-3473

ORIGINAL	<input type="checkbox"/>
DUPLICATE	<input type="checkbox"/>

NOTICE TO BIDDERS

BID TITLE: MANDANA BOAT LAUNCH REPAIR

BID SUBMISSIONS SHALL BE IN A SEALED ENVELOPE. SEALED ENVELOPES SHALL BE CLEARLY MARKED WITH:

1. BIDDER'S FULL NAME, ADDRESS, AND TELEPHONE NUMBER
2. THE BID TITLE (SEE ABOVE)
3. ADDRESS TO: Town of Skaneateles
Attn: Julie Stenger, Town Clerk
24 Jordan Street
Skaneateles, New York 13152

BIDS SHALL BE SUBMITTED AND RECEIVED UP TO AND INCLUDING:

AUGUST 17, 2017

LATE BIDS – All bids received after the deadline date and time stated above will not be considered and will be returned unopened to the bidder. The bidder assumes the risk of any delay in the mail or in the handling of the mail by employees of the Town. Whether sent by mail or by means of personal delivery, the bidder assumes responsibility for having the bid deposited on time at the place specified.

Bids shall be publicly opened and **read aloud at 10:00 a.m.** on the above date, in a designated area assigned by the Town. If attending, please check with the Town Clerk for instructions as to where the bid opening will be held. Phone Julie Stenger, Town Clerk, (315) 685-3473.

TOWN OF SKANEATELES

BID PROPOSAL FOR MANDANA BOAT LAUNCH REPAIR

THIS BID IS SUBMITTED TO:

Julie Stenger, Town Clerk at 24 Jordan St., Skaneateles, NY 13152

1. Bid Proposal

The undersigned Bidder hereby proposes and agrees, if this Bid is accepted, to enter into an agreement with the Town of Skaneateles to

Repair the boat launch ramp at the Mandana Boat Launch

The Town will obtain all town permits and will alert the marina of the project.

The Bidder hereby declares that he or she has carefully examined all bid documents including the Requirements for Bidders and Minimum Specifications attached hereto and related documents, also including those incorporated by reference, and all addenda thereto, is satisfied as to the information and conditions, and understands that in signing this Proposal he or she waives all right to plead any misunderstanding regarding the same.

Bid bond or 10% security deposit is required.

2. Bid Price

If the Bid is accepted by the Town, the undersigned pledges, promises and agrees to:

(Total Bid Price must include all costs to Town.)

NOTE: The Town Board reserves the right to reject any and all bids, to waive any and all informalities, and to disregard all nonconforming or conditional bids or counter proposals. Bids containing incomplete or no price information for any bid item, which thus prevents evaluation of the extended total for that bid item, may be rejected.

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.

Dated: _____, 2018.

Signed: _____
Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the _____ day of _____, 2018, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he/she resides in _____; that he/she is the _____ of _____ the corporation described in and which executed the above instrument; and that he/she signed his/her name thereby by authority of the board of directors of said corporation.

Notary Public

TOWN OF SKANEATELES
STATE OF NEW YORK

**REQUIREMENTS FOR BIDDERS AND MINIMUM SPECIFICATIONS
FOR THE MANDANA BOAT LAUNCH REPAIR/EXPANSION**

1.0 GENERAL.

It is the intention of this document to describe the specifications to repair the Mandana Boat Launch located at next to the Skaneateles Marina, Inc. located at 1938 West Lake Road, Skaneateles (the "Work").

2.0 QUALIFICATIONS OF BIDDER.

Qualifications of the Bidder must be provided by the Bidder on the attached Statement of Bidder Qualifications. Personal and business references must be submitted.

3.0 BIDS.

Bids shall provide or furnish all of the following:

- 1) The Bidder must show that he or she understands our specifications. The successful Bidder shall be solely responsible for providing satisfactory product.
- 2) Bids subject to an escalator clause or increase in price may be rejected.
- 3) Bid price must include all costs to the Town including, but not limited to, price for equipment and delivery of the equipment to the Town.
- 4) The Non-Collusive Bidding Certificate and Iranian Energy Sector Divestment Certification as required by Section 103-d and 103-g, respectively, of the General Municipal Law of the State of New York must be executed.
- 5) Bidder agrees that he has reviewed and agrees to comply, in all respects, with these specifications.
- 6) Bidder will agree to comply with Prevailing Wage (attached).
- 7) Bidder agrees to comply with the insurance requirements as set out in Section 10 and will provide proof of the same prior to executing a written contract with the Town.

4.0 INTERPRETATION OF SPECIFICATIONS.

Bidders can seek verbal interpretation of the meaning of any of these specifications or other contract documents. Every request for such interpretation should be in writing and directed to Sue

Murphy, Parks Manager at parks@townofskaneateles.com. Notice of any and all such interpretations and any supplemental instructions will be sent to all bidders of record, by the Parks Manager in the form of addenda to the specifications. All addenda so issued will then become a part of the contract documents.

