

Town of Clymer

PO Box 274
Clymer, NY 14724 Phone:
716-450-0123

Invitation for Bid:

Clymer Sherman Rd Project
Mohawk St. Project
Revised 3/20/2024- To
indicate all new sidewalks
to be 5ft. in width

Bid Issue Date: February 14, 2024

Pre-Bid Meeting Date and Time: March 20, 2024 @ 10:00am

Bid Date and Time: April 9, 2024 @ 7:30PM

Notice to Bidders

The Town of Clymer will receive sealed bids for the replacement of concrete sidewalks along Clymer- Sherman Rd, and Mohawk St. The bids shall be submitted to the Town of Clymer Clerk at 8756 West Main Street, PO Box 274, Clymer, NY 14724, prior to 7:30PM, April 9, 2024 at which time they will be opened and publicly read. Bid packets will be available for in office pick-up, mail by USPS, or email. Business office hours are by appointment.

Phone 716-450-0123.

The office email is clymertownclerk@windstream.net

The Town of Clymer reserves the right to accept or reject any and all bids, to waive any inconsistencies in, or to accept the bid deemed most advantageous to the Town.

Invitation for Bid

The following Forms must be submitted along with this form:

- Bid Form
- Sealed Subcontractor List (as applicable)
- Non-Collusion Bidding Certification
- Affidavit's
- Acknowledgement's

By submission of this bid, the bidder and each person signing on behalf of the bidder certifies that they have read and will adhere to the terms and conditions as proposed in the attached Invitation for Bid and any addendums received for the Clymer Sidewalk Replacement project.

Company Name _____

Signed _____

Printed Name _____

Title _____

E-mail _____

Federal ID No. _____

Project Specifications

Scope

The Town of Clymer is proposing to replace the existing concrete sidewalks along portions of Clymer- Sherman Rd, and Mohawk St. The project will be split into two segments. Segment 1 will include the Western side of Clymer Sherman Rd from the northern wall of Neckers Co to the Harvey Oonk property, a distance of approximately 1,350 feet, of which 110 feet will be new construction. Segment 2 will include the Western side of Mohawk St from Main St to the vicinity of 423 Mohawk St, a distance of approximately 1,235 feet, of which 520 feet will be new construction. Construction must take place no earlier than May 20, 2024 and be completed by November 20, 2024.

Segment 1 – Western side of Clymer Sherman Rd:

The selected contractor will be responsible to perform the following.

- i. Sawcut, demo and remove existing 1300 ft long x 3-ft wide concrete sidewalk.
- ii. Install and compact 6-inch minimum subbase material (approx. 18 C.Y.) to establish new sidewalk and driveway apron grades.
- iii. Set forms to the appropriate grade and cross-slope for all previously mentioned areas.
- iv. Pour concrete and finish 5 ft wide by 4-in thick 4000 psi concrete mix for sidewalks, except that concrete shall be 6-inch thick at aprons and driveways with wire mesh reinforcing.
- v. Install (2) A.D.A. Handicap Accessible Ramps at the intersection of Maple Ave. with detectable warning plates.
- vi. Patch blacktop where required after concrete work is complete and crack fill seams.
- vii. Apply 30-lb sealer for concrete curing purposes.
- viii. All edges shall be tooled with control joints cut (12 ft max for driveways and aprons), equally spaced, and expansion joints where necessary (50-ft max spacing for sidewalks).
- ix. Topsoil and seed any disturbed landscape areas.

Segment 2 – Western side of Mohawk St.:

The selected contractor will be responsible to perform the following.

- i. Sawcut, demo and remove existing 715 ft long x 3-ft wide concrete sidewalk.
- ii. Install and compact 6-inch minimum subbase material (approx. 60 C.Y.) to establish new sidewalk and driveway apron grades.
- iii. Set forms to the appropriate grade and cross-slope for all previously mentioned areas.
- iv. Pour concrete and finish 5 ft wide by 4-in thick 4000 psi concrete mix for sidewalks, except that concrete shall be 6-inch thick at aprons and driveways with wire mesh reinforcing.
- v. Patch blacktop where required after concrete work is complete and crack fill seams.
- vi. Apply 30-lb sealer for concrete curing purposes.
- vii. All edges shall be tooled with control joints cut (12 ft max for driveways and aprons), equally spaced, and expansion joints where necessary (50-ft max spacing for sidewalks).
- viii. Topsoil and seed any disturbed landscape areas.
- IX. Install (2) A.D.A. Handicap Accessible Ramps at the intersection of Willowbrook Dr. with detectable warning plates.

