

REVISED

**COUNTY OF ROCKLAND
Department of General Services
Purchasing Division**

Contract Award Notification

Title: Moving Services for Board of Elections Voting Equipment

Contract Period: October 1, 2020 through September 30, 2022 with 2 one-year options
Extended through 9/30/23 w/1 year option

Original Date of Issue: October 1, 2020

Date of Revision: 6/28/22

BID No: RFB-RC-2020-087

Catalog: TRANSPORTATION

Authorized Users: County Agencies, All Political Subdivisions

Address Inquiries To:

Name: Sabrina Samuels
Title: Purchaser II
Phone: 845-364-3807
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E-mail: samuelss@co.rockland.ny.us

Description

This contract is for moving services for Board of Elections.

Contract #	Vendor Number	Contractor & Address	Telephone No.
BID 20-087-A	0000019905	Santiago Worldwide Inc. PO Box 67 Pearl River, NY 10965 Contact: Giulio Zangrilli giulio@santiegomoving.com	845-268-4200 Cell: 914-906-1641 Fax: 845-268-4231

Moving Services for the Board of Elections

COUNTY OF ROCKLAND DGS – PURCHASING DEPARTMENT BLDG. A, 6TH FLOOR, 50 SANATORIUM ROAD POMONA, NY 10970 TELEPHONE NO.: 845-364-3820 FAX NO.: 845-364-3809						
LINE NO.	DESCRIPTION	ITEM NUMBER	EST. QTY.	UNIT	UNIT PRICE	EXTENDED PRICE
1	Delivery & Pick-up of (1) one AutoKart containing a complete voting system, as specified	96256000058	132	EACH	\$50.00	\$6,600.00
2	Delivery & Pick-up of one (1) single scanner	96250000057	13	EACH	\$30.00	\$390.00
3	Delivery & Pick-up of Ramp as specified	96256000062	1	EACH	\$0.00	\$0.00
4	Delivery & Pick-up of Handrail as specified	96256000063	1	EACH	\$0.00	\$0.00
5	Delivery & Pick-up of one (1) six-bushel basket truck containing accessibility items, as specified.	96256000053	1	EACH	\$20.00	\$20.00
6	Delivery & Pick-up of one (1) twelve-bushel basket truck containing accessibility items, as specified.	96250000056	142	EACH	\$40.00	\$5,680.00
7	Delivery & Pick-up of one metal voting booth	96256000059	997	EACH	\$5.00	\$4,985.00
8	Delivery & Pick-up of one Wheelchair-accessible voting booth	96256000060	133	EACH	\$5.00	\$665.00
9	Delivery & Pick-up of one crowd-control stanchion	96256000061	132	EACH	\$5.00	\$660.00

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LINE NO.	DESCRIPTION	ITEM NUMBER	EST. QTY.	UNIT	UNIT PRICE	EXTENDED PRICE
10	Delivery & Pick-up of Early Voting Printer	96256000071	1	EACH	\$20.00	\$20.00
11	Delivery & Pick-up of Early Voting Poll Pads	96256000072	8	EACH	\$20.00	\$160.00
12	Delivery & Pick-up of Early Voting Poll Print Cabinet	96256000073	8	EACH	\$50.00	\$400.00
13	Waiting time per truck charge. This line to be paid in accordance with the requirements set forth in the specifications	96256000024	1	PER HOUR PER TRUCK	\$170.00	\$170.00
14	Re-Delivery Rate - This line to be paid in accordance with the requirements set forth in the specifications	96256000074	3	EACH	\$0.00	\$0.00
15	Hourly Rate for additional work - Monday through Friday 8:00 AM through 5:00 PM - No work shall be performed or paid under this line without prior written approval as defined in the requirements of the specifications	96256000075	1	HOURLY	\$170.00	\$170.00

VENDOR: Santiago Worldwide		COUNTY OF ROCKLAND DGS – PURCHASING DEPARTMENT BLDG. A, 6TH FLOOR, 50 SANATORIUM ROAD POMONA, NY 10970 TELEPHONE NO.: 845-364-3820 FAX NO.: 845-364-3809				
LINE NO.	DESCRIPTION	ITEM NUMBER	EST. QTY.	UNIT	UNIT PRICE	EXTENDED PRICE
16	Hourly Rate for additional work - Monday through Friday after 5:00 PM, - No work shall be performed or paid under this line without prior written approval as defined in the requirements of the specifications	96256000076	1	HOUR	\$255.00	\$255.00
17	Hourly Rate for additional work Weekends and Holidays- No work shall be performed or paid under this line without prior written approval as defined in the requirements of the specifications	96256000077	1	HOUR	\$255.00	\$255.00
TOTAL BID						\$20,430.00

