

ORIGINAL	<input type="checkbox"/>
DUPLICATE	<input type="checkbox"/>

NOTICE TO BIDDERS

BID TITLE: Town of Skaneateles Conservation Area Stair Project

BID SUBMISSIONS SHALL BE IN A SEALED ENVELOPE. SEALED ENVELOPES SHALL BE CLEARLY MARKED WITH:

- 1. BIDDER'S FULL NAME, ADDRESS, AND TELEPHONE NUMBER
- 2. THE BID TITLE (SEE ABOVE)
- 3. ADDRESS TO: Town of Skaneateles
Attn: Julie Stenger - Town Clerk

24 Jordan Street
Skaneateles, New York 13152

BIDS SHALL BE SUBMITTED AND RECEIVED UP TO AND INCLUDING

10:00 am Monday, March 20, 2023

LATE BIDS – All bids received after the deadline date and time stated above will not be considered and will be returned unopened to the bidder. The bidder assumes the risk of any delay in the mail or in the handling of the mail by employees of the Town. Whether sent by mail or by means of personal delivery, the bidder assumes responsibility for having the bid deposited on time at the place specified.

Bids shall be publicly opened and **read aloud at 10:00 a.m.** on the above date, in a designated area assigned by the Town. If attending, please check with the Town Clerk for instructions as to where the bid opening will be held. Phone Julie Stenger, Town Clerk, (315) 685-3473.

TOWN OF SKANEATELES

**BID PROPOSAL FOR
Town of Skaneateles Conservation Area Stair Project**

THIS BID IS SUBMITTED TO:

Julie Stenger, Town Clerk at 24 Jordan St., Skaneateles, NY 13152.

1. Bid Proposal

The undersigned Bidder hereby proposes and agrees, if this Bid is accepted, to enter into an agreement with the Town of Skaneateles to provide materials and construct a new staircase at Guppy Falls. See attached documents for SPECS.

The Bidder hereby declares that he or she has carefully examined all bid documents including the Requirements for Bidders and Minimum Specifications attached hereto and related documents, also including those incorporated by reference, and all addenda thereto, is satisfied as to the information and conditions, and understands that in signing this Proposal he or she waives all right to plead any misunderstanding regarding the same.

No bid bond or security is required.

2. Bid Price

If the Bid is accepted by the Town, the undersigned pledges, promises and agrees to:

Provide materials and construct a new staircase at Guppy Falls. See attached documents for SPECS.

(Total Bid Price must include all costs to Town.)

NOTE: The Town Board reserves the right to reject any and all bids, to waive any and all

informalities, and to disregard all nonconforming or conditional bids or counter proposals. Bids containing incomplete or no price information for any bid item, which thus prevents evaluation of the extended total for that bid item, may be rejected.

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 this 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 bids and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Dated: _____

Signed:

Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the _____ day of _____, before me personally came _____ to me known, who, being by me duly sworn, did depose and say that he/she resides in _____; that he/she is the _____ of _____ the corporation described in and which executed the above instrument; and that he/she signed his/her name thereby by authority of the board of directors of said corporation.

Notary Public

TOWN OF SKANEATELES
STATE OF NEW YORK

REQUIREMENTS FOR BIDDERS

1.0 GENERAL.

It is the intention of this document to the undersigned Bidder hereby proposes and agrees, if this Bid is accepted, to enter into an agreement with the Town of Skaneateles to provide materials and construct a new staircase at Guppy Falls. See attached documents for SPECS.

2.0 QUALIFICATIONS OF BIDDER.

Qualifications of the bidder must be provided by the Bidder on the attached Statement of Bidder Qualifications. Personal and business references must be submitted.

3.0 BIDS.

Bids shall provide or furnish all of the following:

- 1) Detailed description of all the project construction & materials to be used. All exceptions shall be prominently noted. Any bidder turning our specifications back in as their own may be automatically rejected. The bidder must show that he or she understands our specifications. The successful Bidder shall be solely responsible for providing satisfactory product.
- 2) Bids subject to an escalator clause or increase in price may be rejected.
- 3) Bid price must include all costs to the Town including, but not limited to, price for materials and labor for project.
- 4) The non-collusive bidding certificate as required by Section 103-d of the General Municipal Law of the State of New York must be executed.
- 5) Bidder agrees that he has reviewed and agrees to comply, in all respects, with these specifications.

