



**COUNTY OF ERIE
DIVISION OF PURCHASE
MEMORANDUM**

To: All Using Departments

From: Jamie Kucewicz, Buyer

Date: March 15, 2023

Subject: FIRE ALARM & SMOKE DETECTOR SYSTEM MAINTENANCE

Bid No.: 230034-002

Effective Dates: January 1, 2023 through December 31, 2024

Vendor #: 110586

Vendor: JOHNSON CONTROLS FIRE PROTECTION
6850 Main Street, Suite 3
Williamsville, NY 14221
Contact: Sandy Lafraddo

Telephone: 716-525-0389

Pricing: per attached document



County of Erie

MARK C. POLONCARZ
COUNTY EXECUTIVE

DIVISION OF PURCHASE

STANDARD AGREEMENT

This AGREEMENT, made as of the 16th DAY OF FEBRUARY, 2023

by and between JOHNSON CONTROLS FIRE PROTECTION,

of 6850 MAIN STREET, SUITE 3, WILLIAMSVILLE, NY 14221

herein after referred to as the Contractor, and the County of Erie, a municipal corporation of the State of New York, hereinafter referred to as the County:

WHEREAS, in accordance with public open competitive bidding, sealed proposals were received and publicly opened by the County of Erie, Division of Purchase

on JANUARY 30, 2023 at 11:00AM

for: FIRE ALARM & SMOKE DETECTOR SYSTEM MAINTENANCE

WHEREAS, the bid of the Contractor submitted in accordance therewith, the sum of \$59,100.00, was the lowest responsible bid submitted; and

WHEREAS, a contract is hereby awarded to the Contractor by the County, in accordance with the provisions therein contained; and

WHEREAS, the Notice to Bidders and Specifications make provisions for entering into a proper and suitable contract in connection therewith;

NOW, therefore, the Contractor does hereby for its heirs, executors, administrators and successors agree with the County of Erie that, the Contractor shall for the consideration mentioned, and in the manner set forth in Accepted Invitation to Bid No. 230034-002, Specifications and Provisions of Law annexed hereto and forming a part of this contract, furnish the equipment and materials and perform the work and services described in the Accepted Bid for the above sum.

_____ Paid monthly upon presentation of invoices.

X _____ Upon delivery, completion and approval of the work, as per specifications.

Please refer to the Invitation to Bid (Page 1) and the Instructions to Bidders which are part of this agreement.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

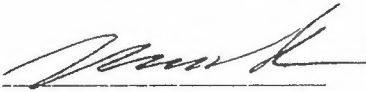
COUNTY OF ERIE

CONTRACTOR: JOHNSON CONTROLS FIRE PROTECTION

by


Director of Purchase

by



Date

3/15/2023

Title

Total Service Manager

Date

2/28/2023

APPROVED AS TO FORM

Electronically Approved

Assistant County Attorney
County of Erie, New York

Date _____



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE
DIVISION OF PURCHASE
INVITATION TO BID

Bids, as stated below, will be received and publicly opened by the Division of Purchase in accordance with the attached specifications. FAX bids are unacceptable. Bids must be submitted in a sealed envelope to:

County of Erie
 Division of Purchase
 Attention: James D. Kucewicz, Buyer (716) 858-6336
 95 Franklin Street, Room 1254
 Buffalo, New York 14202-3967

NOTE: Lower left-hand corner of envelope **MUST** indicate the following:

BID NUMBER: 230034-002

OPENING DATE: JANUARY 30, 2023 TIME: 11:00 AM

FOR: FIRE ALARM & SMOKE DETECTOR SYSTEM MAINTENANCE

NAME OF BIDDER: JOHNSON CONTROLS FIRE PROTECTION LP

If you are submitting other Invitations to Bid, each bid must be enclosed in a separate envelope.