5.0 PROPOSAL.

Persons desiring to make a proposal shall use the proposed blank form (the “Proposal Sheet”) prepared and attached hereto. The blank places in the Proposal Sheet must be filled in as noted and no change shall be made in the phraseology of the proposal or in the items mentioned herein. The specifications identified hereto are to be considered as and shall form a part of the agreement.

6.0 REQUIRED DOCUMENTS.

All Bidders Must:

- 1. Have authorized officer fill in all blanks on the Proposal Sheet(s) and sign the proposal.**
- 2. Submit the Statement of Bidder Qualifications.**
- 3. Have the authorized officer sign the Non-Collusive Bidding and Iranian Energy Sector Divestment Certificates (attached).**
- 4. Submit one original and one photocopy (Extra copies of these forms may be made and retained).**
- 4. Provide Bid Bond or Certified Check as required in Paragraph 1 of the Bid Proposal.**

NOTE: FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE THE BID TO BE CONSIDERED “NON-RESPONSIVE” AND, THEREFORE, NOT ACCEPTABLE.

The successful bidder shall be required to execute a written contract with the Town of Skaneateles (the “Contract”).

7.0 AVAILABILITY.

Availability shall be as soon as possible after the bid award. Each bid must contain a statement of immediate availability. Time is of the essence in this regard and the Town may reject any individual bid failing to state availability consistent with this paragraph.

8.0 SPECIFICATIONS.

(See attached drawing)

- 1. Install turbidity curtain along project area.**

2. Remove three (3) 8x10 old cement slabs on shore. Turn 180 degrees and reuse to extend launch ramp.
3. Install nine (9) 8x10 new cement slabs which will replace the 3 slabs and extend the ramp by one more row to the north.
4. Remove approximately 1915 square feet of black top along with any old cement along shoreline.
5. Dig out south ditch and convert water just north of new cement slabs. Line with gabion fill.
6. Excavate north of launch to allow for sheet pile extension.
7. Extend steel sheet piling 12' to support upper grade.
8. Back fill with #2 limestone and grade off site..
9. Repave graded area. New pavement to be 4' thick to handle heavy traffic.
10. Obtain all DEC Permits.

The Town also reserves the right to REVISE or AMEND the bid specifications prior to the bid opening date by WRITTEN ADDENDA for reasons other than stated above.

9.0 NOTICES.

Any notice required shall be in writing and shall be either sent by mail or hand delivered to the parties at the addresses indicated herein.

Notices for the Town shall be sent to:

Town Clerk
Town of Skaneateles
24 Jordan Street
Skaneateles, NY 13152

Notices to the Bidder shall be sent to the address set forth on the Bid Proposal.

10.0 INSURANCE. Bidder must carry the following insurance and provide proof of the same with prior to execution of the Contract:

10.1 Commercial General Liability (“CGL”) with limits not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. In the event the CGL policy contains a General Aggregate Limit, such limit shall apply separately to each property. CGL coverage shall be written on ISO occurrence form GC 00 01(1093) or a substitute form providing equivalent coverage and shall cover liability arising from premises, operations, independent subcontractors, products-completed operations, and personal and advertising injury.

10.2 Automobile Liability with limits of at least \$1,000,000 per accident. Such coverage must include coverage for liability arising out of all owned, leased, hired, and non-Bidder owned automobiles.

10.3 Commercial Liability Umbrella with limits of at least \$2,000,000.

10.4 Workers' Compensation, Disability Benefits and Employers Liability with statutory limits as required by law and as customary in the Bidder's business.

In the event Bidder is awarded the Contract to perform the Work, Bidder shall furnish the Town with copies of policies, certificates of insurance, or other proof satisfactorily evidencing the insurance coverage as herein required, together with all exclusions and endorsements and shall provide an endorsement that the Town will be given advance written notice of cancellation or any material change in coverage. The foregoing insurance policies shall be at Bidder's or Bidder's subcontractors' sole cost and expense and shall name the Town as an additional insured. Coverage as additional insured shall apply as primary and non-contributing insurance before any other insurance or self-insurance, including any deductible, maintained by, or provided to, the additional insured and there shall be no New York Labor Law exclusions.

11.0 INDEMNIFICATION.

To the fullest extent permitted by law, Bidder shall defend, indemnify, and hold harmless the Town, its officers, agents, and employees, from and against all claims, damages, losses, and expenses, including, but not limited to, attorneys' fees, damages, penalties, costs, and any other amounts which may arise from Bidder's or its agents, employees, or subcontractors' performing the Work.

12.0 ASSIGNMENT.

The Bid and any Contract are not assignable or transferrable in any manner and may not be pledged or encumbered without the express written permission of the Town.

