



COUNTY OF LYCOMING

PURCHASING DEPARTMENT

Mya Toon, Lycoming County Chief Procurement Officer, CPPB
Lycoming County Executive Plaza ♦ 330 Pine Street, Suite 404, Williamsport, PA 17701
Tel: (570) 327-6746 ♦ Fax: (570) 320-2111 ♦ Email: mtoon@lyco.org

REQUEST FOR PROPOSAL (RFP)

FOR

THE DESIGN AND IMPLEMENTATION OF A NEW HVAC SYSTEM FOR LYCOMING COUNTY THIRD STREET PLAZA BUILDING

ISSUE DATE: AUGUST 30, 2019
DUE DATE: OCTOBER 4, 2019

Bidders may download proposals by going to www.lyco.org and clicking on Top 10 Links, Request for Bids/Proposals. All Bidders are required to contact the Lycoming County Chief Procurement Officer and place his/her company name on the Bidders' List. This will ensure that each Bidder receives any and all addenda that may apply to the current proposal package. Failure to receive all current information could result in your company submitting an inaccurate proposal, which may be disqualified by the County.

TABLE OF CONTENTS

SECTION 1 NOTICE TO BIDDERS.....	1-1
SECTION 2 PROPOSAL INFORMATION AND INSTRUCTIONS.....	2-1
SECTION 3 GENERAL TERMS AND CONDITIONS.....	3-1
SECTION 4 CONTRACT TERMS AND CONDITIONS.....	4-1
SECTION 5 SCOPE OF WORK.....	5-1
SECTION 6 PROPOSAL PRICE SCHEDULE.....	6-1
SECTION 7 PROPOSAL FORM.....	7-1
SECTION 8 NON-COLLUSION AFFIDAVIT.....	8-1
SECTION 9 EXCEPTION FORM.....	9-1

SECTION 1
NOTICE TO BIDDERS

Legal Ad
Sun Gazette
To Be Run: August 30th & September 3rd

NOTICE TO BIDDERS

The County of Lycoming is requesting sealed proposal for the design and implementation of a new HVAC system for Lycoming County Third Street Plaza Building. Proposals are due by **Friday, October 4, 2019, at 5:00 P.M. EST.** Proposals will be opened on **Tuesday, October 8, 2019, at 10:00 A.M. EST** in the Commissioners' Meeting Room, Lycoming County Executive Plaza Building.

Proposals shall be mailed or delivered to the Lycoming County Controller's Office, Lycoming County Executive Plaza Building, 330 Pine Street, 2nd Floor, Williamsport, PA 17701. Proposals must be enclosed in a sealed envelope and marked "**RFP for the Design and Implementation of a New HVAC System for Lycoming County Third Street Plaza Building.**"

All bids shall remain firm price for 60 days after the date of bid opening.

A mandatory Pre-Bid Conference will be held on **Thursday, September 12, 2019**, at 10:00 A.M. at 33 West Third Street, 6th Floor, Williamsport, PA 17701. Attendance at the Pre-Bid Conference is a prerequisite for submitting a proposal. Proposals will only be accepted from those who are represented at the conference. Attendance at the conference will be evidenced by the representative's signature on the attendance roster.

Questions regarding this request for proposal shall be directed to Mya Toon, Chief Procurement Officer, at mtoon@lyco.org.

Bidders may download the proposal by going to www.lyco.org and clicking on Top 10 Links, Request for Bids/Proposals.

The Lycoming County Board of Commissioners reserve the right to accept or reject any or all proposals, or to accept any part of a proposal without accepting the whole thereof, or to accept such proposal as they deem to be in the best interest of the County.

