

ITEM A-21-23 PAINTING TRAFFIC LINES ON COUNTY HIGHWAYS

DATED: JANUARY 2023

CONTRACT PERIOD: 3/31/23- 3/30/24

INTENT

It is the intent of these specifications that the contractor shall use such equipment, personnel, materials and methods as will insure good workmanship and satisfactory results, combined with the utmost possible effort to provide for the safety and convenience of the traveling public during the time of application.

EQUIPMENT

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

The Montgomery County Commissioner of Public Works (hereinafter referred to as the Commissioner) reserves the right to inspect the bidder's equipment prior to making any award.

ALL PAINTING MACHINES SHALL BE OPERATED BY AT LEAST TWO MEN

One man shall steer the machine and perform no other function while actually applying the traffic lines.

The paint unit shall be a truck-mounted vehicle equipped with a minimum of two guns and capable of applying dashed centerline and "no-passing" barrier lines simultaneously. This is necessary for keeping adjacent lines in correct alignment.

The paint unit shall be equipped with a warning sign to warn oncoming traffic by means of a sequential flashing arrow capable of flashing left to right, right to left, or pass either side.

The paint unit shall be equipped with stainless steel heat exchangers and heated and jacketed paint lines from the heat exchangers to the guns. The paint unit shall be capable of maintaining a minimum temperature of 130 degrees to 170 degrees Fahrenheit at the paint guns for a proper application.

The paint unit shall be equipped with a pressure bead system to apply glass beads with a gun type dispenser to insure correct bead penetration and distribution on the painted line.

The paint unit shall be equipped with stainless steel Flow Meters that will accurately measure, to the nearest gallon, the amount of pain applied. This is necessary in order to ensure that the correct gallons are applied per lineal foot of line.

The paint unit shall be equipped with electrical foot counters to tabulate the actual number of lineal feet of painted line applied by each paint gun, whether solid or dash line. The counters shall be of the six (6)-digit type with a reset. Machines without accurate flow meters or foot counters will not be allowed on the job.

The paint unit shall be equipped with a pressure-regulated air jet, which shall remove debris from the pavement in advance of the spray guns. The air jet shall operate when marking material is being applied, and shall be synchronized with the marking material application or remain "on" at all times.

APPLICATION

All traffic lines painted shall conform in every respect to the most current New York State Manual of Uniform Traffic Control Devices, especially as to color, width and spacing of lines, dashed or solid line and locations for changes in type of line and sign distances.

All paint shall be applied at the minimum rate of one (1) gallon for every three hundred feet (300) feet of solid four (4) inch line. The same rate of application shall apply for skip or broken lines.

Glass beads for reflectorization shall be applied to all painted lines at the minimum rate of seven (7) pounds per gallon of paint for centerline and six (6) pounds per gallon of paint for the edgelines.

Machine, while applying paint, shall not be operated at a speed greater than 12 miles per hour.

The painted traffic lines shall follow the centerline of the road; they shall be straight and true on tangents and uniform on curves.

Repainting of centerlines and edgelines shall coincide with the existing traffic line markings.

The contractor shall be responsible for the one hundred percent reflectorization of all traffic lines painted. Should the painted lines not receive enough beads for the reflectorization required, the contractor shall be held responsible for correcting the same at his expense.

All traffic lines painted shall be sharp, well defined and retroreflective. The width of the line applied shall be within a tolerance of one-quarter (1/4) inch. Fuzzy lines, excessive overspray or non-uniform application, are unacceptable.

Pavement marking which are improperly applied, improperly located, or non-retroreflective shall be corrected by the contractor at his expense. Improperly located lines shall be removed as directed by the Commissioner, and lines shall be applied in the correct locations at the contractor's expense.

All paint shall be applied at a temperature that will assure it to be track-free within one hundred eighty (180) seconds of it being applied to the pavement.

Guiding edgelines off of the centerline shall not be allowed. Edgelines may vary and therefore must be re-traced by guiding off the right side of the painting machine.

