

Hopewell Area School District General Conditions

INVITATION

The Board of Directors of the Hopewell Area School District invites vendors to submit BIDS in accordance with the specifications and instructions set forth for Art, Athletics, Custodial, Industrial Arts, Physical Education and Science.

BID PREPARATION AND DELIVERY:

The Hopewell Area School District is soliciting bids through our on-line internet service (<https://fis4.csiu-technology.org/HOPE/>). Bids must be submitted electronically via the internet by 3:00 PM EDT, **April 28, 2023, Hopewell Server Time**. Bids will be opened electronically at that time. Any bid received after that date and time will not be opened or considered for award. Only bids submitted through our on-line internet service will be considered. Changes and/or alterations to the forms or its contents are not permitted. All bids must be submitted by a duly authorized representative of the bidder. Each bidder shall familiarize themselves with the instructions, specifications, and other contract documents attached as part of the bid and will be held responsible for full compliance with all requirements.

BID ACCEPTANCE/REJECTION/WAIVER

The Board of School Directors reserves the right to waive any informality, to reject any and all bids, select a single item, or increase or decrease a single item from any bid when it is believed to be in the best interest of the School District.

BID WITHDRAWAL/BID RETRACT

Any vendor wishing to withdrawal or retract a bid before the bid opening must provide their request in writing. No bid may be withdrawn during the sixty (60) days after the award date

DEFAULT/RECOURSE

In the event that the successful bidder fails or refuses to furnish and deliver said articles within 60 calendar days after receipt of purchase order, or any part thereof as provided in these specifications or to replace any which are rejected, then the Board of School Directors is authorized to purchase the quantities and in such manner as it shall select at the expense of the successful bidder, or to cancel this contract, reserving to itself nevertheless all rights for damages which may be incurred by the School District.

DELIVERY/COMPLETION

Bidders unable to comply with said delivery date shall take exception and shall specify a subsequent delivery date in the addendum. All deliveries are to be made inside the designated buildings. Addendum must be completed and mailed by bid due date as specified in Vendor letter. Addendum is under the General Instructions tab.

NON-COLLUSION AFFIDAVIT and ADDENDUM

Non-Collusion Affidavit and Addendum must be completed and postmarked by bid due date as specified in Vendor letter. Affidavit and Addendum are located under the Vendor Instructions tab.

SUBSTITUTIONS

When the schedule of items indicates a brand name, a specific manufacturer's catalog reference, or as "per sample", the bidder may bid an item other than that named in the schedule only if it is *of equal or greater quality*. **In all such instances, the proposed substitution shall be cross referenced with the bid item number, clearly described in the bid with the name of the manufacturer, the brand and/or trade name, and any variation from the specification or standard. Unless a substitution is so indicated, the bidder shall be required to deliver the item as specified, including brand, in the schedule.**

SAMPLES

Samples are required for substitutions unless impractical to ship in which case a brochure with descriptions will be acceptable. All samples and brochures must be clearly identified, cross-referenced with the bid item number and be received at or before the bid opening. If the district is unable to cross-reference samples or brochures with bid items, this will be cause for rejection. **If a sample is not furnished, the bid may be rejected; and if it does not at least equal the quality and character required by the specification, the bid shall be rejected. Samples must be removed at bidder's expense within 30 days after bids are awarded or they become the property of the district.**

SAMPLES ARE TO BE SENT TO:

HOPEWELL AREA SCHOOL DISTRICT
2354 BRODHEAD ROAD
ALIQUIPPA, PA 15001 (ATTN: BUSINESS OFFICE)

SPECIFICATIONS

Each bidder agrees and guarantees that the items offered conform to the specifications listed and that the final determination of whether or not they do rests solely with the Board of School Directors. All bids will be for new, unused items.

QUALITY OF MATERIAL

The various supplies and equipment specified in the specifications by name or description are given to establish a standard of quality and of cost for bid purposes. Where proprietary names are used, whether or not followed by the words "or as approved equal" they shall be subject to equals only as approved by the district. It shall be the responsibility of the vendor to furnish sufficient information along with the bid submission to enable the district to determine if an item is equal to that specified.

CATALOG REFERENCES

When a catalog reference is included in the description of an item, such catalog reference is intended as a means of fully describing the item in the shortest possible space and is to be regarded as an integral part of the description of said item.

COMPLIANCE OF MATERIAL

All property or services furnished must comply with all applicable federal, state, and local laws, codes and regulations.

PRICES

Bid prices shall be firm. The bid price shall include all charges. In case of extension discrepancies, the unit price shall be considered valid. Unit price, extensions, and totals must be given as called for in the bid sheet.

TAXES

The Board of Education is a governmental agency and is exempt from all federal, state, and municipal taxes. The School District will give the necessary cooperation and assistance to the Vendor in securing exemption from payment of taxes for all items purchased by the School. **In all cases, bids shall not include these taxes.**

AWARD OF BID

Bids will be made to the lowest responsible bidder complying with all requirements of the specifications in the opinion of the district. Award will be made based on price, quality, service, past experience, and references.

