



# **INVITATION FOR BIDS FOR ELECTRIC FORKLIFT**

**IFB Issued: March 6, 2024**

**Submission Deadline: March 27, 2024**

(Electronic Submission to: [jsosa@hrpt.ny.gov](mailto:jsosa@hrpt.ny.gov))

**Notice:** A restricted period under the Procurement Lobbying Law is currently in effect for this Procurement and will remain in effect until a selection of the approved list of Respondent(s) is made. Respondents are prohibited from contact related to this Procurement with any Trust employee other than the designated contacts listed here: Jennifer Sosa. All inquiries shall be made by email to the following address: [jsosa@hrpt.ny.gov](mailto:jsosa@hrpt.ny.gov). This IFB and all addenda and responses to questions will be posted on the Trust website at: <https://hudsonriverpark.org/about-us/bids-business-opportunities>.

## **PART I**

### **INTRODUCTION**

#### **1. IFB SUMMARY**

The Hudson River Park Trust (“Trust”) is a New York State public benefit corporation created by New York State statute in 1998 and is also a 501(c)(3) nonprofit. The Trust is seeking bids for a quantity of one (1) electric forklift (“Forklift”) as more particularly described in the General Specifications attached hereto as Exhibit A. As a result of this Invitation for Bids, the Trust intends to make a one-time purchase from the lowest bidder.

#### **Important Dates**

- IFB Issued: March 6, 2024
- Bids Due: March 27, 2024 by 2:00 pm

Bid Requirement Checklist (*Detailed in Part I, Section 4 of IFB- Responsiveness Determination*)  
To be considered Bids MUST include:

- ✓ Completed Respondent’s Bid Form (Exhibit 1)
- ✓ Completed Bid Cost (Exhibit 2)
- ✓ Completed Doing Business Data Form (Exhibit 3)
- ✓ Completed Lobbying Form (Exhibit 4)
- ✓ Completed Non-Collusion Form (Exhibit 5)
- ✓ Completed Iran Divestment Form (Exhibit 6)
- ✓ Completed EO 16 Certification (Exhibit 6A)

#### **2. INVITATION TO SUBMIT BIDS**

The Trust (the “Trust”) is pleased to invite you to submit a bid in response to this Invitation for Bids (“IFB”).

Subject to the availability of funds and the responses to this IFB, the Trust will select one vendor to provide the Forklift. The vendor shall be an authorized manufacturer or dealer of the Forklift. The vendor will provide the Forklift upon a written purchase order from the Trust.

#### **3. IFB DETAILS**

- 3.1 In General:** This summary of terms, deadlines and requirements specific to this IFB is set forth for your immediate reference and convenience only. It does not set forth all of the requirements of this IFB, but should be read in conjunction with the Requirements (Part II) of this IFB. You should review and become familiar with all parts of this IFB prior to submitting

your bid.

### **3.2 Specific Terms, Deadlines and Requirements**

#### **3.2.1 The Vendor.**

3.2.1.1 Type: Established manufacturers or their authorized dealers.

3.2.1.2 Minimum Experience Required:

Bids will be accepted only from established manufacturers or their authorized dealers. Any dealer submitting a bid hereby guarantees that it is an authorized dealer of the manufacturer, that the manufacturer has agreed to supply the dealer with all quantities of products required by the dealer in fulfillment of its obligations under any resultant contract with the State, and that it will provide a certificate from the manufacturer acknowledging this level of support (See Exhibit 1A- Manufacturer's Certificate)

3.2.2 There is NO Pre-Bid Meeting scheduled for this IFB

3.2.3 Bid Submission Requirements: The Trust will accept bids electronically via the Recipient's e-mail Address (jsosa@hrpt.ny.gov) as specified below. Electronic bids shall be sent as follows:

3.2.3.1 Email Subject Line: "[BIDDER'S NAME] Bid for "EA210: Electric Forklift"

3.2.3.2 Bidder is responsible for ensuring that the bid is in final form and that the electronic delivery method is appropriate for the size of the document (i.e., attachment, dropbox, etc.).

3.2.3.3 Electronic bid submissions must be received by the Trust by the respective Submission Deadlines. A confirmation of receipt will be sent upon receipt of the electronic submission.

