GENERAL CONDITIONS AND INSTRUCTIONS

BID PREPARATION

This bid and all accompanying documents were prepared by the Elizabethtown Area School District (hereinafter referred to as the “District”).

TAX EXEMPT STATUS

The District is exempt from the payment of State Sales Tax. No such taxes should be included in the bid.

OSHA REQUIREMENTS

In submitting a bid, bidder agrees to abide by all applicable State and Federal regulations and guarantees that all items subject to OSHA requirements will not violate those requirements.

WORKER AND COMMUNITY RIGHT TO KNOW ACT OF 1984

All bidders must comply with the provisions of the above-mentioned Act by providing Material Safety Data Sheets (MSDA’S) for all chemicals or hazardous substances provided, if applicable, as part of this bid.

COMPLIANCE WITH LAWS

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

WARRANTY

All equipment items shall be guaranteed by the supplier against defects in workmanship and materials for a period of equal to the manufacturer’s stated warranty. During this period, the supplier shall agree to promptly remedy any defects due to imperfect workmanship or materials found not to comply with Specifications.

BIDS SUBMISSION

Bids should be sent to:

Elizabethtown Area SD  
Attn: Jeff Ammerman  
600 East High Street  
Elizabethtown, PA 17022

The envelope should be clearly labeled: "BIDS FOR PROJECTORS AND MOUNTS"

Bids must be received by 2:00 p.m. prevailing time on Monday, June 10, 2019 at which time they will be publicly opened and read. Bids received after this time or submitted by email or fax will not be accepted.
All bids submitted must be signed by the bidder on the Bid Submission Form supplied as part of this bid.

Withdrawal of Bids – Prior to opening, bidders will be given permission to withdraw any bid after the District has received it but only up to 48 hours prior to the bid opening date. With the exception of the provision for withdrawing bids for the forty-eight (48) hour period following the bid opening date, no plea of mistakes shall be made available to the bidder and no bid may be withdrawn before the expiration of the sixty (60) days from the date established for the opening of the bids. Bidders who violate this provision will be declared unsatisfactory for any future bidding.

Opening of Bids – Bids will be publicly opened on the date, at the location and commencing at the time stated in the advertisement of bids. Bidders or their authorized agents may be present. All bids shall strictly conform to these “General Conditions and Instructions.”

Rights of Owner – The District will accept the bid of the lowest responsible bidder complying with all the requirements of the Specifications. The District reserves the right to reject any or all bids or any part thereof and may waive any or all technicalities or informalities. The District may select a single item for any bid, without obligation, or may order more or less than the quantity specified at the unit price stated in the bid, as may best serve the interest of the District.

It is agreed that the bidder will hold the price and permit the owner to order increased quantities of the same item as bid over and above those specified at the price included in the bid as long as it is done prior to the ending of the bid period stated in the Specifications.

Where the description of an item includes the name, number or model of a particular manufacturer or supplier, alternate bids equal in all respects are permitted unless specifically noted “No Substitute” or similar language. In this case, the bidder shall clearly state on the Bid Submission Form the manufacturer's name, catalog number and technical information of the equivalent and submit complete specifications as prepared by the manufacturer. A sample of the proposed alternate shall accompany the bid when possible. When no reference or change is indicated on the Bid Submission Form, it is understood that the specific item(s) named in the bid Specifications will be furnished.

Bids will be awarded within sixty (60) days after date established for opening of bids. All bids shall remain valid and acceptable for this length of time. This time may be extended by the mutual consent of the bidder and the District.

DELIVERY

Delivery will be as stated in the Specifications. If not stated in the Specifications, delivery will be within thirty (30) days of awarding of the bid. If there are items on which delivery cannot be made by the required date, indicate on the Bid Submission Form the date on which such items will be delivered.

Delivery locations are to be as stipulated on the individual purchase orders(s). Deliveries may be made between the hours of 8:00 am and 3:00 pm, Monday through Friday, excluding holidays.

The bidder agrees to hold the Board of School Directors, officers, members and employees of the District harmless and to indemnify them from any and all expenses incurred for all claims arising from the liability for bodily injury and property damage due to the vendor's negligence.
All prices are to be net prices and are to be f.o.b. destination, including charges for inside delivery and placement.

Cancellation Clause: All items listed on the Purchase Order(s) must be delivered as soon as possible. The District reserves the right to cancel for cause, any contract awarded as a result of this Bid subject to a notice of no less than fifteen (15) days. Examples of such cause would be, but are not limited to; delays in delivery, improper billing or product substitution, or failure to perform as outlined in the bid Specifications.