Unless the bidder specifies otherwise in his bid, the district may accept any item or group of items of any bid or increase or decrease quantities of the original bid request as is to the best interest of the district.

Bids will be awarded by the School Board for consideration at their regularly scheduled meeting on **May 23, 2023.** An award is not complete until a purchase order has been issued by the school district.

CONTRACT

A Purchase Order sent to the successful bidder shall constitute (1) a binding contract on the terms set forth therein and (2) the entire contract is to be interpreted, construed and given effect in all respects according to the laws of the Commonwealth of Pennsylvania.

MSDS

All vendors must conform to the requirements of the Pennsylvania Worker and Community Right-to-Know Act (Act 159 of 1984) and Title 49 of the Code of Federal Regulations, all pertaining to hazardous materials.

The bidder shall supply an MSDS sheet for any material required to be listed under the Pennsylvania Right-to-Know Law. MSDS sheets are to be sent with the invoice.

ACCEPTANCE

Acceptance of delivery of items to the site shall not constitute final acceptance by the Hopewell Area School District. In the event that any of the items shall be rejected as damaged, unsuitable, or not in conformance with these specifications, such items shall be removed immediately and other items of proper quality as set forth in these specifications shall be furnished in lieu thereof. **All expenses related to such replacement shall be borne by the successful bidder.**

PAYMENT

The School District shall make payment only after all conditions and terms of the contract have been fulfilled and approved as meeting and conforming to the specifications as outlined herein or otherwise as may be agreed upon between the Board of Directors and the Vendor.

**HOPEWELL AREA SCHOOL DISTRICT
BEAVER COUNTY, PENNSYLVANIA**

NON-COLLUSION AFFIDAVIT

BID NAME /NUMBER _____

I state that I am _____ of _____
(Title) (Name of Firm)

and that I am authorized to make this affidavit on behalf of my firm, and its owners, directors, and officers. I am the person responsible in my firm for the price(s) and the amount of this bid. I state that:

- 1) The price(s) and amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, bidder or potential bidder.
- 2) Neither the price(s) nor the amount of this bid, and neither the approximate price(s) nor approximate amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed before bid opening.
- 3) No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a bid higher than this bid, or to submit any intentionally high or noncompetitive bid or other form of complementary bid.
- 4) The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit complementary or other noncompetitive bid.
- 5) _____ its affiliates, subsidiaries, officers, directors and employees are not _____
(Name of Firm)

currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding on any public contract, except as follows:

I state that _____ understands and acknowledges that the above representations _____
(Name of Firm)

are material and important, and will be relied on by Hopewell Area School District in awarding the contract(s) for which this bid is submitted. I understand and my firm understands that any misstatement in this affidavit is and shall be treated as fraudulent concealment from the Hopewell Area School District of the true facts relating to the submission of bids for this contract.

Signature Title

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

Notary Public

My Commission Expires: _____

Non-Collusion Affidavit

1. This Non-Collusion Affidavit is material to any contract awarded pursuant to this bid. According to the Pennsylvania Antibid-Rigging Act, 73 P.S. 1611 et seq., governmental agencies may require Non-Collusion Affidavits to be submitted together with bids.
2. This Non-Collusion Affidavit must be executed by the member, officer or employee of the bidder who makes the final decision on prices and the amount quoted in the bid.
3. Bid rigging and other efforts to restrain competition, and the making of false sworn statements in connection with the submission of bids are unlawful and may be subject to criminal prosecution. The person who signs the Affidavit should examine it carefully before signing and assure himself or herself that each statement is true and accurate, making diligent inquiry, as necessary, of all other persons employed by or associated with the bidder with responsibilities for the preparation, approval or submission of the bid.
4. In the case of a bid submitted by a joint venture, each party to the venture must be identified in the bid documents, and an Affidavit must be submitted separately on behalf of each party.
5. The term “complementary bid” as used in the Affidavit has the meaning commonly associated with that term in the bidding process, and includes the knowing submission of bids higher than that bid of another firm, any intentionally high or noncompetitive bid, and any other form of bid submitted for the purpose of giving a false appearance of competition.
6. The executed notarized Non-Collusions Affidavit must be postmarked by the bid due date to:
Hopewell Area School District
ATTN: Johannah Robb, Business Administrator
2354 Brodhead Road
Aliquippa, PA 15001
7. Failure to file an Affidavit in compliance with these instructions may result in disqualification of the bid.

HOPEWELL AREA SCHOOL DISTRICT

The following ADDENDUM, to be completed in full compliance with the instructions contained in the specifications set forth above, shall constitute the sole exceptions to which the undersigned bidder has taken to the specifications of this proposal, in every other respect the bid hereinabove submitted is made in full conformity with the published specifications:

NAME OF FIRM

DATE

SIGNATURE OF AUTHORIZED AGENT (SEAL)