

SOUTH WINDSOR PUBLIC SCHOOLS

**1737 Main Street
South Windsor, CT 06074**

Music Instrument Purchase

BID# 2022-001

BID OPENING

Administrative Offices
1737 Main Street – Room 106
September 9, 2021 @ 9:00 a.m.

Ms. Chris M. Chemerka
Director of Finance & Operations



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LEGAL NOTICE

**SOUTH WINDSOR PUBLIC SCHOOLS
INVITATION TO BID
FOR
PURCHASE OF MUSIC INSTRUMENTS
BID # 2022-001**

Bid documents for the purchase of music instruments for South Windsor Public Schools, BID #2022-001, may be obtained at the Business Office of the Director of Finance & Operations, South Windsor Public Schools, 1737 Main Street, Room 203, South Windsor, CT or online at www.southwindsorschools.org on or after 9:00 a.m., August 19, 2021.

Sealed bids will be received at the address listed above until 8:45 a.m., Eastern Standard Time, on September 9, 2021. Thereafter, bids will be publicly opened and read aloud.

The Board reserves the rights to: amend or terminate this Invitation to Bid; accept all or any part of a bid; reject any or all bids; waive any informalities or non-material deficiencies in a bid; and award the bid to the bidder that, in its judgment, will be in the Board's best interests.

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INSTRUCTIONS TO BIDDERS

1. Right to Amend/Terminate. The Board may, before or after bid opening and in its sole discretion, clarify, modify, amend or terminate this Invitation to Bid if the Board determines it is in the best interest of the Board and/or the Town.
2. Bid Submission Instructions.
 - a. Sealed bids will be received at the Office of the Director of Finance & Operations, South Windsor Public Schools, 1737 Main Street, Room 203, South Windsor, Connecticut, 06074, until 8:45 a.m., Eastern Standard Time, on September 9, 2021. Bids received after that time will not be considered and will be returned unopened to the bidder.
 - b. All bids must be submitted in sealed envelopes, bearing on the outside, the name of the proposal for which the bid is submitted: "South Windsor Public Schools Music Instrument Purchase Bid #2022-001."
 - c. If forwarded by mail, the sealed envelope containing the bid and marked as directed above, must be enclosed in another envelope, addressed as specified.
 - d. Bids are to be submitted in duplicate on the bid forms provided. No bid will be accepted as valid unless bid forms, as provided to all bidders, are properly and completely executed. The bid forms must be completed with a bid price for any or all of the options presented therein, except as otherwise expressly provided herein.
 - e. All bids must be signed by the bidder or, if the bidder is a corporation, by an individual with authority to bind the corporation or entity.
 - f. Bids may be withdrawn personally or in writing provided that the Board receives the withdrawal prior to the time and date fixed for the opening. Bids are considered valid, and cannot be withdrawn for ninety (90) calendar days after the bid opening.
 - g. Before submitting a bid, each bidder must make a careful study of the Bid and be fully assured as to the quality and type of product/service required.
 - h. The submission of a bid will serve as conclusive evidence that the bidder has satisfied itself as to all requirements outlined in the bid documents and to all conditions concerning the work of the contract and the execution of any contract which may ensue.
 - i. The bid will cover all contingencies, including all labor and materials, transportation and fuel, and subsequent meetings with district personnel or agents.
 - j. Bidders are to address all aspects of the Bid Documents as they will become an integral part of the contract that the Board enters into with the selected contractor.

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3. Questions and Amendments. Any questions regarding the bid, including the process and procedures and specifications, are to be submitted in writing to:

Lindsay Sloan, Business Office Assistant
lsloan@swindsor.k12.ct.us

The representative listed above must receive any questions no later than September 1, 2021. The Board will answer all pertinent written questions by issuing an addendum, which shall become a part of the Invitation to Bid and the resulting Contract, containing all pertinent questions received as provided above and decisions regarding same. Such addenda will be issued to all prospective bidders known to have obtained a copy of the Bid Documents at least four (4) days prior to the bid opening date. Each bidder is responsible for confirming with the Board whether any addenda have been issued, and if so, obtaining a copy of such addenda and completing its Bid in accordance with the Bid Documents modified by any such addenda.

No oral statement of the Board or the Town, including oral statements by the representative listed above, shall be effective to waive, change, or otherwise modify any provision of the Bid Documents, and no bidder or prospective bidder shall rely on any alleged oral statement.

