

Department of Public Works
Public Services Administration Building
500 Dedham Avenue
Needham, Massachusetts 02492
Telephone 781-455-7550

Acknowledgement of Receipt

Release Date	March 22, 2018
Bid Title	Sale of Surplus Equipment 1987 Dozer
Bid Number	18GEN169M
Number of Documents	The Bid Package consists of one (1) PDF document.
Pre-Bid Conference	8:00 a.m. to 12:00 p.m. Monday, April 2, 2018 (by Appointment)
Questions Due	11:00 a.m. Tuesday, April 3, 2018
Bids Due	1:30 p.m. Friday, April 6, 2018
Please provide the requested information below as acknowledgment that you have received our bid package noted above. It is recommended that interested bidders complete this acknowledgment and return via Fax to the Town of Needham, <u>Department of Public Works</u> at <u>781-449-9023</u> or by mail. Only by doing this, will the Town be able to provide notification of addenda* or answered questions relating to this Bid. Only those companies or individuals shown on the Distribution Register will be sent addenda to this Bid. By completing and returning this acknowledgment will ensure you are recorded on the Distribution Register. Proposals from companies or individuals not acknowledging the addenda may be <u>rejected</u> as not responsive.	
Name of Company or Individual (Print)	
Name / Title of Contact (Print)	
Address (line 1) (Print)	
Address (line 2) (Print)	
Telephone Number	
Fax Number	
E-mail Address (Print)	
Signature	
Date	
* Addenda will be posted to the website. Please check the website for addenda before submitting your bid to the Town. Bidders who access the bid package from the Town's website are responsible for checking the website periodically for any addenda that may be issued by the Town.	

**Sale of Surplus Equipment
1987 Dozer
18GEN169M**

Released: March 22, 2018



Deadline for Questions – 11:00 a.m. Tuesday, April 3, 2018

**Bids Due
April 6, 2018 at 1:30 pm
Kate Fitzpatrick, Town Manager
Needham Town Hall
1471 Highland Ave.
Needham, Massachusetts 02492**

**The dozer will be available for viewing by appointment only, on
Monday, April 2nd from 8 am to 12 pm.**

(Advertised in Needham Times Issues of Thursday, March 22, 2018)
(Advertised on the MNPA's website, Thursday, March 22, 2018)
(Advertised on Commbuys, Tuesday, March 13, 2018)
(Advertised in Goods & Services Issues of Monday, March 19, 2018)

LEGAL NOTICE

Town of Needham
Sale of Surplus Equipment
1987 Dozer
18GEN169M

The Town of Needham is accepting sealed bids to purchase one (1) 1987 Dozer. Information will be available beginning **March 22, 2018 at the Second Floor Administration Office of the Department of Public Works, PSAB, 500 Dedham Ave.**, Needham, MA 02492 between the hours of 8:30 A.M. – 5 P.M, or from the Town's web site www.needhamma.gov/bids.aspx and will be available until submission deadline. Please refer to the bid package for additional information. **The dozer will be available for viewing by appointment, on Monday, April 2nd from 8 am to 12 pm.** Contact the DPW Department to schedule an appointment. . Sealed bids must be submitted no later than 1:30 pm on April 6, 2018 to Kate Fitzpatrick, Town Manager, Town of Needham, Town Hall, 1471 Highland Ave, Needham, MA 02492. LATE BIDS WILL NOT BE CONSIDERED. Bids will be publicly opened after submission deadline. The equipment is sold as is with no warranties. The Town reserves the right to reject any and all bids as determined to be in the best interests of the Town and to waive minor informalities.

Kate Fitzpatrick
Town Manager
March 22, 2018

GENERAL CONDITIONS AND SUBMISSION REQUIREMENTS: The Town of Needham is circulating this Invitation for Bids (IFB) with the intention of selling the described surplus equipment. All bids are subject to the provisions of M.G.L. Chapter 30B. The Town will award the contract to the lowest responsive and responsible bidder. The Town of Needham reserves the right to reject any and all bids as determined to be in the best interests of the Town and to waive minor informalities. Such actions will be deemed to be in the best interests of the Town. Unless sooner rejected or accepted, all bid proposals must be firm and continue in effect for thirty calendar days (30) following the date of bid opening.

The successful bidder(s) must remove the equipment within seven (7) working days of the bid acceptance and also remove any and all Town markings upon receipt of the Bill of Sale.

The equipment is offered for sale as listed and will be sold on an "As Is", "Where Is" basis without warranty, guarantee or liability of any kind on the part of the Town of Needham.

Invitations For Bid (IFBs) are posted on-line at: <http://www.needhamma.gov/bids.aspx>

QUESTIONS REGARDING BID: The Bidder shall be satisfied as to the requirements to enable intelligent preparation of your bid. The Bidder shall be familiar with all the Bid material requirements and documents before submitting the bid in order that no misunderstanding shall exist. Bidders shall promptly raise the issue of any ambiguity, inconsistency or error, which they may discover upon examination of the bid documents, specifications, services, work site or any other conditions which may apply. No allowance will be made for any claim that the bid is based on incomplete information.

