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NOTICE TO BIDDERS

Public Notice is hereby given that separate sealed bids will be received and opened at 10:30 A.M. by the Borough of Beachwood, in the Borough Court Room at the Municipal Complex, 1600 Pinewald Road, Beachwood, NJ on Wednesday December 2, 2020 for the following project:

4000- 90-96 GALLON ROLLOUT CARTS

The contract specification documents may be obtained in the office of Public Works, 1200 Beachwood Boulevard, Beachwood, NJ 08722, during normal business hours (7:00 a.m. to 4:00 p.m.) on or after Thursday September 24, 2020 or on-line at www.beachwoodusa.com, under legal notices. For additional information please contact Gabriel Silva, at 732-286-6010

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31, et seq. and N.J.A.C. 17:27, requiring each bidder and each subcontractor formulate and submit to the proper authorized representative of the State of New Jersey an Affirmative Action Program of Equal Opportunity which guarantees minorities employment in all categories.

The Borough of Beachwood reserves the right to wave any informality and to reject all bids.

BOROUGH OF BEACHWOOD
Kathryn Hutchinson, RMC, CMC
Borough Clerk

INSTRUCTIONS TO BIDDERS

BIDS will be received by the Borough of Beachwood (herein called the "Owner") at 1600 Pinewald Road, Beachwood, NJ 08722 on or before WEDNESDAY December 2, 2020. All bids must be received prior to Wednesday December 2, 2020 at 10:30 A.M. All bids must be received in a sealed and clearly marked envelope, addressed to the Borough Clerk, 1600 Pinewald Road, Beachwood, NJ 08722. Bids will be publicly opened and read aloud at the Borough of Beachwood Meeting Room at 10:30am prevailing time on Wednesday, December 2, 2020. No bids will be accepted after 10:30am

EACH BID must be submitted in a sealed envelope, addressed to the Borough of Beachwood, 1600 Pinewald Road, Beachwood, NJ 087220

Each sealed envelope containing a bid must be plainly marked on the outside as Bid for each of the following;

4000- 90-96 GALLON ROLLOUT CARTS

The envelope shall bear, on the outside the bidders' name and address.

All BIDS must be on the required bid form. All blank spaces for BID prices must be filled in, in ink or typewritten, and the BID form must be fully completed and executed when submitted. Only one copy of the bid form is required.

The owner may waive any informalities or minor defects or reject any and all bids. A bid may be withdrawn prior to the above scheduled time before the opening of bids or authorized postponement thereof. Any bid received after the time and date specified shall not be considered.

No bidder may withdraw a bid within 60 days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period; the time may be extended by mutual agreement between the OWNER and the BIDDER.

The contract documents contain the provisions required for the furnishing of the listed equipment. Information obtained from an officer, agent, or employee or the OWNER or any other person shall not affect the risks or obligations assumed by the CONTRACTOR from fulfilling any of the conditions of the contract.

PROPOSAL SECTION

BID DOCUMENT SUBMISSION CHECKLIST

Borough Of Beachwood

4,000 90-96 GALLON ROLL - OUT CARTS
(Name of Project)

A. Failure to submit the following documents is a mandatory cause for bid to be rejected.
(N.J.S.A. 40A:11-23.2)

Required with Submission of Bid (Owner's checkmarks)		Initial Each Item Submitted with Bid (Bidder's Initials)
X	Bidder's acknowledgement of receipt of any notice(s) or revision(s) or addenda To an advertisement, specifications or bid document(s)	
X	A statement of corporate ownership, pursuant to N.J.S.A. 52:25-24.2 (Stockholders Statement)	
	A listing of subcontractors as required by N.J.S.A. 40A:11-16 (Subcontractor's Declaration)	
	A bid guarantee as required by N.J.S.A. 40A:11-21 (Bid Bond, Certified Check or Cashier's Check)	
	A certificate from a surety company, pursuant to N.J.S.A. 40A: 11-22 (Consent of Surety)	

B. Failure to submit the following documents may be a cause for the bid to be rejected.
(N.J.S.A. 40A:11-23.1b)

Required with Submission of Bid (Owner's checkmarks)		Initial Each Item Submitted with Bid (Bidder's Initials)
	Public Works Contractor Registration Form	
X	New Jersey "Business Registration Certificate" Form	
X	Background Questionnaire	
	Debarred List Affidavit	
X	Submission of Non-Collusion Affidavit (this form must be notarized)	
X	Affirmative Action Requirements	
	Bidder Certificate showing ability to perform contract, pursuant to N.J.S.A. 40A:11-20	
	Disclosure of Investment Activities in Iran, pursuant to P.L. 2012, c. 25.	
X	Bid Form	

- C. Owner's Statement with respect to N.J.S.A. 40:11-23.1c: See technical specifications whether uniformed law enforcement officers will or will not be required for traffic control.
- D. SIGNATURE: The undersigned hereby acknowledges and has submitted the above list of requirements.