4. Additional Information. The Board reserves the right, either before or after the opening of bids, to ask any bidder to clarify its bid or submit additional information that the Board in its sole discretion deems desirable.
5. Costs for Preparing Bid. Each bidder's cost incurred in developing its bid are solely its responsibility, and the Board shall have no liability for such costs.
6. Ownership of Bids. All bids submitted become the property of the Board and will not be returned to bidders.
7. Freedom of Information Act. All information submitted in a bid or in response to a request for additional information is subject to disclosure under the Connecticut Freedom of Information Act as amended and judicially interpreted. A bidder's responses may contain financial, trade secret or other data that it claims should not be public (the "Confidential Information"). A bidder must identify specifically the pages and portions of its proposal that contain the claimed Confidential Information by visibly marking all such pages and portions. Provided that the bidder cooperates with the Board as described below, the Board shall, to the extent permitted by law, protect from unauthorized use and disclosure of identified Confidential Information.

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If the Board receives a request for a bidder's Confidential Information, it shall immediately notify the bidder in writing of such request and provide the bidder with a copy of any written disclosure request. The bidder may provide written consent to the disclosure, or may object to the disclosure of said information by notifying the Board in writing to withhold disclosure of said information, identifying in such notice the basis for such objection, including the statutory exemption(s) from disclosure. The bidder shall be responsible for defending any complaint brought in connection with the nondisclosure, including but not only appearing before the Freedom of Information Commission, and providing witnesses and documents as appropriate.

8. Noncollusion. By submitting a bid, each bidder, and each person signing on behalf of any bidder, certifies under penalty of perjury that, to the best of his/her knowledge and belief, the prices in this bid have been arrived at independently, without collusion, consultation, communication, or agreement with any other bidder or competitor, and further, that the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or competitor.
9. Contract Award/Execution.
 - a. All bids will be publicly opened and read aloud on the date, time, and at the place identified in the Legal Notice. Bidders may be present at the opening.
 - b. The Board may elect to award the contract to other than the lowest bidder if it is judged to be in the best interest of the Board and/or the Town. Criteria which could be applied in the determination would include, but not be limited to, financial responsibility, service, performance on contracts, experience and timeframe for receipt of purchase.
 - c. The Board reserves the following rights: (a) to reject any and all bids, in whole or in part, and, in particular, to reject any bid not containing the required bid security or data required by the Bid documents (b) to increase and decrease quantities, (c) to make partial awards, (d) to waive any irregularity, (e) to award or reject a bid on the basis of previous performance, reputation or experience, (f) to accept the one that will be in the best interest of the district.
 - d. No bid will be accepted, nor contract awarded, to any vendor whose performance on any previous contract with this or any other school district has been determined to be unsatisfactory. The Board of Education reserves the right to be the sole judge in this decision.
 - e. Within twenty (20) calendar days following the award of the bid, the successful bidder will enter into a written contract with the Board, and will, at that time, provide copies of all policies of insurance required hereunder, if applicable. No contract will be signed until copies of all policies of insurance required hereunder are delivered to the South Windsor Board of Education.
 - f. The Board agrees to authorize payment for all invoices received within 45 days following the receipt and acceptance of shipments by the school system. This will be a lease purchase

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transaction, thereby causing the purchase order to be generated and invoices paid by the leasing company.

- g. No contract will exist unless and until a written contract is executed by both the Board and the vendor. Accordingly, no bidder can claim any contract rights by virtue of submitting a bid, including the lowest bid, or the receipt of a notice of award.
- h. The Board reserves the right to cancel items after 60 days of the purchase order date if the Vendor has not made complete deliveries to the school system.
- i. More than one bid from an individual, firm, partnership, corporation or association under the same or different names will not be considered. Reasonable grounds for believing that any bidder is interested in more than one bid for supplying music instruments will result in the rejection of any and all bids in which such bidder is interested. Any or all bids may be rejected if there is reason to believe that collusion exists among bidders and no participants in such collusion will be considered in future bids.
- j. The Board will not enter into any contract for purchasing with any person, agency, or organization if it has knowledge that such person, agency, or organization discriminates on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability, pregnancy, genetic information or gender identity or expression, either in employment practices or in the provision of benefits or services to students or employees.

10. Other Requirements.

- a. The bidder will be bound by all applicable statutory provisions of law of the federal government, the State of Connecticut, and the Town of South Windsor, with all requirements of the State Board of Education or the South Windsor Board of Education.
- b. Bidders will not include federal excise taxes nor state sales taxes from which South Windsor Public Schools are exempt.
- c. The Vendor shall not sublet, sell, transfer, assign or otherwise dispose of contract or any portion thereof or of his/her right, title or interest therein, or of his obligations there under, without consent of the Board.
- d. Any intentional misrepresentation may cause disqualification of the bid.
- e. The final executed contract can be modified, if and only, when written consent is given and provided by both parties.

