



TOWN OF WAREHAM

INVITATION FOR BIDS
FOR
THREE (3) 2022 77 PASSENGER SCHOOL BUSES

TOWN OF WAREHAM
SCHOOL DEPARTMENT

54 MARION ROAD

WAREHAM, MA

Town Administrator

Derek D. Sullivan

Bid Due, December 16, 2021

1:00 PM

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INVITATION FOR BID
SCHOOL BUS PURCHASE

The Wareham School Department and Town of Wareham are seeking bids for the purchase of three new 2022 77 Passenger School Buses, for the purpose of transporting students.

Bid specifications will be available online at the Town's website: www.wareham.ma.us after: 12:00pm, November 24, 2021.

Sealed bids should be submitted in the format requested to the Town of Wareham, 54 Marion Road, Wareham MA 02571, marked "**SCHOOL BUS BID – DECEMBER 16, 2021**" on the outside of the Bidder's envelope, and received no later than 1:00pm, Thursday December 16, 2021, at which time bids will be publicly opened and read. Bids will not be accepted not may submitted bids be corrected, modified or withdrawn after the deadline for bids.

The Wareham School Department and Town of Wareham are exempt from state sales tax and adheres to MGL Chapter 30B bidding requirements.

The Wareham School Department and Town of Wareham reserve the right to waive any informality in any or all bids or to reject any or all bids, or any portion thereof, as may be in the best interest of the School System.

Prior to the issuance of a contract or purchase order, the Wareham School Department and Town of Wareham reserve the right to request any Bidder to submit appropriate information regarding equipment covered in the bid specifications.

BID SPECIFICATIONS
SCHOOL BUS PURCHASE

I. INTRODUCTION

The Wareham School Department and Town of Wareham provide transportation to elementary, middle school and high school aged children. The vehicles described in these specifications will be used primarily to transport students.

It is the intent of these specifications to describe and state minimum requirements of the vehicles. Bodies and chasses must also meet all specifications of the Massachusetts Registry of Motor Vehicles. Any vehicle that is determined as equivalent or comparable in the sole discretion of the Wareham School Department and Town of Wareham is acceptable. Bids submitted on vehicles not meeting these minimum requirements may be subject to rejection.

The Wareham School Department and Town of Wareham will award the contracts to the responsive and responsible bidder that best meets the Wareham School Department and Town of Wareham’s needs.

This solicitation is being conducted in accordance with the provisions of Massachusetts General Laws Chapter 30B, and all contracts must be strictly awarded in accordance with the requirements of this Invitation for Bid. The Wareham School Department and Town of Wareham has no discretion under the law to consider bids that fail to comply with those requirements, except for minor informalities. If it becomes necessary to revise any part of this Bid or otherwise provide additional information, an addendum will be issued to all prospective Bidders on record as having received the original Invitation for Bid.

II. KEY DATES

Specifications available 12:00 p.m. November 24, 2021

Question Submittal Deadline December 8, 2021

Bids due 1:00 p.m. December 16, 2021

III. BID INSTRUCTIONS

The Wareham School Department and Town of Wareham is seeking bids for the expected purchase of 3 school buses, dependent on pricing, as follows:

TYPE:

3 – New 2022 77 Passenger School Buses

Sealed bids should be submitted in the format requested to the Wareham School Department and Town of Wareham, 54 Marion Road, Wareham, MA 02571, marked **“SCHOOL BUS BID – DECEMBER 16, 2021”** on the outside of the Bidder’s envelope, and must be submitted no later than 1:00 p.m., Thursday, December 16, 2021, at which time bids will be publicly opened and recorded. No bid shall be accepted after this deadline. No telephone, facsimile, or verbal quotations will be accepted. The Wareham School Department and Town of Wareham is not responsible for late, lost, misdirected, damaged, incomplete, illegible, or postage-due mail.

Bidders are hereby notified that issuance of this Invitation for Bid and receipt of responses does not assure that a Bidder will be chosen. The Wareham School Department and Town of Wareham reserves the right to reject any and all bids. The Wareham School Department and Town of Wareham reserves the right to waive any of the informalities of this Invitation for Bid, to request additional information from any Bidders, to award without negotiation or discussion, to negotiate with any Bidders, to reject any or all bids or parts of bids, to solicit new bids, or to reject any or all Bidders as it deems in either's best interest.

