

Jennifer E. Avery, Ed. D., Deputy Superintendent



ONC BOCES
2020 Jump Brook Road, PO Box 382
Grand Gorge, NY 12434
607-588-6291, ext. 2143 Fax: 607-588-7007
email: javery@oncboces.org

November 22, 2019

RE: CULINARY ARTS PROGRAM SUPPLIES BID #2020-01A
OPENING: DECEMBER 19, 2019, 3:00 P.M.

Dear Bidder:

The Otsego Northern Catskills BOCES is soliciting bids for the purchase of culinary arts program supplies to be utilized in instructional programs located at the Otsego Area Occupational Center in Milford, NY and the Northern Catskills Occupational Center in Grand Gorge, NY for the period of February 1, 2020-June 30, 2020.

A bid packet is enclosed for your consideration. Also, additional copies of the bid may be obtained at our website at www.oncboces.org. Please complete and return the bid request no later than 3:00 p.m. on December 19, 2019, at which time the bids will be opened and publicly read in the office of the Deputy Superintendent.

If you have any questions concerning the bid, please contact me at (607) 588-6291, ext. 2143 or ahinkley@oncboces.org.

Sincerely,

DR. JENNIFER AVERY
DEPUTY SUPERINTENDENT

A handwritten signature in blue ink, which appears to read "Annette Hinkley", is written over the typed name.

Annette Hinkley
Administrative Assistant to
Dr. Jennifer Avery

ah
Enclosure

BID SPECIFICATIONS (11/22/19)
Culinary Arts Program Supplies #2020-01A
BID OPENING: December 19, 2019 3:00 p.m.

You are invited to submit sealed bids for the purchase by the Otsego Northern Catskills BOCES for the items listed on the attached specification sheet.

The following conditions are to be observed:

SPECIFICATIONS

1. The attached bid specification sheet identifies the items that we wish to purchase. **PLEASE INPUT YOUR BID PRICES ON THE ATTACHED SPECIFICATIONS EXCEL SPREADSHEET AND SUPPLY A FLASH DRIVE OR CD ROM.** Quantities of products specified are estimated. The quantity listed is estimated and ONC BOCES reserves the rights to change, increase, and decrease that quantity based on our program needs. **We are requesting the bidder to bid on all items. We will require the bidder to allow the option of split cases. For items that typically fluctuate in price weekly please provide a maximum price bid. The bidder will charge ONC BOCES either the market value or the maximum bid whichever is less.** Where a brand name is listed, it is done as a quality standard and items offered by the bidder should be equal to or better than the brand specified. If a substitution is offered, the bidder must so specify and may provide with the sealed bid, a sample of the substituted item. Substitutions offered will be determined of equal value by a bid committee. The bid committee reserves the right to determine quality and compatibility with the districts' requirements.
2. The bidder will guarantee to meet all standards set by the specifications written for each item within the bid.

TYPE OF BID

3. The BOCES Board will, based on the final comparison of all bids received, award the bid to the lowest, responsive, responsible bidder as will best promote the public interest. The Bid Committee reserves the right to change the type of bid award to a total bid or lot by lot award if it is in the best interest of the public.

PRICING

4. The bidder shall insert the price for each item being bid upon in the area provided on the bid forms. **The price inserted must be net and must include all delivery, freight charges, to each campus. NO MINIMUM ORDERS** will be allowed or accepted.
5. **All pricing must be valid and honored until June 30, 2020.** No charges will be allowed for federal, state, or municipal sales and excise taxes, for which the BOCES is exempt.
6. The Otsego Northern Catskills BOCES reserves the right to increase or decrease the quantities specified on this bid and to reject, for cause, any bid in whole or in part if in its judgment the best interests of the district will be served.

UNIT OF MEASURE

7. Each bidder is requested to pay attention to the unit of measures that are specified on the bid forms. Bids made according to your pack size should be specified on the bid forms. BOCES will calculate equivalents and award accordingly.

PURCHASING

8. The Otsego Northern Catskills BOCES upon notification of the bid award will prepare a purchase order to the vendor awarded the items on the bid. No substitutions for out-of-stock items will be made without notification and approval from BOCES.

DELIVERY

9. Delivery is to be completed on requested delivery date. Invoicing is to be completed within forty-five (45) days from the date on the purchase order. The bidder agrees to call BOCES for any out-of-stock items before order delivery date. **No substitutions for out-of-stock items will be made without advance approval. If the bidder cannot supply the items within the fore mentioned time frame, please do not bid. There will be no minimum order, no minimum case requirement, and no minimum quantity requirement for delivery.**

10. Deliveries are to be **F.O.B.** All deliveries must be accompanied by delivery/packing slips. The packing slips shall contain the following information for each item delivered:

Purchase Order Number
Description of Item
Item Number
Quantity
Vendor Name
District/Customer Name
District Requisitioner

Deliveries need to be made weekly to address program needs.

