



CITY OF BUFFALO
NEW YORK

DEPARTMENT OF PUBLIC WORKS, PARKS AND STREETS
65 NIAGARA SQUARE, ROOM 502 CITY HALL
BUFFALO, NY 14202
PHONE (716) 851-5636 FAX (716) 851-5584

REQUEST FOR BID
TIRE DISPOSAL

❖ ISSUE DATE: MARCH 20, 2017

PROPOSAL SUBMISSION DATE: MAY 1, 2017

Request for Proposals

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AUTHORIZED AGENCY CONTACT

The authorized contact person for ALL matters concerning this bid is:

Susan C. Attridge
Director of Refuse and Recycling
Department of Public Works, Parks & Streets
City Hall
65 Niagara Square, Room 502
Buffalo, New York 14202

Email: sattridge@city-buffalo.com
Phone: (716) 851-5014

EMAIL IS THE PREFERRED FORM OF COMMUNICATION

SECTION I-PROPOSAL TIME TABLE

Release date of bid: March 20, 2017

Offerors are encouraged to submit questions in writing to Susan Attridge.

All sealed Bid Proposals shall be submitted to:

Department of Public Works, Parks & Streets
City Hall
65 Niagara Square, Room 502
Buffalo, New York 14202
Attn: Susan C. Attridge
(fax copies are not acceptable)

Site visits – none currently scheduled

Contract copies are available for pickup at City Hall, 65 Niagara Square, Room 502, Buffalo, New York from 9:00 AM to 4:00 PM weekdays.

Proposals may be submitted to the same location weekdays until 11:00 A.M. Monday, May 1, 2017

SECTION II-SCOPE OF SERVICES

The Contractor is required to: 1) Process valid New York State permits for all aspects of tire recycling (such as, but not limited to: transportation, storage, and processing of scrap tires). 2) Document that all tires removed from the City of Buffalo sites have been recycled. This requirement shall be “on demand only”. 3) Load and transport all scrap tires. 4) Obtain a “weigh slip” prior to removing scrap tires from the designated site, pursuant to bid specifications.

The service shall consist of loading, removal and disposal of tires from the City of Buffalo, Broadway Garage, 197 Broadway, Buffalo New York. The frequency of this service shall be as such to ensure that the volume of tires stored at the City of Buffalo, Broadway Garage does not exceed 500 tires. Tire sizes will be up to a maximum of 17.5'R x 25". Approximately 300 tons of tires are disposed of by the City each year. This estimated amount is a combination of the day-to-day needs of the Broadway Garage and the four (4) scheduled drop-off dates for residents. The City may have 1-2 additional drop-off days at remote locations within the City of Buffalo.

The Contractor shall establish a tire pick up schedule that provides the required level of service, and inform the City of that schedule and any changes or interruption to that schedule. In the event that the Contractor cannot perform any scheduled removal of tires, he shall promptly notify the City of the problem and take the necessary actions to remedy the situation so he can maintain the required level of service.

The Contractor shall dispose of mounted and unmounted tires that it receives from the City of Buffalo or its agents that are routed through the City's Broadway Garage. Disposal shall be at the Contractors approved site and shall be in accordance with all applicable laws and regulations.

Vehicles used for transport of tires shall be weighed empty before loading and again after loading to determine the weight of the load. This will be the only basis for payment.

All vehicles used for transport shall have proper vehicle identification according to New York State transportation laws.

City personnel will load the tire container. No representative is needed at drop-off events. Contractor will drop trailer off, City crews will fill trailer and Contractor will pick-up trailer.

The City will attempt to police the combing of waste in any deliveries of tires. However, if there is excessive waste it can be placed to the side at Contractors location and the City will send a truck to pick it up.

All loading and hauling shall be done daily between the hours of 6:00 A.M. and 6:00 P.M. Monday through Friday with the exceptions of the following holidays: Labor Day, Thanksgiving and Christmas.

On occasion due to large volumes or other operational considerations, the City or vendors contracted directly with or acting as an agent of, may wish to dispose of tires directly at the Contractor's site. In that event the City shall request from the Contractor an optional unit price for disposal of tires only. Contractor will provide a scale for City trucks to use. The use of the optional price will be at the mutual consent of both the City and the Contractor.

Bidders shall explain in detail, on a separate sheet of paper, the end disposal of tires.

ESTIMATED QUANTITIES

The City makes no minimum or maximum unit quantity guarantee, either written or implied to the Contractor. The Contractor is required to handle variations in the volume of tires to be removed and disposed of to ensure that the quantities of tires stored at the City Broadway Garage does not exceed 500 tires.

