

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Undersigned, on behalf of the Elizabethtown Board of Fire Commissioners, will accept sealed bids until **Thursday, March 16 at 2:00 pm** for the Sale of a 1988 GMC 9000 Tanker.

Specifications and bid forms are available by contacting Linda Wolf, Secretary at 518-873-3332 or 518-873-9538, or on the County's website at www.co.essex.ny.us, .

The bids shall be opened publicly and read aloud on **March 16** at 2:00 P.M. at the Office of the Essex County Purchasing Agent, 7551 Court Street, Elizabethtown, New York 12932.

All bids submitted in response to this notice shall be marked "**SEALED EFD TANKER BID**" clearly on the outside of the envelope.

Dated: March 6, 2017

Linda M. Wolf, CPA
Elizabethtown Fire District Secretary
22 Woodruff Street – PO Box 734
Elizabethtown, New York 12932
(518) 873-9538

INSTRUCTIONS TO BIDDERS

All bids shall be submitted on the bid sheets included in the package, and no other forms shall be accepted.

Essex County reserves the right to reject any and all bids not considered to be in the best interest of Essex County, and to waive any technical or formal defect in the bids which is considered by Essex County to be merely irregular, immaterial, or unsubstantial.

In addition to bid sheets, the bidder shall submit executed non-collusion bid certificates signed by the bidder or one of its officers as required by the General Municipal Law Sec. 103d. The bidder shall also submit an executed certificate of compliance with the Iran Divestment Act signed by the bidder or one of its officers as required by the General Municipal Law Sec. 103g.

A Contract awarded pursuant to this notice shall be subject to the provisions of Sections 103-1, 103-b, 103-d and 103-g of the General Municipal Law.

Essex County affirmatively states that in regard to any contract entered into pursuant to these instructions, without regard to race, color, sex, religion, age, national origin, disability, sexual preference or Vietnam Era veteran status, disadvantaged and minority or women-owned business enterprises will be afforded equal opportunity to submit bids in response hereto.

Addenda will be posted on the Essex County Website, interested vendors are urged to check before submitting their bid.

Each bidder will need to complete, sign, have notarized and return the following documents with their Bid:

- 1) Certification of Compliance With Iran Divestment Act
- 2) Non-Collusive Bidding Certification

Elizabethtown Fire District

BIDDING SPECIFICATIONS

- 1988 GMC 9000 Tanker
- V-8
- Vin #1GDP7D1E6J728329
- 5 Speed/2 Speed Axle
- GVW 32,800 lbs.
- 2100 Gallon SS Tank
- Approximate Mileage 7,000

The Elizabethtown Fire District has declared this vehicle surplus due to the unsafe condition of the vehicle for its intended use.

To inspect the vehicle please contact Paul Fenton at 873-6857.

The buyer must pick up the vehicle within ten days of notification of award.

BIDDING TERMS: Award will be to the highest qualified bidder. All bids shall be considered final - no adjustments after opening will be allowed. Bids shall be in United States dollars. Bids must be submitted on the form provided. All bids must be accompanied by the signed non-collusive bidding certificate on the back of the bidding form. Bidders must guarantee their bid for 45 days. **Sealed bids must be labeled: "DO NOT OPEN – SEALED ESSEX COUNTY TIMBER BID" in large letters on both front and back.**

HAND-DELIVERED BIDS may be brought to the Purchasing Agent's office in the County Government Center on 7551 Court Street in Elizabethtown, 12932 during normal operating hours, up to the time of bid opening.

Terms of Sale:

All sales are final. No refunds will be issued. This item is being sold as is, where is, with no warranty, expressed written or implied. The seller shall not be responsible for the correct description, authenticity, genuineness, or defects herein, and makes no warranty in connection therewith. No allowance or set aside will be made on account of any incorrectness, imperfection, defect or damage. Any descriptions or representations are for identification purposes only and are not to be construed as a warranty of any type. It is the responsibility of the buyer to have thoroughly inspected this item and to have satisfied himself or herself as to the condition and value and to bid based upon that judgment solely. The seller shall and will make every reasonable effort to disclose any known defects associated with this item at the buyer request prior to the close of sale. Seller assumes no responsibility for any repairs regardless of any oral statements about the item. Seller is NOT responsible for providing tools or heavy equipment to aid in removal. Items left on seller premises after this removal deadline will revert back to possession of the seller, with no refund.

