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Commissioner

**TOWN OF GREENBURGH
DEPARTMENT OF PUBLIC WORKS**
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Greenburgh Recycles
RICHARD C. FON
Superintendent of Public Works

NOTICE TO BIDDERS

**2016 ANNUAL BID FOR
EMERGENCY SEWER, WATER and STREET
EXCAVATION, REPAIR AND RESTORATION SERVICES**

**TOWN OF GREENBURGH
DEPARTMENT OF PUBLIC WORKS**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk of the Town of Greenburgh, until the deadline of **11:00 a.m. on Tuesday, March 15, 2016** at the Office of the Town Clerk, 177 Hillside Avenue, Greenburgh, New York 10607, at which time and place all received sealed bids will be publicly opened and read aloud for the furnishing and/or installing of the following:

**EMERGENCY SEWER, WATER and STREET
EXCAVATION, REPAIR AND RESTORATION SERVICES**

No bids will be considered after the date and time stated above. Specifications and Bid Proposal Forms may be obtained at the Office of the Commissioner of Public Works, 177 Hillside Avenue, Greenburgh, New York 10607, on www.empirestatebid.com and www.greenburghny.com, after Friday, February 19, 2016. To be considered, all bids must be submitted in a sealed envelope bearing the name and address of the bidder and clearly marked **“2016 ANNUAL BID FOR EMERGENCY SEWER, WATER and STREET EXCAVATION, REPAIR AND RESTORATION SERVICES”**.

Please note bidders must submit statement of Non-Collusion in accordance with Section 103-D of the Municipal Law. Omission of this item will result in rejection of the bid.

The Town Board of the Town of Greenburgh reserves the right to accept or reject any or all bids and to waive any informalities at their discretion, and to award contracts in a manner deemed to be in the best interests of the Town of Greenburgh even if such award is to other than the lowest bidder. All questions shall be directed to the Commissioner of Public Works at (914) 989-1575.

Judith A. Beville
Town Clerk
Town of Greenburgh

Dates of Publication: February 19, 2016



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REPAIR AND RESTORATION SERVICES
Town of Greenburgh, NY**

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Town of Greenburgh, NY**

INSTRUCTIONS TO BIDDERS

All of the materials / services specified in these detailed specifications shall be delivered as specified and as directed by the Commissioner of Public Works, and in any quantity.

The Town of Greenburgh is a tax exempt municipality. All bids submitted shall be exclusive of any sales, excise or other taxes, for delivery to a tax exempt municipality. Bids shall be valid for all work throughout the year. Wage rates paid must be in compliance with the NYS Department of Labor and in accordance with the prevailing wage rates and provisions in effect at the time the work is performed.

A bidder certifies, by submitting a bid, that the business is properly and duly licensed to provide Excavation Contracting service work and shall provide a copy of the appropriate general contracting license with the bid.

Additional information concerning the items requested in this bid may be requested from the office of the Commissioner of Public Works. To be considered, any question or comment must be received in writing at least five (5) days prior to the bid opening.

A bidder certifies, by submitting a bid, that the business is current in the payment of all franchise and other taxes due the State of New York. Bidder further certifies that no officer, director or stockholder (if less than 10 stockholders) of the bidder is an officer or employee of the Town or a relative of any such Town officer or employee. If such officer, director or stockholder does exist, their names and relationships must be disclosed to the Town.

The successful bidder must provide the Town with a certificate issued by the Secretary of the State that the Corporation is duly authorized to do business within the State of New York and is presently in good standing. If the entity to whom the bid is awarded is not a corporation, the entity's certificate of doing business shall be provided with the bid.

Yearly quantities where listed, are only an estimate, not a guarantee of quantity to be expected. No guarantee is made for any work. This contract is for anticipated work and emergency service. No prediction can be made on the number or nature of any call that may be placed or services needed throughout the year. The Town reserves the right to choose any service option that is determined to serve the best interests of the Town.

The Town may seek and award this service contract more than one contractor, if it is determined to be in the best interests of the Town for work that may occur during the year. However, the Town will only choose a single contractor for per project.



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EMERGENCY EXCAVATION SERVICE

The Town of Greenburgh desires to engage a licensed Excavating Contractor company on an annual basis to perform emergency excavation and repairs of defects causing dangerous conditions found in the Town owned and operated utilities and roadways, as directed by the Commissioner of Public Works for work within the Town of Greenburgh. The awarded Contractor must be able to respond within 4-hours of receiving notice from the Town of an emergency.

