

May 26, 2009

LEGAL NOTICE

Sealed bids will be received by the Oswego County Purchasing Department, 46 East Bridge Street, Oswego, New York until **2:15 p.m., Friday, June 19, 2009** for the purchase of:

**(1) or More New Pavement Profiler**

Specifications are available at the Purchasing Department at the above address Monday through Friday, 9:00 a.m. to 5:00 p.m. and online at [www.oswegocounty.com/purchasing](http://www.oswegocounty.com/purchasing). Bids will be publicly opened and read aloud in the Purchasing Department at the above date, time and place.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

Fred Maxon  
Purchasing Director

## INFORMATION FOR BIDDERS

### SECTION 1 - GENERAL CONDITIONS

BIDS MUST BE SUBMITTED TO THE OSWEGO COUNTY PURCHASING DEPARTMENT MARKED IN A SEALED ENVELOPE AS FOLLOWS: **BID #20-09 – (1) or More Pavement Profiler**

THESE SPECIFICATIONS ARE DEEMED TO BE MINIMUM STANDARD FOR THE PURPOSE FOR WHICH THE EQUIPMENT IS TO BE USED, BUT ALTERNATE BIDS EQUAL TO OR SUBSTANTIALLY COMPLYING WITH THE SPECIFICATIONS AND STATING THE POINTS OF VARIANCE IN DETAIL ARE INVITED AND SHALL BE CONSIDERED WHENEVER SUCH ACTION IS IN THE BEST INTEREST OF THE COUNTY. POINTS OF VARIANCE FROM THESE SPECIFICATIONS SHALL BE CLEARLY DEFINED BY THE BIDDER.

IT IS UNDERSTOOD AND AGREED THAT IN CASE THERE IS A QUESTION OF INTERPRETATION IN THE SPECIFICATIONS INCORPORATED HEREIN, THE COUNTY DOES EXPRESSLY HAVE THE RIGHT TO DETERMINE THE MEANING AND SHALL CONTROL THE DECISION AND SAID DECISION SHALL BE IN EVERY CASE BINDING AND FINAL.

The right is reserved to reject any and all bids in whole or in part, and to waive technical irregularities in bids; as may be deemed in the best interest of the County.

All prices and discounts are to be quoted firm against increase on an F.O.B. destination, freight prepaid, unless otherwise indicated.

The County is exempt from payment of manufacturers excise and all other taxes imposed by the Federal Government and/or the State of New York. Such taxes must not be included in the bid price. Exempt certificates will be executed upon request.

Each bidder must submit an affidavit of non-collusion signed by an officer of the company.

**Only bids from manufacturers and/or authorized dealers will be given consideration. Bidder or manufacturer must have an authorized service shop and parts department located within a fifty (50) mile radius of Oswego, New York adequate to service unit being bid.**

Bidders shall submit their standard guarantee, including the limit of their liability.

All standard items normally furnished by the vehicle manufacturer shall be furnished.

Equipment must be delivered strictly in accordance with specifications. If equipment is delivered with deviations or improper servicing, the bidder must arrange to have the necessary work done within five (5) days (exclusive of Saturdays, Sundays and Holidays) after receipt of written notification from the County. Otherwise, the County may have the corrections made at the bidder's expense.

Each bidder must enclose detailed specification sheets listing all options and specifications being bid.

No bid may be withdrawn for forty-five (45) days subsequent to bid opening date.

Specifications and/or brand names of a certain manufacturer may be quoted in this bid. This is not to be construed as limiting the competition, because proposals by manufacturers and distributors of other equipment that equals or exceeds the performance of the specified item and meets the County's needs will be given full consideration.

The bidder hereby understands and agrees that no plea of ignorance relating to any data, conditions, policies or requirements of the County or its Division of Purchase that may exist or that may reasonably be encountered pursuant to this contract will be accepted as a result of failure or omission on the part of the bidder to fulfill in every respect all the circumstances as a basis for any type of claim whatsoever for extra charges, for start up costs, or for the rendering of proper service hereunder. Further said claims for charges shall be without prejudice to the County or its Division of Purchase not honored by said County or Division of Purchase.

The parties hereto understand and agree that each and every provision of Law or clause required by Law to be inserted in this contract shall be deemed to have been inserted herein, and if through mistake or inadvertence, such provision is not inserted said clause shall be deemed to have been inserted and shall have full force and effect of Law.

The parties hereto expressly agree that if any provision, sentence, clause or part thereof in this agreement or within any specifications or plans made a part hereof is held by proper authority to be unconstitutional, illegal, or invalid, such findings shall neither affect nor impair such provision(s), sentence(s), or clause(s) which remain. Except for so much that is held to be unconstitutional, illegal or invalid this agreement shall remain in full force and effect.