V. INQUIRIES

Prospective Bidders may request clarification of information contained in the Invitation for Bid. All such requests must be received by the close of business on December 8, 2021. Responses to any request for clarification will be provided in writing to all prospective Bidders who are on record as having received the Invitation for Bid. All inquiries for clarification of information contained in the Invitation for Bid must be submitted to the Municipal Maintenance Office by email to dmenard@wareham.ma.us

V. CONTRACT TERMS:

It is the intention of the Wareham School Department and Town of Wareham to enter into a contract for purchase for the Fiscal Year 2022 which begins July 1, 2021, with delivery of buses within 45 days of contract execution or as deemed acceptable by the awarding authority. The Bidder must state delivery date on the Bid Form if different from the date set in this IFB and, in case of late delivery, the Bidder may be responsible for \$50 per day per vehicle for each vehicle that is delivered late at the sole discretion of the Wareham School Department and Town of Wareham. Setting a different delivery date than the date set in this IFB may be grounds for rejection of the bid. Bidder must have sales/service office in a location where service and assistance can be administered within 24 hours.

VI. GENERAL REQUIREMENTS

ADDENDA TO THE BID:

Should it become necessary to revise any part of the Invitation for Bid, notice of the revision will be given in the form of an addendum to all prospective Bidders on record as having received the Invitation for Bid. Each Bidder must acknowledge receipt of addenda, but the failure of a Bidder to receive or acknowledge receipt of any addendum shall not relieve the Bidder of the responsibility for complying with the terms thereof. All addenda shall become a part of the Invitation for Bid. Acknowledgement of all addenda received must be submitted by the Bid closing date and time.

OPENING OF BIDS:

At the specified time and date stated in Section III, Paragraph 2, all submitted Bids shall be publicly opened and recorded. Any interested parties may attend the opening.

PROPRIETARY INFORMATION:

The information provided in the Invitation for Bid is intended solely for internal use by the Bidder in response preparation. All information contained herein is proprietary and shall not be distributed to any third party, except as required by law.

RESTRICTIONS ON COMMUNICATION:

From the issue date of the Invitation for Bid and until a Contract has been awarded and announced, Bidders or the Wareham School Department and Town of Wareham are not allowed to communicate about the subject of the Invitation for Bid or a Bidder's submission, except as provided in the Inquiries Section IV.

BID COSTS:

Any recipient of the Invitation for Bid is responsible for any and all costs incurred by it or others acting on its behalf in preparing or submitting a bid, or otherwise responding to the Invitation for Bid, or any negotiations incidental to its bid or the Invitation for Bid. WAREHAM SCHOOL DEPARTMENT AND TOWN OF WAREHAM 54 MARION ROAD, WAREHAM, MA 02571 BID NAME – School Bus Purchase

INFORMATION CONTROL:

The following process described is intended to ensure that all prospective Bidders have equal access to information relative to the Invitation for Bid. As part of the Invitation for Bid preparation (which may have included previous discussions with selected prospective Bidders), every effort has been made to provide prospective Bidders with adequate disclosure. Each Bidder shall prepare a Bid based only on the information contained in the Invitation for Bid, notwithstanding any information that may have been previously provided. A prospective Bidder noting any inconsistency between the information contained in the Invitation for Bid and any information previously provided should request clarification (reference Section IV). No information communicated, either verbally or in writing, to or from a Bidder shall be effective unless confirmed by written communication contained in the Invitation for Bid, an addendum to the Invitation for Bid, a request for clarification or written response thereto, or in the Bid.

RESERVATION OF RIGHTS:

The Wareham School Department and Town of Wareham reserves the right to accept or reject any or all Bids not withdrawn before the opening date and to waive any irregularity or informality in the Bid process. The Wareham School Department and Town of Wareham reserves the right to conduct discussions, request additional information, and accept revisions of Bids from any or all Bidders. Bids may not be withdrawn after the opening date. The Wareham School Department and Town of Wareham reserves the right to make such investigations as deemed prudent to determine Bidder's qualifications and eligibility including, but not limited to, requests for financial statements and company profiles.

FINALITY OF DECISION:

Any decision made by the Wareham School Department and Town of Wareham, including the selection of a vendor, shall be final.

EQUAL OPPORTUNITY:

The School System hereby notifies all Bidders that minority and women's business enterprises will be afforded full opportunity to submit bids in response to this Invitation for Bid and will not be subjected to discrimination on the basis of race, color, sex or national origin in consideration for an award.

