



# REQUEST FOR QUOTATION

<b>Vendor No.</b>	<b>Collective# /Bid Due Date</b> 50266 / 07/27/2017
<b>Contact person/Telephone/Email</b> Erica Brown/212-435-4606/enbrown@panynj.gov	<b>Deliver Goods/Services To:</b>  Bids must be received no later than 11:00 AM on the above Bid Due Date.

Quantity	Description	Unit Price	Total
	<p>Evaporator, Condenser Units, and Accessories - Two (2)Year Requirements Contract.</p> <p>Two(2)Year Requirements Contract for the Supply and Delivery of Evaporator, Condenser Units, and Accessories on an as needed basis. Contract to commence on or about 11/08/17.</p> <p>The attached "Warehouse Requirements Contract/Standard Terms and Conditions", is included and is to be made part of this solicitation. Please read all terms and conditions before bidding. There are no guarantees as to the quantities, if any, that may actually be ordered. Deliver to various New York and New Jersey warehouse facilities.</p> <p>Contract Administrator: Justin Resnick</p> <p>Contract Delivery Terms: WITHIN TEN (10) CALENDAR DAYS A.R.O.</p> <p><b>**PLEASE QUOTE FULLY DELIVERED PRICES FIRM FOR TWO(2)YEARS**</b></p> <p>In addition to signing this RFQ, please print the name of the authorized signatory:</p> <p>_____</p>		
	<b>PLEASE QUOTE FULLY DELIVERED PRICES</b>	<b>PAYMENT TERMS</b>	<b>Total Delivered Price</b>

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We have read the instructions and, if favored with an order, we agree to furnish the items enumerated herein at the prices and under the conditions indicated.