Following EXHIBITS are attached to and made a part of the bid specifications, and part of any agreement entered into pursuant to this Invitation to Bid:

- EXHIBIT "A" - Assignment of Public Contracts
- EXHIBIT "B" - Purchases by Other Local Governments or Special Districts
- EXHIBIT "C" - Construction/Reconstruction Contracts
- EXHIBIT "D" - Bid Bond (Formal Bid)
- EXHIBIT "E" - Bid Bond (Informal Bid)
- EXHIBIT "EP" - Equal Pay Certification
- EXHIBIT "F" - Standard Agreement
- EXHIBIT "G" - Non-Collusive Bidding Certification
- EXHIBIT "H" - MBE/ WBE Commitment
- EXHIBIT "IC" - Insurance CLASSIFICATION "A"
- EXHIBIT "P" & EXHIBIT "PBI" - Performance Bond
- EXHIBIT "Q" - Confined Space Program Certification
- EXHIBIT "PW" - NYS Prevailing Wage
- EXHIBIT "V" - Vendor Federal Compliance Certification

County of Erie
 DIVISION OF PURCHASE
NON-COLLUSIVE BIDDING CERTIFICATION

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 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.

NOTICE

(Penal Law, Section 210.45)

IT IS A CRIME, PUNISHABLE AS A CLASS A MISDEMEANOR UNDER THE LAWS OF THE STATE OF NEW YORK, FOR A PERSON, IN AND BY A WRITTEN INSTRUMENT, TO KNOWINGLY MAKE A FALSE STATEMENT, OR TO MAKE A FALSE STATEMENT, OR TO MAKE A STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE.

BID NOT ACCEPTABLE WITHOUT FOLLOWING CERTIFICATION:

Affirmed under penalty of perjury this 24TH day of January, 2023

TERMS Net 30 DELIVERY DATE AT DESTINATION ASAP

FIRM NAME JOHNSON CONTROLS FIRE PROTECTION LP

ADDRESS 6850 MAIN ST-STE 3

WILLIAMSVILLE, NY

ZIP 14221

AUTHORIZED SIGNATURE *Matthew Peck* For JCFP

TYPED NAME OF AUTHORIZED SIGNATURE Matthew Peck

TITLE TOTAL SERVICE MANAGER TELEPHONE NO. 716-525-0389

(Rev. 1/2000)

ERIE COUNTY OFFICE BUILDING, 95 FRANKLIN STREET, BUFFALO, NEW YORK 14202 (716) 858-6395

County of Erie
DIVISION OF PURCHASE
BID SPECIFICATIONS

BID NO. 230034-002

Ship to:
 Attention:
 Address:

Ship Via:
 Date Required at Destination:

ITEM NO.	QUAN-TITY	U/M	CATALOG NO./DESCRIPTION	UNIT PRICE	TOTAL PRICE
			Please furnish pricing for maintenance of Simplex Fire Alarm and		
			Smoke Detector Systems at 25 Delaware Avenue, 92 Franklin		
			Street, 77 West Eagle Street (Law Library) and 110 Franklin Street		
			Ticor Building) per the attached specifications		
			Cost per year:		
			January 1, 2023 – December 31, 2023		<u>\$29,550</u>
			January 1, 2024 – December 31, 2024		<u>\$29,550</u>
			TOTAL		\$59,100

NOTE: Bid results cannot be given over the phone. All requests for bid results should be submitted in writing or faxed to:

ERIE COUNTY DIVISION OF PURCHASE
 Freedom of Information Officer
 95 Franklin Street, Rm. 1254
 Buffalo, NY 14202
 FAX #: 716/858-6465

NAME OF BIDDER JOHNSON CONTROLS FIRE PROTECTION LP

Maintenance Specifications for:

Simplex Fire Alarm and Smoke Detector Systems at
25 Delaware, 92 Franklin, 77 W. Eagle (Law Library),
110 Franklin (Ticor Building) for a two-year term:
Jan. 1, 2023 - Dec. 31, 2024

ARTICLE I GENERAL

1001

The services to be performed under contract as per these specifications shall consist of furnishing all materials, labor, tools, and equipment necessary to provide inspection and complete maintenance of the equipment herein described. Full service shall include systematic inspections, preventive maintenance to test, inspect, clean, calibrate main fire panels and all associated equipment, repair and/or replacement of parts up to \$25.00/part per visit, for all fire and smoke alarms at locations listed in this specification.

