

**SPECIFICATIONS FOR:**

**“WASTE REMOVAL SERVICES”**

**BIDS TO BE RETURNED NO LATER THAN:**

**Wednesday, June 21, 2023 @ 1pm**

**BIDDER PLEASE MARK ENVELOPE:**

**“BID –WASTE REMOVAL SERVICES”**

**NOTICE TO BIDDERS**

The Catskill Central School District, Greene County, Catskill, New York (in accordance with Section 103 of Article 5-A of the General Municipal Law) hereby invites the submission of sealed bids on the materials and/or services described in the attached conditions and specifications. Bids will be received at the date and hour shown above at the Office of the Business Official, 347 West Main Street, Catskill, New York 12414 at which time and place all bids will be publicly opened. Copies of specifications and bid forms may be obtained at the same office. The Board of Education reserves the right to waive any informalities relative to this bid and to reject any or all bids. Any bid submitted will be binding for 90 days subsequent to the date of the bid opening.

**BIDDER, PLEASE NOTE:** Two (2) sets of specifications are enclosed. Return one complete set. Do not detach the bid sheet from Conditions and Specifications.

**PLEASE NOTE:** The District **will not** accept bids received by the District by telephonic facsimile transmission (FAX).

The Catskill Central School District, Catskill, New York, does not discriminate on the basis of sex in the educational program or activities, which it operates, and it is required by Title IX of the Educational Amendments of 1972 not to discriminate in such a manner. This policy of non-discrimination includes the following areas:

- ...Recruitment and appointment of employees;
- ...Employment pays and benefits;
- ...Counseling services for students;
- ...Access by students to educational programs;
- ...Course offering and student activities.

## **INSTRUCTION TO BIDDERS**

1. **Bid Submission:** Please do not separate the pages included in the bid package. Bids must be submitted on the attached forms. Each bidder receives two (2) copies of the bid package. Please retain one copy for your files.
2. **Identical Bids:** When identical bids are received, and those bids are the apparent low bids, the Board of Education reserves the right to award the contract on the basis of relative quality of that portion of the product(s) not necessarily covered in the specifications.
3. **Service Facility:** The competency and responsibility of the bidders, and of their proposed subcontractors, together with availability of adequate parts and service facilities will be considered in making bid awards.
4. **Detailed Specifications:** Bidders are responsible for describing in detail the bid specification for the product(s) to be provided. Failure to indicate detailed specifications will be interpreted to mean that the bidder cannot meet specifications.
5. **New York State Bid Law:** It is understood that district bid specifications include the terminology "equal to or equivalent." When a bidder submits a bid that includes a product "equal to or equivalent," the Board of Education, with advice from appropriate expertise, reserves the right to judge if the product substitution is equivalent to the product specified and it can meet the needs of the particular situation.
6. **Manufacturers' Specifications:** Bidders are requested to submit a copy of the manufacturer's specifications, and a photograph of proposed products when offering a substitution or equivalent product.
7. **Board of Education Rights:** The Board of Education reserves the right to give consideration to the following when accepting a bid offer:
  - a. Guarantee/Warranty
  - b. Location of nearest service/repair headquarters
  - c. Date of delivery
  - d. Compliance with District bid specification
8. **Bid Rejection:** The Board of Education reserves the right to reject all bids received. Individual bids may be rejected for noncompliance.
9. **MSDS Forms:** Material Safety Data Sheets (MSDS) for items that are awarded must be submitted. If these forms are not received, payment will be held until they are received. One copy of each product should be submitted to the Business Office 347 West Main Street, Catskill, New York 12414.
10. **Additional Information:** When submitting your bid, provide the brand that you are bidding. Do not alter the package unit stated in the bid. The District will not convert changes; therefore, the item will not be considered.

The District will not consider any bid that is not submitted on the bid form provided.

Items will not be shipped to a central location, but will be delivered to various schools and other buildings.

11. **Non-Collusive Bid Form:** All bidders must sign the Non-Collusive Bid Certification before submitting an acceptable bid. The Certification is part of the bid package.

