Compact Utility Tractor
Sealed Bid 2017-013
Town of Salem, NH

May 11, 2017

SALEM PURCHASING
Christine Wholley, Purchasing Agent
603-890-2090 fax 603-890-2091
cawholley@ci.salem.nh.us

Leon Goodwin III, Town Manager

Prepared for and in coordination with the Municipal Services Department
Frank Giordano Utilities Deputy Director
603-890-2179
fgiordano@ci.salem.nh.us
or
Roy Sorenson Municipal Services Director
rsorenson@ci.salem.nh.us
COMPETITIVE SEALED BIDS TO
(1) 2017 Compact Utility Tractor
May 11, 2017

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 purchased. “2017 Compact Utility Tractor”

Sealed bids must be received no later than June 1, 2017 at or before 12:00pm from interested firms, to be
eligible for consideration by the town. Each bid will be submitted in a sealed envelope which is clearly

All sealed bids received will be considered confidential and not available for public review until after the
bid opening on June 1, 2017 at 12:00pm.

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.
Please visit our website to download a copy of this Bid-2017-013 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
June 1, 2017 on or before 12:00pm, 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
Frank Giordano 603-890-2179

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.
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.

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

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 the purchase and install of the plows specified in the scope of work at the prices stated below;

Municipal Services
Purchase (1) 2017 Compact utility Tractor .

Specify Brand: __John Deere____

Purchase Price Delivered

________________________________________Dollars $___________
Written                                                                            Figures

Lump Sum Price Delivered

________________________________________Dollars $___________
Written                                                                            Figures

Manufacturer’s 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.)
**Town of Salem, New Hampshire**

*Purchasing Department*

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

**No Bid Questionnaire**  
Reference: Sealed Bid-2017-013

If you choose not to bid, please complete the questionnaire below and return it with your response by the bid opening date. Your assistance in helping us to analyze no bid rationale is very much appreciated. Thank You.

** * * * * No Bid Questionnaire * * * * **

A no bid is submitted in reply to the Town of Salem, NH invitation for bids for (enter requirement description): ________________________________________

Dated ___________________________, for the following reasons:

______Item not supplied by our company.

______Bid Specification (Give reason(s) e.g., too restricted, not clear etc.,)

_______________________________

______Profit Margin too low

______Past experience with the Town of Salem (give specific’s e.g. payment delay, bid process, admin problems, etc.)

________________________________________________________________________

______Insufficient time allowed to prepare and respond to bid request.

______Bid requirements too large _____or too small _____for our company.

______Priority of other business opportunities limits time.

______Other reason(s) Please Specify: ________________________________________

________________________________________________________________________

Company Name_______________________________  
Address_______________________________________
Phone_________________________________________

________________________   __________________________
(Signature)      (Name & Title)
GENERAL TERMS AND CONDITIONS

PREPARATIONS OF BIDS/PROPOSALS Proposals shall be submitted on the forms provided and must be signed by the Bidder or his authorized representative. The person signing the proposal shall initial any corrections to entries made on the attached forms.

Vendors must provide pricing on all items appearing on the bid forms unless specific directions in the advertisement, on the bid form or in the special provisions allowed for partial bids. Failure to provide pricing on all items may disqualify the bid. Alternative bids will be considered, unless otherwise stated, only if the alternate is described completely, including, but not limited to, sample, if requested and specifications sufficient so that a comparison to the request can be made.

Any questions or inquiries must be submitted in writing, and must be received by the Purchasing Department no later than seven (7) calendar days before the Request for Proposal due date to be considered. Any changes to the Request for Proposal will be provided to all bidders of record.

The name of manufacturer, trade name, or catalog number mentioned in this request for bid description is for the purpose of designating a minimum standard of quality and type. Such references are not intended to be restrictive, although specified color, type of material and specified measurements may be mandatory.

Proposals will be considered for any brand that meets or exceeds the quality of the specifications listed. On all such proposals, the bidder shall specify the product they are proposing and shall supply sufficient data to enable a comparison to be made with the particular brand or manufacturer specified. Failure to submit the above may be sufficient grounds for rejection of the proposal.

SUBMITTED BIDS/PROPOSALS: Proposals must be submitted as directed in the Notice to Qualified Firms, and on the forms provided unless otherwise specified. Proposals must be typewritten or printed in ink. Proposals must be mailed or delivered in person. Proposals that are faxed or emailed will not be accepted.