ARTICLE II COMPETENCY OF BIDDER

2001A

The bidder shall have had a qualified service organization in active operation for a minimum of five years. The bidder shall have an established, certified fire and smoke alarm service agency, capable of performing all work described herein. No portion of this contract shall be subcontracted to others. The bidder shall furnish with his bid, a statement that he has in his employ and under his supervision, the necessary personnel, and organization, and that he possesses facilities located within the County of Erie, to properly fulfill all the services and conditions required under these specifications. Consideration will not be given to bids submitted by an individual, firm, or corporation who has established on former projects, either governmental or commercial, an unsatisfactory record of performance in connection with inspection or repair of the type of systems specified herein.

2001B

Bidder must be able to perform diagnostics and repairs of the printed circuit boards and zone addressable modules. Bidder must be able to provide competency on the following Simplex Life Safety Systems.

2001B-1

Software: Bidder must be a trained vendor in the concepts of the executive operating program of the Simplex 2120, 4010, 4100, 4120. In the event of a malfunction, prospective bidder must have direct access to newly manufactured replacement parts and be able to install program and warranty said parts for a minimum period of (1) one year. Newly manufactured replacement parts shall be OEM, UL listed & ISO 9000. Bidder must maintain spare parts inventory and have 24 hr. access to all listed parts. Bidder must have at least three technicians in their employ that are factory trained and certified to maintain and service all Simplex systems.

2002

Each bidder shall submit, as requested by the owner: the number of the qualified service technicians to provide twenty-four-hour service, certification of all technicians to verify qualifications as certified by a major equipment manufacturer and/or as certified under the laws administered by the New York State Dept. of Labor, the twenty-four-hour emergency service phone number, and a list of customers who the contractor has successfully contracted with for services.

2003

The bidder shall be responsible for making an initial inspection of the equipment and facilities to be serviced, to adequately familiarize themselves with the building. Bidder shall have adequate knowledge of the systems being quoted to provide uninterrupted operation of all equipment. Any omissions or deletions by the bidder shall not be cause for increases or changes at a later date.

2004

The bidder shall provide adequate work man's compensation and liability insurance coverage acceptable to the Erie County Purchasing Department.

ARTICLE III
3001

QUALIFICATIONS OF BIDDERS

The successful bidder must furnish at the time of the bid opening, and attached to and made a part of his bid the following:

1. An inventory of spare parts now on hand in the bidder's shop for repair of the equipment listed under attached equipment sheets. If the bidder does not now own such parts, as an alternate, a list of parts which the bidder deems necessary to satisfactorily service this equipment for uninterrupted daily operation may be submitted together with a tabulation of procurement lead time for each item, and a statement that, in the event that the bidder is awarded this contract for service, he will immediately order and expedite delivery of such parts.
2. Names of any full-time technicians now on the payroll of the bidder who are factory trained in the maintenance and repair of equipment. Indicate for each person the number of years experience repairing such equipment.
3. References are required. List three customers in Erie County who are currently employing the bidder for maintenance service on fire alarms and smoke detector systems.

ARTICLE IV
4001

PAYMENTS

Payments in the amount stipulated in the contract shall be made in arrears of service, upon submission of properly certified vouchers and invoices. At the termination of any individual service requirement under this contract, payment shall be made for any fractional part of a month's service at the rate of one-thirtieth (1/30) of the monthly charge for each day of service rendered.

ARTICLE V
5001

FAILURE to COMPLY

The County of Erie reserves the right to make inspections and tests at any time when deemed advisable, to ascertain that the requirements of these specifications are being fulfilled. Should it be found that the standards herein specified are not being satisfactorily maintained, the County of Erie may immediately demand that the contractor place the systems in condition to meet these requirements. If the contractor fails to comply with such demands, within a reasonable time, the County of Erie may by written notice to the contractor terminate his right to proceed further with the work. In such event, the County of Erie may take over the work and prosecute it to completion by contract or otherwise, and the contractor or their sureties (if any) shall be liable to the County of Erie for any excess cost occasioned.

