

**DETAILED SPECIFICATIONS
TO BE COMPLETED PRIOR TO JUNE 15**

SCOPE

The Contractor shall furnish all the necessary materials, labor and equipment to apply a chemical solution for controlling vegetation under guide rail, around sign posts, culvert head walls, fences and any other area designated by the Superintendent of Highways or Airport Manager.

MATERIALS

An example of the materials to be used shall consist of a solution of .3 ounces of Oust Extra, (or approved equal) and 2 quarts of Round-up, (or approved equal) with a non-ionic surfactant. The said materials shall be mixed in one hundred (100) gallons of water and applied at a rate of fifty (50) gallons per acre.

AREA TO BE TREATED

Approximately 40,000 feet of perimeter fencing at the Airport, Solid Waste and Highway Dept. and approximately 1,000 miles of roadside shall be treated by the Contractor and all guide rail, sign posts, culvert head walls plus any other designated areas within this scope shall be treated to the satisfaction of the Superintendent of Highways or Airport Manager.

METHOD OF TREATMENT

After consultation with the Superintendent of Highways regarding areas to be treated and the level of treatment desired, the Contractor shall thoroughly inspect the designated areas. The method of treatment and time of application shall then be discussed and agreed upon by the Contractor and Superintendent of Highways or Airport Manager.

All designated areas shall be treated as early in the season as possible to ensure maximum control of all weeds, grasses and wild grape vines growing under and around guide railing. The application shall be done as rapidly as possible to minimize the amount of time the Contractor is working on public highways. The guiderail vegetation control application shall attempt to be completed no later than June 15th. Airport perimeter fence line vegetation control application shall be completed no later than June 15th. Coordination Meeting with Airport Manager or Designee is required prior to commencement of work on Airport property.

EQUIPMENT

The guide rail spraying equipment shall be truck-mounted units each of which shall have a liquid capacity of not less than three hundred (300) gallons. Each unit shall be powered with a pump capable of pressures ranging from twenty (20) to three hundred (300) pounds per square inch. Nozzle-type spray gun and boom, as well as any other nozzle arrangement shall be designed to apply a large droplet of spray with an absolute minimum of atomization or drift.

All equipment used in the transportation and application of the chemical mixture shall be modern and in good repair, shall be of such design and construction as to comply with all the requirements hereof, shall be sufficiently maintained at all times to so comply and shall be properly licensed, rigged and marked so as to meet all requirements of the State of New York laws, rules and regulations which apply to such equipment and usage.

Bidder shall submit with his bid a descriptive list of all equipment available for use with this contract.

QUALIFICATION OF BIDDER

No bid will be considered for award unless the firm submitting the bid can meet the following conditions:

- a. Bidders must submit with their bids evidence that they have had at least five (5) years of satisfactory experience applying guide rail vegetation control herbicides in accordance with the specifications so that an acceptable and workmanlike job will result.
- b. Bidders shall submit evidence that they have a field complaint procedure program in effect, as well as documented on-site chemical spill worker guidelines, and a contingency plan. Copies of these programs must be included with the bid.
- c. The bidder shall possess a current and valid license to conduct business in the State of New York, a copy of which must be included with his bid.
- d. Each bidder shall furnish with his bid, a copy of his license to apply pesticides issued by the New York State Department of Environmental Conservation, Bureau of Pesticides. The license shall be current and valid. All pesticide applicators shall provide evidence that they are registered at the time of application.

GUARANTEE

The Contractor shall guarantee his work in accordance with this specification and also guarantee that his workmanship shall be acceptable to the Superintendent of Highways.

Before any payments are made, the County Superintendent of Highways must be satisfied that the workmanship and results of such are satisfactory, and in this regard his decision shall be final.

COMPLIANCE WITH THE LAW

All materials used shall be registered with the Environmental Conservation Department, Bureau of Pesticides. Contractor will comply with all aspects of the New York State Department of Conservation laws, rules, policies, procedures, directions and/or directives that may apply to herbicides or the application of herbicides.

THE RIGHT OF EXCLUSIONS & ADDITIONS

The Superintendent of Highways reserves the right to include or exclude any highway or portion of highway at any time under the terms and conditions of the contract.