## **GENERAL CONDITIONS**

### **BIDS**

1. All bids received after the time stated in the Notice to Bidders may not be considered and will be returned to the bidder. The bidder assumes the risk of any delay in the mail or in the handling of the mail by employees of the school district. Whether sent by mail or by means of personal delivery, the bidder assumes responsibility for having his bid deposited on time at the place specified.
2. The submission of a bid will be construed to mean that the bidder is fully informed as to the extent and character of the supplies, materials, or equipment required and a representation that the bidder can furnish the supplies, materials, or equipment satisfactorily in complete compliance with the specifications.
3. No alteration, erasure, or addition is to be made in the typewritten or printed matter. Deviations from the specifications must be set forth in the space provided in the bid for this purpose.
4. The decision of the school district as to whether an alternative or substitution is, in fact, "equal" shall be final. If bidding on items other than those specified, the bidder must in every instance give the trade designation of the article, manufacturer's name, and detailed specifications of the item he proposes to furnish. Otherwise, bids will be construed as submitted on the identical item as specified.
5. Bidder must insert the price per unit against each item in his bid. Unit price must be as specified in the bid. Prices shall be extended in decimals, not fractions.
6. Prices shall be net; including transportation and delivery charges fully prepaid by the successful bidder to the destination indicated in the proposal. If award is made on any other basis, transportation charges must be prepaid by the successful bidder and added to the invoice as a separate item. In any case, title shall not pass until items have been delivered and accepted.

### **AWARD**

1. Awards will be made to the lowest responsible bidder, as will best promote the public interest, taking into consideration the reliability of the bidder, the quality of the materials, equipment, or supplies to be furnished, their conformity with the specifications, the purposes for which required, and the terms of delivery.
2. The School District reserves the right to reject all bids. Also reserved is the right to reject, for cause, any bid in whole or in part; to waive technical defects; qualifications; irregularities; and omissions if in its judgment the best interests of the district will be served. Also reserved is the right to reject bids and to purchase items on State Contract if such items can be obtained on the same terms, conditions, specifications, and at a lower price.
3. The School District reserves the right to make awards within sixty (60) days after the date of the bid opening during which period bids may not be withdrawn unless the bidder distinctly states in his bid that acceptance thereof must be made within a shorter specified time.
4. Where a bidder is requested to submit a bid on individual items and also on a total sum or sums, the right is reserved to award bids on individual items or on total sums.

## **CONTRACT**

1. Each will be received with the understanding that the acceptance thereof in by the School District, approved by the Board of Education, to furnish any or all of the items described therein shall constitute a contract between the successful bidder and the School District. Contract shall bind the successful bidder on his part to furnish and deliver at the prices and in accordance with the conditions of this bid. Contract shall bind the School District on its part to order from such a successful bidder (except in the case of emergency) and to pay for at the contract prices, all items ordered and delivered, within ten (10) percent over or under the award quantity, unless otherwise specified.

2. If the successful bidder fails to deliver within the time specified, or within reasonable time as interpreted by the School District, or fails to make replacement of rejected articles when so requested, immediately or as directed by the School District, the School District may purchase from other sources to take the place of the item rejected or not delivered. The School District reserves the right to authorize immediate purchase from other sources against rejections on any contract when necessary. On all such purchases the successful bidder agrees to reimburse the school district promptly for excess costs 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 contract quantity.

3. A contract may be canceled at the successful bidder's expense upon nonperformance of contract.

4. If the successful bidder fails to deliver as ordered, the school district reserves the right to cancel the contract and purchase the balance from other sources at the successful bidder's expense.

## **INSURANCE**

1. Commercial automobile liability insurance for all owned, hired, and non-owned vehicles with a minimum \$1,000,000 combined single limit per occurrence.

2. Commercial general liability insurance with minimum limits of: (1) \$2,000,000 General Aggregate; and (2) \$1,000,000 per occurrence; on a primary & noncontributory basis.

3. Umbrella Insurance "Contractor" may satisfy a portion of the required commercial general liability, or commercial automobile liability limits with umbrella or excess liability insurance. Please indicate any umbrella insurance coverage in place. The Certificate of Insurance (COI) must specify Catskill CSD as additional insured a primary and non-contributory basis with waiver of subrogation. Policy must not contain any exclusion for Snow and Ice Management Services, and this should be stated in the description of operations box.

