



## Memo

**To:** COMMISSIONER OF ACCOUNTS, JOHN FRANCK  
**From:** COMMISSIONER OF PUBLIC WORKS, ANTHONY SCIROCCO  
**Date:** FEBRUARY 12, 2015  
**Re:** FLOWER BID 2015-06

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The Department of Public Works would like to award the following bid  
for the year 2015 To: Dehn's Flowers

This Vendor has bid the lowest overall price, that  
best meet the specifications, in accordance to contract procedures.

Hence, we are asking you to put this on your next Council Meeting  
Agenda, *MARCH 3, 2015*

Thank you for your cooperation in this matter.

Signature *Anthony Scirocco* Date 02/12/2015

Anthony Scirocco, Commissioner of Public Works



**City of Saratoga Springs**  
**OFFICE OF COMMISSIONER OF ACCOUNTS**  
474 Broadway - City Hall  
Saratoga Springs, New York 12866

JOHN P. FRANCK  
COMMISSIONER

SHARON J. KELLNER-BYRNES  
DEPUTY COMMISSIONER

Telephone 518-587-3550  
Fax 518-587-6512

# Award/Extension of Bid Sign-Off Form

## Award of Bid

Prior to an award of bid being placed on Commissioner Franck's agenda for a City Council meeting, this form **must** be completed and the following **must** occur:

- A memo from your department's commissioner/mayor requesting the award of bid be placed on Commissioner Franck's agenda; and
- A copy of the bid tabulation sheet with all vendors names, addresses, and contact person; and
- the Assistant Purchasing Agent **must** review that the purchasing policy was followed in the selection of the vendor and indicate such by signing below; and
- the Director of Risk and Safety **must** be provided a copy of the vendor's certificate of insurance (if applicable) for review and indicate by signing below that the vendor meets all insurance requirements for the City of Saratoga Springs; and
- approved certification of funds by the Finance Department (if applicable) **must** be obtained and a copy **must** be attached to request an award of bid; and
- budget line item **must** be identified and indicated below.

## Extension of Bid

Prior to an extension of bid being placed on Commissioner Franck's agenda for a City Council meeting, this form **must** be completed and the following **must** occur:

- A memo from your department's commissioner/mayor requesting the extension of bid be placed on Commissioner Franck's agenda; and
- A copy of the page from the previous year's bid showing the bid can be extended; and
- the Assistant Purchasing Agent **must** review that the purchasing policy was followed in the selection of the vendor and indicate such by signing below; and
- the Director of Risk and Safety **must** be provided a copy of the vendor's certificate of insurance (if applicable) for review and indicate by signing below that the vendor continues to meet all insurance requirements for the City of Saratoga Springs; and
- approved certification of funds by the Finance Department (if applicable) **must** be obtained and a copy **must** be attached to request an extension of bid; and
- budget line item **must** be identified and indicated below.

Department That Owns Award/Extension of Bid: Department of Public Works

Project or Item Being Awarded: Flower Bid 2015-06

Item Being Extended: \_\_\_\_\_

Vendor Who Won the Bid: Dehn's Flowers

Budget Line Item: A3335014 54184

Budget Line Item: \_\_\_\_\_

Assistant Purchasing Agent: Purchasing policy has  / has not \_\_\_\_\_ been followed in the selection of the winner of the bid or bid extension.

Stephen Roberts Assistant Purchasing Agent      2/13/15 Date

Director of Risk and Safety: ~~Vendor being awarded the bid or the bid being extended has \_\_\_\_\_ / has not \_\_\_\_\_ met all insurance requirements of the City of Saratoga Springs and has provided a copy of their certificate of insurance for review by the Director of Risk and Safety.~~

~~N/A Director of Risk and Safety      \_\_\_\_\_ Date~~

**\*\*An award/extension of bid will not be placed on the Commissioner's agenda if any of the above is missing. The request to place the item on the agenda will be returned to the appropriate department.**