Name of Bidder: _____

By Authorized Representative: _____

Signature: _____

Print Name and Title: _____

Date: _____

Company Name: _____

Mailing Address: _____

Physical Address: _____

Phone Number: _____

Fax Number: _____

BID

Proposal of _____ (hereinafter called "BIDDER"),
Organized and existing under the laws of the State of _____ doing business as
_____. To the _____ (hereinafter called "OWNER").

In compliance with your Advertisement for Bids, BIDDER proposes to supply

4000 - 90-96 GALLON ROLL-OUT CARTS

in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at
the prices stated below.

By submission of this BID each BIDDER certifies, and in the case of a joint BID each party
thereto certifies as to its own organization, that this BID has been arrived at independently,
without consultation, communication, or agreement as to any matter relating to this BID with
any other BIDDER or with any competitor.

BIDDER hereby agrees to supply the EQUIPMENT under this contract on or before a date
to be specified in the NOTICE TO PROCEED. BIDDER further agrees to pay as liquidated
damages, the sum of \$50.00 for each consecutive calendar day thereafter as provided in Section
6 of the General Conditions.

BID SCHEDULE

THE BIDDER AGREES TO FURNISH THE EQUIPMENT AS DESCRIBED IN THE SUPPLEMENTARY SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE FOLLOWING PRICES

ITEM NUMBER	DISCRIPTION OF ITEM AND PRICE IN WORDS	UNIT PRICE IN FIGURES	DELIVERY TIME (DAYS)
4,000	90 - 96 GALLON ROLL - OUT CARTS		
CARTS		\$ _____	_____
DELIVERY & ASSEMBLY		\$ _____	_____
DISTRIBUTION		\$ _____	_____
TOTAL BASE PRICE IN FIGURES		TOTALS \$ _____	

TOTAL PRICE IN WORDS _____

RESPECTFULLY SUBMITTED,

SIGNATURE _____ ADDRESS _____

TITLE _____ ADDRESS _____

TAX I.D. NUMBER _____ DATE _____

PHONE NUMBER _____

FAX NUMBER _____

E-MAIL ADDRESS _____

SEAL
IF BID IS BY A CORPORATION

The OWNER may make such investigations as deemed necessary to determine the ability of the BIDDER to perform the work and the BIDDER shall furnish to the OWNER all such information and data for this purpose as the OWNER may request. The OWNER reserves the right to reject any BID if the evidence submitted by, or investigation of, such BIDDER fails to satisfy the OWNER that such BIDDER is properly qualified to carry out the obligations of the AGREEMENT contained therein. All BIDDERS shall be required to complete the Experience Questionnaire demonstrating their experience in completing similar projects, including names of owners, etc. A conditional or qualified BID will not be accepted.

Award will be made to the lowest responsible BIDDER. In the event that there is a discrepancy between prices written in words and written in figures, prices written in words will govern. Comparison of BIDS will be made on the basis of the total price bid for all the items listed in the base bid and/or in the various Alternatives listed. Should Alternates be included herein, then based on the availability of Funds, the Borough may utilize the Alternates listed in the BID in the order they are listed. Should an alternate be utilized, it shall be added to the base BID in order to determine the low BIDDER.

Each BIDDER is responsible for reading and being thoroughly familiar with the CONTRACT DOCUMENTS. The failure or omission of any BIDDER to do any of the foregoing shall in no way relieve any BIDDER from any obligation in respect to its BID.

EXPERIENCE QUESTIONNAIRE

The BIDDER is required to state in detail, in the space provided below, what work of a character similar to that in the proposed Contract he has done, to give references and such other detailed information that will enable the OWNER and the Director to judge his responsibility, experience, skill, and business standing.

The Borough shall have the right to reject any BIDS submitted by a BIDDER whose experience for this type of work, under this project, is deemed by the Borough's Governing Body to be inadequate.

Submitted to Borough of Beachwood

By _____ A Corporation
A Co-partnership
An Individual

Principal Office _____
Contact Person: _____
Telephone No.: _____

The signatory of the proposal guarantees the truth and accuracy of all statements and of all answers to interrogatories hereinafter made.

How long have you been engaged in this type of business under present Individual or Company name?

Have you ever defaulted or failed to execute and/or complete a contract awarded to you by a public agency? If yes, explain.

List below, Contracts of a similar nature and magnitude to that to be performed for this project, completed or under construction within the last three (3) years.

Owner Or Agency	Contact Person	Telephone Number	Description of Project	Contract Amount

(Attach Additional Sheets as Required - Please Print)

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

ss.

