



TOWN OF RIVERHEAD

Yvette Aguiar, Supervisor

200 Howell Avenue

Riverhead, New York 11901-2596

631-727-3200

BID FOR:
ONE (1) NEW VENTRAC 3400Y COMPACT TRACTOR

BIDDERS NAME

BIDDERS ADDRESS

CITY, STATE, ZIP

(_____)_____
PHONE NUMBER

EMAIL ADDRESS:

In compliance with your advertisement for bids to be opened on **February 21, 2020** and subject to all 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,

Signature

Printed Name/Title/Date

THIS PAGE MUST BE COMPLETED, SIGNED, AND RETURNED WITH BID
PLEASE PRINT VENDOR NAME ON EACH PAGE OF THIS BID

BIDDERS ARE INVITED TO ATTEND BID OPENING

VENDOR NAME _____

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR**, for use by the Town of Riverhead, will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on February 21, 2020**, at which time all bids received shall be opened and read aloud.

Bid Specifications and/or Plans may be obtained by visiting the Town of Riverhead website at **www.townofriverheadny.gov** on or after **February 13, 2019**. Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR**. 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.

NOTE: Bid responses must be delivered to the Office of the Town Clerk at 200 Howell Avenue, Riverhead, New York, 11901, on or before February 21, 2020 at 11:00 a.m. 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.

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.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

DIANE M. WILHELM, TOWN CLERK

VENDOR NAME _____

**TOWN OF RIVERHEAD
BID SPECIFICATION**

ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR

I. General Description

The Buildings and Grounds Department is seeking a compact tractor and accessories with design features for various grounds maintenance purposes.

Any deviations from the written specifications shown in the bid specifications shall be noted on the form titled “**EXCEPTIONS TO BID SPECIFICATIONS**” annexed to the specifications. In order to receive full consideration, bids must fully follow the specifications described more fully below and the notice to bidders.

Bidders must submit one original bid proposal. The original must be sealed and clearly marked. All attached certificates must be completed and signed in compliance with the provisions of Section 103-d of the New York State General Municipal Law (Statement of Non-Collusion in Bids); New York State Finance Law 139-L (*effective January 1, 2019 workplace policy for sexual harassment prevention see also Labor Law 201-G); and New York State Finance law §165-a (Iran Divestment Act). Note, with respect to the Iran Divestment Act Certification, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certified 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 of 165-a of the State Finance Law. All bids must be filled out in ink, or be typewritten. Bids submitted in pencil will be rejected as unresponsive. Bids which have been corrected by white out or cross out, and have not been initialed and/or dated will be rejected as unresponsive. Bid Responses may be rejected if they show any omission, irregularity, alteration of form, addition, condition, unresponsiveness, or unbalance. Samples may be requested by the Town for the purpose of product evaluation. It is understood that samples will be provided at no charge to the town and will be returned, when requested, within 30 days after the valuation is completed, at the expense of the vendor. All samples left longer than 30 days after the evaluation period will be discarded.

II. General Requirements

Bids: Unless prices and all information requested are complete, bid may be disregarded and given no consideration. All prices and bids must be in ink or typewritten. No pencil figures or erasures are permitted. Mistakes may be crossed out and corrections inserted adjacent thereto and must be initialed in ink by person signing the bid. All bids must be signed with the firm's name and by a responsible officer or employee.

VENDOR NAME _____

Submission of Bids: Each bid must be submitted on the prescribed form in a sealed envelope clearly marked “**ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR**” and filed with the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on or before **11:00 am on February 21, 2020** at which time they will be publicly opened and read aloud.

Information must be furnished complete in compliance with the terms, conditions, and provisions of the bid specifications. The information requested and the manner of submission are essential to permit prompt evaluation of all bids on a fair and uniform basis. Accordingly, the Town reserves the right to declare as non-responsive and reject any bid in which material information requested is not furnished or where indirect or incomplete answers or information is provided. Bids shall be for the total net price including all applicable taxes and charges, delivered F.O.B., Town of Riverhead.

Bids and modifications or corrections thereof received after the closing time specified will not be considered. Note: no telephone, e-mail or facsimile of bids will be accepted. If a photocopy is to be submitted, it must be signed as an original in ink.

