

TOWN OF RED HOOK
Dutchess County, New York

BID SPECIFICATIONS
Highway Department 2022 Hot Mix Asphalt
August 10th, 2021

1. Sealed Bids for: “Highway Department-2022 Hot Mix Asphalt” will be received by the Town Clerk of the Town of Red Hook at the Town Hall, 7340 South Broadway, Red Hook, New York 12571 **at or before 2:00 p.m. on Thursday, September 23rd, 2021**. All Bids received will be publicly opened and read aloud by the Town Clerk immediately thereafter in the Board Room at the Town Hall.

2. Bidders should read all documents contained in this bid package. The following documents are attached to and made a part of these Bid Specifications:

- a. Bid Proposal Form; and
- b. Certificate of Non-Collusion

3. Bidders are responsible for submitting their Bids to the appropriate location at or prior to the time indicated in the instructions. **NO BIDS WILL BE ACCEPTED AFTER THE DESIGNATED TIME OR DATE INDICATED IN THESE SPECIFICATIONS**. It is suggested that registered mail or hand delivery during regular business hours be used to submit Bids. Late bids, telegrams, facsimile, or telephone bids will not be considered.

4. Bidders are responsible for reporting, in writing, any errors in these Bid Specifications to the Town Clerk at the address shown above. Questions or clarifications to these Bid Specifications must be made in writing to the Town Clerk at least ten (10) days prior to the proposal opening. The Town will not assume responsibility for any oral instructions or interpretations of the meaning of the specifications or other contract documents to any bidder by any person or persons.

5. The Town reserves the right to postpone or cancel a scheduled proposal opening, or to amend or supplement the proposal package. Any addenda or corrections to these Bid Specifications will be made in writing.

6. All Bids shall be submitted on the proposal form attached to these Bid Specifications. All Bids must be signed and all the attached certificates must be completed and signed in compliance with the provisions of the General Municipal Law. **The forms necessary to be submitted as a Proposal are the following:**

- a. Proposal Form, including all items required by the specifications.
- b. Certificate of Non-Collusion, sworn to, signed and dated.

**All Bids shall be sealed and distinctly marked on the outside of the envelope:
Bid—Highway Department-2022 Hot Mix Asphalt.”**

7. Bidders shall submit only one (1) Proposal that meets or exceeds the minimum Bid Specifications.

8. All information required by the Bid Specifications must be supplied on the forms or in the format specified. No alteration, erasure, or addition is to be made to the bid documents. All Bids must be typewritten or printed in black/blue indelible ink. Bids which have been corrected by white out or cross out, and have not been initialed and dated will be rejected as unresponsive.

9. The Town reserves the right to reject any and all Bids, parts of all Bids, or all Bids for any one or more supplies or contractual services included in the proposed contract, when such rejection is in the best interests of the public. The Town reserves the right to waive technicalities, irregularities, or omissions in the best interests of the Town. Any claim of proposal mistake must be made in writing in accordance with the conditions expressly set forth in Section 103 of the General Municipal Law.

10. The contract will be awarded to the lowest responsive and responsible bidder in accordance with the requirements of Section 103 of the General Municipal Law.

11. No bidder may withdraw a Bid within forty-five (45) days after the actual date of the bid opening thereof. If an award is not made within the forty-five (45) day period, Bids remain firm until a contract is awarded or the Town receives written notice from the bidder that the bidder is withdrawing its Proposal.

12. There is no required deposit for the copy of Bid Specifications.

13. By submission of its Bid, each bidder certifies that it is in compliance with the provisions of Article 18 of the General Municipal Law.

14. The submission of a Bid will constitute an incontrovertible representation by the bidder that such bidder has complied with every requirement of the Bid Specifications, that without exception the Bid is premised upon performing and furnishing the product required by the specifications, that the bidder has given the Town of Red Hook written notice of all conflicts, errors, ambiguities, and discrepancies that the bidder has discovered in the bidding documents and the written resolutions thereof by the Town of Red Hook are acceptable to the bidder, and that the bidding documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the product.

