

**TOMPKINS COUNTY SOIL & WATER
CONSERVATION DISTRICT**

Bid Packet

for

Hydroseeding Mulch

***Bid Deadline: June 10, 2016
3:00 pm***



***Tompkins County Soil & Water Conservation District
170 Bostwick Road,
Ithaca, NY 14850
(607) 257-2340***

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Section 100. Solicitation For Sealed Bids

Hydro-seeding Mulch For Tompkins County SWCD Hydro-seeding Program

The Tompkins County Soil & Water Conservation District, Tompkins County, New York will receive sealed bids to purchase hydroseeding mulch. Sealed bids, plainly marked as such, will be received at the office of the Tompkins County Soil & Water Conservation District, 170 Bostwick Road, Ithaca, NY 14850, on or before Friday, June 10, 2016, 3:00 p.m. The Bids will be opened and read aloud at 3:01 p.m., June 10, 2016. Facsimile and e-mail bids will not be accepted. The Tompkins County Soil & Water Conservation District Board of Directors will hold a meeting June 13th, 2016 starting at 3:30 p.m. at which point the lowest responsible bidder will be awarded a contract.

This bid packet with specifications is available at the Tompkins County Soil & Water Conservation District Office at the address printed above or on their website www.tompkinscountyny.gov/swcd . Printed copies of the documents can be obtained for a fee of \$10.00 if picked up at the office or \$50.00 if they are mailed. Mailed bids require shipping information and costs will be charged to the interested bidder. Fees are refundable to the bidder if they submit a bid for the project.

Specifications for the materials to be supplied are included in this bid document.

All inquiries and correspondence concerning this solicitation shall be submitted to the office of the Tompkins County Soil & Water Conservation District at 170 Bostwick Road, Ithaca, NY 14850; Phone (607) 257-2340.

101. Product Description

The proposed product will consist of the following:

- *Hydraulic Wood Fiber Mulch*

200. Proposal

201. Instruction to Bidders:

The following are the instructions to bidders. To be considered for award, a bid must comply in all respects with these instructions.

1) Bid Date and Time:

Sealed bids will be received at the Tompkins County SWCD office (170 Bostwick Road, Ithaca, NY 14850), until **3:00 p.m., June 10, 2016**. The date and time of submittal will be noted on the District mail log. The SWCD office clock will be the official time for bid submissions. Any bids received after the deadline stated will not be accepted.

2) Bid Form:

Bids shall be submitted in a sealed envelope clearly labeled to the Tompkins County Soil & Water Conservation District – **Hydraulic Mulch Bid**, 170 Bostwick Road, Ithaca, NY 14850. Forms to be submitted include: Non-Collusive Bidding Certificate, Statement of Understanding Procurement Lobbyist Restrictions and Itemized Bid Sheet. Facsimile and/or e-mail bids will not be accepted.

3) **Form of Bid Price:**

Each bidder is required to state a price as specified in each and every item encumbered in the Itemized Proposal upon which the bid is made. Price must be written in ink. Bidders will use their best judgment when submitting the itemized bid proposal. Neither during nor after the bid opening will the bidder be able to alter their bids.

4) **Bids:**

Bid proposals are solicited on the Itemized Bid Sheet.

5) **Minimum Requirements for Bidding:**

To be determined qualified for bidding projects funded by the Tompkins County SWCD, a prospective contractor must:

- a. Be able to supply the minimum quantity requested, taking into consideration all existing business commitments.
- b. Have a satisfactory performance record.

Other requirements for bidding are included elsewhere in these specifications.

6) **Withdrawal of Bid:**

Bids may not be withdrawn without the approval of the Tompkins County Soil & Water Conservation District. (See section 201-12 of this solicitation).

7) **Rejection of Bids:**

The Tompkins County SWCD reserves the right to reject any and all non-responsible bids, bids that are late, improperly submitted or otherwise inconsistent with the instruction to bidders or design specifications, are incomplete, conditional, obscure, contain irregularities or is deemed unqualified to implement.

8) **Independence of Bids:**

Each bidder is required to form his/her own opinion of the estimated material quantities requested and of the Specifications relating to the material.

9) **Claims:**

The contractor shall have no claims against the Soil & Water Conservation District, or the State of New York by reason of any variance between quantities of the work completed, nor on account of any misunderstanding or misconception of the nature or character of the work, or of the ground where it is executed.

11) **Award of the Contract:**

The contract(s) shall be awarded to the responsible bidder whose proposal is most advantageous to the District, with price and other relevant factors considered. Bid prices must be effective for one (1) year beginning on **June 10, 2016**, ending on **June 10, 2017**.

If a contract is awarded, the TCSWCD will notify the successful bidder within ten (10) days after the bid opening.