13.0 TAX EXEMPT STATUS.

The Town is a political subdivision of the State of New York and as a government entity is exempt under Purchase Tax Law, Section 1116. The Town is not issued an exempt organization certificate or an ST119 with an exemption number by the New York State Tax Bureau. A copy of the Town's Voucher (VO), Purchase Order (PO) or petty cash form are the only certifications the Contractor is required to keep for documenting the tax exempt sale. Contractor questions concerning the Town's tax exempt status should be directed to the Town Clerk.

14.0 TOWN CONTRACTS/NEW YORK STATE CONTRACTS.

The Town reserves the right to purchase from the Town contract(s) or New York State contracts or authorized cooperative group purchasing programs.

15.0 REGULATORY COMPLIANCE.

The Bidder represents that all goods and services provided shall comply with all applicable standards, rules and regulations in effect for the requirements of federal, state and

local laws and regulations as applicable, including the Consumer Product Safety Act, Occupational Safety and Health Act, as amended, or other applicable laws or regulations.

16.0 WITHDRAWAL OF BIDS.

- A. No bids may be withdrawn after the bid deadline unless no award has been made within forty-five (45) days of bid opening.
- B. In the case of a unilateral bid mistake, or error, by a Bidder, on any bid proposal, legislation allows the Bidder to withdraw the bid after showing that:
 - 1. the mistake was known, or made known to the Town **PRIOR** to the awarding of the Contract, or within three (3) days after the bid opening, whichever period is shorter;
 - 2. the price bid was based on an error of such magnitude that enforcement would be unconscionable;
 - 3. the bid was submitted in good faith and the Bidder submits credible evidence that the mistake was a clerical error rather than a judgment error;
 - 4. the error was actually due to an unintentional substantial mathematical error, or unintentional omission of a substantial quantity of work, labor, materials or services, made directly in the compilation of the bid (which error or omission can be shown by objective evidence drawn from certain listed documents); and
 - 5. it is possible to put the Town in “status quo ante.”

17.0 AUTHORIZED SIGNATURE

The words “officer” or “officer of the company” means anyone having the “authority” to obligate their principal in the bidding and contract process. This person will provide documentation that he has this authority and will furnish the documentation within 72 hours, when requested, or be considered indicative of non-responsibility and will not be given further consideration.

18.0 REJECTION AND/OR ACCEPTANCE OF BIDS.

The successful Bidder will be notified by letter within 20 days after opening of the bids. The successful Bidder will be required to execute a written contract with the Town of Skaneateles. The Bid and advertisement for bid are incorporated into the executed contract. The Town reserves the right to evaluate and/or reject any and all bids in whole or in part, and to waive technicalities, irregularities and omissions, if, in the Town’s judgment, the best interests of the Town will be served.

19.0 ENTIRE AGREEMENT.

This instrument represents the entire agreement between the parties. This contract may only be modified by a written instrument duly executed by both parties and shall be binding upon and inure to the benefit of the parties and their successors and assigns.

NOTICE: All bids received that lack:

- 1. A signed proposal;**
- 2. Signed Non-Collusive Bidding and Iranian Energy Sector Divestment Certifications; or**
- 3. Bid Bond/Check, when required *may be rejected as being non-responsive at the formal public bid opening.***

The Town Procurement Officer(s) or employees conducting the bid opening will document the non-responsiveness orally and in writing.

The undersigned hereby asserts that he/she is an authorized officer of the Bidder and has read to foregoing Bid Requirements and Specifications.

Dated: _____, 2018.

Signed: _____
Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the ____ day of _____, 2018, before me personally came _____
_____ to me known, who, being by me duly sworn, did depose and
say that he/she resides in _____; that he/she is the _____
of _____ the corporation described in and which executed the
above instrument; and that he/she signed his/her name thereby by authority of the board of
directors of said corporation.

Notary Public

NON-COLLUSIVE BIDDING CERTIFICATION

Section 103-d of the General Municipal Law requires the following statement subscribed by the bidder as true under the penalties of perjury: Non-Collusive Bidding Certification.

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.

Section 103-d of the General Municipal Law, as amended, in addition to requiring the above certification, provides as follows:

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).

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.

Dated: _____, 2018.

Signed: _____
Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

IRANIAN ENERGY SECTOR DIVESTMENT CERTIFICATION

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 its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law.

A bid shall not be considered for award nor shall any award be made where the condition set forth in paragraph a of this subdivision has 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. A political subdivision may award a bid to a bidder who cannot make the certification pursuant to paragraph a of this subdivision on a case-by-case basis if:

(1) The investment activities in Iran were made before the effective date of this section, the investment activities in Iran have not been expanded or renewed after the effective date of this section, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

(2) The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

Bidder Name: _____

By: _____

Title: _____