Item(s) sold SUBJECT to seller's approval after bids close. Any applicable sales tax(es) will be charged. Payments must be received within (7) business days from award or invoice date. All sales are final. No refunds will be issued. Items are sold as-is, where-is, with no warranty written or implied.

Buyer is responsible for inspecting the item(s) before placing bids and prompt item removal within ten (10) business days after receipt of award or invoice. Seller is NOT responsible for providing tools or heavy equipment to aid in removal. Items left on seller's premises after this removal deadline will revert back to possession of the seller, with no refund.

Payment Terms: Payment will be due immediately upon notification of seller approval by email invoice, after the Seller approves the bids. After you receive the invoice, you will have seven (7) business days to get your payment mailed to our office, Please mail payment in certified funds or money order to: Elizabethtown Fire District, P.O. Box 734, Elizabethtown, NY 12932 Attention: Linda Wolf, Secretary/Treasurer.

BIDDING FORM

1988 GMC 9000 TANKER

Bid Opening: 2:00 pm on Thursday, March 16, 2017
Office of the County Purchasing Office Agent
County Government Center
7551 Court Street
Elizabethtown, NY 12932
(518)873-3332

Mail Bid to: Linda M. Wolf
County Purchasing Agent
County Government Center
P.O. Box 217
Elizabethtown, NY 12932

NOTE: Please mark the outside of envelope:
“**DO NOT OPEN- SEALED EFD TANKER**”

LUMP SUM BID: U.S. \$ _____

THIS BID IS GUARANTEED FOR 45 DAYS

BIDDER: _____

ADDRESS: _____

TELEPHONE: _____ **E-MAIL:** _____

AUTHORIZED SIGNATURE: _____

PRINTED NAME AND TITLE: _____

CORPORATE SEAL (if required)

(Include the signed non-collusive certification and contractor's acknowledgement, to be found on following pages.)

NON-COLLUSIVE BIDDING CERTIFICATION

1. By submission of this bid, the undersigned bidder and each person signing on behalf of such 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 the undersigned’s knowledge and belief:

(a) 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;

(b) 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

(c) 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.

2. The undersigned acknowledges and agrees that a bid shall not be considered for award nor shall any award be made where any of the 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 one or more of the above has/have not been complied with, the bid shall not be considered for award nor shall any award be made unless 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.

3. The undersigned also acknowledges and agrees that 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 paragraph 1 above.

4. The undersigned further acknowledges and agrees that any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a bidder which is a corporation or a limited liability company 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 paragraph 1 of this certificate, 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 or limited liability company.

Name of Bidder: _____
(print full legal name)

Date Signed: _____ Signature: _____

Name of Person Signing Certificate: _____
(print full legal name of signer)

Bidder is (check one): an individual, a limited liability partnership, a limited liability company,
 other entity (specify): _____

CONTRACTOR'S ACKNOWLEDGEMENT

(If Corporation)

STATE OF NEW YORK) SS:
COUNTY OF ESSEX)

On this _____ day of _____ 20____, before me personally came _____
_____ to me known, and known to me to be the
_____ of the Corporation described in and which executed the within instrument,
who being duly sworn did depose and say that he, the said _____ reside at
_____ and that he is _____ of said
corporation and knows the corporate seal of the said corporation; that the seal affixed to the within
instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said
corporation, and that he signed his name thereto by like order.

Notary Public

CONTRACTOR'S ACKNOWLEDGEMENT

(If Individual)

STATE OF NEW YORK) SS:
COUNTY OF ESSEX)

On this _____ day of _____ 20____, before me personally came
_____ to me known, and known to me to be
the same person described in and who executed the within instrument and he duly acknowledged to
me that he executed the same for the purpose herein mentioned and, if operating under and trade
name, that the certificate required by the New York State Penal Law, Sections 440 and 440-b has been
filed with the County Clerk of Essex County.

Notary Public

CONTRACTOR'S ACKNOWLEDGEMENT

(If Co-Partnership)

STATE OF NEW YORK) SS:
COUNTY OF ESSEX)

On this _____ day of _____ 20____, before me personally came
_____ to me known, and known to me to be a member of the
firm of and the person described in, and who executed the within instrument in behalf of said firm for
the purposes herein mentioned and that the certificate required by the New York State Penal Law,
Sections 440 and 440-b has been filed with the County Clerk of Essex County.

Notary Public

CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). 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, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this 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 County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, _____, being duly sworn, deposes and says that he/she is the _____ of the _____ Corporation and that neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

SIGNED

SWORN to before me this _____ day of _____, 20__

Notary Public