12) **Bid Mistakes and Errors:**

- a. When a bidder claims to have made a mistake or error in his/her bid, such shall be called to the attention of the Tompkins County SWCD by delivering to the Tompkins County SWCD a written notice setting forth the nature of the mistake or error accompanied by documentary evidence or other proof of such mistake or error within seventy-two (72) hours after the opening of the bid or prior to award, whichever is shorter, otherwise the bid may not be withdrawn. If the bidder fails to deliver either said notice or documentary evidence or proof within 72 hours of bid opening or prior to award, whichever is shorter, the Tompkins County SWCD will determine if an error or mistake has been made and whether such is excusable. If the Tompkins County SWCD should determine that an excusable error or mistake has been made, the Tompkins County SWCD may permit the bid to be withdrawn. The determination of the Tompkins County SWCD as to whether a bidder made an excusable error or mistake shall be conclusive upon the bidder, his/her surety, and all that claim rights under the bidder.
- b. Any and all awards resulting from the accepted proposal shall be for the complete project. Proposer may not rescind contract because of error or inability to supply through anticipated sources.

13) No contract hereunder shall, either in whole or in part, be assigned, transferred or otherwise disposed of to any other person, company or corporation unless approval is first obtained in writing from the TCSWCD.

14) **Payment:**

Payment will be made when the hydraulic mulch has been deemed to meet specifications by the TCSWCD, purchase contract is signed and the sale is closed.

202. Contract General Provisions:

- 1) Purchases made by the District are not subject to state or local taxes, or federal excise taxes.
- 2) Each and every provision required by law to be inserted in the contract shall be deemed to be inserted herein, including all labor provisions concerning working hours and pay, non-discrimination in employment, equal opportunity employment, workman's compensation and disability insurance.
- 3) At the time of the opening of the bids, each bidder will be presumed to have read and to be thoroughly familiar with the contract documents. The failure or omission of any bidder to receive or examine any form, instrument or document shall in no way relieve any obligation in respect to his/her bid.
- 4) The successful bidder, upon failure or refusal to execute and deliver the contract, shall be removed from the bidders' list in the future and will be considered an unqualified bidder in future bid considerations.

203. Contract Renewal

The contract may be renewed under the same terms and conditions for a period of up to three (3) additional one (1) year terms upon written consent of both parties at least thirty (30) days prior to the expiration of the current purchase agreement.

Increase to the bid price may be honored at the time of the renewal of the contract. The successful bidder must notify the Tompkins County Soil and Water Conservation District ninety

(90) days prior to the contract anniversary date of his/her intent to increase prices.

204. Hydraulic Mulch Product Specifications

The following specifications are established as a guide to emphasize the quality of the product desired. Changes or deviations to these standards are acceptable, provided they give the maximum result. All bids must be accompanied with detailed specifications and literature.

- Materials – Minimum 85% wood fiber mulch, green marker dye, with tackifier
- Moisture Content – 12% +/- 3% maximum
- Water Holding Capacity – 1200% minimum
- Tackifier – 3% Tackifying Agent
- Packaging - 40 – 60 pound UV resistant bags, with UV Resistant pallet cover

205. Non-Collusive Bidding Certificate

By submission of this bid, a 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 his/her knowledge and belief:

1. The prices of the 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 bidder, or competitor.
2. Unless otherwise required by law, the prices that have been quoted in this bid have not been knowingly disclosed by the bidder, and not knowingly disclosed by the bidder prior to the opening, directly, indirectly, to any other bidder or to any other 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.

I hereby affirm under the penalties of perjury that the foregoing statements are true.

I also acknowledge notice that a false statement in the foregoing is punishable under Article 210 of the Penal Law.

Contractor's Signature: _____ Date: _____

Note: This form must be included with bid or the bid will be considered incomplete and disqualified.

206. Statement of Understanding Procurement Lobbyist Restrictions

Pursuant to State Finance Law #139-j and 139-k, this “Solicitation for Sealed Bids” includes and imposes certain restrictions on communications between a Governmental Entity and an Offerer during the procurement process. An Offerer/bidder is restricted from making contact from the earliest notice of intent for Solicitation of Sealed Bids, through final award and approval of the Procurement Contract by the Tompkins County Soil and Water Conservation District and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law # 139-j(3)(a).

Designated staff, as of the date hereof, is identified in Section 203 (Site Showing) of this “Solicitation for Sealed Bids”. Tompkins County SWCD employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two (2) statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two (2) findings within a four (4) year period, the Offerer/bidder is debarred from obtaining Governmental Procurement Contracts. Further information about these requirements can be obtained by contacting the Tompkins County SWCD.

Contractor Affirmation:

I hereby affirm that I understand and agree to comply with the procedures of the Tompkins County SWCD relative to permissible contacts as required by State Finance Law #139-j(3) and #139-j(6)(b).

Signature: _____ Date: _____

Name: _____

Title: _____

Contractor Name: _____

Contractor Address: _____

Note: This form must be included with bid or the bid will be considered incomplete and disqualified.

Section 300. Itemized Bid Sheet

<u>Item</u>	<u>Description</u>	<u>Cost/Unit</u>
1 –	<u>Wood Fiber Hydraulic Mulch with Tackifier</u>	\$ _____ / _____

Company Name: _____

Contact Person: _____

Company Address: _____

Company Phone Number: _____

Federal I.D. Number: _____

Signature: _____

By signing this document I certify that I have read and understand the design information provided in this package. I also certify that this bid is true and correct and that neither myself nor an agent of this company has colluded with any other bidder in preparation of this document.