



**COUNTY OF ERIE  
DIVISION OF PURCHASE  
MEMORANDUM**

**To:** All Using Departments

**From:** Jamie Kucewicz, Buyer

**Date:** May 3, 2021

**Subject:** PORTABLE TOILETS

**Bid No.:** 221102-002

**Effective Dates:** May 1, 2021 through April 30, 2022

**Vendor #:** 111388

**Vendor:** MODERN DISPOSAL SERVICES, INC  
4746 Model City Road  
Model City, NY 14107

**Telephone:** 800-330-7107

**Pricing:** per attached document



**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: 221102-002

OPENING DATE: APRIL 29, 2021 TIME: 11:00AM

FOR: PORTABLE TOILETS

NAME OF BIDDER: Modern Disposal Services, Inc

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 29th day of April, 20 21

TERMS \_\_\_\_\_ DELIVERY DATE AT DESTINATION \_\_\_\_\_

FIRM NAME Modern Disposal Services, Inc

ADDRESS 4746 Model City Rd

Model City, NY ZIP 14107

AUTHORIZED SIGNATURE 

TYPED NAME OF AUTHORIZED SIGNATURE Michael P. McInerney

TITLE Chief Executive Officer TELEPHONE NO. 800 - 330-7107

**County of Erie**  
**DIVISION OF PURCHASE**  
**BID SPECIFICATIONS**  
 BID NO. 221102-002

Ship to: County of Erie  
 Attention:  
 Address:

Ship Via: CW  
 Date Required at Destination: ASAP

| ITEM NO. | QUAN-TITY | UM | CATALOG NO./DESCRIPTION   | UNIT PRICE | TOTAL PRICE |
|----------|-----------|----|---|------------|-------------|
|          |           |    | Vendor to provide portable toilets at various Erie County locations     |            |             |
|          |           |    | per the attached specifications.  |            |             |
|          |           |    | Prices to be good from May 1, 2021 through April 30, 2022               |            |             |
|          |           |    | Locations listed in specifications are those with current need.         |            |             |
|          |           |    | Prices to be good for any County of Erie location, however.             |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |
|          |           |    | ** Bid award will be based on current need as listed in specifications. |            |             |
|          |           |    |   |            |             |
|          |           |    |   |            |             |

**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** Modern Disposal Services, Inc

SPECIFICATIONS

Vendor to provide the following portable toilet units:

**Standard Unit**

approximate dimensions - Height: 90"  
Width: 46"  
Depth: 48"  
Door opening: 76" x 28"  
Tank volume: 65 gallons  
Seat height: 18"

pricing - delivery charge \$75.00 per site per: SITE UNIT (circle one)  
single event charge (1 day or weekend) \$125.00 per unit  
monthly charge (service 1x/week) \$85.00 per unit  
monthly charge (service 3x/week) \$275.00 per unit  
additional service call charge \$45.00 per cleaning

**ADA Compliant Unit**

approximate dimensions - Height: 90"  
Width: 66"  
Depth: 86"  
Tank volume: 35 gallons  
Seat height: 18"

pricing - delivery charge \$75.00 per site per: SITE UNIT (circle one)  
single event charge (1 day or weekend) \$150.00 per unit  
monthly charge (service 1x/week) \$99.59 per unit  
monthly charge (service 3x/week) \$298.76 per unit  
additional service call charge \$45.00 per cleaning

\*Units must have hand sanitizer and paper dispensers which are replenished during service calls.

Current Need:

Akron Falls Park - 1 ADA UNIT  
44 Parkview Drive  
Akron, NY 14001

Como Lake Park - 1 ADA UNIT  
2220 Como Park Boulevard  
Lancaster, NY 14086

Ellicott Creek Park - 1 ADA UNIT  
1 Ellicott Creek Drive  
Tonawanda, NY 14150

Elma Meadows Park - 1 ADA UNIT & 1 STANDARD UNIT  
1711 Girdle Road  
Elma, NY 14059

Emery Park - 1 ADA UNIT  
2084 Emery Road  
South Wales, NY 14139

Tow Path Park - 1 STANDARD UNIT  
Foot of Hertel Avenue  
Buffalo, NY 14207

Black Rock Dog Park - 1 ADA UNIT  
16 Black Rock Harbor  
Buffalo, NY 14207

Chestnut Ridge Park (Eternal Flame) - 1 ADA UNIT  
6121 Chestnut Ridge Road  
Orchard Park, NY 14127

\* All units to be serviced 3x/week on Mondays, Wednesdays and Fridays.

\* Units needed May-October.