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PURCHASES BY OTHER

LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND NON PROFIT AGENCIES

As per the New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Non Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

1. The County of Rockland must make all contract award information available to other political subdivisions and non profit agencies through our website: www.rcpurchasing.com
2. Any other political subdivision or Rockland County non profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and must be liable for any payments due on such purchase orders; and must accept sole responsibility for any payment due.
3. All purchases must be subject to audit and inspection by the other political subdivisions and Rockland County non profit agencies for which the purchase was made.
4. No officer, board or agency of a county, town, village, or school district must make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
5. All Bidders must be on notice that as a condition of the award of a County contract, the successful bidder must accept the award of a similar contract with any other political subdivision in New York State and Rockland County non profit agencies authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non profit agencies is available on the Purchasing Division's website at www.rcpurchasing.com. The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
6. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points must be resolved between the successful bidder and the other political subdivisions and Rockland County non profit agencies.

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SPECIFICATIONS

1. SCOPE

1.1. This is a requirement bid for the transport of voting systems and equipment, as defined below, for all elections conducted by the Board of Elections in the County of Rockland (hereinafter "the Board of Elections" or "Board"). The elections encompassed may include primary elections, general elections, special elections, community school board election, library elections, fire district elections, ambulance corps elections, and/or special budget or bond votes for schools, libraries, and fire districts. A primary and secondary vendor must receive awards as designated in the awards section of this specification.

1.2. Copies of forms required by the Board of Elections to be used by the awarded vendor are listed in Appendix C.

2. SITE VISIT – MANDATORY EVENT

2.1. A pre-bid meeting and walkthrough has been scheduled to view the equipment storage facility. The meeting will convene at the Robert L. Yeager Health Complex, 50 Sanatorium Road, Building A, 6th Floor, Pomona, NY 10970 on **Thursday, September 17th, 2020 at 10:00 AM.**

2.2. This Site Visit is mandatory any firm not attending this event will not be considered for an award of this contract.

3. QUESTIONS

3.1. All inquiries related to this Request for Proposal are to be in writing to the attention of, Paul J. Brennan, FNIGP, CPPO, Director of Purchasing via email at purchasing@co.rockland.ny.us. The solicitation number must be included in the subject line of the email communication. Deadline for submission of questions is **September 21, 2020 by 12:00 PM est.** Answers will be given via addenda issued in response to the questions received

4. DEFINITIONS

4.1. Contractor—a bidder to whom the bid was awarded and with whom contract was entered into.

4.2. DELIVERY AND RETRIEVAL SCHEDULE

4.2.1. Delivery and Retrieval SCHEDULED for AM must be completed between 8:00 AM and 11:59 AM.

4.2.2. Delivery and Retrieval scheduled for PM must be completed between 12:00 PM and 5:00PM.

4.3. Equipment—To be delivered by Contractor

4.3.1. **Ramps:** The ramps to be delivered are aluminum. The sizes are 3’x3’, 5’x3’ and 7’x3’. The weight range is approximately 50 lbs. to 75 lbs.

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- 4.3.2. **Railings:** The railings measure 3’x3’, 5’x3’ and 7’x3’. The weight range for the railings is 25 lbs. to 50 lbs.
- 4.3.3. **Accessibility Equipment:** Accessibility equipment may include crowd control stanchions, temporary signage, threshold ramps, matting, plastic cones, and other items. Accessibility equipment will be stored and moved in wheeled basket trucks measuring (a) 36 in. x 26 in. x 33-1/2 in. (twelve bushels), or (b) 30 in. x 20 in. x 26-1/2 in. (six bushels) and labeled with poll site identification. SEE APPEDIX B.
- 4.3.4. **Voting System:** Voting system refers to all equipment that is loaded on an AutoKart, which will include, but is not limited to, early voting machines, electronic poll books, a scanner, a ballot marking device, a ballot box, ballots, other required supplies, and the Kart itself. The weight is approximately 400 lbs. NOTE: The use of a lift gate is **required** to move Autokarts. All trucks used to provide services under this contract be equipped with a lift gate as few if any of the pickup locations or polling sites have loading docks. As noted above, lift gates are required to move the AutoKarts. SEE APPENDIX B.
- 4.3.5. **Voting Booths:** The voting booths to be moved are metal, wheeled, nesting booths. There are two styles. The standard booth is 28 inches wide x 21 inches deep x 60 inches high with a 3.5-inch offset when nested. The wheelchair-accessible booth is 44 inches wide x 28 inches deep x 56-1/2 inches high with a 4-inch offset. SEE APPENDIX B.
- 4.3.6. **Scanner:** A single scanner in its container with ballot box is 24 in. wide x 26.5 in. deep x 43 in high and weighs approximately 150 lbs. SEE APPENDIX B.
- 4.3.7. **Poll Print Cabinet** 23.75" wide x 28.75" deep x 64.5" tall, 80 SEE APPENDIX B.
- 4.3.8. **Poll Pad** – 16.7 x 13.4 x 6.8" / 424 x 340 x 173 mm (920 exterior case dimensions) – **SEE APPENDIX B.**
- 4.3.9. **Printer:** 15.2“ x 14.3“ x 9.6“ **SEE APPENDIX B.**
5. **ELECTIONS**—Elections scheduled to take place during the 1st term of this contract commencing on October 1, 2020 must mean:

Contract October 1, 2020 – October 1, 2022

New Dates:

Primary Elections (Includes State and Local Primary and Federal Primary):
 June 2021, June 2022

Primary Election Early Voting 2021: June 12-20, 2021;

Primary Election Early Voting 2022: June 18-26, 2022

General Elections: November 2020, November 2021

General Election Early Voting 2020: October 24 – November 1, 2020;

General Election Early Voting 2021: October 23 – October 31, 2021

School District Elections: May 2021, May 2022

Library Elections: March 2021, March 2022 and June 2021, June 2022

Fire and Ambulance Elections: December 2020, December 2021

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Renewal Option 2 Years if exercised (stated renewal periods may be extended by the Director of Purchasing for additional period(s) with the written concurrence of the Contractor)

First Option Term

October 2022 – October 2023

Primary Election: June 2023

Primary Election Early Voting: June 17-25, 2023

General Election: November 2022

General Election Early Voting: October 28, 2022 – November 5, 2022

School District Elections: May 2023

Library Elections: March 2023, June 2023

Fire and Ambulance Elections: December 2022

Second Option Term

October 2023 – October 2024

Presidential Primary: February/March/April 2024

Presidential Primary Early Voting: Nine days beginning the 10th day before the Primary.

We do not yet know this date

Primary Election: June 2024

Primary Election Early Voting: June 15-June 23, 2024

General Election: November 2023

General Election Early Voting: October 28, 2023 – November 5, 2023

School District Elections: May 2024

Library Elections: March 2024, June 2024

Fire and Ambulance Elections: December 2024

6. EARLY VOTING

- 6.1. Early Voting will take place for nine days, commencing ten days prior to each election. Early Voting takes place before each Primary, General Election, and Special Elections. It runs from Saturday through the Sunday prior to the election date. Weekends and holidays are included.
- 6.2. There are four (4) early voting locations: Clarkstown, Haverstraw, Orangetown, and Ramapo Town Halls.
- 6.3. EARLY VOTING EQUIPMENT
 - 6.3.1. Each site has between two (2) and three (3) electronic poll books, two (2) scanners, two (2) printer cabinets, two (2) printers, privacy booths and handicapped privacy booths, stanchions, a box containing a full back up paper poll book, a basket truck filled with election equipment any and other equipment and signage required by the site.
- 6.4. Early voting ends at 2:00 PM on the Sunday before Election Day.

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6.4.1. Contractor must pick up all early voting equipment from all locations commencing on the Sunday before election date at 2:30 PM and completed no later the same day by 5:30 PM.

6.4.1.1. Contractor must supply two (2) trucks to complete the delivery and retrieval of early voting equipment. At no time must the voting systems be loaded with voting booths and voting equipment. The voting booths and equipment must be loaded on a separate truck that does not contain voting systems and single scanners. The Board of Elections reserves the right to add additional equipment which means additional trucks may be required. The determination of how many trucks are to be required will be made by the authorized representative of the Board of Elections.