RELEASE OF INFORMATION:

No Bidder shall make any press conference, news releases or announcements concerning its selection or non-selection for a contract prior to the Wareham School Department and Town of Wareham's public

release of said information or prior to the written approval of the Wareham School Department and Town of Wareham.

VII. BID FORMAT AND SUBMISSION REQUIREMENTS:

This outlines the information that must be provided by Bidders and the required format for the Bid. Any bid which is not according to prescribed form, incomplete, not properly signed, or otherwise contrary to instructions may be rejected by the Wareham School Department and Town of Wareham. Please refer also to Section II, Key Dates, and Section III, Bid Instructions, for additional requirements.

Bidders must demonstrate an understanding of the bid requirements set forth and shall provide information relating to the elements listed in sufficient detail to allow the Wareham School Department and Town of Wareham to conduct an informed and fair selection process. Bidders are required to submit the following information which will be used by the Wareham School Department and Town of Wareham in evaluating bids:

- A.** Each Bidder should submit two (2) complete copies with the original Bid signed by an authorized member of the company. This should be the highest-ranking officer at the local level. WAREHAM SCHOOL DEPARTMENT AND TOWN OF WAREHAM 54 MARION ROAD, WAREHAM, MA 02571 BID NAME – School Bus Purchase
- B.** Description of Vehicles: The Bidder must include with their bid a description of the vehicle warranty. Warranty will begin on the date of service, and will meet the minimum criteria written in the bus specification: 1) performance specifications 2) design specifications 3) proprietary specifications
- C.** Quality Requirements: “Or Equivalent” shall mean a vehicle equal to that named or described in these specifications or furnished by the Bidder, and the naming of any commercial name, trademark, or other identification shall not be construed to exclude any item or manufacturer not mentioned by name, or as limiting competition but shall establish a standard of equality only. A vehicle shall be considered equal in the sole discretion of the Wareham School Department and Town of Wareham to the one so named or described if: (1) it is at least equal in performance, quality, durability, appearance, strength, and design; and (2) it conforms substantially, even with deviations, to the detailed requirements for the vehicle in the specifications. Bidders must submit a brochure with vehicle specifications of equivalent or alternative bids. When the Bidder does not state the manufacturer make and model, it is understood that the offer is exactly as specified. Final decisions concerning the quality of vehicles, other than those specifically designated, is to rest with the Wareham School Department and Town of Wareham whose determination shall be final and conclusive. Bidders shall guarantee quality control of all vehicles at no additional cost to Wareham School Department and Town of Wareham. All vehicles furnished, if applicable, must be the best of their respective kinds, and will be free from defects in material and workmanship. Vehicles will be subject to Wareham School Department and Town of Wareham inspection and approval at any time within 30 days after delivery. If an

equivalent substitution is made, it will be the decision of the Wareham School Department and Town of Wareham representative to determine if it is of equal quality. Vehicles furnished must be manufactured in compliance with all existing legal or governmental directives.

- D.** Exceptions: Any exceptions to the specifications or any other special considerations or conditions requested or required by the Bidder should be submitted to the Wareham School Department and Town of Wareham prior to the bid opening in the manner provided in the Inquiries Section IV, the acceptance or denial of which will be communicated in an addendum. Each Bidder shall be required and expected to meet the specifications in their entirety, except to the extent exceptions are deemed acceptable by the district.
- E.** Bid Security: A bid deposit shall be included with this bid in the form of a bid bond, certified check or cashier's check issued by a responsible bank or trust company in the amount of 5% made payable to the Town of Wareham as a guarantee of good faith. This amount shall function as Bid Security until such time as contract(s) is/are negotiated between the School System and the successful Bidder. Should any Bidder(s) to whom an award is made fail to enter into contract within thirty (30) days after receipt of notice of the award, the amount so received from such Bidder(s) shall become the property of the School System as liquidated damages to compensate for losses due to delay and/or increased costs in delivery of vehicles. The Bid Security from the two lowest Bidders will be retained until the successful Bid has been approved by the School system. The Bid Securities of all other Bidders will be returned within fifteen (15) days after bid award. WAREHAM SCHOOL DEPARTMENT AND TOWN OF WAREHAM 54 MARION ROAD, WAREHAM, MA 02571 BID NAME – School Bus Purchase
- F.** Liability Insurance: Bidder must include an insurance certificate or binder for general liability in the amounts \$1,000,000 owner and aggregate \$2,000,000; workers' compensation; and professional liability in the amount of \$1,000,000. In addition, the School System shall be named as an additional insured on the Bidder's general liability policy.
- G.** Bid Form (Submittal Form I): Must be submitted and signed by duly authorized officer of the Company with authority to secure contracts.
- H.** Non-Collusion Statement (Submittal Form VIII): By submitting a bid to the Wareham School Department and Town of Wareham, Bidder will certify that their offer is in all respects bona fide, fair, and made without collusion or fraud with any person. As used in this section, "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.
- I.** Certificate of Tax Compliance (Submittal Form IX): Bidders are further advised that upon signing a contract, the selected vendor must certify that it has complied with any and all