Signed \_\_\_\_\_

Firm Name \_\_\_\_\_

Telephone number \_\_\_\_\_ Date \_\_\_\_\_

Fax Number \_\_\_\_\_

Federal Taxpayer ID \_\_\_\_\_

Bidder Must Sign In Two Places
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	<p>A price preference of 10 % is available for NY/NJ Minority and Women Business Enterprises (M/WBE) or 5% for NY/NJ Small Business Enterprises (SBE) certified by the Port Authority (PA) by the day before bid opening for awards not exceeding \$1,000,000. My firm was certified as a _____ on _____.</p>		
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	<b>PAYMENT TERMS</b>		
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Quantity	Description	Unit Price	Total
	<p>This is a Formal Bid Invitation</p> <p>Bid Submission Instructions:</p> <p>Sealed Bids must be submitted to and received at the following address by the due date and time listed on this Request for Quotation, where they will be publicly opened and read:</p> <p>The Port Authority of NY &amp; NJ Attn: Bid Custodian Procurement Department 4 World Trade Center 150 Greenwich Street, 21st Floor New York, NY 10007</p> <p>Clearly mark the outside of your envelope/package with "BID ENCLOSED", the Collective/Bid Number and Due Date, and your complete company name and address.</p> <p>Bids are only accepted Monday through Friday, excluding Port Authority holidays, between the hours of 8 A.M. &amp; 5 P.M., via regular mail, express delivery service or hand delivery. Express carrier deliveries by commercial vehicles can be made via vendors approved by Silverstein Properties, the 4 World Trade Center (4WTC) Property Manager, through the</p>		
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Quantity	Description	Unit Price	Total
	<p>Vehicle Security Center (VSC). Presently, UPS is the only delivery vendor with approved recurring delivery times. There is extensive security at the World Trade Center Site. Individuals must present a valid government-issued photo ID to enter 4 WTC. Individuals without packages or carrying small packages or boxes that can be conveyed by hand or on a hand truck may enter through the lobby. All envelopes, packages and boxes may be subject to additional security screening.</p> <p>There is no parking available at 4 WTC/150 Greenwich Street, and parking in the surrounding area is extremely limited. The Port Authority assumes no responsibility for delays, including, but not limited to delays caused by any delivery service, building access procedure or security requirement.</p> <p>A valid government-issued photo ID is required to gain access into the building to attend the bid opening or hand deliver a bid. Bids that are not received by the bid custodian by the scheduled bid opening date will be considered late.</p> <p>If any Addenda are posted or sent as part of this Bid, the Bidder shall complete, sign and include with its Bid the addenda form(s). In the event any Bidder fails to conform to these instructions, its Bid will nevertheless be construed as though the Addenda had been acknowledged. If the Bidder downloaded this solicitation document, it is the responsibility of the Bidder to periodically check the Port Authority website at</p>		
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Quantity	Description	Unit Price	Total
	<a href="http://www.panynj.gov/business-opportunities/bid-proposaladvertisements.html">http://www.panynj.gov/business-opportunities/bid-proposaladvertisements.html</a> and download any addenda that might have been issued in connection with this solicitation.		
14 EA	DS0100212 EVAPORATOR UNIT. FUJITSU WALL MOUNTED EVAPORATOR. 18,000 BTU. MODEL# B71-565 ASU18RLF 18K DSS. LIST THE MANUFACTURER NAME AND MODEL # _____		
17 EA	DS0100213 LINE SET. INSULATED REFRIGERANT LINE SET. SIZE 3/8 X 1/2 X 3/8 X 50. FUJITSU MODEL# B71-726 60880500B3B6. LIST THE MANUFACTURER NAME AND MODEL # _____		
5 EA	DS0100214 AIR CONDITIONER CONTROL WIRING. FOR EZ-IN MINI SPLIT 14 AWG 3 CONDUCTOR CABLE. FUJITSU MODEL# G80-729 58340802 14/4 250 MC. LIST THE MANUFACTURER NAME AND MODEL # _____		
4 EA	DS0100216 EVAPORATOR UNIT, FUJITSU. WALL MOUNTED EVAPORATOR. VOLTS 208/230. AMPS 1.9. BTUH COOLING 12,000. BTUH HEATING 16000. CFM HIGH: 441. DEPTH 8". HEIGHT 10 1/2". WIDTH 33-1/16". WEIGHT 19LBS. LIQUID CONN. 1/4". MAXIMUM FUSE SIZE 20. SEER UP TO _____		
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Quantity	Description	Unit Price	Total
	17.0". SUCTION FITTING 3/8". UNIT TYPE INDOOR. APPLE-CATECHIN FILTER FOR ION DEODORIZING. R410A REFRIGERANT. INVERTER TECHNOLOGY. QUIET COMPRESSOR. FUJITSU# ASU12RLF1. LIST THE MANUFACTURER NAME AND MODEL # _____		
19 EA	DS0100217 EVAPORATOR UNIT, FUJITSU. WALL MOUNTED EVAPORATOR. VOLTS 208/230. AMPS 1.5. BTUH COOLING 9000. BTUH HEATING 12000. CFM HIGH: 441. DEPTH 8". HEIGHT 10½". WIDTH 33-1/16". WEIGHT 19LBS. LIQUID CONN. ¼". MAXIMUM FUSE SIZE 15. SEER UP TO 17.0". SUCTION FITTING 3/8". UNIT TYPE INDOOR. APPLE-CATECHIN FILTER FOR ION DEODORIZING. R410A REFRIGERANT. INVERTER TECHNOLOGY. QUIET COMPRESSOR. FUJITSU# ASU9RLF1. LIST THE MANUFACTURER NAME AND MODEL # _____		
6 EA	DS0100209 CONDENSER, OUTDOOR UNIT. DUCTLESS MINI-SPLIT RLB SERIES. AMPS COOLING 17. BTUH COOLING 33,000. BTUH HEATING 34,100. CFM HIGH 695. LIQUID CONNECTION 3/8". MAXIMUM FUSE SIZE 30. SEER 15.5. SUCTION FITTING 5/8". VOLTS 208/230. DEPTH 13". HEIGHT 32-11/16". WIDTH. 31-1/8". 134 LBS. APPLE CATECHIN FILTER. ION DEODERIZING FILTER. WIRELESS REMOTE CONTROL SLEEP TIMER. 24 HOUR TIMER. DRY MODE AUTO LOUVER UP/DOWN. AUTO		
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Quantity	Description	Unit Price	Total
	LOUVER 4 WAY. AUTO MODE QUIET MODE. POWER DIFFUSER AUTO RESTART/RESET. LOW AMBIENT. FUJITSU# AOU36RLXB. LIST THE MANUFACTURER NAME AND MODEL # _____		
6 EA	DS0100208 EVAPORATOR, INDOOR UNIT. DUCTLESS MINI-SPLIT RLB SERIES. WALL MOUNTED. AMPS COOLING 17. BTUH COOLING 33,000. BTUH HEATING 34,100. CFM HIGH 695. LIQUID CONNECTION 3/8". MAXIUM FUSE SIZE 30. SEER 15.5. SUCTION FITTING 5/8". VOLTS 208/230. WIDTH 39-5/16". DEPTH 9". HEIGHT 12-5/8". 31 LBS. APPLE CATECHIN FILTER. ION DEODERIZING FILTER. WIRELESS REMOTE CONTROL SLEEP TIMER. 24 HOUR TIMER. DRY MODE AUTO LOUVER UP/DOWN. AUTO LOUVER 4 WAY. AUTO MODE QUIET MODE. POWER DIFFUSER. AUTO RESTART/RESET. LOW AMBIENT. FUJITSU# ASU36RLXB. LIST THE MANUFACTURER NAME AND MODEL # _____		
6 EA	DS0100207 LINE SET. INSULATED REFRIGERANT LINE SET. SIZE 3/8 X 5/8 X 3/8 X 50. FUJITSU# 61080500B3B6. LIST THE MANUFACTURER NAME AND MODEL # _____		
20 EA	DS0100211 CONDENSER UNIT. FUJITSU MULTI ZONE OUTDOOR AC		
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Quantity	Description	Unit Price	Total
	UNIT. 36,000 BTU. FUJITSU# AOU36RLXFZ1. LIST THE MANUFACTURER NAME AND MODEL # _____		
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## TERMS AND CONDITIONS