## **GUARANTEES BY THE SUCCESSFUL BIDDER**

1. The successful bidder guarantees:

- a. His products against defective materials or workmanship and to repair or replace any damages or marring occasioned in transit.
- b. To furnish adequate protection from damage for all work and to repair damages of any kind for which he or his workmen are responsible, to the building or equipment, to his own work, or to the work of other successful bidders.

**CATSKILL CENTRAL SCHOOL DISTRICT**  
**347 West Main Street**  
**Catskill, New York 12414**

**SPECIFICATIONS FOR WASTE REMOVAL FOR 2023-2024 SCHOOL YEAR**

CONTRACT PERIOD: July 1, 2023 through June 30, 2024

SPECIFICATIONS: Refuse is to be picked up **AS SCHEDULED BELOW** when school is in session. When school is not in session - minimum of one (1) pick-up per week.. Scheduled pickups will occur, such as, “NOT TO EXCEED MORE THAN THREE DAYS (72 hrs) APART ON WEEKDAYS” and “NO MORE THAN FOUR DAYS (96 hours) APART WHEN SATURDAY and SUNDAY ARE INCLUDED BETWEEN PICKUPS”. The attached schedules (#1 & #2) are considered a component of this specification. Each pick-up shall include both the Elementary and the Middle/High School Campus. Contractor shall inspect the site to be knowledgeable of access and dumpster locations, prior to bidding. The disposal of the contents from these dumpsters shall comply with all Greene County Solid Waste Disposal regulations and New York State Department of Environmental rules and regulations.

EQUIPMENT: Contractor must provide a minimum of five (6) cubic yard dumpsters.

\*\*\* Award will be based on total cost of bid (per diem rate X # of pickups) \*\*\*

**ALTERNATE 1**

CONTRACT PERIOD: July 1, 2023 through June 30, 2024

SPECIFICATIONS: The pick-up of Single Stream Recyclables (excluding paper and cardboard) is to be picked up **AS SCHEDULED BELOW** when school is in session. When school is not in session - minimum of one (1) pick-up per week, approximately 51 pick-ups. The attached schedules (#1 & #2) are considered a component of this specification. Each pick-up shall include the Elementary School and the Middle/High School Campus. Contractor shall inspect the site to be knowledgeable of access and dumpster locations, prior to bidding. The disposal or processing of the contents from these dumpsters shall comply with all Greene County Solid Waste Disposal regulations and New York State Department of Environmental Conservation rules and regulations.

ACCEPTABLE ITEMS: The following items (excluding paper and cardboard) have to be acceptable by Bidder in the recyclable dumpsters. Chipboard/box board; juice boxes; milk cartons; aluminum cans; glass bottles (all colors); tin and bi-metallic containers (including aerosol cans); Aseptic milk/juice cartons; aluminum foil; plastic containers (recycle 1-7 symbols); lids; frozen food cartons; bus brake drums (no brakes); steel wheels; metal sheeting; and miscellaneous steel and brackets.

EQUIPMENT: Contractor has to provide at **no cost** a total of ten (10) 35-gallon wheeled plastic covered Single Stream Recycling bins for use to bring recyclables to dumpsters. All bins must have Recycling labels and labels listing items acceptable and items unacceptable.

\*\*\* Award will be based on total cost of bid (per diem rate X # of pickups) \*\*\*

**REFUSE & RECYCLING SCHEDULE FOR SERVICE**

Please be advised that the following schedule of hours is to be followed by the successful bidder for refuse and recyclable removal:

**BETWEEN: 3:15 p.m. and 7:30 a.m.**

**Pickup cannot occur during school hours (7:30 a.m. - 3:15 p.m.) This will be enforced and loss of contract during contract term shall result in violation of this requirement.**

It is the intent of Catskill Central School District to award to the lowest responsible Bidder provided the bid does not exceed the funds available. Catskill School shall have the right to waive informalities or irregularities in a bid received and to accept the bid which, in the District's judgement, is in the District's own best interests. Catskill Central School District shall have the right to accept or reject to determine the low bidder on the basis of the sum of the Base Bid.