Edgeline striping shall be done while the striping machine is on the pavement surface and, under no circumstances, shall it travel on the shoulders.

All pavement-marking operations shall be performed during daylight hours.

There shall be no work performed on Sunday.

PAINT

All paint furnished by the contractor shall meet or exceed attached specification requirements for: Fast Drying Acrylic Waterborne Traffic Paint, Aexcel Industries' 72W-A042 white and 72Y-A047 yellow acrylic waterborne traffic paints.

PAINT SUBSTITUTION

When a particular make or trade name is specified, it shall be indicative of standard required. Bidders proposing substitutes shall submit the following seven (7) days prior to bid date to the Montgomery County Commissioner of Public Works (hereinafter referred to as the Commissioner):

1. Written application with explanation of why it should be considered.
2. Accredited testing laboratory certificate comparing substitute's physical/performance attributes to those specified.

Only substitutes approved in writing by the Commissioner prior to scheduled bid dates will be considered.

Notification of approvals will be mailed to all bidders at least five (5) days before bid opening.

The Commissioner reserves the right to be final authority on acceptance or rejection of any substitute.

REFLECTORIZED GLASS BEADS

All reflectORIZED glass beads that are supplied by the contractor shall meet or exceed the New York State Department of Transportation specifications.

MATERIAL STORAGE

The Commissioner will provide outside storage for paint and will unload only if prior notice of a delivery is given. Inside storage for reflectORIZED glass beads will also be provided only if prior notice of delivery is given. The contractor at the completion of the season's application shall remove all excess materials and empty paint drums.

SAFETY AND MAINTENANCE OF TRAFFIC

The contractor shall be responsible for conducting operations with all possible precautions for the safety of the traveling public, and his own employees.

Flagmen shall be used wherever necessary. Flagmen shall be provided by the contractor.

The contractor shall maintain traffic at all times and with as little interference or inconvenience as possible. The contractor shall not apply center and edgeline at the same time.

No road, or portion of a road, shall be closed to traffic at any time.

All traffic control and line protection shall be in accordance with the following:

1. Lead vehicle is to be equipped with a broom and power blower in order to clean pavement in advance of the pavement-marking machine. The lead vehicle shall travel approximately 500 feet ahead of the pavement marking machine and shall have a warning sign, "Wet Paint - Keep Right" mounted on the front of the vehicle, facing traffic.
2. Second vehicle is to be pavement-marking machine. The pavement marking machine is to be equipped with yellow flashing strobe lights, alternating flashing headlights, a "Wet Paint - Keep Right" sign mounted on the front of the vehicle facing traffic and a "Do Not Pass - Wet Paint" sign mounted on the rear of the vehicle.
3. Third vehicle is to be follow vehicle. "Do Not Pass" and "Wet Paint" warning signs shall be mounted on the rear of the vehicle. Vehicle shall travel approximately 1,500 feet behind the pavement-marking machine.

LIABILITY

By providing storage area, the Commissioner is not liable for any damages, theft or any other losses that could be incurred by the Contractor.

All paint requirements shall be delivered to the County Highway Department in 55-gallon drums at least fifteen (15) days prior to the start of any application.

The County Highway Department shall be notified at least twenty-four (24) hours before any deliveries of paint or beads.

SPECIFICATIONS FOR FAST DRYING WATERBORNE TRAFFIC PAINT 72W-A042 WHITE AND 72Y-A047

SCOPE

This specification covers ready-mixed, fast drying, white and yellow acrylic waterborne traffic paint for use on bituminous and Portland cement concrete pavements. Acrylic waterborne traffic paint supplied under this specification shall be designed for heated application.

