



## **Refurbished Sidewalk Tractor Bid (Bid #2014-017) Town of Salem, NH**

**August 11, 2014**

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### **SALEM PURCHASING**

Christine Wholley, Purchasing Agent  
603-890-2090 fax 603-890-2091  
[cawholley@ci.salem.nh.us](mailto:cawholley@ci.salem.nh.us)

Keith Hickey, Town Manager

Prepared for and in coordination with the  
**Public Works Department**

Ted Puzniak, Fleet  
603-890-2161 fax 603-890-3882  
[tpuzniak@ci.salem.nh.us](mailto:tpuzniak@ci.salem.nh.us)

**COMPETITIVE SEALED BIDS TO  
Refurbish Sidewalk Tractor  
August 11, 2014**

It is the intent of the Town of Salem, New Hampshire to engage the services of a qualified firm to provide the town with the following product(s) or services to be purchase a Refurbished Sidewalk Tractor.

Sealed bids must be received no later than September 10, 2014 at or before 11:00am from interested firms, to be eligible for consideration by the town. Each bid will be submitted in a sealed envelope which is clearly marked **“Bid #2014-017 Refurbished Sidewalk Tractor”**

All sealed bids received will be considered confidential and not available for public review until after the bid opening on September 10, 2014 at 11:00am.

Sealed bids and all correspondence relating to this ITB shall be submitted to:

**Christine Wholley**  
Purchasing Agent  
Town of Salem  
33 Geremonty Drive  
Salem NH 03079

Qualified Firms requiring additional information or clarification relative to the contents of the bid may direct inquiries to Christine Wholley, Purchasing Agent at 603-890-2090 or [cawholley@ci.salem.nh.us](mailto:cawholley@ci.salem.nh.us). Bid documents may be picked up at the office of the Purchasing Agent at the above address during regular business hours: Monday-Wednesday 8:30 am to 2:00 pm, Thursday 8:30 am-1:30 pm and Friday 8:30 am-12:00 pm. Please visit our website to download a copy of this Bid-2013-001 [www.townofsalemnh.org](http://www.townofsalemnh.org) Finance-Purchasing/bids-proposals. Copies will not be faxed.

(1) One original and (1) one copy is required and must be received at the above address no later than September 10, 2014 on or before 11:00am, late bids will not be considered.

The Town reserves the right to reject any or all bids/proposals or any part thereof, to waive any informality or information in the bids/proposals, and to accept the bid /proposal considered to be in the best interest of the Town. The Town also reserves the right to conduct reasonable negotiations with low bidders and sole bidders. Failure to submit all information may declare a bid/proposal as non-responsive subject for disqualification.



## **Town of Salem, New Hampshire**

***Purchasing Department***  
***33 Geremonty Drive***  
***Salem, New Hampshire 03079***  
***PH (603) 890-2090 FAX (603) 890-2091***

### **Notice To Qualified Firms**

\*Do not alter bid documents in any way.  
\*All bid documents must be filled out to be considered.

If you wish to offer comments, additional information or alternate bids, please do below or on a separate sheet and attach it to the bid sheet.

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

The purpose of the attached specifications is to define minimum requirements only. They are not meant to be restrictive. All manufacturers meeting or surpassing these minimum specifications are invited to submit a bid/proposal.

Please don't hesitate to call me if you need any additional information.  
Christine Wholley, Purchasing Agent (603) 890-2090

For questions or clarification on specifications please contact  
Ted Puzniak, Fleet (603) 890-2161

The Town of Salem reserves the right to reject any and all sealed bids/proposals that it deems non-conforming to the specifications enclosed. All information must be filled out correctly for consideration.

**DO NOT FAX BIDS, THEY WILL NOT BE ACCEPTED.**



**Town of Salem, New Hampshire**

***Purchasing Department***  
***33 Geremony Drive***  
***Salem, New Hampshire 03079***  
***PH (603) 890-2090 FAX (603) 890-2091***

**Specifications Exception Form**

In the interest of fairness and sound business practice, it is mandatory that you state any exceptions taken by you to our specifications.

It should not be the responsibility of the Town of Salem to ferret out information concerning the materials, which you intend to furnish.

If your bid/proposal does not meet all our specifications you must state it in the space provided below.

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Bids/proposals on equipment, vehicles, computers, supplies, services and materials not meeting specifications may be considered by the Town, however, all deviations must be listed above.