SCOPE OF WORK

The Town of Greenburgh seeks to retain the services of an excavation & utilities Contractor, for the purpose of providing emergency excavation and repairs of defects causing dangerous conditions found in the Town owned and operated utilities and roadways, on an annual basis. Contractor services will generally be performed on the Town's sanitary sewer, water, storm water utilities and roadways, under the direction of the Department of Public Works. Due to the varied nature of emergencies, response timing and corresponding material and equipment repair requirements, this contract seeks to compensate on a time and material basis.

Prospective Bidders must demonstrate experience in both roadway and underground utility repair projects, and possess the equipment, material resources and personnel expertise to immediately respond (within 4 hours) with sufficient equipment and manpower to stabilize and secure the roadway, or utility area impacted by the defect, provide and maintain emergency utility service, and make immediate repairs as required and appropriate as directed by the Town. Prospective Bidders must demonstrate evidence of competency by submitting the following information for consideration:

- A listing of available equipment & manpower;
- A listing of similar work experience and references;
- Manpower and equipment hourly rate schedule.
- Contractor is required to adhere to all labor laws and pay prevailing wage requirements.
- A percentage applied to the Total project costs (excluding material) shall be applied for overhead and profit. This must be identified in the contract and will be included in the evaluation of bids.
- Billing shall include all invoices for material that may be used and complete payroll data for full documentation of wages and benefits paid.

The awarded vendor shall be responsible for all aspects of the excavation and repair at locations identified by the Town. This work shall include an initial visit to assess the job with a representative of the Town Department of Public Works, contacting the One-Call Center to mark underground utilities; excavating using approved proper excavation techniques (including sheeting & shoring as necessary) to expose the damaged sewer, drain or water utility pipe; removing and disposing of excavated material; using the appropriate materials to make the sewer, drain or water



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repairs; backfilling with select material (NYS DOT Standards): sub-grading; applying appropriate base and pavement material to match existing street; replacing footway; and/or driveway as necessary; and restoration of grass areas as necessary.

WAGE RATES

Sites for excavation and repair services may be required at any time or location within the Town. The Contractor shall follow all applicable labor rates and include in the given pricing, rates for regular time, overtime, and holiday rates as per the NYS Department of Labor wage rates and standards for the appropriate class of work. The Town cannot guarantee the volume of work in this contract. History suggests at least one project per year, of complexity that may require several days work. Estimated quantities, where provided in the bid are given for bid evaluation purposes and are not to be considered binding on the Town. The Contractor shall provide hourly wage rates for the work crew: Supervisor, Foreman, Equipment Operators, Truck Drivers, Skilled Workers, Flaggers, and Laborers. NYS Prevailing Wage Rates shall apply. A percentage applied to the Total project costs (excluding material) shall be applied for overhead and profit. This must be identified in the contract and will be included in the evaluation of bids.

REPAIR OPERATIONS

The Contractor shall make all repairs with the utmost diligence and care. The objective is to make permanent repairs to the sewers, drains and water pipes and restore traffic areas so to avoid undue risk and inconvenience to the public. The Contractor shall establish maintenance and protection of traffic measures promptly in accordance with the most recent revision or amendment to the NY MUTCD standard specifications and acquire all Street Opening and Highway Occupancy permits as may be required. The contractor shall at all times in the performance of this contract, comply with the requirements of the Occupational Safety and Health Act of 1970 (OSHA), as amended. Repairs shall follow generally accepted construction standards, AWWA standards for water utilities, and the NYS DOT specifications as may be appropriate and as directed by the Town Engineer. Work may include confined space entry and also trench excavation requiring shoring. The Contractor must provide documented evidence of competency of personnel for confined space entry and shoring techniques. Excavations may range in depth from 4-feet to 30-feet (but may be more or less, depending on exact site conditions) and may include work on state roadways, such as NYS 100, 100A, 100B as well as all local roadways.

The Contractor is responsible for the hauling and disposal of excavated material, and shall include in the price bid, a per yard cost of disposal of non-contaminated excavated material to an appropriate permitted location of the Contractors choice. The Contractor will be expected to provide all repair pipes, clamps, and appurtenances and provide receipts to the Town for all material used in the work as ordered by the Town Engineer. The Town reserves the right to require the Contractor to seek competitive pricing, if doing so is in the best interests of the Town.

Any materials used on the project, such as wood shoring, additional pipe, or appurtenances and paid for by the Town become the property of the Town upon project completion.