7. REQUIREMENTS

- 7.1. Due to the unique nature of the responsibilities of the Board of Elections, the timeliness of the performance of all work required under this bid is of the essence.
- 7.2. The Commissioners of Elections and/or Deputy Commissioner of Elections may order increased services in excess of the award as allowed by law and/or regulation.
- 7.3. The Board of Elections must not be limited in the number of times it may call upon vendors to perform work under this bid during the term of the contract.
- 7.4. The awarded contractor must have sufficient workers and equipment to meet the stated requirements, and adhere to the strict schedule provided by the Board of Elections for the delivery and retrieval of equipment. No changes to the schedule must be made by the Contractor without prior written approval by an authorized representative of the Board of Elections.
- 7.5. Vendors' employees must be required to be in uniform, identified with the company name, and wear photo security badges to identify each employee. During the COVID19 pandemic, the Contractor must supply the required PPE for all employees, including masks and gloves. Employees are required to wear PPE when entering any County office building and all the polling sites.
- 7.6. All authorizations by the Commissioners of Elections, for work to be performed under this bid must be in writing and signed when specified herein, and must be effective upon being sent by fax or delivery to the vendor by any means, whichever occurs first. No work requiring a written authorization must take place unless and until the authorization is so sent or delivered.
- 7.7. Without exception, all scheduled deliveries and retrievals must be completed in one day and within the times noted on the schedule. SEE APPENDIX E.
- 7.8. For Primaries and Election Days, the delivery and retrieval must be scheduled and competed within two (2) or (3) days, with the maximum being three (3) days.
- 7.9. MANDATORY –The Contractor must complete the delivery and retrieval of the equipment in accordance with the schedule provided by the Board of Elections. Any revisions to the schedule must be approved, in writing, by the authorized representative of the Board of Elections.
 - 7.9.1. Deliveries and Retrievals scheduled for the Morning must commence at 8:00 AM and completed by 11:59 AM.
 - 7.9.2. Contractor must supply four (4) trucks to complete each scheduled morning delivery and retrieval. At no time must the voting systems be loaded with voting booths

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and voting equipment. The voting booths and equipment must be loaded on a separate truck that does not contain voting systems and single scanners.

- 7.9.3. Deliveries and Retrievals scheduled for the Afternoon must commence at 12:00 PM and be completed by 5:30 PM.
- 7.9.3.1. Contractor must supply four (4) trucks to complete each scheduled afternoon delivery and retrieval. At no time must the voting systems be loaded with voting booths and voting equipment. The voting booths and equipment must be loaded on a separate truck that does not contain voting systems and single scanners.
- 7.10. When removing a voting system and equipment from the centralized warehouse, the vendor's representative must sign and acknowledge receipt of the voting system on the appropriate control log. A BOE employee may take photos of each loaded truck prior to delivery to the poll site.
- 7.11. When delivering a voting system or equipment to a poll site, the vendor's representative must complete the delivery log and attach the shipping card to the delivery receipt. Upon retrieval and delivery back to the warehouse, the vendor must complete the associated retrieval log.
- 7.12. The vendor must secure the voting systems and equipment in the trucks during transportation.
- 7.13. If a voting system(s) and/or equipment is delivered to the wrong poll site, and not correctly delivered by 5:30 AM on the day of the election, the Board of Elections will consider the item(s) to be mis-delivered and subject to liquidated damages for each item as stated under Liquidated Damages defined in these specifications.
- 7.14. Prior to reloading any truck for the next load of voting systems and/or equipment, all documents used in the prior shipment must be returned to a Board of Elections–designated employee(s). This includes, but is not limited to, delivery receipts and envelopes. Failure to return all documents is subject to liquidated damages in the amount of \$250.00 per occurrence. The Board of Elections will deduct these damages from the amount due the vendor.
- 7.15. Prior to the deployment of the voting systems and equipment, **for each election**, the vendor has the right to inspect such items and record any prior damages before deployment. If the vendor fails to perform such inspection, the vendor may not claim that the damages were present prior to deployment. All inspections must be signed off by the vendor and a designated representative of the Board on the Board's official forms. The vendor must contact the Board of Elections office to arrange a date for voting system inspection.
- 7.16. The Commissioners of Elections or Deputy Commissioner of Elections may notify the vendor, in writing, that a certain district's or districts' voting systems **MUST** be retrieved first. The notification that a district's voting systems must be retrieved first must be provided to the vendor as soon as possible, up to and including the full calendar day (i.e. until 11:59 PM) of the day of the election. The vendor **MUST** reroute its trucks to accommodate the Board of Elections requirements. Upon notice, the vendor must return the voting systems from the specified district(s) within one day of the election. If the vendor does not comply with the foregoing requirement, liquidated damages of \$250.00 per voting system will be deducted from funds owed to The Board of Elections will deduct from any money owed to the vendor **ALL** liquidated damages and shipping damages.

