



**Town of Tusten**  
210 Bridge Street  
PO Box 195  
Narrowsburg, NY 12764

## **NOTICE TO BIDDERS**

*The Town of Tusten is soliciting bids for ANTI-SKID SAND.*

### **INSTRUCTIONS TO BIDDERS**

**PRICE:** Price shall be met and shall include delivery of the material or item to the location specified, and if no location be specified, to the:

Town of Tusten  
Highway Department  
6067 Rte. 97  
Narrowsburg, NY

**TAXES:** Purchases by the Town of Tusten for its use are not subject to any sales use or Federal Excise Taxes and exemptions certificates will be executed upon payment.

**AWARD:** The Town Board of the Town of Tusten shall make award of the bid. In cases where two or more responsible bidders submit identical bids as to price, Contract may be awarded to either/ or/both of such bidders. The award shall be made on the most advantageous bid, on a quality versus price basis, taking into consideration the responsibility of the bidder and materials or items deemed to be best adapted to the uses of the Town of Tusten. Failure on the part of the successful bidder to comply with all terms of the Contract and Specifications as set forth herein may result in disqualification of the bidder from future bidding, and /or termination of the Contract. The Town of Tusten or department awarding the bid reserves the right to waive any formalities or reject any and all bids, or to accept and bid which it deems in the best interests of the Town of Tusten.

**INFORMATION FURNISHED WITH BID:** Bidders must submit with his / and or her bid detailed specifications, illustrated circulars and all other necessary data on the materials or items he/she proposes to furnish.

**METHOD OF SUBMITTING BIDS:** All bids shall be made upon and in accordance with the forms which contain these instructions to Bidders and the specifications which shall be available from the Town Clerk. Bids shall be submitted in sealed envelopes addressed to, Town of Tusten, *Crystal Weston, Town Clerk, P.O. Box 195, Narrowsburg, NY 12764* and shall bear upon the face thereof the name and address of the bidder, clearly indicating that it is a '**Bid for Anti-Skid Sand**'.

**SUBMISSION AND OPENING OF BIDS:** Bids for consideration must be submitted to the Town Clerk no later than Monday 3:00 P.M. April 5, 2021. The bids will be publicly opened, and read on Tuesday April 6, 2021 at the Special meeting of the Town Board and awarded on Tuesday April 13, 2021 at the regular scheduled Town of Tusten Board meeting at 6:30 P.M. or soon thereafter.

Bidder guarantees to meet standards established by the Specifications.

No bid may be withdrawn by any bidder for a period of 45 days from the date of bid opening.

This bid, including the instructions to Bidders, Specifications and Proposal annexed hereto, shall constitute a contract between the Town of Tusten and the bidder, upon acceptance and award, in accordance with its items, unless otherwise provided herein.

NOTICE: NO CONTRACTOR TO WHOM THIS CONTRACT IS LET, GRANTED OR AWARDED, SHALL ASSIGN, TRANSFER, CONVEY, SUBLET OR OTHERWISE DISPOSE OF SAME, OR HIS RIGHT, TITLE AND INTEREST HERE INCLUDING THE PERFORMANCE OF THIS CONTRACT, OR THE RIGHT TO RECEIVE MONIES DUE OR TO BECOME DUE, OR OF HIS POWER TO EXECUTE THIS CONTRACT TO ANY PERSON OR CORPORATION WITH OUT THE PRIOR WRITTEN CONSENT OF THE OFFICER, BOARD OR AGENCY WHICH AWARDED THIS CONTRAT. IN THE EVENT THAT THE CONTRATOR SHALL WITHOUT PRIOR WRITTEN CONSENT, ASSIGN, TRANSFER, CONVEY, SUBLET OR ORTHERWISE DISPOSE OF THIS CONTRACT, OR HIS RIGHT, TITLE AND INTERST HEREIN, INCLUDING THE PERFORMANCE OF THIS CONTRACT, OR THE RIGHT TO RECEIVE ANY MONIES DUE TO BECOME DUE, OR HIS POWER TO EXECUTE SUCH CONTRACT, OR TO ANY OTHER PERSON OR CORPORATION, OR UPON RECEIPT BY THE TOWN OF TUSTEN, AN ATTACHMENT, LEVY OR EXECUTION OF THE PROCEEDS DUE OR TO BECOME DUE UNDER THIS CONTRACT AGAINST THE CONTRACTOR, THE TOWN AND OFFICER, BOARD OR AGENCY SHALL BE RELIEVED AND DISCHARGED FROM ANY AND ALL LIABILITY AND OBLIGATIONS GROWING OUT OF SUCH CONTRACT TO SUCH CONTRACTOR, AND THE PERSON OR CORPORATION TO WHICH SUCH CONTRACT SHALL HAVE BEEN ASSIGNED, TRANSFEREED, CONVEYED, SUBLET OR OTHERWISE DISPOSED OF, AND SUCH CONTRACTOR AND HIS ASSIGNEES, TRANSFEREESOR SUBLESSEES SHALL FORFEITT AND LOSE ALL MONIES THERETOFORE EARNED UNDER THIS CONTRACT, EXCEPT SO MUCH AS MAY BE REQUIRED TO PAY HIS EMPLOYEES.