1. The Port Authority (PA) reserves the right to request information relating to seller's responsibility, experience and capability to perform the work.
2. Unless otherwise provided, complete shipment of all items must be in one delivery FOB delivery point. Payment will not be made on partial deliveries unless authorized in advance by the party to be charged and the discount, if any, will be taken on the total order.
3. PA payment terms are net 30 days. Cash discounts for prompt payment of invoices may be taken but will not be considered in determining award, except in the case of tie bids.
4. Separate unit and total FOB delivered prices must be shown.
5. Sales to the PA and to PATH are currently exempt from New York and New Jersey State and local taxes and generally from federal taxation. The seller certifies that there are no federal, state, municipal or any other taxes included in the prices shown hereon.
6. The PA shall have the absolute right to reject any or all proposals or to accept any proposal in whole or part and to waive defects in proposals.
7. Unless the phrase "no substitute" is indicated, bidder may offer alternate manufacturer / brands, which shall be subject to Port Authority approval. Please indicate details of product being offered with bid.
8. Acceptance of seller's offer will be only by Purchase Order Form signed by the PA. No change shall be made in the agreement except in writing.
9. If the seller fails to perform in accordance with the terms of this purchase order, the PA may obtain the goods or services from another contractor and charge the seller the difference in price, if any, a reletting cost of \$100, plus any other damages to the PA.
10. Upon request, sellers are encouraged to extend the terms and conditions of any terms agreement with the PA to other government and quasi-government entities by separate agreement.
11. By signing this quotation or bid, the seller certifies to all statements on Form PA 3764A regarding non-collusive bidding; compliance with the PA Code of Ethics; and the existence of investigations, indictments, convictions, suspensions, terminations, debarments and other stated occurrences to assist the PA in determining whether there are integrity issues which would prevent award of the contract to the seller. The PA has adopted a policy set forth in full on PA 3764A, that it will honor a determination by an agency of the State of New York or New Jersey that a bidder is not eligible to bid on or be awarded public contracts because the bidder has been determined to have engaged in illegal or dishonest conduct or to have violated prevailing wage legislation. The Terms and Conditions of PA 3764A apply to this order. A copy can be obtained by calling (212) 435-4600 or at <http://www.panynj.gov/business-opportunities/become-vendor.html>
12. The vendor may subcontract the services or use a supplier for the furnishing of materials required hereunder to such persons or entities as the Manager, Purchasing Services may from time to time expressly approve in writing. All further subcontracting shall also be subject to such approval.
13. The successful bidder (vendor) shall not issue nor permit to be issued any press release, advertisement, or literature of any kind, which refers to the Port Authority or that goods will be, are being or have been provided to it and/or that services will be, are being or have been performed for it in connection with this Agreement, unless the vendor first obtains the written approval of the Port Authority. Such approval may be withheld if for any reason the Port Authority believes that the publication of such information would be harmful to the public interest or is in any way undesirable.
14. Neither the Commissioners of the Port Authority, nor Directors of PATH, nor any of them, nor any officer, agent or employee thereof, shall be charged personally by the Contractor with any liability, or held personally liable to the Contractor under any term or provision of this Agreement, or because of its execution or attempted execution, or because of any breach, or attempted or alleged breach, thereof.