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8. POLLING LOCATIONS

- 8.1. A list of the currently utilized polling places is attached hereto as Appendix D. The Board of Elections reserves the right to change polling places, add additional polling places, or reduce the number of polling places. There is no guarantee that the polling places set forth in the list will remain the same.
- 8.2. The following is the address of the Board of Elections warehouse for the County of Rockland:
 Board of Elections
 Robert L. Yeager Health Complex
 50 Sanatorium Road, Building A, 2nd Floor
 Pomona, NY 10970
- 8.3. The Board of Elections reserves the right to change the locations of its warehouse, and vendors must perform as required under this contract without any change in Unit Prices.
- 8.4. If conditions at Board of Elections' warehouse change, the Board will meet with the vendor(s) and will determine what actions if any, should be taken to ensure that the deliveries are made on time.
- 8.5. Updated Poll site locations will be provided prior to each election or event.
- 8.6. The Board of Elections' General Office and telephone number is as follows :
 Rockland County Board of Elections
 11 New Hempstead Road
 New City, New York 10956
 845-638-5172
- 8.6.1. The Board of Elections reserves the right to change the locations of its offices, and vendors must perform as required under this contract without any change in Unit Prices.

9. VENDOR QUALIFICATIONS

- 9.1. To be eligible to bid on this contract, the bidder must have been in the moving business for at least three years prior to the date bids are due.
- 9.2. Bidder must provide, with their bid, references from at least three (3) firms or government agencies where work has been performed meeting the requirements above. Bidder may include the Rockland County Board of Elections as a reference if the bidder is currently providing (or in the past has provided) moving services to the Rockland County Board of Elections. **The** Certificate of Experience form must be completed and submitted with the bid in accordance with these specifications. Failure to submit this form may deem your bid non-responsive.
- 9.3. Bidder, if a corporation and not incorporated under the Laws of New York State must furnish a copy of its certificate of authority from the New York State Secretary of State, to do business in the State of New York, in accordance with Article 13 of the New York State Business Corporation Law. The Certificate, if applicable must be submitted with the bid, failure to do so may deem the bid non-responsive.

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- 9.4. The successful Bidder(s) must be required to possess all applicable licenses and permits. Bidder must be properly licensed by the NYS Department of Transportation to perform moves within Rockland County. Copy of a valid NYS license must be included with bid. Failure to include a valid NYS License with your bid may deem your bid non-responsive.
- 9.5. Contractor must document it maintains and owns the equipment, vehicles and materials required to complete the work specified. The Vendor must complete and submit with their bid the Certification of Equipment Form. This form must be detailed to list all of the equipment, vehicles and materials maintained by the vendor that will be utilized in the performance of this contract.
- 9.6. Vendor must identify any equipment/vehicles/materials that may be rented or leased to perform the services under this contract. The County reserves the right to visit the vendor's facility of operation to determine that the vendor has sufficient equipment, vehicles and materials to complete the work specified.
- 9.7. Any vendor who, prior to the opening of the bids on this contract, has not satisfied a claim (that is not in dispute or subject of litigation) by the Board of Elections for damage voting systems for which an estimate or cost of repairs was provided, must be deemed not responsible.
- 9.8. The Board of Elections reserves the right to institute any means of certification it decides upon, by which the voting systems and equipment loaded into each truck are receipted and signed for by a vendor employee and/or a Board of Elections employee.
- 9.9. The Board of Elections reserves the right to institute any means of certification it decides upon, by which the voting systems and equipment loaded into each truck are receipted and signed for by a vendor employee and/or a Board of Elections employee.
- 9.10. By submitting a bid for this contract, the bidder certifies to the truth and accuracy of all figures and answers contained in any application or questionnaire or form herein and authorizes the Board of Elections or other authorized entity of the County of Rockland or other authorized entity of the State of New York to make any necessary examination of the books of account, records, and vouchers of the bidder, or any investigation to determine its responsibility.
- 9.11. The undersigned agrees that if this bid is accepted it will within ten days after receipt of notice of award, execute the agreement set forth in the proposal for bids, and will proceed, when directed to do so, with the work required hereunder in strict compliance with the terms and conditions set forth in this invitation for bids at the Unit Prices set forth herein.
- 9.12. The vendor must as a minimum provide the following information on all invoices:
 - 9.12.1. Purchase Order Number
 - 9.12.2. Date work performed
 - 9.12.3. Details of work performed in accordance with bid
 - 9.12.4. Attach required copies of Board of Election Forms
- 9.13. After submission of any invoice to the Board of Elections, the latter may require a vendor to provide further details concerning any amount billed on the voucher.