SURFACE PREPARATION

Care should be taken to ensure that the surface is clean, dry and free of loose material. When applying over previously coated areas, however, take special care to remove any loose or peeling paint. Other surface conditions, such as areas with large amounts of engine oil build-up or existing epoxy coatings may require a power washing procedure or abrading the surface before application of the paint. Use caution when striping over a freshly sealed surface. Sealers can affect the adhesion and cure of traffic marking paints. For more information on the surface, please consult with the supplier or applicator of the surface.

WEATHER CONDITIONS & APPLICATIONS

Air temperature, surface temperature, humidity and the weather conditions following applications are extremely important factors in the success of the products. These coatings are formulated to be applied without further reduction. They can also be used in conjunction with the application of glass beads to improve reflectivity without sacrificing other properties. Protect fresh lines from traffic until thoroughly dry. These, as well as all water-based coatings, should not be applied to surfaces less than 45 degrees Fahrenheit, or when the relative humidity is greater than 80%. Evening and night applications should be avoided whenever possible due to the cooler temperatures. At lower temperatures or higher humidity, a significant amount of extra time will be needed for the paints to dry.

EQUIPMENT

Tip size, fluid pressure, atomizing air pressure, paint viscosity and paint temperature are all critical to the appearance, consistency, and performance of the paint. The equipment must be matched to the paint being applied in order to achieve the proper film thickness and coverage. When using a water-based product, the equipment must be made with stainless steel or some other material that will not react with the paint and cause application or storage problems.

PAINT SELECTION AND SAFETY

Protect these and all water-based coatings from freezing. Use only paint recommended or specified for each application. Shelter the containers when possible and avoid prolonged outside storage. Agitation of the paints by stirring or shaking should be performed in order to ensure uniform consistency, application and performance.

DRY TIME

The dry time of both the white and yellow fast dry acrylic waterborne traffic paints shall be as follows:

<u>MAXIMUM DRY TIME</u>	<u>PAINT TEMP AT TIP</u>
10 Minutes	77 degrees F.
60 Second	130-145 degrees F.

COVERAGE

Approximately 320 linear feet of 4" line applied at 15 miles per hour

PAINT COMPOSITION REQUIREMENTS

The composition of fast drying acrylic waterborne paint shall be as follows:

	WHITE	YELLOW
<u>VISCOSITY</u> @ 77 degrees F:	70-90 KU	70-90 KU
<u>WEIGHT PER GALLON</u> @ 77 degrees F:	14.07 Lb.	14.2 Lb.
<u>PIGMENT</u> (% by weight):	61.2%	61.5%
<u>TOTAL SOLIDS</u> (% by weight):	78.2%	78.42%
<u>VOLUME SOLIDS</u> (%):	59%	58%
<u>NON VOL. VEHICLE</u> (% by weight of veh.):	44%	44%
<u>V.O.C.</u> (Minus water):	.74 Lb/Gal	.74 Lb/Gal

CLEAN-UP SOLVENTS: MIXTURE OF WATER AND MILD HOUSEHOLD DETERGENT

PACKAGING

The paint shall be supplied in new, removable head 55-gallon drums conforming to the ICC specification 17H. The drum lids shall be fitted with suitable gaskets and locking rings to prevent skinning during storage. Unless otherwise agreed to by the purchaser and supplier, the drums shall be filled to 55 gallons, with volume measurements based on 77 degrees Fahrenheit. Each drum shall be marked with tare, gross, and net weights, the equivalent net gallons, name and address of the supplier, product code and batch number.

CERTIFICATION

The contractor shall submit with his bid certification from the paint manufacturer that all paint offered for purchase with reference to this specification, meets this specification. Failure to submit satisfactory paint certification at the time of bid opening shall result in the immediate rejection of the bidder's proposal. Furnishing this certification does not relieve the contractor from the responsibility to provide paint in full compliance with this specification.

In the event that paint purchased under this specification is found not to comply with these specifications, the contractor shall replace the paint with material that does comply, to include transportation charges, at contractor's expense.