COUNTY OF _____

I, _____ of the City of _____ in the County of _____ and the State of _____ of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____

The BIDDER making the Proposal for the above named project, and that I executed the said Proposal with full authority so to do; that said BIDDER has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the State of New Jersey relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

(Name of Contractor) (N.J.S.A. 52:34-15)

(Type or Print name of affiant under signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC OF _____ MY COMMISSION EXPIRES _____, 20____

AFFIDAVIT OF AUTHORIZATION

(To be filled in and executed if the Contractor is a Corporation)

County of _____) ss
State of _____)

_____ being duly sworn deposes and says that he is Secretary of _____ a
corporation organized and existing under any by virtue of the laws of the State of _____
having its principal at _____
(Street)

_____ (City) _____ (County) _____ (State) _____ (Zip)

Affiant further says that he is familiar with the record, minute books, and by-laws of

_____ (Name of Corporation)

Affiant further says that _____ (Officer's Name) _____ (Title)

Of the Corporation is duly authorized to sign the Contract for the Delivery of _____
for _____ said _____ corporation by _____ virtue of _____ of _____

(State whether a provision of by-laws or a resolution of the Board of Directors if resolution, give date of adoption).

(Affiant)

Sworn to before me this _____ day of _____, 20 _____.

(Notary Public)

(County)

AFFIDAVIT FOR AFFIRMATIVE ACTION

STATE OF _____)

COUNTY OF _____)

SS:

Being duly sworn, deposes and says that he resides at: _____

and that he is the _____
(Give Title)

of _____

who signed the above proposal or bid, that during the course of this contract, he will agree to the Plan for Affirmative Action as outlined in the INSTRUCTIONS TO BIDDERS, and more particularly detailed in the CONTRACT DOCUMENTS.

(Signature of Affiant)

Subscribed and sworn to before me this _____ day of _____, 20____.

DATE:

MUNICIPALITY/AUTHORITY:

CONTRACT NO. (S):

CONTRACT TITLE (S)

**AFFIRMATIVE ACTION
QUESTIONNAIRE AND INFORMATION FORM
FOR PROCUREMENT AND SERVICE CONTRACT**

Please complete the following questions. In the event that your firm is awarded the contract(s), this information will be used to provide your office with the necessary forms and will serve as a checklist to insure that all required documentation is submitted.

Does your firm have:

A. Fifty (50) or more employees?

Yes

No

B. Less than fifty(50) employees?

Yes

No

Fill out Part A if your firm has 50 or more employees.

Fill out Part B if your firm has less than 50 employees.

DO NOT submit any documentation or complete any forms at this time. ONLY answer the questions and sign the certification.

PART A - CONTRACT WITH 50 OR MORE EMPLOYEES

1. Does your firm have an existing federally approved or sanctioned Affirmative Action Program?
Yes _____ No _____

A. IF YES, a photo static copy of this approval will be required to be submitted to the Public Agency.

B. If NO, answer Question No. 2.

2. Does your firm have a Certificate of Employee Information Report Approval? Yes _____
No _____

If YES, a photo static copy of this approval will be required to be submitted to the Public Agency.

3. If your answer to Questions No. 1 and 2 are NO, you will be required to submit a completed Employee Information Report (Form AA302). You will be required to distribute the copies as designated on the form (2- Affirmative Action Office, 1-Public Agency, 1-retained by the Contractor).

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry marital status, affectional or sexual orientation or sex. Except with respect to the affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status affectional or sexual orientation, or sex. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in

accordance with N.J.A.C. 7:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.C.A. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, or sex and it will discontinue the use of any recruitment agency which it engages in direct or indirect discriminatory practices.

The contractor or subcontractors agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading, and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex consistent with the statutes and court decisions of the State of New Jersey, applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to the execution of a goods and services contract, one of the following documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division from time to time in order to carry out the purpose of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

BIDDER acknowledges receipt of the following ADDENDUM:

Included with the BID shall be the following documents:

1. Experience Questionnaire
2. N.J. Business Registration Certificate
3. Non-Collusion Affidavit
4. Statement of Disclosure
5. Affidavit of Authorization (if BIDDER is a Corporation)
6. Affidavit of Affirmative Action
7. Affirmative Action Questionnaire
8. Bid Document Submission Check List
9. When applicable, Certification of Registration by the N.J. Department of Labor, that all Contractors/Subcontractors comply with the "Public Works Contractor Registration Act." (P.L.1999, c. 238)

Failure of the BIDDER to include the above documents in the BID may result in rejection of the BID.

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 20____, by and between _____, hereinafter called "OWNER" (Name of Owner), (an individual)

and _____ doing business as (an individual), or (a partnership), or (a Corporation) hereinafter called CONTRACTOR.