COUNTY OF LYCOMING

R. Jack McKernan
Tony R. Mussare
Richard Mirabito

Attest:
Matthew M. McDermott
Chief Clerk

SECTION 2

**PROPOSAL INFORMATION
AND
INSTRUCTIONS**

PROPOSAL INFORMATION AND INSTRUCTIONS

2.1 **Definitions**

Request for Proposal (RFP)	All documents, whether attached or incorporated by reference, used to solicit competitive sealed bids / proposals.
County	County shall be synonymous with the Lycoming County Board of Commissioners.
Bidder / Respondent	A firm, individual, or corporation submitting a proposal in response to this RFP.
Addendum	A written change, addition, alteration, correction or revision to a proposal or contract document.
Bid / Proposal	The formal response to the RFP.
Contract	The agreement that results from this competitive procurement, if any, between the County and the vendor identified.
Contractor / Vendor / Successful Bidder	The Bidder(s) that will be awarded a contract pursuant to this solicitation and are responsible performing the service or supplying the good as defined in the contract.
Subcontractor	Any person other than an employee of Respondent who performs any services listed in this RFP.
Services	The work identified in this RFP as to be performed by Vendor under the ensuing contract.
Goods	The equipment or items identified in this RFP as to be supplied by Vendor under the ensuing contract.
Work	The required services and required goods.

2.2 Purpose and Intent of Proposal. This Request for Proposal (RFP) is issued by the Lycoming County Purchasing Department on behalf of the Lycoming County Board of Commissioners. The County is seeking to solicit proposals from qualified engineers, trade professionals with the expertise needed to design an efficient HVAC system.

2.3 Receipt of Proposal Package. The County's Purchasing Department and the Controller's Office are the sole authorities to provide the RFP package to Bidders. Bidders who are working from an RFP package obtained from any other source may be working from an incomplete set of documents. The County assumes no responsibility for a proposal's errors, omissions or misinterpretations resulting from a Bidder's use of an incomplete RFP package.

Bidders are advised to contact the Purchasing Department to provide his/her company's name, address, telephone number, fax number and contact name. This will ensure the Bidder will receive all communication regarding the RFP such as addenda and clarifications.

2.4 Preparation of Proposal. The County shall not be responsible for any costs associated with the preparation or submittal of any proposal. All costs are entirely the responsibility of the Bidder.

2.5 Communications. All questions regarding this RFP shall be submitted in writing to Mya Toon, Lycoming County Chief Procurement Officer, at mtoon@lyco.org. Questions which require a more detailed or complex reply, or require an answer that may affect responses to this RFP or may be prejudicial to other prospective Bidders, will be answered by issuing an addendum. Questions must be received by the Chief Procurement Officer no later than Friday, September 20, 2019, 5:00 P.M. EST.

2.6 Deadline and Opening of Proposal. Proposals must be received no later than Friday, October 4, 2019, 5:00 P.M. EST. Proposals will be opened publicly at 10:00 A.M., EST, on Tuesday, October 8, 2019, in the Commissioners' Board Room located on the 1st Floor of the Lycoming County Executive Plaza Building. A summary of proposals received, including company name and proposal amount will be posted on the Purchasing Department's page on the County's website (www.lyco.org) within 48 hours of the proposal opening. The Bidder warrants the proposal price(s), terms and conditions stated in his/her proposal shall be firm for a period of 60 days from the date of the proposal opening.

2.9 Important Dates. The following lists important events and deadlines regarding the RFP.

Issue Date:	August 30, 2019
Final Date for Written Questions:	September 20, 2019
Deadline for Submitting Proposals:	October 4, 2019
Opening of Proposals:	October 8, 2019

2.10 Submission of Proposal. An original must be enclosed in a sealed envelope or package. The outside of the envelope or package shall be clearly marked, "RFP for the Design and Implementation of a New HVAC System for Lycoming County Third Street Plaza Building." Proposals shall be submitted to the Lycoming County Controller's Office, Executive Plaza Building, 330 Pine Street, 2nd Floor, Williamsport, PA 17701. Late proposals shall not be accepted. Proposals must be mailed or hand-delivered. Proposals delivered by fax or electronic mean are not acceptable and will not be considered.