15. All Bids must be signed. Failure to do so shall cause the Bid to be non-responsive and rejected.

16. A Bid by a corporation shall be executed in the corporate name by the president or a vice-president or other corporate officer accompanied by evidence of authority to sign. If required by the State where work is to be performed, the corporate seal shall be affixed and attested by the secretary or an assistant secretary. The corporate address and state of incorporation shall be shown below the signature. A Bid by a partnership shall be executed in the partnership name and signed by a partner (whose title must appear under the signature), accompanied by evidence of authority to sign. The official address of the partnership shall be shown below the signature. A Bid by a limited liability company shall be executed in the name of the firm by a member and accompanied by evidence of authority to sign. The state of formation of the firm and the official address of the firm must be shown below the signature. A Bid by an individual shall show the Bidder's name and official address. A Bid by a joint venture shall be executed by each joint venturer in the manner indicated on the Bid form. The official address of the joint venture must be shown below the signature. All names shall be typed or printed in ink below the signatures. A Bid by an agent in the name of a particular manufacturer shall be accompanied by evidence of authority to sign, satisfactory to the Town. The address of the agent must be shown below the signature. The address of the manufacturer must also be shown. The Bidder must be qualified to do business in the State of New York and enclose proof of such qualification with the Bid.

17. Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission. Bidders intending to seek an exemption from the Freedom of Information Law must request the exemption in writing at the time of submission, setting forth the reason for the claimed exemption. Any determination on the exemption request will be made in accordance with the Freedom of Information Law in the discretion of the Town.

18. The quoted price should exclude New York State sales taxes; a New York Exempt Organization Certification will be supplied to the successful Bidder. All other taxes applicable to the transaction shall be included in the quoted price.

19. The Town is not responsible for any costs incurred by a bidder in the preparation of its Bid or for any work performed prior to contract execution.

20. Any bidder, contractor or manufacturer who, in the course of his work uses or supplies products which are toxic substances as defined in Section 875 of the Labor Law, shall provide Material Safety Data Sheets as required by Section 876 of the Labor Law to the Town Clerk prior to the use of those products by the Town or contractor.

21. If the successful bidder pays wages to their employees, a certificate of insurance evidencing statutory worker's compensation coverage is to be filed with the Town prior to execution of a contract.

22. Payment for goods and services will be made in accordance with the Town's adopted audit procedures.

23. Upon acceptance of the successful bidder's Bid, the bidder agrees to provide the materials indicated on the bid form at the price set forth in the Bid, in the quantity requested from time to time by the Highway Superintendent for Highway Department purposes, but not exceeding the maximum aggregate number of tons shown in the Bid in calendar year 2022. Materials requested will be provided upon the Town Highway Superintendent's request. The purpose of this proposal is to determine prices for such materials available to the Town for 2022. The Town is not obligated to purchase any given quantity of materials from the successful bidder. The Town reserves the right to select more than one supplier for each type of material in order to ensure an adequate quantity at the times and locations needed. The Highway Superintendent's estimated total requirements for 2022 are as follows:

2022 (Estimated): 1700 Tons Hot Mix Asphalted Concrete

Deanna Cochran, Town Clerk
August 10, 2021

BID PROPOSAL FORM

Town of Red Hook
Highway Department Hot Mix Asphalt 2022
Bid Specifications Dated August 10th, 2021

Upon acceptance of the successful bidder's Bid, the bidder agrees to provide the materials indicated on the bid form at the price set forth in the Bid, in the quantity requested from time to time by the Highway Superintendent for Highway Department purposes, but not exceeding the maximum aggregate number of tons shown in the Bid in calendar year 2022. Materials requested will be provided upon the Town Highway Superintendent's request. The Highway Superintendent's estimated requirements for 2022 are as follows:

2022 (Estimated): 1700 Tons Hot Mix Asphalt Concrete

Bid Price for Hot Mix Asphalt Concrete for calendar year 2022

Item	Description	Unit	FOB	Delivered	Plant Location
1	Dense Base (403.11)	Ton			
3	Dense Binder (403.13)	Ton			
5	Shim (403.15)	Ton			
6F	Top (1/2) (403.1710)	Ton			
7F	Top (1/4) (Armor Coat) (403.18)	Ton			

Certificate of Non-Collusion must be attached to this Bid Proposal

BIDDER NAME:

(Print Name of Company)

By: _____

(Signature of Authorized Officer)

Title of Authorized Officer:

Company Address:

Phone: _____

NON-COLLUSIVE BIDDING CERTIFICATION

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 its knowledge and belief:

(1) 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;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been 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

(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.

State of _____)
):ss
County of _____)

Name of Bidder: _____

Officer/partner/individual bidder's signature: _____

Print name: _____

Sworn to before me this ____ day
of _____, 2021

Notary Public