The undersigned bidder will return the bid proposal with the Contractor's Assurance on Equal Opportunity duly signed. SA finding by any governmental agency that the undersigned has discriminated against any individual shall be grounds for termination of the Contract to which this bid relates and ineligibility for any future Contract with the Town, unless a Certificate of Compliance with any decision, ruling or order is obtained.

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*Signature*

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*Print* *Date*



**SPECIFICATIONS FOR DELIVERY**

**GENERAL:** All orders for delivered materials shall be coordinated through the Superintendent of Highways who shall have the sole discretion of establishing the dates, times, locations and other details concerning delivery of the product.

A delivery ticket indicating the net weight of product delivered shall accompany each such load delivered.

**BASIS OF AWARD:** The basis of award shall be the lowest net price for total tonnage of each type at the town Barn Stockpile. The Superintendent may pick up samples of materials bid after the bids are received and before the award has been made.

The Superintendent of Highways shall have the sole discretion of final acceptance of materials as to quality, hardness, and cleanliness.

**RIGHTS AND CONDITIONS:** The Superintendent of Highways reserves the right to terminate this agreement and /or cancel any unfilled order or any portion thereof at any time should the successful bidder fail to comply with any or all of the specifications or conditions as listed herein, and further reserves the right to waive any informality or to reject any and all bids.

All sand is to be bid F.O.B. and delivered, by the **ton**, to the Town of TUSTEN TOWN BARN located at: 6067  
Route 97  
Narrowsburg, N.Y.

Sand must be delivered prior to October 1, 2021.

The Town Board and Superintendent of Highways reserve the right to reject any and all bids and to waive any irregularities in the bidding and to re-advertise for new bids.

All bids must contain a statement of non-collusion, as required by 103 of the General Municipal Law.

**Material is to conform to ANTI-SKID SAND specifications listed below:**

<b>ANTI-SKID SAND specifications</b>	
SIEVE SIZE	ANTI-SKID SAND SPECIFICATIONS
3/8"	100%
NO.50	10-40%
NO.200	0-5%



**PROPOSAL**

**TO:** The Town Clerk and the Town Board of the Town of Tusten

The undersigned, having a principal place of business at \_\_\_\_\_ being experienced and responsible for the performance of same, agrees to furnish and deliver to the town Barn Stockpile, Town of Tusten, 6067 Rte. 97, Narrowsburg NY 12764, the following described items, material or service in accordance with the attached Specifications and described in detail below. (Attach additional material to Proposal, if necessary):

**CONTACTORS ASSURANCE ON EQUAL EMPLOYMENT OPPORTUNITY:**

The undersigned Contractor has received a copy of the Town of Tusten Employment Opportunity Statement, The undersigned assures the Town of Tusten that it will comply with all applicable laws and regulations prohibiting discrimination in employment on the grounds of race, religion, creed, color, national origin, sex, disability, marital status, and other non-merit factors, The understanding or agreement of which this assurance relates can be terminated upon a finding by any government agency that the undersigned is in violation of applicable discrimination laws and that such finding will also disqualify the undersigned for future contracts with the Town. The undersigned certifies to the Town that there is no pending or outstanding decision, ruling, or order against it finding the undersigned in violation of the laws against discrimination.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bidder

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Signature Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Dated



**Town of Tusten**

Highway 2021



Office of the Town Clerk  
210 Bridge Street  
PO Box 195  
Narrowsburg, NY 12764  
(845) 252-7146

## NON-COLLUSION BIDDING CERTIFICATION

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 his 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 and will not knowingly be 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.

DATED: \_\_\_\_\_

NAME & ADDRESS OF COMPANY OR INDIVIDUAL:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF PERSON SUBMITTING BID

\_\_\_\_\_  
PRINTED NAME AND TITLE OF PERSON SUBMITTING