All proposals must be submitted on the forms provided by the County and in accordance with the requirements and instructions contained in the RFP package. The County may waive minor informalities or irregularities in the proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Bidders. Minor irregularities are defined as those that will not have an adverse effect on the County's interest and will not affect the price of the proposal by giving a Bidder an advantage of benefits not enjoyed by other Bidders.

2.11 Public Disclosure. All Bidders should be aware that the County is an agency subject to the Right-to-Know Law. Any documents submitted should be considered as subject to potential public disclosure once the proposal is awarded. A summary of proposals received, including company name and proposal amount will be posted on the Purchasing Department's page of the County's website (www.lyco.org) within 48 hours of the proposal opening.

2.12 Exceptions. A proposal submitted in response to this RFP constitutes a binding offer to comply with all terms, conditions, special conditions, general specifications, and requirements stated in this RFP, except to the extent that a Bidder takes exception to such provisions. To take exception to a provision of this RFP, the Bidder must clearly identify in the PROPOSAL EXCEPTION FORM: (a) the number and title of each section of this RFP that the Bidder takes exception to; (b) the specific sentence within such section that the Bidder takes exception to; and (c) any alternate provision proposed by the Bidder.

2.13 Modifications/Withdrawal of Proposal. Proposals may be modified or withdrawn prior to the submittal deadline. Requests for withdrawals or modifications of proposals received after the proposal submittal deadline will not be considered except as otherwise provided in the following paragraph. Bidders desiring to modify or withdraw his/her proposal, must submit the purpose for modification or withdrawal in writing to the County Chief Procurement Officer prior to the submittal deadline. Bidders may resubmit proposals provided it is prior to the scheduled submittal deadline.

After proposal opening, the Chief Procurement Officer may allow a Bidder to modify or withdraw its proposal without prejudice if clear and convincing evidence supports the existence of a material and substantial error, an unintentional arithmetical error or an unintentional omission of a substantial quantity of work, labor, material, or services made directly in the compilation of the proposal. Requests to modify or withdraw the proposal must be made in writing to the Chief Procurement Officer within two (2) business days after opening the proposals.

2.14 Award of Proposal. Award of any proposal is contingent upon available budget funds and approval of the Lycoming County Board of Commissioners. The County will award the contract(s) to the best responsible, responsive Bidder who meets all terms, conditions, and specifications of the RFP, within 60 days of the opening of the proposals. Submitted proposals shall remain valid during this 60 day period.

The County reserves the right, in its sole and absolute discretion, to accept or reject any and all proposals or parts thereof, or to accept such proposal as they deem to be in the best interest of the County. An official letter of acceptance will be forwarded by the County to the successful Bidder after proposal selection and prior to contract award.

SECTION 3
GENERAL TERMS
AND
CONDITIONS

- 3.1 Bidder's Certification.** By submitting a proposal, the contractor is certifying that it and its Principals and/or subcontractors are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by the State of Pennsylvania or any Federal department or agency.
- 3.2 Use of Proposal Forms.** The proposal shall be made on the proposal forms included in this RFP and all applicable blanks on such forms shall be filled in. Any and all documents required by the RFP that require a notarization must include the signature and seal of the notary public as required by the state in which the notary is commissioned. For those states that do not require an embossed notary seal, a Notarization Affidavit must be completed and submitted with the proposal. Proposals and required documentation submitted without the embossed seal and without the Notarization Affidavit, as applicable, may be rejected at the time of proposal opening.
- 3.3 Non-Collusion Affidavit.** The County requires that a Non-collusion Affidavit be submitted with all proposals pursuant to its authority according to the Pennsylvania Antbid-Rigging Act, 62 Pa. C.S.A. §4501 et seq. 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 proposal.

Bid rigging and other efforts to restrain competition and the making of false sworn statements in connection with the submission of proposals 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 proposal.

If a proposal is submitted by a joint venture, each party to the venture must be identified in the proposal documents, and a Non-Collusion Affidavit must be submitted separately on behalf of each party. The term "complementary bid" as used in the Affidavit has meaning commonly associated with that term in the bidding process, and includes the knowing submission of proposals higher than the proposal of another firm, any intentionally high or non-competitive proposal, and any form of proposal submitted for the purpose of giving a false appearance of competition. Failure to file a Non-Collusion Affidavit in compliance with these instructions may result in disqualification of the proposal.