If your bid does not meet our specifications, and your exceptions are not listed above or in space provided, the Town of Salem may claim forfeiture on your bid, if submitted.

Signed\_\_\_\_\_  
I DO meet specifications

Signed\_\_\_\_\_  
I DO NOT meet specifications as listed in this bid, exceptions are in space provided.

Failure to submit this form with your Bid/Proposal response may result in your Bid/Proposal being rejected as unresponsive.



### **FORM FOR GENERAL BID**

In compliance with all specifications enclosed the Bidder hereby proposes to provide services/equipment in strict accordance with the specifications provided. All services, materials, labor, and equipment required for purchasing a Refurbished Sidewalk Tractor specified in the scope of work at the prices stated below;

**Specify Brand:** \_\_\_\_\_

**Purchase Price Delivered Refurbished Sidewalk Tractor**

Dollars \$ \_\_\_\_\_  
Written \_\_\_\_\_ Figures \_\_\_\_\_

TRADE IN OF A TRACKLESS MT5 T  
SER # 1448  
MACHINE HOURS 3985  
WITH OUT ANY ATTACHMENTS \$ Trade in Value \_\_\_\_\_

Manufacturer's Warranty \_\_\_\_\_  
Location of Warranty Services \_\_\_\_\_  
Extended Warranty \$ \_\_\_\_\_

- Proposal Submitted by (Business Name) \_\_\_\_\_
- Title of person authorized to sign proposals \_\_\_\_\_
- Name of person authorized to sign proposals (printed) \_\_\_\_\_
- Signature of person authorized to sign proposals \_\_\_\_\_
- Business Phone \_\_\_\_\_ Business Fax \_\_\_\_\_
- Business Address \_\_\_\_\_ Date \_\_\_\_\_
- Business Email \_\_\_\_\_
- Business Type \_\_\_\_\_ (Individual, Partnership, Corporation etc.)



### **RECEIPT AND OPENING OF PROPOSALS:**

Proposals shall be submitted prior to the time fixed in the Request for Sealed Bids/RFP. Proposals received after the time so indicated shall be returned unopened.

### **PROPOSAL RESULTS:**

All sealed bids received will be considered confidential and not available for public review until after the bid opening is conducted. Results will not be given over the phone. Please send your request in writing or send an email to [cawholley@ci.salem.nh.us](mailto:cawholley@ci.salem.nh.us) to receive sealed bid results after the public opening. Request for Proposals will remain confidential until the proposer has been selected.

**KNOWLEDGE AND EXPERIENCE:** Provide a description of the firm's knowledge and experience in the industry. Highlight your company's experience to provide the highest quality and effective product and reliable service and support.

**REFERENCES:** Equipment supplied and installed within the past 2 years best illustrating current qualifications for this bid: (Please See Reference List)

**AWARD OF CONTRACT:** It is the policy of the Town of Salem, NH that contracts are awarded only to responsible bidders. In order to qualify as responsible, a prospective vendor must meet the following standards as they relate to this request:

- A. Have adequate financial resources for performance or have the ability to obtain such resources as required during performance.
- B. Have the necessary experience, organization, technical and professional qualifications, skills and facilities.
- C. Be able to comply with the proposed or required time of completion or performance schedule; and
- D. Have a demonstrated satisfactory record of performance.
- E. Adhere to the specifications of this bid and provide all documentation required of this bid.

The contract will be awarded to a responsive & responsible bidder based on the qualifications and experience of the bidder, the quality of the equipment/product /materials/services to be provided and the support that the bidder offers during the duration of the supply terms.

**EXECUTION OF AGREEMENT:**

The successful Proposer shall sign (execute) the necessary agreements for entering into the contract and return such signed agreements to the town within ten (10) calendar days from the date mailed or otherwise delivered to the successful Proposer.

**FAILURE TO EXECUTE AGREEMENT:**

Failure of the successful Proposer to execute the agreement at the date and time agreed upon by the Town and the successful Proposer shall be just cause for cancellation of the award and forfeiture of all deposits.

**CONTRACT TERMINATION:**

If at any time the Proposer fails to provide proper services during the contract period, the Town of Salem, NH will have the option to terminate the contract at any time without notice.

**FAILURE TO SUPPLY GOODS OR SERVICES:** If during the contract period the successful vendor fails to supply the Town of Salem, New Hampshire with the equipment/service (s). The Town of Salem, will purchase this product/service(s) on the open market and the vendor will compensate the Town of Salem, New Hampshire with the difference between the bid price and the price incurred on the open market.