SERVICE TECHNICIAN

As proper application is deemed essential to the success of this process, the manufacturer shall provide at least one experienced technician to instruct the contractor in the application of this material and assist in problem resolution. The technician shall be familiar with the application equipment and the paint, and have successful experience in the placing of reflective traffic marking paints and the use of reflective traffic marking paint equipment.

SPECIFICATIONS FOR DETERMINING THE LOCATION OF PASSING AND NO-PASSING ZONES

LAYOUT ENGINEERING

Wherever previous pavement markings have been worn away or obliterated, and on any newly constructed or any resurfaced roads, the contractor will be required to lay out the traffic lines in accordance with the latest New York State Regulations, especially those pertaining to sight distance.

All labor, machinery, and other materials necessary for the lay-out shall be furnished by the contractor.

INTENT

It is the intent of this specification to describe the method required to determine the location of passing and no-passing zones for centerline pavement marking of County highways where sight distance is restricted at horizontal and vertical curves to conform with the New York State Manual of Uniform Traffic Control Devices.

EQUIPMENT

The equipment required for determining the no-passing zones shall be electronic and consist of a minimum of one transmitter, one receiver, one IBM compatible computer, and one display meter. The equipment shall be capable of maintaining a previously determined separation distance along the centerline of pavement between two vehicles as they traverse a highway for establishing correct no-passing zones at horizontal and vertical curves or other sight distance restrictions. The separation distance along with the log point shall be displayed and recorded in feet in the tracking vehicle at the point of loss and regain of sight of the lead vehicle in order to achieve a plotting accuracy of plus one percent (1%) of the separation distance.

Operators of the survey crew shall have a minimum of two standard size passenger cars. Each vehicle shall have a voice communication system with a minimum range of one mile.

As a minimum requirement, all vehicles shall be equipped with a roof-mounted rotating flasher. The lead vehicle and trailing vehicle used for layout survey shall be equipped with a roof-mounted warning sign, with a minimum size of 28"

x 40". The warning signs shall be double faced with a black legend on an orange background indicating survey is being conducted.

The lead vehicle shall be equipped with an adjustable target light so the required height for sight distances shall be maintained.

The Commissioner of Public Works reserves the right to inspect the bidder's equipment prior to making any award.

SURVEY METHODS

No-passing zones shall be determined in accordance with the current edition of the New York State Manual of Uniform Traffic Control Devices. Determinations shall be based on the 85-percentile speed, which shall be the posted speed. If not posted, the statutory speed shall be used as the 85-percentile speed unless otherwise specified in the contract or by the Engineer.

The contractor shall furnish two printed copies of a final log of the survey, in a format approved by the Commissioner, clearly indicating the no-passing zones established. This log shall list the beginning and ending points in feet, along with the length of zone of all no passing zones established on each route. The log shall be visually referenced to physical points along the route so that the no-passing zones can be re-established. Further, the pavement shall be coded in a manner approved by the County, to indicate the beginning and ending points of the various combinations of marking patterns (i.e., double solid, solid left, solid right, skip line right, skip line left, or single skip line) to facilitate the marking of the highways.

A licensed professional engineer shall review each log sheet before being sent to the Commissioner. The contractor shall not be paid for any survey work for which he cannot provide a log sheet.

The bidder shall provide any and all devices necessary to maintain traffic and to protect the traveling public and the bidder's workmen. These devices shall be in accordance with the current edition of the New York State Manual of Uniform Traffic Control Devices, subject to the approval of the Engineer.

MARKING OF INDEXES

The contractor shall use a copy of the log and an electronic distance-measuring instrument to mark the pavement at the beginning and ending points of all the zones established.

INSPECTION

The Commissioner shall inspect all work done under this contract.

The contractor shall advise the Commissioner or his designated inspector at least twenty-four (24) hours before any application work shall be done or before resuming application after any delay or postponement.

The Commissioner shall have the authority to stop all work at any time when it is felt the workmanship does not conform to the specification requirements. In case of such work stoppage, work shall not be resumed by the Contractor until authorized by the Commissioner after he is satisfied that faulty workmanship will be made good by the contractor at his cost.