**THE PORT AUTHORITY OF NY & NJ**

EVAPORATOR, CONDENSER UNITS, AND ACCESSORIES

Bid #50266

**WAREHOUSE REQUIREMENTS CONTRACT**

**Information for Bidders**

**1. AWARD TO SINGLE BIDDER**

It is the intent of The Port Authority of New York and New Jersey (the "Port Authority") to award to one Bidder based on the total estimated delivered price for all items. However, the Port Authority shall have the absolute right to reject any or all bids or to accept any bid in whole or in part and to waive defects in bids.

**2. CORRECTION IN COMPUTATION**

Prices must be quoted in United States Dollars. All figures inserted will be interpreted as being quoted in United States Dollars. Each Bidder shall ensure that all information and figures are inserted as required and that all computations have been verified for accuracy. Bidders are advised that the Port Authority may verify only the quotation or quotations that it deems appropriate and may not check each bid for errors in computation. The Port Authority reserves the unqualified right to recalculate any and all extensions set forth by the Bidder. In the event there is a discrepancy between any unit price listed and the "Estimated Total Price" or the "Total Estimated Contract Price," the Bidder's unit price, shall prevail.

**3. ACCEPTABLE PRODUCTS AND SAMPLES**

This bid may or may not call for specific brands that have been deemed acceptable for the purpose intended. If this bid calls for specific brands that have been deemed acceptable for the purpose intended, the Bidder may quote alternate products other than those listed hereunder. In that case, the Bidder must indicate the manufacturer name and model/part number of the alternate product next to each applicable line item. A Bidder quoting products may be required, at his own expense, to submit a sample of the proposed product and/or a copy of the specifications for the sample being submitted. If the Bidder fails to submit the required sample, the Bidder may be deemed non-responsive. If this bid does not call for the specific brands that have been deemed acceptable for the purpose intended, the Bidder may be required, at its own expense, to submit a sample of a proposed product.

Samples of all the requested products shall be submitted to the Port Authority for evaluation within seven (7) business days of request. Failure by the Bidder to deliver samples within the required timeframe may result in the rejection of the Bid. The package containing sample products should clearly indicate the following: (1) the Bidder's name and address, (2) the Bid number, and (3) the Bid due date. Additionally, each item must be tagged with the Port Authority's Material Stock Number and the Bidder's name and address. Sample products are

## THE PORT AUTHORITY OF NY & NJ

EVAPORATOR, CONDENSER UNITS, AND ACCESSORIES

Bid #50266

to be sent directly to: The Port Authority of New York and New Jersey, Central Warehouse, 777 Jersey Ave, Jersey City, New Jersey 07310. All sample products submitted by the Bidder will be evaluated by the Port Authority, and the Port Authority will make the final determination as to whether or not the sample product is acceptable. The Bidder shall bear all costs of the evaluation, if any. Should a proposed alternate product be deemed not acceptable, the Bidder shall be obligated to provide one of the listed acceptable brands, including the manufacturer's name and model/part numbers at the original quoted price to maintain eligibility for contract award.

All samples must be picked up by the Bidder within thirty (30) days of notification, after which all samples will become the property of the Port Authority.

#### **4. PRE-AWARD MEETING**

The lowest responsive and responsible Bidder may be called for a pre-award meeting prior to award of the Contract.

#### **5. ENERGY STAR**

Where applicable, the Bidder shall make best efforts to provide products that earn the ENERGY STAR and meet the ENERGY STAR specifications for energy efficiency. The Bidder is encouraged to visit [www.energystar.gov](http://www.energystar.gov) for complete product specifications and updated lists of qualifying products.

