

**SECTION 00 4120**  
**BID FORM CONTRACT #3 HVAC**

**THE PROJECT AND THE PARTIES**

**TO:**

PORT CHESTER-RYE UFSD  
113 Bowman Avenue:  
Port Chester New York 10573

**FOR:**

Flood Repairs and Related Work  
JFK Elementary School, 40 Olivia Street  
Port Chester, NY 10573

**DATE:** \_\_\_\_\_ (**Bidder to enter date**)

**SUBMITTED BY:** \_\_\_\_\_

Bidder's Full Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Contact Individual and Telephone No. \_\_\_\_\_

**1.1 OFFER**

- A. Having examined the Place of The Work and all matters referred to in the Bidding Requirements and the Contract Documents prepared by Fuller and D'Angelo P.C. for the above mentioned project, we, the undersigned, hereby offer to enter into a Contract to perform Contract No. 3 HVAC Work for the Sum of:

1. **BASE BID**

- a. The Base Bid of this Proposal for all work required by the Contract Documents for Contract No. 3 HVAC is as follows:

\_\_\_\_\_  
(\$ \_\_\_\_\_) DOLLARS

2. **TOTAL UNIT COST ALLOWANCES**

- a. The Total Unit Cost Allowance as indicated in Section 01 2100 - Allowances is as follows:  
Fifteen Thousand \_\_\_\_\_ (\$15,000.00) DOLLARS

**Note: Attach Section 01 2100 - Allowances itemized contingency list to bid proposal.**

\_\_\_\_\_  
(\$ \_\_\_\_\_) DOLLARS

B. **TOTAL BASE BID**

1. The Total Base Bid of this Proposal for all work required by the Contract Documents for Contract No. 3 Heating, Ventilation and Air Conditioning and Related Work work is as follows:

\_\_\_\_\_  
\$ \_\_\_\_\_), DOLLARS

(The Total Base Bid is sum of 1.1.A.1.a and 1.1.A.2.a)

- C. The undersigned further understands and agrees that he is to furnish and provide all the necessary material, machinery, plant, implements, tools, labor, services, skill and other items of whatever nature required, and to do and perform all the work necessary under the Contract, to complete the work in accordance with the drawings and specifications and any addenda thereto, and to accept in full compensation therefore the amount of the Total Base Bid stated, modified by such additive- or deductive alternatives, if any as are accepted by the Owner.

- D. We have included the required security Bid Bond as required by the Instruction to Bidders.

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- E. All applicable federal taxes and New York taxes are included in the Bid Sum.
- F. All Allowances described in Section - 01 2100 - Allowances are included in the Bid Sum.

**1.2 ACCEPTANCE**

- A. This offer shall be open to acceptance and is irrevocable for forty-five (45) days from the bid closing date.
- B. If this bid is accepted by Port Chester-Rye UFSD within the time period stated above, we will:
  - 1. Execute the Agreement within five (5) days of receipt of Notice of Award or five (5) days following receipt of Contract, whichever is later.
  - 2. Furnish the required bonds within with the executed Contract.
- C. If this bid is accepted within the time stated, and we fail to commence the Work or we fail to provide the required Bond(s), the security deposit shall be forfeited as damages to Port Chester-Rye UFSD by reason of our failure, limited in amount to the lesser of the face value of the security deposit or the difference between this bid and the bid upon which a Contract is signed.

**1.3 REJECTION OF BIDS**

- A. The undersigned agrees that the Owner shall have the right to accept or reject any or all bids.

**1.4 CONTRACT TIME**

- A. If this Bid is accepted, we will:
  - 1. Complete all the work covered by this Proposal with a commencement date of NO EARLIER THAN Notice of Award by Owner. Work shall be phased as indicated in 01 1010 Milestone Schedule. Failure to complete each phase of work by dates indicated will result in liquidated damages as stated in the AIA 201-2017 General Conditions of the Contract.