**Schedule #1: Summer Refuse & Recycling Pick Up on the Following Days**

<b>Tuesdays:</b>	July 05, 2023*	August 01, 2023
	July 11, 2023	August 08, 2023
	July 18, 2023	August 15, 2023
	July 25, 2023	August 22, 2023
		August 31, 2023

\*Due to Holiday

Begin regular weekly Tuesday and Friday pickups starting September 5, 2023.

**CATSKILL CENTRAL SCHOOL  
347 West Main Street  
Catskill, New York 12414**

**BID FORM FOR WASTE REMOVAL FOR 2023-2024**

**BASE BID: BIDDER MUST PROVIDE DUMPSTER PICK-UP SERVICE  
AND  
PROVIDE DUMPSTER EQUIPMENT**

The undersigned hereby proposes and agrees to comply with **ALL** the specifications for refuse removal and provide service at the following rate:

**TOTAL PER DIEM:** \$ \_\_\_\_\_

**Additional fees (if any) provide explanation:** \$ \_\_\_\_\_

We propose to furnish the following:

**\*\*Set forth number of times of pick-ups; and type of dumpster that will be provided\*\***

**ALTERNATE 1: SINGLE STREAM RECYCLING:**

**DESCRIPTION:**

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

The undersigned hereby proposes and agrees to comply with **ALL** the specifications for recycling removal and provide service at the following rate:

**TOTAL PER DIEM:** \$ \_\_\_\_\_

**Additional fees (if any) provide explanation:** \$ \_\_\_\_\_

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

DATE: \_\_\_\_\_ SIGNED BY: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

# Catskill Central School District

## BID PROPOSAL FORM

Bid Title: Waste Removal Services Bid  
Date of Opening: June 21, 2023  
Time: 1:00 pm  
Contract Period: Upon approval through June 30, 2024

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Name Of Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Federal Employer Id #: \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Title: \_\_\_\_\_

### **THE BIDDER WHOSE SIGNATURE APPEARS ON THIS BID PROPOSAL FORM DECLARES AND CERTIFIES THAT:**

1. Bidder is of lawful age and the only one interested in this bid, and that no one other than said bidder has any interest herein;
2. No member of the Board of Education of Catskill Central School District nor any officer or employee or person whose salary is payable in whole or in part from the treasury of said Board of Education is directly or indirectly interested in this bid or in the supplies, materials, equipment, work or services to which it related, or in any portion of the profits thereof;
3. Bidder has carefully examined the Instructions to Bidders and Specifications prepared under the direction of the Board of Education, and will, if successful in this bid, furnish and deliver at the prices bid and within the time stated, all the materials, supplies, apparatus, goods, wares and merchandise, services or labor for which this bid is made in accordance with the terms and conditions of the specifications;
4. Bidder is in compliance with the requirements of Section 201-G of the NYS labor law regarding sexual harassment.
5. Bidder understands that in the event of the failure to perform within the time stated in the schedule or purchase order as the case may be, the bid deposit, if any, made with this bid, or so much thereof as shall be applicable to the unfulfilled amount of the award made to the undersigned, shall be retained by the Board. Furthermore, the Board may demand payment by the undersigned bidder to cover the difference between the price or prices for which such items shall be subsequently purchased, less the amount of the bid deposit retained by the Board. No plea of mistake in such accepted bid shall be available to the undersigned bidder;
6. Bidder has examined, understands and agrees to the terms and conditions of the agreement as set forth in the bid specifications.
7. Bidder has submitted accurate pricing for required items and/or services.

***By submitting a bid response, the undersigned, as a duly authorized representative of the vendor, represents that they have read all Bid Documents and will provide items and/or services in accordance with the terms and conditions and at the prices stated in vendor's response for the entire contract period.***

Company Representative: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_

Sworn to before me this day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC



# Catskill Central School District

## BID PROPOSAL FORM

Bid Title: Waste Removal Services  
Date of Opening: June 21, 2023  
Time: 1:00 pm  
Contract Period: Upon approval through June 30, 2024

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**Bids stipulating minimum order requirements will not be considered.** There shall be no charges in excess of those quoted.