SECTION 4
CONTRACT TERMS
AND
CONDITIONS

- 4.1 Agreement/Contract.** Upon acceptance and award of a Bidder's proposal, the contract between the Bidder and the County shall be drafted from (a) the RFP and addenda, (b) the selected proposal (response to the RFP by the Bidder) and any attachments thereto, and (c) all written communications between the County and the Bidder concerning the transactions. The contract shall constitute the entire and only agreement and shall supersede all prior negotiations, commitments, understandings, or agreements, whether oral or written.
- 4.2 Execution of Contract.** The successful Bidder must execute a written contract with the County. If the successful Bidder fails or refuses to execute the formal contract within ten (10) days of the date of contract award, award of the contract shall be voided, and all obligations of the County in connection herewith shall be canceled.
- 4.3 Contents of Contract.** The entire contents of this RFP shall become a part of the contract.
- 4.4 Term of Contract.** The contract, which results from the award of this RFP, shall commence upon award and shall terminate on December 31, 2021.
- 4.5 Option to Extend Contract Period.** The contract may be extended at the bid pricing, provided mutual agreement by both parties in written form. This extension will be utilized only to prevent a lapse of contract coverage and only for the time necessary to complete the work.
- 4.7 Pricing.** Bidders warrant the proposal price(s), terms and conditions stated in his/her proposal shall be firm for a period of 60 days from the date of the proposal opening. Once an award is made and a contract is in place, prices shall remain firm and fixed for the entire contract period. If the proposal includes price increases over the term of the contract, such increases must be clearly indicated in the Proposal Price Schedule. All proposal prices must include freight.
- 4.8 Evidence of Insurance.** The successful Bidder, at its expense, shall carry and maintain in full force at all times during the term of the contract, resulting from this RFP, the below insurance. The requirements are applicable to any and all subcontracts and subcontractors performing work under this contract.

Coverage	Limits of Liability
Workmen's Compensation	Statutory
General Liability/Property Damage	\$500,000 each occurrence \$1,000,000 aggregate
Personal Injury	\$500,000 each occurrence \$1,000,000 aggregate
Automobile Liability/Property Damage	\$500,000 each occurrence
Bodily Injury	\$500,000 each occurrence \$1,000,000 aggregate

Prior to commencement of performance of this Agreement, Contractor shall furnish to the County a certificate of insurance evidencing all required coverage in at least the limits required herein, naming the County of Lycoming, its elected officials, agents, and employees as additional insured under the Comprehensive General Liability coverage, and providing that no policies may be cancelled without ten (10) days advance written notice to the County. Such certificate shall be issued to: County of Lycoming, Attn: Mya Toon, 48 West Third Street, Williamsport, PA 17701

Said policies shall remain in full force and effect until the expiration of the terms of the contract or until completion of all duties to be performed hereunder by the Contractor, whichever shall occur later.

4.10 Subcontracting. The Contractor shall not subcontract any of its obligations under this contract without the County's prior written consent. In the event the County does consent in writing to a subcontracting arrangement, the Contractor shall be the prime contractor and shall remain fully responsible for performance of all obligations which it is required to perform under this contract.

4.12 Payment. The County will make payment within thirty (30) days of receipt invoice for properly received goods and services after inspection and acceptance of the material and/or work by the County. Advance billings are not allowed. Where partial delivery is made, invoice for such part shall be made upon delivery, and payment made within thirty (30) days under conditions as above.

If the Bidder's method of billing and payment is different than what is stated above, the Bidder must indicate the preferred method. The County will consider paying on a periodic basis as substantial portions of the work as performed, but not more than one time per month. The County offers vendors the option to enroll in electronic payment via automated clearing house (ACH) to the vendor's provided bank account of record.