SUPERVISION & INSPECTION

The successful bidder shall provide qualified personnel to supervise all work hereunder. Such supervisory personnel shall be other than those engaged in the actual application of chemicals and shall be in number not less than one supervisor for each four persons engaged in the actual spraying operation.

If at any time during spraying operations, an authorized representative of the County Highway Department requires the company of such supervisor for joint inspection of the work hereunder, the supervisor shall make himself available for such inspection.

BIDS & RECORDS

Bidders are advised that many sections of highway hereunder are rendered untreatable due to the very nature of the roadsides or to the presence of paved areas and lawns around commercial properties, dwellings and the like. Such circumstances, and others, will reduce work which might be required on uninterrupted sections of highways, and shall be given consideration in the presentation of bids.

The Superintendent of Highways shall be given a daily report at the end of each work day. This report shall show, for each road sprayed: the miles traveled, the amount of material applied, the rate of speed when each side of highway was treated and the direction and intensity of the wind at the time of such treatment.

PRECONSTRUCTION CONFERENCE

A preconstruction conference shall be held at the office of the Superintendent of Highways at least ten (10) days prior to starting work, at which time the Contractor shall present a proposed schedule of work, source of materials and be prepared to discuss the contract requirements and specifications.

PENALTY

Should any of the requirements included in these specifications not be met by the Contractor (as determined by the County Superintendent of Highways or his representative), the Contractor may be fined at a rate of \$200 per day for every calendar day the non-compliance exists, starting with the day of notification by the County of same, the sum total of which, shall be withheld from the Contractor's payment.

PRICE AGREEMENT

Price bid for guiderail vegetation control shall be based on a total cost per side mile of road treated, to include all materials and labor required.

CONTRACT PRICE ADJUSTMENTS:

All prices submitted must remain firm for a period of one hundred twenty (120) days from the date of award. Beginning September 1, 2022 subsequent price adjustments will be considered by the County. All requests for price adjustments must be submitted to the County a minimum of thirty (30) days prior to the date of the requested price adjustment. The change in price structure (increase or decrease) must be based on fluctuations in the latest published Consumer Price Index (CPI) for all urban consumers, as published by the U.S. Department of Labor, Bureau of Labor Statistics which is available at <https://stats.bls.gov>.

If, during the Contract term, the awarded vendor is unable to meet contractual requirements in whole or in part based on the price structure of the contract, it shall immediately notify the County in writing. The County may, but is not required to, consider an adjustment in the contract terms and/or pricing. Should the County in its sole discretion determine during the Contract term that the contract price structure results in prices which are unreasonable, excessive, or not truly reflective of current market conditions, and no adjustment in the contract terms and/or pricing is mutually agreeable, the County may terminate the contract through written notice to the vendor, purchase from an alternate source, or rebid the contract.

#2023h-21 – ROADSIDE AND FENCE VEGETATION CONTROL

BID FORM

COMPANY NAME: _____

ROADSIDE AND FENCE VEGETATION CONTROL

The undersigned, being experienced and responsible for performance of same, hereby agrees to apply vegetation control materials on County Highways in accordance with the bid requirements.

AMOUNT OF ROADSIDE TO BE TREATED: Approximately 1,000 Side Miles

PRICE PER MILE OF ROADSIDE: \$ _____ per side mile

TOTAL PRICE FOR MATERIAL AND APPLICATION: \$ _____

AMOUNT OF CHAINLINK at AIRPORT/HIGHWAY or SIMILAR SITES TO BE TREATED:
Approximately 40,000 feet of perimeter fencing (truck accessible)

PRICE PER FOOT OF CHAINLINK: \$ _____ per foot

Are you registered to do business in the State of New York? Yes No

Attached Bid Checklist, Non-Collusive/Signature Page, and Iran Notice must be signed to complete the bid.

BID CHECKLIST

The documents required to complete this bid are indicated below.