4.0 INTERPRETATION OF SPECIFICATIONS.

Bidders shall not seek verbal interpretation of the meaning of any of these specifications or other contract documents. Every request for such interpretation should be in writing, addressed to the Town Clerk not later than two (2) days prior to the date set for bid opening. Notice of any and all such interpretations and any supplemental instructions will be sent to all bidders of record, by the Town Clerk in the form of addenda to the specifications. All addenda so issued will then become a part of the contract documents.

5.0 PROPOSAL.

Persons desiring to make a proposal shall use the proposed blank prepared and attached hereto. The blank places in the proposal must be filled in as noted and no change shall be made in the phraseology of the proposal or in the items mentioned herein. The specifications attached hereto are to be considered as and shall form a part of the agreement.

6.0 REQUIRED DOCUMENTS.

All Bidders Must:

- 1. Have authorized officer fill in all blanks on the Proposal Sheet(s) and sign the proposal.**
- 2. Have the authorized officer sign the Non-Collusive Bidding Certificate.**
- 3. Submit one original and one photocopy (Extra copies of these forms may be made and retained).**

NOTE: FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE THE BID TO BE CONSIDERED "NON-RESPONSIVE" AND, THEREFORE, NOT ACCEPTABLE.

The successful bidder shall be required to execute a written contract with the Town of Skaneateles.

7.0 AVAILABILITY.

Availability shall be determined weather permitting. Each bid must contain a statement of immediate availability. Time is of the essence in this regard and the Town may reject any individual bid failing to state availability consistent with this paragraph.

8.0 SPECIFICATIONS.

See Attached.

The Town also reserves the right to REVISE or AMEND the bid specifications prior to the bid opening date by WRITTEN ADDENDA for reasons other than stated above.

9.0 NOTICES.

Any notice required shall be in writing and shall be either sent by mail or hand delivered to the parties at the addresses indicated herein.

Notices for the Town shall be sent to:

Town Clerk
Town of Skaneateles 24 Jordan
Skaneateles, NY 13152

Notices to the Bidder shall be sent to the address set forth on the Bid Proposal.

10.0 ASSIGNMENT.

Contractor may not assign its rights or delegate its obligations under this Contract without the prior written consent of the Town.

11.0 TAX EXEMPT STATUS.

The Town is a political subdivision of the State of New York and as a government entity is exempt under Purchase Tax Law, Section 1116. The Town is not issued an exempt organization certificate or an ST119 with an exemption number by the New York State Tax Bureau. A copy of the Town's Voucher (VO), Purchase Order (PO) or petty cash form are the only certifications the Contractor is required to keep for documenting the tax exempt sale. Contractor questions concerning the Town's tax exempt status should be directed to the Town Clerk.

12.0 TOWN CONTRACTS/NEW YORK STATE CONTRACTS.

The Town reserves the right to purchase from the Town contract(s) or New York State contracts or authorized cooperative group purchasing programs.

13.0 REGULATORY COMPLIANCE.

The contractor represents that all goods and services provided shall comply with all applicable standards, rules and regulations in effect for the requirements of federal, state and local laws and regulations as applicable, including the Consumer Product Safety Act, Occupational Safety and Health Act, as amended, or other applicable laws or regulations.

14.0 WITHDRAWAL OF BIDS.

- A. No bids may be withdrawn after the bid deadline unless no award has been made within forty-five (45) days of bid opening.
- B. In the case of a unilateral bid mistake, or error, by a Bidder, on any bid proposal, legislation allows the Bidder to withdraw the bid after showing that:

1. the mistake was known, or made known to the Town **PRIOR** to the awarding of the contract, or within three (3) days after the bid opening, whichever period is shorter;
2. the price bid was based on an error of such magnitude that enforcement would be unconscionable;
3. the bid was submitted in good faith and the Bidder submits credible evidence that the mistake was a clerical error rather than a judgment error;
4. the error was actually due to an unintentional substantial mathematical error, or unintentional omission of a substantial quantity of work, labor, materials or services, made directly in the compilation of the bid (which error or omission can be shown by objective evidence drawn from certain listed documents); and
5. it is possible to put the Town in “status quo ante.”

15.0 AUTHORIZED SIGNATURE

The words “officer” or “officer of the company” means anyone having the “authority” to obligate their principal in the bidding and contract process. This person will provide documentation that he has this authority and will furnish the documentation within 72 hours, when requested, or be considered indicative of non-responsibility and will not be given further consideration.