3.2.3.4 Please note that only one bid will be accepted per Respondent and the bid must be sent by the Respondent's authorized individual identified in the initial request for IFB received by the Trust.

3.2.3.5 Bid received after the Submission Deadline will not be considered.

3.2.4 Submission Deadlines:

#### **3.2.4.1 Electronic Submission Deadline**

(i) Date: March 27, 2024

(ii) Time: 2:00 pm

3.2.5 Method: Electronically to HRPT via e-mail Address noted below.

3.2.5.1 Submit to the following recipient: Jennifer Sosa

3.2.5.2 Recipient's Email Address: [jsosa@hrpt.ny.gov](mailto:jsosa@hrpt.ny.gov)

3.2.5.3 Recipient's mailing Address:

Hudson River Park Trust  
Attn: Jennifer Sosa  
353 West Street  
Pier 40, 2<sup>nd</sup> Floor  
New York, NY 10014

3.2.6 M/WBE Participation Goal: 0%

3.2.7 SDVOB Participation Goal: 0%

3.2.8 Bid Evaluation: The Trust will base its selection upon the lowest price. The Trust reserves the right to accept or reject any and all Bids, or separable portions of offers, and waive technicalities, irregularities, and omissions if the Trust determines the best interests of the Trust will be served. The Trust may accept or reject illegible, incomplete or vague Bids and the Trust's decision shall be final.

#### 4. RESPONSIVENESS DETERMINATION

A respondent is deemed "responsive" when it submits a bid containing the required items/information in the form required and as listed in the IFB by the Submission Deadlines referenced in Part I, Section 3.2.4 of this IFB. If the Trust determines that a respondent did not submit the items/information required in the IFB, that respondent may be deemed "non-responsive" and may not be considered for contract award.

In order to be considered responsive, your bid should be well organized and include all of the items as listed below.

**4.1** Respondent's Bid Form attached hereto as Exhibit 1, Manufacturer's Certificate attached hereto as Exhibit 1A (if Respondent is an authorized dealer), and the certifications attached hereto in Exhibit 3 (Doing Business Data Form), Exhibit 4 (Lobbying Form), Exhibit 5 (Non-Collusion Form), Exhibit 6 (Iran Divestment Form), and Exhibit 6A (EO 16 Certification), Minority and Women-Owned Business Enterprise and Equal Opportunity Policy Statement and EO No. 177 Forms).

**4.2** The bid cost schedule should be submitted in the form attached hereto as Exhibit 2 to

this IFB. The Trust may not consider cost schedules that do not follow the prescribed formats.

**4.3 Non-compliant Bids.** Non-compliant bids may, in the Trust's sole discretion, be considered “not responsive” and may be rejected by the Trust including, without limitation, bids that are:

- 4.3.1 submitted by someone other than the designated party;
- 4.3.2 not properly labeled;
- 4.3.3 received by a person other than the designated Recipient; and/or
- 4.3.4 missing any information, certifications, supplemental forms or other documentation required by this IFB or by applicable law.

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**PART II  
REQUIREMENTS**

**1. PRODUCTS TO BE PROVIDED**

The selected vendor shall provide the Forklift specifically described in and required by the General Specifications in Exhibit A. Prior to submitting your bid, please be sure that you review and fully understand the General Specifications.

**2. COMPENSATION**

Subject to and in accordance with the final terms of the Contract, the Trust shall compensate the selected Consultant as follows:

- 2.1 In General.** The Trust will agree to pay to the selected vendor an amount not to exceed the amount stated in the Purchase Order to be provided to the selected vendor. The Purchase Order price shall be the maximum compensation for all of the products provided by the selected vendor, pursuant to the Purchase Order.
- 2.2 Sales and Use Tax.** The Trust is exempt from state and local sales and use tax. SUCH TAX IS NOT TO BE INCLUDED IN BIDS or in invoices submitted under the Contract. The Trust will provide the selected Consultant with an appropriate “sales and use tax exemption certificate”.

