



**COUNTY OF ERIE
DIVISION OF PURCHASE
MEMORANDUM**

To: All Using Departments

From: Jamie Kucewicz, Buyer

Date: February 21, 2025

Subject: ON-CALL EMERGENCY WELDING/METAL FABRICATION SERVICES

Bid No.: 240293-002

Effective Dates: November 1, 2024 through October 31, 2026

Vendor #: 164892

Vendor: MERZ METAL AND MACHINE CORPORATION
237 Chelsea Place
Buffalo, NY 14211

Telephone: 716-893-7786

Contact: Matthew Bagley

Pricing: per attached document



COUNTY OF ERIE

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: 240293-002

OPENING DATE: OCTOBER 30, 2024 TIME: 11:00 AM

FOR: ON-CALL & EMERGENCY WELDING/METAL FABRICATION SERVICES

NAME OF BIDDER: Merz Metal & Machine Corporation

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 AND BY A WRITTEN INSTRUMENT, TO KNOWINGLY MAKE A FALSE STATEMENT, OR TO MAKE A FALSE STATEMENT, MAKE A STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE.

BID NOT ACCEPTABLE WITHOUT FOLLOWING CERTIFICATION:

Affirmed under penalty of perjury this 30 day of October, 2024

TERMS in person DELIVERY DATE AT DESTINATION 95 Franklin St, Buffalo, NY 14202

FIRM NAME Merz Metal and Machine Corporation

ADDRESS 237 Chelsea Place

Buffalo, NY

ZIP

14211

AUTHORIZED SIGNATURE 

TYPED NAME OF AUTHORIZED SIGNATURE Matthew Bagley

TITLE President

TELEPHONE NO. 716-893-7786

(Rev 1/2000)

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

Specification for On-Call Emergency Welding/Metal Fabrication Services at all County of Erie Facilities.

Erie County Department of Public Works 95 Franklin St. Buffalo N.Y. 14202

Article I - General Information and Scope of Work

1001.1 Erie County Department of Public Works requires a full service/on-call contract to provide Welding, Metal Fabrication and Machine Shop services utilizing all labor, parts material, tools, equipment, and work practices in strict accordance with all applicable codes and standards. Vendor to provide transportation and supervision necessary to fabricate and install metal materials at all Erie County owned buildings as directed by the County of Erie representative during the contract term.

1001.2 - All work must conform to the latest edition of the International Building Code and local laws.

1001.3 - Contract is for a 2-year term from November 1, 2024 to October 31, 2026.

1001.4 - Contractor must be able to provide service 24 hours per day, 7 days per week and be able to respond within 1 hour and be on site within 2 hours from time of call by a County of Erie representative. Contractor to provide 24-hour emergency number. Emergency service calls shall be defined as a condition affecting the welfare of the public or the welfare of inmates in a correctional facility which cannot wait regular scheduling. Contractor to respond to regular service calls by scheduling of work to occur within 48 hours after consultation and site visit with County of Erie representative.

The contractor must be able to perform planned and emergency service of fabrication/installation and repair welding work in all County of Erie Facilities including Erie County Holding Center, Erie County Correctional Facility and Erie County Youth Detention facility.

1001.5 - Contractor working in a correctional facility must have personnel capable of passing criminal background check which will require driver's license and social security number. Contractor's staff must wear photo identification displaying company name and employee name on their person when performing work in County facilities. Contractor must follow security regulations in attached security document.

1001.6 – The county reserves the right to terminate (60-Day written notice) at any time, for any reason, or suspend any part of the services described herein when conditions change, operation of a county facility is reduced or discontinued, or other similar circumstances take place. In the event of such termination or suspension, payments for services shall suspend without penalty.

1001.7 – Any work performed under this specification must be at current prevailing rate and contractor is responsible to provide certified payroll as required by New York State Department of Labor for every invoice submitted for payment.

1001.8 – The contractor must be fully licensed to work in the City of Buffalo and any of the towns and villages in Erie County.