The Town reserves the right to accept and/or reject any and all bids and waive and formalities in the bidding procedures to the extent permitted by law and make the award as may be deemed in the best interest of the Town.

III. Requirements/Specifications

The Town of Riverhead is requesting pricing and availability of **ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR** for use by the Buildings and Grounds Department. The following are minimum acceptable specifications. Any exceptions shall be noted on pricing page under “Exceptions”:

- VENTRAC 3400 Y COMPACT TRACTOR
- TWELVE-VOLT FRONT SWITCH PLUG 70.3036
- LW452 CAB
- CAB CONSOLE MOUNT FAN/HEATER/FILTER INSTALL 70.2015-51
- CAB EXTERIOR MIRROR KIT 70.2006-4
- CAB WINDSHIELD WASHER KIT 70.8148
- CAB DEFROST FAN KIT 70.2006-6
- CAB STROBE BEACON KIT 70.8161
- CAB HAZARD LIGHTS KIT 70.8162
- LB540 BROOM ATTACHMENT

DELIVERY MUST BE MADE WITHIN 30 DAYS OF BID AWARD

VENDOR NAME _____

IV. General Bid Specifications

Bid Form: Each bid shall be submitted on the required Bid Sheet; Exceptions to Specifications, Bidder Qualifications, Non-Collusive Bidding Certificate and Iran Divestment Act Certification must be submitted with each bid and must be signed by the same individual entering the bid. All bids or bidders not adhering to any of the requirements herein may be rejected.

Questions: Any questions or clarification to the bid specifications or technical specifications must be submitted in writing to the Purchasing Agent at 200 Howell Ave., Riverhead, NY 11901 or by email to: baldinucci@townofriverheadny.gov prior to the bid opening, **unless otherwise stated***. Such questions must be in the possession of the Purchasing Agent at least 72 hours prior to the bid opening, **unless otherwise stated***. **Verbal questions will not be entertained.**

Inspection: The Town reserves the right and shall be at liberty to inspect the compact tractor and all equipment and shall have the right to reject the compact tractor, equipment, all materials and workmanship which do not conform to the specification provided; however, the Town is under no duty to make such inspection. If the inspection indicates that repairs are necessary for the intended use of the compact tractor by the town, the bidder may be offered the option to perform the repairs at the bidder's expense prior to the purchase of the compact tractor by the Town. The Town's judgment of required repairs is not subject to negotiation or challenge.

Prior to delivery, the compact tractor shall be completely serviced as necessary to assure proper operation and function.

All parts or attachments not specifically mentioned but necessary to complete the compact tractor must be furnished and must conform to the highest standards of quality of material and workmanship provided in good engineering practice and intended in these specifications. The compact tractor will be judged on stability and safety, ability to carry out Town's present operations, ease of operation and maintenance, price and delivery date. These specifications shall be considered minimum unless otherwise stated. All variations from the stated specification must be clearly noted on the Bid Proposal.

Final inspection and acceptance of the compact tractor for conformity with the specifications shall be made by the Buildings and Grounds Supervisor or such designated representative of said Buildings and Grounds Department.

Delivery: The delivery date or term within which the proposed item(s) will be delivered shall be stated in the space provided on the Bid Sheet. Failure by the successful seller to notify the Town of Riverhead immediately of any delivery beyond the stated date or terms is cause for him to be held responsible for damages incurred as a result of an extended delivery time.

All equipment/material, spare parts and supplies shall be delivered F.O.B. destination, with delivery charges prepaid. Delivery to Town of Riverhead Buildings and Grounds Department, 1295 Pulaski Street, Riverhead, NY.

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Material and Equipment Specified by Name: Whenever any material or equipment is specified by patent or proprietary name or by the name of the manufacturer, unless stated differently, such specification shall be considered as if followed by the words "or equal", whether or not such words appear. The seller may offer material or equipment with equal or better qualities and performance in substitution for those specified which he considers would be in the Town's interest to accept. No verbal offers for substitution will be acknowledged or considered from sellers, distributors, manufacturers or subcontractors. Any such offers shall be made in writing for consideration with the submission of the proposal and the seller shall include sufficient data which, together with any other data the Town may require, will enable the Town to assess the acceptability of the material or equipment. Such acceptance by the Town shall not relieve the seller from full responsibility from the efficiency and quality and performance of the substitute material or equipment, in the same manner and degree as the material and equipment specified by name.

