

Book No. _____

CITY OF ONEIDA

BID ON
LIQUID ZINC
ORTHOPHOSPHATE
&
LIQUID
POLYPHOSPHATE

SUBMITTED BY: _____

City of Oneida
109 North Main Street
Oneida NY 13421

2018

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ADVERTISEMENT - INVITATION TO BID

Pursuant to a Common Council resolution dated November 8, 2017, the City of Oneida, New York requests bids for the purchase of: 35,000 gross pounds (wet pound) of **Liquid Zinc Orthophosphate** and 5,000 gross pounds (wet pounds) of **Liquid Polyphosphate** to be delivered as required to the City of Oneida Water Treatment Plant, 10176 Glenmore Road, Taberg, New York.

The material upon which the bidders submit proposals must conform to the specifications prepared by the Water Superintendent and may be obtained from the Purchasing Agent.

Bids are to be sealed and marked on the envelope "Bid on Liquid Zinc Orthophosphate and Liquid Polyphosphate". Bids shall be mailed or delivered to Mrs. Lee Ann Wells, City Comptroller, 109 North Main Street, Oneida, New York and must be in her office not later than 11:30 A.M., December 7, 2018, at which time they will be opened and read aloud.

A certified check or bid bond of 5% (five percent) of the amount of the bid, made out to the City of Oneida, New York must accompany each bid as a sign of good faith on the part of the bidder in the performance of his contract. The check of the successful bidder will be retained by the City until completion of the contract.

The City of Oneida is exempt from the payment of sales and compensating use taxes of the State of New York and of cities and counties thereof on all materials, equipment and supplies sold to the owner pursuant to this contract. These taxes are not to be included in the bid.

The City of Oneida reserves the right to revise or amend the specifications prior to the date set for opening of bids. Such revisions and amendments, if any, will be announced by addenda to this advertisement.

This Invitation to bid is also considered as a part of the specifications and shall be complied with in all respects. The Common Council of the City of Oneida reserves the right to reject any or all bids not in the best interest of the City.

Date

Mrs. Lee Ann Wells
City Comptroller

INSTRUCTIONS TO BIDDERS

1. Sealed bids will be received by the Purchasing Agent, Oneida City Hall, 109 North Main Street, City of Oneida, New York, in accordance with the published advertisement.
2. The sealed bids, subject to the conditions contained herein, will then be publicly opened and read aloud. Bidding sheets are to be returned in the specifications book and all bidding must be on the forms furnished.
3. Damages for delay - This clause will be inserted in the contract with the vendor: "The vendor agrees to make no claim for damages for delay occasioned by an act or omission of the City of Oneida, New York."
4. All delivery charges must be included in the bid price.
5. No combination bid on any units will be accepted and each unit must be bid separately.
6. Any material delivered by the Vendor which is not in accordance with the specifications or is otherwise unsatisfactory, in the opinion of the department, may be retained and if necessary used, until it is replaced with satisfactory material.
7. Except for causes not in the control of the Vendor, no request for postponement of the delivery, or completion, shall be considered; any initiative in such respect being reserved for the City of Oneida.
8. When specified a certified check must accompany the bid made payable to the City of Oneida Chamberlain. Failure to submit a certified check when specified will result in automatic disqualification of bid.
9. The City is not subject to tax; City will sign exemption certificate when required.
10. All deliveries and installations must be completed by date specified; if a date is specified in the specifications.
11. The City reserves the right to make such investigations as deemed necessary to determine the ability of the bidder to perform the work, and the Bidder shall furnish to the City such information and date for this purpose as may be requested, including, but not limited to, the name and address of the manufacturer of the articles quoted on. The City reserves the right to reject any bid if the evidence submitted by/or the investigation of such Bidder is properly not qualified to carry out the obligations of the bid or to complete deliveries contemplated therein.

12. The City reserves the right to consider informal a bid not prepared and submitted in accordance with the provisions of these specifications or to waive informalities in any bid received. The City also reserves the right to reject any and all bids as the best interest of the City may require.
13. A successful bidder upon his failure or refusal to execute a Performance Bond, if required, within five days after he has been notified or the acceptance of his bid, shall forfeit to the City as liquidated damages for such failure or refusal, any security deposited with his bid.
14. No Bidder may withdraw his bid within forty-five days after the bids are opened, but may withdraw it at any time prior to the scheduled closing time for the reception of bids.
15. Alternate proposed items shall fulfill the requirements of the basic specifications in function, type, materials, construction, color and finish. If bid differs from the specifications, brochures or cuts should be submitted with the bid.
16. In submitting this bid, the Bidder declares that he is, or they are, the only person or persons interested in said bid, that it is made without any connection with any person or persons making another bid for the same materials; that the bid is in all respects fair and without collusion, fraud or mental reservation; and that no official of the City or any person in the employ of the City is directly or indirectly interested in said bid or in any portion of the profits thereof.
17. The Vendor or Bidder to whom a contract shall be let, granted or awarded is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of the same, or his right, title or interest therein, or his power to execute such contract to any other person or corporation, except as provided in section 109, General Municipal Law.
18. No bid for materials, supplies equipment or services may be accepted from or a contract awarded to any person who is in arrears in taxes upon debt or contract to or with the City or who has defaulted as surety or otherwise upon a contract or obligation to the City, or who may be otherwise disqualified under any act of the legislature not inconsistent with the Charter of Code.

