

NIAGARA FALLS WATER BOARD

REQUEST FOR SEALED BIDS FOR: EXTERIOR L.E.D. LIGHTING AND FIXTURES BID #W2018-03

Bids on items as specified herein shall be accepted by the Purchasing Division, 745 Main Street, Room 214 on behalf of the Niagara Falls Water Board ("Board") until 11:00 a.m. on April 25, 2018, and opened at that time.

All bids are subject to delivery and must comply with the delivery specifications contained herein.

If a bid is submitted on an article intended as a substitute for a grade or brand specified, the vendor shall state the grade or brand of the substitution, otherwise it will be assumed that the bid is based upon the grade or brand specified.

The Board reserves the right to accept this bid by items, or as a whole, or to reject any and all bids or waive informalities.

Bid prices are to be shown NET. Cash discounts, if any, are to be clearly stated.

Prices must be filled in mechanically or in ink on this form and placed in a **SEALED ENVELOPE CLEARLY MARKED WITH THE BID NUMBER AND THE NAME OF THE VENDOR SUBMITTING THE BID.**

Any and all bids and contracts made or awarded by the Board, or any department, agency or official thereof for work or services performed or to be performed, or goods purchased or sold or to be purchased or sold are made subject to the provisions of Chapter 861 of the Laws of New York, 1953, as amended by Chapter 751 of the Laws of New York, and as now contained or may hereafter be amended. The provisions of the New York State General Municipal Law, including Sections 103a and 103b, are applicable to this bid.

VENDOR'S ATTENTION IS REQUESTED REGARDING THE FOLLOWING CONDITIONS AND REGULATIONS. BIDS NOT IN COMPLIANCE WITH THE CONDITIONS AND REGULATIONS CONTAINED HEREIN WILL NOT BE CONSIDERED

NON-COLLUSIVE BIDDING CERTIFICATION (PURSUANT TO CHAPTER 751 OF THE LAWS OF NEW YORK, 1965)

By submission of this bid, the vendor certifies that:

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

Anti-Discriminatory Statement:

All programs, policies, procedures, procurement opportunities and activities conducted by and through this organization, its employees, contractors and subcontractors shall be conducted without regard to age, ancestry, color, creed, citizenship (where applicable), gender, genetic information/testing, marital status, mental or physical disability, political affiliation, belief or opinion (where applicable), national origin, race, religious affiliation, belief or opinion, sex (except where age, sex, or disability involves a bonafide occupational qualification), sexual orientation (where applicable) or status as a participant in Workforce Investment Act (WIA) funded programs (where applicable). The Board encourages participation of women and minority owned business enterprises in all its procurement opportunities and has a goal of increasing participation of MWBE organizations in its procurement activities.

VENDOR NAME:

VENDOR ADDRESS:

CONTACT PERSON REGARDING BID: _____

CONTACT PERSON'S TELEPHONE NUMBER: _____

CONTACT PERSON'S EMAIL ADDRESS: _____

AUTHORIZED SIGNATURE: _____

NAME AND TITLE: _____

DATE: _____

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MAIL BIDS TO:

NIAGARA FALLS WATER BOARD
C/O PURCHASING DIVISION, ROOM 214
P.O. BOX 69
NIAGARA FALLS, NEW YORK 14302-0069

DELIVER BIDS TO:

NIAGARA FALLS WATER BOARD
C/O PURCHASING DIVISION, ROOM 214
745 MAIN STREET
NIAGARA FALLS, NEW YORK 14301

BIDS SUBMITTED BY FACSIMILE OR ELECTRONIC MEANS ARE UNACCEPTABLE

SPECIFICATIONS AND TERMS (Page 1 of 2)

1. Bids will be received by the Purchasing Division on behalf of the Board at 745 Main Street, Niagara Falls, New York 14301, Room 214 for the purchase of exterior L.E.D. lighting and fixtures as set forth and described herein.
2. The term of this contract/agreement shall be for one (1) year from the date of award. All pricing must remain firm for the entire aforementioned term.
3. Following the opening of the valid submissions, the Board will conduct its due diligence. Once the due diligence investigation is completed, the Board shall either reject all bids or the lowest responsible bid will be submitted to the members of the Board for possible award via majority vote.
4. Upon award of this offering, the successful vendor(s) must also submit to the Purchasing Division certificates of insurance which meet all of the requirements set forth in the attached "Niagara Falls Water Board Insurance Requirements." Said certificates of insurance must be received by the Purchasing Division no later than ten (10) business days following the date of notification of award. Failure to do so may result in the award being negated.
5. All materials are to conform to the most recent appropriate industry standards and be of the manufacturer's most recent improved design.
6. Deliveries are to be made to 5815 Buffalo Avenue, Niagara Falls, New York 14304 unless another destination within the City of Niagara Falls is specified at the time of order.
7. Vendors shall quote an item price for each item, and said item price shall be F.O.B. destination, freight prepaid.
8. Where indicated, the quantities listed on the price sheet are estimated quantities to be ordered. Items will be ordered as needed, and the Board reserves the right to order more or less than the quantities listed. No guarantees are made as to minimum or maximum quantities the Board will require.
9. The use of a manufacturer or of any particular name, trademark or brand, in describing an item does not restrict vendors to that manufacturer or specific article; but the article on which submissions are made must be of such character or quality that it would serve the purpose for which it is to be used at least equally as well as that specified. Submissions will only be accepted in accordance with these specifications or approved equal(s). In the event a submission is made on alternative or substitute article(s), the vendor must so state and give complete descriptions of the article(s) so offered which explain the differences between the specification and the offering (size, gauge, weight, etc.).
10. Where a brand name or catalog reference is included in the specifications, it shall be interpreted to mean the proprietary product or equal approved. If item submitted is not the particular brand name product, the vendor shall state on its submission what it is submitting as an equal or as an alternative item or items. Catalog cuts and descriptive literature shall accompany the submission. In all cases, sole and final judgment as to whether or not an item meets the specifications rests with the Board. Alternative proposals for materials and/or equipment to serve the purpose intended will be considered.