**3. GENERAL CONDITIONS, TERMS, LIMITATIONS AND REQUIREMENTS**

- 3.1 Freedom of Information Law.** All bids submitted to the Trust in response to this IFB may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law of the State of New York (“FOIL”). A respondent may provide in writing, at the time of its submission, a detailed description of the specific information contained in its submission which it has determined is a trade secret and which, if disclosed, would substantially harm such entity’s competitive position. This characterization shall not be determinative, but will be considered by the Trust when evaluating the applicability of any exemptions in response to a FOIL request.
- 3.2 Contractor Requirements and Procedures for Participation for Participation by New York State Certified Minority and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women.**
- 3.2.1** New York State Law: Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations the Trust is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“M/WBEs”) and the employment of minority group members and women in the performance of the Trust contracts.
- 3.2.2 Contract Goals:** For purposes of this solicitation, the Trust conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by MWBEs as subcontractors, service providers, and suppliers to the selected vendor. Nevertheless, the vendor is encouraged to make good faith efforts to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials. The directory

of New York State Certified MWBEs can be found at:  
<https://ny.newnycontracts.com>.

Additionally, the vendor is encouraged to contact the Division of Minority and Women's Business Development at (212) 803-2414 to discuss additional methods of maximizing participation by MWBEs on the Contract.

### **3.3 SDVOB Requirements. Contractor Requirements and Procedures for Participation of Service Disabled Veteran-Owned Business.**

3.3.1 SDVOB Requirements. The Division of Service-Disabled Veterans' Business Development ("DSDVBD") is housed within the New York State Office of General Services ("OGS") and is tasked with promoting and encouraging the continuing economic development of Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Through the DSDVBD, the State of New York aims to assist service-disabled veterans in playing a greater role in the economy of the state and to provide additional assistance and support to disabled veterans to better equip them to form and expand small businesses, thereby enabling them to realize the American dream they fought to protect. The Trust recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of the Trust contracts.

3.3.2 New York State Law. Veterans' Services Law Article 3 governs requirements for the participation of SDVOBs in New York State contracting. The objective of Article 3 is to expand opportunities for SDVOBs, primarily through increased participation in New York State contracting. The DSDVBD maintains a Directory of NYS Certified SDVOBs. The directory is updated regularly with the addition of any newly certified SDVOBs or necessary changes requested by the listed SDVOBs or DSDVBD staff. State personnel and other interested parties may contact the DSDVBD and request they be added to a distribution list to receive the directory and its regular updates via email. The Directory of NYS Certified SDVOBs is also posted on the OGS website.

3.3.3 Contract Goals. For purposes of this procurement, the Trust conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to the selected vendor. Nevertheless, the selected vendor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs found at:  
<https://online.ogs.ny.gov/SDVOB/search>.

The selected vendor is encouraged to contact the Office of General Services' Division of Service-Disabled Veterans' Business Development at 518-474-2015 or  
[VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss additional methods of maximizing participation by SDVOBs on the contract.

3.4 Costs. The Trust shall not be liable for any cost incurred by the respondent in the preparation of its bid or for any work or services performed by the respondent prior to the execution and

delivery of the Purchase Order. The Trust is not obligated to pay any costs, expenses, damages or losses incurred by any respondent at any time unless the Trust has expressly agreed to do so in writing.

**3.5 The Trust Rights.** This is a “Request for Bids”. The Trust shall be the sole judge of whether a bid conforms to the requirements of this IFB and of the merits and acceptability of the individual bids. Notwithstanding anything to the contrary contained herein, the Trust reserves the right to take any of the following actions in connection with this IFB: amend, modify or withdraw this IFB; waive any requirements of this IFB; require supplemental statements and information from any respondents to this IFB; award a contract to as many or as few or none of the respondents as the Trust may select; accept or reject any or all bids received in response to this IFB; extend the deadline for submission of bids; negotiate or hold discussions with one or more of the respondents; permit the correction of deficient bids that do not completely conform with this IFB; waive any conditions or modify any provisions of this IFB with respect to one or more respondents; reject any or all bids and cancel this IFB, in whole or in part, for any reason or no reason, in the Trust's sole discretion. The Trust may exercise any such rights at any time, without notice to any respondent or other parties and without liability to any respondent or other parties for their costs, expenses or other obligations incurred in the preparation of a bid or otherwise. All bids become the property of the Trust.