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INDEMNIFICATION/INSURANCE

The Vendor will, at all times, hold harmless and indemnify, the Town of South Windsor, the Board of Education, and employees and elected officials from and against any and all liability, damages, loss claims, accidents, costs, expenses, including attorney's fees, occasioned by or rising out of the Vendor's operations, activities or omissions, or those of its employees and agents in furnishing the services provided herein.

If applicable, the Vendor will maintain in full force and effect during the term of the contract, inclusive of warranty period, a policy of insurance covering the Vendor and all property owned and maintained, or used, by the Vendor. Such policy shall name the Town of South Windsor and the South Windsor Board of Education, and their agents, as additional insureds. Such policy shall be primary and noncontributory to any valid and collectible insurance carried separately by the Town or the Board. Such policy shall cover liability for personal injury and property damage or loss. Vendor's insurance policies shall be written on an occurrence basis and shall specifically insure against the contractual liability the vendor assumed under the contract, including, without limitation, the vendor's obligation to indemnify the Town and the Board. Vendor's insurance policies shall provide for not less than 30 days prior written notice to the Board by registered or certified mail of any cancellation, restrictive amendment, non-renewal or change in coverage. The minimum general aggregate policy limit is \$1,000,000 for all damages to life and property that may occur due to the Vendor's negligence or that of the Vendor's employees or consultants during the period of the contract.

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OTHER PROVISIONS

1. The Vendor shall not assign or otherwise dispose of their right, title or interest, or their power to execute such contract to any other person, firm or corporation.
2. All items in these bid specifications and agreed to by the acceptance of the Vendor's bid are considered incorporated into a contract as if fully set forth therein.
3. Failure to adhere to and comply with the conditions of the bid and the contract will subject the contract to cancellation.
4. In the event of termination as a result of breach by the vendor, no further payment under the contract shall be required. In the event of cancellation of the contract and the necessity to bid or otherwise negotiate a new contract for music instruments with another company, the original company will be responsible for indemnifying the South Windsor Board of Education for costs incurred in obtaining a new contract, and additional costs associated with such.
5. South Windsor Public Schools reserves the right to terminate this agreement or any other agreement with the Vendor if any of the conditions listed below exist. This list is not all inclusive.
 - a. The Vendor is unable or refuses to fulfill the terms and conditions of the Agreement.
 - b. The Vendor repeatedly breaches the terms and conditions of the Agreement.
 - c. The Vendor becomes insolvent, makes an assignment for the benefit of creditors or is undergoing a voluntary or involuntary petition for bankruptcy.
 - d. The Vendor subcontracts, assigns, transfers, conveys or otherwise disposes of its obligations under this Agreement other than as provided in this Agreement.

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AFFIRMATIVE ACTION

SOUTH WINDSOR PUBLIC SCHOOLS
1737 Main Street
South Windsor, CT 06074

TO: All Contractors

FROM: Chris M. Chemerka, Director of Finance & Operations

SUBJECT: Affirmative Action

The South Windsor Public Schools is an Equal Opportunity Employer. The Board of Education has made it a matter of policy that it will not transact business with firms, which are not in compliance with all Federal and State Statutes and Executive Orders pertaining to non-discrimination.

A copy of the Board of Education Affirmative Action Statement is printed on the bottom of this letter.

In order to have your firm listed on our acceptable vendor list and thereby be eligible for consideration as a source for goods and services, please complete and return the following Statement of Policy with your bid response.

STATEMENT OF POLICY

It is the employment policy of _____ that there will be no discrimination against anyone on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, ancestry, disability, pregnancy, genetic information, or gender identity or expression, or other protected class status under applicable law in establishing and implementing hiring and employment practices.

In addition, this form is in full compliance with the letter and intent of the various Equal Employment Opportunities and Civil Rights Statutes noted above.

Date

Signed (Name/Title of Company Officer)

Telephone #

Street Address

Fax #

City/State

Due no later than 8:45 a.m. on September 9, 2021.

