

**CITY OF WORCESTER, MA - SURPLUS BIDS
GENERAL SALES TERMS AND CONDITIONS**

1. **ALL ITEMS ARE OFFERED FOR SALE “AS IS WHERE IS”. THE DESCRIPTION IS BASED ON THE BEST AVAILABLE INFORMATION BUT THE CITY MAKES NO WARRANTY, GUARANTY, OR REPRESENTATION, EXPRESSED OR IMPLIED AS TO QUALITY, QUANTITY, KIND, CHARACTER, WEIGHT, SIZE OR DESCRIPTION OF THE ITEMS.**
2. **CONDITIONAL BIDS WILL NOT BE ACCEPTED.**
3. **IF REQUIRED BY THE CITY THE MATERIAL IS TO BE WEIGHED AT SUCCESSFUL BIDDER’S EXPENSE AT A SCALE TO BE DETERMINED BY THE CITY WHO WILL ASSIGN A REPRESENTATIVE TO ACCOMPANY MATERIAL TO THE WEIGHING SCALE. ONE COPY OF THIS WEIGHT CERTIFICATE SHALL BE GIVEN TO THIS REPRESENTATIVE.**
4. **PAYMENT IS TO BE MADE BY CASH, MONEY ORDER OR CERTIFIED CHECK PAYABLE TO THE CITY TREASURER, CITY OF WORCESTER AND PRESENTED TO THE PURCHASING DEPARTMENT AFTER RECEIPT OF AWARD NOTICE FROM THE CITY.**
5. **REMOVAL OF ANY AND ALL ITEMS / EQUIPMENT IS TO BE MADE WITHIN TEN (10) BUSINESS DAYS AFTER BID AWARD AND PAYMENT IS TO BE MADE WITHIN FIVE (5) DAYS FROM DATE OF INVOICE/AWARD NOTICE ISSUED BY THE CITY.**

THE CITY WILL ISSUE A RELEASE LETTER UPON RECEIPT OF PAYMENT. DO NOT SHOW UP AT DEPARTMENT LOOKING TO MAKE PAYMENT OR PICK UP ANY ITEMS UNTIL RECEIPT OF THE RELEASE LETTER FROM THE PURCHASING DEPARTMENT.
6. **THE CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS WHOLLY OR IN PART, AND TO MAKE AWARDS IN A MANNER DEEMED IN THE BEST INTERESTS OF THE CITY.**
7. **ALL SALES ARE FINAL.**
8. **IT IS UNDERSTOOD AND AGREED THAT IT SHALL BE A MATERIAL BREACH OF ANY CONTRACT RESULTING FROM THIS BID FOR THE CONTRACTOR TO ENGAGE IN ANY PRACTICE WHICH SHALL VIOLATE ANY PROVISION OF MASSACHUSETTS GENERAL LAWS, CHAPTER 151B, RELATIVE TO DISCRIMINATION IN HIRING, DISCHARGE, COMPENSATION, OR TERMS, CONDITIONS OR PRIVILEGES OF EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN, SEX, AGE OR ANCESTRY.**
9. **BIDDER CERTIFIES UNDER THE PENALTIES OF PERJURY THAT THIS BID HAS BEEN MADE AND SUBMITTED IN GOOD FAITH AND WITHOUT COLLUSION OR FRAUD WITH ANY OTHER PERSON. AS USED IN THIS CERTIFICATION, THE WORD “PERSON” SHALL MEAN ANY NATURAL PERSON, BUSINESS, PARTNERSHIP, CORPORATION, UNION, COMMITTEE, CLUB, OR OTHER ORGANIZATION, ENTITY, OR GROUP OF INDIVIDUALS.**

- 10. ALL COMMUNICATION REGARDING THE WINNING BID WILL BE VIA EMAIL AS IT IS PUBLIC RECORD.**
- 11. PICKUP FOR ITEMS IS BETWEEN 9AM and 2PM LOCAL TIME. ANY ACCEPTION TO THIS MUST BE APPROVED BY BOTH THE PURCHASING DEPARTMENT AND THE DEPARTMENT SELLING THE SURPLUS ITEM.**
- 12. IF CITY DEPARTMENT HAS TITLE TO THE UNIT IT WILL BE PROVIDED TO THE WINNING BIDDER. BUT THE CITY DOES NOT PROVIDE DUPLICATE TITLES TO WINNING BIDDERS IN INSTANCES OF LOSS OR NO TITLE IN CITY POSSESSION.**