#### **6. CERTIFICATION OF RECYCLED MATERIALS**

Bidders are requested to submit, with their bid, Attachment I-A "Certified Environmentally Preferable Products / Practices Form", attesting that the products or items offered by the Bidder contain the minimum percentage of post-consumer recovered material in accordance with the most recent guidelines issued by the United States Environmental Protection Agency (EPA), or, for commodities not so covered, the minimum percentage of post-consumer recovered materials established by other applicable regulatory agencies. The data submitted by the Bidder in Attachment I-A is being solicited for informational purposes only.

#### **Recycling Definitions:**

For purposes of this solicitation, the following definitions shall apply:

- a. **"Recovered Material"** shall be defined as any waste material or by-product that has been recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process.
- b. **"Post-consumer Material"** shall be defined as any material or finished product that has served its intended use and has been discarded for disposal or recovery having completed its life as a consumer item. "Post-consumer material" is included in the

## THE PORT AUTHORITY OF NY & NJ

EVAPORATOR, CONDENSER UNITS, AND ACCESSORIES

Bid #50266

broader category of “Recovered Material.”

- c. **“Pre-consumer Material”** shall be defined as any material or by-product generated after the manufacture of a product but before the product reaches the consumer, such as damaged or obsolete products. Pre-consumer Material does not include mill and manufacturing trim, scrap, or broken material that is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.
- d. **“Recycled Product”** shall be defined as a product that contains the highest amount of post-consumer material practicable, or when post-consumer material is impracticable for a specific type of product, contains substantial amounts of Pre-Consumer Material.
- e. **“Recyclable Product”** shall be defined as the ability of a product and its packaging to be reused, reconditioned for use, or recycled through existing recycling collection programs.
- f. **“Waste Reducing Product”** shall be defined as any product that will result in less waste generated due to its use rather than another product designed to serve the same function with a greater waste generation rate. This shall include, but not be limited to, those products that can be reused, refilled or have a longer life expectancy and contain a lesser amount of toxic constituents.

# THE PORT AUTHORITY OF NY & NJ

EVAPORATOR, CONDENSER UNITS, AND ACCESSORIES

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## Standard Terms and Conditions

### **1. GENERAL AGREEMENT**

The Vendor agrees to furnish and deliver on an "as needed" basis to the Port Authority's warehouses as set forth herein, the Port Authority's warehouse requirements for the items set forth in the "Request for Quotation" form, within the calendar days indicated in paragraph 4 below. The furnishing and delivery shall be at the prices quoted in the Request for Quotation, and shall be fixed and firm for the duration of this contract.

The contract term is **two (2) years**. There shall be no minimum quantities or dollars per Purchase Order release. The dollar value on the Bid is for evaluation purposes only and there are no guarantees as to the actual amount, if any, that may be ordered. In full consideration for the performance of all duties and obligations hereunder, the Vendor agrees to accept from the Port Authority a compensation consisting of payment for the items or services supplied by the Vendor computed at the bid prices quoted in the Request for Quotation. The "Unit Prices" quoted shall not exceed two (2) decimal places.

### **2. EXTENSION PERIOD**

The Port Authority shall have the absolute right to extend the Base Term for an additional period of up to one hundred and twenty (120) days (hereinafter called the "Extension Period") subsequent to the Expiration Date of the Base Term or to the Expiration Date of the final exercised Option Period, subject to the same terms and conditions as the previous contract period. The prices quoted by the Contractor for the previous contract period shall remain in effect during this Extension Period without adjustment. If it so elects to extend the term of this Contract, the Port Authority will advise the Contractor, in writing that the term is so extended, and stipulate the length of the extended term, at least thirty (30) days prior to the expiration date of the previous contract period.

### **3. EMAIL/FACSIMILE COMMUNICATIONS**

The Vendor shall have available a facsimile machine and email address for receipt of Purchase Orders from the Port Authority. The Vendor must be able to receive orders twenty-four (24) hours a day, seven (7) days a week.

### **4. PURCHASE ORDERS**

Releases against the Contract for the Port Authority warehouse(s) will be coordinated using Purchase Orders issued by the Contract Administrator located at the Central Warehouse, 777 Jersey Avenue, Jersey City, NJ 07310. Purchase Orders may be verbal or in writing. If verbal, the Port Authority will confirm all orders by facsimile or email stating the stock number, quantity, delivery location and Purchase Order number. The Vendor shall accept Purchase Orders only from the Contract Administrator. The Vendor shall deliver within

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**ten (10) calendar days** from receipt of Purchase Order.

