

TO: Legal Advertising, Times Herald Record

FROM: Desiree Potvin, Town Clerk - Account #500094001

DATE: February 18, 2022

Kindly publish the following in your next available issue. Thank you.

**NOTICE TO BIDDERS  
TOWN OF WOODBURY  
PARKS CONCESSION VENDING BID**

**NOTICE IS HEREBY GIVEN** that the Town of Woodbury invites sealed bids for the vending concession machines at two park locations. Specifications are available at the Town Clerk's Office, 615 Route 32, Lower Level, Highland Mills, New York, on our website [www.townofwoodbury.com](http://www.townofwoodbury.com) or by calling 845-928-6829 x7.

Bids must be in a sealed envelope marked "Vending Machine Concession" and contain all documentation as listed in the specifications. Bids must be received, either by mail or delivered, by the Town Clerk at the above address prior to 10AM on April 1, 2022, at which time they will be publicly opened.

The Town of Woodbury reserves the right to reject any and all bids.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF WOODBURY  
DESIREE POTVIN, TOWN CLERK

**Town of Woodbury  
Snack/Soda/Ice Cream Vending Bid  
Specifications**

**Duration of Bid:** May 1, 2022 – April 30, 2025

**Scope of Services:** Place vending machines at Earls Reservoir and CV Pool with no rental or lease charges to the Town of Woodbury. Machines are to be stocked with a minimum of ten different products on an as-needed basis (**not less than twice per week**). Maintain all machines in good working order, count all monies deposited in the machines, and provide an itemized monthly recap of gross sales along with a corresponding commission statement and commission check.

**Products:** Each machine must offer a variety of snacks, soda and ice cream.

**Location of Machines:**

	<u># of Machines</u>
Earls Reservoir, Schunnemunk Road, Highland Mills	3
Central Valley Pond, Dunderberg Road, Central Valley	at least 3

**Vending Machine Requirements:** Machines must be in new or like new condition, state of the art. All units with the exception of single or dual hopper currency changers must have multi drop bus (MDB) coin acceptors and MDB bill acceptors. All units must be able to accept current \$1.00, \$5.00, \$10.00 and \$20.00 bills. All units offered must be Underwriters Laboratories (UL) listed.

**Vendor:** Must have a minimum of two (2) full years' experience in Snack Vending using the fully automated, robotic vending machine as required by these specifications. Upon request, vendor must provide letters of positive references with regards to snack vending.

**Inspection of Premises:** On March 16, 2022, a representative from the Town will be available to provide interested bidders with the opportunity to inspect the sites completely prior to submitting bids in order to determine all requirements associated with the contract. Failure to inspect adequately shall not relieve the Contractor from the necessity of furnishing and installing, without additional cost to the Town of Woodbury, any materials and equipment or performing any labor that may be required to carry out the intent of the contract. Inspections will occur as follows:

Earls Reservoir	9AM – 10AM
CV Pool	10:30AM – 11:30AM

**Bid Preparation Costs:** The costs for developing and delivering responses to this RFP are entirely the responsibility of the bidder. The Town of Woodbury is not liable for any expense incurred by the bidder in the preparation and presentation of their bid or any other costs incurred by the bidder prior to execution of a purchase order or contract.

**Cancellation of RFP:** If the Town Board determines that it is in best interest of the Town of Woodbury, they reserve the right to do any of the following:

- Cancel this RFP
- Modify this RFP in writing as needed

- Reject any or all proposals received in response to this RFP

**Taxes:** The Town of Woodbury is exempt from all federal excise, state and local taxes unless otherwise stated in this document. In the event taxes are imposed on the services purchased, the Town of Woodbury will not be responsible for payment of the taxes. The Contractor shall absorb the taxes entirely.

**Evaluation:** In evaluating the bids submitted, the Town Board will apply the “Best Value” standard in selecting the Contractor to be awarded a contract for this project. Purchase price is not the only criteria that will be used in the evaluation process. Any award resulting from this bid will be made to that Contractor whose offer conforms to the bid and it is determined to be the most advantageous, or “best value” to the Town of Woodbury, in the sole judgment of the Town Board. The selection process will include, but not be limited to, the following considerations:

- 1) The quality and range of products and services the firm proposes to provide.
- 2) The ability to provide product and service in an expedient and efficient manner.
- 3) The firm’s overall experience, reputation, expertise, stability, and financial responsibility.
- 4) The experience and qualifications of the staff that will be assigned to the account.
- 5) The provider’s ability to assist the Town of Woodbury in meeting the overall goals of bid.
- 6) The bidder’s past relationship with the Town of Woodbury, if any.
- 7) Any other relevant factor that a business entity would consider in selecting a Contractor.