**3.6 Bids From Principals.** Only bids from principals and authorized officers will be considered responsive.

**3.7 Disclaimer.** The Trust and its respective officers, directors, agents, members and employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this IFB. Further, the Trust does not warrant or make any representations as to the quality, content, accuracy or completeness of the information, text, graphics, links or any other facet of this IFB once it has been downloaded or printed from any server, and hereby disclaim any liability for any technical errors or difficulties of any nature that may arise in connection with the Website on which this IFB is posted, or in connection with any other electronic medium utilized by respondents or potential respondents in connection with or otherwise related to the IFB.

**3.8 Protest Procedures.** The procedures set forth in this section shall apply to all protests (collectively, “Protests” and each individually, a “Protest”) related to this procurement. The Trust will not entertain any Protest that is untimely or fails in any manner to comply fully with the procedures set forth in this section.

**3.8.1 Types of Protests.** There are three types of procurement Protests:

3.8.1.1 Pre-Bid Protest: A protest submitted prior to the Submission Deadline to challenge the notice procedures followed by the Trust;

3.8.1.2 Pre-Award Protest: A protest submitted after the Submission Deadline but before Contract execution; and

3.8.1.3 Post-Award Protest: A protest submitted after the Contract has been executed, but only to the extent that the protest is based on newly discovered information that was not available prior to execution of a Contract.

3.8.2 Submission of Protests/Deadlines. All Protests must be in writing and must be submitted in accordance with the following timeline for the following types of Protests:

- 3.8.2.1 A Pre-Bid Protest must be submitted at least two (2) business days prior to the Submission Deadline set forth in Part I of the IFB;
- 3.8.2.2 A Pre-award Protest must be submitted five (5) business days from the later of receipt of Notice of the Trust's contingent award of the Contract and the date bids are made publicly available; and
- 3.8.2.3 A Post-award Protest must be submitted five (5) working days from the date the protesting party knew or should have known the newly discovered evidence that serves as the grounds of its Protest.

A Protest will be considered submitted when the Protest is received by the Trust.

3.8.3 Contents of Protest: The Protest should include, without limitation, the following information:

- 3.8.3.1 name, address and telephone number of the protester;
- 3.8.3.2 appropriate identification of the procurement, including the Contract/PO Number;
- 3.8.3.3 statement of the basis of the Protest;
- 3.8.3.4 supporting exhibits and documentary evidence to substantiate the grounds for the Protest; and
- 3.8.3.5 form of relief requested.

3.8.4 Address for Submission of Protests:

Hudson River Park the Trust  
Pier 40, 2nd Floor  
353 West Street  
New York, NY 10014  
Attention: General Counsel

3.8.5 Method of Submission: Hand, Express Mail, or other nationally-known overnight courier

3.8.6 Envelope: The envelope enclosing the Protest must be clearly labeled "PROTEST" and must list the IFB to which the Protest relates.

3.8.7 Additional Information: The Trust may request that the protestor submit additional information that it may need in order to consider the Protest. Any additional information requested by the Trust must be submitted within the time period established by the Trust in order to expedite consideration of the Protest. Failure of the protester to comply with a request for information within the

specified time period will result in a resolution of the Protest without consideration of any information subsequently submitted by the protester in an untimely manner.

3.8.8 Determinations. The Trust's General Counsel or his/her designee has the authority to make a final determination. The Trust will respond to each substantive issue in the Protest. The Trust may, in its sole discretion, meet with the protesting respondent and any affected party to discuss the Protest. The Trust shall have the right to take such appropriate action as may be in the best interests of the Trust and the City in light of the determination.

The Trust's determination shall be final. The respondent shall have been deemed to have received the Trust's determination notice no later than five (5) days from the date of mailing or upon delivery, if delivered by hand of the Trust's determination.

#### 4. SELECTION

The Trust will review each respondent's bid in its totality. The selected respondent, if any, will be a respondent with the lowest bid.

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EXHIBIT A

TECHNICAL SPECIFICATIONS

(See Technical Specifications on  
the following pages.)

