



TOWN OF RIVERHEAD
Laura Jens-Smith, Supervisor

200 Howell Avenue
Riverhead, New York 11901-2596
631-727-3200

BID #RWD-2018-22

BID FOR: CALCIUM HYPOCHLORITE TABLETS

BIDDERS NAME

BIDDERS ADDRESS

CITY, STATE, ZIP

PHONE NUMBER

E-MAIL ADDRESS

DATE

In compliance with your advertisement for bids to be opened on **October 11, 2018** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

Respectfully submitted,

SIGNED BY

TITLE

BIDDERS ARE INVITED TO ATTEND BID OPENING

BID #RWD-2018-22
Riverhead Water District

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CALCIUM HYPOCHLORITE TABS** for use by the RIVERHEAD WATER DISTRICT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, on **October 11, 2018**, until **11:00 a.m.**

Bid Specifications and/or Plans may be obtained by visiting the Town of Riverhead website at www.townofriverheadny.gov on or after **September 27, 2018**. Click on "Bid Requests" and follow the instructions to register.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR CALCIUM HYPOCHLORITE TABLETS – BID #RWD-2018-22**. All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "**EXCEPTIONS TO THE SPECIFICATIONS**" and be attached to the bid form.

NOTE: Bid responses must be delivered to the Office of the Town Clerk at 200 Howell Avenue, Riverhead, New York, 11901, on or before October 11, 2018. The Town may decline to accept, deem untimely and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

COMPANY NAME: _____

Riverhead Water District

GENERAL SPECIFICATIONS

GENERAL

Bidders shall be responsible to carefully examine the Specifications enclosed.

Bidders shall furnish their price and/or lump sum bid as called for on the Bid Proposal Sheet(s) attached.

Alternates of equal or superior design and/or quality shall be listed separately and a Manufacturer's Specification Sheet shall be submitted with a bid. Failure to submit such data may result in the disallowing of said bid.

The product and all associated components shall be furnished complete and ready for use.

These Specifications require the doing of all things necessary or proper for, or incidental to, the furnishing and delivery of said product.

All things not expressly mentioned in these specifications, but involved in carrying out their intent are required by these Specifications; and the vendor shall perform the same as though they were specifically mentioned, described and delineated.

The product furnished shall be the Manufacturers latest listed and published model, or models, which meet all the applicable requirements of these Specifications.

COMPLIANCE WITH RULES AND REGULATIONS

The unit and associated product furnished shall comply with all provisions which would be applicable, if the Town of Riverhead were a private corporation of Federal and State of New York Laws, Ordinances, Codes, Rules, Regulations, Orders, Permits and Licenses and with fire underwriters requirement, except that where the weight and dimensions requirements set forth herein exceed such provisions, these Specifications shall control.

DEVIATION

Minor deviations from the provisions of these Specifications will be considered to permit manufacturers to follow their standard manufacturing process.

Such deviations will be approved, however, only in the sole discretion of the Town of Riverhead and only if in its opinion they do not adversely affect the operation, maintenance, strength, efficiency, effectiveness, or life of the unit or any of its parts.

All proposed minor deviations, with full details, must be listed on a separate Detail Sheet, which must be attached to and made part of this bid.

The Town of Riverhead reserves the absolute right in its sole discretion to accept that bid, if any, which under all circumstances will best serve the public interest.

COMPANY NAME: _____

GUARANTEE

The vendor warrants and guarantees the product herein specified from any defects. The vendor also warrants and guarantees that the product herein specified, if found to be defective, shall be picked up from and delivered back to the Town of Riverhead within a reasonable length of time.

DELIVERY

All product delivered shall be delivered "on the ground" at the delivery point designated on the purchase order. All prices are F.O.B.

For security purposes, the product shall be delivered shrink-wrapped together with a point-to-point bill of lading and MSDS sheet accompanying the shipment. **Please note:** see "Specification for Chemicals" sheet for date of manufacturer requirements.

Orders: Orders for the product shall be placed by telephone to the supplier with a purchase order number or the purchase order will be faxed to supplier. Delivery shall be made within five (5) days after the order (made either by telephone or fax) is placed.

Telephone Notification to District: Prior to delivery, the successful bidder shall telephone either Superintendent Mark K Conklin, or his designated assistant, at (631) 727-3205 **at least twenty-four (24) hours** prior to the date of delivery and give an approximate time of delivery of the product, which shall be made during a normal working day.