**Award of Contract** The Town Board reserves the right to reject any or all prices or bids submitted, waive irregularities and to accept that bid which is considered to be in the best interest of the Town of Woodbury. Any such decision shall be considered final and not subject to recourse. Unless we are advised to the contrary, it is understood that the bid has been submitted in strict accordance with specifications. Any exceptions and explanations regarding the items listed should be delivered with the bid. Submit complete specifications for any substitute offered. The successful and unsuccessful bidders will be notified of the successful bidder, following the Town Board meeting where the bid is awarded. The Contractor may not assign, sell, or otherwise transfer its interest in the contract award or any part thereof without written permission from the Town Board. We reserve the right to make moderate quantity alterations to conform to budget limitations.

**Commissions:** Commissions are to be paid quarterly in four (4) installments. If payments are not made in a timely manner, the Town Board reserves the right to terminate the contract.

**Termination of Contract:** The Town Board may terminate this Agreement at any time, in whole or in part, with or without cause, upon 90 days written notice to Contractor. If this Agreement is terminated for cause, the Contractor shall be liable to the Town of Woodbury for any increase in project cost incurred by the Town of Woodbury in completing the work. In the event this Agreement is terminated for convenience, Contractor shall be compensated for work properly rendered through the date of termination, as can be documented to the reasonable satisfaction of the Town Board. The Town of Woodbury shall have no liability to Contractor beyond the date of termination. In no event shall Contractor be compensated for anticipated profit or lost opportunity. The Contractor shall

complete all of its obligations and responsibilities under the terms of this proposal including, but not limited to, payment of all amounts owing for commissions through the end of the term.

**Audit Provisions:** All machines must be equipped with non-resettable sales and cash meters. The Town Board must have the ability to audit the machines.

**Refunds:** Vendor is responsible for all refunds. Vendor must have a workable refund system in place for refunding monies which may be lost due to malfunction of the machine or related problems.

**Maintenance, Repairs, and Parts:** All repairs, including parts shall be the full responsibility of the vendor. All service calls shall be answered within four hours of receipt, or prior to the opening of each parks the following day. The Town of Woodbury is not responsible for damage or theft to any machine.

**Public Liability and Property Damage:** The successful bidder shall furnish a certificate of insurance from his insurance carrier showing that he is properly covered against public liability and property damage and that the Board shall be named as an additional interest insured on said certificate during the term of the contract for the amount of one million (\$1,000,000.00) dollars.

**Products:** Vendor shall provide a list of their top twenty products and the suggested retail pricing to be used in the vending machine (see attached form). A nutritional analysis of products shall be provided upon request. Products may be added or deleted as necessary over the term of the contract. Vendor must be responsible for product inventories in the machine.

**Vend Pricing:** All vend prices quoted and accepted pursuant to this award may not be raised during the first year of the award. Second and third year pricing may not increase without prior approval of the Parks Commission.

**Hours of Operations:** All snack vending machines shall be made accessible to the public 24 hours a day, seven days a week.

**Statements:** Vendor must supply an itemized statement of dollar sales (showing each delivery) by machine, along with that month's corresponding starting and ending meter readings each month. The commission checks must accompany the monthly statements and must be paid to the Town of Woodbury by the 15<sup>th</sup> day of the following month.

**Term of Contract:** The award shall be for three years. Under no circumstances, shall subcontracting of any part of this contract be allowed.

**Award of Contract:** Award will be made in favor of the vendor that provides the best combination of selling price and commission rates, provided all other terms and conditions of the bid have been satisfactorily addressed and complied with.

**Town of Woodbury  
Snack/Soda/Ice Cream Vending Bid  
May 1, 2022 – April 30, 2025**

**Company:** \_\_\_\_\_

**Commission Rate:** \_\_\_\_\_%

Products (minimum of 20)	Selling price

PLEASE MAKE COPIES OF THIS PAGE IF ADDITIONAL SPACE IS NEEDED.