## Exhibit A

### Electric Forklift Specifications:

#### Uncompromising Performance

- 4-wheel chassis, 80 volts, front wheel dual drive
- AC traction and pump control
- 2 x AC traction motors, 8 kW
- AC pump motor 20.8 kW (2.5t) and 25.5 kW (3.0-3.5t)
- Principal components with IP 54 rating

#### Designed for Maximum Run Time

- Wet disc brakes
- Pneumatic shaped solid tires (super elastic)

#### Superior Operator Comfort

- 3-valve hydraulic manual control with Forward-Neutral-Reverse lever on steering column
- Full-suspension vinyl seat with seat belt switch - Grammer MSG65
- Tilttable steering column
- Reverse drive horn button

#### Increased Operator Awareness

- Multifunctional interactive full color display
- Key pre-set economy or high-performance mode (ECO / PRO)
- PDS (Seat Switch Timeout = all functions are disabled, the truck will go into the stop mode, automatically applied parking brake)
- EEC name plates - language markings
- DIN battery connectors on frame
- Operations and Maintenance Manual
- Truck Tool setup and diagnostics

#### Enhanced Operator Protection

- Basic overhead guard
- Intelligent curve control
- Battery compartment side door
- Variable hydraulic speed control functions
- LED work lights (2 at the front and 1 at the rear)
- Forks with a length of 1,100 mm, equipped with load backrest
- Battery door detection sensor

CHASSIS	1	7,000 lb. Capacity 80 Volt Electric 4-Wheel Pneumatic Tire Lift Truck
MAST	1	146.8" MFH / 76" OALH / 34.8" FFH TRIPLEX MAST. .
FORKS	1	Forks 39.4" (4.72" x 1.77")
BATTERY PREPARATION	1	80V Lead Acid Battery Prep
BATTERY EXTRACTION	1	Standard Chassis - Lift Out Extraction
CARRIAGE	1	39" Wide ITA Class III Hook Type Carriage (1000 mm)
SIDESHIFTER	1	39" Wide ITA Class III Hook-On Side Shifter (1000 mm)
DRIVE & STEER TIRES	1	Solid Pneumatic Tires
LOAD BACKREST	1	48" High Load Backrest
HYDRAULIC ACTIVATION	1	Steering Column Directional Lever - MC
HYDRAULIC ACTIVATION	1	3-Section Control Valve MC
HYDRAULIC HOSE OPTIONS	1	Single Function Internal Hosing - Triplex Mast
TILT CYLINDERS	1	Standard Tilt Cylinders
OVERHEAD GUARD	1	Cabin Package - Basic (Doors Not Included). Front screen with 2-speed wiper with washer and OHG cover.
CABIN ACCESSORIES	1	Cabin Rear Screen. Requires Cabin Package. Includes 1-speed wiper with washer functions.
CABIN ACCESSORIES	1	Panel Cabin Steel Doors. Requires Cabin Package and Rear Screen.
STEERING OPTIONS	1	Standard Steering Wheel
PRODUCTIVITY OPTIONS	1	Backup Handle with Horn Button
PRODUCTIVITY OPTIONS	1	Load Weight Indicator
PRODUCTIVITY OPTIONS	1	Lift Control
SPECIAL APPLICATIONS OPTIONS	1	Standard Hydraulic Oil ISO VG32
WARNING / LIGHT OPTIONS	1	Standard Electronic Back-up Smart Alarm
WARNING / LIGHT OPTIONS	1	OHG Mounted Working Lights
WARNING / LIGHT OPTIONS	1	Forward Activated Blue Spotlight
WARNING / LIGHT OPTIONS	1	Reverse Activated Blue Spotlight
WARNING / LIGHT OPTIONS	1	Rear Combination Light with Turn Signals
SEAT	1	Full Suspension Vinyl Seat - MSG65 with Seat Belt Switch
DC/DC CONVERTER	1	DC/DC Converter 300W
ACCESSORIES	1	Standard Orange Seat Belt
ACCESSORIES	1	Key Switch
LANGUAGE MARKINGS	1	English Language Markings
1	80v Battery, Charger and Single point watering System	
1	12 Volt Heater installed	

Note: This scope description provides a general overview of the requirements for the electric forklift. Vendors are expected to carefully review the complete RFP document and its attachments for full details and instructions.

