

NOTICE TO BIDDERS

**TOWN OF SOUTHBOROUGH
MASSACHUSETTS**

DEPARTMENT OF PUBLIC WORKS

The Town of Southborough Department of Public Works will be accepting sealed bids for the purchase of Surplus Equipment. Bids will be received at the Public Works office, 147 Cordaville Road (Route 85) until Friday, November 20, 2009 at 10:00 am at which time they will be publicly opened and read.

Surplus Public Works Equipment – Plows, Vehicles, Tractors, Roadway Equipment

Bid packets including the bid form, a complete list of equipment and the Surplus Equipment Bid Terms and Conditions is available at the Southborough Department of Public Works Monday through Friday from 8:00AM to 3:00PM. The list is also available at southboroughtown.com. Any original documents will be available for viewing at the same location during the same hours.

Equipment will be available for viewing at the Southborough Department of Public Works, Monday through Friday, 8:00am to 3:00pm, until 10am November 20th, 2009.

Low bidders must pay a \$150 dollar deposit, or the full cost of the equipment, whichever is lower, before leaving the sale site.

Each bid shall include a statement of non-collusion.

All proposals shall be clearly marked on the outside as to the nature of the bid. The Board of Selectmen, the awarding authority, reserves the right to reject any and all bids, wholly or in part, or to accept any bid or portion thereof deemed to be in the best interest of the Town.

Salvatore M. Giorlandino, Chairman
Bonnie J. Phaneuf
William J. Boland
Board of Selectmen

Karen Galligan
Superintendent of Public Works

**SURPLUS EQUIPMENT
INVITATION FOR BID - TERMS AND CONDITIONS**

**TOWN OF SOUTHBOROUGH
MASSACHUSETTS**

DEPARTMENT OF PUBLIC WORKS

Location: Southborough DPW, 147 Cordaville Road, Southborough, MA 01772

Viewing: Monday through Friday, 8am-3pm

Bid Opening: Friday, November 20, 2009 at 10am

Contact: David Daniels 508-485-1210

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**SALE SUBJECT TO ADDITIONS, DELETIONS, ERRORS AND OMISSIONS
SALE HELD RAIN OR SHINE
LIST AVAILABLE MONDAY THROUGH FRIDAY, 8AM-3PM**

BID TERMS AND CONDITIONS

Persons under the age of 18 are not eligible to bid

ALL PROPERTY IS OFFERED AND SOLD "AS IS, WHERE IS". THE SOUTHBOROUGH DPW MAKES NO EXPRESS OR IMPLIED WARRANTIES BEYOND THE FACE HEREOF, INCLUDING, BUT NOT LIMITED TO, FOR "MERCHANTABILITY" OR "FITNESS FOR PARTICULAR PURPOSE". All bidders are strongly urged to inspect items before bidding. It is the responsibility of the bidder to check the item bid number of the equipment you are interested in.

Bids must be submitted on the attached bid sheet. A separate bid sheet should be used for each item. The attached statement of non-collusion must be signed and submitted with each bid sheet. A separate bid sheet should be used for each piece of equipment a bidder wishes to bid on, and a separate statement of non-collusion must be submitted with each bid sheet. Bids should be submitted in a sealed envelope with the item number and name of bidder printed on the front.

The surplus equipment will be awarded to the responsive bidder offering the highest price for the equipment described in the invitation for bids. The Southborough DPW reserves the right to reject any and all bids, and to dispose of the equipment through a negotiated sale, provided that the negotiated sale price is higher than the highest bid received from a responsive bidder. The Southborough DPW reserves the right to withdraw any item before time of sale.

THE TOWN OF SOUTHBOROUGH SHALL NOT BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES.

A non-refundable deposit of \$150 per item, or the full cost of the item, whichever is lower, must be made immediately following the bid opening. Payment may not be made by credit cards. Full payment must be made within 30 days.

No item is to be worked on until completion of the bid opening.

The Southborough DPW is not responsible for damage to bid items. Title, where applicable, passes to the buyer upon full payment to the Town of Southborough. It is advised that purchased items be removed immediately upon payment.

The buyer is responsible for removal of the equipment. Removal is allowed Monday through Friday 8am-3pm. No removal is allowed on weekends or holidays. Equipment must be removed within 2 working days of full payment.

BID RIGGING IS A FELONY. Agreements among buyers at bids to not bid against each other for the purpose of purchasing goods at low and non-competitive prices can be a criminal violation of the Federal Antitrust Laws, punishable by heavy fines and imprisonment. The Sherman Act prohibits bid rigging agreements among competitors if they affect or restrain interstate commerce. Upon conviction, individuals are subject to a maximum fine of one million dollars. The Southborough DPW reserves the right to reject any bid based on reasonableness.

The Massachusetts Conflict of Interest Law prohibits Town of Southborough employees from purchasing, or obtaining through others, Southborough town property, through any transaction. This prohibition covers any purchases by an employee's family members through which the employee either obtains or gains use of such property. Such purchases are treated as purchases by the employee and are a violation of Massachusetts law by the employee.

THE VEHICLES AND EQUIPMENT WILL BE SOLD "AS IS" "WHERE IS" WITH ALL FAULTS. The buyer acknowledges and agrees that the seller shall grant, sell, assign, transfer and convey the vehicle and equipment to the Buyer, and the Buyer shall accept the vehicles or equipment on an **"AS IS, WHERE IS, WITH ALL FAULTS"** basis.

STATEMENT 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 paragraph the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

Signature of person signing bid

Print name and title of person signing bid

MAKE COPIES AND SUBMIT ONE BID FORM FOR EACH ITEM YOU WANT TO BID ON. PROVIDE STATEMENT OF NON-COLLUSION WITH EACH BID FORM.

**SURPLUS EQUIPMENT
BID SHEET**

ITEM #	ITEM	BID
09-1	Gilson Cement Mixer	
09-2	Ford Tractor - Roadside Mower Attachment - Rotary Mower	
09-3	Gravelly two wheel walk behind w/ 44" sweeper and snow blower attachments	
09-4	Ford F-250 - 2WD - Gasoline - Utility Body.	
09-5	2300 gallon plastic holding tank	
09-6	Torwel Stainless 2(?)CY - hydraulic - sander insert	
09-7	Crafco propane melter for crack sealing	
09-8	11' Good Roads - Hydraulic Angle Plow	
09-9	Linear Dynamics - Single Line -Pressurized - Line Painter	
09-10	Metal V-Plow -(used on Loader)	
09-11	Metal V-Plow (used on 1944 Grader)	
09-12	Metal Fixed Plow (Used on 1944 Grader)	
09-13	7' Hydraulic Angle Plow	
09-14	4" C.H. & E. Manufacturing Company, Inc. gasoline diaphragm pump	
09-15	8' Plow Mole Board Only	

Signature

Date

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