

May 4, 2010

LEGAL NOTICE

Sealed bids will be received by the Oswego County Purchasing Department, 46 East Bridge Street, Oswego, New York until **2:00 p.m., Friday, May 21, 2010** for the purchase of:

**One (1) or More New 2009 or 2010
5 Cubic Yard Loader**

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. 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 M. Maxon
Purchasing Director

Comment [AGC1]: MARY - PUT ON LETTERHEAD

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 #22-10 – (1) or More Five Cu Yd Loader(s)**

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 #22-10

**SPECIFICATIONS FOR ONE OR MORE
2009 OR 2010 5 CUBIC YARD RUBBER
TIRED WHEEL LOADER**

It is the intent of the following bid specifications to describe acceptable minimums for the supply of One (1) or More New, 2009 or 2010, 5 cubic yard rubber tired wheel loader.

OPERATIONS WEIGHT:

Not less than 47,500 pounds without additional bolt on counterweight.

ENGINE:

Shall be diesel, of not less than 250 flywheel horsepower, with muffler, heavy-duty dry type two stage air cleaner with service indicator. Straight inline six cylinder type. Engine block to be cast iron.

TRANSMISSION & TORQUE CONVERTER:

The transmission shall be full power shift with at least 4 speeds forward and 3 speeds in reverse, providing directional changes under full power with modulation & fingertip control shifting. The torque converter shall be single stage type integral with transmission. The transmission is to be capable of both, manual or automatic shifting.

AXLES AND DIFFERENTIALS:

Final drives will be outboard planetary type in each wheel to avoid excessive stress on axle shaft and ease of service. Rear axle trunnion mounted providing oscillating of at least twenty-four (24) degrees.

BRAKES:

Brakes shall be wet disc air over hydraulic type mounted in each wheel. Parking brake to be spring applied, air or oil released. Two pedal brake system, right pedal brakes only, left pedal brakes and neutralizes transmission, the emergency brake automatically applies with loss of power. Parking brake warning light and buzzer.

TIRES:

Shall be Goodyear 26.5 - 25 L-3

ELECTRICAL SYSTEM:

Shall be 24 volt with circuit brake protection, heavy-duty batteries with at least a 50 amp alternator.

HYDRAULIC SYSTEM:

Main pump shall be gear or vane type with total combined state output of at least 100 GPM.

STEERING:

Full hydraulic power, articulated type that assures front and rear wheel tracking in either direction, and articulation a minimum of 40 degrees preferred. Machine steering pivot to be self-aligning, with tapered roller bearings for long life and wear.

CAB:

Full enclosed ROPS cab located on the rear portion of the machine. Must comply with OSHA requirements. Must provide excellent visibility in all directions, soft mounted, and equipped with the following accessories:

- Safety glass throughout, tinted
- Front and rear wipers and washer
- Deluxe suspension seat with seat belt and arm rests
- Rearview mirrors - two outside west coast type
- Side windows that can open or slide
- Complete engine hood hinged for easy service
- Full fenders, front & rear
- Interior cab light
- Acoustical treatment for sound suppression, must meet OSHA requirements and SAEJ1166
- Directional - 4 way flashers
- Tilt and telescopic steering column
- Horn - electric
- Work lights - front & rear (two each) halogen type
- Heater, forced hot air defrosters
- Lockup kit with anti-vandalism protection
- Automatic bucket leveler & automatic hoist kick-out
- Reverse alarm
- Safety type steps to cab
- Stop and tail- lights
- Slow moving vehicle emblem
- Air Conditioning
- AM/FM Radio with CD Player
- Ride Control

BUCKET:

5 cubic yard General Purpose Bucket type with bolt on cutting edge and wear plates.

All performance minimum rating listed below are based on standard machine, using 5 cu.yd. General Purpose bucket without hydro-inflation.

BREAK OUT FORCE:

Shall be a minimum of 43,500 pounds.

TIPPING LOAD - STRAIGHT:

Shall be a minimum of 35,000 lb. SAE rated.

TIPPING LOAD - FULL TURN:

Shall be a minimum of 35,000 lb. at 40 degree turn SAE rated.

DUMP CLEARANCE - FULL HEIGHT:

With bucket at 45 degree dump shall not be less than 10' 3.

PAINT:

Standard factory

MANUALS:

Complete set including operators manual, parts book, and service manual to be supplied with Machine.

DELIVERY:

Shall not exceed 45 days

WARRANTY:

One (1) full year - parts & service

End of Specifications

VENDOR BID REPLY SHEET

BID #22-10

**ONE (1) OR MORE NEW 2009 OR 2010 5 CUBIC YARD RUBBER TIRED WHEEL
LOADER**

Bids are due at **2:00 p.m Friday, May 21, 2010** 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 New 5 Cubic Yard Rubber Tired Wheel Loader** as recited in the specifications and offers to furnish the following equipment for the NET COST OF:

\$ _____

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

BID #22-10

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 #22-10

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 #22-10

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