

**SECTION C**

**BID PROPOSAL**

**Clinton Street Center HVAC and Refrigeration Equipment Upgrades**

**Bid # 2021-02**

**VILLAGE OF PLEASANTVILLE**

**WESTCHESTER COUNTY, N.Y**

To: **Village Board  
Village of Pleasantville  
80 Wheeler Avenue  
Pleasantville, NY  
10570**

Bid Submitted by:

(Name)

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(Address)

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(Telephone No.)

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(Federal I.D. Number)

1. I/We do hereby declare that I/We have carefully examined the Notice to Bidders, the Plans, and the Specifications relating to the above entitled matter and the work, and have also examined the site.
2. I/We do hereby offer and agree to furnish all materials, to fully and faithfully construct, perform and execute all work in the above titled matter in accordance with the Plans, Drawings, and Specifications relating thereto, and to furnish all labor, tools, implements, models, forms, transportation and materials necessary and proper for the purpose for the price/prices as given 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 the terms, conditions, provisions and covenants necessary to complete the work according to the Drawings and Specifications, therefore, within 10 business days after the award of the contract and if I/We fail to execute said contract within said period of time, that the **Village Board** shall have the power to rescind said award and also that the said **Village Board** shall retain the proceeds of the certified check, or require the payment of the sum of the bid bond.

5. I/We do also declare and agree I/We will commence the work within thirty days after the Contract execution and will complete the work fully and in every respect on or before the time specified in said Contract and do authorize the said Board, in case of failure to complete the work within such specified time, to employ such men, equipment and materials as may be necessary for the proper completion of said work and to deduct the cost thereof from the amount due under the Contract.
6. 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 thereto certifies as to its own 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;
  - (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 other person, partnership or corporation to submit or not submit a Bid for the purpose of restricting competition.
  - (d) no member of the **Village Board** or any officer or employee of **the Village of Pleasantville, New York**, or person whose salary is payable in whole or in part from the said Treasury is, shall be or become interested, directly, 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.
7. I/We hereby further 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 date of the opening of Bids, and that within said period of forty five (45) days, the **Village of Pleasantville** will accept or reject this proposal, or this period may be extended by mutual agreement.
8. I/We do hereby declare that, if this is a Corporate Bid, I have been duly authorized to act at the Signator on this proposal in behalf of this Corporation.
9. I/We hereby affirm, under penalty of perjury, the truth of all statements in this proposal.
10. I/We hereby agree that I/We accept the unit prices on the following pages, for the various items of work.
11. I/We do hereby declare that I/we will perform at least 51% of the work.

12. I/We hereby agree that I/We shall make no claim on account of any variation of the approximate estimate in the quantities of work to be done, whether the actual quantities are greater, smaller or completely deleted. A change in the quantity of any item shall not be regarded as sufficient grounds for a change in the price of that item.

13. All work shall be completed within **sixty (60)** calendar days from the commencement of the work.

\_\_\_\_\_  
(Legal Name of Bidder, Partner or Corporate Officer)

By:

Date:

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_

Corporate Seal (if incorporated)

**ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA**  
(If applicable)

\_\_\_\_\_ Signature

\_\_\_\_\_ Signature

\_\_\_\_\_ Signature

**Bid Sheet (Itemized Proposal)**  
**Clinton Street Center**  
**HVAC and Refrigeration Equipment Upgrades**  
**Bid #2021-02**  
**Village of Pleasantville**

*Note: Unit prices are to be written in both words and numbers.  
In case of any discrepancy those prices shown in words shall govern.  
All prices will be in dollars and cents.*

<u>Quantity</u>	<u>Unit</u>	<u>Item with Unit Price</u>	<u>Unit Price</u>	<u>Extension</u> <u>(Quantity x Unit Price)</u>
2	EA	Supply and Install two (2) new HVAC rooftop units (matching specifications/capacity of existing units).	\$ _____	\$ _____
1	EA	Supply and Install one (1) new Walk in Freezer condensing unit (matching specifications/capacity of existing unit).	\$ _____	\$ _____
<b>Total Bid:</b>				\$ _____

## **BID PROPOSAL FORM**

CONTRACTOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

BY: \_\_\_\_\_

\*The TOTAL BID shall be the sum of the extensions (unit price multiplied by estimated quantity, for each item). It is stated here only as a convenience for comparison of Bids. If there are any errors in addition or multiplication, the unit prices for each item shall govern, and the Bid comparison will be made on the basis of correct arithmetic applied to these unit prices. In case of a discrepancy between the unit price in words and the unit price in numbers, the unit price in words shall govern.

The estimated quantities are not guaranteed, and are only for Bid comparison purposes and final payment will be made for actual quantities regardless of the estimated quantities contained herein. All quantities must be verified by each bidder and revised as required for the bid proposal submittal.

