



TOWN OF RIVERHEAD

Laura Jens-Smith, Supervisor

200 Howell Avenue Riverhead,
New York 11901-2596
631-727-3200

BID FOR: GENERAL HARDWARE ITEMS

BIDDERS NAME

BIDDERS ADDRESS

CITY, STATE, ZIP

DATE () PHONE NUMBER

E-MAIL ADDRESS

In compliance with your advertisement in the **SEPTEMBER 27, 2018** issue of the News Review for bids to be opened on **NOVEMBER 7, 2018** conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

Respectfully submitted,

SIGNED BY

TITLE

BIDDERS ARE INVITED TO ATTEND BID OPENING

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the **GENERAL HARDWARE ITEMS** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **2:00 P.M. on NOVEMBER 7, 2018.** Bid packets, including Specifications, may be obtained on line at www.townofriverheadny.gov.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR GENERAL HARDWARE ITEMS** on or before the date set forth above. The Town may decline to accept, deem untimely, and /or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane Wilhelm, Town Clerk

GENERAL DESCRIPTION:

The Town of Riverhead is requesting bids to provide general hardware supplies for various town buildings and facilities. The intent of these specifications is to provide authorized employees the ability to obtain miscellaneous hardware supplies on an "as needed" or just in time" basis during the course of performing their job duties. There will be no delivery required on this bid and is limited to "walk-in" or pick up at the supplier's place of business. As such, the Town is seeking bidders located in close proximity to Town buildings and facilities.

This contract is not meant to eliminate another vendor or vendors that also provide hardware items presently to the Town. It is to encourage purchasing of items needed either as an emergency or as needed basis. Any purchase that exceeds \$1000.00 or any purchases that exceed \$3000.00 shall not be considered part of this contract and will be subject to the Towns Procurement policy and General Municipal Law 103 whichever is in the best interests of the Town.

CONTRACT PERIOD:

The contract period for this bid award shall be for one year from date of award from December 3rd, 2018 to December 3rd, 2019 with an option to extend the contract for (1) additional twelve-month period, for the same terms and conditions and upon the mutual agreement of both parties.

GENERAL

Bidders shall be responsible to carefully examine the Specifications enclosed.

These specifications require the doing of all things necessary or proper for, or incidental to the furnishing and delivery of said equipment and associated components.

All things not expressly mentioned in these specifications, but involved in carrying out their intent are required by these Specifications; and the vendor shall perform the same as though they were specifically mentioned, described and delineated.

INVOICES & PAYMENTS

Invoices, vouchers, packing slips and any correspondence shall include the following: Date/Time, description of item; identify the Town Department making the purchase; and the name of the Town employee picking up the item. All invoices shall be submitted for payment to:

**Town Hall
200 Howell Ave.
Riverhead, NY 11901**

Again, every invoice must identify the appropriate Department making the purchase:

Building Department	Highway Dept.	Recreation Dept.
Engineering/B&G/St. Lighting	Police/Justice Court/JAB	Sewer
Fire Marshal	Municipal Garage	Water District
Code Enforcement		

*****and the invoice must identify the individual picking up the item.**

PAYMENT

The vendor shall either accept a Town issued credit card or the vendor shall put the item(s) "on account" and bill the Town on a monthly basis. The vendor shall not accept cash payment for any item.

PRICING & BID AWARD:

Bidders **must submit their bid** based upon the Discount from their List Price that is in effect at the time and date of bid opening. The discount shall remain in effect throughout the term of the contract.

The Town will evaluate all bids based upon price, discount, type or quantity of supplies available on hand, and proximity and make one or more than one award to such bids deemed in the best interest of the Town.

VENDOR SUGGESTED TO BE WITHIN A 15 MINUTE DRIVE OF OUR FACILITY/FACILITIES.

QUESTIONS:

Any questions regarding this bid should be directed to Mary Ann Tague, Purchasing Agent at tague@townofriverheadny.gov.

The Town of Riverhead reserves the absolute right in its sole discretion to accept that bid, if any, which under all circumstances will best serve the public interest and award one or more bids.

GUARANTEE

The vendor warrants and guarantees the equipment herein specified, including all associated equipment furnished, against any defects in design, workmanship and materials.

NON-BIDDER'S RESPONSE

For purposes of facilitating your firm's response to our invitation to bid, the TOWN OF RIVERHEAD is interested in ascertaining reasons for prospective bidders' failure to respond to invitations to bid. If your firm is not responding to this bid, please indicate the reason(s) by checking any appropriate item(s) below and returning this form to the TOWN OF RIVERHEAD Purchasing Department at the above address.

We are not responding to this invitation for bid for the following reason(s):

- ☐ Items or materials requested not manufactured by us or not available to our company.
- ☐ Our items and/or materials do not meet specifications.
- ☐ Specifications not clearly understood or applicable (too vague, too rigid, etc.)
- ☐ Quantities too small.
- ☐ Insufficient time allowed for preparation of bid.

___ Incorrect address used.
Correct mailing address is: _____

___ Our branch/division handles this type of bid.
Correct name and mailing address is: _____

___ Other reason(s):

ALL QUESTIONS PERTAINING TO THIS SOLICITATION **MUST** BE SUBMITTED IN WRITING.

