

DUTCHESS BOCES  
ATTN: BARBARA COSTAKIS, PURCHASING AGENT  
5 BOCES ROAD  
POUGHKEEPSIE, NY 12601  
PHONE: 845-486-4800 EXT. 2262/FAX 845-486-4822  
EMAIL: [barbara.costakis@dcboces.org](mailto:barbara.costakis@dcboces.org)

# RECEIPT CONFIRMATION FORM

RFB NUMBER: 2324-07

TITLE: Decorative Fencing and Gate - SPC

***VENDORS: PLEASE COMPLETE AND RETURN THIS RECEIPT CONFIRMATION FORM AS SOON AS POSSIBLE:***

***IF YOU PLAN TO SUBMIT A BID, RETURN OF THIS FORM WILL ENSURE THAT YOU WILL RECEIVE ALL FURTHER COMMUNICATION REGARDING THIS REQUEST FOR BID.***

Company Name:

Address:

City, State, Zip Code:

Contact Person:

Title:

Phone Number:

Fax Number:

Email Address:

I authorize the Dutchess BOCES to send by the following method, further correspondence that the BOCES deems to be of an urgent nature regarding this bid:

Email:

Other (specify):



**Request for Proposals  
DECORATIVE FENCING & GATES - SPC  
#2324-07**

**Mandatory Walkthrough: Friday, July 28, 2023 at 9:00 AM**  
**Meet at the Dutchess BOCES Administration Bldg., 5 BOCES Rd.,  
Poughkeepsie, NY 12601**

**RFP Response Deadline: Friday, August 11, 2023 by 10:00 AM**

5 BOCES Road  
Poughkeepsie, NY 12601  
845.486.4800

**DUTCHESS BOCES  
5 BOCES Road  
Poughkeepsie, New York 12601**

**REQUEST FOR PROPOSALS: *Decorative Fencing & Gates - SPC*  
RFP #2324-07**

**I. PURPOSE OF THE RFP**

Dutchess Board of Cooperative Educational Services (BOCES) is requesting proposals from qualified vendors (referred to hereafter as “Contractor”) to design and install six-foot tall decorative fencing and a two adjoining eight to ten-foot wide sliding gates for vehicle access, in the parking area near the Salt Point Center Bldg. 25 on the Dutchess BOCES campus.

There will be a **mandatory walkthrough** held on **Friday, July 28, 2023 at 9:00 AM**. Vendors should report to the Administration Bldg. (1<sup>st</sup> bldg. on the left when you enter campus), to participate in the walkthrough.

To be considered, two (2) copies of a **sealed** proposal must be received by the BOCES’ Purchasing Agent **no later than 10:00 AM on Friday, August 11, 2023** at the following address:

Dutchess BOCES  
ATTN: Barbara Costakis  
5 BOCES Road  
Poughkeepsie, NY 12601

It is anticipated that the selection of a vendor will be completed by **August 24, 2023**.

**II. BACKGROUND INFORMATION**

The BOCES is governed by the laws of New York State. The BOCES is an independent entity governed by an elected Board of Education consisting of seven (7) members. The President of the Board serves as the chief fiscal officer and the District Superintendent as the chief executive officer. The Board is responsible for and controls all activities related to public school education within the BOCES. Board members have authority to make decisions, power to appoint management personnel, and primary accountability for all fiscal matters.

The Boards of Cooperative Educational Services (BOCES) were established by New York State Legislation in 1948 to enable smaller school districts to offer more breadth in their educational programs by sharing teachers. In 1955, Legislation was passed allowing BOCES to provide vocational and special education. The BOCES are voluntary, cooperative associations of school districts in a geographic area that share planning, services, and programs to provide educational and support activities more economically, efficiently, and equitably than could be provided locally.