This specification as well as any contract, plans, drawings, exhibits or schedules to which it is attached and made a part of constitutes the entire agreement and understanding between the parties hereto and shall be binding upon each party and their successors. Any additions, changes or deviations to or from said specifications, contracts, plans, drawings, exhibits, or schedules will invalidate the agreement between the parties in its entirety unless in every case such changes shall be previously agreed upon by the parties hereto in consideration of all applicable legislation.

- **End of Section 1** -

**BID #20-09**

**BID SPECIFICATION FOR ONE (1) NEW PAVEMENT PROFILER**

The purpose of this specification is to describe a new and unused, diesel powered, hydraulically driven pavement profiler. The unit bid shall be a current production model designed to cut or profile existing asphalt or concrete streets, in variable depths up to 12.5”.

The unit bid shall comply with all OSHA requirements and a Manufacturers Certificate of Origin will be required upon delivery.

**SIZE OF PROFILER:**

The basic unit shall weigh not less than 64,000 pounds, with a cutting mandrel equipped for 79” cutting width and be capable of cutting depths to 12.5”.

**ENGINE:**

The profiler shall be powered by a four stroke cycle, six cylinders, and liquid cooled diesel engine rated by its manufacturer at 600 HP at 2100 rpm. The engine shall meet EPA/CARB emission regulations. Engine accessories shall include a dry-type, two stage air cleaner with visual service indicator.

Machine will be equipped with automatic load control system to modulate ground milling speed to engine RPM automatically.

The electrical starting system shall be 24-volt with two batteries and an 80 AMP alternator.

**PROPULSION SYSTEM:**

The propulsion system shall be variable displacement piston motors driving planetary reducers with track sprockets bolted to reducer for tracks. Closed circuit infinitely variable displacement pumps.

Two working speed ranges shall be available with travel mode consisting of 0-3 MPH.

Tracks shall consist of four tracks, minimum 66” long and 11 inches wide. Tracks shall be equipped with polyurethane grousers.

**STEERING SYSTEM:**

The unit shall be equipped with three steering modes as standard, joystick steering with operation from either side consisting of:

Front tracks only

Rear tracks automatic return to center

Front and rear coordinated steering with crab and claw, 8’ cut turning radius.

### **CUTTING MANDREL AND DRIVE:**

The cutting mandrel shall be a minimum of 79” wide and 42” in diameter, driven through a direct drive V-belt power band with automatic belt tensioner, through a planetary reducer gear box inside the cutter drum. Dry disc hydraulically actuated clutch mounted to engine. Unit shall also be equipped with a rear floating moldboard that hydraulically swings open for cutter drum access and has adjustable down pressure with replaceable carbide moldboard edges. Hydraulically operated side drum access plate. Drum shall disengage automatically for safety when rear moldboard is in swing open position.

Cutting mandrel shall consist of a minimum of 168 tungsten carbide teeth with .75 in. shanks. Tooling shall be of a quick change design being Kennametal or equivalent.

### **DISCHARGE CONVEYOR SYSTEM:**

Unit shall be equipped with a floating lower collecting conveyor at a minimum of 31” wide and 7.3 feet long as well as a powered hydraulically folding discharge conveyor at a minimum of 31 inches wide and 24.9 feet long when fully unfolded and extended with minimum 45 degree swing either side of center. Both conveyors shall be hydraulically driven with variable speed and reversible direction. Main discharge conveyor shall have steel cover on top and wire mesh protective grating on the bottom. Hydraulic elevation and 86 degree right/left swing on discharge conveyor.

### **WATER SYSTEM:**

Unit shall be equipped with 900 gallon capacity water tank system. Individual spray nozzles in the cutter housing that are serviceable and or replaceable by opening the rear moldboard assembly.

### **GRADE CONTROL SYSTEM:**

Dual automatic grade control with rope sensors and cross slope capability. Integrated grade control display system shall provide feet per minute while drum operating, and total distance covered on display system. Operation from either side of the machine on ground and operator’s platform.

### **SAFETY/LIGHTING:**

Unit to be equipped with four (4) emergency stop attachment buttons, one (1) rotating beacon and twelve (12) operational lights. Machine will also have an emergency electric/hydraulic operations pump.

### **WASHDOWN SYSTEM:**

A self-storing high pressure washdown system with hose and spray wand shall be provided.

**VANDAL PROTECTION:**

Engine hood, control panels, tool boxes shall be provided with lockable points.

**ON-BOARD MONITORING:**

Electronic Can-Bus monitoring system for engine and hydraulic systems with LCD display mounted on operator's console.

