

## NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Undersigned, on behalf of the Town of St. Armand, will accept sealed bids at the Town Hall until 5:30 P.M. on July 29, 2021 for the Surplus Sale of a 343 tons of Treated Salt for Highway Use.

The bids shall be opened publicly and read aloud on Thursday, July 29, 2021 at 5:30 P.M. at the Town of St. Armand Town Hall, 1702 NYS Route 3, Bloomingdale, New York 12913.

Please contact the Town Supervisor at (518) 891-3189 ext. 1 for additional information concerning the bidding. Specifications and standard proposals for the proposed work may be obtained at the above address, or on the County's website at: <https://www.co.essex.ny.us/bidders/publicbids.aspx>.

All bids submitted in response to this notice shall be marked "SEALED BID – SURPLUS ITEM(S)" clearly on the outside of the envelope.

The Town 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.

Dated: June 29, 2021

Davina Winemiller, Supervisor  
Town of St. Armand  
PO Box 338  
1702 NYS Route 3  
Bloomingdale NY 12913

## INSTRUCTIONS TO BIDDERS

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

The Town reserves the right to reject any and all bids not considered to be in the best interest of the Town, and to waive any technical or formal defect in the bids which is considered by the Town 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.

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) Non-Collusive Bidding Certification

## SPECIFICATIONS

The Town of St. Armand has declared the following item as Surplus and wishes to sell to the highest bidder.

### 343 TONS OF TREATED SALT

Please contact Davina Winemiller at 518-891-3189 ext. 1 for more information and to make an appointment to inspect the items.

The Buyer(s) must pick up the items within ten (10) 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. Bidders must guarantee their bid for 45 days. **Sealed bids must be labeled: “DO NOT OPEN – SEALED BID SURPLUS ITEM(S)” in large letters on both front and back.**

**HAND DELIVERED BIDS** may be brought to the St. Armand Town Hall, 1702 NYS Route 3, Bloomingdale, NY 12913 during normal operating hours, up to the time of the bid opening.

### **TERMS OF SALE:**

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.

All sales are final. No refunds will be issued. These items are 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 make 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 the item(s) 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 the item(s) 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 the removal deadline will revert back to possession of the seller, with no refund.

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

**PAYMENT TERMS:**

Payment will be due immediately upon notification of seller approval by invoice, after seller approves the bids. After you receive your invoice, you will have seven (7) business days to provide your payment to the Town of St. Armand. Please hand deliver or mail your payment in certified funds or money order to: Town of St. Armand, PO Box 338, Bloomingdale, NY 12913.

**BIDDING FORM**

**Bid Opening:** 5:30 PM on Thursday, July 29, 2021  
St. Armand Town Hall  
1702 NYS Route 3  
Bloomingdale NY 12913  
(518) 891-3189

**Mail Bid To:** Town of St. Armand  
PO Box 338  
1702 NYS Route 3  
Bloomingdale NY 12913

*NOTE:* Please mark on the outside of envelope:

**“DO NOT OPEN – SEALED BID SURPLUS ITEM(S)  
ATTN: TOWN CLERK BARBARA DARRAH”**

**BID FOR THE ENTIRE LOT OF 343 TONS**

**LUMP SUM BID:** \_\_\_\_\_ ( \_\_\_\_\_ )  
IN WORDS IN NUMBERS

.....  
**OR**  
.....

**ALTERNATE BID FOR A PORTION OF THE LOT**

\_\_\_\_\_ **NUMBER OF TONS AT \$** \_\_\_\_\_ **( \_\_\_\_\_ ) PER TON BID**  
IN WORDS IN NUMBERS

\*\*\*\*PLEASE FILL IN THE NUMBER OF TONS AND PRICE PER TON\*\*\*\*

**BID IS GUARANTEED FOR 45 DAYS.**

**BIDDER:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_

**AUTHORIZED SIGNATURE:** \_\_\_\_\_

**PRINTED NAME AND TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**PHONE NUMBER:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**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