Construction Specifications

1. Sidewalk work based on limited field survey and design. The contractor shall be responsible for field verifying measurements, elevation, and grade and shall coordinate activities with the Town of Clymer.
2. Concrete sidewalks shall meet the applicable specifications for Item 608 in the latest edition of the NYSDOT Standard Specifications.
3. Subbase material shall meet the applicable specifications for Item 304 in the latest edition of the NYSDOT Standard Specifications.
4. Concrete shall be 5ft wide with a 4" minimum thickness (6-in in driveway/apron areas).
5. Grades: Running slopes are measured in the direction of pedestrian travel. Cross slopes are measured perpendicular to the direction of pedestrian travel.
6. The maximum allowable grade for running slope for the sidewalk is 5%.
7. The maximum allowable grade for cross slope for the sidewalk is 2%.
8. The maximum allowable slope for the ADA ramps is 8.33%
9. Ramp transitions between walks, landings, gutters, or streets shall be flush and free of abrupt vertical changes (1/4-in max).
10. The detectible warning field shall be 24-in in the direction of travel and shall extend the full width of the ramp or flush surface, exclusive of side flares.
11. The color of the detectible warning field shall be approved by the Town of Clymer.
12. The detectible warnings shall be located so that the edge or corner of the warning field nearest to the roadway is 5-in to 9-in from the front of the or roadway edge.
13. The contractor shall notify U Dig NY for a utility stakeout in advance of commencing work.

Bid Form

Pursuant to, and in compliance with, the Invitation for Bidders and all Bid Documents, including any Addenda issued to the undersigned prior to the opening of Bids, hereby proposes to furnish all labor, supplies, materials, and equipment incidental to and in strict accord to the provisions of the Bid Documents to the satisfaction and approval of the Village of Bemus Point in accordance with the terms and conditions of the Contract documents the following sum:

- Segment 1 – : \$ _____
- Segment 2 – : \$ _____

Total Bid (Segments 1-2): \$ _____

(written in words)

It is agreed by the undersigned that after receipt of a Notice of Award, he or she will start work immediately upon execution of the contract with the Town of Clymer.

Company _____

Signed _____

Printed Name _____

Title _____

Address _____

Telephone _____

Fax _____

Email _____

Date _____

RESPONSE CHECKLIST

Please note below a list of documents which must be submitted in full as part of this bid. Failure to submit any of the documents as part of your bid or failure to acknowledge any addendum in writing with your bid may be cause for rejection of the bid.

Please check each item indicating your compliance:

THIS CHECKLIST MUST BE SUBMITTED AS PART OF YOUR BID.

_____ RESPONSE CHECKLIST

_____ NON-COLLUSION CERTIFICATE

_____ IRANIAN DIVESTMENT CERTIFICATE

_____ FINANCIAL AFFIDAVIT

_____ AFFIDAVIT OF A FOREIGN CORPORATION

_____ CORPORATE ACKNOWLEDGEMENT CERTIFICATE

_____ EXCLUSION CHECK

_____ BID FORM

_____ REQUIRED FORMS AS LISTED IN THE SPECIFICATIONS AS APPLICABLE

_____ ADDENDUM(S) ACKNOWLEDGE (IF APPLICABLE)

_____ ONE (1) ORIGINAL

_____ INSURANCE CERTIFICATES NAMING THE VILLAGE AS ADDITIONAL INSURED

COMPANY	TELEPHONE NUMBER
ADDRESS	EMAIL ADDRESS
AUTHORIZED REPRESENTATIVE (PRINT)	TITLE
AUTHORIZED SIGNATURE	DATE

NON-COLLUSION BIDDING CERTIFICATION

By submission of this bid, the bidder and each person signing on behalf of the bidder certifies, subject to the terms of Section 103 of the General Municipal Law, as amended, and under penalty of perjury, that to the best of its 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 being disclosed by the bidder prior to the 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.
- (d) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury affirms the truth hereof, such penalties being applicable to the bidder as well as to the person signing in its behalf.

Signature _____

Title _____

STATE OF NEW YORK
COUNTY OF _____)

SS:

On this _____ day of _____, 2024, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he resides at _____ New York: that he is the _____ of _____, the corporation described in and which executed the within instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of said corporation.