**TOOLS AND FILTERS:**

Lockable toll box with complete set of tools and filter set for first service shall be supplied.

**TEETH:**

One (1) pallet consisting of 2500 teeth compatible with the machines drum.

**WARRANTY:**

The standard warranty shall be 12 months.

End of Specifications

VENDOR BID REPLY SHEET

**BID #20-09**

**ONE (1) OR MORE PAVEMENT PROFILER(S)**

Bids are due at **2:15 p.m., Friday, June 19, 2009** at the Oswego County Purchasing Department, 46 East Bridge Street, Oswego, New York 13126.

THE COUNTY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

The undersigned hereby certifies that he has examined and fully comprehends the requirements and intent of the specifications for the PURCHASE of **1 or More Pavement Profiler** as recited in the specifications and offers to furnish the following equipment for the NET COST OF:

\$ \_\_\_\_\_ each

Make/Model/Year \_\_\_\_\_

WARRANTY INFORMATION: \_\_\_\_\_

DEVIATIONS FROM BID SPECIFICATIONS: \_\_\_\_\_

DELIVERY DATE; \_\_\_\_\_ FEDERAL ID # \_\_\_\_\_

The under signed declares that he has examined the Notice, Information, Specifications and Proposal and will furnish equipment, materials or services in compliance with same for the price set forth.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
( ) / ( )

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number / Fax

**RESOLUTION FOR CORPORATIONS ONLY**

Resolved that \_\_\_\_\_  
(individual) is authorized to sign and submit the bid or proposal of this corporation for the following project:

**Bid #20-09 1or More Pavement Profiler**

and to include in such bid or proposal the certificate as to non-collusion required by Section 103-D of the General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury, and to enter into the contract if awarded to this corporation:

\_\_\_\_\_

The foregoing is a true and correct copy of the resolution adopted by \_\_\_\_\_  
\_\_\_\_\_ Corporation at a meeting of its Board of Directors  
held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and is still in  
force on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Secretary

(Seal of Corporation)

**BID #20-09**

**NON-COLLUSIVE BIDDING CERTIFICATION**

**General Municipal Law § 103-d**

- (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;
  - (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) 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 therefore. Where (a)-(1), (2) and (3) 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 time prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph (a) of this certification.

By submission of this bid, the undersigned hereby affirms the truth of the foregoing certification under the penalties of perjury.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Authorized Signature

**BID #20-09**

VENDOR INFORMATION REQUIREMENTS

IN ADDITION TO THE INFORMATION SUPPLIED ON THE BID SHEET, PLEASE COMPLETE THE FOLLOWING, WHICH WILL BE USED IF YOU ARE AWARDED A CONTRACT.

PAYMENT TERMS: \_\_\_\_\_ FEDERAL ID NUMBER: \_\_\_\_\_

DELIVERY WILL BE MADE \_\_\_\_\_ DAYS A.R.O.

SEND ORDERS TO:

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

Phone: ( \_\_\_\_\_ ) \_\_\_\_\_

INVOICES WILL BE FROM:

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

PERSON TO CONTACT IN  
REFERENCE TO CONTRACT:

Name: \_\_\_\_\_

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

Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_

WARRANTY SERVICE WILL BE PROVIDED BY:

Name: \_\_\_\_\_

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

Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ Fax ( \_\_\_\_\_ ) \_\_\_\_\_

ANY SPECIAL ORDERING INFORMATION: \_\_\_\_\_

SALES REPRESENTATIVES WHO WILL  
SERVE OSWEGO COUNTY AREA:

Name: \_\_\_\_\_

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

Website: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_

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

Website: \_\_\_\_\_

E-Mail: \_\_\_\_\_

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
SIGNATURE

**NON-BIDDERS RESPONSE**

**Bid #20-09**

The Oswego County Purchasing Department is interested in the reasons why prospective bidders fail to submit bids. Failure to submit a bid without explanation may result in removal of your firm from our bidder's list. If you are NOT submitting a bid on this proposal, please indicate the reason(s) by checking off one or more of the items below and return this form to the above address.

- 1. Unable to bid at this time, but would like to receive future bid proposals.
  
- 2. Items or material not  manufactured,  distributed,  stocked,  furnished.
  
- 3. Materials or items we have to offer do not fully meet all the requirements of standards specified.
  
- 4. Specifications not clearly understood or applicable as follows: (ex.: too vague, too rigid, etc.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- 5. We cannot meet the time of delivery of items or materials specified.
  
- 6. Insufficient time allowed for preparation and submission of bid.
  
- 7. Other reasons: \_\_\_\_\_  
\_\_\_\_\_

You may remove our name from the bid list for:

This Commodity Group     This Item or Material     All Bids

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Authorized Signature

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