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EQUIPMENT RATES

Contractor shall provide hourly rates for excavation equipment, utility repair equipment, trucks, pumps, light towers, and other equipment expected in the emergency repair of water, storm and sewer pipes in sizes ranging from 2” to 36” for water mains, 6” to 24” for sewer pipes, and 8” and larger for storm drainage. Note above sizes are estimates only and actual sizes may be different.

BID / PROPOSAL PRICING

An "Hourly Rate" bid is requested for regular business days between the hours of 7:00 a.m. to 4:00 p.m. An "Overtime Emergency Rate" bid is requested for time worked in excess of an eight hour day. An "Emergency Weekend Rate" bid and "Holiday Rate" bid are also requested. The successful bidder shall respond to emergencies within a reasonable time 24 hours per day, 365 days per year. For the purposes of this contract, response is expected within 4-hours of a call.

The hourly wage rate bid shall be inclusive of all travel time, travel charges and miscellaneous expenses.

BID PROPOSAL CHECK LIST

- Hourly Wage rates
- Equipment hourly rates
- % applied to the Total project costs (excluding material) for overhead and profit
- Identification of Competent person for confined space and shoring
- Listing of Experience
- Cost for excavated material disposal, per yard.

AWARD BASIS

To determine award of the services, the Town will review the hourly labor and equipment rates and chose the combination that best, in the opinion of the Town, meets anticipated needs. Resulting choice may not necessarily be to the lowest cost.



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Bid Proposal Form

**2016 ANNUAL BID FOR EMERGENCY SEWER, WATER and STREET
EXCAVATION, REPAIR AND RESTORATION SERVICES
Town of Greenburgh, New York**

The Town of Greenburgh
Office of the Town Clerk
177 Hillside Avenue
Greenburgh, New York 10607

1. I/We hereby declare that I/We have carefully examined the Notice to Bidders, the Specifications and Requirements and documents for the above entitled materials and supplies.
2. I/We do hereby offer and agree to furnish all materials, to fully and faithfully perform and execute all work in the above titled matter in accordance with the related Specifications and Requirements. I/We will furnish all labor, tools, implements, transportations and materials necessary and proper for the purpose(s) and for the price(s) set forth on the bid forms.
3. I/We do hereby declare that the prices so stated cover all expenses of every kind incidental to the completion of said work, and the contract therefore, including all claims that may arise through damages or any other cause whatsoever.
4. I/We do hereby agree that I/We will execute a contract therefore, containing all terms, conditions, provisions and covenants necessary to complete the work according to the Specifications and Requirements on written notice by the Town of Greenburgh that the contract has been awarded by the Town.
5. I/We hereby affirm that 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 certifies as to its organization, under the penalty of perjury, that to the best of 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; and
 - 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 be disclosed by the Bidder prior to 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 person, partnership or corporation to submit or not submit a Bid for the purpose of restricting competition.



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- d. No member of the Town Board, or officer, or employee of the Town of Greenburgh, or person whose salary is payable in whole or in part by the Town is or shall become interested as a contracting party, partner, stockholder, surety, or otherwise, in this Bid or in the performance of this Contract, or in the supplies, materials, or equipment and work or labor to which it relates, or in any portion of the profits thereof.
6. I/We hereby agree that this proposal is a firm Bid and shall remain in effect for a period of at least forty five (45) calendar days from the Bid-opening subject to extension on mutual agreement.
7. I/We declare that if this is a Corporate Bid I/We have been duly authorized to act as the Signatory on this proposal on behalf of this Corporation.
8. I/We affirm, under penalty of perjury, that all statements in this proposal are true and correct.
9. I/We hereby agree that I/We accept the prices set forth on the following pages for the various items of work.
10. All work shall be completed as specified within the Specifications and Requirements, which are understood to include all documents attached hereto.

Legal Name of Person, Firm or Corporation

Signed

Title



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NON-COLLUSIVE BIDDING CERTIFICATE

Made pursuant to Section 103-d of the New York State General Municipal Law, as amended by the Laws of 1966.

1. 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 his 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; and
 - 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 be 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.

2. A bid shall not be considered for award nor shall any award be made where Sections 1, (a), (b), and (c) 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 that sets forth in detail the reasons therefore. Where Sections 1 (a), (b), and (c) 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 Town of Greenburgh thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

Dated: _____, 2016

(Seal of Corporation)

Legal Name of Person, Firm or Corporation

Street

City, State, Zip

_____ Signed	_____ Title
() _____	() _____

E-Mail _____

_____ Phone	_____ Fax
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