**Bidders Submittal Instructions**

**BIDDERS PLEASE NOTE YOUR BID MUST BE RETURNED AS FOLLOWS:**

**Step One:** You MUST execute and include the following documents with your response:

- Your response to the IFB in question
- Waiver of Immunity and Non-Collusive Bidding Certification
- Vendor Code of Conduct

**FAILURE TO SUBMIT IFB DOCUMENTS AS OUTLINED ABOVE WILL LEAD TO IMMEDIATE IFB DISQUALIFICATION.**

**Step Two:** Enclose your bid in a sealed envelope marked:

IFB #: 2015-06 – Flowers and Misc Supplies

Name of Bidder: Dennis Flowers

Bid Opening: Tuesday, February 10, 2015 at 2:00 p.m.

**Step Three:** Please return your response to this IFB to the following address:

City of Saratoga Springs  
Department of Accounts  
474 Broadway  
Saratoga Springs, NY 12866



**Specifications  
for  
Flowers and Misc Supplies**

This proposal covers flowers and bulbs that the City anticipates using during the upcoming year as listed on the attached pages. Color, height, packaging (pot size or flat count) and unit price must be entered in the spaces provided.

Quantities are estimated only; the awarded contract shall cover only the quantities actually ordered. It shall be understood that the flowers and estimated quantities described in this proposal shall be made available to the Department of Public Works on an as needed basis.

Growers and suppliers must be located within a ten (10) mile radius of the Public Works City Garage, Van Rensselaer and Division Street.

All flower plants described in this proposal shall be provided to the City in healthy conditions, free of rot, fungus, plant breakage and any other degenerative conditions that could impede normal growth.

The City also requires a dedicated area solely for "City" flowers during summer months.

Item	Qty	Description	Unit Price	Total Price
#1	75	22" Cocoa Liner Flower Baskets	\$ 55.00	\$ 4125.00 *
#2	3000	48 ct/flat Annuals	\$ 15.00	\$ 45000.00 **
#3	500	4 1/2" Annual Pots	\$ 3.50	\$ 1750.00
#4	500	6" Annual Pots	\$ 5.50	\$ 2750.00
#5	500	8" Annual Pots	\$ 8.50	\$ 4250.00
#6	1000	Tulip Bulbs	\$ .60	\$ 600.00

TOTAL BID IN FIGURES: \$ 58475.00

TOTAL BID WRITTEN: Fifty-Eight Thousand, four hundred and Seventy-Five Dollars and 00 cents

COMPANY NAME: Dehn's Flowers Inc

ADDRESS: 180 Beekman St

Saratoga Springs (City) NY (State) 12806 (Zip) Phone No. (518) 584-1880

E-MAIL ADDRESS: dehn's@aol.com

AUTHORIZED SIGNATURE: John P. Mishoe Sr

PRINTED NAME: John P. Mishoe Sr

TITLE: Vice President DATE: 2/9/15

\* Price based on reusing baskets stored by DPW. Additional cost for replacement baskets and liners

\*\* Zinnias are 32 ct/flat  
Uccle Petunias are 12 ct/flat



**Waiver of Immunity Clause**  
Section §139(a) State Finance Law

Upon the refusal by a representative of your firm, when called before a grand jury to testify concerning any transaction or contract with the City of Saratoga Springs, New York, or to sign a waiver of Immunity against subsequent criminal prosecution or to answer any relevant question concerning such transactions or contracts,

(a) such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or fire district, or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal, and to provide also that

(b) any and all contracts made with any municipal corporation or fire district, or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the City without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the City for goods delivered or work done prior to the cancellation or termination shall be paid.

**Non-Collusive Bidding Certification**  
Section §139(d) State Finance Law

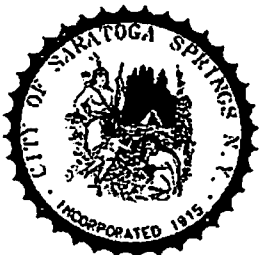
By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and, in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

- (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.