Article II – Qualifications / Requirements

2001.1 – Contractor shall have been a qualified welding service organization in installation and management and in active operation for a minimum of 10 Years. The bidder shall furnish with his bid, a statement that he has in his employ and under his supervision, the necessary personnel and he possesses resources located within the County of Erie, to properly fulfill all the services and conditions required under these specifications. The contract will be awarded to a contractor whose primary business is Welding and Metal Fabrication **The experience questionnaire attached must be submitted at time of bid.**

2001.2 - The contractor must have a flawless record with the Department of Labor, any infractions within the past 10 years, specifically regarding prevailing rate will disqualify the bidder.

2001.3 Contractor to provide quality workmanship and material and be subject to inspection by Erie County Department of Public Works representative.

2001.4 - Contractor must provide photographic documentation prior to and completion of restoration work.

2001.5 - Contractor is responsible to obtain burn permit from Erie County representative prior to any welding, burning, soldering in a County of Erie facility and discuss scope of work to enable engineering personnel to disable facility fire alarm system. Fire watch is required during the time period that the alarm system is disabled. Upon completion of work notify engineering to enable fire alarm system for required zone.

2001.6 – Contractor to have in his possession portable welding machine(s), with the ability of said machine to meet the emergency service call two (2) hour on-site response time as previously specified.

Portable welding machine must be able to be transported by contractor through facilities including walked up stairs and transported in elevators.

Contractor shall include with bid a certification listing all available equipment relating to these bid specifications.

Contractor shall have single source responsibility. No portion of the work shall be subcontracted or assigned. Contractor shall remove and dispose of all extra material and debris from the work site. The premises must be left clean at all times.

Article III

3001.1 – Performance Capabilities

Welding – Mig. Tig. Arc (specializing in aluminum and stainless) including portable machines.

Shearing – ½" x 10-foot capacity steel, ¾" x 10 foot capacity aluminum, 3/8" x 10-foot capacity stainless steel.

Bending and Forming – 230-ton hydraulic press brake, ½" x 10-foot length, 1/4" x 12 foot length.

Plate Rolling – 1/2" thick x 72" long.

Punching Capacity - 1-7/16" diameter through 7/8" thick plate.

Angle Sheering – 6" x 6" x ½" Cold sawing, tube bending, Pipe bending, flame Cutting, Plasma cutting.

Metal Fabrication – security gates, railings, metal cabinetwork, scaffolds, bins, hoods, chutes.

Article IV

4001.1 – Guarantee

The contractor shall guarantee all workmanship and parts furnished and installed under this contract against defect for (1) year beginning after the acceptance by the County, including all labor, parts and travel time. Defects will be repaired or replaced at no charge to the County.

Article V

5001.1 – Payment Schedule

Payment for services to be made in arrears upon receipt of service reports, certified payroll and invoice. Copies of invoices for material and equipment will be required when requested by Erie County

Article VI – Attachments

1. Proposal Construction Work
2. Experience Questionnaire
3. Security

NAME OF BIDDER

PROPOSAL FOR:
CONSTRUCTION WORK
On- Call Emergency Welding / Metal Fabrication Services
All County Owned Buildings

Pursuant to and in compliance with your advertisement for Bids, the undersigned offers to furnish all materials, labor, supplies, equipment, transportation and other facilities necessary for Welding/Fabrication construction work as required by and in strict accord with the contract documents entitled: "On-Call Emergency Welding/Metal Fabrication Services" including all Addenda for the following rates:

LABOR RATES

Regular Hourly Labor Rate \$143.50

After Hours / Weekend Rate \$205.50

Holiday Rate \$250.00

Base Bid: Contractor's Percentage of Overhead and Profit

Where so indicated on the Bid Proposal Form, the amount of the base bid shall be expressed in both words and figures. Where there is a discrepancy between the stipulated amount expressed in words and the stipulated amount expressed in figures, the words shall govern.

If applicable, write fractions as decimals and round to the nearest tenth.

BASE BID: 20 % (twenty percent)

Notes:

- Vendor invoice must list separately labor, materials, equipment charges and O/P. Invoices for non-labor charges must be provided at time of billing.
- For the sole purpose of awarding this contract, the County will calculate the annual cost for work requiring estimated 200 hours of labor + vendor's overhead and profit.
- The actual number of hours may vary from this estimation and the County will only pay for the actual number of hours authorized and worked. All prices quoted shall also include all travel time, no additional travel time will be honored.