Should workmanship not meet the specification requirements, the Commissioner shall, at his discretion, terminate the contract.

ROAD AND WEATHER CONDITIONS

No painting shall be done when the temperature is below 45 degrees Fahrenheit. No painting shall be done whenever the pavement is wet or damp.

Paint shall only be applied to a clean and dry highway surface. The contractor shall remove all loose sand, dirt or other debris encountered while applying paint.

The contractor shall furnish a power broom equipped with a power blower to be used wherever necessary for the above mentioned purpose. The power broom used must be approved by the Commissioner.

As a minimum requirement, all centerlines and edgelines that are to be painted shall be power broomed by the contractor prior to any application being made. Cleaning by air jets alone will not be acceptable.

FINANCIAL RESPONSIBILITY

The contractor shall submit a financial statement attested by a certified public accountant and bank references within ten (10) days after the bid opening or the bid will be rejected as incomplete.

The contractor shall within thirty (30) days of being awarded the contract submit satisfactory evidence that his operations are covered by liability insurance in the amount of \$5,000,000.00 for bodily injury and \$5,000,000.00 for property damage. All said insurance policies shall name the County as Co-Insured and shall contain the following clause: In the event of any material alteration or cancellation of this policy, at least five days written notice thereof shall be given to the Commissioner.

The contractor shall, within thirty days after the award, submit satisfactory evidences that this operation is covered by Worker's Compensation Insurance, Unemployment Insurance and Social Security as required by law.

BID DEPOSIT

No bid will be accepted unless accompanied by a bid bond, or a certified check or cash. Bid deposit shall be provided as per the requirements on page two, paragraph seven, under General Information and Instructions to bidders.

FAILURE TO FURNISH A PERFORMANCE BOND

In the event the bidder fails to furnish the performance bond in the said period of fourteen (14) calendar days after acceptance of the bidder's proposal by the County, then the bid deposit of the bidder shall be retained by the County as liquidated damages and not as a penalty.

IT NOW BEING AGREED the said sum is a fair estimate of the amount of damages that said County would sustain due to the failure of the bidder to furnish said bond.

OBLIGATION OF BIDDER

Every person intending to bid is expected before submitting same to make himself/herself fully familiar with the work to be done. A contractor will be barred from pleading misunderstanding or deception because of estimates of quantities, character, and scope of work, location or other conditions surrounding the same. Permission will not be given to withdraw, modify or explain any proposal or bid after the bid opening.

On acceptance of this proposal for said work, the contractor shall hereby bind himself or themselves to enter into the written contract within ten (10) days of notice to do so by the Commissioner.

EXPERIENCE

Bidders shall submit with their bids evidence that they have had at least five seasons of satisfactory experience of survey engineering for location of passing or no-passing zones in accordance with specifications. Bidders shall also include evidence of the same amount of experience for application of acrylic waterborne pavement markings on public roads, at least one of which shall have been in New York State.

Bidders shall submit evidence that employees operating the traffic line-marking machine have had sufficient experience operating the equipment called for by these specifications, so that an acceptable and workmanlike job will result.

The bidder shall possess a current and valid license to conduct business in the State of New York.

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.

The Commissioner reserves the right to make any investigations or inquiries necessary to determine the competence and ability of the bidder to properly perform the work. If after an investigation the Commissioner is not satisfied the bidder is properly qualified to meet all requirements contained herein and to perform all work in a satisfactory manner, he may determine that the bidder be rejected as unsatisfactory.

GENERAL

All proposals shall be submitted on forms furnished by the County.

The County reserves the right to waive any informality or to reject any or all bids.

If specifications that are offered differ from these specifications, such difference shall be explained in writing by the bidder. The bid prices submitted shall be exclusive of Federal and State taxes, and must not include any tax for which the bidder may claim exemption because of doing business with the County. An exemption from same will be provided by our purchase order.