A bid shall not be considered for award nor shall any award be made where (1), (2), (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 therefore.

Signature: John P. Mishce Sr. Print Name: John P. Mishce Sr.  
Title: Vice President Date: ~~12/15/14~~ 2/9/15  
Company: Dehn's Flowers Inc Address: 180 Beekman St Saratoga Springs NY

Subscribed to under penalty of perjury under the laws of the State of New York, this 9th day of February, 2015 as the act and deed of said corporation or partnership.



## Vendor/Supplier Code of Conduct

The City of Saratoga Springs is committed to conduct business in a lawful, ethical and moral manner and expects the same standards from vendors/suppliers that the City conducts business with. The City requires that all vendors/suppliers abide by this Code of Conduct. Failure to comply with this Code may be sufficient cause for the City to exercise its' rights to terminate its' business relationship with vendors/suppliers. Vendors/suppliers agree to provide all information requested which is necessary to demonstrate compliance with this Code.

At a minimum, the City requires that all vendors/suppliers meet the following standards:

- **Legal:** Vendors/suppliers and their subcontractors agree to comply with all applicable local, state and federal laws, regulations and statutes.
- The City expects vendors/suppliers to respect the City's rules and procedures.
- **Conflict of Interest:** The vendor/supplier represents and warrants that it has no conflict, actual or perceived, that would prevent it from doing business with the City of Saratoga Springs.
- **Wages & Benefits:** Vendors/suppliers will set working hours, wages, and NYS statutory benefits and overtime pay in compliance with all applicable laws and regulations. Where applicable, as defined by NYS Labor Law, the vendor/supplier must comply with prevailing wage rates.
- **Health & Safety:** Vendors/suppliers and their subcontractors shall provide workers with a safe and healthy work environment that complies with local, state and federal health and safety laws.
- **Discrimination:** No person shall be subject to any discrimination in employment, including hiring, salary, benefits, advancement, discipline, termination or retirement on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, party affiliation or social ethnic origin.
- **Working conditions:** Vendors/suppliers must treat all workers with respect and dignity and provide them with a safe and healthy environment.
- **Right to organize:** Employees of the vendor/supplier should have the right to decide whether they want collective bargaining.
- **Subcontractors:** Vendors/suppliers shall ensure that subcontractors shall operate in a manner consistent with this Code.
- **Protection of the Environment:** Vendors/suppliers shall comply with all applicable environmental laws and regulations. Vendors/suppliers shall ensure that the resources and material they use are sustainable, are capable of being recycled and are used effectively and a minimum of waste. Where practicable, vendors/suppliers are to utilize technologies that do not adversely affect the environment and when such impact is unavoidable, to ensure that it is minimized.

### Vendor Acknowledgement

The undersigned vendor/supplier hereby acknowledges that it has received the City of Saratoga Springs Vendor/Supplier Code of Conduct and agrees that any and all of its facilities and subcontractors doing business with the City will receive the Code and will abide by each and every term therein.

Vendor/supplier acknowledges that its failure to comply with any condition, requirement, policy or procedure may result in the termination of the business relationship. Vendor/supplier reserves the right to terminate its agreement to abide by the Code of Conduct at any time for any reason upon ninety (90) days prior written notice to the City.

Signature: John P. Mishae Sr.

Printed name: John P. Mishae Sr.

Title: Vice President

Date: 2/9/15

Company Name: Dehn's Flowers Inc.

Untitled

Feb.9, 2015

To whom it May Concern,

IFB 2015-06 does not specify species, variety, color or quantity of specific flowers. It is understood by the Bidder, Dehn's Flowers INC., that The city of Saratoga Springs, NY will utilize in-stock items from the winning bidder unless discussed in a reasonable time to allow procurement and production of any specific items.

Sincerely,

John Mishoe Sr.  
  
Dehns flowers INC



