

Group 40524, Award 23000

SCHOOL BUSES

ATTACHMENT 3: *BID DOCUMENTS (PAPER):*

Section A: *NYS Required Certifications*

Section B: *Manufacturer's Certificate*

Section C: *Consortium Bid Form*

Section D: *Encouraging Use of NYS Businesses*

A complete bid includes a **paper** version of each section of this Attachment, completed and with original ink signature, where applicable. If the bid submitted is a Consortium bid, all information requested by the "Bidder" throughout this document refers to a single vendor participating in the Consortium. Each vendor participating in the Consortium bid shall submit its own version of this Attachment.

DIESEL EMISSION REDUCTION ACT

Pursuant to N.Y. Environmental Conservation Law §19-0323 (“the Law”) it is a requirement that heavy duty diesel vehicles in excess of 8,500 pounds use the best available retrofit technology (“BART”) and ultra-low sulfur diesel fuel (“ULSD”). The requirement of the Law applies to all vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities. It also requires that such vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities with more than half of its governing body appointed by the Governor utilize BART.

The Law may be applicable to vehicles used by contract vendors “on behalf of” State agencies and public authorities and require certain reports from contract vendors. All heavy duty diesel vehicles must have BART by December 31, 2015 (unless further extended by Law). The Law also provides a list of exempted vehicles. Regulations set forth in 6 NYCRR Parts 248 and 249 provide further guidance. The Bidder hereby certifies and warrants that all heavy duty vehicles, as defined in NYECL §19-0323, to be used under this contract, will comply with the specifications and provisions of NYECL §19-0323, and 6 NYCRR Parts 248 and 249.

By signing you certify your express authority to sign on behalf of yourself, your company, or other entity and full knowledge and acceptance of this Attachment 3: *Bid Documents (Paper)*, Section A: *NYS Required Certifications*, and that all information provided is complete, true and accurate.

Legal Business Name of Company Bidding:	
D/B/A - Doing Business As (if applicable):	
Bidder’s Signature:	Printed or Typed Name:
Title:	Date:

June 2014

SECTION B: **MANUFACTURER'S CERTIFICATE**

NOTE TO BIDDERS:

This "Manufacturer's Certificate" is to be removed and forwarded to the manufacturer by the Bidder, completed and returned to the Bidder by the manufacturer, and submitted with the Bidder's offer.

BIDDER'S COMPANY NAME: _____

STREET ADDRESS: _____

CITY, STATE ZIP: _____

The manufacturer executing this certificate by signature below does hereby attest to the accuracy and validity of the responses to the following questions:

- 1. Is the Bidder listed above an authorized dealer? _____ Yes _____ No

- 2. Do you as a manufacturer agree to supply the Bidder/dealer with all quantities of products ordered pursuant to any resulting contract with the State? _____ Yes _____ No

MANUFACTURER'S COMPANY NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

PRINTED OR TYPED COPY OF SIGNATURE

SIGNATURE OF AUTHORIZED
MANUFACTURER'S REPRESENTATIVE

DATE

TITLE

* * * * *

SECTION C: *CONSORTIUM BID FORM*

A Bidder shall indicate below the type of bid submitted, and complete as necessary for a Consortium bid. For additional information on Consortiums see IFB Section I.10 *Consortium Bids*, III.2 *Bid Format and Content (Paragraph C Consortium Bid)*, and III.3 *Bid Pricing Submittal (Paragraph F)*,

1. Indicate the type of bid submitted:

_____ **Single Vendor.** The bid has been submitted by a single vendor that has the ability to deliver the applicable Item(s) on a statewide basis to Authorized Users in all sixty-two (62) NYS counties, and the single vendor shall be the resultant Contractor.

_____ **Consortium.** The bid has been submitted by two (2) or more vendors that elect to undertake Contract performance divided by NYS County boundaries, in which the NYS County distribution results in the ability of the vendors participating in the resultant Contracts to collectively deliver the applicable Item(s) on a statewide basis to Authorized Users in all sixty-two (62) NYS counties (e.g. Consortium of two vendors: Vendor A responsible for New York, Kings, Richmond, Bronx, Queens, Nassau, and Suffolk counties; and, Vendor B responsible for all other counties in the state).

2. If the bid submitted is a Consortium bid, indicate the business information for the additional vendors participating, and the portion of all contract performance that each vendor will be responsible for, below. Please include additional sheets if necessary

Vendor Business Name: _____

Street Address: _____

City, State, Zip: _____

NYS Counties that this vendor shall be responsible for as a Contractor:

Vendor Business Name: _____

Street Address: _____

City, State, Zip: _____

NYS Counties that this vendor shall be responsible for as a Contractor:

Vendor Business Name: _____

Street Address: _____

City, State, Zip: _____

NYS Counties that this vendor shall be responsible for as a Contractor:

Vendor Business Name: _____

Street Address: _____

City, State, Zip: _____

NYS Counties that this vendor shall be responsible for as a Contractor:

By signing you certify your express authority to sign on behalf of yourself, your company, or other entity, and that all information provided is complete, true and accurate.

Legal Business Name of Company Bidding:	
D/B/A - Doing Business As (if applicable):	
Bidder's Signature:	Printed or Typed Name:
Title:	Date:

**SECTION D:
ENCOURAGING USE OF NEW YORK STATE BUSINESSES
IN CONTRACT PERFORMANCE**

New York State businesses have a substantial presence in State Contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, Bidders for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders need to be aware that all authorized users of this Contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Bidders are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State Contracts will help create more private sector jobs, rebuild New York’s infrastructure, and maximize economic activity to the mutual benefit of the Contractor and its New York State business partners. New York State businesses will promote the Contractor’s optimal performance under the Contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State’s economic engine through promotion of the use of New York businesses by its Contractors. The State therefore expects Bidders to provide maximum assistance to New York businesses in their use of the Contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State Businesses be used in the performance of this Contract? _____ Yes _____ No

If yes, identify New York State Business(es) below that will be used and attach identifying information.

NYS Business(es) to be used in the performance of the Contract:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____