The BOCES provides instructional support programs and services to the following thirteen (13) school districts in New York's Dutchess County:

1. Arlington Central School District
2. Beacon City School District
3. Dover Union Free School District
4. Hyde Park Central School District
5. Millbrook Central School District
6. Northeast (Webutuck) Central School District
7. Pawling Central School District
8. Pine Plains Central School District
9. Poughkeepsie City School District
10. Red Hook Central School District
11. Rhinebeck Central School District
12. Spackenkill Union Free School District
13. Wappingers Central School District

BOCES' programs and services include special education, vocational education, academic and alternative programs, summer school, staff development, computer services (management and instructional), educational communication, and cooperative purchasing.

The BOCES student enrollment is approximately 1,200 students, plus approximately 2,000 adults who take short term courses at our Adult Learning Institute.

### **III. NATURE OF SERVICES REQUIRED**

The BOCES is requesting proposals for a six (6) foot high decorative fence and matching adjoining vehicle gates, industrial grade aluminum (black) or powder-coated steel (black), to be installed around the Salt Point Center Bldg. 25 parking/playground area.

Vendor shall also be responsible for working with our Facilities and Operations Dept. and Assistant Superintendent for Human Resources, to provide the fencing and installation and a mutually agreed upon date(s).

- A. Furnish and supply all labor, equipment, materials and supervision for installation of the fencing and gates.
- B. Vendors must carry and maintain all required/applicable licenses from state and federal agencies (e.g. NYSDOL, NYSDEC, EPA) and use only certified/experienced personnel. Award will be based upon whatever is in the best interest of Dutchess BOCES.

#### IV. REQUIREMENTS

The Vendor must provide documentary evidence of their experience in commercial decorative fencing installations. In setting forth its qualifications, each Vendor shall, in concise but adequate detail:

- A. Provide documentary evidence that the Vendor has a **minimum of five years' experience in providing commercial decorative fencing installations** to school districts, BOCES, or other multi-function educational institutions or agencies similar in size to BOCES
- B. State the names of the Vendor's officers and associates.
- C. State the size of the organization, the size of the organization's consulting staff, and the location of the office from which the services will be provided.
- D. State the names and provide resumes of all partners, associates, and other staff that might be assigned to provide services pursuant to this RFP. Required personnel governed under NYS & **Dutchess County DOL Prevailing Wage** for this RFP include but are not limited to **Ironworker**.
- E. **Conflict of Interest and Independence** – The Vendor must disclose all conflicts of interest both in fact and/or in appearance. In addition, the Vendor shall give the BOCES written notice of any professional relationships giving rise to potential conflicts of interest entered into during the period of the contract. The Vendor shall identify the nature of any potential conflict of interest the Vendor may have in providing decorative fencing and gates to the BOCES and its participating school districts, and fully disclose any conflicts of interest, actual or potential, that might arise in connection with the Vendor's association with the BOCES participating school districts. The Vendor shall state whether the Vendor represents any party that is or may be averse to BOCES; and if the Vendor believes that a conflict of interest may arise, the Vendor must describe how such conflict would be resolved.
- F. Provide information on **how long the Vendor has been in business and length of its experience in fencing installation**.
- G. Provide information on the circumstances and status of **any disciplinary action** taken or pending against the Vendor during the past three (3) years with federal or state regulatory bodies or professional organizations
- H. Describe any subjects related to this service in which the Vendor has special expertise that will benefit BOCES and Participants and the nature of that special expertise
- I. Provide a **summary of the firm's experience with public school districts, BOCES, and other educational organizations**. Please state the nature of that experience.
- J. Provide the name, address, and telephone number of **three references** for whom you have performed similar work
- K. Provide any other information that would assist BOCES in determining a qualified Vendor.
- L. Provide a schedule of costs and fees for work as stated in the Proposal Form of this document.