Shipping container shall be labeled with the purchase order number, general statement of contents, district name and district's requisitioner. Failure to comply with this condition may be considered sufficient reason for refusal to accept the goods. Deliveries will be required to be made to each campus receiving platform at the address designated on the attached delivery sheet. Deliveries shall be made between the hours of **8:00 A.M. and 2:00 P.M.** Monday through Friday, excluding Holidays. The bidder agrees to remove and replace all damaged cases that are visible and all damaged products that are found damaged upon opening, or products which do not meet specifications. Damaged or out of spec. products that are not removed by the bidder as stated will be regarded as abandoned and the school district shall have the right to dispose of said items as it sees fit.

MATERIAL DATA SAFETY SHEETS

11. Material Data Safety Sheets (MSDS) must accompany every shipment for all items having an established MSDS, as set forth by the New York State Right to Know Law enacted in 1970, and the Federal Hazard Communication Standard enacted in 1983. **Vendors not supplying the MSDS with each shipment may be declared an unresponsive bidder for future bids.**

COMPLAINTS

12. A variance sheet will be filed, by ONC BOCES, for items shipped which may deviate from specification. That deviation from specification can be considered a physical noncompliance of a product or a problem effecting delivery and condition of a product. A vendor having three (3) significant variances written will be asked to appear before the committee to explain the problem. Three (3) or more variances effects the vendor's status with the BOCES as a responsible bidder.

DETERMINATION OR EQUIVALENCY

13. In all specifications, the words "or equal" are understood after each item. The bid committee reserves the right to determine whether or not a substitution item is equivalent. The decision of the bid committee shall be final.

AWARD

14. The BOCES Board will, based on the final comparison of all bids, award the bid to the lowest, responsive, responsible bidder as will best promote the public interest. The Otsego Northern Catskills BOCES Board of Education reserves the right to reject any and all bids in whole or in part.

BUY AGAINST CLAUSE

15. The BOCES may immediately purchase products in the open market if the awarded bidder fails to deliver within the time specified, or fails to make replacements of items deemed unacceptable by the BOCES. The BOCES reserves the right to authorize immediate purchase from other sources against late deliveries and rejections on any contract when necessary. On all such purchases the successful bidder(s) agrees to reimburse the BOCES promptly for excess cost occasioned by such purchases. Should the cost be less, the successful bidder shall have no claim to the difference. Such purchases will be deducted from the contract quantity and future invoices.

TERMS AND CONDITIONS

16. The bidder agrees to save, defend, keep harmless and indemnify the district, and all its agents from any and all claims, how ever caused, resulting from or in any way connected with the awarded bidder’s performance of the contract or arising out of each and any product defect or failure.

17. If a substitute item is offered, the bidder may supply a sample. All samples submitted become the property of the ONC BOCES and may be returned or retained at the discretion of the ONC BOCES.

18. Lack of proper samples may effect the awarding of the bids.

19. Bidders are asked to send any product catalogs and/or literature with the bid.

20. All conditions set forth in the General Conditions are in effect unless specifically modified. It is the responsibility of the bidder to adhere to all the conditions and specifications set forth herein. Failure to do so may result in the vendor’s bid being declared an unresponsive bid. Failure to adhere to the afore mentioned conditions, after the award has been made, may result in the vendor being found in default of this contract.

21. The ONC BOCES reserve the right to increase or decrease the quantity specified on this bid and to reject, for cause, any bid in whole or in part if in its judgment the best interests of the district will be served.

BIDDERS AGREEMENT

By submitting a bid, the vendor agrees to all conditions and stipulations contained herein and on the enclosed General Conditions.

Signed: _____ Date: _____

Printed Name: _____ Phone: (____) _____

Company: _____ Fax: (____) _____

Address: _____

Email: _____

This form must be signed and returned with a signed Non-Collusion Statement and Section 103-g Certification in a sealed envelope marked "Culinary Arts Program Supply Bid" to the Otsego Northern Catskills BOCES, PO Box 382, 2020 Jump Brook Road, Grand Gorge, NY 12434 no later than 3:00 P.M., December 19, 2019.

NO FAXED BIDS WILL BE ACCEPTED

EXCEPTIONS:

Any exceptions to the bid conditions must be listed below. Exceptions listed anywhere else in the bid shall make those exceptions null and void. Exceptions to any and all bid conditions may be taken into consideration by the bid committee and may result in the bid being considered unresponsive and thus rejected.

**Certification Pursuant to Section 103-g
Of the New York State
General Municipal Law**

- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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 its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- B. A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
 2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

Signature

Title

Date

Company Name

BID PROPOSAL CERTIFICATIONS

Firm Name _____

Address _____

Telephone # _____

Date of Bid _____

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

II. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties or 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 with 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 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 any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of disclosing competition.

(1) 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 or 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 subparagraph one (a).

(2) 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 services performed or to be performed, or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the 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 and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature (Authorized)

Name (printed)

Title