

PUBLIC NOTICE
REQUEST FOR PROPOSALS
TOWN OF YORKTOWN

The Town of Yorktown (“Town”) is seeking bids from qualified vendors (“vendors”) interested in providing **One or More Used Ford Escapes or equivalent vehicles to the Town of Yorktown.**”

All completed proposals must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, no later than 11:00 a.m. on May 20, 2019. If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address and marked “Bid: Used Ford Escapes or Equivalent vehicles to the Town of Yorktown.”

Specifications and standard proposals may be obtained at the Office of the Town Clerk at said Town Hall, as well as on the Town’s website, www.yorktownny.org under Links/Bids & RFPs.

The bidder assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidders assume the responsibility for having bids in on the day, time, and place specified above.

The Town of Yorktown reserves the right to waive any informalities in the proposals, to reject any or all proposals, and reserves the right to accept that proposal which it deems most favorable to the interests of the Town of Yorktown.

DIANA L. QUAST
TOWN CLERK
TOWN OF YORKTOWN
CERTIFIED MUNICIPAL CLERK

**TOWN OF YORKTOWN
REQUEST FOR PROPOSALS**

TOWN OF YORKTOWN HIGHWAY DEPARTMENT VEHICLES

I. PURPOSE:

This request for proposals (“RFP”) is issued by the Town of Yorktown, New York (“Town”), which is seeking to proposals (“Proposals”) from qualified bidders to provide **“One or More Used Ford Escapes or equivalent vehicles to the Town of Yorktown.”** which comply with the technical specifications attached hereto as Schedule A.

II. GENERAL INSTRUCTIONS:

A. Each Proposal must provide complete information and documentation as described in this RFP. The Town will not accept any Proposal sent by telefacsimile transmission or email. One (1) Proposal, with a signed and notarized Non-Collusive Bidding Certificate, must be submitted in a sealed envelope labeled **“HIGHWAY DEPARTMENT USED, LOW MILEAGE VEHICLES”** by 11:00 pm on May 20, 2019 to the following address:

Town of Yorktown
Attn: Diana L. Quast, Town Clerk
363 Underhill Avenue
Yorktown, New York 10598

- B. At the discretion of the Town Clerk, any Proposal received after the deadline date and time stated above will not be considered and will be returned to Respondent unopened. The Town may waive any minor irregularities in any Proposal when such waiver would be in the best interests of the Town. No Proposal may be withdrawn within ninety (90) days of the submission date.
- C. Respondent assumes the risk of any delay in the mail and the handling of the mail by the employees of the Town. Whether sent by mail or by means of personal delivery, Respondent assumes all responsibility for having the Proposal delivered on time and to the place specified above.
- D. All Proposals will be presented to the Highway Superintendent who may conduct interviews of Proposers. The Highway Superintendent may select the Proposal that is deemed to be in the best interests and the best value of the Town and will award the contract accordingly.
- E. The Town reserves the right to waive any technical non-conformance with the requirements of this RFP.

- F. The Town will not reimburse any expenses in connection with preparation of Proposals including attendance at interviews.
- G. The Town reserves the right to reject any and all Proposals, to request additional information or clarification from any and all Proposers.
- H. Questions or comments should be directed in writing to Town Clerk Diana L. Quast.
- I. The Town is tax exempt and the Town will provide upon request the appropriate tax exempt certificate.
- J. Submission of a Proposal shall not create a contractual obligation with the Town for the scope described in this RFP. This RFP does not commit the Town to issue a contract to any Proposer.
- K. No interpretation of the RFP will be made to any person orally by any representative of the Town. Any request for information or interpretation and/or clarification (“RFI”) of the RFP must be addressed in writing to Town Clerk Diana L. Quast at least seven (7) days before the submission date.
- L. Any written response to an RFI shall be issued by the Town Clerk and will be incorporated into and made part of the RFP and will be made available in the same manner and method as the RFP. The Town’s decision shall be final and binding. The failure of Respondent to receive such Addenda will not relieve Respondent of any obligation to submit a Proposal that is compliant with the RFP. Where practicable, any written response to an RFI will be posted on the Town’s Webpage to allow all interested vendors equal access to such information.
- M. Respondent’s failure to request an RFI or to point out any inconsistency therein will preclude such Respondent from thereafter claiming any ambiguity, inconsistency, or error which should have been discovered by a reasonably prudent vendor from asserting any claim for damages arising directly or indirectly therefrom.
- N. Respondent, by signing the Proposal and the Non-Collusive Bidding Certificate, does hereby warrant and represent that the contract has not been solicited, secured or prepared directly or indirectly, in a manner contrary to the laws of the State of New York, the County of Westchester, and the Town of Yorktown. Further, such laws have not been violated and shall not be violated as they relate to the procurement or the performance of the contract by any conduct, including the paying or the giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any Town employee, officer or official.
- O. The New York State Freedom of Information Law mandates public access to government records. However, any Proposal submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to Respondent's competitive position or constitute a

trade secret. Respondent who has a good faith belief that information submitted in the Proposal is protected from disclosure under the New York Freedom of Information Law shall clearly identify the pages of the Proposal containing such information by typing in bold face on the top of each page "Respondent believes that this information is protected from disclosure under the New York State Freedom of Information Law". The Town assumes no liability for disclosure of information so identified, provided that the Town has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction. The contents of the Proposal which is accepted by the Town, except portions "Protected from Disclosure," may become part of any agreement resulting from this RFP.