Inquiries concerning any part of this Bid shall be directed to **Carys Lustig, Director of Finance and Administration for Public Services, PSAB, 500 Dedham Ave, Needham Massachusetts 02492** or by emailing dpwadmin@needhamma.gov. Bidders should note that oral communications are not binding on the Town and only written responses by the Town will be considered. All requests/questions must be submitted in writing.

Questions may be delivered by hand or email as referenced above by **11:00 a.m. Tuesday, April 3, 2018**. Questions that may be asked during any pre-bid/inspection conference should also be sent in writing in order to receive an official response. Requests properly presented that in the opinion of the Town require interpretation, correction, or change in the Bid Documents will result in an issuance of an Addendum to the Bid Documents. Such Addendum shall subsequently become part of the contract. The Town will forward responses to all persons who are on record as receiving the bid package. Questions received after the due date will not be responded to unless the Town determines it is necessary. Bidders, please allow enough time for hand delivery or facsimile transmissions.

INFORMATION ABOUT CHANGES TO THE BID (ADDENDA): In the event that changes/additions are made to this bid, an addendum will be issued to every person (entity) on record as receiving the bid package. Addenda will be emailed, if an email address was not provided, then it will be faxed. If a fax number was not provided, then the addenda will be mailed. **Addenda will also be posted to the website.** Please check back on the website for addendums before submitting your bid to the Town. Bidders may not be notified individually of Addendums.

UNEXPECTED CLOSURE OR DELAYS: If, at the time of the scheduled bid submission deadline, the designated location for delivery of the bid is closed due to uncontrolled events such as fire, snow, ice, wind, building evacuation or other the deadline will be postponed

until **1:30 p.m.** on the next normal business day. Bids will be accepted at the same location until that date and time.

LATE SUBMISSIONS: The Town assumes no responsibility for late submissions due to mail, courier, or delivery problems.

REJECTION OF BIDS: The Town reserves the right to reject any and all bids as determined to be in the best interests of the Town and to waive minor informalities.

PUBLIC RECORDS: Under the Massachusetts General Laws, the Town cannot assure the confidentiality of any materials or information that may be submitted by a vendor in response to this Bid. Thus vendors who choose to submit confidential information do so at their own risk. All bids or other materials submitted by the vendor in response to this Bid will be open for inspection by any person and in accordance with Massachusetts General Laws, Chapter 66 (Public Records Law). Any statements reserving any confidentiality or privacy rights in the submitted responses or otherwise inconsistent with these statutes will be void and disregarded.

All proposals, materials, drawings, plans, etc. shall become the property of the Town and may be considered under the Public Records Law public information.

CONFLICT OF INTEREST: By execution of a contract with the Town of Needham, the Bidder acknowledges that the Town of Needham is a municipality for the purposes of Massachusetts General Laws, Chapter 268A (the Massachusetts conflict of interest statute), and agrees, as circumstances require, to take actions and to forbear from taking actions so as to be in compliance at all times with the obligations of the contractor based on said statute. Town employees must comply with the provisions Massachusetts General Laws, Chapter 268A when bidding on surplus equipment.

OTHER NOTICES: The consideration of all bids and subsequent selection of the successful applicant shall be made without regard to race, color, sex, age, handicap, religion, political affiliation or national origin.

The Bidder shall comply with Massachusetts General Laws, Chapter 66A if the Bidder becomes a "holder" of "personal data". The Bidder shall also protect the physical security and restrict any access to personal or other Town data in the Bidder's possession, or used by the Bidder in the performance of the Contract, which shall include, but is not limited to the Town's public records, documents, files, software, equipment or systems.

VIEWING OF EQUIPMENT: The dozer will be available for viewing by appointment only, and appointments may be made for Monday, April 2nd from 8 a.m. to 12 p.m. Contact the DPW at **781-455-7550 X345** to schedule an appointment.

TIE BID: In the event that there is a **tie bid** between two (2) responsive and responsible bidders, the award of the contract will be determined by a coin toss. The bidder's whose submission was received earliest shall be assigned "Heads" in the coin toss. In the event that there is a **tie bid** with three (3) or more responsive and responsible bidders, the award shall be made by a draw by lot limited to those bidders. The coin toss/draw by lot shall be scheduled within two (2) business days from when it was determined by the Town to be a tie bid. The bidders involved shall be given an opportunity to attend. The coin toss/drawing shall be witnessed by at least three (3) Town officials. The tie breaker event shall be held at the Needham Town Hall during regular business hours.