Proposal
CITY OF ONEIDA, NEW YORK

To the Common Council:

The undersigned declares that _____ are/is the only person (s) interested in this bid, that it is made without any connection with any person making another bid for the same contract, that the bid is in all respects fair, and without collusion or fraud, and that no member of the Common Council or other Officer of the City of Oneida or any person in the employ of said City, is directly or indirectly interested in this bid or in the supplies or works to which it relates or in any portion of the profits thereof.

_____ agrees to supply Liquid Zinc Orthophosphate and Liquid Polyphosphate according to specifications prepared by the Water Superintendent for the following amount:

Liquid Zinc Orthophosphate	
Estimated Quantity: 35,000 Gross Lbs. (Wet Pounds) Delivery Point: Oneida Water Plant, 10176 Glenmore Road, Taberg NY 13471	
Unit Price Per Lbs. \$ _____	
Total Bid Price 35,000 Gross Lbs. (Wet Pounds)	
\$ _____	
Figures	(Written in Words)
Liquid Polyphosphate	
Estimated Quantity: 5,000 Gross Lbs. (Wet Pounds) Delivery Point: Oneida Water Plant, 10176 Glenmore Road, Taberg NY 13471	
Unit Price Per Lbs. \$ _____	
Total Bid Price 5,000 Gross Lbs. (Wet Pounds)	
\$ _____	
Figures	(Written in Words)

Grand Total of Bid

Grand Total of Bid for Liquid Zinc Orthophosphate and Liquid Polyphosphate

\$ _____
Figures (Written in Words)

Amount of certified check of bid bond enclosed \$ _____.

Signature of person of firm
Submitting bid:

Phone #(____)____ - _____

Fax #(____)____ - _____

Email: _____

P.O. Address

Dated:

NOTE: Enclose AWWA Affidavit of Compliance.

**NON-COLLUSIVE BIDDING CERTIFICATION
(See General Municipal Law Section 109-D)**

The following section is an excerpt from General Municipal Law.

a) By submission of this bid, each Bidder, and each person signing on behalf of the Bidder, certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty or perjury that to the best of their 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 the 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.

b) A bid shall not be considered for award nor shall any award be made where (a) (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 (a) (1) (2) and (3) above have not been complied with the bid shall not be considered for award nor shall an award be made unless the Purchasing unit of the political subdivision, public department, agency or official 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 of subparagraph one (a).

1) 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 service performed, to be performed or goods sold or to be sold, where the 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 of the certification as non-collusion as the act and deed of the corporation.

This is to certify that we have not been disqualified to contract with any municipality and we are in a position to accept any contract subject to the provisions of Section 103-d of General Municipal Law.

The foregoing statement is affirmed as true under penalty of perjury.

(S) _____
Legal Name of Person, Firm, or Corporation

Title _____

Date _____

(Corporate seal, if any)

If no seal write
"No Seal" across this place and sign.

(This form must be completed prior to the submission of the Bid)

General Specification

Liquid Zinc Orthophosphate and Liquid Polyphosphate shall be shipped to the City of Oneida Water Treatment Plant, 10176 Glenmore Road, Taberg, New York when called for during 2018.

The successful bidder shall arrange to deliver in quantities as ordered.

The prices bid per gross pound of Liquid Zinc Orthophosphate and Liquid Polyphosphate shall include all shipping costs to the Water Treatment Plant.

The quantities mentioned in the advertisement and in the bid are approximate. The City of Oneida retains the privilege to increase or decrease the amount without any adjustments to the bid price.

Federal and State taxes are not to be included in the bid price, as the City is exempt from all such taxes.

The City of Oneida reserves the right to extend the contract under the same terms and conditions for a one (1) year period from the date of expiration provided such extension is mutually agreeable to both the City and the Contractor.

If not on file the apparent low bidder within seven (7) days of bid opening shall complete and submit to the City a Water Treatment Chemical (WTC) Usage Notification Requirements for SPDES Permittees form (NYS DEC Form WTCFX). The City of Oneida will complete section 1a and 2-9 and 14. The apparent low bidder shall complete items 1b, 10-13 and 15. Failure to complete and submit form within stated time period are grounds for rejection of bid.

Method of Award: Liquid Zinc Orthophosphate and Liquid Polyphosphate will be ordered from the lowest responsible bidder based upon the Grand Total of Bid.

Liquid Zinc Orthophosphate

The Liquid Zinc Orthophosphate shall be delivered in liquid form in 30 gallon plastic drums. Normal order quantities will be approximately 25 drums per shipment.

The Liquid Zinc Orthophosphate shall comply with all applicable requirements of EPA, New York State Department of Health and AWWA standards for potable water use. The vendor will furnish an Affidavit of Compliance with this standard with the bid.

The Liquid Zinc Orthophosphate shall contain approximately 36% phosphate (as PO₄) and 12% zinc (as Zn) by weight.

Liquid Polyphosphate

The Liquid Polyphosphate shall be delivered in liquid form in 30 gallon plastic drums. They shall be ordered and delivered in conjunction with a Liquid Zinc Orthophosphate order.

The Liquid Polyphosphate shall comply with all applicable requirements of EPA, New York State Department of Health and AWWA standards for potable water use. The vendor will furnish an Affidavit of Compliance with this standard with the bid.

The Liquid Polyphosphate shall contain approximately 36% phosphate (as PO₄) by weight.