**RIGHT TO REJECT BIDS:** The Town reserves the right to reject any and all sealed bids, should the Town deem it to be in the best interest of the public.

**INSURANCE CERTIFICATES:** The Proposer must supply a current insurance certificate before any work commences. See: Insurance requirements.

**PRICING:** Unless otherwise specified all prices listed are firm for the term of the contract. All prices should include all labor and material costs, and any discounts offered.

**DELIVERY:** Deliveries are to be made only to the department or division indicated on the order and in accordance with accepted commercial practices, without extra charge for packing or containers.

**GUARANTEES AND WARRANTIES:** All parts and labor related to agreements must be guaranteed and include a warranty. If any work is unable to be guaranteed, the contractor must inform the Town, in writing, prior to the delivery of an item or any work being performed.

**VEHICLE DELIVERY REQUIREMENTS:**

All vehicles/equipment shall be delivered new and must meet all federal and state equipment and safety requirements.

All vehicles/equipment must be delivered with all standard and optional equipment in place, cleaned, lubricated, serviced and ready for operation. Dealer advertising or logo shall not be displayed on any vehicles purchased. This vehicle/equipment will be inspected upon delivery prior to acceptance by the Salem Public Works Department.

Dealer must be located within a 50 mile radius of the Town of Salem, NH.

**FORCE MAJEURE:** Neither party shall be liable for any inability to perform its' obligations under any subsequent agreement due to war, riot, insurrection, civil commotion, fire, flood, earthquake, storm or any other act of God.



### Town of Salem, New Hampshire

*Purchasing Department*  
33 Geremony Drive  
Salem, New Hampshire 03079  
PH (603) 890-2090 FAX (603) 890-2091

### Insurance Requirements

A current Insurance certificate must be provided prior to commencing any work on this project, in the following amounts:

Comprehensive General Liability	
Combined single limit	\$ 1,000,000.00
Workmen's Compensation	
& Employers Legal Liability	\$ 500,000 per accident

The Contractor shall procure and maintain for the duration of this project Workmen's Compensation Insurance as required by State Law for all of his employees that are engaging in any work at the site of the project whether direct employees or subcontracting associates.

### Non-Collusion Statement

The Undersigned certifies under penalties of perjury that this bid, in all respects, is bona fide, fair and made without collusion or fraud with any other person. As used in this paragraph, the "PERSON" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

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



**Town of Salem, New Hampshire**

*Purchasing Department  
33 Geremonty Drive  
Salem, New Hampshire 03079  
PH (603) 890-2090 FAX (603) 890-2091*

**INDEMNIFICATION AGREEMENT**

The successful vendor agrees to indemnify, investigate, protect, defend and save harmless the Town of Salem, NH, its officials, officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person, firm or corporation furnishing or supplying work, services, materials, equipment or supplies in connection with the performance of this contract and from any and all claims and losses accruing or resulting to any person, firm or corporation which may be injured or damaged by the vendor in the performance of this contract. In any case, the forgoing provisions concerning indemnification shall not be construed to indemnify the Town for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Town or its employees. This indemnification shall survive the expiration or early termination of this contract.

- Company \_\_\_\_\_
- Taxpayer Identification Number\_\_\_\_\_
- Authorized Signature \_\_\_\_\_
- Contact Phone \_\_\_\_\_
- Address \_\_\_\_\_
- Date \_\_\_\_\_



BID SPECS FOR MUNICIPAL SIDEWALK TRACTOR FOR 2014

TOWN OF SALEM NH DPW

REFURBISHED MACHINE

4 WHEEL DRIVE ARTICULATING & OSCILLATING RUBBER TIRE

TRACTOR SHALL BE NO HIGHER THAN 79"