- P. The Town reserves the right, in its sole and absolute discretion, to reject all Proposals, to undertake discussions and modifications with one or more of the Respondents and to proceed with a Proposal or modified Proposal, if any, which in its judgement will under all circumstances serve the public interest.

III. DESCRIPTION OF SPECIFICATIONS:

- A. See Specification attached hereto as Schedule A.

IV. REQUIRED CONTENTS OF PROPOSALS

- A. Each Proposal must be submitted on company letterhead or standard proposal form and must be signed by a principal member in order to be accepted. The signatory's position (e.g. President, Managing Member) must be clearly stated.
- B. All Proposals, with the executed and notarized non-collusive bidding certificate, must be signed by a duly authorized representative of Proposer.
- C. Each Proposal must contain a detailed description of the vehicles being proposed.
- D. The Town will consider the qualifications of Respondent and may conduct such investigation as it deems necessary to assist in the evaluation of any Proposal. The Town reserves the right to reject any Proposal if the investigation demonstrates, to the Town's sole discretion that Respondent is not properly qualified to carry out the obligations of the RFP.
- E. Respondent may be required, at the sole discretion of the Town Board, to make an oral presentation to the Town Board to clarify or elaborate on its Proposal.
- F. No Proposal will be accepted if Respondent is in arrears upon any debt or in default of any obligation owed to the Town or has failed to satisfactorily perform any prior agreement with the Town.
- G. The Contracting Vendor shall not assign, transfer, convey or otherwise dispose of the contract or any part of it or any monies due and payable under the contract, without prior written approval of the Town. If such approvals are granted by the Town, they

shall in no way relieve the Contracting Vendor or from any obligations under the terms of the contract.

SCHEDULE A
SPECIFICATIONS

“Bid: Highway Department Used Vehicles Purchase.”

2016 - 2019 Ford Escape SE or equivalent, equipped with SE Equipment, 2.0L Ecoboost engine, Automatic Transmission, 4wd drive, 30,000 miles or less, 5 year bumper to bumper extended warranty, Power windows, Power locks, Power mirrors, Air conditioning, ABS, Floor Mats. **Vehicles must not be altered from its manufactured condition.**

Color:

Exterior: Any

Interior: Any

Standard Features: Any

Interior Features:

Climate: Air conditioning & heating

Comfort and Convenience: Any

Entertainment Systems: Any AM/FM radio with at least 2 speakers

Seating: Any

Appearance: Clean condition and free from odor (animal, cigarette smoke, musk/mold etc.) The Town has the discretion to reject any vehicle that does not meet this standard.

Windows & Glass: Rear window defroster

Power and Handling

Handling: All Wheel Drive or Front wheel drive
Traction control
Electric Power-Assisted Steering
Four-wheel disc Anti-Lock Brake System

Power: Any V6 engine
Automatic transmission, any number of gears

Wheels & Tires: Any size wheels and tires. Tires must have appropriate tread in compliance with a New York State safety inspection. Spare tire with appropriate tread, matching size of primary tires.

Safety & Security: Any factory safety and security features

Exterior Condition: Vehicle shall not be classified as totaled, salvaged, or flood damaged. May not include non-original equipment manufacturer (OEM) parts unless specifically noted.

No body damage, rust, other than normal wear and tear (to be determined at the discretion of the Town of Yorktown).

Bidder must be able to present a Carfax vehicle history report at no cost to the Town of Yorktown.

Miscellaneous: Vehicle must have a lien-free title and not be listed as totaled, salvaged or flood damaged.

Vehicle must be in good running condition and must be able to pass a New York State safety inspection and must be able to be registered in New York State.

Vehicle identification number of each vehicle,
Maintenance and repair history of each vehicle

NON-COLLUSIVE BIDDING CERTIFICATION

This Non-Collusive Bidding Certificate is made pursuant to Section 103-d of the General Municipal Law of the State of New York. By submission of this Proposal, Respondent and each person signing on behalf of Respondent 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 his or her knowledge and belief:

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 Respondent or with any competitor. Unless otherwise required by law, the prices which have been quoted in this Proposal have not been knowingly disclosed by Respondent and will not knowingly be disclosed by Respondent prior to opening, directly or indirectly, to any other Respondent or to any competitor.

No attempt has been made or will be made by Respondent to induce any other person, partnership or corporation to submit or not to submit a Proposal for the purpose of restricting competition. A Proposal shall not be considered for award nor shall any award be made where the above statements have not been complied with; provided, however, that if in any case Respondent cannot make the foregoing certification, Respondent shall so state and shall furnish with the Proposal a signed statement which sets forth in detail the reasons therefore. Where any of the above statements have not been complied with, the Proposal 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 Proposal is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

Dated: _____

Respondent:

(Legal name of person, firm or corporation)

By: _____
(Signature)

(Please Print Name)

(Title)

State of New York)
Town of _____)ss.:

On the ____ day of _____ in the year 2017 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(Notary Public)