The Contractor is further advised that the estimated quantities shown in the Bid Sheets may be reduced or deleted in order to insure that this Contract can be completed within the budget established for this work. In the event that certain work is deleted or reduced, the Unit Price shall remain in effect for this work. However, if the quantities are increased above 125% of the estimated, then the work performed shall be paid for as described in paragraph 109 of the General Conditions.

**CONTRACTOR'S ACKNOWLEDGMENT**

STATE OF NEW YORK )  
(If Corporate)  
)ss  
COUNTY OF WESTCHESTER )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known and known to me to be the \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_ the corporation described in  
and which executed the within instrument, who being by me duly sworn did depose and say  
that he/she said \_\_\_\_\_  
\_\_\_\_\_ resides at \_\_\_\_\_  
\_\_\_\_\_ and that he/she is \_\_\_\_\_ of said corporation and knows the  
corporate seal of the said corporation; that the seal affixed to the within instrument is such  
corporate seal and that it was so affixed by order of the Board of Directors of said corporation,  
and that he/she signed his name thereto by like order.

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

**CONTRACTOR'S ACKNOWLEDGMENT**

STATE OF NEW YORK )  
(If Individual)  
)ss  
COUNTY OF WESTCHESTER )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known, and known to me to be the same person  
described in and who executed the within instrument and he/she duly acknowledged to me  
that he/she executed the same for the purpose herein mentioned and, if operating under the  
trade name, that the certificate required by the New York State General Business Law Section  
130 has been filed with the County Clerk of Westchester County.

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

**CONTRACTOR'S ACKNOWLEDGMENT**

STATE OF NEW YORK )  
(If Co-Partnership)  
)ss  
COUNTY OF WESTCHESTER )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ to me known, and known to me to be a member of the firm of  
\_\_\_\_\_ and the person described in, and who  
executed the within instrument in behalf of said firm, and he/she acknowledged to me that  
he/she executed the same in behalf of, and as the act of said firm for the purposes herein  
mentioned and that the certificate required by the New York State General Business Law  
Section 130 has been filed with the County Clerk of Westchester County.

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

## CONTRACTOR'S ACKNOWLEDGMENT

(If Corporation/Sole Officer)

STATE OF NEW YORK

)

)SS

COUNTY OF WESTCHESTER

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_,  
before me personally came \_\_\_\_\_ to me  
known and \_\_\_\_\_ (Name)  
known to me to be the \_\_\_\_\_

(Title)

of \_\_\_\_\_ the corporation described in and which  
(Name of Corporation)

executed the within instrument, who being by me duly sworn did depose and say that he/she, resides at \_\_\_\_\_

and that he/she signed the within instrument, on behalf of said corporation, in his/her capacity as the \_\_\_\_\_ and sole officer and director of said corporation

(Title)

and that he/she owns all the issued and outstanding capital stock of said corporation.

Notary Public

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF NEW YORK

)

)SS

COUNTY OF WESTCHESTER

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_ to me known to be the

(Name of individual who signed agreement)

individual who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that (s)he is (the)(a) \_\_\_\_\_ of \_\_\_\_\_

(member)(manager)

(name of limited liability company)

a \_\_\_\_\_ limited liability company, and that (s)he has authority  
(name of state)

to sign the same, and acknowledged that (s)he executed the same as the act and deed of said limited liability company.

Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public

(Not Required with Bid)  
**ACCEPTANCE and ORDER TO PROCEED**

The foregoing Proposal and Bid Proposal of \_\_\_\_\_, dated  
\_\_\_\_\_, 20\_\_

(Name of  
Contractor)  
in the Total Bid amount of

\_\_\_\_\_  
(Total Bid Amount with any Accepted Alternates  
over the Term of the Contract)

Dollars (\$\_\_\_\_\_) is hereby accepted as of \_\_\_\_\_, 20\_\_. Unit  
prices are as submitted in the Proposal and in the Bid Proposal.

Date: \_\_\_\_\_, 20\_\_

Owner

By: \_\_\_\_\_

Name: \_\_\_\_\_

Office: \_\_\_\_\_

Attest:

\_\_\_\_\_

**ORDER TO PROCEED**

The Proceed date for the Contract is established as of \_\_\_\_\_, 20\_\_.

Date: \_\_\_\_\_, 20\_\_

Owner

By: \_\_\_\_\_

Name: \_\_\_\_\_

Office: \_\_\_\_\_



## STATEMENT OF NON-COLLUSION

(To be Completed by Each Bidder)

In accordance with Section 103-d General Municipal Law, effective September 1, 1966, every bid or proposal hereafter made to a political subdivision of the State or any public department, agency, or official thereof or to a fire district or any agency or official thereof for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed to by the bidder and affirmed by such bidder as true under the penalties of perjury; [non-collusive bidding certification].