RESPONDENT'S BID CERTIFICATION FORM

Submitted by

\_\_\_\_\_  
[Insert Name of Respondent] (The "Respondent")

Respondent, in accordance with and subject to all of the terms and conditions of the Invitation for Bids pursuant to which this Bid (the "Bid") is being submitted, agrees that it will provide in consideration of the price(s) set forth in the Cost Schedule, all of the Services set forth in the General Specifications in accordance with the Contract, and to accept in full compensation therefore (including without limitation all overhead, profit, taxes and other charges and expenses applicable thereto), the price(s) stated in the Cost Schedule. The Cost Schedule, is simultaneously being submitted to you electronically to [jsosa@hrpt.ny.gov](mailto:jsosa@hrpt.ny.gov) (as per Part I) and is incorporated herein and made part hereof.

Respondent makes the following statements and representations as part of its Bid:

- (a) That the Respondent has examined all parts of the IFB and the General Specifications, and all terms and conditions hereof.
- (b) The bid including the Cost Schedule is genuine and not made in the interest of or on behalf of an undisclosed person, firm or corporation and is not submitted in conformity with an agreement or rules of a group, association, organization, or corporation; the Respondent has not directly or indirectly induced or solicited another Respondent to submit a false bid or to refrain from proposing and neither has the Respondent sought by collusion to obtain for itself an advantage over another Respondent or the Trust.

WHEREFORE, the Respondent submits this Bid to the Trust.

\_\_\_\_\_  
[INSERT NAME OF RESPONDENT]

Signed by: \_\_\_\_\_

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

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

Respondent's Address: \_\_\_\_\_

Notice Address (if different from above): \_\_\_\_\_

Respondent's Telephone Number: \_\_\_\_\_

Respondent's Fax Number: \_\_\_\_\_

Respondent's E-mail Address: \_\_\_\_\_

Respondent's Tax I.D. Number: \_\_\_\_\_

MANUFACTURER'S CERTIFICATE

NOTE TO BIDDERS:

This Manufacturer's Certificate to be removed, and forwarded to the manufacturer by the bidder, completed and returned to the bidder by the manufacturer, and submitted with the bidder's offer. (See "QUALIFICATION OF BIDDER" clause.)

Bidder's Company Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

The manufacturer executing this certificate by signature below does hereby attest to the accuracy and responses of the following questions:

1. Is the bidder listed above an authorized dealer? \_\_\_\_\_ Yes \_\_\_\_\_ No
2. Do you, as a manufacturer, agree to supply the bidder/dealer with all quantities of products ordered pursuant to any resulting purchase order with HRPT? \_\_\_\_\_ Yes \_\_\_\_\_ No

Manufacturer's Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

\_\_\_\_\_  
Printed/Typed Name

\_\_\_\_\_  
Signature of Authorized Manufacturer's Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\* \* \* \* \*

EXHIBIT 2  
COST SCHEDULE

1. The Respondent shall complete and submit Cost Schedule in the form attached
2. PLEASE BE SURE THAT YOU SUBMIT YOUR FEE AND COST SCHEDULE ELECTRONICALLY TO [jsosa@hrpt.ny.gov](mailto:jsosa@hrpt.ny.gov) (AS PER IFB PART I)

(See Schedule on following page)

Bidder Name:

Instructions:

Please review IFB-OP170 Section 4.2 General Specifications for a listing of minimum specifications of the items listed below.

1. Complete the Bid Cost Proposal by filling in the highlighted sections.
2. 7000 lb. Electric Forklift (or equal) must not include installation costs.
3. Bidder must return this proposal of the 7000 lb. Electric Forklift or equivalent on or before March 27, 2024.
4. Total must be inclusive of all costs associated with providing items including but not limited to labor, materials, administrative, ancillary costs, delivery, and/or miscellaneous charges incurred such as any applicable taxes and fees.
5. Upon completion, print this document and return it with your bid submission.

Item Description	
Technical Specifications	
Warranty Durations	
Turnaround Time for Delivery	
Total Cost	

If submitting a bid for a 7000 lb. Capacity Electric Forklift or equivalent, please also provide the below information as well as the complete product specifications with your bid package.