It should be understood that specifying a brand name, components and/or equipment in these specifications shall not relieve the seller from full responsibility to produce the products in accordance with the performance warranty and contractual requirements. The seller is responsible for notifying the Town of any inappropriate brand name, component and/or equipment that may be called for in the specifications, and to propose a suitable substitute for consideration.

Bid Postponement and Amendment: The Town of Riverhead reserves the right to revise or amend the specifications up to the time set for opening the bids. Such revisions and amendments, if any, shall be announced by amendments to this solicitation. Copies of such amendments shall be furnished to all prospective sellers. Prospective sellers are defined as those sellers listed on the Town's bids list for this material, or who have obtained bid documents subsequent to the bid advertisement. If the revisions and amendments require changes in quantities or prices proposed, or both, the date set for opening bids may be postponed by such number of days as in the opinion of the Town shall enable sellers to revise their bids. In any case, the bid opening shall be at least two (2) working days after the last amendment, and the amendment shall include an announcement of the new date, if applicable, for the opening of bids.

Bid Withdrawal: After the bids are opened, bids may not be withdrawn for forty-five (45) calendar days. Prior to the date/time set for the bid opening, however, bids may be modified or withdrawn by the Seller's authorized representative in person, or by written notice (email to: baldinucci@townofriverheadny.gov). If bids are modified or withdrawn in person, the authorized representative shall make his identity known and shall sign a receipt for the bid.

Right to Reject Bids: The Town reserves the right to accept or reject any or all bids or any part of any bid, to waive defects, technicalities or any specifications (whether they be in the Town's specifications or CONTRACTOR'S response), to sit and act as sole judge of the merit and qualifications of each product offered, or to solicit new bids on the same

VENDOR NAME _____

project or on a modified project which may include portions of the originally proposed project as the Town may deem necessary in the best interest of the Town.

Right to Cancel Solicitation: The Town reserves the right to cancel this solicitation at any time during the procurement process, for any reason or for no reason. The Town makes no commitments expressed or implied, that this process will result in a business transaction with any CONTRACTOR.

Award: Notice of bid award, if bid be awarded, will be made within forty five (45) days of opening of bids to the lowest responsive and responsible seller, whose bid proposal complies with all the requirements in the bid specifications.

Acceptance and Payment: Acceptance shall be made at the time all equipment/material is operational and in proper working order as determined by and to the satisfaction of the Town of Riverhead. Acceptance of the equipment/material shall be determined on the basis of technical completeness, performance and adherence to the operational requirements and functions of the specifications.

Payment will be scheduled within thirty (30) days upon complete delivery and acceptance of all material/equipment and receipt of an original invoice complying with the terms and conditions of the award. The Town reserves the right to withhold up to ten percent (10%) of the purchase price in the event there is a conditional acceptance. Non-compliance with any one of the following requirements shall constitute a conditional acceptance:

- a) Adherence to the general construction and performance specifications.
- b) Reasonable opportunity for compact tractor and equipment/material inspection by Buildings and Grounds Supervisor and/or Town Purchasing Agent.
- c) Receipt of manuals (if applicable).

Guarantee: All equipment and materials including all parts and assemblies, if applicable, shall be guaranteed against defects in material and workmanship for a period of at least one (1) year after acceptance. Guarantee shall commence at the time of official acceptance by the Town. Where it is required to repair, replace, resurface, replant or to modify, alter, add or remove hardware, parts, components, or related accessories for the purpose of insuring proper appearance, performance or operation, such operations shall be done as required until such time as acceptable performance has been established.

Problems which occur shall be corrected in an appropriate fashion under guarantee. Seller shall be responsible to attend to and remedy such items within a reasonable amount of time. Appropriate logs and schedules shall be maintained to reflect these items and their redress.