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10. ASSIGNMENT/SUB-CONTRACTING

- 10.1. The Contractor must not assign, transfer, convey, sublet, or otherwise dispose of the contract or its right, title or interest therein, or its power to execute such contract to any of other person, company, firm or corporation in performance of the contract, other than the assignment of the right to receive money due, without the prior written consent of the Issuing Entity. Prior to an assignment of the right to receive money becoming effective, Contractor must file a written notice of such assignment simultaneously with the County of Rockland Finance Director, the Issuing Entity, and participating Authorized User(s).
- 10.2. The Commissioner reserves the right to reject any proposed subcontractor, assignee or supplier for bona fide business reasons, which may include, but are not limited to: that the proposed transferee is on the Department of Labor's list of companies with which New York State cannot do business; the Commissioner determines that the company is not qualified; unsatisfactory contract performance or service has been previously provided; or attempts were not made to solicit minority and women's business enterprises (M/WBE) bidders for the subcontract.
- 10.3. As part of an application for subcontracting, the vendor must list the name, address, officers, and principals of the proposed subcontractor and the portion of the work under this contract to be performed by the proposed subcontractor. The Commissioner may require that a Principal Questionnaire be completed as part of the application. Any provision of this section may be waived by the Commissioner of Elections upon a written finding that:
 - 10.3.1. Such waiver is in the best interest of the Board of Elections to enable it to execute its statutory mandate;
 - 10.3.2. Unusual or emergency conditions exist that requires this extraordinary action.

11. DELIVERY & RETRIEVAL OF VOTING SYSTEMS

- 11.1. The vendor must be responsible for the transport of voting systems (including anything enclosed inside or attached to said voting systems).
- 11.2. Transport must include:
 - 11.2.1. Pickup from wherever they are located inside the county voting system storage facility/facilities which must be located within the County;
 - 11.2.2. Delivery to a specified polling place in the County of Rockland;
 - 11.2.3. Placement within the polling place in the location where the system will be used;
 - 11.2.4. Pickup at the polling place from wherever they are located and return to the voting system storage facility/facilities;
 - 11.2.5. Placement in the voting system storage facility in the space designated by the Board of Elections;
 - 11.2.6. The vendor must secure all voting systems and equipment during every portion of the transportation. The method of securing voting systems and equipment must be sufficient to prevent any damage to said equipment.
- 11.3. When voting systems are to be delivered and retrieved, the Board of Elections will notify the party responsible for the respective polling places that delivery is expected and the expected day of the retrieval.

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 TELEPHONE: 845-364-3820 / TELEFAX: 845-364-3809

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- 11.3.1. If a vendor has a problem delivering and/or retrieving a voting system to and/or from a designated location, the vendor is to contact the Board of Election Personnel immediately.
- 11.3.2. When billing for redelivery, the vendor must document the reason(s) for the redelivery on the redelivery log. Payment for a re-delivery of voting systems after the first unsuccessful delivery attempt must be at the rate provided on the proposal page.
- 11.3.2.1. The Board of Elections will not pay for re-delivery due to contractor error. Failure to submit a completed redelivery log to a Board of Elections–designated employee prior to reloading truck for the next shipment will result in liquidated damages of \$250.00 per occurrence. If redelivery logs are not submitted or submitted incomplete, the Board of Elections will not acknowledge that a redelivery was performed.

12. DELIVERY & RETRIEVAL OF EQUIPMENT AND VOTING BOOTHS

- 12.1. The vendor may be called upon to deliver and retrieve equipment and voting booths for a particular election or all elections for the entire county. The Vendor must perform the work involved at the Unit Prices set forth in its Bid.
- 12.2. The vendor may be required to pick up the said equipment and/or voting booths from a Board of Elections warehouse. Equipment and voting booths are to be delivered only to polling places designated by the Board of Elections. The vendor will then be required to return the equipment from the location(s) from which said equipment was picked up.
- 12.3. The voting booths will be loaded together on a separate truck that does not contain voting systems and single scanners. The truck carrying voting booths will accompany the truck containing voting systems and the basket trucks containing equipment, arriving at the delivery locations at the same time. No voting booths will be loaded on a truck containing voting systems. No single scanner will be loaded on a truck containing voting booths.
- 12.4. If equipment and/or voting booths are to be delivered and retrieved, the Board of Elections will notify the party responsible for the respective polling places including the Board of Education (when applicable), that delivery is expected and the expected day of the retrieval. If a vendor has problems delivering and/or retrieving equipment, the vendor must contact the Board of Elections immediately. When billing for redelivery, the vendor must document the reason(s) for the redelivery on the Board's redelivery log. Payment for a delivery of equipment after the first unsuccessful delivery attempt must be at half the Unit Price set forth in the Bid. If redelivery logs are not submitted or submitted incomplete, the Board of Elections will not acknowledge that a redelivery was performed.

