

Bid 2022/2023

REFUSE REMOVAL

Please either fill out the bid or the last page of bid-Statement of
"No Bid Proposal" form

Failure to submit either a bid or the No Bid of Proposal form may
result in your name being removed from our active bidders list.

Vendor _____

2022-2023

Responsive Bid

To be considered a responsive bid the following must be filled out, signed and returned prior to 12:00 pm, March 16, 2022:

1. Bid Conditions
2. Bid Specifications
3. Non Collusive Bid Proposal Certification
4. Iran Divestment Act Compliance Rider (must be notarized)

If you are putting in an alternate bid you must do a completely separate bid, with all signed paperwork in a separate sealed envelope. Each bid has to be considered a "stand alone bid".

We will not accept additional prices written in the margins of the documents or you may be deemed non-responsive.

Vendor _____

You are invited to submit sealed bids for purchase by Wynantskill Union Free School District of refuse removal and recycling services as described on the attached sheets.

Bids may also be downloaded from our website <http://www.wynantskillufsd.org>

The following conditions are to be observed:

1. The term of the contract shall be July 1, 2022 through June 30, 2023. The successful bidder shall invoice the District in monthly installments.
2. Bid price is to include cleaning up of any spillage incurred while emptying containers and cleaning containers as necessary.
3. The successful bidder or bidders will be required, as a condition of award of a contract, to furnish the following insurance coverage each naming Wynantskill Union Free School District as additional insured, and to furnish insurance certificates and copies of valid written endorsements evidencing the same:
 - a. Automobile No Fault coverage covering the contractor and school district with liability coverage in the policy limit of \$1,000,000. For claims and suits arising from bodily injuries including death and property damage during the operation and use of vehicles involved in handling refuse.
 - b. Liability coverage covering the contractor and school district in the limit of \$1,000,000 for non-automobile casualty causing bodily injury including death and property damage while removing refuse from the school district and expressly including such injuries, death, property damage, and damages arising from fire or explosion occurring in connection with removal of refuse from the school district.
 - c. Contractor shall also carry Workers Compensation Insurance with statutory limits.
 - d. Contractor shall also carry completed operations coverage and products liability coverage in the policy limit of \$1,000,000.

Vendor _____

Premiums for the required insurance are to be included in each bid as part of the bid. Insurance requirements must be met, and evidence thereof delivered before performance starts, and before any payment can be made. Failure to meet insurance requirements may constitute a ground to disqualify the bidder.

The contractor shall indemnify and save the school district harmless from any and all claims and damages for bodily injury including death and property damage to any person or persons arising from the contractor's use of school premises or his performance of this contract and arising from any and all acts of negligence, breach of warranty, omission or commission, in whole or in part, or such contractor, whether or not due to contributing negligence of the school district, if any, so long as not due solely to the negligence of the school district.

The school district shall give the contractor and its insurer's reasonable notice of any such claim received by the school district and will cooperate with the contractor in the contractor's defense litigation, or settlement of such claims or suits at the contractor's sole expense without recourse to the school district for contribution. The contractor shall carry contractual liability insurance coverage in the sum of \$1,000,000 to cover such indemnity and hold harmless, and shall furnish a valid signed insurance endorsement and a certificate evidencing the same, to the school district, which shall be in addition to other insurance requirements under the specifications.

All insurance coverages are required to name the Wynantskill Union Free School District as additional insured shall be primary coverage while said school district's own independent insurance shall be excess coverage; and all policies, endorsements, and certificates of insurance shall so recite.

4. The contractor at its own expense shall repair or replace to the satisfaction of the Wynantskill Union Free School District any or all damage done to its property in the performance of this contract. The contractor guarantees to furnish adequate protection from damage to the school district's buildings, grounds, and/or equipment occurring on account of, or in connection with, or occasioned by, or resulting from the removal of refuse under this contract and shall be liable for any damages for which he or his employees are responsible.

Vendor _____

- 5. This contract is subject to amendment, modification, or cancellation, without recourse to the school district, as to any unexecuted performances, upon reasonable notice in writing to the effect given by the school district to the contractor served personally or by ordinary mail: provided however that this provision shall apply only in the case of compelling contingencies, fiscal or otherwise, that may confront the school district.
- 6. The Board of Education reserves the right to reject any and all bids.
- 7. All conditions in the General Conditions are in effect unless specifically modified here.

By submitting a bid, the vendor agrees to all conditions and stipulations contained herein. The vendor understands that all information requested on the attached sheets must be completed for the bid to be considered.