laws of The Commonwealth relating to taxes, reporting of employees, and withholding and remitting of child support as required by Mass. Gen. Laws c.62C §49A and the Child Care Act, Stat. 1990, c.521, §7, as amended by Stat 1991, c.329 as provided in the contract. A vendor's failure to certify compliance with said laws would be cause for the School System not to enter into a contract. The Wareham School Department and Town of Wareham further reserves the right to investigate, at any time prior to its execution of a contract or during the term of a contract, any information indicating that there has been a failure to comply with said laws. If the Wareham School Department and Town of Wareham determines that any selected vendor has not complied with said laws, it shall decline to enter into a contract and may decline to extend the contract.

VIII. CONTRACT AWARD

Bids will be publicly opened and recorded at the Wareham Memorial Town Hall at 54 Marion Road, Wareham, MA on Thursday, December 16, 2021 at 1:00 p.m.

The award will be made to the most responsible and responsive bidder who meets or exceeds the minimum specifications, submits the lowest total purchase cost, the lowest net cost per vehicle type.

Notice of acceptance of bid, given or mailed, after the opening of bids shall constitute acceptance of any item therein, conditioned on the submission by the successful Bidder of any evidence of ability to perform (satisfactory to the Wareham School Department and Town of Wareham), receipt of the successful bidder's Bid Security, Performance Bond, or any other assurances, and execution of the contract by the Wareham School Department and Town of Wareham.

The Wareham School Department and Town of Wareham reserves the right to accept or reject any and all bids or any item(s) thereof and to award the contract as the Wareham School Department and Town of Wareham deems is in its best interest.

The requirements set forth in these specifications are considered binding and a part of the contract(s) with the successful bidder(s).

EXHIBIT I: VEHICLE SPECIFICATIONS – SCHOOL BUS **Bid Specifications/Bid Specification Exception Sheet**

Three (3) New 2022 or Newer, 77 Passenger, School Buses as described in these specifications. Minimum specifications are listed below and each bidder must state to the right any exceptions to the specification. All specifications shall meet or exceed those specifications as set forth by the Massachusetts Department of Transportation, Federal Department of Transportation and the Massachusetts Minimum Safety Standards for Construction of School Buses in effect at time of manufacture. The Wareham School Department and Town of Wareham reserves the right to accept or reject any exception not governed by these legal standards.

Minimum Specifications	Exception (if any)
1. 77 Passenger Capacity	
2. Cummins 15B 220HP Engine	
3. Allison Transmission	
4. Electric Entrance Door	
5. Standard National Seat Drivers	
6. Gray Interior Vinyl Seats	
7. Two Roof Hatches	
8. Two Emergency Windows Per Side	
9. Two Defogger Fans	
10. Heated Outside Mirrors	
11. 16 Gauge Steel Side Panels	
12. 5/8 Marine Grade Plywood Floor	
13. Tinted Windows	
14. Spare Tire & Wheel to Match Front Tire	
15. Four Wheel Air Disc Brake	
16. Bendix Collision Mitigation Brake System with Camera and Radar	
17. AM/FM/PA Radio and Four Speakers	
18. 84,500 BTU Rear Heater	
19. 90,000 BTU Driver Heater	
20. 50,000 BTU Stepwell Heater	
21. Flex Sealed Stepwell Liner	
22. Decaled, Prepped and Delivered to Wareham - Need to be Delivered in 45 days	