**1.5 UNIT COST ALLOWANCES**

- A. The Unit Cost Allowances for this Proposal required by the Contract Documents are listed in Section 01 2100 - Allowances and is attached to the bid proposal.

**1.6 CHANGES TO THE WORK**

- A. Refer to AIA 201-2017 General Conditions of the Contract Article 7.

**1.7 ADDENDA**

- A. The following Addenda have been received. The modifications to the Bid Documents noted below have been considered and all costs are included in the Bid Sum.
  - 1. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_.
  - 2. Addendum # \_\_\_\_\_ Dated \_\_\_\_\_.

**1.8 BID FORM SUPPLEMENTS**

- A. The following information is included with Bid submission:
  - 1. Bid Security.
  - 2. Section 00 4401 - Qualification of Bidders.
  - 3. Section 00 4402 - Hold Harmless Agreement.
  - 4. Section 00 4460 - Certification of Compliance With the Iran Disinvestment Act OR
  - 5. Section 00 4470 - Declaration of Bidder's Inability to Provide Certification of Compliance with the Iran Divestment Act.
  - 6. Section 00 4476 - Insurance Certification.
  - 7. Section 01 2100 - Allowances:

**1.9 NON-COLLUSIVE BIDDING CERTIFICATION**

- A. By submission of this bid or proposal:

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1. The undersigned bidder and the person or persons signing on behalf of the bidder, and should this bid be a joint bid, each party thereto, certifies as to its own organization, under penalty of perjury, that to the best of his/her 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 be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor.
  - 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.

**1.10 BIDDER'S FURTHER AFFIRMATION AND DECLARATION**

- A. The above name bidder and should this bid be a joint bid each party thereto, further affirm and declares:
  1. That said bidder is of lawful age and the only one interested in this bid; and that no other person, firm or corporation, except those herein above named, has any interest in this bid or in the contract proposed to be entered into.
  2. That this bid is made without any understanding, agreement or connection with any other person, firm, or corporation making a bid for the same work, and is in all respects fair and without collusion or fraud.
  3. That said bidder is not in arrears to the Port Chester-Rye UFSD upon debt or contract, and is not a defaulter, as surety or otherwise upon any obligation to the said Port Chester-Rye UFSD
  4. That no member of the Port Chester-Rye UFSD or any officer or employee of the Port Chester-Rye UFSD or person whose salary is payable in whole or in part from the Port Chester-Rye UFSD treasury, or the spouse of any foregoing is or shall be or become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise, in this bid, or in the performance of the Contract, or in the supplies, materials or equipment and work or labor to which it relates, or in any portion of the profits thereof.
  5. That he/she has carefully examined the site of the work and that, from his/her own investigations, he/she has satisfied him/herself as to the nature and location of the work, and character, quality and quantity of materials, and all difficulties likely to be encountered, the kind and extent of equipment and other facilities needed for the performance of the work, the general and local conditions, and all other items which may, in any way, affect the work or its performance.
  6. That if a corporation, this bid or proposal containing the Non-Collusive Binding Certification and the foregoing Affirmation and Declaration has been authorized by the Board of Directors of such Corporation, which authorization includes the signing and submission of this bid or proposal and the inclusion therein of the said Certificate of Non-Collusion and Affirmation and Declaration as the Act and Deed of the Corporation.

**1.11 BID FORM SIGNATURE(S)**

The Corporate Seal of

\_\_\_\_\_  
(Bidder - print the full name of your firm)

was hereunto affixed in the presence of:

\_\_\_\_\_  
(Authorized signing officer, Title)

(Seal)

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(Authorized signing officer, Title)

If the Bid is a joint venture or partnership, add additional forms of execution for each member of the joint venture in the appropriate form or forms as above.

Subscribed and sworn before me this day of \_\_\_\_ 20 \_\_\_\_

Notary Public: \_\_\_\_\_

My Commission Expire: \_\_\_\_\_

**END OF BID FORM**