Time of Delivery: Delivery shall be made on a normal working day of the District and early enough in the day to permit unloading during normal working hours.

REJECTION

The basis of rejection of the bid and/or materials is the calcium hypochlorite tablets (a) does not meet the regulatory standards as defined in Paragraph 3 (A) above; (b) does not meet chemical, physical or safety requirements of these specifications; or (c) nonconformance with these specifications, including lack of documentation acceptable to the District.

PAYMENT

Payments shall be made at the unit price bid per pail/pallet for the respective time period for the actual amount of product delivered.

PRICES

If a like or lower quantity of a standard item contained in this bid is sold by a vender at a price less than the prices quoted herein, the price to the Town of Riverhead shall be reduced to that lower price.

COMPANY NAME: _____

Riverhead Water District

QUANTITY

The quantities indicated are only estimates of the quantities required during the period the annual contract and are based on an average of the last few years. The Town of Riverhead is in no way obligated to purchase quantities neither shown nor limited to the quantities listed.

CONTRACT PERIOD

The Contract Period shall be effective for one (1) year from the date a resolution is adopted by the Town Board awarding the bid. At the termination of this contract, the contract may be extended (not to exceed two extensions) for a total three (3) year contract at the sole discretion of the Town of Riverhead and with the consent of the vendor or vendors.

OSHA STANDARDS

All product, materials and/or installations utilized in connection with this contract will meet all OSHA standards.

The OSHA Hazard Communication Standard (Subpart 2 of Part 1910 of Title 29 of the Code of Regulations amended under Section 1910/1200 Federal Register) requires chemical manufacturers, importers and distributors to obtain and develop Material Safety Data Sheets (MSDS's) for each hazardous chemical they produce, distribute or import. Bids may not be considered unless the MSDS accompanies each bid. The Riverhead Water District will not accept delivery from providers of chemicals unless EACH container/pallet is properly labeled in accordance with MFDA704 (when applicable).

MATERIAL SAFETY DATA SHEETS MUST BE SUBMITTED WITH BID FORMS.

MSDS sheets shall bear the following notation:

CALCIUM HYPOCHLORITE MIXTURE DRY
5.1, UN1748, PG II
ERG. #140
LIME, CHLORINATED, DRY
71629 HTH 50 LB CONSTANT CHLOR PLUS TABLETS

FUEL SURCHARGES

The Town of Riverhead will not pay any type of fuel surcharge. Any fuel charges added will be deleted from any payments made to the vendor.

PIGGYBACKING CLAUSE METHOD OF AWARD

The contract, if awarded, will be to the lowest responsive/responsible bidder(s) in part or in whole who meet(s) all the terms of the specifications or on the basis of best value in a manner consistent with all applicable provisions of **General Municipal Law 103**. The

COMPANY NAME: _____

TOWN guarantees no minimum or maximum purchases or contracts as a result of award of this bid. The Town of Riverhead seeks to offer and make available this contract for commodity, product or services to members (commissioner elected, town or village water district members of the Long Island Water Conference which maintain and manage their own water distribution system and meet criteria set forth in General Municipal Law, Article Five § 119-o related to town, village or special districts authorization to enter into cooperative agreements authorized by applicable provisions of Town Law and General Municipal Law that have entered into the purchasing cooperative agreement, of the LIWCPC and reserves the right to allow all municipal and not for profit organizations authorized under the General Municipal Laws of the State of New York, to purchase any goods and/or services awarded as a result of this bid in accordance with the latest amendments to **NYS GML 100 through 104**. However, it is understood that the extension of such contracts are at the discretion of the vendor and the vendor is only bound to any contract between the Town of Riverhead and the vendor. Additionally, the TOWN reserves the right to purchase any goods or services included as a part of this bid from any means legally available to it.

COMPLIANCE WITH LABOR AND PENAL LAWS

The Contractor hereby expressly agrees to comply with all the provisions of the Labor Law and any and all amendments thereto, insofar as the same are applicable to this Contract. The Labor Laws, as amended, provide that no laborer, worker or mechanic in the employ of the Contractor, subcontractor or other person doing or contracting to do the whole or a part of the work contemplated by this Contract, shall be permitted or required to work more than eight (8) hours in any one calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life or property; that no such person shall be employed more than eight (8) hours in any day or more than five (5) days in any week, except in such emergency; that the wages to be paid for a legal day's work as hereinbefore defined, to laborers, workers, or mechanics upon the work called for under this Contract, or for any materials used upon or in connection therewith shall not be less than the prevailing rate for a day's work in the same trade or occupation in the locality within the State where such work is to be done and each laborer, worker, or mechanic employed by the Contractor, subcontractor, or other person about or upon the work shall be paid the wages herein provided; that employees engaged in the construction outside the limits of cities and villages are no longer exempt from the provisions of the Labor Laws which required the payment of the prevailing rate of wages and the eight (8) hour day.