NO WIDER THAN 51" WITH FENDERS

110 HP WATER COOLED TURBO CHARGED DIESEL ENGINE

TRACTOR SHALL HAVE HYD SYSTEM TO RUN 14 FT

MOWER DECK ALREADY OWNED BY THE Town of Salem, NH

ALSO ALL OTHER ATTACHMENTS ALREADY IN USE

WHICH ARE TRACKLESS ATTACHMENTS

STANDARD WINTER TIRES

ROPS CERTIFIED CAB W/ FULL INSTRUMENTATION

DANA 60 AXLES W/ LIMITED SLIP

ROOF TOP A/C UNIT

B/U ALARM / CAB MOUNTED STROBE LIGHT

COLD START / WITH BLOCK HEATER

ENGINE SHUTDOWN OIL & TEMP SAFETY SYSTEM

ENGINE ACCESS SIDE PANELS & HOOD

PTO DRIVE SYSTEM 11.5" CLUTCH W/ ELECTRIC OVER HYD

1-3/8" 6 SPLINE 540 PTO RPM

ACCESS TO PTO SHAFTS SHEAR BOLTS INSIDE CAB

EATON HYDROSTATIC FOOT CONTROLLED TRANSMISSION

MECHANICAL 2 SPEED HI- LOW RANGE

HYDRO & EMERGENCY HAND BRAKE

TIRES 10.00 X 16.5 LOADER LUG TYPE

18 GPM HYD PUMP W/ EXTRA PUMP FOR 14' DECK

6 HYD FRT COUPLERS / W/ 2 REAR COUPLERS 12 GPM

REFURBISHED MACHINE

FOLLOWING ITEMS WILL BE REPLACED:

SANDBLAST AND REPAINT CAB AND FRAME  
REPLACE DECALS  
REPLACE ALL HOSES  
REPLACE FRT/ REAR WIRING HARNESSSES  
REPLACE FLOOR MATS  
REPLACE CENTRE FRAME AND LINER ASSY  
REPLACE PIVOT PINS/ STEERING CYL PINS  
REPLACE REAR HOOD AND SIDE PANELS  
REPLACE WINDSHIELD  
REPLACE CONTROL CABLES  
REPLACE LIFT HATCHES  
REPLACE RADIATOR AND OIL COOLER ASSYS

ITEMS TO BE INSPECTED IF NEED TO BE REPAIRED OR REPLACED:

VALVE BANK SEALS  
CYLINDER SEALS & PACKINGS  
U-JOINTS  
DRIVELINE BEARINGS  
BRAKE LINES  
BRAKE COMPONENTS  
GAUGES  
OPERATOR SEAT

TRADE IN OF A TRACKLESS MT5 T

SER # 1448

MACHINE HOURS 3985

WITH OUT ANY ATTACHMENTS

**1 YEAR WARRANTY PARTS / LABOR**

## **FORM OF AGREEMENT**

THIS AGREEMENT, Made this \_\_\_\_\_ day of \_\_\_\_\_ 2014 by and between the Town of Salem, NH herein called “**CLIENT**” and \_\_\_\_\_ called “**CONTRACTOR**” agrees to perform professional services and furnish a refurbished sidewalk tractor as specified in Sealed Bid #2014-017.

The **CONTRACTOR** hereby proposes to provide all services, materials, labor, equipment, and miscellaneous supplies required to furnish & install the proposed equipment in strict accordance with the technical specifications provided.

The **CONTRACTOR** agrees to furnish a refurbish sidewalk tractor. The Utility Body manufacturer will be \_\_\_\_\_ as specified in the Form for General Bid.

The **CONTRACTOR** agrees to perform all of the work described in the technical specifications and comply with the terms therein for the sum of \_\_\_\_\_, as shown in the Form for General Bid.

The **CONTRACTOR** agrees to all terms and conditions specified in Sealed Bid #2014-017;  
Invitation to Bid / Notice to Qualified Firms  
Specification Exception / Form for General Bid  
Technical Specifications / Insurance Requirements  
Non-collusion Statement/General Terms and Conditions / Indemnification Agreement

The **CONTRACTOR** hereby agrees to supply and install appropriate equipment specified in the Form for General Bid on or before:

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**CONTRACTOR:**

Title \_\_\_\_\_

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

(Authorized Representative)

Date: \_\_\_\_\_

**CLIENT:**

Title \_\_\_\_\_

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

(Authorized Representative)

Date: \_\_\_\_\_

## **Request for Taxpayer Identification Number and Certification**

**Give Form to the requester. Do not send to the IRS.**

**Print or type**  
**See Specific Instructions on page 2.**

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)				
	Business name/disregarded entity name, if different from above				
	Check appropriate box for federal tax classification:				
	<input type="checkbox"/> Individual/sole proprietor	<input type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust/estate
	<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ► _____				
	<input type="checkbox"/> Other (see instructions) ► _____				
	Address (number, street, and apt. or suite no.)			Requester's name and address (optional)	
City, state, and ZIP code					
List account number(s) here (optional)					

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II | Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here** Signature of U.S. person ► **Date ►**

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

## Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the