SHIPPING

The bidder agrees, if awarded an order, to furnish and deliver the said articles at such time, to such place, and in such quantities as herein specified, and that all of the articles shall be subject to inspection and approval. Acceptance of delivery of materials and/or equipment to the site shall not constitute final acceptance. In the event that any of the articles shall be rejected as damaged, unsuitable or not in conformance with these Specifications, such articles shall be removed immediately and other articles of proper quality, as set forth in these Specifications shall be furnished in place thereof, all at the sole expense of the successful bidder. Should the bidder default, the District may procure such property or services from other sources in any manner provided by law and shall have the absolute right to deduct from any monies due to the bidder, the difference between the bid price and the actual cost of the property or services to be replaced or substituted.

Merchandise shipped in filling an order shall be the same kind and quality as specified. Any goods of inferior quality shipped in fulfillment of an order will be returned at the expense of the vendor, including the cost of packing and delivery to the freight station.

All prices are to be net prices and are to be f.o.b. destination, including charges for inside delivery and placement. Prices bid shall also include all discounts.

DISCRIMINATION

Bidder shall not discriminate against any employee, applicant for employment, independent contractor, or any other person because of race, color, religious creed, ancestry, national origin, age or sex.

NON-COLLUSION AFFIDAVIT

Attached is a Non-Collusion Affidavit with instructions for the proper execution of the Affidavit. The Non-Collusion Affidavit must be submitted with your bid.

SPECIFICATIONS

Bidders whose equipment and/or supplies do not conform to the Specifications as listed must indicate the exception on the Specification sheet(s). If additional space is needed, attach a separate explanation.
Vendors bidding on equipment and/or supplies other than that specified in the bid must clearly state on the Bid Submission Form the manufacturer’s name, catalog number and technical information of the equivalent and submit complete specifications as prepared by the manufacturer. Vendor must also be prepared to demonstrate said equipment and/or supplies, if requested.

**TIME OF COMPLETION**

Bidder agrees that product will be delivered on or about July 15, 2019, if the anticipated schedule is followed.

The Elizabethtown Area School District is seeking Bids for

60 PowerLite 685W WXGA 3LCD Ultra Short-Throw Presentation Display for SMART Board Interactive Whiteboards (Model: V11H744620)

and

60 Ultra-Short Throw Wall Mounts ELPMB46 (Model: V12H777020)

No Substitutions will be accepted.

The Elizabethtown Area School District reserves the right to accept or reject the bid in whole or in part and/or to select one or more items from the bid. The Elizabethtown Area School District will be the sole arbitrator in the decision to determine if the submitted bid item(s) is/are equal to the specification requested. Bid items shall be in compliance with all applicable Federal, State and Local laws.

The undersigned have carefully examined the Bid for Epson Projectors and Mounts in accordance with the specifications of the bid and agree to furnish and perform the specified services for the Elizabethtown Area School District (the “District”).

The following prices are listed as firm for a period of 60 days after the due date of this bid.
SPECIFIC BID SUBMISSION FORM
Bid for Epson Projectors and Mounts
(Return this form as the Cover Page of your Bid)

Name of Company

Address

Contact Person

Telephone Number

E-mail Address

The company agrees to supply the requested device for the amounts quoted as follows:

Total Price for 60 PowerLite 685W WXGA 3LCD Ultra Short-Throw Presentation Display for SMART Board Interactive Whiteboards (Model: V11H744620) Shipped:

______________________________

Total Price for 60 Ultra-Short Throw Wall Mounts ELPMB46 (Model: V12H777020) Shipped:

______________________________

Signature ________________________________  Date __________

Printed Name ________________________________

Title ________________________________
INSTRUCTIONS FOR 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 the 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. Failure to file an Affidavit in compliance with these instructions will result in disqualification of the bid.
NON-COLLUSION AFFIDAVIT

State of Pennsylvania:

County of_____________ : s.s.

I state that I am ____________ of __________________________ 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, vendor or potential vendor.

(2) Neither the price(s) nor the amount of this proposal, and neither the approximate price(s) nor approximate amount of this proposal, have been disclosed to any other firm or person who is a vendor or potential vendor, and they will not be disclosed before the bid opening.

(3) No attempt has been made or will be made to induce any firm or person to refrain from responding to 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) ______________________ its affiliates, subsidiaries, officers, directors, 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 submitting a proposal on any public contract, except as follows:

I state that ______________________ understands and acknowledges that the above representations are material and important, and will be relied on by Elizabethtown Area School District in awarding the contract(s)/ purchase order(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 Purchasing Agency of the true facts relating to the submission of this bid.

__________________________________________  ____________________________
(Signature)  (Signatory's Name)

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

__________________________________________  My Commission Expires:
Notary Public