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New York Law: The Notice to Bidders and Bid Specifications shall be governed according to the laws of the State of New York.

Piggybacking Claus Method of Award: The contract, if awarded, will be to the lowest responsive/responsible bidder(s) in part or in whole who meet(s) all the terms of the specifications. The TOWN guarantees no minimum or maximum purchases or contracts as a result of award of this bid. The Town of Riverhead reserves the right to allow all municipal and not for profit organizations authorized under the General Municipal Laws of the State of New York, to purchase any goods and/or services awarded as a result of this bid in accordance with the latest amendments to NYS GML 100 through 104. However, it is understood that the extension of such contracts are at the discretion of the vendor and the vendor is only bound to any contract between the Town of Riverhead and the vendor. Additionally, the TOWN reserves the right to purchase any goods or services included as a part of this bid from any means legally available to it.

VENDOR NAME _____

V. Bid Sheet

ONE (1) NEW VENTRAC 3400 Y COMPACT TRACTOR

ALL PRICING TO INCLUDE DELIVERY TO RIVERHEAD, NY

ITEM	QTY	DESCRIPTION	UNIT PRICE
1	1	VENTRAC 3400 Y COMPACT TRACTOR	
2	1	TWELVE-VOLT FRONT SWITCH PLUG 70.3036	
3	1	LW452 CAB	
4	1	CAB CONSOLE MOUNT FAN/HEATER/FILTER INSTALL 70.2015-51	
5	1	CAB EXTERIOR MIRROR KIT 70.2006-4	
6	1	CAB WINDSHIELD WASHER KIT 70.8148	
7	1	CAB DEFROST FAN KIT 70.2006-6	
8	1	CAB STROBE BEACON KIT 70.8161	
9	1	CAB HAZARD LIGHTS KIT 70.8162	
10	1	LB540 BROOM ATTACHMENT	

TOTAL BID PRICE: \$ _____

Delivery Date: _____

Name of Bidder: _____

Address of Bidder: _____

Telephone Number: _____

Email: _____

VENDOR NAME _____

VI. Exceptions to Specifications

Exceptions to the specifications of any bid items stated herein shall be fully described in writing by the contractor in the space provided below:

DATE: _____

SIGNED: _____

TITLE: _____

VENDOR NAME _____

GENERAL MUNICIPAL LAW – SECTION 103-d

Non-Collusive Bidding Certificate

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 the penalty of perjury, that to the best of his knowledge and belief:

- (A) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, and for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor or potential competitor;
- (B) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to the opening, directly or indirectly to any other bidder, competitor or potential competitor;
- (C) No attempt has been 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.

I hereby affirm, under the penalty of perjury, the foregoing statement is true:

Signed by: _____

Title: _____

Corporation/Company: _____

Date: _____

Sworn to before me this _____

day of _____, 20____

Notary Public

VENDOR NAME _____

SEXUAL HARASSMENT STATEMENT

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 the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of §201-G of the Labor Law.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

VENDOR NAME _____

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

VENDOR NAME _____

I/WE FULLY UNDERSTAND THAT THE ACCEPTANCE OF THIS BID IS SUBJECT TO THE PROVISIONS OF SECTION 103A AND 103B OF THE NEW YORK STATE GENERAL MUNICIPAL LAW.

NAME OF AGENT/DEALER: _____

ADDRESS: _____

CONTACT PERSON: _____

DATE: _____

SIGNATURE OF AGENT/DEALER: _____

Please complete and affix to your sealed bid envelope.



BIDDER: _____

ADDRESS: _____

**BID NAME: ONE (1) NEW VENTRAC 3400 Y
COMPACT TRACTOR**

BID OPENING DATE: FEBRUARY 21, 2020

TIME: 11:00AM

BIDS MUST BE DELIVERED TO:

**TOWN OF RIVERHEAD
TOWN CLERKS OFFICE
200 HOWELL AVENUE
RIVERHEAD, NY 11901**

PRIOR TO 11AM ON FEBRUARY 21, 2020

LATE BIDS WILL NOT BE ACCEPTED FOR ANY REASON