SECTION 5
SCOPE OF WORK

SCOPE OF WORK

PURPOSE

Proposals are being solicited from qualified engineers and trade professionals with the expertise needed to design an efficiency HVAC system for the 152,000 square foot Third Street Plaza Building located at 33 West Third Street, Williamsport, PA 17701. Upon design and equipment specification completion, the County will solicit bids from qualified contractors for the removal of the old system and installation of the new system specified by this design.

BACKGROUND

Third Street Plaza Building (TSP) was built in 1994 and is approximately 152,000 square feet. It currently uses 2 - 762.00 BTUHR HB Smith boilers for heat. Each floor has 3 - 15 ton compressors in a CSC unit that distributes the conditioned air to each floor. Fan powered VAV units with electric heat assist with the perimeter. VAV boxes supply the core.

INTENT

The intent of this project will be a construction ready design including all necessary equipment specification, quantities, locations and project diagrams needed to solicit bids from qualified HVAC installation contractors and direct the removal and installation of the new system from beginning through completion and satisfactory operation.

MANDATORY PRE-BID CONFERENCE

During the Pre-Bid Conference, administrative and technical specifications regarding this project will be discussed.

PROJECT TASKS AND DELIVERABLES

It is expected that the Consultant will meet the following deliverables. All materials collected or created by the selected Consultant become the property of the County. Project deliverables include the following:

1. Provide three (3) complete copies of Construction ready design plans, specs, diagrams to enable an HVAC contractor to remove all old HVAC system components and install the new HVAC system specified in this design must be submitted with each proposal.
2. Be available in a timely fashion to the selected construction/installation contractor and the County to assist with any questions, concerns or items needing clarification or modification throughout the complete installation of the new HVAC system.

CONSULTANT SELECTION

The Director of Maintenance will evaluate the proposals received. The Director of Maintenance will independently review and score all proposals based upon selection criteria. If necessary, the Director of Maintenance may conduct either phone or oral on-site interviews to complete the consultant selection process.

PROPOSAL CONSTRUCTION

Each proposal shall contain 8.5"x 11" pages with printing on one side only, including cover letters, tables of contents, resumes or any pre-printed or other promotional material included with the proposal, whether bound or unbound.

PROPOSAL CONTENTS

Each proposal shall include, at a minimum, the following:

- a) Cover letter
 - Limited to one (1) page, create a cover letter that explains the Consultant's interest and qualifications for the project and contains the name, address, phone number and email address of the principal contact person.

- b) Qualifications of the Consultant
 - Describe the consultant's qualifications and relevant or related experience. One overall team should be proposed even when separate subcontractors are proposed. Include the location of the consultant's office and/or the location(s) where services would likely be performed.

 - Include a list of related projects that the consultant has started and completed in the last six (6) years. Identify the year range of each project, the owner's contact person and telephone number. Projects which are referred to as having been accomplished by your firm shall be projects which were managed by personnel who are currently on your staff.

- c) Names and Qualifications of Project Team
 - A current resume for professional persons who would be working on the design which includes a description of qualifications, skills and current workload/availability. Identify each person's role on the design effort. At a minimum, resumes for the project manager, primary technical and mechanical designers must be included.

 - List any outside consultants who may perform services for this project. Describe what services each outside Consultant would provide.

- d) Strategy and Implementation Plan
 - Describe your interpretation of the objectives with regard to this RFP.

 - Describe your proposed strategy and/or plan for achieving the objectives of this RFP.

 - Proposer may utilize a written narrative or any other printed technique to demonstrate the ability to satisfy the scope of services. The narrative should describe a logical progression of tasks and efforts starting with the initial steps or tasks to be accomplished and continuing until all proposed tasks are fully described and the RFP objectives and deliverables are accomplished. Include a detailed time schedule for completion of the project.

- e) References
 - A list of at least (3) references for projects of similar size and scope, including at least two (2) references for projects completed during the past six (6) years. Include the name of the organization, a brief summary of the work, the cost of the project and the name and telephone number and/or email address of a responsible contact person.