WITHDRAWING BIDS/PROPOSALS: Proposals may be withdrawn prior to the opening date and time upon written request of the Proposer. Negligence on the part of the Proposer in preparing his/her proposal shall not constitute a right to withdraw a proposal subsequent to the proposal opening.

PROPOSAL EVALUATION:

The Town reserves the right to reject any and all proposals received in response to the proposal. A proposal may be rejected, if the Firm:

a. Fails to adhere to one or more of the provisions established in the proposal.
b. Fails to submit its proposal at the time or in the format specified herein or to supply the minimum information requested herein.
c. Fails to meet the minimum evaluation criteria specified in this proposal.
d. Fails to submit its proposal to the required address on or before the deadline date established by the Town.
e. Misrepresents its services, experience and personnel by providing demonstrably false information in its proposal or fails to provide material information.
f. Fails to submit its cost on the enclosed bid form.
g. Refuses a reasonable request for an interview.
h. Refuses to provide clarification requested by the town.
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 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 Geremonty 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 bonafide, 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_________________________________
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 _____________________________
TECHNICAL SPECIFICATION CHECKLIST

For each line item, the VENDOR must respond in one of the two columns. Only **ONE** column should have a response. VENDORS must additionally attach complete manufacturer/VENDOR specification sheets for the type of tractor included in the bid. The specifications indicated below are minimum requirements and may be exceeded wherever possible. Each bid response must include detail specifications of the equipment included in the bid.

<table>
<thead>
<tr>
<th>Column</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>“X” means that the vendor is clearly providing, supplying, including, and achieving the objective indicated without caveats, exclusions, or considerable modifications.</td>
</tr>
<tr>
<td>No</td>
<td>“X” means that the vendor is unable to provide, supply, include, and achieve the objective indicated without caveats, exclusions, or considerable modifications. If modifications in any form or extent are required then the vendor should respond with “Mod” and attach a narrative not exceeding one half of a page explaining the nature of those modifications.</td>
</tr>
</tbody>
</table>

The VENDOR must supply Tractors as submitted in this sealed bid:

<table>
<thead>
<tr>
<th>Required minimum specification</th>
<th>MAKE: John Deere</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>** 1.** Model – 2038R (30 PTO hp)</td>
<td></td>
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<tr>
<td>** 2.** Loader with bucket.</td>
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<td>** 3.** Turf Tires</td>
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<td>** 4.** Ballast Box</td>
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<tr>
<td>** 5.** Hitch Coupling (quick hitch)</td>
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<tr>
<td>** 6.** Pallet Fork</td>
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<td>** 7.** Pallet Tine</td>
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</tbody>
</table>
FORM OF AGREEMENT

THIS AGREEMENT, Made this ___ day of ___ __2017 by and between the Town of Salem, NH herein called “CLIENT” and ________called “CONTRACTOR” agrees to perform professional services and supply Compact Utility Tractor as specified in Sealed Bid-2017-013

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 2017 compact utility tractor per specifications. The Tractor 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 2017-013
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:

__________________________________________

CONTRACTOR:
Title_________________________________
By: ________________________________
(Authorized Representative)
Date: ______________________________

CLIENT:
Title_________________________________
By: ________________________________
(Authorized Representative)
Date: ______________________________
Form W-9

Request for Taxpayer Identification Number and Certification

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

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2. Business name/designed entity name, if different above.

3. Check appropriate box for federal tax classification; check only one of the following seven boxes:
   - Individual(s)/sole proprietor or
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/estate
   - Other (see instructions)
   - Limited liability company. Enter the tax classification (C-C corporation, S-S corporation, P-partnership) above.

Note: For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.

4. Exemptions (please provide only to certain entities, not individuals; see instructions on page 3).
   - Exempt payee code (if any)
   - Exemption from FATCA reporting code (if any)
   - (Applies to accounts maintained outside the U.S.)

5. Address (number, street, and apt. or suite no.)
   - Requester’s name and address (optional)
   - Town of Salem, NH
   - 33 Geremonty Drive
   - Salem, NH 03079

6. City, state, and ZIP code

7. 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 line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part 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 instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Part II: Certification

Under penalties 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 not 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 report the certification, but you must provide your correct TIN. See the instructions on page 3.

Signature of U.S. person

Data

General Instructions

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

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from sales of real estate transactions)
- Form 1099-A (market share and third party network transactions)

Form W-9 (Rev. 12-2014)

Cat. No. 10231X