

**BOARD OF EDUCATION OF THE CITY OF NEW YORK
DIVISION OF SCHOOL FACILITIES**

All information must be entered in ink. Entries in pencil will not be accepted.

BID FORM 5

Specification No., for
(Description of work from front page of Specification)

School Borough of

Date of Bid Opening

Submitted by
(Bidder's Name)

Address

Telephone Number Fax No:.....

Tax Identification Number.....

(If bidder is a firm, state here the name and residence of each member thereof)

-
- 1.....
 - 2.....
 - 3.....
 - 4.....

(If bidder is a corporation, fill out the following blanks:)

Organized under the Laws of the State of Date

President.....

Address

Secretary

Address

Treasurer

Address

PRINT LEGIBLY. Insert all required information. Attach riders, as needed. (Fill in the following blanks.)

IF THERE ARE ANY AMENDMENTS TO THIS SPECIFICATION, EACH AMENDMENT MUST BE NOTED BELOW. FAILURE TO ACKNOWLEDGE ANY AMENDMENT WILL RESULT IN YOUR BID BEING DECLARED "NON-RESPONSIVE".

Specification No.
Standard Specification Edition No.
AMENDMENT NO. NO. OF PAGES AMENDMENT NO. NO. OF PAGES
AMENDMENT NO. NO. OF PAGES AMENDMENT NO. NO. OF PAGES

INSERT BID PRICE BELOW USING WORDS AND FIGURES
LOWEST AMOUNT TO BE CONSIDERED IN THE EVENT OF DISCREPANCY

.....DOLLARS
(Price in Words)
\$
(Dollars) (Cents)
(Price in Figures)

NOTICE - The attention of Bidders is particularly called to the fact that, unless the Bid is made in strict conformity with the directions given in the proposal therefore and herein provided for, the law requires it to be considered as informal and it may be rejected.

If the foregoing bid price is based upon the use in the proposed work of any supplies, materials, or equipment manufactured or processed outside of the territorial limits of the United States of America and its possessions, the bidder will state below what foreign supplies, materials or equipment he proposes to use herein and the total cost thereof which is included in the aforesaid bid price, and also the additional cost of the proposed work if no foreign supplies, materials or equipment is to be used in the proposed work.

TOTAL COST OF FOREIGN SUPPLIES MATERIALS AND EQUIPMENT PROPOSED TO BE USED HEREIN

1.....\$.....
2.....\$.....
3.....\$.....

Should any of the foregoing items be required to be of domestic product, the bid price herein submitted will be increased by the difference in total cost of items of foreign product set forth above and the total cost of the same items of domestic product set forth below:

TOTAL COST OF THE ABOVE-LISTED ITEMS OF DOMESTIC PRODUCT

1.....\$.....
2.....\$.....
3.....\$.....

Do you intend to subcontract any portion of this contract? YES NO

The said bidder declares, affirms and certifies:

FIRST - That said bidder is of a lawful age and the only person interested in this bid, and that no other than herein above named has any interest in this bid, or in the contract proposed to be taken.

SECOND -

- (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 his own organization, under penalty of perjury, that to the best of his 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) above 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) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the Chief Executive for School Facilities, or his/her 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 prices being bid, does not constitute, without more, a disclosure within the meaning of (A) (1).
- (C) If this bid is submitted by a corporate bidder, the certification referred to in (A) (1), (2) and (3) above shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of (A) (1), (2) and (3) above as the act and deed of the corporation.

THIRD - That no member of the City Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer or employee of the City of New York or a member of the Board of Education or an employee thereof shall be or become interested, directly or indirectly, except by operation of law, as contracting party, partner, stockholder, surety or otherwise in or in the performance of the contract, or in the supplies, work or business to which it relates, or in any portion of the profits thereof; except as such officer may be or is an author as is referred to in Section 524 of the New York City Charter.

FOURTH - That said bidder is not in arrears to the Board and/or City of New York upon any debt, contract taxes and is not a defaulter, as surety or otherwise, upon obligation to the Board and/or City of New York, or State of New York, and has not been declared not responsible, or disqualified, by the Board and/or any agency of the City of New York, or State of New York, nor is there any proceeding pending relating to the responsibility or qualification of the bidder to receive public contracts except _____ . The Bidder hereby affirms that it has paid all applicable Federal, State of New York, other State, and City income, excise and other taxes for all years it has conducted business activities in New York City.

FIFTH - That said bidder has carefully examined the proposal for bids, the Instructions to Bidders, contract, approved as to form by the Corporation Counsel, including the specifications, schedules and plans, and visited the site; and will execute the contract and perform all its terms, covenants and conditions, and will furnish all the labor, materials, supplies, tools and appliances named and described herein and in strict conformity thereto within the time stated therein for the sum or sums herein before stated.

SIXTH - That to induce the acceptance of this Bid, the bidder hereby makes each and every representation and warranty made by the contractor as set forth in the contract and the other papers bound therewith, and agrees that the acceptance of this Bid shall have the effect provided in the Instructions to Bidders bound therewith and that effect only. Said Instructions to Bidders, all papers required by it and submitted herewith, said contract and all papers made a part hereof by its terms, are hereby made part of this Bid.

SEVENTH - That said bidder will comply with the requirements as to the conditions of employment, wage rates and hours of labor set forth in this contract.

BIDDER.....
(Name of individual, firm or corporate bidder as case may be)

BY **TITLE**
(Signature must appear above in order to be valid)

AFFIX CORPORATE SEAL

(Where bidder is a corporation)

Where the bidder is a firm, the bid must be signed in the name of the firm by a member of the firm who must sign his own name immediately thereunder, as A&B co., by John Doe, Partner.

Where the bidder is a corporation, the bid must be signed in the name of the corporation by some duly authorized officer or agent thereof having knowledge of the matters stated in the bid, and such officer or agent shall also subscribe his own name, as: A.B. Corp., by James Smith, President. The seal of the corporation should also be affixed.

The bid must also be notarized below.

AFFIDAVIT

State of New York, County of, SS.:

On this day of 20..... before

me personally came.....

(Name of individual, partner, or corporate officer)

of.....

(Name of individual, firm or corporate bidder)

being duly sworn, says: I am the person, a member of the firm, an officer of the corporation, described in and who executed the foregoing bid and the several matters therein stated are in all respects true.

.....
Notary Public or Commissioner of Deeds