No contract becomes binding until the necessary funds have been approved for the fiscal year during which the contract is in effect.

**Price lines should not be left blank.** Incomplete bid responses may be rejected, in whole or in part, at the discretion of the District.

- a. **"No Bid"** –contractor not wishing to bid on an item and/or service must clearly indicate "No Bid" for that item and/or service.
- b. **"No Charge" Bid Item** –contractor desiring to bid "no charge" on an item and/or service must clearly indicate such by either writing "No Charge" or indicating 0 dollars.
- c. **"No Discount" Bid item** – contractor offering no discount off list price must clearly indicate zero percent (0%) as discount offered.
- d. **All pricing and any additional bid information must appear on pricing lines provided. The District will not accept any arrows or ditto marks.**
- e. All quotes & invoices must reflect:
  - prices and discounts according to bid;
  - hourly rates being charged; and
  - total number of man hours utilized.

### **Bid for Waste Removal**

**July 1, 2023-June 30, 2024** \_\_\_\_\_

**Bid offer**

**Option: Bid may be extended upon satisfactory completion of service**

**July 1, 2024-June 30, 2025** \_\_\_\_\_

**Bid offer**

**July 1, 2025-June 30, 2026** \_\_\_\_\_

**Bid offer**

### **CONTRACTOR CONTACT INFORMATION**

#### ***DURING REGULAR BUSINESS HOURS:***

Name \_\_\_\_\_ Cell Phone # \_\_\_\_\_

#### ***AFTER REGULAR HOURS:***

Name \_\_\_\_\_ Cell Phone # \_\_\_\_\_

Name \_\_\_\_\_ Cell Phone # \_\_\_\_\_

Name \_\_\_\_\_ Cell Phone # \_\_\_\_\_

*Catskill Central School District*

**\*\*SUBMIT WITH BID RESPONSE\*\***

**CONTRACTOR NOTIFICATION FORM**

Please take notice that asbestos exists in various locations in school district facilities.

Exposure to asbestos fibers can be hazardous to your health, and therefore, precautions must be taken to prevent the disturbance of asbestos-containing building materials.

Information on specific locations where asbestos containing building materials exists is available for each building at the Facilities Office. Areas containing asbestos materials are conspicuously labeled. Please proceed with caution.

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I have been informed of the locations of asbestos containing building materials in the building/buildings in which I am to perform work.

All workers in my employ (if applicable) will also be informed of such locations and will take adequate measures to prevent disturbance of asbestos fibers to the extent possible.

All workers in my employ are trained in asbestos awareness.

Contractor will indemnify and save the school district harmless from any and all claims of loss or damage, including reasonable attorney fees, which the school district may sustain by reason of the injury to any person through the negligent act or acts of the contractor, its sub- contractors, employees or agents in the performance of said contract.

\_\_\_\_\_  
(Printed Name of Contractor Representative)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

# Catskill Central School District

## NON-COLLUSIVE BID PROPOSAL CERTIFICATION

**\*\*SUBMIT WITH BID RESPONSE\*\***

**Bid: Waste Removal Services**

**Date of Opening: June 21, 2023**

**Firm Name** \_\_\_\_\_

**Business Address** \_\_\_\_\_

**Telephone Number** \_\_\_\_\_

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services 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:

1) 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 of perjury:

2) 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 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."

(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 thereof. 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 restricting competition.

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 of 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).