It is expected that the bidder have an adequate inventory of spare parts to insure the Wareham School Department and Town of Wareham fleet is operational at all times. The bidder shall be a fully factory authorized dealer for the buses bid, including parts and service. The successful bidder shall guarantee a factory authorized place of service within 50 miles of 54 Marion Road, Wareham, MA and will further guarantee that service will be completed on a timely basis. If the authorized place of service is beyond 50 miles from 54 Marion Road, Wareham, MA the successful bidder will be responsible for timely, as determined by the Wareham School Department and Town of Wareham, transport of buses to and from Wareham at no cost to the Wareham School Department and Town of Wareham, for service on a timely basis. Failure to comply with these requirements may result in future disqualification as a responsive and responsible bidder. Should instances occur that a vendor supplying buses under this procurement cannot provide said transport the district will be reimbursed by the vendor for any associated labor and/or towing charges incurred when the Wareham School Department and Town of Wareham provides said transport.

SUBMITTAL FORM
BID TO FURNISH NEW VEHICLES
BID PRICING SHEET

Vendor Name: _____

Vendor Address: _____

Telephone Number: _____

Email: _____

ITEM	PRICE
Base Bid, 77 Passenger Bus, per Bus	

The undersigned has completed and submits herewith the following documents:

- Signed Original Bid and one COPY
- Vehicle Bid Specifications/ Bid Specification Exception Sheet
- Certificate of Non-Collusion
- Standard Hold Harmless and Indemnity Clause
- Certification to Payment of Taxes
- Certificate of Vote
- IRS Form W-9

Signature: _____

Typed name of person signing bid: _____

Name of business: _____

Date: _____

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this section the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

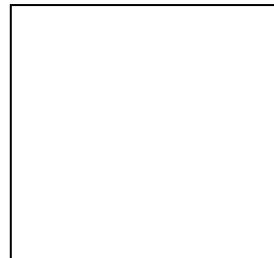
Authorized Signature

Date

Social Security Number or Federal Identification Number

Legal Name of Business Entity (Please Print of Type)

Address: _____



Corporate Seal

STANDARD HOLD HARMLESS AND INDEMNITY CLAUSE

_____, its officers and members all,
Legal Name of Bidder's Business Entity

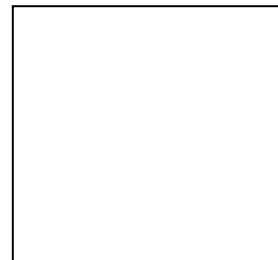
through the signing of this document by an authorized party or agent, indemnify, hold harmless and defend the Town of Wareham and its agents and employees from all suits and actions, including attorneys' fees and all costs of litigations and judgment of every name and description brought against the Town as a result of loss, damage or injury to person or property by reason of any act by _____, its agents, servants or employees.

Legal Name of bidder's Business Entity

Authorized Signature

Name and Title (Print or Type)

Date



Corporate Seal

CERTIFICATION TO PAYMENT OF TAXES BY CONTRACTOR

Pursuant to G.L. c. 62C, §49A, I hereby certify that

Legal Name of Bidder’s Business Entity

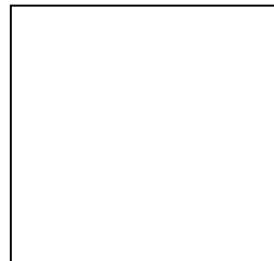
has complied with all laws of the Commonwealth of Massachusetts relating to the payment of taxes.

Signed under the penalties of perjury.

Authorized Signature

Name and Title (Print of Type)

Date



Corporate Seal

CERTIFICATE OF VOTE

(Corporations Only)

At a duly authorized meeting of the Board of Directors of the

(Name of Corporation)

held on _____ it was VOTED that:
(Date)

(Name)

_____ of this company, be and hereby is
(Officer)

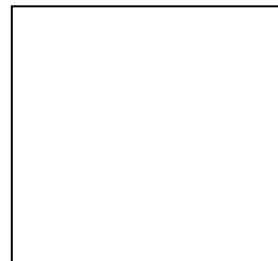
authorized to execute contracts and bonds in the name and on behalf of said company, and affix its corporate seal hereto; and such execution of any contract or obligation in this company's name on its behalf by such officer under seal of the company, shall be valid and binding upon this company. I hereby certify that I am the clerk of the above named corporation and that

_____ is the duly elected officer as above of said company, and

that the above vote has not been amended or rescinded and remains in full force and effect as the date of this contract.

Clerk

Date



Corporate Seal