- f) Cost Breakdown
 - Provide a breakdown of all costs estimated for completion of the project.

CONFIDENTIAL INFORMATION

All materials submitted in response to this RFP shall ultimately become public record. Any material to be treated as confidential or proprietary in nature must be clearly identified with the words “Confidential Disclosure,” placed in a separate envelope, and shall include a justification for the request. Note that confidential materials shall be included in the page count. Neither cost nor pricing information nor the total proposal shall be considered confidential or proprietary.

MATERIAL OWNERSHIP

All proposals and related materials become the property of Lycoming County upon receipt and shall not be returned to the proposer. The County shall have the right to use all ideas or adaptations of the ideas contained in any proposal received in response to this RFP, subject to the limitations outlined in the section above, “Confidential Material.”

SECTION 6
PROPOSAL PRICE SCHEDULE

PROPOSAL PRICE SCHEDULE

8.1 Tax Exempt. The County is exempt from all Federal Excise Taxes and Pennsylvania Sales Taxes, as a political subdivision of the Commonwealth of Pennsylvania. The County's registration number with the Internal Revenue Service is 24-6000733. Prices shown in the proposal shall exclude such Federal and State taxes.

8.2 Cost Elements. Services not specifically mentioned in this RFP, but are necessary to provide the functional capabilities described shall be included as part of the cost elements.

Bidders may justify costs by utilizing his/her own format.

Total proposal price for the above named project, as per these specifications: \$_____

Proposal Price (Written Out)

The undersigned, as Bidder, hereby declares that the total project costs as indicated above, includes all necessary work to complete this project in full according to the general specifications contained in the RFP. Services not specifically mentioned, but are necessary to provide the functional capabilities shall be listed and included as part of the cost elements.

The undersigned further understands and agrees that if the County accepts the proposal, no additional funds will be allowed beyond the stated total project costs.

Company Name: _____

Address: _____

Point of Contact: _____ Phone Number: _____

Fax Number: _____ Email address: _____

Name of person submitting proposal: _____

Signature: _____ Date: _____

When submitting a proposal, place the proposal form sheet as the top page of the proposal package and the proposal price schedule as the second page of the proposal package.

The Commissioners reserve the right to accept or reject any or all proposals, or to accept any part of a proposal without accepting the whole thereof, or to accept such proposal as they deem to be in the best interest of the County.

SECTION 7
PROPOSAL FORM

PROPOSAL FORM

Important note to Bidders: It is essential that submitted proposal complies with all of the requirements contained in the RFP. The undersigned Bidder agrees, if this proposal is accepted, to enter into an agreement with the County on the form included in the Contract Documents to perform and furnish all equipment, labor, materials, services, goods or products, hereafter referred to as WORK, as specified or indicated in the contract documents.

This proposal is submitted to: Lycoming County Controller's Office
Lycoming County Executive Plaza Building
330 Pine Street, 2nd Floor
Williamsport, PA 17701

This proposal is submitted on _____, 20____. This proposal is valid for 60 days from the date of the public opening of the proposals.

This proposal is submitted by:

Company Name: _____

Company Address: _____

Main Telephone: _____ Main Fax: _____

Communications and questions concerning this proposal are to be directed to:

Contact Name / Title: _____

Contact Telephone: _____ Fax: _____

Contact Email: _____

In the event your company is awarded a contract as a result of the RFP, the following individual will serve as project liaison/manager:

Name / Title: _____

Office Address: _____

Telephone: _____ Fax: _____

Email: _____

Receipt of Amendments (if applicable)

In submitting this proposal, Bidder represents that they have received and examined the following RFP Addendums:

Addendum No	_____	Date	_____
Addendum No	_____	Date	_____
Addendum No	_____	Date	_____
Addendum No	_____	Date	_____

Delivery Schedule

Bidder commits that services will be completed no later than December 31, 2021.

Proposal Pricing

Unless items are specifically excluded in the proposal, the County shall deem the proposal to be complete and shall not be charged any costs above and beyond the proposal amount as set forth by Bidder herein.

