



**JACKIE CINQUEMANI**  
PURCHASING AGENT

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## NOTICE TO PROPOSERS

The Board of Cooperative Educational Services, Rockland County, popularly known as Rockland BOCES, in cooperation with its component school districts (in accordance with Section 104b of Article 5-A of the General Municipal Law), hereby invites the submission of sealed proposals for the following:

### DRINKING WATER SAMPLE ANALYSIS - RFP #2023-24-13

Proposals will be received until Wednesday, May 31, 2023 at 11:00 AM by the PURCHASING OFFICE at:  
PURCHASING DEPARTMENT – BLDG. #4  
Rockland County Board of Cooperative Educational Services (BOCES)  
65 Parrott Road  
West Nyack, NY 10994-0607

at which time and place all proposals will be opened at 11:00 AM on the above date. In the event that Rockland BOCES Purchasing Office is closed the day of the RFP Opening, the RFP(s) will be opened at the same time, on the next day that Rockland BOCES Purchasing Office is open. Conditions, Specifications, Forms and instructions for submitting proposals may be downloaded from our website at <http://www.rocklandboces.org> or from the Purchasing Office. Vendors are requested to carefully review the instructions contained therein.

ROCKLAND BOCES IS NOT RESPONSIBLE FOR PROPOSALS OPENED PRIOR TO THE PROPOSAL OPENING IF PROPOSAL NUMBER AND OPENING DATE DO NOT APPEAR ON THE OUTSIDE OF THE ENVELOPE. PROPOSALS OPENED PRIOR TO THE DATE AND TIME INDICATED ARE INVALID.

THE PROPOSER ASSUMES THE RISK OF ANY DELAY IN THE MAIL OR IN THE HANDLING OF THE MAIL BY EMPLOYEES OF ROCKLAND BOCES, AS WELL AS IMPROPER HAND DELIVERY. Please refer to the General Information/Conditions for details.

The Rockland County Board of Cooperative Educational Services reserves the right to waive any informalities in the proposals, or to reject all proposals, or to accept any proposal which in the opinion of the Board will be to their best interest.

Board of Cooperative Educational Services  
Sole Supervisory District  
65 Parrott Road  
West Nyack, NY 10994-0607

By: Jackie Cinquemani, Purchasing Agent



**Rockland Board of Cooperative Educational Services  
(a/k/a Rockland BOCES) and its component school districts**

**REQUEST FOR PROPOSAL**

**for**

**DRINKING WATER SAMPLE ANALYSIS**

**RFP #2023-24-13**

**Rockland BOCES  
65 Parrott Road  
West Nyack, NY 10994**

**May 15, 2023**

**A. Statement of Purpose:**

The Rockland Board of Cooperative Educational Services (BOCES) and its component school districts are seeking Request for Proposals (RFP) from New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) qualified laboratories for the analysis of lead in drinking water for school drinking water samples collected in accordance with Subpart 67-4 of Title 10 of the New York Codes, Rules and Regulations.

**B. Time Line:**

Release of RFP Specifications	→	May 15, 2023
RFP Proposal Due	→	May 31, 2023
Notification of Award (BOE Approval)	→	June 2023
Effective Date of Award	→	June 2023

**C. Questions Concerning the RFP:**

From the issue date until the selection of the successful applicant, all contacts with BOCES personnel concerning the contents of this RFP must be through Ms. Jackie Cinquemani, Purchasing Agent. To the extent possible **each question should be submitted in writing**, citing a particular RFP section, prior to any formal conference with interested applicants. Answers to all questions of a substantive nature will be addressed in writing. Copies of questions and answers will be provided to all participants.

**D. Oral Presentation:**

The BOCES and its component school districts reserve the right to require all applicants, under final consideration, to make oral presentations regarding their RFP.

**E. Addendum to RFP:**

The BOCES and its component school districts reserve the right to amend the RFP. If it becomes necessary to revise any part of the RFP, an addendum will be provided to all prospective applicants who received the RFP. It is the responsibility of the applicants to ensure that they have responded to all addendums before submission of the RFP.

**F. Incurred Costs:**

The BOCES and its component school districts are not liable for any cost incurred by prospective applicants or applicants submitting proposals.

**G. Submission of Proposal:**

The following are general requirements to which applicants must adhere in response to the RFP:

1. Proposals are to be sent showing the following information on the outside and shall be mailed or hand delivered to the following address:

<p>Rockland BOCES – Purchasing Department 65 Parrott Road – Bldg #4 West Nyack, NY 10994</p> <p><b><i>RFP #2023-24-13 – DRINKING WATER SAMPLE ANALYSIS</i></b></p>
--

Please be sure your return address is shown on the outside of the envelope.