16.0 REJECTION AND/OR ACCEPTANCE OF BIDS.

The successful bidder will be notified by letter within 20 days after opening of the bids. The successful bidder will be required to execute a written contract with the Town of Skaneateles. The bid and advertisement for bid are incorporated into the executed contract.

The Town reserves the right to evaluate and/or reject any and all bids in whole or in part, and to waive technicalities, irregularities and omissions, if, in the Town’s judgment, the best interests of the Town will be served.

17. ENTIRE AGREEMENT.

This instrument represents the entire agreement between the parties. This Contract may only be modified by a written instrument duly executed by both parties. This contract shall be binding upon and inure to the benefit of the parties and their successors and assigns.

NOTICE: All bids received that lack:

1. **A signed proposal;**
2. **A signed Non-Collusive Bidding Certificate; or**

3. **Bid Bond/Check, when required *may be rejected as being non-responsive at the formal public bid opening.***

The Town Procurement Officer(s) or employees conducting the bid opening will document the non-responsiveness orally and in writing.

The undersigned hereby asserts that he/she is an authorized officer of the Bidder and has read to foregoing Bid Requirements and Specifications.

Dated: _____

Signed: _____

Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

On the ___ day of _____, 2023, before me personally came _____
_____ to me known, who, being by me duly sworn, did depose and say that
he/she resides in _____; that he/she is the _____ of
_____ the corporation described in and which executed the above
instrument; and that he/she signed his/her name thereby by authority of the board of directors of
said corporation.

Notary Public

NON-COLLUSIVE BIDDING CERTIFICATION

Section 103-d of the General Municipal Law requires the following statement subscribed by the bidder as true under the penalties of perjury: Non-Collusive Bidding Certification. By submission of this bid, the bidder and each person signing on behalf of any bidder certifies and affirms under penalty of perjury, that to the best of his knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restriction 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 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
- (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.
- (4) Attached hereto (if this bid is submitted by a corporate bidder) is a certified copy of the resolution authorizing the execution of this certificate by the signator of this bid or proposal on behalf of the corporate bidder.

Section 103-d of the General Municipal Law, as amended, in addition to requiring the above certification, provides as follows:

A bid shall not be considered for award nor shall any award be made where (1), (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 (1), (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award 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 restriction 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 of subparagraph one (a).

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 this

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 bids and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Dated: _____

Signed: _____
Name of Bidder

Signature of Authorized Officer of Bidder

Address

Telephone Number

CORPORATE NON-COLLUSIVE RESOLUTION

RESOLVED that _____ be authorized to sign and submit the bid or proposal of this corporation for the proposal to the Town of Skaneateles and to include in such bid or proposal the certificate as to non-collusion required in Section 103-d of the General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements in such certificate, this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the Resolution adopted by _____
_____ at a meeting of its Board of Directors held on the ____
day of _____

Secretary of Corporation

Name of Corporation

Address

Telephone Number

**GUPPY FARM TRAIL STAIR REPLACEMENT
TOWN OF SKANEATELES CONSERVATION AREA
Gully Road, Skaneateles, NY**

The Town of Skaneateles (Town) owns a large natural area collectively called the Skaneateles Conservation Area (SCA), which is open to the public for outdoor activities, and which contains many foot trails. The SCA consists of four sections. The Guppy Farm section is accessed from a parking area located on Gully Road, GPS coordinates 42.968552, -76.390318. Immediately north of the parking area is a long stairway leading up a steep hill to the foot trails. The stairs (steps) were constructed some 30 years ago, are made of 6"x6"x 20" wide timbers secured in place by nails and/or rebar, with a steel pipe handrail on one side. The stairs are in disrepair and need to be replaced.

There are two (2) sections of existing stairway:

- Lower section, with a horizontal run of approximately 48 'and a vertical rise of about 20'.
 - Upper section, with a horizontal run of about 18 'and a vertical rise of about 8'.
- (Dimensions shown are very approximate and not to be used for design.)

The Town of Skaneateles is hereby inviting proposals from qualified contractors to furnish all labor, material and equipment for the replacement of the Lower and Upper stair systems. Proposals shall contain separate lump sum prices for the Lower and Upper sections. The basis of award shall be the sum of the prices bid for both sections. The Town reserves the right to award the contract for either just one or for both sections, to reject all bids received, and to waive any informalities in bids.