13. DELIVERY OF VOTING SYSTEMS, EQUIPMENT, AND VOTING BOOTHS (if required) FOR PRIMARY ELECTIONS

- 13.1. Voting systems and equipment (if required) for a primary election must be delivered to the various polling places and placed where they will be used no later than 5:00 PM the day before the election. However, under circumstances specified by the Board of Elections, voting systems and equipment (if required) may be delivered on the Monday before the election. Prospective bidders must guarantee that all voting systems and equipment (if required) for a primary election will be delivered to the various polling places and placed where they will be used no later than 5:00 PM the day before the election. If there is no relevant, pending court proceeding, the voting systems

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and equipment (if required) must be released by the Board at least **four business days** before the primary election. If court proceedings are pending, the voting systems must be released at the earliest possible moment upon notification from the Board of Elections. The return of all voting systems and equipment (if required) must be completed not later than **three business days** following the day of election, unless otherwise specified.

- 13.2. The Commissioner of Elections may notify the vendor in writing that a certain district(s) **MUST** be retrieved first. The notification that a district(s) must be retrieved first must be provided to the vendor as soon as possible up to and including the full calendar day (i.e. until 11:59 PM) of the day of the election. The vendor **MUST** reroute its trucks to accommodate the Board of Elections requirements.
- 13.3. If it is determined or anticipated that a court-ordered impound will be required, the vendor must allocate a sufficient number of trucks so that the retrieval of all voting systems will be completed within one business day. The vendor will be notified by telephone, followed by mail or facsimile, that there is going to be a court-ordered impound. If the vendor does not comply with the foregoing requirement, then liquidated damages of \$250.00 per voting system will be deducted from funds owed to the vendor. The Board of Elections will deduct from any funds owed to the vendor, ALL liquidated damages and shipping damages.

14. TERMS OF PAYMENT

- 14.1. Once an award is made to a vendor, payments to the vendor by the Board of Elections must be in the amounts set forth in the Bid Sheet submitted. However, in case of an emergency where voting systems or equipment cannot be delivered in time to conduct an election due to no fault of the vendor (i.e., litigation), the Board of Elections maintains the option of utilizing another vendor who is awarded a contract under this solicitation. The secondary vendor must be paid per the rates on his bid.
- 14.2. In the event that the vendor is directed to report to a voting machine facility for the purpose of loading his vehicle with voting machines or equipment for delivery to polling places and upon his so reporting is requested to wait more than fifteen minutes until the voting machines or equipment are released, the vendor must be reimbursed for the exact amount of waiting time exceeding fifteen minutes, at a rate equal to the Unit Price set forth on the vendor's Bid Sheet. The vendor will only be paid waiting time for the minimum number of trucks. No additional amounts must be paid (or "reimbursed"), this includes any personnel located in the voting machine facility.
- 14.3. No payments will be made for work not actually performed or labor not actually furnished.
- 14.4. No work must be performed under this contract without the issuance and acceptance of an authorized Rockland County Purchase Order for the work requested.
- 14.5. Term of contract and the Unit Prices set forth in the Bid Sheet must remain the same throughout the first two-year period.
- 14.6. Due to the COVID-19 Pandemic, the mechanics of the upcoming 2020 election season and the fluidity of the current situation, the County may need additional work/services outside the scope described in this solicitation. Vendor must provide hourly rates for additional work which may be required. No work must be performed under these lines without prior written approval (Purchase Order) by the authorized representative of the Board of Elections. The County must be billed for actual work performed, travel time will not be authorized. Invoices submitted for

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payment under these lines must be itemized showing each employee, hours worked, date(s) worked, reason for additional work.

15. LIQUIDATED DAMAGES

- 15.1. In the event that the vendor through its fault or negligence must fail to perform or complete any work hereunder in accordance with this contract within the time herein prescribed or specified, the Board must deduct from any invoices submitted, the following specified amounts.
- 15.2. The sum must be \$100 per hour for each hour the vendor failed to perform or complete such work within the time prescribed, or until such work is completed by the vendor or another entity retained to perform such work.
- 15.3. If the vendor fails to submit to the Board's designated employee all documentation from the prior delivery before reloading the truck for the next delivery, the vendor must be subject to liquidated damages of \$100 per occurrence.
- 15.4. The vendor must reroute its trucks to accommodate the Board of Elections special needs to retrieve specified district(s) first. If the vendor fails to comply with the deadlines for performing such services returning voting systems from specified district(s) within required timeframes or directions of the Board to perform services within a certain timeframe, and if the Board of Elections determines that the vendor using its best effort did not comply with such deadlines for performing services or such directions, then \$100 liquidated damages per voting system affected will be deducted from funds owed to the vendor.
- 15.5. The foregoing liquidated damages are hereby agreed upon, fixed, and determined by the parties to this contract as damages which the Board of Elections will suffer by reason of the vendor's delay and default, and not as a penalty. The Board of Elections must be entitled to deduct and retain the amount of such liquidated damages out of any funds which may be due or become due to the vendor under this contract.