WITNESS: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and furnish the EQUIPMENT on or before the following date: _____
2. The CONTRACTOR agrees to furnish the EQUIPMENT which he was awarded as described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ _____ \$ _____ (Figures) (Price in words) or as shown in BID Schedule.
3. The term CONTRACT DOCUMENTS means and includes the following:

Notice to BIDDERS
Instruction to BIDDERS
BID Documents
 BID/BID SCHEDULE
 Experience Questionnaire
 N.J. Business Registration Certificate
 Non-Collusion Affidavit
 Statement of Disclosure
 Affidavit for Affirmative Action
 Affirmative Action Questionnaire
 Affirmative Action Agreement
 Notice of Award
 Notice to Proceed

4. This AGREEMENT shall be binding upon all parties hereto and their respective Heirs, Executors, Administrators, Successors, and Assigns.

The undersigned is an individual

A Partnership under the laws of the State of _____
A Corporation _____ having its Principal

Offices at _____

NOTICE OF AWARD

TO: _____

PROJECT
DISCRIPTION _____

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated _____, 20_____.

You are hereby notified that your BID has been accepted for items in the amount of \$ _____.

If you fail to execute said AGREEMENT within ten(10) calendar days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S CCEPTANCE OF YOUR BID AN ABANDONED AND AS FORFETURE OF YOUR BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledgement copy of this NOTICE OF AWARD to the OWNER.

Dated this _____ day of _____, 20_____.

(Owner)

By: _____
Title: _____

NOTICE TO PROCEED

To: _____

Date: _____

Project: _____

You are hereby notified that you have been AWARDED the BID in accordance with the AGREEMENT dated _____, 20____, on or before _____, 20____, and you are to furnish the EQUIPMENT on or before _____, 20____.

(Owner)

By: _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged.

By: _____ this the _____ day of _____, 20____.

By: _____

Title: _____

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledge

by: _____
this the _____ day of _____, 20____.

By: _____

Title: _____

GENERAL CONDITIONS

1. Liquidated Damages. The CONTRACTOR will be required to pay the BOROUGH, at the rate of \$50.00 per day for each consecutive calendar day past the agreed date of delivery.

**SPECIFICATIONS FOR
4,000 - 90 - 96 GALLON ROLL - OUT CARTS**

The equipment to be supplied shall be Roll -Out Carts between the size of 90 - 96 gallons. The specs shall include all standard equipment as listed on the manufacturer's brochure, spec sheets and price lists, including items specified hereinafter . A certificate of origin from factory will be provided with the equipment upon delivery. The Bidder will submit only one BID and no alternate BIDS are acceptable.

The following specification are listed by number, and any clarification or amplifications must be fully explained in writing, taking exception by number. The failure to do this will result in rejection of the BID.

Bidder shall not assume anything pertaining to specifications what they intend to BID. The Borough of Beachwood reserves the right to cancel or reject any or all BIDS.

Any questions regarding the BID or it specifications must be addressed in writing five (5) days prior to the BID opening to the Borough of Beachwood. Those addressed after will not be accepted. The following specifications are the minimum acceptable.

GENERAL BIDDING REQUIREMENT FOR
4,000 - 90/96 GALLON ROLLOUT CARTS

- A. Each bid shall be submitted in writing addressed to the Borough Clerk, Beachwood Municipal Complex, 1600 Pinewald Rd. Beachwood, NJ 08722 and shall be in the hands of said clerk at or before the time set forth in the Notice to Bidders for the receipt of bids. No responsibility shall be assumed by the borough for any bid mailed to the Clerk which is not received by her before the time stated above for the receipt of bids. No bid will be received after the first bid is opened, at said time and place.
- B. Each bid shall be signed by the bidder and contained in a sealed envelope.

WHICH SHALL BE ADDRESSED TO THE SAID CLERK AND SHALL CONTAIN ON ITS FACE A STATEMENT THAT IT IS A BID ON SAID ITEM in order that said bid may not be inadvertently opened prematurely.

- C. Each bid shall state that it is made in accordance with the advertisement.
- D. The Borough reserves the right to accept or reject any and all bids.
- E. Each bid shall be accompanied by certified check, cashier's check, bank money order, or bid bond in the amount of 10% of bid price.
- F. In the event Bidder is a corporation or partnership, it shall submit to the governing body, prior to the time of receipt of bid or accompanying the bid, a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock or an interest equivalent for the same with P.L. 1977, c33.
- G. Bidders are required to comply with the requirements of P.L. 1975. C127.
- H. Bidders are required to supply a copy of their **New Jersey State - Business Registration Certificate**.
- I. Contact Kathryn Hutchinson, Clerk for any additional information, telephone number (732) 286-6000

SUPPLEMENTARY SPECIFICATIONS