INSURANCE REQUIREMENT

The Contractor shall procure and maintain insurance in accordance with the specifications provided in Attachment E for the duration of the contract.

INDEMNITY

The Contractor shall indemnify and hold the City harmless as further specified in Attachment E.

LIQUIDATED DAMAGES

If volume of tires stored at the City of Buffalo, Broadway Garage exceeds 500 tires, CITY may impose liquidated damages in the amount of \$100/day.

TO BE SUBMITTED WITH BID:

1. 6NYCRR Part 364 Industrial Waste Haulers Permit (all three parts)
2. Disposal permit for tires.
3. References Sheet

SECTION III-PROPOSING CONDITIONS

1. Sealed proposals are invited by the City of Buffalo for all labor, services, materials, supplies, equipment, tools, transportation, and other facilities and things necessary or proper to meet the requirements of the specifications for tire disposal.

Receipt and Opening of Proposals

2. Proposals will be received by the Commissioner of Public Works, Parks and Streets at City Hall, Room 502, 65 Niagara Square, Buffalo, New York 14202 until the time and date stated in the advertisement for proposals.

3. The envelope containing the proposal must be sealed, addressed to the Commissioner of Public Works, Parks and Streets and show the name of the offeror and the project title “**Request for Bid – Tire Disposal**”.

4. The City may consider informal any proposal not prepared and submitted in accordance with the provisions hereof and may waive any informalities in or reject any or all proposals.

5. Any proposals received after the time and date specified for opening will not be considered.

6. Any proposals may be withdrawn prior to the scheduled time for the opening thereof.

7. No offeror may withdraw his proposal within forty-five (45) days after the date of opening thereof.

8. Proposals must be submitted on the form provided thereof by the Commissioner of Public Works, Parks and Streets. All blank spaces in the form shall be filled in, amount shall be stated both in words and numerals, the signature shall be longhand, and the completed form shall be without erasure, interlineations, alterations, or any conditions inserted by the offeror or limitation by letter or otherwise.

9. The proposal shall state whether the offeror is a corporation or co-partnership, and, if a corporation, under the laws of what state and have the corporate seal affixed. If a co-partnership, the full name or names of all interested parties.

Unit Quantities

10. The quantities listed on the proposal form are for comparing proposals only. The actual quantities are used during the contract period may vary higher or lower. Payment by the City by the successful offeror shall be made based on the actual quantities of authorized work performed under each item and only at that item’s unit proposal price.

Certificate of Incorporation

11. THE SUCCESSFUL OFFEROR SHALL SUBMIT A CERTIFICATE OF INCORPORATION IN New York STATE OR PROOF OF AUTHORIZATION TO DO BUSINESS IN NEW YORK STATE.

Taxes

12. The Contractor shall pay any and all Federal, State, County, or City taxes which may be applicable herein.

The successful offeror's attention is called to the fact that materials not actually incorporated into the work will not be exempt for the payment of sales tax. This will apply to such things as:

1. Machinery and equipment, including rentals or repair parts.
2. Supplies, tools, miscellaneous equipment, and/or materials.
3. Any other items purchased or rented by the contractor for his use in performing the contract and not incorporated into the work.

Discrepancies or Omissions

13. Should the offeror find discrepancies in or omissions from the proposal documents or should such offeror fail to understand any part or clause of said proposal documents, he shall at once notify the Authorized Agency Contact who will send a written instruction to all offerors. The City of Buffalo shall not be responsible for any oral instructions.

Addenda

14. Any addenda issued during the time of proposing shall be included in the proposal, and in enacting the contract, they shall become a part thereof.

Offerors to Visit Site

15. Before submitting a proposal, offerors shall carefully examine the proposal documents, visit the site and fully inform themselves as to all existing conditions and limitations and assure themselves of their ability to perform the work of the contract.

Non-Collusive Proposing Certificate

16. **All offerors must complete the Non-Collusion certification included in Attachment A and submit it as part of the offer. Any offers submitted without the fully executed Non-Collusion Certifications will be rejected.** If the offeror shall be considered for an award nor shall any award be made to a offeror where the proposal does not include the statements as to non-collusion as set forth in the Proposal Form herein; provided, however, that if in any case the offeror cannot make the foregoing certification, the offeror shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reason therefore. In such event, the proposal shall not be considered for award; nor shall any award be made unless the Commissioner of Public Works, Parks and Streets determines that such disclosure was not made for the purpose of restricting competition. In this connection, it should be noted that the fact that a offeror has published price lists, rates or tariffs covering items being procured, or has informed perspective customers of the proposed or pending publication or new or revised price lists for such items or has sold the same items to other customers at the same price as being proposal, does not constitute, without more, a disclosure to any other offeror or to any competitor within the meaning of the non-collusive certification included in the proposal form.