Notary Public

INDIVIDUAL, CORPORATION, PARTNERSHIP, OR LLC ACKNOWLEDGE

STATE OF _____ }
COUNTY OF _____ } SS.:

On the day _____ of _____ in the year 20____, before me personally
appeared _____ known to me to be the person who executed the foregoing instrument, who,
being duly sworn by me did depose and say that ___he
resides _____,

Town of _____,

County of _____,

State of _____,

[Mark an **X** in the appropriate box and complete the accompanying statement.]

☐ (If an individual): ___he executed the foregoing instrument in his/her name and on his/her own behalf.

☐ (If a corporation): ___he is the _____
of _____, the corporation described in said instrument; that, by authority of the Board of Directors of said
corporation, ___he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein;
and that, pursuant to that authority, ___he executed the foregoing instrument in the name of and on behalf of said corporation as
the act and deed of said corporation.

☐ (If a partnership): ___he is the _____,
of _____, the partnership described in said instrument; that, by the terms of said partnership ___he is authorized
to execute the foregoing instrument on behalf of the partnership for purposes set forth therein; and that, pursuant to that
authority, ___he executed the foregoing instrument in the name of and on behalf of said partnership as the act and deed of said
partnership.

☐ (If a limited liability company): ___he is a duly authorized member of _____
LLC, the limited liability company described in said instrument; that ___he is authorized to execute the foregoing instrument on
behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, ___he executed the
foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability
company. _____

Notary Public

Registration No.

AFFIDAVIT OF FOREIGN CORPORATION

STATE OF _____)
COUNTY OF _____) ss:

I, _____, as _____ of _____, Inc., a corporation, incorporated under the laws of _____, authorized to do business in New York, do hereby certify and affirm that _____, Inc., has complied with Article 13 of the Business Corporations Law of the State of New York.

As proof I submit a copy of:

_____ A receipt of filing an application to do business in New York Secretary of State; or

_____ A copy of our application for authority to do business in New York filed with the Secretary of State on _____, 20__.

As said corporation has complied with Article 13 of the Business Corporations Law of the State of New York, I hereby swear and affirm that _____, Inc., is authorized to do business in the State of New York.

Under penalties of perjury, I declare that the facts presented are true, correct and complete.

In witness whereof, I set my hand and attach the corporate seal this _____ day of _____, 2021.

Title

Business Corporation Law of New York, Section 102 (7):

"Foreign Corporation" means a corporation ... formed under laws other than the statutes of (New York) ...
"Authorized," when used with respect to a foreign corporation, means having authority, under Article 13 (Business Corporation Law) to do business in this state.

IRANIAN DIVESTMENT CERTIFICATION

**Certification Pursuant to Section 103-g
Of the New York State
General Municipal Law**

- A. By submission of this bid/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 is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law. Such list can be found on the website of the office of general services, <http://ogs.nt.gov/default.asp>.

Date

Company Name

Signature

Title

On January 13, 2012, Chapter 1 of the Laws of New York for 2012 was signed into law by Governor Andrew M. Cuomo. The law is known as the "Iran Divestment Act of 2012" (the "Act") and can be found at § 165-a of the NY State Finance Law. The Act became effective on April 12, 2012. The Act imposes limitations on "persons" that are determined to be engaged in investment activities in the Iranian energy sector, as defined in the Act.

On July 17, 2012, Governor Cuomo signed into law Chapter 106 of the laws of 2012, which extended the Iran Divestment Act to State and local public authorities, the State University of New York, and the City University of New York.

EXCLUSION CHECKS

The Town of Clymer reserves the right to conduct exclusion checks on those who respond to its solicitations and on those with whom it contracts to verify that the contractor and its employees, subcontractors, and agents have not been sanctioned, excluded, debarred, suspended, or the subject of adverse governmental action by law enforcement, regulatory authorities, or licensing entities. This may include a check for exclusion from Federal healthcare programs. By submitting this proposal, you are: certifying that you are not prohibited from providing these services and/or goods as a result of being sanctioned, debarred, suspended, or excluded; agreeing that the Town has the right to decline to enter into a contract with you in the event the Town finds there to be a legal or funding source impediment to contracting with you; agreeing to provide written notice to the Village immediately upon the occurrence of any sanction, exclusion, debarment, or suspension relating to your contract with the Town; and agreeing that upon the occurrence of any such sanction, exclusion, debarment, or suspension, the Town has the right to declare its contract with you to be terminated effective as of the moment of such occurrence or at such later date as is deemed by the Town to be in the best interest of the Town.