3) Any bid hereafter made to any political sub-division 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) Title** \_\_\_\_\_ **Print Name** \_\_\_\_\_

# Catskill Central School District

**\*\*SUBMIT WITH BID RESPONSE\*\***

## AFFIDAVIT OF COMPLIANCE

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says:

- 1) That (s)he is an officer or representative of \_\_\_\_\_ and that (s)he has the authority to sign this affidavit.
- 2) This affidavit is offered as an inducement to the Catskill School District to award to \_\_\_\_\_ such purchase contracts for goods or services as directed by the Board of Education, in accordance with New York State law and with District policy.
- 3) That no Officer, Employee or Stockholder of the above referenced vendor is an Employee, in any position, Administrator or Board Member at the Catskill Central School District other than as disclosed below.
- 4) That no Officer, Employee or Stockholder of the above-referenced vendor is related to an employee in any position, administrator or Board Member, at the Catskill Central School District other than as disclosed below:

Vendor: List Officer, Employee or Stockholder's Name	Position with Vendor	Catskill Employee, Administrator or Board Member Name	Relationship between parties

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

# Catskill Central School District

**\*\*SUBMIT WITH BID RESPONSE\*\***

## **CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT**

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the School District receive information that a Bidder/Contractor is in violation of the above-referenced certification, the School District will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the School District shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default. The School District reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, \_\_\_\_\_, *being duly sworn, deposes and says that*

he/she is the \_\_\_\_\_ of the \_\_\_\_\_  
Corporation and that neither the Bidder/ Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

\_\_\_\_\_  
SIGNED

SWORN to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Notary Public: \_\_\_\_\_

# Catskill Central School District

**\*\*SUBMIT WITH BID RESPONSE\*\***

## DECLARATION OF BIDDER'S INABILITY TO PROVIDE CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

Bidders shall complete this form if they cannot certify that the bidder /contractor or any proposed subcontractor is not identified on the Prohibited Entities List. The District reserves the right to undertake any investigation into the information provided herein or to request additional information from the bidder.

Name of the Bidder: \_\_\_\_\_

Address of Bidder: \_\_\_\_\_

Has bidder been involved in investment activities in Iran? \_\_\_\_\_  
Describe the type of activities including but not limited to the amounts and the nature of the investments  
(e.g. banking, energy, real estate) \_\_\_\_\_

\_\_\_\_\_

If so, when did the first investment activity occur? \_\_\_\_\_

Have the investment activities ended? \_\_\_\_\_

If so, what was the date of the last investment activity? \_\_\_\_\_

If not, have the investment activities increased or expanded since April 12, 2012? \_\_\_\_\_

Has the bidder adopted, publicized, or implemented a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran? \_\_\_\_\_

If so, provide the date of the adoption of the plan by the bidder and proof of the adopted resolution, if any and a copy of the formal plan. \_\_\_\_\_

In detail, state the reasons why the bidder cannot provide the Certification of Compliance with the Iran Divestment Act below (additional pages may be attached):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
I, \_\_\_\_\_, being duly sworn, deposes and says that

he/she is the \_\_\_\_\_ of the \_\_\_\_\_  
Corporation and that neither the Bidder/ Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

\_\_\_\_\_  
SIGNED

SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Notary Public: \_\_\_\_\_

# *Catskill Central School District*

**\*\*SUBMIT WITH BID RESPONSE\*\***

## REFERENCES

**Company Name:**

---

Address:

---

Contact Person:

---

Telephone: (    )

---

Email:

---

Dates of Contract(s)

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**Company Name:**

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Address:

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Contact Person:

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Telephone: (    )

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Email:

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Dates of Contract(s)

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**Company Name:**

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Address:

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Contact Person:

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Telephone: (    )

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Email:

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Dates of Contract(s)

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# *Catskill Central School District*

**\*\*SUBMIT WITH BID RESPONSE\*\***

## **STATEMENT OF BIDDER'S QUALIFICATIONS**

1. Name of Bidder \_\_\_\_\_

2. Type of Business Entity: \_\_\_\_\_

3. If the bidder is a corporation, state the date and place of incorporation of the corporation.

\_\_\_\_\_

4. For how many years has the bidder done business under its present name? \_\_\_\_\_

5. List the persons who are directors, officers, owners, managerial employees or partners in the bidder's business.

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

6a. Have any of the persons listed in Number 5 owned/operated/been shareholders in any other companies? If so, please state name of owned/operated/been shareholders and names of other companies:

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

6b. If the answer to number 6a is in the affirmative, list said persons and the names of their previous affiliations.

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

7. Has any director, officer, owner or managerial employee had any professional license suspended or revoked? If the answer to this question is yes, list the name of the individual, the professional license he/she formerly held, whether said license was revoked or suspended and the date of the revocation or suspension.