17. The offeror whose proposal is accepted shall, within five (5) days after written notice by the Commissioner of Public Works, Parks and Streets enter into a contract and furnish an insurance certificate complying with the provisions of insurance specification. The notice shall be served personally or by the mailing thereof in a postpaid wrapper addressed to the offeror at the address given in the proposal.

18. This contract must be approved by the Buffalo Common Council by resolution.

19. The contract shall be governed and construed under the laws of the State of New York. Venue for any and all disputes under the contract shall be in Buffalo, New York. Any and all settlement discussions, examinations before trial, depositions and or any other proceedings related to any disputes under the contract shall also be held in Buffalo, New York.

20. Status of Information

The City shall not be bound by oral or written information released prior to the issuance of the bid.

21. Offeror Inquiries

All inquiries regarding this application must be addressed to the designated City contact person. Offerors cannot be ensured that a response to inquiries received later than three (3) days prior to the Proposal Due Date will be answered.

22. Communication with DPW

Offerors are advised that from the date this bid is issued until the award of the contract, NO contact with personnel related to this solicitation is permitted, except as may be authorized by the contact person for the City of Buffalo.

23. Addenda

The City of Buffalo will issue responses to inquiries and any other corrections or amendments it deems necessary, in written addenda issued prior to the Proposal Due Date.

Offerors should not rely on any representations, statements or explanations other than those made in this bid or in a formal addendum.

The offeror should verify with the designated contact person, prior to submitting a proposal, that all addenda have been received. Offerors are required to acknowledge the number of addenda received as part of their proposals.

24. Site Visits (None Scheduled)

25. Late Proposals

Proposals received after 11:00AM Monday, May 1, 2017 will not be accepted.

26. Confidential/Proprietary Information

Offerors should specifically identify those portions of the proposal to be confidential, proprietary information or trade secrets and provide justification why such material, upon request, should not be disclosed.

Such confidential/proprietary information must be easily separable from the non-confidential sections of the proposal.

27. Cost Incurred by Offerors

The City of Buffalo shall not be liable for any costs incurred by offerors in the preparation of proposals or for any work performed in connection therewith.

28. Oral Presentations and Interviews

The City of Buffalo may require offerors to give oral or visual presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein.

29. Discussions/Negotiations/Best and Final Offers

Basis of award is to the lowest responsible bidder.

30. Offerors Acceptance of Contract Provisions

By submitting a proposal indicated to the City of Buffalo the offeror accepts the standard contract provisions that will become part of the final contract.

31. Contract Award

Any proposed contract award shall be subject to all required approvals. Contract award shall be subject to the following conditions, where applicable:

*Americans with Disabilities Act

*City of Buffalo Living Wage Ordinance as specified in Attachment D.

32. Multi-Year Contracts

The following provisions apply to multi-year contracts are awarded as the result of this solicitation:

The contract is subject to modification or cancellation if adequate funds are not appropriated to the City to support the continuation of performance in any fiscal year succeeding the first;

The contract is subject to modification or cancellation if the contractor's performance is not satisfactory; and the Contract Coordinator will notify the contractor as soon as it is practicable that the funds are not available for the continuation of the multi-term contract for each succeeding year.

33. Bid Postponement/Cancellation

The City reserves the right to postpone or cancel the bid and to reject any or all proposals.

34. MWBE and Equal Opportunity Employment

City of Buffalo MWBE and Equal Opportunity Employment requirements will apply to this contract. All offerors must complete the forms included in Attachment B and submit with the sealed proposal.

35. The Buffalo Living Wage ordinance applies to City contracts for services more than \$50,000 value when the City contracts with a contractor employing more than ten people. Attachment F – City of Buffalo Living Wage Application for Contract with the City of Buffalo must be completed and accompanied with your response to this Request for Proposal.