Award of the contract will be made to the lowest responsible qualified bidder whose proposal shall comply with all the provisions required to render it formal.

A statement of non-collusion must accompany this bid.

This contractor to successful bidder is **not** transferable. All work must be done by the original bidder.

TIME AND SCOPE OF OPERATIONS

It is anticipated that approximately 150 miles of County road centerline will be painted with traffic lines. Also, approximately 40 centerline miles of edge line will be painted with traffic lines.

Due to the County's surface treatment and road rehabilitation programs, the application of traffic lines shall consist of two operations; once early in the summer between May 1st and June 1st, and again in late summer, following the construction season.

All applications of acrylic waterborne traffic paint shall be completed prior to October 1st. Should it become necessary for the Commissioner to delay completion dates beyond the October 1st deadline, and weather conditions are not conducive to the application of acrylic waterborne traffic paint, the contractor shall have the option to complete the project using standard alkyd hot-line traffic paint at the price bid for waterborne application.

PRICING

Pricing shall be based on a total cost per lineal foot of solid four-inch (4") line for centerline, and a total cost per lineal foot of solid four-inch (4") line for edgeline. Bidder shall also submit a total cost per lineal foot for dashed four-inch (4") lane-line.

Payment shall be made after each completed application. The Commissioner shall be given a daily log report of work accomplished. Said report shall show county road number and name, starting and ending points, mileage striped, actual lineal feet of line painted, gallons of paint used and pounds of beads applied per road. The striping machine operator shall verify said records with the Department of Public Works representative on the job.

The contractor shall not be paid for any day's work for which he fails to provide a daily report.

The duration of the contract shall be for a period of one year.

CONTRACT EXTENSION

The County reserves the right to extend any contract issued, based on this specification, under the same terms and conditions for a one-year period from date of expiration, provided such extension is mutually agreeable to both the County and the Contractor.

PAYMENT REQUIREMENTS

No payment will be made during the course of the operations. Payment will be made after completion of that work, provided such work is satisfactory to the Commissioner.

PRE-CONSTRUCTION CONFERENCE

A pre-construction conference shall be held at the office of the Commissioner at least ten (10) days prior to starting work. The contractor shall be present at the conference and shall present a proposed schedule of work, source of materials and be prepared to discuss the contract requirements and specifications.

PREVAILING RATES SCHEDULE

Successful contractor shall pay not less than the prevailing wage rate established by the New York State Department of Labor, Bureau of Public Works. The Wage Rate Schedule as prepared by the Department of Labor hereby becomes a part of the contract and is included herein.

The Commissioner reserves the right to demand certified payroll from the contractor at any time during the course of operations.

OTHER MUNICIPALITIES

All provisions of this specification and the ensuing contract, including insurance, shall be extended to all municipalities in the County of Montgomery, and work ordered by them, shall be furnished according to their needs at the prices and terms of the contract.

NOTICE OF BIDDERS

ALL SHEETS MUST REMAIN INTACT. DO NOT DETACH ANY PAGES FROM THESE SPECIFICATIONS. FAILURE TO COMPLY MAY RESULT IN REJECTION OF BID.

PROPOSAL FORM ITEM A-21-23
PAINTING TRAFFIC LINES ON COUNTY HIGHWAYS
Sheet 1 of 2

Deliver Proposals to: Montgomery County Purchasing Agent
P.O. Box 1500
Fonda, NY 12068-1500

Sir:

The undersigned has read and understands the information and instructions to bidders and the specifications for the furnishing of Item A-21-23 Painting Traffic Lines on County Highways and proposes to furnish item at the cost shown on the attached sheet.

This proposal is subject to acceptance within forty-five (45) days of the time set for the opening of bids.