Section 220A of the Labor Law, as amended by Chapter 472 of the Laws of 1932, provides that before payment is made by or on behalf of the State or any City, County, Town or Village or other civil division of the State, of any sums due on account of a contract for a public improvement, it is the duty of the Comptroller or the financial officer of the Municipal Corporation to require the Contractor and each and every subcontractor to file a certified statement in writing, in satisfactory form, certifying to the amounts then due and owing to any and all laborers for daily or weekly wages on account of labor performed upon the work of the Contract, setting forth therein the names of the persons

COMPANY NAME: _____

whose wages are unpaid and the amount due each, respectively.

Section 2208 of the Labor Law, as amended, provides that any interested person who shall have previously filed a protest in writing objecting to the payment to any Contractor or subcontractor to the extent of the amount or amounts due or to become due to him for daily or weekly wages for labor performed on the public improvement for which the Contract was entered into, or if, for any other reason, it may be deemed advisable, the Comptroller of the State or other financial officer of the Municipal Corporation may deduct from the whole amount of any payment on account thereof the sum or sums admitted by any Contractor or subcontractor in such statement or statements so filed to be due and owing by, him on account of labor performed and may withhold the amount so deducted for the benefit of the laborers for daily or weekly wages, whose wages are unpaid as shown by the verified statements filed by any Contractor or subcontractor and may pay directly to any person the amount or amounts so shown to be due for such wages.

Section 220C of the Labor Law, as amended, provides the penalty for making of a false oath or verification.

Section 220D of the Labor Law provides that the advertised specifications for every Contract for the construction, reconstruction, maintenance and/or repair of highways to which the State, County, Town and/or Village is a party shall contain the provision stating the minimum rate of hourly wage that can be paid, as shall be designated by the Industrial Commissioner, to the laborers employed in the performance of the Contract, either by the Contractor, subcontractor or other person doing or contracting to do the whole or part of the work contemplated by the Contract, and the Contract shall contain a stipulation that such laborers shall be paid not less than such hourly minimum rate of wage. Any person or corporation that willfully pays after entering into such Contract less than such stipulated minimum hourly wage scale shall be guilty of a misdemeanor and, upon conviction, shall be punished for a first offense by a fine of Five Hundred Dollars (\$500.) or by imprisonment for not more than thirty (30) days, or by both fine and imprisonment for a second offense by a fine of One Thousand Dollars (\$1,000.) and, in addition thereto, the Contract on which the violation has occurred shall be forfeited; and no such person or corporation shall be entitled to receive any sum or nor shall any officer, agent or employee of the State pay the same or authorize its payment from the funds under his charge or control to any person or corporation for work done upon any contract, on which the Contractor has been convicted of second offense in violation of the provisions of this Section.

The minimum wage rates are established by the Industrial Commissioner, State of New York, for this Contract. It is the contractor's responsibility to ensure wages are paid in accordance with latest revision.

COMPANY NAME: _____

ATTENTION

BIDDERS

IF YOU ARE NOT INTERESTED IN BIDDING THIS PARTICULAR PROJECT, PLEASE COMPLETE THE ATTACHED SHEET AND RETURN IT TO US.

WE ARE VERY INTERESTED IN LEARNING WHY YOU DO NOT BID. IF YOU SELL OTHER PRODUCTS AND WANT TO BE ON OUR BIDDER'S LIST, PLEASE LET US KNOW. PROVIDE A CONTACT NAME AND OTHER PERTINENT INFORMATION IF YOU WISH TO BE CONTACTED AT A LATER DATE FOR ANOTHER PRODUCT.