### 5. ADDITIONAL ITEMS

Additional related items may be added to this Contract by the Contract Administrator. The Port Authority shall not be obligated to add new items to the Contract unless it is in the best interest of the Port Authority.

### 6. DELIVERY

Delivery shall be FOB Delivered to any or all warehouses listed below. It should be noted that within a facility location, there might be one or more individual site locations where delivery may be required. All deliveries shall be made between the hours of 7:00 a.m. and 2:30 p.m. unless otherwise noted in the specifications. The Vendor must comply with the following instructions for the proper method of making deliveries. Failure to do so may result in delayed payments.

A. All deliveries must be accompanied by an original packing slip which, shall always contain:

1. The Port Authority Purchase Order Number.
2. The Port Authority Stock Number.
3. A description of each item.
4. The quantity shipped of each item.
5. The Vendor's packing slip/invoice number.

B. The Vendor shall not combine orders.

In the event the Vendor receives more than one separate and distinct purchase order for one delivery point, the Vendor shall package each order individually though delivery is made to the same location simultaneously. Each separate order must be accompanied by its own packing slip/invoice containing all information numbered 1 through 5 in Paragraph A above.

C. Shipping cartons shall not contain loose and/or unmarked items.

D. Unless otherwise provided, complete shipment of all items must be in one delivery.

E. Only in extenuating circumstances will partial deliveries to Port Authority warehouses be accepted. When partial deliveries are made, the receiving warehouse must be notified as to when the balance of the order will be shipped.

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**7. DELIVERY CONDITIONS**

The Port Authority estimates an average of two (2) deliveries per month to any one or combination of delivery points listed. This number is based on past requirements and constitutes no guarantee as to the actual number of deliveries, or the delivery sites. Delivery of material must be within ten (10) calendar days from receipt of purchase order. There shall be no minimums per order.

**8. DELIVERY LOCATIONS AND RESTRICTIONS**

All shipments must be 'inside delivery' except where noted below:

New Jersey Locations

Central Warehouse  
777 Jersey Ave.  
Jersey City, NJ 07310  
MUST BE TAIL GATE DELIVERY'  
(201) 386-6806

GWB Warehouse  
220 Bruce Reynolds Blvd.  
Fort lee, NJ 07024  
MUST BE TAIL GATE DELIVERY  
(201) 346-4127

Newark Liberty International Airport  
Building #11 Warehouse  
Newark, NJ 07114  
MUST BE TAIL GATE DELIVERY  
(973) 961-6250

New York Locations

JFK International Airport Warehouse  
P.A. Administration Bldg. 14  
Jamaica, NY 11430  
MUST BE TAIL GATE DELIVERY  
(718) 244-3678

LaGuardia Airport Warehouse  
Bldg. 2B, Hangar 7 S.Wing  
Jackson Heights, NY 11371  
MUST BE TAIL GATE DELIVERY  
(718) 533-3523

The Port Authority shall have the unilateral right to add or delete delivery locations that are within the Port District. The Port District is defined as a 25-mile radius from the Statue of Liberty.

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### 9. LEGAL HOLIDAYS

Except where otherwise specified, all of the following holidays will be observed at the facilities. Where specified, these holidays shall mean and include:

New Year's Day	Labor Day
Martin Luther King, Jr. Birthday	Columbus Day
Lincoln's Birthday	Veterans Day
President's Day	Thanksgiving Day
Memorial Day	The day after Thanksgiving Day
Independence Day	Christmas Day

### 10. MATERIAL SAFETY DATA SHEETS

When required by Federal, State or Local law, a Material Safety Data Sheet must be included with all deliveries.

### 11. UNION JURISDICTION

The Vendor is advised to ascertain whether any union now represented or not represented at the facility will claim jurisdiction over any aspect of the operation to be performed hereunder including delivery.

### 12. BILLING

An invoice with a unique invoice number must be issued for all deliveries. The Vendor must attach backup delivery receipts with Purchase Order number. **Mail all invoices to: The Port Authority of New York and New Jersey, Accounts Payable, 2 Montgomery Street, 3<sup>rd</sup> Floor, Jersey City, NJ 07302.**

### 13. NON-PERFORMANCE OF VENDORS DUTIES RELETTING CHARGES

If the Vendor fails to perform in accordance with the terms of this Contract, the Port Authority may obtain the goods or services from another Vendor and charge the seller the difference in price, if any, plus a reletting cost of one hundred dollars (\$100), plus any other damages to the Port Authority.