SPECIFICATIONS AND TERMS (Page 2 of 2)

11. For questions regarding specific items or products on this bid, please contact Maintenance Supervisor Joseph Argona at 716-622-0562.
12. For questions regarding these specifications, please contact Purchasing Agent Douglas Janese at 716-286-4372.

Price Sheet

Item #	Quantity	Manufacturer	Part Description / Number	Unit Price
1	4	CREE	Edge High Output Flood Luminaires, Series E, 15°, 120 LED, 5000k CCT, Universal 120-277V, 1000mA drive, w/ adjustable arm mount, Bronze color	
1 (Substitution)	4			
2	28	CREE	OSQ Area Luminaires, Series P, No Mount, 215 W, 5700k CCT, Universal 120-277V, with adjustable arm mount, Bronze color	
2 (Substitution)	28			
3	32	CREE	L-Shaped Surface Bracket Part No. WM-4L, Bronze color	
3 (Substitution)	32			

NIAGARA FALLS WATER BOARD INSURANCE REQUIREMENTS

INSURANCE: Standard Insurance Requirements apply to the following classifications:

- Construction and Maintenance
- Purchase of, or lease of merchandise or equipment
- Professional Services
- Property Leased to others or Use of Facilities or grounds
- Concessionaire Services
- Livery Services
- All Purpose Public Entity Contracts

The Provider of any of the above classifications shall obtain, at his own costs and expense, the following insurance coverage with insurance companies licensed in the State of New York with a Best Rating of at least A- and shall provide a Certificate of Insurance and binder of Insurance Coverage, or a Certificate of Insurance and Policy Endorsement as evidence of such coverage to the Niagara Falls Water Board before commencement of work and/or lease or delivery of merchandise or equipment.

Certificates should be made to the Niagara Falls Water Board, 5815 Buffalo Avenue, Niagara Falls, N.Y. and should reference the project.

Prior to non-renewal, cancellation of insurance policies, or material change, at least 30 days advance written notice shall be given to the Certificate Holder and Binder Holder.

All Certificates of Insurance, Binders of Insurance Coverage, and Endorsements shall be approved prior to the inception of any work.

Minimum coverage with limits and provisions are as follows:

A. **Comprehensive General Liability**

With a minimum combined single limit of liability for Bodily Injury and Property Damage of \$1,500,000 per occurrence and \$3,000,000 annual aggregate. The coverage shall include:

- Premises and Operations
- Products and Completed Operations
- No exclusion for X C U coverages (explosion, collapse and underground)
- Independent Contractors
- Broad Form Property Damage
- Contractual Liability
- Fire Legal Liability
- Personal Injury Liability (Coverage A, B and C)
- Liquor Liability (if alcoholic beverages are to be dispensed under NYS License)

The Niagara Falls Water Board, the Niagara Falls Public Water Authority and the City of Niagara Falls shall be named as an Additional Insureds on the General Liability Policy with the following provisions:

1. The insurance company or companies issuing the policies shall have no recourse against the Niagara Falls Water Board or the Niagara Falls Public Water Authority for payment of any premiums or for assessments under any form of policy.

2. The insurance shall apply separately to each insured (except with respect to the limit of liability).

B. **Auto Liability:** (if licensed vehicles are to be used in the operation)

With a combined single limit for Bodily Injury and Property Damage of \$1,000,000 each occurrence, the coverage shall include Owned, Hired and Non-owned autos (Symbol 1 should be designed for Liability Coverage on Business Auto Policy).

C. **Excess Umbrella Liability:**

If General Liability and/or limits are lower than required in the above sections, Umbrella Liability or Excess Liability to the required limit is acceptable.

D. **Owners Protective Liability:** (on contracts for construction which exceed a cost of \$100,000).

With a minimum limit of \$1,500,000 each occurrence and \$3,000,000 aggregate. Named insured shall be the Niagara Falls Water Board and the Niagara Falls Public Water Authority.

E. **Professional Liability:**

If the contract includes professional services (engineers, architects, etc.), contractor will carry professional liability insurance with a minimum limit of one million dollars (\$1,000,000).

F. **Property Insurance:** (if applicable)

Contractor shall purchase and maintain property insurance upon the work at or off the site to 100% of the contract completed value. This insurance shall include the interest of the Owner, Contractor and Subcontractors in the work; shall insure against the perils of fire and extended coverage; shall include "all risk" insurance for physical loss and damage including theft, vandalism and malicious mischief, collapse and water damage. All such insurance required by this paragraph shall remain in effect until the work is completed and accepted by the Owner.

G. **Statutory Workers' Compensation and Employers Liability:**

All contractors doing business with or vendors entering upon Niagara Falls Water Board property shall carry the above insurance, in compliance with the Workers' Compensation Law of the State of New York.

H. **Performance and Payment Bond (where applicable):**

A performance and payment bond shall be issued by a Surety company who is licensed by the Insurance Department of the State of New York in favor of the Niagara Falls Water Board in the amount of not less than (100) per centum of the total amount and shall be delivered before commencement of lease or assumption of operations under contract.