(Please use this form and email it to tague@townofriverheadny.gov to the attention of Mary Ann Tague, Purchasing Agent before November 7, 2018.
We will respond as soon as possible.)

Date: _____

Company Name: _____

Contact Name: _____

Email: _____

Phone number: _____

Insurance

a) Bidder recognizes that it is operating as an independent contractor and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of the Bidder's negligent performance under this contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act of omission on the part of the bidder in their negligent performance under this contract.

b) The CONTRACTOR shall maintain such insurance as will protect against claims under Worker's Compensation Act and from any other claims for damages for personal injury, including death, which may arise from operations under this contract. The CONTRACTOR is an independent contractor and is not an employee of the Town of Riverhead. During the term of this contract, the CONTRACTOR shall, at its own expense, carry insurance with minimum limits as follows: a. Proof of Comprehensive General Liability Insurance, including products completed, contractual, property and personal injury in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and b. Proof of professional liability insurance in the amount of (\$1,000,000.00.); and c. Proof of Automotive/Equipment Liability (Bodily Injury and Property Damage) insurance in the amount of \$250,000 (per occurrence)/\$500,000 (total). In the event the CONTRACTOR fails to provide the insurance required information, the Town may cancel the award and award to the next lowest bidder.

c) During the term of this contract and any extension of said contract, the bidder shall, at its own expense, carry insurance minimum limits as set forth above.

IRANIAN ENERGY SECTOR DIVESTMENT

Contractor/Proposer hereby represents that said Contractor/Proposer is in compliance with New York State General Municipal Law Section 103-g entitled "Iranian Energy Sector Divestment", in that said Contractor/Proposer has not:

- (a) Provided goods or services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or
- b) Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person's intent was to use the credit to provide goods or services in the energy sector in Iran.

Any Contractor/Proposer who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible bidder pursuant to Section 103 of the New York State General Municipal Law.

Except as otherwise specifically provided herein, every Contractor/Proposer submitting a bid/proposal in response to this Request for Bids/Request for Proposals must certify and affirm the following under penalties of perjury:

- 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 its knowledge and belief, that each bidder is not on the list created pursuant to NYS Finance Law Section 165-a (3)

(b)."The TOWN OF RIVERHEAD will accept this statement electronically in accordance with the provisions of Section 103 of the General Municipal Law

Except as otherwise specifically provided herein, any Bid/Proposal that is submitted without having complied with subdivision (a) above, shall not be considered for award. In any case where the Bidder/Proposer cannot make the certification as set forth in subdivision (a) above, the Bidder/Proposer shall so state and shall furnish with the bid a signed statement setting forth in detail the reasons therefore. The Town reserves its rights, in accordance with General Municipal Law Section 103-g to award the Bid/Proposal to any Bidder/Proposer who cannot make the certification, on a case-by-case basis under the following circumstances:

(1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer 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 TOWN OF RIVERHEAD has made a determination that the goods or services are necessary for the Town to perform its functions and that, absent such an exemption, the TOWN OF RIVERHEAD would be unable to obtain the goods or services for which the Bid/Proposal is offered. Such determination shall be made by the Town in writing and shall be a public document.

BID SPECIFICATIONS

**PLEASE LIST BELOW THE PERCENTAGE OFF THE CURRENT ACE HARDWARE OR
TRU-VALUE CATALOG**

AND ANY DISCOUNT OFFERED AT THE STORE LEVEL.

VENDOR NAME MUST BE AFFIXED AT THE BOTTOM OF EACH PAGE

AFFIDAVIT OF NON-COLLUSION

I hereby attest that I am the person responsible within my firm for the final decision as to the prices(s) and amount of this bid or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm.

I further attest that:

1. The price(s) and amount of this bid have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other contractor, bidder or potential bidder.
2. Neither the price(s), nor the amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to bid opening.
3. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from bidding on this project, or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.
4. The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit a complementary bid.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by an firm or person to refrain from bidding or to submit a complementary bid on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any project, in consideration for my firm's submitting a complementary bid, or agreeing to do so, on this project.

I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

The person signing this bid, under the penalties of perjury, affirms the truth thereof.

Signature & Company Position

SWORN TO BEFORE ME THIS

Type Name & Company Position

DAY OF _____ 20____

Company Name

NOTARY PUBLIC

Date Signed

Federal I.D. Number

NOTICE TO PROSPECTIVE BIDDERS

In order to properly expedite the receipt and processing of the bid that you are submitting, you must affix the "IDENTIFICATION LABEL" below to the outer envelope of your sealed bid and deliver it by U.S. Mail, public carrier- such as UPS, FEDEX, or by hand delivery.

Affix the IDENTIFICIATION LABEL to the sealed outer envelope.

FAXED OR ELECTRONIC BIDS SHALL NOT BE ACCEPTED.

DELIVERY BY SUCH METHODS SHALL RESULT IN AUTOMATIC DISQUALIFICATION.

**TOWN OF RIVERHEAD
TOWN CLERKS OFFICE**

VENDOR'S NAME_____

BID NAME:

DUE DATE:

SEALED BID ENCLOSED