Name of Business

Authorized Signature

Printed Name

Date

AFFIDAVIT OF FINANCIAL RECORDS

STATE OF _____

AFFIDAVIT

ss: (corporate)

COUNTY OF _____

_____, being duly sworn, deposes and says

that I have made a complete and thorough examination of the financial records

of said firm; and that I have determined that said firm is currently not in arrears in taxes

or upon debt or contract to or with the Village of Bemus Point, that said firm has not

defaulted as surety or otherwise upon a contract or obligation to the Town of Clymer, and that said firm is not disqualified to bid upon municipal or state contracts under any act of New York State Legislature.

Sworn to before this _____

Day of _____, 2024

NOTARY PUBLIC

INSTRUCTIONS TO BIDDERS

Enclosed with these Instructions are:

- (a) A Copy of the Public Notice identifying goods and/ or services being sought and specifying the date, time and location of receipt and examination of bids by the Town of Clymer;
- (b) Specification(s) for item(s) on which bids are being solicited; and
- (c) Non-Collusion Bidding Certification, Affidavit of Financial Records and Certification Pursuant to Section 103-g, all of which must be completed and returned with each bid submitted. Product Data Sheets must also be submitted when applicable.

1. Bidders are responsible for submitting their bids to the appropriate location at or prior to the date and time set forth in the bid documents. **No bids will be accepted after the designated date and time.** Delay in mail delivery is not an exception to this rule. **BIDS WILL NOT BE ACCEPTED VIA FACSIMILE OR E-MAIL.** Bids which are not timely submitted will be returned unopened.
2. Proposals must be submitted in a sealed envelope plainly marked with the title of the bid and the proposal number. Bidder's name and complete mailing address must be included on the outside of the envelope.
3. As set forth in General Municipal Law §109, bid awards may not be assigned, transferred, conveyed, sublet or otherwise disposed of without County's express written consent.
4. **NYS Prevailing Wage Rates:** NYS Prevailing wage rates may apply and successful contractor must make available to their employees the wage rates in accordance with the directions contained in the official schedule. Further, successful contractor must submit to the Town along with each invoice certified payroll records for the work being billed and the Town will keep these records on file for there (3) years. The Town will provide the successful Bidder upon request the NYS Prevailing Wage Rate schedule specific to this contract upon award. Or the vendor my download the schedule on the website at <http://labor.ny.gov/workerprotection/publicwork/OWSaccess.shtm>. Contractors are responsible to obtain the current wage rate for the Trade being bid by contacting the regional office in Buffalo NY at (716)847-7159 or on the website referenced above
THE SCHEDULE NUMBER FOR THIS BID IS: PRC#XXXXXX.
5. The enclosed bid forms must be used and may not be substituted, amended, or altered. Bids submitted that are not on the enclosed forms will not be considered. All bid documents must be submitted for each bid, and must be signed by an authorized individual. Documents with a place for a notary signature must be notarized.
6. The contract term will be May 20 to November 30, 2024.
7. The Town of Clymer reserves the right to terminate this contract for any reason in whole or in part upon thirty (30) days written notice to the successful contractor. The Town also reserves the right to cancel the contract immediately or breach or non-performance.

8. Negligence on the part of the bidder in preparing his or her bid confers no right for the withdrawal of the bid after it has been opened. Any bidder, upon his or her properly notarized written request, will be given permission to withdraw his or her bid not later than the time of opening. At the time of opening bids, when such bid is included, it will be returned to the bidder unopened.
9. Pursuant to General Municipal Law, Section 105, a contractor may not withdraw his or her bid within forty-five (45) days after bid opening.
10. Award will be made to the lowest responsive bidder.
11. Following the Notice of Award, the contractor shall procure, execute, and deliver, at its own expense, until final completion, proof of insurance naming the Town as additional insured, and performance and payment bonds submitted by a surety company authorized to do business in the State of New York as a Surety.
12. The contractor shall not perform any work pursuant to the agreement, and shall not be entitled to any payment until the Town is in possession of the executed contract and all requested nob certificates.
13. The Performance Bond shall be in an amount not less than 100% of the total amount payable to the contractor by terms of the contract.