#### V. INSURANCE REQUIREMENTS

All policies shall be with an A.M. Best rated "A- or better" insurer, admitted and licensed to conduct business in New York State. Any non admitted insurance carriers must be A.M. Best rated "A+ or better"

- A. All policies with the exception of NYS Disability shall include a waiver of subrogation in favor of BOCES.
- B. All policies shall include 30 day notice of cancellation in favor of BOCES

- C. Consultant must carry policies with no less than the stated coverage as follows:
- a) Commercial General Liability including contractual liability with a limit of **\$1,000,000** per occurrence and **\$2,000,000** aggregate. BOCES shall be listed as an additional insured on a primary noncontributory basis using ISO endorsement CG 2010 (covering the additional insured with respect to liability caused by vendor’s **ongoing** operations; does not include completed operations) and CG2037 (covering additional insured for liability from injury or damage occurring **after** the work is completed) or their equivalent. The decision to accept an alternative endorsement rests solely with the BOCES. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance. The decision to accept an alternative endorsement rests solely with the District. The consultant agrees to indemnify the BOCES for any applicable deductibles.
  - b) Workers Compensation and NY Disability **with statutory limits.**
  - c) Auto Liability with a combined single limit of **\$1,000,000**
  - d) Professional Liability / Errors and Omissions Insurance with a limit of **\$2,000,000** per occurrence/ **\$2,000,000** aggregate for the professional acts of the consultant performed under the contract for the BOCES. If written on a “Claims-made” basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for three years following the completion of work.
  - e) Fidelity/Dishonesty with a limit of **\$250,000**  
For dishonest acts of consultant’s employee with coverage for computer fraud and fund transfer including client coverage.
  - f) Excess Insurance **or Umbrella Liability**  
On a “Follow-Form” basis , with limits of **\$3,000,000** each occurrence and aggregate with general liability and auto liability as underlying coverages.

Vendor acknowledges that failure to obtain such insurance on behalf of BOCES constitutes a material breach of contract. The consultant is to provide the BOCES with a certificate of Insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the BOCES to object to the contents of the certificate of the absence of same shall not be deemed a waiver of any and all rights held by the BOCES.

## **VI. TERM OF SERVICE**

**The services shall commence upon receipt of a signed Purchase Order from Dutchess BOCES, on or after August 24, 2023, and should be completed no later than December 1, 2023.** This agreement may be terminated by the Board of Education subject solely to payment of fees and disbursements as of the date of termination.

## **VII. BOARD OF TRUSTEES PROCESS**

The Dutchess County BOCES reserves the right to reject any and all bids, or to accept any bid or waive any informality in any bid if deemed for the best interest of the said District, and may reject as informal, such bids as, in its opinion, are incomplete, conditional, obscure, or which contain irregularities of any kind.

The Dutchess County BOCES reserves the right to award bids on individual items or on total sum bids whichever will be for the benefit of the said District. The entire work and/or delivery of the materials, furnishings and equipment called for, as awarded in whole or in part to the one or more bidders must be completed and/or furnished as soon as possible at the school specified.

It is anticipated that the selection of a firm will be completed when the Board of Trustees meets on Wednesday, **August 23, 2023**. The vendor(s) will be notified of selection as soon as possible thereafter.

**VIII. CRITERIA FOR SELECTION**

The selection process will include, but not be limited to, evaluation in the following areas:

Description	Percent
1) Experience	30%
2) Price	30%
3) Design, Aesthetics of Fencing Proposal	20%
3) Responsiveness and completeness of the written proposal	10%
4) References	10%

**IX. SUBMISSION GUIDELINES**

All proposals must be received by Dutchess BOCES, no later than 10:00 AM on Friday, August 11, 2023. Any proposals received after this deadline will be returned unopened to the firm.

Each vendor shall submit one original proposal and one copy to the following address:

Dutchess BOCES  
ATTN: Barbara Costakis  
5 BOCES Road  
Poughkeepsie, NY 12601

Proposals are to be submitted in a sealed envelope clearly labeled “**RFP #2324-07 Decorative Fencing and Gates - SPC**”.