- a. 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 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 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.
- (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. 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 statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the Bidder, as well as the person signing in its behalf.
- c. That attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signator of this bid or proposal in behalf of the corporate bidder.

Dated \_\_, 20\_\_\_\_\_

Legal Name of Person,  
Firm or Corporation

(Seal of Corporation)

\_\_\_\_\_  
Business Address of Person, Firm or  
Corporation

By \_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**CERTIFICATION OF BIDDER REGARDING  
EQUAL EMPLOYMENT OPPORTUNITY**

**INSTRUCTIONS**

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instruction, such bidder shall be required to submit a compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

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**CERTIFICATION BY BIDDER**

**BIDDER NAME:** \_\_\_\_\_

**ADDRESS AND ZIP CODE:** \_\_\_\_\_

1. Bidder has participated in a previous contract or subcontract to the Equal Opportunity Clause.  
**YES** \_\_\_\_\_ **NO** \_\_\_\_\_ (if answer is yes, identify the most recent contract).
2. Compliance reports were required to be filed in connection with such contract or subcontract.  
**YES** \_\_\_\_\_ **NO** \_\_\_\_\_ (if answer is yes, identify the most recent contract).
3. Bidder has filed all compliance reports due under applicable instructions, including SF-100.
4. If answer to item 3 is "NO", please explain in detail on reverse side of this certification.

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**CERTIFICATION - THE INFORMATION ABOVE IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
**(Name and Title of Signer)**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(Not Required with Bid)  
**CERTIFICATION OF PROPOSED SUBCONTRACTOR REGARDING  
EQUAL EMPLOYMENT OPPORTUNITY**

**NAME OF PRIME CONTRACTOR**

**PROJECT NO.**

**INSTRUCTIONS**

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any Bidder or prospective Contractor, or any of their proposed Subcontractors, shall state as an initial part of the Bid or negotiations of the Contract whether it or any of its proposed Subcontractors has participated in any previous contract or subcontract subject to the equal opportunity clause; and if so, whether it or such Subcontractor has filed all compliance reports due under applicable instructions.

Where the certification indicates that the Subcontractor has not filed a compliance report due under applicable instruction, such Subcontractor shall be required to submit a compliance report within seven calendar days after Bid opening. No contract shall be awarded to the Bidder or any such Subcontractor unless such report is submitted.

**SUBCONTRACTORS CERTIFICATION**

**SUBCONTRACTOR NAME:**

\_\_\_\_\_

**ADDRESS AND ZIP CODE:**

\_\_\_\_\_

\_\_\_\_\_

1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_ (if answer is yes, identify the most recent contract).

2. Compliance reports were required to be filed in connection with such contract or subcontract.

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_ (if answer is yes, identify the most recent contract).

3. Subcontractor has filed all compliance reports due under applicable instructions, including SF-100.

4. If answer to item 3 is "NO", please explain in detail on reverse side of this certification.

**CERTIFICATION - THE INFORMATION ABOVE IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
(Name and Title of Signer)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CERTIFICATE OF AUTHORITY**

I, \_\_\_\_\_  
(Officer other than officer executing proposed documents)

certify that I am \_\_\_\_\_ of the  
(Title)

\_\_\_\_\_  
(Name of Contractor)

(the "Contractor"), a corporation duly organized and in good standing under the

\_\_\_\_\_  
(Law under which organized, e.g., the New York Business Corporation Law)

named in the foregoing agreement; that \_\_\_\_\_  
(Person executing proposal documents)

who signed said agreement on behalf of the Contractor was, at the time of execution the

\_\_\_\_\_  
(Title of such person)

Behalf of said Contractor by authority of its Board of Directors, thereunto duly organized,

and that such authority is in full force and effect at the date hereof.

\_\_\_\_\_  
(Signature)  
(SEAL)

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF                    )

On this \_\_\_\_\_ day of, \_\_\_\_\_, 20\_\_\_\_, before me personally  
came \_\_\_\_\_ to me known, and known to  
me to be the \_\_\_\_\_ of \_\_\_\_\_, the Corporation described  
in and which executed the above certificate, who being by me duly sworn did depose and say  
that he/she, the said \_\_\_\_\_  
\_\_\_\_\_ resides at \_\_\_\_\_

\_\_\_\_\_ and that he/she is  
\_\_\_\_\_ of said Corporation and knows the Corporate Seal of  
the said Corporation; that the seal affixed to the above certificate is such Corporate Seal and  
that it was so affixed by order of the Board of Directors of said Corporation, and that he/she  
signed his/her name thereto by like order.