COMPANY NAME: _____

Riverhead Water District

**BID #RWD-2018-22
CALCIUM HYPOCHLORITE TABLETS**

NON-BIDDER'S RESPONSE

VENDOR NAME: _____

For purposes of facilitating your firm's response to our invitation to bid, the Town of Riverhead is interested in ascertaining reasons for prospective bidders' failure to respond to invitations to bid. If your firm is not responding to this bid, please indicate the reason(s) by checking the appropriate item(s) below and returning this form to the Town of Riverhead Purchasing department at 200 Howell Ave., Riverhead, N.Y. 11901.

We are not responding to this invitation to bid for the following reason(s):

___ Items or materials requested not manufactured by us or not available to our company.

___ Our items and/or materials do not meet specifications.

___ Specifications not clearly understood or applicable (too vague, too rigid, etc.)

___ Quantities too small.

___ Insufficient time allowed for preparation of bid.

___ Incorrect address used.

Correct address is: _____

Other reason(s): _____

COMPANY NAME: _____

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

COMPANY NAME: _____

NON-COLLUSIVE CERTIFICATE

(MUST BE COMPLETED, SIGNED, NOTARIZED AND RETURNED WITH BID)

UNDER PENALTIES OF PERJURY:

_____ (BIDDER), BEING DULY SWORN,
DEPOSES AND SAYS:

- A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- B) This bid or proposal has not knowingly been disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
- C) No attempt has been made or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
- D) The person signing this bid or proposal certifies that he has been fully informed regarding the accuracy of the statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as the person signing on its behalf; and
- E) That the attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

Corporation: _____
(PRINT CORPORATION NAME)

By: _____
(SIGNATURE)

(TITLE)

Address: _____

Sworn to before me this _____
day of _____, 20____

NOTARY PUBLIC

COMPANY NAME: _____

Riverhead Water District

**BID CONTRACT #RWD-2018-22
SPECIFICATIONS FOR CHEMICALS
CALCIUM HYPOCHLORITE TABLETS**

PLEASE READ CAREFULLY

1. SCOPE

- A. The supplier under this contract shall furnish HTH Constant Chlor Plus Tablets designed for use in the HTH Constant Chlor Tablet Chlorinator. The tablets provide a chlorine solution for the treatment of surface and ground water for municipal drinking water use. The patented briquette-shaped tablets contain a scale inhibitor that dramatically reduces the potential for scale build-up frequently associated with the use of calcium hypochlorite.

2. REGULATORY

- A. The bidder shall provide an Affidavit that its product has been approved in accordance with EPA No. 1258-1179, NSF Standard 60, Drinking Water Additives and meets AWWA Standard B300 for water treatment-health effects.
- B. The bidder shall also provide proof of certification of a Material Safety Data Sheet for the product being bid.

3. PHYSICAL CHARACTERISTICS

- A. The Calcium Hypochlorite Tablets to be supplied shall be used as a disinfectant in the treatment of potable water supplies.
- B. The bidder shall provide five (5) public water suppliers (preferably in New York State), including contact name and telephone numbers, that have used the bidder's Calcium Hypochlorite Tablets for at least two (2) years.
- C. The Calcium Hypochlorite Tablets shall have the following physical characteristics or approved equal:
 - 1. Available chlorine 66%
 - 2. Scale Inhibitor 0.5%
 - 3. Weight 7 grams
 - 4. Dimensions 1 ¼" x ½"
 - 5. Appearance Pillow-shaped briquettes
- D. The bidder shall provide certified physical characteristics with the bid submittal.

4. PACKAGING

- A. Calcium Hypochlorite tablets shall be packaged in 50-lb. plastic pails.
- B. All pallets delivered shall be sealed (shrink-wrapped) at the factory and shall remain sealed to the point of delivery. The delivery shall be accompanied by a shipping statement or bill of lading giving the point of origin of shipment.
- C. Batch dates cannot be more than 120 days prior to delivery and the District reserves the right to reject delivery if the batch date is more than 120 days.

COMPANY NAME: _____

5. EXCEPTIONS TO SPECIFICATIONS

The mention in the specifications of any unit, component or product by brand name and/or model is meant to convey to the potential bidder the type and quality of the product required and desired by the Town. Any unit, component or product which is of equal type and quality may be considered as such and may be acceptable to the Town upon agreement by the Town Board to that fact. The decision of the Town Board, however, in such a circumstance is final. Furthermore, the Town Board of the Town of Riverhead reserves the right and responsibility to reject any and all bids if they believe such action to be in the best interest of the Town.

COMPANY NAME: _____

Riverhead Water District

