

**NOTICE OF SALE  
SCALE, BALERS, CONVEYOR, METAL  
BID FORM / NON-COLLUSION CERTIFICATE  
TERMS OF SALE  
INSURANCE SPECIFICATIONS**

**NOTICE OF SALE**

The Dutchess County Resource Recovery Agency (“Agency”) will receive sealed bids for a 2009 10’ x 60’ Emery Winslow H84 10060-10TA in-ground truck scale and electronic peripherals, a Marathon TR-10/50 Baler with conveyor, an Excel 2R63RH Baler, and remnants of a hand sorting recycling line/metals including feed conveyor. Bid forms must be received by the Agency at 96 Sand Dock Road, Poughkeepsie, New York 12601 by 3:00 p.m. on March 14, 2013, at which time they will be opened and read. The items will be available for inspection from 1:00 p.m. to 2:00 p.m. on March 7, 2013, at 51A Fulton Street, Poughkeepsie, New York. Bidders must submit a 10% bid and removal deposit with their bid form and a non-collusion certificate. The successful bidder(s) will be chosen at the Agency’s March 21, 2013 board meeting and all items must be removed by March 29, 2013. The successful scale bidder must also refill the scale area with clean fill. The successful bidder(s) must show liability and compensation insurance before removal. See below for a bid and non-collusion certificate form, insurance, deposit and other terms of sale. For information call Ms. Denise Walsh at 845-463-6021.

**[CLICK HERE FOR PRINTABLE BID FORM / NON-COLLUSION CERTIFICATE](#)**

**TERMS OF SALE**

Agency Options: The Agency may reject all bids, waive any informality, and accept a conforming bid from a responsible bidder whose bid is most advantageous to the Agency, price and other factors considered.

Bid/Non-Collusion Form: See the Bid Form and Non-Collusion certificate above.

Bid/Removal Deposit: A 10% deposit (bank, certified check, money order) payable to the Dutchess County Resource Recovery Agency must accompany each bid as security for each bidder’s performance.

Condition: The successful bidder will take title to the items in “as is/where is” condition on the bid date, subject to ordinary wear and tear, without warranty or representation of any kind.

Inspection: The items will be available for inspection on March 7, 2013, from 1:00 p.m. to 2:00 p.m., at 51A Fulton Street, at which time the operation of the scale will be demonstrated.

Insurance: Before removal begins the successful bidder must produce proof of insurance consistent with the below specifications.

Payment: Payment of the full bid price in good funds, without deduction for the 10% deposit, is due before removal is commenced. The successful bidder's deposit and will be returned and the bill of sale delivered after proper removal and the deduction of any damages from the deposit.

Removal: All items must be removed by March 29, 2013. The successful scale bidder must also refill the scale area with clean compacted fill.

## **INSURANCE REQUIREMENT.**

Before commencing removal, the successful bidder(s) must deliver to the Agency the following policies of insurance:

(i) Workers' Compensation and Employers Liability: All statutory limits as required by New York State shall be met including Employers Liability with a minimum of bodily injury by accident of \$100,000 each accident; bodily injury by disease, \$500,000 policy limit and \$100,000 each employee.

(ii) Disability Benefits: All statutory limits as required by New York State law shall be met. If the successful bidder claims an exemption from either Workers' Compensation and/or Disability Benefits insurance, it must complete NYS Workers Compensation Board form CE-200 and provide the Agency with a Certificate of Attestation of Exemption.

(iii) Comprehensive General Liability Insurance on an occurrence form with a minimum limit of liability of \$1,000,000 per occurrence and \$3,000,000 General Aggregate; Products/Completed Operations aggregate of \$3,000,000; Personal injury aggregate of \$1,000,000 all naming the Dutchess County Resource Recovery Agency and the County of Dutchess as additional insureds. The additional insured endorsement page(s) must be provided along with the certificate of insurance.

(iv) Automobile Liability Insurance with a minimum combined single limit of liability of \$750,000 per occurrence for bodily injury and property damage and including the MCS-90 endorsement and naming the Dutchess County Resource Recovery Agency and the County of Dutchess as additional insureds. The additional insureds endorsement page(s) must be provided along with the certificate of insurance. This insurance shall include for bodily injury and property damage the following coverages:

- (i) Owned automobiles
- (ii) Hired automobiles
- (iii) Non-owned automobiles.

(B). All policies and certificates of insurance of the successful Bidder shall contain the following clauses:

(i) Insurers shall have no right of subrogation against the Dutchess County Resource Recovery Agency or the County of Dutchess including their employees and other agents and agencies, it being the intention of the parties that the insurance policies required hereunder shall protect both parties and be primary and non contributory coverage for any and all losses covered by the above-described insurance.

(ii) The insurance companies issuing the policy or policies shall have no recourse against the Dutchess County Resource Recovery Agency or the County of Dutchess including their employees, agents and agencies as aforesaid, for payment of any premiums or for assessments under any form of policy.

(iii) All deductibles in the above described insurance policies shall be approved by the Dutchess County Resource Recovery Agency and shall be assumed by and be for the account of, and at the sole risk of the successful Bidder.

(C) Successful Bidder shall obtain all required insurance from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better, and shall provide evidence of such insurance to the Agency. The policies or certifications thereof shall be approved by the Agency prior to the commencement of removal by the successful Bidder and shall provide that 30 days prior to cancellation, non-renewal or material change in the policy, notice of same shall be given to the Agency by registered mail, return receipt requested, for all of the required insurance policies. Renewal certificates shall be provided to the Agency not less than 30 days prior to the policy renewal date. All notices shall name the successful Bidder.

Failure of the successful Bidder to take out or maintain, or the taking out or maintenance of any required insurance, shall not relieve it from any liability, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the successful Bidder concerning indemnification.