**X. INQUIRIES**

All inquiries concerning this **Request for Proposal #2324-07 for Decorative Fencing and Gates – SPC**, should be directed to:

Dutchess BOCES  
Barbara Costakis, Purchasing Agent  
5 BOCES Road  
Poughkeepsie, NY 12601  
845.486.4800 Ext. 2262  
[barbara.costakis@dcboces.org](mailto:barbara.costakis@dcboces.org)

**Questions should be received no later than July 28, 2023** and will be responded to in written format as appendices to this RFP.

**There will be a mandatory site walkthrough held at the Dutchess BOCES campus on Friday, July 28, 2023 at 9:00 AM.** Vendors are asked to report first to the Administration Bldg. which is the first building on the left when you enter the campus. Please contact Norah Merritt (845-486-4800 Ext. 2278), no later than **July 26, 2023 at 9:00 AM if you cannot attend this walkthrough.**

**XI. PROPOSAL ACKNOWLEDGMENT FORM**

**Please return a signed copy of this Acknowledgment with RFP.**

The Respondent acknowledges that he/she has carefully read the RFP and understands the specifications requested.

The Respondent also acknowledges that should this Proposal be accepted by Dutchess BOCES, such action shall constitute a legally binding agreement and therefore be subject to all terms and conditions of the RFP documents.

Respondent further acknowledges that he/she will contract with Dutchess BOCES and comply with the requirements of the RFP and the purchase order terms and conditions.

Company Name of Respondent: \_\_\_\_\_

Business Address of Respondent: \_\_\_\_\_  
\_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Business is legally listed as (please check one):

- Sole Proprietorship
- Partnership
- Corporation

Authorized Agent (Please Print): \_\_\_\_\_

Signature of Authorized Agent: \_\_\_\_\_

Date: \_\_\_\_\_  
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**"NO PROPOSAL"** - PLEASE CHECK HERE IF RESPONDENT CHOOSES **NOT** TO SUBMIT A PROPOSAL. IF NOT SUBMITTING A PROPOSAL, PLEASE BRIEFLY EXPLAIN WHY BELOW:

<b>PROPOSAL FORM</b>		
<b>RFP 2324-07 DECORATIVE FENCING AND GATES - SPC</b>		
<b>1</b>	<b>LABOR</b>	<b>RATE</b>
1A	<b>IRONWORKER (PREVAILING WAGE)</b>	
	Price Per Hour	\$
	Price Per Hour OVERTIME	\$
	Price Per Hour EMERGENCY	\$
1B	<b>SUPERVISOR</b>	
	Price Per Hour	\$
	Price Per Hour OVERTIME	\$
	Price Per Hour EMERGENCY	\$
1C	<b>PROJECT MANAGER</b>	
	Price Per Hour	\$
	Price Per Hour OVERTIME	\$
	Price Per Hour EMERGENCY	\$
1D	<b>OTHER (PLEASE SPECIFY)</b>	
	Price Per Hour	\$
	Price Per Hour OVERTIME	\$
	Price Per Hour EMERGENCY	\$
	<b>TOTAL ESTIMATED LABOR CHARGES FOR INDUSTRIAL ALUMINUM FENCE LABOR BASED UPON ABOVE LABOR RATES</b>	\$
	<b>TOTAL ESTIMATED LABOR CHARGES FOR INDUSTRIAL POWDER COATED STEEL FENCE LABOR BASED UPON ABOVE LABOR RATES</b>	\$
<b>2</b>	<b>FENCING MATERIALS &amp; SUPPLIES – We are considering either the Aluminum or Steel versions below. Vendors are asked to provide quotes for either option. We will accept more than one proposal from each vendor. Please provide gauges for both the metal and powder coating.</b>	
2A	<i>Please provide a proposal for materials for Industrial Grade Aluminum (Black) 6' High fence and two adjoining 8'-10' wide sliding gates with a flat top (no spikes). Gap between post and between slats can be no more than 4". Percentage Markup above vendor cost for materials (%)</i>	\$
2B	<i>Please provide a proposal for materials for Industrial Grade Powder Coated Steel (Black) 6' High fence and two adjoining 8'-10' wide sliding gates with a flat top (no spikes). Gap between post and between slats can be no more than 4". Percentage Markup above vendor cost for materials (%)</i>	\$
<b>3</b>	<b>MISCELLANEOUS EXPENSES</b>	
	<i>Please include in this section the estimated charges for concrete footings and blacktop patches including the materials.</i>	\$
<b>4</b>	<b>EQUIPMENT CHARGES</b>	
4A	<i>Service Truck - Price Per Day</i>	\$
4B	<i>Additional Equipment (Please Specify) Price Per Day/Hour</i>	\$