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BID FORM

ALL BIDS WILL BE ON BID FORMS AND SUBMITTED IN DUPLICATE

VENDOR NAME: _____

STREET ADDRESS: _____

TELEPHONE NUMBER: _____

The undersigned, having carefully examined the bid documents and being familiar with the music instrument conditions under which the work is to be performed, hereby offers and agrees as follows:

**TO PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, TRAINING AND
ALL ELSE NECESSARY TO PROPERLY COMPLETE THE WORK IN
ACCORDANCE WITH THE BID SPECIFICATIONS FOR THE
FURNISHING OF MUSIC INSTRUMENTS FOR STUDENTS OF THE
SOUTH WINDSOR PUBLIC SCHOOLS**

VENDOR SIGNATURE: _____

DATE SIGNED: _____

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Submission Instructions

This is a composite bid and prices quoted should be based on the understanding that deliveries will be made to both South Windsor High School and Timothy Edwards Middle School. The vendor shall be responsible for indicating its shipping charge policy, such as “no shipping charges on orders over \$300.”

Whenever a particular brand of an item is shown or specified, such items shall be regarded as the exact instrument and comply to the statements listed below:

1. All instruments must be certified new.
2. All instruments must be inspected by a certified repair technician, as well as play tested by an employee of the selected Vendor.
3. All instruments must be hand-delivered, assembled and installed at either South Windsor High School or Timothy Edwards Middle School by an employee of the selected Vendor. For terms of this agreement, “installed” shall be defined as having the instrument in playing condition and useable on arrival.
4. All items of purchase (material, equipment, construction methods and services) shall conform to the provisions of the State of Connecticut Occupational Safety and Health Act or they shall be returned, at the expense of the Vendor, for a full refund of the actual purchase price.

Documents Required

1. Completed bid forms, including Affirmative Action statement of policy.
2. A proposed schedule for the testing of all new equipment.
3. A proposed schedule for the delivery of all new equipment to their respective schools.
4. Repair charges must be clearly stated, as well as the turnaround time for such repairs.
5. Date of delivery must be clearly stated on the bid form for any instruments on backorder.
6. The bidder shall furnish a certificate of insurance per requirements as stated on page 7.
7. Statement regarding any and all warrantee policies for the instruments. Delivery date and pickup of instruments and loaners are required on the bid form.
8. Statement regarding policy for non-warranted service, delivery and pickup of instruments and loaners is required on the bid form.

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Instrument	Model #	Qty	Unit Price	Total	Delivery Date
Eastman ¾ Upright Bass Outfit	VB-1055BC	3	\$	\$	
Eastman 4/4 Cello Outfit	VC-200SBC	6	\$	\$	
Yamaha Intermediate Euphonium	YEP321	3	\$	\$	
Conn Artist Series: Double French Horn	6D	4	\$	\$	
Fox Renard-Renard Series Bassoon	222	2	\$	\$	
OVERALL TOTAL	\$				

All bidders have the right to bid on any or all instruments. Instruments bid on must be for the quantity requested in the bid. All items not bid on should state N/A. It is preferred that the purchase of all instruments be supplied by one vendor. The right is reserved to reject any or all bids either by the item, or the total items indicated; the right is reserved to waive any informality in any bid.

South Windsor Public Schools would also like to make the same pricing structures available to other area Board of Educations and/or municipalities. Bidders shall indicate whether they shall extend pricing. Inclusion is not mandatory and will have no bearing on the contract award.

1. **Agree** to extend to other CT BOEs/Municipalities _____
2. **Do not agree** to extend prices to other CT BOEs/Municipalities _____

BID FORM

(Continued)

1. **Statement regarding warrantee policy for instrument service, delivery and pickup of instruments and loaners:**

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2. Statement regarding policy for non-warranted service, delivery and pickup of instruments and loaners:

BID FORM

(Continued)

Bidder Company Name: _____

Address: _____

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City, State, Zip: _____

Telephone: _____ **Fax** _____

I certify that no official or employee of the Town of South Windsor, Connecticut or the South Windsor Board of Education is peculiarly interested in this bid or in the contract which the bidder offers to execute, or in expected profits to arise from such, and that the bid is made in good faith without fraud or collusion or connection with any other person or organizations submitting a bid.

I have read and accept the terms of this bid.

Authorized Signature: _____

Name and Title: _____

Date: _____

Email: _____

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APPENDIX A
CONTRACT ACCEPTANCE

In accordance with South Windsor Public School's Music Instrument Purchase Bid# 2022-001, document specifications set forth in the bid, and bid submission contents from _____; Appendix A will serve as the contract acceptance between both South Windsor Public Schools and _____. By signing Appendix A, both parties agree to the terms and submissions set forth in Bid #2022-001 and will serve as the executed contract.

SOUTH WINDSOR PUBLIC SCHOOLS

Signed by: _____

Title: _____

Acceptance Date: _____

VENDOR: _____

Signed by: _____

Title: _____

Acceptance Date: _____