2. RFP's must be **received** by BOCES on or before 11:00 A.M. on Wednesday, May 31, 2023. **Proposals received after this time will NOT be accepted.**
3. In the event that Rockland BOCES Purchasing Office is closed the day of the RFP Opening, the RFP(s) will be opened at the same time, on the next day that Rockland BOCES Purchasing Office is open.
4. To facilitate the evaluation process, the applicant is required to submit five (5) copies of the proposal.

**H. Request for Supplemental Information:**

During the evaluation period the BOCES reserves the right, where it may serve the BOCES' best interest, applicants may be requested to present supplemental information clarifying their proposal, or to allow corrections of errors or omissions. This information must be submitted in writing and will be included as a formal part of the applicant's proposal.

**I. Notification of Award:**

Following the notification of the selected laboratory, a contract will be executed between the parties as soon as possible thereafter.

**J. Contract Terms:**

These specifications will become part of any "contract" forms that may be required and will take precedence over any other terms or conditions submitted by the bidder. Any agreement resulting from this RFP shall be governed by and construed under the laws of the State of New York.

**K. Indemnification:**

Each party hereby agrees to indemnify, defend and hold harmless the other party from all suits, claims and the liability for injury or damage to persons or property resulting from or arising out of any activity conducted by either the respective parties or their agents, employees, invitees or designees except for injuries or damage caused or contributed to by the acts, omissions or negligence of the other party.

**L. Payment for Services:**

Progress payments will be made on the basis work completed during the course of the engagement.

**M. Term of Engagement:**

A one (1) year contract is contemplated, subject to the annual review and recommendation of the BOCES, the satisfactory negotiation of terms, the annual availability of appropriation, and annual approval by the Rockland BOCES Board of Education.

The agreement may be extended to a 2<sup>nd</sup> and 3<sup>rd</sup> year engagement, upon mutual consent of both parties.

The Drinking Water Sample Analysis laboratory, as well as the BOCES shall have the option to cancel the engagement for the current school year, provided that thirty days notice is given to the other party or at the pleasure of the Board of Education.

**N. Subcontracting:**

No subcontracting will be allowed without the express prior written consent of the BOCES.

**O. Scope of Work to be Performed:**

- The laboratory shall be NYSDOH ELAP certified to analyze Lead in Drinking Water samples using ICP-MS technology via EPA method 200.8.
- The laboratory will provide wide mouth 250 mL plastic containers with nitric acid preservative.
- All sampling analysis must be performed in house (not subcontracted) by the laboratory.
- The laboratory will provide turnaround time options for analysis and reports.
- The laboratory will provide details on how reports will be transmitted or accessed (via email, secure portal, etc.).
- An electronic excel summary sheet of all results shall be provided by the laboratory.
- The laboratory will provide options and pricing on how samples will be transported to the laboratory adhering to the documented chain of custody.
- The price will be inclusive of any other fees, e.g. insurance, reports written/generated, transmission and accessing of reports.
- The reporting of the results to NYS on the Portal will be the responsibility of each school district.

**School District Historical data on sampling as follows:**

<b>School District</b>	<b>Samples</b>
Clarkstown CSD	700 samples
East Ramapo	831 samples
Nanuet	275 samples
North Rockland	638 samples
Nyack	220 samples
Pearl River	288 samples
Rockland BOCES	190 samples
South Orangetown	238 samples
Suffern	604 samples
Total estimated samples = 3,984	

- The above samples are estimates based on 2021-2022 data.
- Award is expected to be made to one contractor.
- Contractor will respond based on the above estimates, but this is not a guarantee that each district will contract for sampling and testing.

Price per sample for analysis with turnaround time options.

Price per sample: \_\_\_\_\_ Turnaround Time: \_\_\_\_\_

Price per sample: \_\_\_\_\_ Turnaround Time: \_\_\_\_\_

Company Name \_\_\_\_\_

Printed Name \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**P. Evaluation of Proposals**

- 1.** The BOCES and its component school districts reserve the right to:
  - Reject any and all proposals received in response to this RFP.
  - Select a proposal other than the proposal offering the lowest fee.
  - Waive or modify irregularities in proposals received, after prior notification to the applicant.
  - Negotiate with any applicant whose proposal is within the competitive range.
  
- 2.** Fees – will be structured as follows:
  - Price per sample for analysis with turnaround time options.
  
- 3.** The Steering Committee will evaluate each proposal submitted for the BOCES and its component school districts. The committee will recommend a Drinking Water Sample Analysis laboratory upon which the Boards of Education will award the contract.
  
- 4.** References – The laboratory should make available a list of references of successful work with clients on the issues listed above and should provide examples of reports which have been previously used.