Respectfully Submitted by:

Company: _____

Address: _____

Email: _____

Phone: _____

Signature: _____

Date: _____

This form must be signed and returned with the attached price/specification sheet(s) and a signed Non-Collusion Statement in a sealed envelope marked "REFUSE REMOVAL BID" to the

Wynantskill Union Free School District Superintendent's Office
25 East Avenue
Troy, New York 12180

no later than 12:00 pm, March 16, 2022, at which time all bids will be publicly opened and read. Please enclose a stamped, self-addressed envelope if you wish to receive a copy of the bid tabulation.

Vendor _____

REFUSE REMOVAL SPECIFICATIONS

Pick-up Points

Gardner-Dickinson Elementary School, rear of building

2- 8 cubic yard for non-recyclables containers

STANDARD BID- PICKUP SCHEDULE

Each refuse container shall be collected and dumped two times weekly (Tuesday and Friday) between 9:00 AM- 2:00 PM.

UNDER NO CIRCUMSTANCES ARE PICK UPS TO BE MADE WHEN SCHOOL BUSES ARE LOADING OR DISCHARGING CHILDREN.

MONTHLY AMOUNT

Refuse with above mentioned containers:

TOTAL \$ _____

Vendor _____

NON COLLUSIVE BID PROPOSAL CERTIFICATIONS

Business Address: _____

Telephone Number: _____

Date of Bid: _____

1. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

2. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows: Statement of non-collusion in bids and proposals to political subdivisions of the state. Every bid or proposal here-after made to a political subdivision of the state or any public department, agency, or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

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 knowledge and belief:

i. 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;

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

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."

Vendor _____

b. A bid shall not be considered for award nor shall any award be made where (a) (i.) (2) and (3) 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 therefore.

Where (a) (i.) (2) and (3) above have not been complied with, the bid shall not be made unless the head of the purchasing unit of 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.

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 subparagraph one (a).

3. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder 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 subdivision one of the section, 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 certificates as to non-collusion as the act and deed of the corporation.

Signature: _____
(Authorized)

Title: _____

Date: _____

Vendor _____

**IRAN DIVESTMENT ACT COMPLIANCE
RIDER FOR SCHOOL DISTRICTS**

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law ("SFL") §165-a and General Municipal Law ("GML") §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the District, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

- a. The person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides 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. The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the SFL and maintained by the Commissioner of the Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder's certification.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the SFL. In any case where the bidder or proposer cannot certify that it is not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The District may award a bid to a bidder who cannot make the certificate on a case by case basis if:

- 1. The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person 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 District makes a determination that the goods or services are necessary for the District to perform its functions and that, absent an exemption, the District would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

Vendor _____

**CERTIFICATION
IRAN DIVESTMENT ACT OF 2012**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, added new provisions to the State Finance Law (SFL), §165-a and General Municipal Law (GML) §103-g 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) and GML §103-g, 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 enter into, 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 bid upon or a proposal submitted, or 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 school district (District) receive information that a person is in violation of the above-referenced certification, District 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 District 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 District reserves the right to reject any bid, proposal 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 _____

**PROPOSER'S CERTIFICATION OF COMPLIANCE
WITH IRAN DIVESTMENT ACT OF 2012**

In accordance with General Municipal Law §103-g, which generally prohibits the School District from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

Proposer's Certification

_____ By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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/proposer is not on the list created by the Office of General Services (OGS) pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.

_____ I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Name of Bidder/Proposer: _____

Signature of Authorized Official: _____

Name of Official and Title:
Printed or Typed _____

Sworn to before me this
_____ day of _____, 20 _____

Notary Public

Vendor _____

Statement of "No Bid/Proposal" Form

Company Name: _____

Authorized Signature: _____

Date: _____

We have elected not to submit a bid due to the following reason(s):

Insufficient Time to Respond _____

Do Not Offer This Product/Service _____

Unable To Meet Specifications _____

Unable To Meet Service Requirements _____

Workload Does Not Allow Us to Bid _____

Specifications Unclear or Too Restrictive _____

Other (Please specify)

We have not submitted a bid in response to this solicitation; however, we wish to remain on the bid list for future solicitations.

Yes _____ No _____

Failure to submit either a bid or this form may result in your name being removed from our active bidders' list.

Please place it in a sealed envelope labeled Refuse Proposal and submit to:

Wynantskill UFSD Superintendent's Office 25 East Ave; Troy, NY 12180

By Wednesday, March 16, 2022, @ 12 pm.

Bids will be opened by the Superintendent, and recorded by the District Clerk for consideration at March 17, 2022 Board of Education Meeting.