The detailed design and construction of the replacement stair systems, including supports and landings, shall be the responsibility of the Contractor, and shall be in accordance with the following specifications and requirements. The Contractor shall be solely responsible for verifying site conditions and dimensions. The proposed replacement stairs need not be in the same exact location or alignment as the existing stairs.

Materials Specifications

- Stair systems, including landings, shall be capable of supporting minimum live point loads of 200 pounds spaced at 4 'intervals, at all points on the stairways and landings, without significant deflection, and with a design factor of safety of at least 1.5.
- Stringer and landing structural elements shall be aluminum, mill finish or better.
- Handrails posts and handrails shall be 1½-2" round or anodized aluminum, finish to match the stringers. Handrail need only be provided on the downhill side of the stairs. Handrail posts shall be sized and spaced as necessary to meet strength requirements. The top handrail shall be about 32-36" above the tread surface at the front of the tread. A middle rail shall be provided. Posts and rails shall be able to withstand a downward and outward force of at least 200 pounds applied to the top rail. Handrail and post ends shall be capped or sealed closed. Any and all joints or welds shall be ground smooth, any screws used in the top handrail shall be flush with the handrail surface to the best of your ability, and the system finished so as to expose no sharp edges or snag points.
- Stair treads shall be 24" wide x 12" deep, and shall be galvanized treads, with skid-resistant surfaces and openings for drainage, designed to support a 200 pound load at the midpoint. Treads shall be welded to stair stringer.
- Riser height shall not be more than about 7 ½", and be uniform on each respective flight, with open back. Treads shall have a min. overhang of about 1".
- All hardware and fasteners in the stair system shall be stainless steel.
- Mounting of Stair System is to be accomplished by pounding solid steel rods (min. Diameter 1 1/4") into the ground deep enough to adequately hold structure up safely.

(Continued on next page.)

Work Requirements

- Before securing materials or performing any work the Contractor shall submit a sketch and descriptions of materials, including photos and/or catalog cuts as applicable, depicting in detail all elements of the layout, design and materials proposed to be provided, for the Town's review and approval.
- Upon 48 hours notice of the Contractor's intent to start on-site work, the Town will close the Guppy Farm Trails parking area to the public, so as to allow for the contractor's unimpeded access to the worksite. Note that this area is not secure, and the Town of Skaneateles will not be responsible for damage or losses to the Contractor's materials, tools or equipment.
- Once started, all on-site work shall be substantially completed within 30 days. All work shall be completed no later than June 1, 2023.
- The contractor shall be responsible for preparation of the work site to accept its work, including any excavation, tree removal, clearing and grubbing. Only those parts of the existing timber stairs necessary for the installation of the replacement stairs need be removed. If existing timber steps are not in the way of the work they may be left in place. All of the existing handrails, handrail posts and hardware shall be removed. All removed materials shall be placed in an accessible location in the parking area and will be removed for disposal by the Town, at no cost to the Contractor.
- Payment of the Contract amount will be made by the Town to the Contractor upon completion of the work and acceptance by the Town. Interim payments will not be made.

Bid Requirements

- It is mandatory that all prospective Bidders visit the site and familiarize themselves with site layout, conditions and dimensions prior to submitting their bid. In submitting their bid, Bidders certify that the person responsible for preparing the bid has made this site visit.
- Bids shall be accompanied by a list (showing owner, location and date of installation) and photographs of at least three (3) previously completed installations using materials and designs similar to those specified to be used herein, along with a sketch and brief description of the installations proposed to be provided under this contract.
- The Contract will be awarded to the responsive and responsible Bidder whose arithmetically correct sum total for both Lower and Upper Systems is lowest.
- The Town reserves the right to award the Contract for both systems or for just one or the other, at the lump sum prices bid for each system, to reject all bids and to waive informalities in bids.
- Questions concerning this contract may be directed to Ken Kaufman, cell: 315-263-3037, email: kenkaufmanpe@gmail.com

Bid Form

The Bidder proposes to provide all labor, material and equipment necessary for the performance of the work specified herein for the following Lump Sum Prices:

LOWER STAIR SYSTEM for a Lump Sum Price of\$ _____

UPPER STAIR SYSTEM for a Lump Sum Price of\$ _____

SUM TOTAL OF LOWER AND UPPER PRICES.....\$ _____

Business name of entity submitting Bid: _____

Address: _____

Printed name and title of person signing for the Bidder _____

Signature of person signing Bid _____ Date _____