### 14. TERMINATION

The Port Authority may terminate this Contract with cause at any time and without cause



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within five (5) business days' written notice to the Vendor and in such an event this Contract shall cease and expire on the date set forth in the notice of termination as fully and completely as though such date was the original expiration date. Such cancellation shall be without prejudice to the rights and obligations of the parties arising out of portions of this agreement already performed but no allowance shall be made for anticipated profits. The Vendor shall complete delivery of all items ordered before receipt of the notice of termination.

**15. CONFLICT OF TERMS AND CONDITIONS**

In the event of any conflict between the standard terms and conditions provided in this "Warehouse Requirements Contract" document and the terms and conditions provided in the "Request for Quotation" form, the standard terms and conditions in this "Warehouse Requirements Contract" document shall prevail.

**16. PURCHASE BY OTHER GOVERNMENT AGENCIES**

Upon such request, vendors who are awarded contracts are encouraged to extend the terms and conditions of these contracts under separate agreement to other government and quasi-governmental entities.

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**ATTACHMENT I -A - Certified Environmentally Preferable Products/Practices**

Bidder Name: \_\_\_\_\_ Date: \_\_\_\_\_

In line with The Port Authority of New York and New Jersey’s (The “Port Authority”) efforts to promote products and practices which reduce the Port Authority’s impact on the environment and human health, Bidders are encouraged to provide information regarding their environmentally preferable/sustainable business practices as they relate to this contract wherever possible. Bidders are requested to complete this form and submit it with their response, if appropriate. Bidders are requested to submit appropriate documentation to support the items for which the Bidder indicates a “Yes” and present this documentation in the proper sequence of this Attachment.

**1. Packaging**

Has the Bidder implemented any of the following environmental initiatives? (A checkmark indicates, “Yes”)

- \_\_\_ Use of corrugated materials that exceed the required minimum EPA recommended post-consumer recycled content
- \_\_\_ Use of other packaging materials that contain recycled content and are recyclable in most local programs
- \_\_\_ Promotes waste prevention and source reduction by reducing the extent of the packaging and/or offering packaging take-back services, or shipping carton return
- \_\_\_ Reduces or eliminates materials which have been bleached with chlorine or chlorine derivatives
- \_\_\_ Eliminates any packaging that may contain polyvinyl chloride (PVC), or polystyrene or heavy metals

**2. Business Practices / Operations / Manufacturing**

Does the Bidder engage in practices that serve to reduce or minimize an impact to the environment, including, but not necessarily limited to, the following items? (A checkmark indicates, “Yes”)

- \_\_\_ Recycles materials in the warehouse or other operations
- \_\_\_ Use of alternative fuel vehicles or vehicles equipped with diesel emission control devices for delivery or transportation purposes
- \_\_\_ Use of energy efficient office equipment or signage or the incorporation of green building design elements
- \_\_\_ Use of recycled paper (that meets federal specifications) in their marketing and/or resource materials
- \_\_\_ Other sustainable initiative

**3. Training and Education**

Does the Bidder conduct/offer a program to train or inform customers and employees of the environmental benefits of the products to be offered under this contract, and/or does the Bidder conduct environmental training of its own staff?

- Yes  No If yes, Bidder is requested to attach a description of the training offered and the specific criteria targeted by the training.

**4. Certifications**

Has the Bidder or any of its manufacturers and/or subcontractors obtained any of the following product / industry certifications? (A checkmark indicates, “Yes”)

- \_\_\_ ISO 14000 or adopted some other equivalent environmental management system
- \_\_\_ Other industry environmental standards (where applicable), such as the CERES principles, LEED Certification, C2C Protocol, Responsible Care Codes of Practice or other similar standards
- \_\_\_ Third Party product certifications such as Green Seal, Scientific Certification Systems, Smartwood, etc.

If yes, Bidders are requested to attach copies of the certificates obtained.

I hereby certify, under penalty of the law that the above statements are true and correct.

Name \_\_\_\_\_

Date \_\_\_\_\_