FIRM NAME: _____

ADDRESS: _____

TELEPHONE: _____

SIGNATURE OF AUTHORIZED REPRESENTATIVE: _____

NAME AND TITLE: _____

DATE: _____

BIDDERS FEDERAL I.D. NO.
OR SOCIAL SECURITY NO. _____

IS FIRM INCORPORATED? _____

IS FIRM MINORITY OWNED? _____

(Minority ownership refers to ethnic origin NOT gender)

**PROPOSAL FORM ITEM A-21-23
PAINTING TRAFFIC LINES ON COUNTY HIGHWAYS
Sheet 2 of 2**

PROPOSAL OF: _____

Centerline Application Including Materials:

- A. 0 to 10,000 lineal feet \$ _____ per application
- B. 10,001 to 50,000 lineal feet \$ _____ per lineal foot
- C. 50,001 to 200,000 lineal feet \$ _____ per lineal foot
- D. 200,001 or more lineal feet \$ _____ per lineal foot

Edgeline Application Including Materials:

- A. 0 to 10,000 lineal feet \$ _____ per application
- B. 10,001 to 50,000 lineal feet \$ _____ per lineal foot
- C. 50,001 to 200,000 lineal feet \$ _____ per lineal foot
- D. 200,001 or more lineal feet \$ _____ per lineal foot

Lane-Line Application Including Materials:

- A. 0 to 50,000 lineal feet \$ _____ per lineal foot

**Survey of Passing and No Passing Zones
with Log Sheets Included:**

\$ _____ per mile

**Indexing of Passing and No Passing Zones
from furnished log sheets:**

\$ _____ per mile

PUBLIC WORKS BUILDING
P.O. BOX 1500/ 6 PARK STREET
FONDA, N.Y. 12068-1500

CONTRACT FORM
Latex Line Painting

Pursuant to public advertisement, the undersigned does hereby agree to the attached prices for Latex Line Painting at prices stated herein, F.O.B. Destination, in accordance with Drawings, Specifications, Terms and Conditions, Instructions to Bidders and other Contract Documents prepared by the Montgomery County DPW. The undersigned has examined the location(s) of the proposed work, the Instructions to bidders, Drawings Specifications, Terms and Conditions and other contract Documents and is familiar with the local conditions at the place where the work is to be performed.

The undersigned (has) (has not) based this bid on alternates or substitutions for the particular brand or make of materials as specified in the Contract Documents:

THE UNDERSIGNED BIDDER HEREBY REPRESENTS TO THE MONTGOMERY COUNTY THAT HE/SHE HAS NOT DISCUSSED, COMPARED, OR DISCLOSED HIS/HERS BID WITH ANY, OR TO ANY, OTHER BIDDER AND THAT THIS BID IS NOT IN ANY WAY DIRECTLY OR INDIRECTLY THE RESULT OF ANY FRAUD, COLLUSION, OR CONSPIRACY

The **CONTRACTOR** hereby agrees to commence work under this Contract following the execution of contract and notice to proceed to fully complete the work within the schedule set by Owner

The **OWNER** hereby agrees to pay the **CONTRACTOR** in current funds for the performance of the Contract, subject to conditions of specifications

This contract is subject to the provisions set forth in Section 103A and 103B of the General Municipal Law of the State of New York

It is understood that the attached specification, Terms and Conditions, Instructions to Bidders and other Contract Documents prepared by the Montgomery County DPW are an integral part of our proposal.

The undersigned understands that the Owner reserves the right to reject any or all Proposals or Bids or to waive any formality or technicality in any Proposal or Bid in the interest of the Owner.

Contractor:

Date of Agreement _____

Submitted by (print) _____

Signature _____

Company _____

Address _____

Telephone _____

County of Montgomery, New York: _____

WITNESS:

Signature

Printed

By: _____
County Superintendent of Highways

When the Bidder is a Corporation: _____
Company

ATTEST:

Secretary

Printed

By: _____
President

(SEAL)

The above Corporation is organized and exists under the laws of _____ and has (has not) been granted a certificate of authority to do business in New York as required by the Business Corporation Law.