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

CONTRACT NO. \_\_\_\_\_

**BID BOND AND CONSENT OF SURETY**

KNOW ALL PERSONS BY THESE PRESENTS, That \_\_\_\_\_  
(Name of Contractor)

\_\_\_\_\_  
(Address)

(hereinafter called the "Principal") and the \_\_\_\_\_ a  
corporation created and existing under the laws of the State of \_\_\_\_\_, having its  
principal office at \_\_\_\_\_ (hereinafter called  
the

(PRINT FULL ADDRESS OF SURETY)

"Surety"), are held and firmly bound unto the Owner (hereinafter called the "Obligee"), in  
the full just sum of *Five (5%) Percent of the Attached Bid*, in good and lawful money of  
the United States of America, for the payment of which said sum of money, well and truly  
to be made and done, the said Principal binds themselves (himself/herself, itself), their  
(his/her, its) heirs, executors and administrators, successors and assigns, and the said  
Surety binds itself, its successors and assigns jointly and severally, firmly by these  
presents:

WHEREAS, the said Principal has submitted to the Owner a proposal/bid for  
Contract No: \_\_\_\_\_  
Project Title: \_\_\_\_\_  
\_\_\_\_\_ and

WHEREAS, under the terms of the Laws of the State of New York as above  
indicated, the said Principal has filed or intends to file this bond to guarantee that the  
Principal will execute all required contract documents, furnish all required insurance and  
furnish such Performance and Payment Bonds or other bonds as may be required in  
accordance with the terms of the Principal's said proposal/bid.

NOW, THEREFORE, the Surety agrees:

(i) if the Contract for which the preceding estimate and proposal is made, is  
awarded to the Bidder by the Owner, the Surety shall become bound as Surety and  
guarantor for the faithful performance of the Contract and shall execute and deliver a  
Performance & Payment Bond, in a form acceptable to the Owner, in the amount of  
100% of the total Contract price, or such other amount as may be specified in the Bid  
Documents, and shall execute the Contract as party of the third part when required to do  
so by the Board of the Owner; and

if the Bidder shall, upon award of the Contract to the Bidder, fail or refuse to execute the Contract and furnish the necessary bonds and insurance certificates, the Surety shall, on demand by the Owner, pay to the Owner the difference between the amount bid and the amount for which such contract is thereafter awarded, together with the cost to the Owner of reletting said Contract, up to the maximum aggregate amount of this bond.

(ii) the condition of the foregoing obligation is such, that if the said Principal shall promptly execute and submit, and the Owner shall accept, all required contract documents including insurance and such Performance and Payment Bond or other bonds, all as may be required in accordance with the terms of the Principal's said bid/proposal, then this obligation shall be null and void, otherwise to remain in full force and effect.

The Surety, for value received, the receipt of which is hereby acknowledged by the Surety, hereby stipulates and agrees that the obligation of the Surety and of its bond shall remain absolute and shall be in no way impaired, affected or discharged by an extension of time, mutually agreed to by the Owner and the Bidder, within which the Owner may award said Contract, and the Surety hereby waives notice of any such extension.

IN TESTIMONY WHEREOF, the said Principal has hereunto set his/her (their, its) hand and the said Surety has caused this instrument to be signed by its duly authorized officer this \_\_\_\_ day of 20\_\_.

Signed and delivered this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ in the presence of:

\_\_\_\_\_  
(Print Name of Principal)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title of Authorized Principal Officer)

\_\_\_\_\_  
(Print Name of Surety)

By \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title of Authorized Surety Officer)

(The Surety Company shall append a single copy of a statement of its financial condition, a copy of the resolution authorizing the execution of Bonds by officers of the Surety Company, a Power of Attorney, and a Surety Acknowledgment.)

### STATEMENT OF BIDDER'S QUALIFICATIONS

(To be submitted by the Bidder only upon the specific request of the Owner)

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he desires.

1. Name of Bidder.
2. Permanent main office address.
3. When organized.
4. If a corporation, where incorporated.
5. How many years have you been engaged in the contracting business under your present firm or trade name?
6. Contracts on hand: (Schedule these, showing amount of each contract and the appropriate anticipated dates of completion.)
7. General character of work performed by your company.
8. Have you ever failed to complete any work awarded to you?
9. Have you ever defaulted on a contract?

If so, where and why?

10. List the more important projects recently completed by your company, stating the approximate cost for each, and the month and year completed.
11. List your major equipment available for this Contract.
12. List your experience in work similar to this project.
13. List the subcontractors, if applicable, who will be used as a qualified M/WBE firm using the tables below.

Subcontractor Name	
Work to be Completed	
M/BE or W/BE Certified (select one or both where applicable)	
Budget Amount	

Subcontractor Name	
Work to be Completed	
M/BE or W/BE Certified (select one or both where applicable)	
Budget Amount	

Subcontractor Name	
Work to be Completed	
M/BE or W/BE Certified (select one or both where applicable)	
Budget Amount	

**C-16**