- (X) Insurance Certificates See Exhibit A, pages F-G
- (X) Iran Notice See Pages 35f – 35g

- _____ We have reviewed and have submitted the items required under the Mandatory Submission Requirements.
- _____ The Bid Page(s), Signature Page/Non-Collusive Page, and Iran Notice are completed and included.
- _____ Deviations are noted and explained.
- _____ Insurance Certificates are enclosed if required.

WAIVER OF IMMUNITY/NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO SECTION 103-D OF THE New York STATE GENERAL MUNICIPAL LAW

- 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 organizations, 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 knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any 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.

A bid shall not be considered for award nor shall any award be made where 1,2, and 3 above have not been complied with; provided, however, that in any case the bidder cannot make to foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where 1, 2, and 3 above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to 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 customer of proposed or pending publications of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph “A” above.

- B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph “A” of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

SIGNATURE PAGE ON REVERSE MUST BE SIGNED TO COMPLETE THE BID.

SIGNATURE PAGE

The undersigned proposes to furnish products or services to specifications included in this bid document, at the price(s) set forth, as required to meet the County's needs. Any deviation to the specifications must be noted on the bid form and fully explained or the deviations will not be considered part of the bid.

Deviations: Yes _____ No _____

By signing below I am certifying that I fully understand the complete requirements of the bid and agree to the non-collusive certification on the reverse of this page and additional documents as specified on the bid checklist. Bidder hereby acknowledges receipt of all addenda pertaining to this bid which are made part of the original bid specifications.

_____ COMPANY NAME

_____ ADDRESS (Principal Office)

_____ CITY, STATE, ZIP CODE

_____ AREA CODE/TELEPHONE NUMBER

_____ FAX NUMBER

_____ AUTHORIZED SIGNATURE

_____ PRINTED NAME

_____ TITLE

_____ DATE

_____ ADDRESS (Local Office)

_____ CITY, STATE, ZIP CODE

_____ AREA CODE/TELEPHONE NUMBER

_____ FAX NUMBER

_____ E-MAIL ADDRESS

Check One: Corporation _____ Partnership _____ Individual _____

Incorporated under the laws of the State of _____

Federal Identification #: _____

State if authorized to do business in the State of New York: Yes _____ No _____

Names/Addresses of Partners:

Iranian Energy Sector Divestment

Contractor hereby represents that said Contractor is in compliance with New York State General Municipal Law Section 103-g entitled “Iranian Energy Sector Divestment”, in that said Contractor has not:

- a. Provided goods and services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or
- b. Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person’s intent was to use the credit to provide goods or services in the energy sector in Iran.

Any Contractor who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible Bidder pursuant to Section 103 of the New York State General Municipal Law.

Except as otherwise specifically provided herein, every Contractor submitting a bid in response to this Request for Bids must certify and affirm the following under penalties of perjury:

- 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 its knowledge and belief, that each Bidder is not on the list created pursuant to NYS Finance Law Section 165-a (3)(b).”

Jefferson County will accept this statement electronically in accordance with the provisions of Section 103 of the General Municipal Law.

Except as otherwise specifically provided herein, any Bid that is submitted without having complied with subdivision (a) above, shall not be considered for award. In any case where the Bidder cannot make the certification as set forth in subdivision (a) above, the Bidder shall so state and shall furnish with the bid a signed statement setting forth in detail the reasons therefore. The County reserves its rights, in accordance with General Municipal Law Section 103-g to award the Bid to any Bidder who cannot make certification, on a case-by-case basis under the following circumstances.

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County of Jefferson has made a determination that the goods or services are necessary for the County to perform its functions and that, absent such an exemption, the County of Jefferson would be unable to obtain the goods or services for which the Bid is offered. Such a determination shall be made by the County in writing and shall be a public document.

#2023h-21 – ROADSIDE AND FENCE VEGETATION CONTROL

Attachment
Certification Pursuant to Section 103-g
Of the New York State
General Municipal Law

- 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 its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- B. A Bid shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the Bidder cannot make the foregoing certification set forth in Paragraph A above, the Bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to whom the bid is made, or his designee, may award a bid, on a case by case basis under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
 2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods and services for which the contract is offered. Such a determination shall be made in writing and shall be a public document.

Signature

Title

Date

Company Name