



**COUNTY OF ERIE
DIVISION OF PURCHASE
MEMORANDUM**

To: All Using Departments

From: Jamie Kucewicz, Buyer

Date: June 10, 2024

Subject: AUCTIONEER SERVICES

Bid No.: 222152-002

Effective Dates: Extended through June 30, 2026

Vendor: MONAHAN REAL ESTATE & DEVELOPMENT
210 Sawyer Avenue
Tonawanda, NY 14150

Telephone: (716) 282-8466

Pricing: 12.0% Buyer's Premium
9.0% Buyer's Premium if paying cash



COUNTY OF ERIE
DIVISION OF PURCHASE

May 29, 2024

Monahan Real Estate & Development LLC dba Cash Auctions
210 Sawyer Avenue
Tonawanda, NY 14150
Attn: Jill Monahan

Re: BID # 222152-002 Auctioneer Services

Dear Ms. Monahan,

The County of Erie wishes to extend this agreement for an additional contract period, through June 30, 2026, under a revised price structure of a 12% buyer's premium or 9% if paying with cash, check or money order. All other terms and conditions are the same as in the original agreement.

Extension is provided for per paragraph 26, Page 5 of 6 of the "Instructions to Bidders". This offer is for your immediate consideration and acceptance. Please indicate below whether you agree to extend or do not wish to extend. Please respond **within seven days upon receipt of this request.**

After approval and execution by the County, a fully signed copy will be returned to you for your files.

Yes, I agree to extend No, I do not wish to extend

Please complete and submit the following if indicated by an (X) for any bid extension agreed upon:

Insurance Form Workers Compensation Form

Company Name: Monahan Real Estate & Development, LLC / dba Cash Auctions

Representative (Please print): Jill Monahan Title: CEO

Signature: *Jill Monahan* Date: 6/3/24

Sincerely,

[Signature]
James D. Kucewicz
Buyer

[Signature]
Valle M. Ferraraccio
Director of Purchase
6/4/2024
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: 222152-002
 OPENING DATE: JUNE 15, 2022 TIME: 11:00 AM
 FOR: AUCTIONEER SERVICES

NAME OF BIDDER: Monahan Real Estate & Development, LLC / dba Cash Auctions

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

(Rev. 1/00)

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 10th day of June, 20 22

TERMS 2 years DELIVERY DATE AT DESTINATION before June 15, 2022

FIRM NAME Monahan Real Estate & Development, LLC / dba Cash Auctions

ADDRESS 210 Sawyer Ave

Tonawanda, NY ZIP 14150

AUTHORIZED SIGNATURE 

TYPED NAME OF AUTHORIZED SIGNATURE Jill Monahan

TITLE CEO TELEPHONE NO. 716-282-8466

(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 222152-002

Ship to: County of Erie Division of Purchase

Attention: James D.Kucewicz, Buyer

Address: 95 Franklin St., Room 1254, Buffalo, NY 14202

Ship Via: FedEx

Date Required at Destination: June 15, 2015

ITEM NO	QUANTITY	UM	CATALOG NO./DESCRIPTION	UNIT PRICE	TOTAL PRICE
			The County of Erie is seeking an Auctioneer to provide services		
			per the attached specifications.		
			Contract will run from July 1, 2022 to June 30, 2024.		
			<u>Pricing and Evaluation for Award</u>		
			Auctioneer's Quote=Buyer's Premium Percentage (charged to each item sold) <u>9.0%</u>		
			Years in business <u>5 years</u>		
			Reference Check (done by Erie County Division of Purchase)		
			<i>A 3% surcharge will be applied to credit cards only. This is the fee we are charged by our merchant provider</i>		

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

Monahan Real Estate & Development, LLC / dba Cash Auctions

(Rev. 9/95)

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

The County of Erie is seeking an Auctioneer to provide Live On-Site Auction Procedures, host and maintain an On-Line Auction Website for the sale of various surplus items. Items to include, but not limited to: Supplies, Equipment, Vehicles and Real Estate.

The County of Erie will provide an Auction date and the Auctioneer will provide the following:

For Both On-Site and On-line Auction Set-Up:

1. Cataloging of all items, providing descriptions and pictures.
 - a. County personnel will stage the auction items.
2. Responsible for the placing and payment of advertisement prior to the auction date.
 - a. One copy of the newspaper ad, brochure, press release, email Newsletter must be forwarded to the County's Buyer for filing.
3. Buyer's Premium will be allowed, but the auction website must be open to the public without a charge.
*****The Buyer's Premium % amount will be part of the evaluation for award*****
4. Process all payments via cash, money order, check or credit card at no cost to the County.
5. Auctioneer will announce to all potential buyers that all items are sold "As Is".
6. Provide detailed Auction Results Sheets of what was sold at auction's end:
Buyer's Name, Address & Phone
Lot #, Item description
Sold For \$\$ and Payment Type
7. Auctioneer must have been in business for at least 5 years and have maintained a website for at least 3 years.
*****This item will be part of the evaluation for award*****
8. Provide at least three references for evaluation.
*****This item will be part of the evaluation for award*****
9. Auctioneer will honor the County's right to accept or reject any or all bids that do not meet a minimum acceptable price without a penalty.
10. The County has the right to cancel and pull any item from an auction without penalty
11. Auctioneer will process all invoicing and provide a copy of a paid invoice to the County's personnel prior to the item(s) being picked-up.
12. Auctioneer may be called upon to auction County real estate.
 - a. Auctioneer must have all necessary and appropriate licenses to perform this service.

13. Auctioneer may be called upon to auction a specialty item in a stand-alone situation at a disclosed site. Purchaser will be responsible for its removal. Pictures will need to be obtained within 48 hrs.
14. Auctioneer will provide a complete report on the sale within 5 days of the auction's end.
15. Auctioneer will provide full payment of the sale within 10 business days of the auction's end and acknowledges a 1% late payment charge will be incurred for each day thereafter, with exception of any item being held due to pending formal paperwork.
16. **On-site Auctions** space will be provided by the County of Erie. All on-site auctions will be held on an agreed upon date falling on a Saturday starting at 10 A.M. (subject to change by mutual agreement). The auctioneer must provide Erie County with an itemized list by lot number of all items slated for auction, prior to the start of the auction. Auctioneer will provide the appropriate staffing for a successful auction and secured site. Purchasers will be provided a minimum of 1 hour after the auction for removal which shall be monitored by the auctioneer.
17. **On-line Auctions:** Auctioneer shall, at the County's request, provide on-line auction services and the ability to handle shipping of on-line auction items at the Purchaser's expense. Purchasers must have a copy of the paid invoice that matches the copy sent to the County's Surplus personnel prior to picking the item up. On-line auction start and finish dates will be agreed upon by the Auctioneer and Director of Purchase.
18. Any items remaining in the County's possession five (5) business days after the vehicle auction, with the exception for pending paperwork, and two (2) business days after all other auctions, excluding weekends and holidays, shall revert back to Erie County's ownership.
19. The Buyer's Premium will be the basis of total compensation for the auctioneer services provided.
20. Any expenses incurred by the County will be paid out of the gross revenues of the auction. For example: Towing, Tires etc. All expenses under this category need prior approval from the Director of Purchase.
21. Auctioneer must provide proof of insurance per requirements attached.
22. Listing Vehicles - All vehicles, boats, etc. will be listed with their corresponding Vehicle Identification Number (VIN) on the Auction Results Sheets
23. All other County of Erie policies and procedures must be followed as determined by the Director of Purchase.