**HOLD HARMLESS**

**(PROPOSER)**

\_\_\_\_\_ does hereby covenant and agree to  
(Individual/Firm)  
defend, indemnify and hold harmless the Rockland BOCES from and against  
any and all liability, loss, damages, claims, or actions (including costs and  
attorney's fees) for bodily injury and/or property damage, to the extent  
permissible by law, arising out of or in connection with the

\_\_\_\_\_ by the  
(Name of project)

\_\_\_\_\_, it's agents, servants and employees.  
(Individual/Firm)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**BID PROPOSAL CERTIFICATIONS**

Firm Name \_\_\_\_\_ Telephone No. \_\_\_\_\_

Business Address \_\_\_\_\_ Fax No. \_\_\_\_\_

**I. General Bid Certification**

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

**II. Non-Collusive Bidding Certification**

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

"(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

(b) A bid shall not be considered for award nor shall any award be made where (b) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award. Nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

2. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

\_\_\_\_\_  
Signature (Authorized)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Rockland BOCES  
65 Parrott Road, West Nyack, NY 10994-0607

**IRAN DIVESTMENT ACT CERTIFICATION**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a Request for Proposal (RFP) in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Proposer/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Proposer/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the Rockland BOCES receive information that a person is in violation of the above-referenced certification, Rockland BOCES will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then Rockland BOCES shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

Rockland BOCES reserves the right to reject any proposal or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

**FORM-A**

**VENDOR IDENTIFICATION**

Name of Organization: \_\_\_\_\_  
 Address of Organization: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Contact Person and Title: \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_  
 Fax: ( ) \_\_\_\_\_  
 E-Mail: \_\_\_\_\_  
 Website: \_\_\_\_\_  
 Federal ID #: \_\_\_\_\_

Are you incorporated: ( ) Yes ( ) No  
 a) If yes, in what State are you incorporated? \_\_\_\_\_  
 b) If you are not incorporated in New York State, are you authorized to do business in New York? \_\_\_\_\_

If you are not incorporated, you are a (n):  
 \_\_\_\_\_ Partnership  
 \_\_\_\_\_ Sole Proprietorship  
 \_\_\_\_\_ Unincorporated association  
 \_\_\_\_\_ Other (please specify)

	<u>Firmwide Totals</u>	<u>Responsible Office</u>
No. of Shareholders	_____	_____
No. of Principals	_____	_____
No. of Managers	_____	_____
No. of Staff	_____	_____
No. of Support Staff	_____	_____

Architectural/Engineering Firm is:  
 Local \_\_\_\_\_  
 Regional \_\_\_\_\_  
 National \_\_\_\_\_

**FORM-A**  
**VENDOR IDENTIFICATION (continued)**

List all Principals of the bidding firm:

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List all individuals who will be available throughout the term of the agreement for continuing advice and counsel.

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List all Business Names, Corporate or otherwise, used by the above listed Principals over the past ten (10) years:

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Have any of the projects represented by the above resulted in litigation? \_\_\_\_\_  
If yes, please explain:

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Do you have knowledge of any conflict of interest between the Qualified Providers of Lead-In-Water Providers Testing and the Rockland Board of Cooperative Education Services and participating districts?

\_\_\_\_\_  
If yes, please explain:

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I, \_\_\_\_\_, \_\_\_\_\_ as Principal of the bidding firm, hereby  
(print name) (print title)

certify that the above listed information is complete, true and accurate. \_\_\_\_\_  
(signature)

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
65 PARROTT ROAD, WEST NYACK, NY 10994-0607**

**NON-PROPOSER'S RESPONSE**

The Rockland County Board of Cooperative Educational Services is interested in the reasons why prospective Proposers fail to submit proposals. Failure to submit a proposal without explanation may result in removal of your firm from our Proposers' list. If you are NOT submitting a proposal, please indicate the reason(s) by checking off one or more of the items below and return this form to us.

- 1.  Unable to propose at this time, but would like to receive future RFPs.
- 2.  Items or material not  manufactured,  distributed,  stocked,  furnished.
- 3.  Materials or items we have to offer do not fully meet all the requirements of standards specified.
- 4.  Multiplicity of delivery points.
- 5.  Delivery quantities are too small.
- 6.  We cannot meet the time of delivery of items or materials specified.
- 7.  Insufficient time allowed for preparation and submission of Proposal.
- 8.  Other reasons \_\_\_\_\_  
\_\_\_\_\_

You may remove our name from the RFP List for:

- This Commodity Group
- This Commodity Class
- This Item or Material
- All Proposals

Company Name \_\_\_\_\_

Printed Name \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p>	
	<p><b>2</b> Business name/disregarded entity name, if different from above</p>	
	<p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶</p>	<p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p><b>5</b> Address (number, street, and apt. or suite no.) See instructions.</p>	<p>Requester's name and address (optional)</p> <p><b>ROCKLAND BOCES</b> <b>65 PARROTT ROAD</b> <b>WEST NYACK, NY 10994</b></p>
	<p><b>6</b> City, state, and ZIP code</p>	
	<p><b>7</b> List account number(s) here (optional)</p>	

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>								
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<b>or</b>								
<b>Employer identification number</b>								
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**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*