**Please return a signed copy of this Statement with RFP.**

**STATEMENT OF NON-COLLUSION  
RFP 2324-07 – DECORATIVE FENCING AND GATES - SPC**

Your bid is subject to the following Non-Collusion Statement of Section 103-D of the General Municipal Law, which reads as follows:

"103-D. Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed, to be performed, or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

- (A) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
  - (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
  - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
  - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
  
- (B) A bid shall not be considered for award nor shall any award be made where (A) (1), (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A) (1), (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (A).

Any bid hereafter made to any subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

**SIGNED:** \_\_\_\_\_ **PRINT NAME** \_\_\_\_\_

**TITLE OF COMPANY REPRESENTATIVE:** \_\_\_\_\_

**COMPANY NAME & ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION OF COMPLIANCE WITH THE  
IRAN DIVESTMENT ACT OF 2012**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, added new provisions to the State Finance Law (SFL), §165-a and General Municipal Law (GML) §103-g effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b) and GML §103-g, the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Proposer (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Proposer is advised that once the list is posted on the OGS website, any Proposer seeking to enter into, renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is bid upon or a proposal submitted, or the contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should Dutchess BOCES receive information that a person is in violation of the above-referenced certification, Dutchess BOCES will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then Dutchess BOCES shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

Dutchess BOCES reserves the right to reject any bid, proposal or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Sexual Harassment Prevention Certification**

State Finance Law §139-I requires bidders on state procurements to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training to all its employees and that such policy, at a minimum, meets the requirements of section two hundred one-g of the labor law.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

The Bidder’s signature below certifies its compliance with State Finance Law §139-I.

Bidder: \_\_\_\_\_

By (signature): \_\_\_\_\_

Name (Please Print): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

This form must be signed by an authorized executive or legal representative.

If the bidder cannot make the above certification, the bidder must provide a statement with their bid detailing the reasons therefor:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONFLICT OF INTEREST DISCLOSURE STATEMENT**

**PLEASE COMPLETE A OR B BELOW:**

- A. I **do not** have any affiliations or financial interests with any segment of Dutchess BOCES or any employee, board member or elected official.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Firm Name: \_\_\_\_\_

- B. I **do have** an affiliation or financial interest with a Dutchess BOCES employee, board member or elected official. The affiliation or financial interest is as follows (please be specific):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**BID #2324-07 DECORATIVE FENCE AND GATES - SPC**  
**NON-BIDDER RESPONSE**

To be received by August 11, 2023

Company Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Dutchess BOCES is interested in the reasons why bidders fail to submit bids. Please indicate your reason(s) by checking all appropriate item(s) below and returning this form to the address below.

- Insufficient time allowed for preparation of bid.
- We do not offer these goods/services.
- Insurance requirements are too restrictive.
- Bond requirements are too restricting.
- Workload does not allow us to bid at this time.
- Specifications unclear or too restrictive.
- Quantities too small.
- Other reasons: please explain below:

Please Return To: Dutchess BOCES  
ATTN: Barbara Costakis, Purchasing Agent  
5 BOCES Road  
Poughkeepsie, NY 12601  
Email: [barbara.costakis@dcboces.org](mailto:barbara.costakis@dcboces.org)