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

8. During the five year period preceding the submission of this bid, has the bidder been found guilty of any OSHA Violations? If the answer to this question is yes, describe the nature of the OSHA violation, an explanation of the remediation or other steps taken regarding such violation(s).

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

9. During the five year period preceding the submission of this bid, has the bidder been charged with any claims pertaining to unlawful intimidation or discrimination against any employee by reason of race, creed, color, disability, sex or natural origin and/or violations of an employee's civil rights or equal employment opportunities? If the answer to this question is yes, list the person making such claim against the bidder, a description of the claim, the status of the claim, and what disposition (if any) has been made regarding such claim.

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



# *Catskill Central School District*

**\*\*SUBMIT WITH BID RESPONSE\*\***

## **STATEMENT OF BIDDER'S QUALIFICATIONS**

10. During the five year period preceding the submissions of this bid, has the bidder been named as a party in any lawsuit in an action involving a claim for personal injury or wrongful death arising from performance of work related to any project in which it has been engaged? If the answer to this question is yes, list all such lawsuits, the index number associated with said suit and the status of the lawsuit at the time of the submission of this bid.

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11. During the five year period preceding the submission of this bid, has the bidder been the subject of an investigation and/or proceedings before the Department of Labor for alleged violations of the Labor Law as it related to the payment of prevailing wages and/or supplemental payment requirements? If the answer to this question is yes, please list each such instance of the commencement of a Department of Labor proceeding, for which project such proceeding was commenced, and the status of the proceeding at the time of the submission of this bid.

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12. During the five year period preceding the submission of this bid, has the bidder been the subject of an investigation and/or proceeding before any law enforcement agency, including, but not limited to any District Attorney's Office? If the answer to this question is yes, please list each such instance, the law enforcement agency, the nature of the proceeding, the project for which such proceeding was commenced, if applicable to a project, and the status of the proceeding at the time of the submission of this bid.

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13. During the five year period preceding the bidder's submission of this bid, has the bidder been the subject of proceedings involving allegations that it violated the Workers' Compensation Law including but not limited to the failure to provide proof of worker's compensation or disability coverage and/or any lapses thereof. If the answer to this question is yes, list each such instance of violation and the status of the claimed violation at the time of the submissions of this bid.

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14. Has the bidder, its officers, directors, owner and/or managerial employees been convicted of a crime or been the subject of a criminal indictment during the five years preceding the submission of this bid? If the answer to this question is yes, list the name of the individual convicted or indicted, the charge against the individual and the date of disposition of the charge.

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*Catskill Central School District*

**\*\*SUBMIT WITH BID RESPONSE\*\***

**STATEMENT OF BIDDER'S QUALIFICATIONS**

15. During the five year period preceding the bidder's submission of this bid, has the bidder been charged with and/or found guilty of any violations of federal, state or municipal environmental and/or health laws, codes, rules and/or regulations? If the answer to this question is yes, list the nature of the charge against the bidder, the date of the charge, and the status of the charge at the time of the submission of this bid.

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16. Has the bidder bid on any projects during the five year period preceding the bidder's submission of this bid? If the answer to this question is yes, list the projects bid on, whether said bid was awarded to the bidder and the expected date of commencement of the work for said project. For those projects listed, if the bidder was not awarded the contract, state whether the bidder was the lowest monetary bidder.

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17. Does the bidder have any projects ongoing at the time of the submission of this bid? If the answer to this question is yes, list the projects on which the bidder is currently working, the percentage complete and the expected date of completion of said project.

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18. Has your firm, in its current or any previous names, ever been declared a non-responsible bidder? If yes, please explain.

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19. Has your firm, in its current or any previous names, ever failed to complete any contract awarded to you? If yes, please explain.

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20. Has the bidder ever been terminated from a Project by the Owner? If the answer to this question is yes, list the projects on which the bidder was terminated, the nature of the termination (convenience, suspension, for cause), and the date of said termination.

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**I hereby certify that all statements above are true and accurate.**

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

(Signature)

\_\_\_\_\_  
(Print Name and Title)