SECTION VI – PROPOSAL

**CITY OF BUFFALO
DEPARTMENT OF PUBLIC WORKS, PARKS AND STREETS
CITY HALL, 65 NIAGARA SQUARE, ROOM 502
BUFFALO, NEW YORK 14202**

**PROPOSAL FOR
TIRE DISPOSAL
CITY OF BUFFALO**

_____, 20____

DATE: _____

**TO THE COMMISSIONER OF PUBLIC WORKS, PARKS AND STREETS OF THE
CITY OF BUFFALO, NEW YORK:**

The undersigned hereby proposes and agrees to furnish all plans, labor, services, materials, supplies, equipment, tools, transportation and other facilities and things necessary or proper for or incidental to the above-named project, as required by and in strict accordance with the Contract Documents, prepared therefore by the Department of Public Works, Parks and Streets together with all addenda issued by the City of Buffalo prior to the date of opening of this Request for Bid and mailed to the undersigned whether received by the undersigned or not.

COMPANY NAME: _____

THE FOLLOWING MUST BE COMPLETED AND SUBMITTED WITH THE SEALED PROPOSAL:

- **Proposal form (all pages)**
- **Attachment A – Non-Collusion Certification**
- **Attachment B – EEO & MWBE Forms**
- **Attachment D -Living Wage Application**

SECTION IV- PROPOSAL

PROPOSAL FORM

PRICE PER TON PICKED-UP AT THE BROADWAY GARAGE

\$ _____

PRICE PER TON DELIVERED TO BIDDER'S TIRE DISPOSAL FACILITY

\$ _____

PRICE PER TON DELIVERED TO ALTERNATE DROP OFF SITE

Address: _____

Miles from Broadway Garage: _____

\$ _____

I hereby declare that I have carefully examined the specifications, drawings and schedules on file, have visited the sites and fully informed myself of the existing conditions and limitations, that I will provide all necessary tools and apparatus, do all the work and furnish all of the materials and do everything required to carry out the aforementioned work or improvement in strict accordance with the contract documents, drawings, specifications, schedules and the requirements under them of the Commissioner of Public Works, Parks and Streets.

I further declare that no officer or employees of the City of Buffalo are directly or indirectly interested in this proposal, nor in the labor, or in the materials to which it relates, nor in any portion of the profits, thereof, that said proposal is made and contract will be made without collusion with any other person or persons presenting any proposal for the said labor and materials, and that said proposal is in all respects fair and just.

This proposal is submitted with the knowledge and understanding that the offeror herein hereby expressly consents to be bound by the "Specifications" and "Instructions to Offerors" which have been issued herein and which form a part of this proposal.

Addenda

In the space provided below, acknowledge receipt of addenda:

	<u>Date Received</u>
#1	_____
#2	_____
#3	_____
#4	_____
#5	_____

By submission of this proposal, each offeror and each person signing on behalf of any offeror certifies, and in the case of a joint proposal, 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 proposal 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 offeror or with any competitor.
2. Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the offeror and will not knowingly be disclosed by the offeror prior to opening, directly or indirectly, to any other offeror or to any competitor, and
3. No attempt has been made, or will be made by the offeror to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

SIGNATURE OF OFFEROR

(SEAL)

ADDRESS

TELEPHONE

Sworn to before me this _____ day of _____, _____.

Notary Public, Erie County, New York
Commissioner of Deeds in and for the
City of Buffalo, New York

To facilitate correct drawing and execution of contracts, offerors shall supply full information concerning legal status as follows:

NAME: _____
Corporation, Co-Partnership, Individual, Trade Name
(Strike out classification if not applicable)

ADDRESS OF PRINCIPAL OFFICE:

Street: _____

City: _____ State: _____ Zip Code: _____

CONTRACTOR MUST SUBMIT CERTIFICATION OF INCORPORATION IN NEW YORK STATE OR MUST SHOW PROOF OF AUTHORIZATION TO DO BUSINESS IN NEW YORK STATE.

If Foreign Corporation, state if authorized to do business in the State of New York:

_____ Yes _____ No

	<u>TITLE</u>	<u>NAME</u>	<u>ADDRESS</u>
PRINCIPAL OFFICERS	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

	<u>NAME</u>	<u>ADDRESS</u>
PRINCIPAL STOCKHOLDERS	_____	_____
	_____	_____
	_____	_____

If Co-Partnership, Names of Partners and Addresses are:

If doing business under Trade Name, Assumed Name or Firm Style:

Name of Owner: _____

Certificate Filed: _____

(Place)

(Date)

Experience Questionnaire

List below at least five (5) references where your firm is providing or has provided services comparable to those contained in your proposal:

Company	Address	Contact Person	Contact Phone #	Years of Service Provided
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____