Alternate

Electric Forklift Make and Model Year:

Signature:

Printed Name:

Title:

Date:

EXHIBIT 3  
DOING BUSINESS DATA FORM

(SEPARATE ATTACHMENT)

Please note that these forms are also available on the Website at  
<https://hudsonriverpark.org/about-us/bids-business-opportunities>.

# Doing Business Data Form

To be completed by the City agency prior to distribution

Agency \_\_\_\_\_ Transaction ID \_\_\_\_\_

**Check One**

☐ Proposal ☐ Award

**Transaction Type (check one)**

☐ Concession ☐ Economic Development Agreement ☐ Franchise ☐ Grant ☐ Pension Investment Contract ☐ Contract

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York, as will the organizations that own 10% or more of the entity. No other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's PASSPort registration or VENDEX requirements.**

**Please return the completed Data Form to the City office that supplied it.** Please contact the Doing Business Accountability Project at [DoingBusiness@mocs.nyc.gov](mailto:DoingBusiness@mocs.nyc.gov) or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

*If you are completing this form by hand, please print clearly.*

## Entity Information

Entity EIN/TIN \_\_\_\_\_ Entity Name \_\_\_\_\_

**Filing Status**

**NEW:** Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.

**(Select One)**

- ☐ Entity has never completed a Doing Business Data Form. Fill out the entire form.
- ☐ Change from previous Data Form dated \_\_\_\_\_. Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.
- ☐ No Change from previous Data Form dated \_\_\_\_\_. Skip to the bottom of the last page.

**Entity is a Non-Profit**

☐ Yes

☐ No

**Entity Type** ☐ Corporation (any type) ☐ Joint Venture ☐ LLC ☐ Partnership (any type) ☐ Sole Proprietor ☐ Other (specify) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

*Provide your e-mail address in order to receive notices regarding this form by e-mail.*

## Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

**Chief Executive Officer (CEO) or equivalent officer**

*The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.*

☐ This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

☐ This person replaced former CEO \_\_\_\_\_ on date \_\_\_\_\_

**Chief Financial Officer (CFO) or equivalent officer**

*The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.*

☐ This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

☐ This person replaced former CFO \_\_\_\_\_ on date \_\_\_\_\_

**Chief Operating Officer (COO) or equivalent officer**

*The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.*

☐ This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

☐ This person replaced former COO \_\_\_\_\_ on date \_\_\_\_\_

Principal Owners

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the **Senior Managers** section. If the entity is owned by other companies that control 10% or more of the entity, those companies must be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals or organizations that are no longer owners at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

☐ The entity is not-for-profit ☐ The entity is an individual ☐ No individual or organization owns 10% or more of the entity

Other (explain) \_\_\_\_\_

Individual Owners (who own or control 10% or more of the entity)

First Name \_\_\_\_\_ MI \_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

First Name \_\_\_\_\_ MI \_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

Organization Owners (that own or control 10% or more of the entity)

Organization Name \_\_\_\_\_

Organization Name \_\_\_\_\_

Organization Name \_\_\_\_\_

Remove the following previously-reported Principal Owners

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers

First Name \_\_\_\_\_ MI \_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

First Name \_\_\_\_\_ MI \_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

First Name \_\_\_\_\_ MI \_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by entity) \_\_\_\_\_

Home Address \_\_\_\_\_

Remove the following previously-reported Senior Managers

Name \_\_\_\_\_ removal date \_\_\_\_\_

Name \_\_\_\_\_ removal date \_\_\_\_\_

Certification

I certify that the information submitted on these two pages and \_\_\_\_\_ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name \_\_\_\_\_ Title \_\_\_\_\_

Entity Name \_\_\_\_\_ Work Phone # \_\_\_\_\_

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

EXHIBIT 4  
DISCLOSURE OF NON-RESPONSIBILITY DETERMINATIONS FORM

(SEPARATE ATTACHMENT)



## **Disclosure of Prior Non-Responsibility Determinations**

### **Background:**

New York State Finance Law §139-k(2) obligates Hudson River Park Trust to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Person Submitting this Form:

Name:

Title:

Contract Procurement Number:

Date:



**Disclosure of Prior Non-Responsibility Determinations**

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

No

Yes

2. If yes to Question #1, then was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j?

No

Yes

Not Applicable

3. If yes to Question #1, then was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

No

Yes

Not Applicable

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity:

Date of Finding of Non-responsibility:

Basis of Finding of Non-Responsibility:

*(Add additional pages as necessary)*



**Disclosure of Prior Non-Responsibility Determinations**

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

No

Yes

6. If yes, please provide details below.

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding:

*(Add additional pages as necessary)*

Offerer certifies that all information provided to Hudson River Park Trust with respect to State Finance Law §139-k is complete, true and accurate.

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

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

**Affirmation of Understanding of and Agreement pursuant to  
State Finance Law § 139-j (3) and § 139-j (6)(b)**

\_\_\_\_\_ hereby affirms that it understands and agrees to comply with the procedures of the Hudson River Park Trust relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6)(b).

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

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

Contractor Name:

Contractor Address:

EXHIBIT 5  
NON-COLLUSION CERTIFICATION FORM  
(SEPARATE ATTACHMENT)



**CERTIFICATION AND SIGNATURE FORM**  
**AFFIDAVIT OF NON-COLLUSION**

**Name of Respondent:**

**Business Name:**

**Business Address:**

**Phone:**

**Fax:**

**Email:**

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I hereby attest that I am the person responsible within my company for the final decision as to the prices(s) and amount of this bid/proposal or, if not, that I have written authorization form that person to make the statements set out below on his or her behalf and on behalf of my company.

I further attest that:

1. The prices in this bid/proposal 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 respondent or with any other competitor.
2. The respondent prior to the opening has disclosed neither the price(s) nor the amount of this proposal.
3. No attempt has been made to solicit, cause or induce any company or person to refrain from bidding on this project, or to submit a bid/proposal higher than the bid/proposal of this firm, or any intent ally high or non-competitive bid/proposal or other form of complementary bid/proposal.
4. The bid/proposal of my company is made in good faith and not pursuant to any agreement or discussion with, or inducement from any company or person to submit a complementary bid/proposal.
5. My company has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other company or person, or offered, promised or paid case or anything of value to any company or person, whether in connection with this or any other project, in consideration for an agreement or promise by a company or person to refrain from bidding or to submit a complementary bid/proposal.
6. I have made a diligent inquiry of all members, officers, employees, and agents of my company with responsibilities relating to the preparation, approval or submission of my company's bid/proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.
7. By submission of this bid/proposal I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this bid/proposal, under the penalties of perjury, affirms the truth thereof.

---

Signature & Company Position

---

Date Signed

---

Print Name & Company Name

---

Federal ID Number

EXHIBIT 6  
IRAN DIVESTMENT FORM  
(SEPARATE ATTACHMENT)



## IRAN DIVESTMENT ACT CERTIFICATION

1. I am responding to a competitive procurement to provide services and/or supplies on behalf of \_\_\_\_\_, to the HUDSON RIVER PARK TRUST pursuant to competitive procurement rules and regulations.
2. The address of the company or individual submitting the proposal is:
3. This certification is submitted pursuant to the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, and New York State Finance Law (SFL), Section 165-a, effective April 12, 2012, and the regulations promulgated thereunder. It is made under penalty of perjury, for the purpose of showing that the respondent has no "investment activities in Iran".
4. The respondent's taxpayer identification number is:
5. The respondent/contractor does hereby certify that it is not engaged in "investment activities in Iran" as defined by the laws of the State of New York; nor will it invest or participate in such activities during the terms of the contract.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

EXHIBIT 6A  
EO 16 CERTIFICATION FORM  
(SEPARATE ATTACHMENT)

## Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found [here](#).

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

- ☐ 1. No, Vendor/Contractor does not conduct business operations in Russia within the meaning of Executive Order No. 16
- ☐ 2. a. Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)
- ☐ 2.b. Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
- ☐ 3. Yes, Vendor/Contractor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor/Contractor Name: \_\_\_\_\_  
(legal entity)

By: \_\_\_\_\_  
(signature)

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

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

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