The County of Erie may terminate the contract if it deems that the contract is not satisfactorily performed in accordance with the standards herein specified. In the event of such termination, the County of Erie may refuse to award future contracts to such contractor.

ARTICLE VI
6001

SCOPE OF WORK

This invitation to bid assumes the systems covered to be in maintainable condition. If repairs are found necessary upon initial inspection, repair charges will be submitted for approval. Should these restoration charges be declined, those nonmaintainable items will be eliminated from the program and the agreement price adjusted accordingly.

6002 Repair, replacement and emergency service provisions apply only to the systems and equipment covered. Repair of nonmaintainable parts shall not be included in this agreement as per Section 6001 above.

6003 Replacement of defective or worn component parts, shall be included in this agreement, with the exception of nonmaintainable items. Nonmaintainable items shall include: items found to be nonmaintainable per Section 6001, horns, bells, pull stations, water flow switches and batteries.

6004 Damages to equipment resulting from accidents, fire, storm, water, negligence by owner or by any reason beyond the contractor's control other than fair wear and tear, shall not be the responsibility of the contractor.

6005 Worn, failed, or doubtful components and parts shall be replaced by the contractor. Replacement parts shall be a duplication of existing make and manufacturer or manufacturer's suggested replacement substitute, to minimize system depreciation and obsolescence. The owner shall approve all substitutes prior to their installation. Material, parts (within the limitations set forth in Section 6003) and labor costs of such replacements, shall be covered by the contract price

6006 Emergency Service shall be provided (24) twenty-four hours a day to minimize down time and inconvenience. Emergency service required during normal business hours for the trade, shall be provided without charge for labor or traveling expenses. Labor and travel expenses incurred during emergency service calls outside of normal business hours for the trade, shall be invoiced separately from this contract to the owner, at the contractors prevailing overtime rate. If for any reason a system should be out of service for more than the usual inspection or trouble shooting time, the contractor shall notify the Erie County Division of Buildings & Grounds office with the reason why, and what time the system is expected to be put back in service for proper and safe operation.

Contractor shall provide a list of names and emergency telephone numbers that can be contacted for emergency service, nights, weekends and holidays. Owner shall be supplied a list of current labor and travel expense rates for normal business hours, overtime rates, holiday and weekend rates, and mileage rates for call in hours.

6007 Upon completion of all testing and/or emergency services, contractor shall certify in writing that each system is 100% operational. Copies of this report shall be delivered or mailed to Erie County Buildings & Grounds office, also copies maintained by the contractor. Contractor shall supply and maintain on premise, as directed by the owner, a servicing log book documenting all occurrences, and time spent by the contractor's service technician. Specific items that were inspected or serviced shall be listed in the log book, so as to prevent repetition on future inspections. The contractor shall maintain on the premises, all drawings and prints, outlining all electrical and mechanical repairs, replacement, or adjustments performed on the equipment. These drawings and prints shall be available at all times for Erie County inspection and upon termination of the contract shall become the property of Erie County.

6008 EQUIPMENT LISTING

Where possible, the owner shall provide the bidders with a list of equipment to be covered under this agreement. Where partial or incomplete listings exist, it shall remain the contractor's responsibility to assure that all systems (as listed in Article I) operation and integrity is maintained at all times.

6009 FIRE ALARM-SMOKE DETECTION MAINTENANCE PROCEDURES:

The contractor shall inspect, clean, test, adjust and repair or replace all system components to maintain proper system operation and integrity. All inspection and cleaning to be done after business hours 6 PM - 7AM or County Holidays. These functions shall include as minimum, not necessarily limited to the following:

- a. Check main and slave control panels to assure operation and integrity of all alarming and initiating circuits.
- b. Local alarms shall be energized, using an active alarm initiating device with each inspection.
- c. City trip circuits and devices shall be verified at the owner's site and at the appropriate fire agency, utilizing an active alarm initiating device with each quarterly inspection. Log book to show a different initiating device on each inspection, i.e. (pull box, smoke detector, heat detector etc.).
- d. Manual initiating devices shall be activated and alarm verified at the main panel at time of inspection. Log book shall list the devices checked, so as to assure 100% of devices inspected in one year.
- e. All automatic sensing devices shall be initiated and their alarm signal verified at the main control panel at least once per contract year. Inspections may be split 25% each time to assure 100% inspection in contract year. Log book shall list devices checked at each inspection.

f. Smoke heads shall be cleaned on an annual basis.

g. Inspections as Follows:

25 Delaware / 92 Franklin to be Semi Annual
Law Library to be Annual
Ticor (Testing Only) Annual

6009.25

SEMIANNUAL FIRE ALARM-SMOKE DETECTION MAINTENANCE PROCEDURES:

The contractor shall inspect, clean, test, adjust and repair or replace all system components to maintain proper system operation and integrity. These functions shall include as minimum, not necessarily limited to the following:

- a. Check main and slave control panels to assure operation and integrity of all alarming and initiating circuits, on a semiannual basis. (two times per year).
- b. Local alarms shall be energized, using an active alarm initiating device with each semiannual inspection.
- c. City trip circuits and devices shall be verified at the owner's site and at the appropriate fire agency, utilizing an active alarm initiating device with each semiannual inspection. Log book to show a different initiating device on each inspection, i.e. (pull box, smoke detector, heat detector etc.).
- d. Fifty percent (50%) of manual initiating devices shall be activated and alarm verified at the main panel two times per year. This operation may be scheduled at a time other than the semiannual inspection. Log book shall list the devices checked, so as to assure 100% of devices inspected in one year.
- e. All automatic sensing devices shall be initiated and their alarm signal verified at the main control panel at least once per contract year. Inspections may be split 50% each time to assure 100% inspection in contract year. Log book shall list devices checked at each inspection.
- f. All audible and visual alarm devices shall have their operation verified at each semiannual inspection.
- g. Clean and lubricate all main control panels and secondary equipment (fans, motors, filters, relays etc.) as necessary.

6009.50

ANNUAL FIRE ALARM-SMOKE DETECTION MAINTENANCE PROCEDURES:

The contractor shall inspect, clean, test, adjust and repair or replace all system components to maintain proper system operation and integrity. These functions shall include as minimum, not necessarily limited to the following:

- a. Check main and slave control panels to assure operation and integrity of all alarming and initiating circuits, on an annual basis. (once per year).
- b. Local alarms shall be energized, using an active alarm initiating device with each annual inspection.
- c. City trip circuits and devices shall be verified at the owner's site and at the appropriate fire agency, utilizing an active alarm initiating device with each annual inspection. Log book to show a different initiating device on each inspection, i.e. (pull box, smoke detector, heat detector etc.).
- d. One hundred percent (100%) of manual initiating devices shall be activated and alarm verified at the main panel. This operation may be scheduled at a time other than the annual inspection. Log book shall list the devices checked, so as to assure 100% of devices inspected in one year.
- e. All automatic sensing devices shall be initiated and their alarm signal verified at the main control panel at least once per contract year. Inspections must assure 100% inspection in contract year. Log book shall list devices checked at each inspection.
- f. All audible and visual alarm devices shall have their operation verified at each annual inspection.
- g. Clean and lubricate all main control panels and secondary equipment (fans, motors, filters, relays etc.) as necessary.

ARTICLE VII DEVICE REPLACEMENT

Devices which, in the opinion of the contractor, can no longer be serviced or repaired, shall be replaced by prior authorization of the owner.

ARTICLE VIII ADDENDUM or CHANGE

8001 Any omissions or deletions in this specification, which the bidders feel should be either added or subtracted, and could result in attaching an addendum shall be discussed with the owner's agents within a period not to exceed two weeks prior to the scheduled bid opening.

8002

OWNER'S AGENTS

Erie County Department of Public Works
Division of Buildings and Grounds
95 Franklin
Buffalo, NY 14202

David Rodemeyer 858-6268