AWARD: One award will be made to the highest bidder. The Town reserves the right to reject all bids if the Town considers the bids received are unreasonably low. Vehicles are sold as is with no warranties. Upon notification of award, the successful bidder(s) must forward a certified check within seven (7) working days made payable to the Town of Needham for the amount of the award. Please mail checks to the following address: **Needham Town Hall, Finance Department, 1471 Highland Avenue, Needham MA 02492**

At the time the Finance Department receives the certified check the successful bidder will receive a written release and the DPW will be notified that the vehicles can be released to the bidder.

The successful bidder must finalize the purchase and remove the vehicles and equipment located at the 1421 Central Avenue, Needham at the bidders own expense within seven (7) working days from the date of the notice of award, excluding Saturdays, Sundays and Holidays.

All vehicles and equipment are being sold "as is" without express warranties and with no implied warranties of merchantability. All prices are to remain firm.

The Town will not accept incomplete price proposals. The bidder submitting the highest bid price for each item will be awarded the sale but the Town has the right to negotiate a sale price with any person so long as the negotiated sale price is more than the highest bid price. Bidders may submit a bid on one or more vehicles.

SUBMISSION REQUIREMENTS

1. The bid is to be submitted and addressed as follows: **Kate Fitzpatrick, Town Manager, Town of Needham, Town Hall, 1471 Highland Ave, Needham, MA 02492**
2. The bid is to be clearly marked: **1987 Dozer – IFB 18GEN169M**
3. Bidder should acknowledge all addenda related to this IFB, if any. Failure to received or acknowledge any addenda does not relive the bidder of any changes, conditions, quantities, methods, requirements that may result by the issuance of the addenda. Bidders are encouraged to check the Town's website www.needhamma.gov/bids.aspx for addenda before submitting your bid to the Town.
4. Bidder must submit a completed **Required Information** form with the contact information and a signed **Certificate of Good Faith**.
5. A completed **Certificate of Compliance with Massachusetts Tax Laws** or Certificate of Good Standing issued by the Massachusetts Department of Revenue;
6. Bidder must submit a completed **Bid Form** or an exact copy, signed by an individual authorized to negotiate for and contractually bind the Bidder.
7. Delivery will be at the expense of the Bidder. Any and all damages that may occur due to packaging or shipping will be the sole responsibility of the Bidder

The Town reserves the right to reject any and all bids as determined to be in the best interests of the Town and to waive minor informalities.

Required Information
Sale of Surplus Equipment
1987 Dozer
18GEN169M

Legal Name of the Bidder: _____

Legal Address: _____

City State Zip: _____

Telephone: _____ Fax number: _____

Email Address: _____

CERTIFICATE OF GOOD FAITH

The undersigned hereby certifies that s/he will comply with all laws and regulations applicable to awards made subject to Massachusetts General Laws, Chapter 30B.

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of individual submitting the bid

Individual Full Name (Print/Type)

Name of Business (Print/Type)

(Date)

THIS FORM MUST BE FILED WITH BID SUBMISSION

CERTIFICATE OF COMPLIANCE WITH MASSACHUSETTS TAX LAWS

Certificate of Good Standing issued by the Massachusetts Department of Revenue dated no earlier than 90 days before the bid submission deadline may be submitted in place of this certificate.

Pursuant to M.G.L. c.62C, §49A , the undersigned acting on behalf of the Contractor* certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.**

(1) Contractor: _____ Date: _____

Print Name: _____

Social Security Number: _____

Corporation, Association or Partnership:

_____ (Print)

Federal Tax ID Number or Social Security Number:

(2) By: _____ Date: _____
(Authorized Corporate Signature)

Title: _____

Note to Contractor***: Please sign at (1) or (2), whichever applies.

In order to comply with all laws of the Commonwealth relating to taxes, the undersigned certifies that Contractor (check applicable item):

1. _____ has filed all tax returns and paid all taxes required by law; or
2. _____ has filed a pending application for abatement of such tax; or
3. _____ has a pending petition before the appellate tax board contesting such tax; or
4. _____ does not derive taxable income from Massachusetts Sources such that it is subject to taxation by the Commonwealth

* As used in this certification, the word "Contractor" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

* The provision in this Certification relating to child support applies only when the Contractor is an individual.

*** Approval of a contract or other agreement will not be granted until the Town of Needham receives a signed copy of this Certification.

THIS FORM MUST BE FILED WITH BID SUBMISSION

Bid Price Form
Sale of Surplus Equipment
1987 Dozer
IFB 18GEN169M

Bidder Name: _____

Bidder Acknowledges Addenda# _____

Description: Komatsu Dozer D83E-1 (54)

Serial Number:

Year: 1987

Color: Yellow

Hours and/or Miles: 7,168 hours

Condition: Poor – has major engine damage.

\$ _____

Total in words _____

The undersigned further certifies under the penalties of perjury that this proposal is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this subsection, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, group of individuals, or legal entity.

BY: _____

(Signature)

(Printed Name and Title of Signatory)

Business Address

(City, State Zip)

End of Bid Price Form

Unit #54