16. ACTUAL DAMAGE

- 16.1. In the event that the vendor through its fault or negligence must damage any voting system or equipment transported by it, and the Board of Elections obtains a written estimate for its repair by a person or firm engaged in the repair of voting systems or the Board of Elections has such voting system repaired and obtains a written bill or payment receipt therefore, the said vendor must pay to the Board of Elections the amount of said estimate, bill, or receipt. The Board of Elections must deduct and retain the amount of the estimate, bill, or receipt, out of any funds that may be due or become due to the vendor under this contract. Prior to obtaining such an estimate, the Board of Elections must apprise the vendor in writing of the fact that it damaged specified voting system(s) and that it may examine the voting system(s) at the voting system facility.
- 16.2. For a primary election, the Board of Elections must notify the vendor of any damage no later than 10 business days following the return of the last voting system to the warehouse. The vendor must have 10 business days from the date of written notification to examine the damage. The 10 business day's time frame includes examination by employees of the vendor and/or the vendor's insurance representatives. After the 20-day interval has expired, the Board of Elections may proceed with the repair or replacement of the damaged voting systems. The vendor will be liable for the cost of repairs and replacement for the voting systems.

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16.3. For a general election, the Board of Elections must notify the vendor of any damage no later than 15 business days following the return of the last voting system to the warehouse. The vendor must have 15 business days from the date of the notice to examine the damage. The 15-day time frame includes examination by employees of the vendor and/or vendor’s insurance representatives. After the 30-day interval has expired, the Board of Elections may proceed with the repair and/or replacement of said damaged voting systems. The vendor will be liable for the cost of repairs and/or replacement of the voting systems.

17. TERMINATION OF CONTRACT

17.1. The Board of Elections, as the agency charged by the Election Law with the responsibility for conducting elections, reserves the right to terminate this contract at any time upon the non-performance or unsatisfactory performance of work on the part of the vendor or if it determines it is in the best interest of the Board of Elections. In the event of such cancellation, the vendor must not be relieved from any liability he might have incurred by reason of a breach of this contract or any of this contract's terms or from reimbursing the Board of Elections for loss or expenses incurred thereby. The provisions of this paragraph must supersede any inconsistent or contrary provisions if contained elsewhere herein.

18. ORDER OF PRECEDENCE

18.1. Notwithstanding anything else to the contrary in this Invitation for Bids, in the event of a conflict between a provision(s) of these specifications and a provision(s) of any other Part of the Invitation for Bids, the provision(s) of these specifications must govern.

19. AWARD

- 19.1. This bid must be awarded to a primary vendor who is the lowest responsible bidder meeting the stated specifications and requirements.
- 19.2. A secondary vendor will be awarded to provide services as may be required under this bid when the primary is unable to provide the required service.
- 19.3. Bid prices must include costs of trucks and workers required to perform pick-up and delivery as specified.
- 19.4. Payment to a secondary vendor is based on his bid submission.
- 19.5. Do you wish to be considered as a **secondary vendor**?

YES ___ NO ___

DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION

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Paul Brennan, FNIGP, CPPO
Director of Purchasing

ADDENDUM # 01
RFB-RC-2020-087

Moving Services for the Board of Election Voting Equipment

The information in this addendum supersedes any contradictory information set forth in the contract documents. Acknowledge receipt of this addendum in the space provided on the Bid Acknowledgement Form. Failure to do so, may subject the bidder to disqualification. This addendum forms a part of the contract documents.

Please see the following revisions, clarifications, and additional information regarding the above referenced project:

- **After 6.1. add the following:**

6.1.1 Delivery of voting equipment shall be made on the Friday prior to commencement of Early Voting. Deliveries are to be made between the hours of 9:00 AM and 5:00 PM or in accordance with the schedule provided by the Board of Elections.

- **Bid Table/Proposal Page – Bid Item #11 – Remove “Early Voting”. This equipment will be delivered for each scheduled election.**
- **See attached for the Certification of Equipment Form.**

SIGNED:

Paul J. Brennan

PAUL J. BRENNAN, FNIGP, CPPO
DIRECTOR OF PURCHASING

ADDENDUM
9/18/2020