Total Proposal Price	\$ _____
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Prices as stated herein shall remain firm throughout the life of the contract.

Authorized Signature of Bidder

The proposal form must be signed by an individual with actual authority to bind the company.

Company Type (check one):

- Sole Proprietorship Partnership Corporation Joint Venture

Bidder attests that:

1. He/she has thoroughly reviewed the County's RFP and that this proposal is submitted in accordance with the RFP requirements;

2. He/she are familiar with the site facilities, site conditions, the pertinent state and local codes, state of labor and material markets, and has made due allowance in the proposal for all contingencies.

Corporations: The proposal must be signed by the President or Vice President and the signature must be attested by the Corporate Secretary or Treasurer. If any employee other than the President or Vice President signs on behalf of the corporation, or if the President's or Vice President's signature is not attested to by the Corporate Secretary or Treasurer, a copy of the corporate resolution authorizing said signature(s) must be attached to this proposal. Failure to attach a copy of the appropriate authorization, if required, may result in rejection of the proposal.

Company Name

Federal ID#

Street Address

PO Box

City

State

Zip

Telephone #

Fax #

WITNESS:

COMPANY:

Signature (see below)

Signature (see below)

Name (print)

Name (print)

Title (print)

Title (print)

SECTION 8

NON-COLLUSION AFFIDAVIT

INSTRUCTIONS FOR NON-COLLUSION AFFIDAVIT

This Non-Collusion Affidavit is material to any contract awarded pursuant to this proposal. According to the Pennsylvania Antibid-Rigging Act, 62 Pa.C.S.A. § 4501, et seq, government agencies may require Non-Collusion Affidavits to be submitted together with proposals.

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 proposal.

Bid rigging and other efforts to restrain competition and the making of false sworn statements in connection with the submission of proposals 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 proposal.

In the case of a proposal submitted by a joint venture, each party to the venture must be identified in the proposal documents, and an Affidavit must be submitted separately in behalf of each party.

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 proposals higher than the proposal of another firm, and intentionally high or noncompetitive proposal, and any other form of proposal submitted for the purpose of giving a false appearance of competition.

Failure to file an Affidavit in compliance with these instructions will result in disqualification of the proposal.

NON-COLLUSION AFFIDAVIT

Contract/Bid/Proposal _____

State of _____

County of _____

I state that I am _____ (Title) of _____ (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 proposal.

I state that:

1. The price(s) and amount of this proposal have been arrived at independently and without consultation, communication, or agreement with any other Bidder or potential Bidder.
2. Neither the price(s) nor the amount of this proposal, and neither the approximate prices(s) nor approximate amount of this proposal, have been disclosed to any other firm or person who is a Bidder or potential Bidder, and they will not be disclosed before proposal 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 proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
4. The proposal 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 a complementary or other noncompetitive proposal.
5. _____ (Name of Firm), its affiliates, subsidiaries, officers, and employees are not 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 in any public contract, except as follows:

I state that _____ (name of firm) understands and acknowledges that the above representations are material and important, and will be relied on by the County of Lycoming in awarding the contract(s) for which this proposal is submitted. I understand and my firm understands that any misstatement in this affidavit is and shall be treated as fraudulent concealment from the County of Lycoming of the true facts relating to the submission of proposals for this contract.

A statement in this affidavit that a person has been convicted or found liable for any act, prohibited by State or Federal Law in any jurisdiction, involving conspiracy or collusion with respect to proposing on any public contract within the last three years, does not prohibit the County of Lycoming from accepting a proposal form or awarding a contract to that person, but may be grounds for administrative suspension or debarment in the discretion of the County under its rules and regulations, or may be grounds for consideration on the question of whether the County should decline to award a contract to that person on the basis of lack of responsibility.

Name: _____

Signature: _____

Title _____

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

Notary Public

My Commission Expires: _____

SECTION 9
EXCEPTION FORM

EXCEPTION FORM

Section Number	Explanation